



**City Council  
Agenda  
Tuesday, July 17, 2018**

Afternoon Session

1:30 P.M.

City Hall, Council Chambers  
130 Cremona Drive, Suite B  
Goleta, California

Evening Session

6:00 P.M.

City Hall, Council Chambers  
130 Cremona Drive, Suite B  
Goleta, California

**Members of the City Council**

*Mayor Paula Perotte*

*Mayor Pro Tempore Stuart Kasdin*

*Councilmember Roger S. Aceves*

*Councilmember Michael T. Bennett*

*Councilmember Kyle Richards*

*Michelle Greene, City Manager*

*Michael Jenkins, City Attorney*

*Deborah S. Lopez, City Clerk*

**AMERICANS WITH DISABILITIES ACT:**

In compliance with the ADA, if special assistance is needed to participate in a City Council meeting (included assisted listening devices), please contact the City Clerk's office at (805) 961-7500. Notification at least 72 hours prior to the meeting helps to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

**TELEVISION COVERAGE:**

Each regular City Council meeting is broadcast live on Goleta City TV Channel 104.148, (Cox Subscribers Channel 19) on the 1st and 3rd Tuesdays and rebroadcast on Wednesdays and Saturdays at 10:00 a.m., and 5:00 p.m.

**WEB STREAMING:**

Live webstreaming of the City Council meetings are available at [www.cityofgoleta.org](http://www.cityofgoleta.org).

**WRITTEN SUBMITTALS TO COUNCIL:**

Written submittals concerning agenda items may be sent to the City Clerk e-mail: [dlopez@cityofgoleta.org](mailto:dlopez@cityofgoleta.org); or mail: Attn: City Council and City Clerk at 130 Cremona Drive, Suite B Goleta, California 93117. In order to be disseminated to the City Council for consideration during the Council meeting, written information must be submitted to the City Clerk no later than Monday at noon prior to the City Council meeting. Material received after this time may not be reviewed by the City Council prior to the meeting.

**AFTERNOON SESSION****CALL TO ORDER AND PLEDGE OF ALLEGIANCE****ROLL CALL OF CITY COUNCIL****PUBLIC FORUM**

At this time the public shall have an opportunity to comment on any non-agenda item relevant to the jurisdiction of the City. It is requested that each speaker complete a "Speaker Request Form" and submit it to the City Clerk. Reasonable time limits are imposed on each topic and each speaker. In accordance with the provisions of the Ralph M. Brown Act (GC § 54950 et seq.), no action or discussion may take place by the Council on any item not on the posted agenda. The Council may respond to statements made or questions asked, and may direct the staff to report back on the topic at a future meeting.

**AMENDMENTS OR ADJUSTMENTS TO AGENDA**

**A. PRESENTATION**

- A.1     [18-287](#)     **Recognition of the City of Goleta Bike Challenge Team – 3rd Place overall in the County for CycleMaynia's Bike Commute Challenge**
- A.2     [18-286](#)     **Employee 15-Year Pin – Cindy Moore, Sustainability Coordinator**

**B. CONSENT CALENDAR**

- B.1     [18-285](#)     **Approval of the Special City Council Meeting Minutes of May 3, 2018**

**Recommendation:** Approve the Special City Council Meeting Minutes of May 3, 2018.

**Staff:** Deborah S. Lopez, City Clerk

- B.2     [18-276](#)     **Acceptance of the June 2018 Check Register and Investment Transaction Report**

**Recommendation:** A. Accept the check register for the month of June 2018.

B. Accept the investment transaction report for the month of June 2018.

**Staff:** Luke Rioux, Finance Director

- B.3     [18-270](#)     **Cannabis Business License Ordinance**

**Recommendation:** Conduct the second reading (by title only), and waive further reading of Ordinance No. 18-\_\_, entitled "An Ordinance of the City Council of the City of Goleta, California, Repealing and Replacing Chapter 5.09 of Title 5 of the Goleta Municipal Code to Establish Standards and Regulations for Commercial Cannabis Businesses" ("CBL Ordinance").

