



**CITY COUNCIL
MEETING MINUTES
Tuesday, August 15, 2023**

Closed Session 4:00 PM/Regular Session 5:30 PM
City Hall
130 Cremona Drive
Goleta, California

Members of the City Council

Mayor Paula Perotte
Mayor Pro Tempore Kyle Richards
Councilmember Stuart Kasdin
Councilmember Luz Reyes-Martín, District 1
Councilmember James Kyriaco, District 2

Robert Nisbet, City Manager
Deborah S. Lopez, City Clerk
Megan Garibaldi, City Attorney

4:00 P.M. - CLOSED SESSION

CALL TO ORDER

Mayor Perotte called the meeting to order at 4:00 P.M.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin,
Kyriaco, and Reyes-Martín
ABSENT: None

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

RECESS TO CLOSED SESSION

CLOSED SESSION

Megan Garibaldi, City Attorney, read in the record closed session matters as follows:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following two matters of pending litigation:

- City of Goleta v. Regents of the University of California, et al., Santa Barbara County Superior Court, case No. 21CV04854
- Jorgensen v. City of Goleta, Santa Barbara County Superior Court, Case No. 23CV02328

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957 (b)(1)

Title: City Manager

RECESS TO CLOSED SESSION AT 4:02 P.M.

5:30 P.M. - REGULAR AGENDA

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Perotte called the meeting to order at 5:45 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín

ABSENT: None

REPORT FROM CLOSED SESSION

Megan Garibaldi, City Attorney, reported on closed session matters as follows:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following two matters of pending litigation:

- City of Goleta v. Regents of the University of California, et al., Santa Barbara County Superior Court, case No. 21CV04854
- Jorgensen v. City of Goleta, Santa Barbara County Superior Court, Case No. 23CV02328

Action: No reportable action

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957 (b)(1)

Title: City Manager

Action: No reportable action

PUBLIC FORUM

Lou Fontana, owner of Oat Bakery, requested another extension for a code non-compliance case for a pizza oven at his restaurant.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

CITY MANAGER/STAFF REPORT

Robert Nisbet, City Manager, shared a reminder that the Dam Dinner will take place on Saturday, August 19, 2023, at the Lake Los Carneros Dam from 4:00 P.M. to 7:00 P.M.

Mr. Nisbet also shared comments regarding the following upcoming cultural observances in the month of September:

- September 15, 2023 - October 15, 2023 Hispanic Heritage Month
- September 4, 2023 Labor Day
- September 15, 2023 Rosh Hashana begins at sundown
- September 25, 2023 Yom Kippur

Mayor Perotte announced schools start next week, and advised caution on the roads.

A. CONSENT CALENDAR

ITEM A.4 WAS PULLED FROM THE CONSENT CALENDAR.

A.1 Acceptance of the June 2023 Check Register

Accept the check register for the month of June 2023.

Acceptance of the June 2023 Check Register

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to accept the check register for the month of June 2023.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

A.2 Acceptance of the April 2023 Investment Transaction Report

Accept the investment transaction report for the month of April 2023.

Acceptance of the April 2023 Investment Transaction Report

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to accept the investment transaction report for the month of April 2023.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

A.3 Reclassification- Library Director and Public Works Business Manager and Correction to Personnel Rules

Adopt Resolution No. 23- entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta Schedule of Authorized Positions and the City of Goleta Salary Schedule for Fiscal Year 2023/24 and Fiscal Year 2024/25 to Reclassify Two Positions and Correcting the Personnel Rules to Include the Existing Bilingual Allowance."

Reclassification- Library Director and Public Works Business Manager and Correction to Personnel Rules

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to adopt Resolution No. 23-45 entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta Schedule of Authorized Positions and the City of Goleta Salary Schedule for Fiscal Year 2023/24 and Fiscal Year 2024/25 to Reclassify Two Positions and Correcting the Personnel Rules to Include the Existing Bilingual Allowance."

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

A.5 Revision to Award of Contract for Rental Housing Mediation Services

Authorize the City Manager to execute a Professional Services Agreement between the City of Goleta and the City of Santa Barbara's Rental Housing Mediation Program for one year, beginning July 1, 2023, in an amount not to exceed \$60,000 with a termination date of June 30, 2024.

Revision to Award of Contract for Rental Housing Mediation Services

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to authorize the City Manager to execute a Professional Services Agreement between the City of Goleta and the City of Santa Barbara's Rental Housing Mediation Program for one year, beginning July 1, 2023, in an amount not to exceed \$60,000 with a termination date of June 30, 2024.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

A.6 Budget Appropriation Adjustments Fiscal Year 2023/24 Community Development Block Grant Funds

Approve amended budget appropriations for the Community Development Block Grant funds into their appropriate General Ledger accounts for Fiscal Year 2023/24 as identified in the fiscal impact section of the report.