**Staff:** Carmen Nichols, Deputy City Manager

- B.4     [18-257](#)     **Cannabis Land Use Ordinance**

**Recommendation:** Conduct the second reading (by title only), and waive further reading of and adopt Ordinance No. 18-\_\_, entitled "An Ordinance of the City Council of the City of Goleta, California, Repealing Definitions and Regulations from the Inland and Coastal Zoning Ordinances and Establishing Regulations for Various Cannabis Uses within the City."

**Staff:** Anne Wells, Advance Planning Manager  
Andy Newkirk, Senior Planner

**B.5     [18-290](#)     Amendment No. 1 to the General Services Agreement No. 2017-103 with JaniCare**

**Recommendation:** Approve and authorize the City Manager to execute Amendment No. 1 to General Services Agreement No. 2017-103 with JaniCare for custodial services at the Library and City Hall retroactive to July 1, 2018, for an additional two years with a termination date to June 30, 2020, and increase the contract amount by \$166,600 for a new total not-to-exceed amount of \$220,800.

**Staff:** Carmen Nichols, Deputy City Manager

**B.6     [18-272](#)     Award of Annual Service Contract with Granite Construction Company for Street Maintenance Services for FY 2018-19 to FY 20-2021**

**Recommendation:** Authorize the City Manager to execute an agreement with Granite Construction, Inc. for FY 2018-19 to FY 2020-21 for on-call Annual Street Maintenance Services in an amount not-to-exceed \$150,000 annually (\$450,000 over 3 fiscal years), subject to the approval of each fiscal year's budget, with a termination date of June 30, 2021.

**Staff:** Bob Morgenstern, Public Works Manager

**B.7     [18-209](#)     Approval of Public Improvements for Patterson Avenue South of Hollister Avenue, APN 065-090-028**

**Recommendation:** Approve improvement plans titled "300 Block South Patterson Avenue Street Improvement Plan" in conformance with the approved project and conditions of approval on file with the City Clerk's Office.

**Staff:** Marti Milan, Principal Civil Engineer

**B.8     [18-271](#)     Professional Services Agreement for Planning Services with Bret McNulty, McNulty Consulting**

**Recommendation:** Authorize the City Manager to an Agreement for Professional Services with Bret McNulty, McNulty Consulting, for the Ritz-Carlton Bacara Emergency Permit and Development Plan Revision (Attachment 1).

**Staff:** Lisa Prasse, Current Planning Manager  
Mary Chang, Supervising Senior Planner

**B.9     [18-277](#)     Agreement for Professional Legal Services with Edgcomb Law Group, LLP**

**Recommendation:** Authorize the City Manager to execute a Professional Legal Services Agreement between the City of Goleta and Edgcomb Law Group, LLP (Edgcomb) for professional legal services for a term of one year ending June 30, 2019, with a not-to-exceed amount of \$60,000 for professional legal services.

**Staff:** Michael Jenkins, City Attorney  
Winnie Cai, Deputy City Attorney

**B.10    [18-258](#)    Amendment No. 2 to the Franchise Agreement No 2011-023 between the City and MarBorg Industries**

**Recommendation:** Authorize the City Manager to execute Amendment No. 2 to Agreement No. 2011-023, the Franchise Agreement between the City and MarBorg Industries, to extend the contract term to June 30, 2031 and amend the contract to enhance collection services and implement a reduction in the solid waste collection rates.

**Staff:** Everett King, Environmental Services Coordinator

**Estimated Time:** 30 minutes

**C. DISCUSSION/ACTION ITEM**

**C.1     [18-097](#)     Parks and Recreation Commission Appointment**

**Recommendation:**

- A. Conduct candidate interviews for the Parks and Recreation Commission; and,
- B. Appoint one candidate to fill the remainder of the term of a vacant seat on the Parks and Recreation Commission, and one candidate to fill the vacant Student Commissioner term on the Commission.