Budget Appropriation Adjustments Fiscal Year 2023-24 Community Development Block Grant Funds

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to approve amended budget appropriations for the Community Development Block Grant funds into their appropriate General Ledger accounts for Fiscal Year 2023/24 as identified in the fiscal impact section of the report.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

A.7 Approval of Sole Source Purchase List of Special Traffic Signal and Lighting Equipment and Supplies

Approve a sole source list to purchase specialized traffic signal and lighting equipment and supplies in accordance with Section 3.05.090 of the Municipal Code for the acquisition of the listed equipment and supplies for the for the next four fiscal years, through Fiscal Year 2027/28.

Approval of Sole Source Purchase List of Special Traffic Signal and Lighting Equipment and Supplies

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to approve a sole source list to purchase specialized traffic signal and lighting equipment and supplies in accordance with Section 3.05.090 of the Municipal Code for the acquisition of the listed equipment and supplies for the for the next four fiscal years, through Fiscal Year 2027/28.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

A.8 Award of Professional Service Agreements for Ellwood Mesa Neighborhoods Hazard Fuel Reduction Project (CAL FIRE Grant)

A. Authorize the City Manager to execute a Professional Services Agreement with Rincon Consultants, Inc. for CALFIRE grant management and Hazard Fuel Risk Reduction Project implementation for a total not-to-exceed amount of \$482,466 and a term expiring June 30, 2026; B. Authorize the City Manager to execute a Professional Services Agreement with Althouse and Meade, Inc. for biological monitoring and monarch habitat specialist support for a total not-to-exceed amount of \$148,074 and a term expiring June 30, 2026; and C. Authorize the City Manager to execute a Professional Services Agreement with Legacy Philanthropy Works for public outreach and stakeholder engagement at Ellwood Mesa for a total not-to-exceed amount of \$246,485 and a term expiring June 30, 2026.

Award of Professional Service Agreements for Ellwood Mesa Neighborhoods Hazard Fuel Reduction Project (CAL FIRE Grant)

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to:
A. Authorize the City Manager to execute a Professional Services Agreement with Rincon Consultants, Inc. for CALFIRE grant management and Hazard Fuel Risk Reduction Project implementation for a total not-to-exceed amount of \$482,466 and a term expiring June 30, 2026; B. Authorize the City Manager to execute a Professional Services Agreement with Althouse and Meade, Inc. for biological monitoring and monarch habitat specialist support for a total not-to-exceed amount of \$148,074 and a term expiring June 30, 2026; and C. Authorize the City Manager to execute a Professional Services Agreement with Legacy Philanthropy Works for public outreach and stakeholder engagement at Ellwood Mesa for a total not-to-exceed amount of \$246,485 and a term expiring June 30, 2026.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

A.9 Professional Design Services Agreement with MNS Engineers, Inc. for Ellwood Beach Drive Drainage Repair

A. Award and authorize the City Manager to execute a Professional Design Services Agreement with MNS Engineers, Inc. for the Ellwood Beach Drainage Repair Project in a total not-to-exceed amount of \$104,000, with a termination date of December 31, 2024; and B. Authorize a budget appropriation of \$50,000 from the General Fund Unassigned Fund Balance to account no. 101-90-9119-57070.

Professional Design Services Agreement with MNS Engineers, Inc. for Ellwood Beach Drive Drainage Repair

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to:
A. Award and authorize the City Manager to execute a Professional Design Services Agreement with MNS Engineers, Inc. for the Ellwood Beach Drainage Repair Project in a total not-to-exceed amount of \$104,000, with a termination date of December 31, 2024; and B. Authorize a budget appropriation of \$50,000 from the General Fund Unassigned Fund Balance to account no. 101-90-9119-57070.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

A.10 Approve Right of Way Agreements and Accept Easement Deeds for Properties Required for the San Jose Creek Multipurpose Path Northern and Southern Segments Project

A. Approve and authorize the City Manager to execute the Right of Way Agreements, including any required escrow transactional documents, and B. Authorize the City Clerk to accept Easement Deeds of properties required from APN 071-350-009 owned by Ochsner/Common Area and APN 070-090-083 owned by Schwan Brothers Properties, LLC for the San Jose Creek Multipurpose Path Northern and Southern Segments Project.