**Staff:** Deborah S. Lopez, City Clerk

**Estimated Time:** 40 minutes

**C.2     [18-269](#)     Goleta Library Story Well Room Renovation: Acceptance of Donation from the Friends of the Goleta Valley Library and Award of Construction Agreements**

- Recommendation:**
- A. Authorize the City Manager to receive a donation from the Friends of the Goleta Valley Library in the amount of \$62,456.45 through approval of a written agreement between the City of Goleta and Friends of the Goleta Valley Library for the renovation of the Children's Story Well Room; and,
  - B. Authorize the placement of a plaque in the renovated Children's Story Well Room commemorating the donations made for the project, and direct the Public Works Director to approve the wording of the plaque and placement details; and,
  - C. Authorize the City Manager to execute a construction contract between the City of Goleta and Qwik Response Disaster Control and Construction for asbestos abatement and removal at the Goleta Library, in an amount not-to-exceed \$7,633.45; and,
  - D. Authorize the City Manager to execute a construction contract between the City of Goleta and Quincon, Inc. for a room remodel at the Goleta Library, in an amount not-to-exceed \$54,823; and,
  - E. Authorize the City Manager to approve contingency contract change orders for the renovation of the Children's Story-Well Room, if necessary, in an amount not to exceed \$15,614.11; and,
  - F. Authorize a budget adjustment to increase Library Donations revenue account 101-4-1700-625 by \$62,456.45 and appropriate \$62,456.45 in donation funds to account 101-5-9069-705 (Miscellaneous Facilities Improvements - Capital Outlay) for Fiscal Year 2018/19 for the renovation of the Children's Story-Well Room; and increase the Library County Per Capita revenues account 208-4-1700-225 by \$36,800 and appropriate \$15,614.11 from Library Per Capita Funds to account 208-5-9069-705.

**Staff:** Dana Grossi, Management Analyst

**Estimated Time:** 15 minutes

**C.3     [18-230](#)     Goleta Valley Community Center Mural Project**

**Recommendation:** Approve a proposal by the Goleta Valley Community Center (GVCC) for a public mural on the western wall of the GVCC.

**Staff:** Peter Imhof, Planning and Environmental Review Director

**Estimated Time:** 15 minutes

**C.4     [18-268](#)     Reconsideration of 2018-19 City Grant Program Funding: Las Noticias en Confianza**

**Recommendation:** Approve a Goleta City Grant Program funding award in the amount of \$2,000 to TV Santa Barbara, serving as fiscal sponsor to Las Noticias en Confianza.

**Staff:** Carmen Nichols, Deputy City Manager

**Estimated Time:** 30 minutes

**C.5     [18-283](#)     Direct Arguments for Measure Z2018 Cannabis Business Tax and Measure W2018 Salaries-Mayor and City Council**

**Recommendation:** A. Review and finalize the argument for Measure Z2018 - Cannabis Business Tax.

B. Review and finalize the argument for Measure W2018 - Salaries-Mayor and City Council.

C. Determine whether to authorize a City Council Committee to author the rebuttal arguments for the measures.

**Staff:** Michael Jenkins, City Attorney  
Deborah Lopez, City Clerk

**Estimated Time:** 15 minutes

**OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS****ADJOURN TO CLOSED SESSION****CLOSED SESSION**

Pursuant to the provisions of Government Code Section 54956.9(a), the City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

**CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION  
– THREAT OF LITIGATION**

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and (e) (5)) with regard to two potential cases.

**CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION**

Pursuant to the provisions of Government Code Section 54956.9(d)1

\* City of Goleta v. Cohen (Sacramento County Superior Court Case No.34-2013-80001521-CU-WM-GDS)

**RECESS TO EVENING SESSION****CITY COUNCIL MEETING**

**6:00 P.M.**

**130 Cremona Drive, Suite B  
Goleta, California**



## EVENING SESSION

## CALL TO ORDER AND PLEDGE OF ALLEGIANCE

## ROLL CALL OF CITY COUNCIL

## REPORT FROM CLOSED SESSION - (City Attorney)

## PUBLIC FORUM

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## AMENDMENTS OR ADJUSTMENTS TO AGENDA

## D. PRESENTATION

- |     |                               |   |
|-----|-------------------------------|---|
| D.1 | <a href="#"><u>18-288</u></a> | Proclamation Declaring July 2018 as National Parks and Recreation Month |
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## E. PUBLIC HEARING

- E.1     [18-266](#)     Request for Development Impact Fee Adjustment for the Schwan Self-Storage Development Project located at 10 S. Kellogg Avenue. APN 071-090-082**

**Recommendation:** Adopt Resolution No. 18- \_\_ entitled "A Resolution of The City Council of the City of Goleta, California Approving the Request for Development Impact Fee Reduction by Schwan Brother Properties; 10 South Kellogg; APN 071-090-082." (Attachment 1)

**Staff:** Kathy Allen, Supervising Senior Planner

**Estimated Time:** 30 minutes

**E.2     [18-284](#)     Cannabis Business License Program and Fees**

- Recommendation:** A. Conduct a Public Hearing on Proposed User Fee Charges for Cannabis Business Licenses;  
B. Adopt Resolution No. 18-\_\_ Entitled "A Resolution of the City Council of the City of Goleta, California, Establishing a Commercial Cannabis Business Application and Regulatory License Fee Program;"  
C. Adopt Resolution No. 18-\_\_ Entitled, "A Resolution of the City Council of the City of Goleta, California, Establishing Procedures for Review of Commercial Cannabis Business License Applications;" and,  
D. Adopt Resolution No. 18-\_\_ Entitled, "A Resolution of the City Council of the City of Goleta, California Rescinding Resolution No. 18-23 and Approving and Adopting the 2018 User Fees and Charges."

**Staff:** Luke Rioux, Finance Director  
Vyto Adomaitis, Neighborhood Services and Public Safety Director

**Estimated Time:** 30 minutes

**E.3     [18-281](#)     Public Hearing for a Street Lighting Benefit Assessment for Fiscal Year 2018/19**

- Recommendation:** Adopt Resolution No. 18-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California, Establishing an Assessment Charge for the City of Goleta Street Lighting Benefit Assessment for Fiscal Year 2018/19."

**Staff:** Luke Rioux, Finance Director

**Estimated Time:** 30 minutes

**E.4     [18-280](#)     Public Hearing to Establish the Tax Rate for the Goleta Library Special Tax for Fiscal Year 2018/19**

- Recommendation:** Adopt Resolution No. 18-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California Establishing the Tax Rate for the Goleta Library Special Tax for Fiscal Year 2018/19;"

**Staff:** Luke Rioux, Finance Director

**Estimated Time:** 30 minutes

**F. DISCUSSION/ACTION ITEM****F.1 [18-259](#) Strategic Energy Planning Services**

- Recommendation:**
- A. Authorize the City Manager to sign the Memorandum of Understanding (MOU) for participation in Santa Barbara County's Strategic Energy Planning Services Contract (Attachment 1).
  - B. Approve a budget appropriation of \$28,700 from the General Fund Unassigned Fund Balance to account 101-5-4500-500 to support Santa Barbara County's contract with a consultant to provide strategic energy planning services and develop a clean energy roadmap for the City of Goleta.

**Staff:** Cindy Moore, Sustainability Coordinator

**Estimated Time:** 30 minutes

**F.2 [18-263](#) Community Choice Energy Technical Feasibility Study Results and Resolution of Intent**

- Recommendation:**
- A. Receive a report from Pacific Energy Advisors, Inc. on the results of the Santa Barbara County Community Choice Energy Technical Study; and
  - B. Adopt Resolution 18-\_\_\_, entitled, "A Resolution of the City Council of the City of Goleta, California, Affirming the City's Intent to Participate in Governance and Financing Discussions for a Proposed Community Choice Energy Joint Powers Authority".

**Staff:** Cindy Moore, Sustainability Coordinator

**Estimated Time:** 60 minutes

**G. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS**

- Finance and Audit Standing Committee Meeting 7/10/2018

**H. CITY MANAGER/STAFF REPORT****I. CITY ATTORNEY REPORT**