Approve Right of Way Agreements and Accept Easement Deeds for Properties Required for the San Jose Creek Multipurpose Path Northern and Southern Segments Project

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to:
A. Approve and authorize the City Manager to execute the Right of Way Agreements, including any required escrow transactional documents, and B. Authorize the City Clerk to accept Easement Deeds of properties required from APN 071-350-009 owned by Ochsner/Common Area and APN 070-090-083 owned by Schwan Brothers Properties, LLC for the San Jose Creek Multipurpose Path Northern and Southern Segments Project.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

ITEM A.4 WAS PULLED FROM THE CONSENT CALENDAR.

A.4 Acceptance of Correction Grant Deed for Assessor's Parcel Number 071-130-009, Goleta Community Center Property

Authorize the City Clerk to execute a Certificate of Acceptance, accepting the Correction Grant Deed for a portion of Assessor's Parcel Number 071-130-009 between the City of Goleta and the Goleta Union School District.

Acceptance of Correction Grant Deed for Assessor's Parcel Number 071-130-009, Goleta Community Center Property

Staff Speakers:

Robert Nisbet, City Manager, provided an update on the process of accepting the Correction Grant Deed for Assessor's Parcel Number 071-130-009, Goleta Community Center Property.

Public Speakers:

None

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to authorize the City Clerk to execute a Certificate of Acceptance, accepting the Correction Grant Deed for a portion of Assessor's Parcel Number 071-130-009 between the City of Goleta and the Goleta Union School District.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

B. PRESENTATION

B.1 Presentation from Santa Barbara Metropolitan Transit District

Receive a presentation from Santa Barbara Metropolitan Transit District.

Presentation from Santa Barbara Metropolitan Transit District

Public Comment Received

Speakers:

Jerry Estrada, General Manager of the Santa Barbara Metropolitan Transit District (SBMTD), provided a presentation titled "MTD Public Transit Service Update" dated August 15, 2023 (presentation on file).

Public Speakers:

None

All public comments received posted online:

David Gaughen

The City Council received the presentation and provided feedback to the representatives of the SBMTD.

C. DISCUSSION/ACTION ITEM

C.1 Designation of City Council Delegates for the Cal Cities Annual Conference

Designate Stuart Kasdin as the voting delegate and Luz Reyes-Martín as the alternate delegate to represent the City of Goleta at the Cal Cities 2023 Annual Business Meeting.

Designation of City Council Delegates for the Cal Cities Annual Conference

Staff Speakers:

Deborah S. Lopez, City Clerk

Public Speakers:

None

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to designate Councilmember Kasdin as the voting delegate and Councilmember Reyes-Martín as the alternate delegate to represent the City of Goleta at the Cal Cities 2023 Annual Business Meeting.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

C.2 First Reading of Ordinance of the City Council of the City of Goleta, California, Adding Chapter 9.02 to Title 9 of the Goleta Municipal Code Authorizing the Operation of Bingo by Qualifying Organizations

A. Introduce and conduct first reading (by title only) and waive further reading of Ordinance 23-__, entitled "An Ordinance of the City Council of the City of Goleta, California, Adding Chapter 9.02 to Title 9 of the Goleta Municipal Code Authorizing the Operation of Bingo Games by Qualifying Organizations;" and B. Find that the adoption of the Ordinance is exempt from the California Environmental Quality Act under Guideline 15301(c) and direct staff to file a Notice of Exemption within five business days.

First Reading of Ordinance of the City Council of the City of Goleta, California, Adding Chapter 9.02 to Title 9 of the Goleta Municipal Code Authorizing the Operation of Bingo by Qualifying Organizations

Staff Speakers:
Luke Rioux, Finance Director

Public Speakers:
None

MOTION: Councilmember Kyriaco/Councilmember Kasdin to: A. Introduce and conduct first reading (by title only) and waive further reading of Ordinance 23-__, entitled "An Ordinance of the City Council of the City of Goleta, California, Adding Chapter 9.02 to Title 9 of the Goleta Municipal Code Authorizing the Operation of Bingo Games by Qualifying Organizations;" and B. Find that the adoption of the Ordinance is exempt from the California Environmental Quality Act under Guideline 15301(c) and direct staff to file a Notice of Exemption within five business days.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

C.3 Ordinance to amend Chapter 9.09 of the Goleta Municipal Code regarding noise restrictions and determination that the ordinance is exempt from the California Environmental Quality Act

A. Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 23-__ entitled "An Ordinance of the City of Goleta, California, Amending Chapter 9.09 of Title 9 of the Goleta Municipal Code Regarding Restricted Noises"; B. Find that the Ordinance is Categorically Exempt from the California Environmental Quality Act; and C. Direct staff to file a Notice of Exemption.

Ordinance to amend Chapter 9.09 of the Goleta Municipal Code regarding noise restrictions and determination that the ordinance is exempt from the California Environmental Quality Act

Public Comment Received

Staff Speakers:

Winnie Cai, Assistant City Attorney, and Lisa Prasse, Current Planning Manager

Public Speakers:

Scott Switzer spoke regarding concerns about amplified music during through 10:00 p.m. and suggested language modification to provide protection.

Robert Zaida asked if there is a decibel limit for amplified music during the daytime, or prohibitions on construction noises outside of the hours of 8:00 a.m. to 5:00 p.m. Mr. Zaida noted a neighbor putting on his roof after working hours, asked if this was considered "construction."

All public comment received posted online:

Marie Crusinberry and David Gaughen

MOTION: Councilmember Kyriaco/Councilmember Reyes-Martín to: A. Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 23-__ entitled "An Ordinance of the City of Goleta, California, Amending Chapter 9.09 of Title 9 of the Goleta Municipal Code Regarding Restricted Noises" as amended; B. Find that the Ordinance is Categorically Exempt from the California Environmental Quality Act; and C. Direct staff to file a Notice of Exemption.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

RECESS FROM 7:22 P.M. TO 7:31 P.M.

C.4 Long-Term Management of the Goleta Community Center

A. Approve long-term direct management of the Goleta Community Center by the City and direct staff to begin full implementation of enhancements and changes envisioned in the Goleta Community Center Strategic Plan; and B. Approve staff's plan to release an RFP for non-profit management of the Senior Center space and provision of a Senior Program at the Goleta Community Center.

Long-Term Management of the Goleta Community Center

Staff Speakers:

Kristine Schmidt, Assistant City Manager, Jaime A. Valdez, Neighborhood Services Director, and JoAnne Plummer, Parks and Recreation Manager

Public Speakers:

None

MOTION: Councilmember Kyriaco/Councilmember Reyes-Martín to: A. Approve long-term direct management of the Goleta Community Center by the City and direct staff to begin full implementation of enhancements and changes envisioned in the Goleta Community Center Strategic Plan; and B. Approve staff's plan to release an RFP for non-profit management of the Senior Center space and provision of a Senior Program at the Goleta Community Center.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

C.5 Goleta Train Depot Update and Amendment No. 2 to Professional Design Services Agreement 2019-042 with Anil Verma Associates, Inc.

A. Receive an update on the Goleta Train Depot Project; and B. Authorize the City Manager to execute Amendment No. 2 to Professional Design Services Agreement 2019-042 between the City of Goleta and Anil Verma Associates, Inc., to expand the scope of work and add \$220,000 to the compensation thereby increasing the not-to-exceed amount to \$2,975,000.

Goleta Train Depot Update and Amendment No. 2 to Professional Design Services Agreement 2019-042 with Anil Verma Associates, Inc.

Staff Speakers:

Jaime A. Valdez, Neighborhood Services Director; Gerald Comati, P.E., Project Manager, COM3 Consulting, Inc.; Jim Keenan, of Anil Verma Associates, Inc.; and Shawn Kowalewski, of MNS Engineers, Inc.

Public Speakers:

Frank Arredondo, representing CCRP, raised concerns regarding the archaeological survey conducted for the Goleta Train Depot project.

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to: A. Receive an update on the Goleta Train Depot Project; and B. Authorize the City Manager to execute Amendment No. 2 to Professional Design Services Agreement 2019-042 between the City of Goleta and Anil Verma Associates, Inc., to expand the scope of work and add \$220,000 to the compensation thereby increasing the not-to-exceed amount to \$2,975,000.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin, Kyriaco, and Reyes-Martín. Noes: None.

RECESS FROM 8:40 P.M. TO 8:44 P.M.

C.6 New Council Subcommittee

Consider a request from Councilmember Kasdin, seconded by Councilmember Richards, to discuss the creation of a new standing subcommittee of the City Council to address community welfare issues.

New Council Subcommittee

Staff Speakers:

Robert Nisbet, City Manager

The City Council discussed the role of a new Council subcommittee related to social issues and directed staff to draft a resolution for adoption by the City Council creating said subcommittee.

Public Speakers:

None

D. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

Mayor Pro Tempore Richards reported on the meeting of the Grant Funding Review Standing Committee of August 7, 2023, where the committee discussed expanding the City's support to other agencies to a longer-term model.

Mayor Perotte reminded everyone that school starts next week and advised caution on the roads and in school zones.

E. CITY ATTORNEY REPORT

None

ADJOURNED AT 9:27 P.M.

GOLETA CITY COUNCIL

PAULA PEROTTE,
MAYOR

ATTEST:

DEBORAH S. LOPEZ
CITY CLERK