City Council

Agenda

Tuesday, December 3, 2019

Closed Session - 4:00 P.M.
Regular Meeting - 5:30 P.M.

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

Members of the City Council

Mayor Paula Perotte
Mayor Pro Tempore Kyle Richards
Councilmember Roger Aceves
Councilmember Stuart Kasdin
Councilmember James Kyriaco

Michelle Greene, City Manager
Michael Jenkins, City Attorney
Deborah S. Lopez, City Clerk

AMERICANS WITH DISABILITIES ACT:

In compliance with the ADA, if assistance is needed to participate in a City Council meeting (including assisted listening devices), please contact the City Clerk's office at (805) 961-7505. 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 or archived webstreaming of the City Council meetings is available at https://tinyurl.com/GoletaMeetings

WRITTEN SUBMITTALS TO COUNCIL:

Written submittals concerning agenda items may be sent to the City Clerk e-mail: cityclerkgroup@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.

4:00 P.M. - CLOSED SESSION

(LOCATION: Meetings convene in the Council chambers and move to Conference Room 1)

CALL TO ORDER IN COUNCIL CHAMBERS

ROLL CALL OF CITY COUNCIL

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.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

RECESS TO CLOSED SESSION IN CONFERENCE ROOM 1

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.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section § 54957 (b)(1)
Title: City Manager

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 - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) with regard to one potential case.

CONFERENCE WTH LEGAL COUNSEL - PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matter of pending litigation:
• Venoco, LLC (17-10828); pending in the U.S. Bankruptcy Court for the District of Delaware

CONFERENCE WTH LEGAL COUNSEL - PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matter of pending litigation:
• Thornwood Real Estate LLC v. City Council of the City of Goleta, a California municipality, Planning Commission of the City of Goleta and DOES 1-10, inclusive - Case No. 19CV05887

CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matters of pending litigation:
• City of Goleta v. City Ventures Homebuilding LLC, Case No. 19CV01943

5:30 P.M. - REGULAR AGENDA

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. CONSENT CALENDAR

A.1 19-584 **Approval of the City Council Meeting Minutes of November 5, 2019**

Recommendation: Approve the City Council Meeting Minutes of November 5, 2019.

Staff: Deborah S. Lopez, City Clerk

A.2 19-540 **Acceptance of the October 2019 Check Register and Investment Transaction Report**

Recommendation: A. Accept the check register for the month of October 2019.

B. Accept the investment transaction report for the month of October 2019.

Staff: Luke Rioux, Finance Director

A.3 19-481 **Acceptance of Quarterly Treasurer's Report for the Quarter Ending September 30, 2019**

Recommendation: Accept the Quarterly Treasurer's Report for the Quarter Ending September 30, 2019.

Staff: Luke Rioux, Finance Director

A.4 19-483 **Fiscal Year 2019/20 First Quarter Financial Review**

Recommendation: Adopt Resolution No. 19-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta Schedule of Authorized Positions, Salary Schedule and Classification Plan for Fiscal Year 2019/20, and amending the City's Operating and CIP Budget for Fiscal Year 2019/20."

Staff: Luke Rioux, Finance Director
Tony Gonzalez, Accounting Manager

A.5 19-523 **Consideration of the 2020 City Council Meeting Schedule and City Hall Holiday Schedule**

Recommendation: A. Authorize cancellation of the City Council meetings of July 7 and August 4, 2020 and January 5, 2021; and

B. Authorize closure of City Hall from December 24, 2020 through January 3, 2021.

Staff: Kristy Schmidt, Assistant City Manager
Dana Grossi, Management Analyst

A.6 19-582 **Financing for Purchase of 130 Cremona Drive and Fund Balance**

Recommendation: Authorize staff to submit an application to the California Infrastructure and Economic Development Bank in an amount of $10,000,000, for Financing of the City Hall Purchase and Improvements Project, in accordance with Resolution No. 19-55.

Staff: Luke Rioux, Finance Director

A.7 19-556 **Initiation of 2020-2021 Community Development Block Grant (CDBG) and Goleta City Grant Programs**

Recommendation: Initiation of 2020-2021 Community Development Block Grant (CDBG) and Goleta City Grant Programs.

Staff: Vyto Adomaitis, Neighborhood Services and Public Safety Director
Dominique Samario, Management Analyst

A.8 19-526 **Purchase and Sale Agreement and Grant Contract for Mathilda Drive Parcel Acquisition (APN 079-554-031)**

Recommendation:

A. Authorize the City Manager to execute the attached Purchase and Sale Agreement for a parcel located at the south end of Mathilda Drive, identified as Assessor's Parcel Number 079-554-031 (owned by Henrietta Ash/Henrietta A Ash Trust).
B. Authorize the Mayor to execute the attached agreement between the City and the County of Santa Barbara for use of funding from a Coastal Resource Enhancement Fund Grant and a Monarch Butterfly Habitat Acquisition Grant and the accompanying "Conservation Easement Deed and Agreement."
C. Authorize a budget amendment to increase miscellaneous grant revenues by $80,000 and appropriate $80,000 in grant funds and up to $2,300 in Park DIF to the Ellwood Mesa Land Acquisition account for Fiscal Year 2019/20 for acquisition of the parcel.

Staff:

Vyto Adomaitis, Neighborhood Services and Public Safety Director
Claudia Dato, Senior Project Manager

A.9 19-548 **Approval of Project Contract Documents and Authorization to Advertise for Bids for the 2019 Annual Miscellaneous Concrete Repair Project**

Recommendation:

A. Approve the contract documents for the 2019 Annual Miscellaneous Concrete Repair Project,
B. Authorize staff to advertise a notice inviting bids for the 2019 Annual Miscellaneous Concrete Repair Project.

Staff:

Charles W. Ebeling, Public Works Director
Julie Lang, Assistant Engineer

A.10 19-522 **Pre-Authorized Qualified Consultant List**

Recommendation: Approve the establishment of a pre-authorized qualified consultants list for various professional services.

Staff:

Charles W. Ebeling, Public Works Director
Michael Winnewisser, Assistant Engineer

A.11 19-558 **Amendment No. 1 to Professional Services Agreement No. 2018-121 for Planning Services with Bret McNulty, McNulty Consulting**

Recommendation: Authorize the City Manager to execute an Amendment No. 1 to Professional Services Agreement No. 2018-121 (Attachment 1) with Bret McNulty, McNulty Consulting, to provide planning services in the amount of $130,000 with the term of the agreement extended to June 31, 2021.

Staff: Peter Imhof, Planning and Environmental Review Director
Lisa Prasse, Current Planning Manager
Mary Chang, Supervising Senior Planner

RECESS TO THE RDA SUCCESSOR AGENCY

RECONVENE THE CITY COUNCIL MEETING

B. PRESENTATION

B.1 19-581 **City Tile - Senior Deputy, Dave Valadez, Community Resource Deputy**

B.2 19-579 **Employee 15 Year Pin - Anne Wells, Advance Planning Manager**

C. DISCUSSION/ACTION ITEM

C.1 19-578 **Selection of Mayor Pro Tempore**

Recommendation: A. Select a Mayor Pro Tempore from among the members of the City Council.

B. Appoint the Mayor to serve as the Chair and the Mayor Pro Tempore to serve as the Vice Chair of the Successor Agency to the Redevelopment Agency for the City of Goleta.

Staff: Deborah S. Lopez, City Clerk

Estimated Time: 5 minutes

C.2 19-567 **Ekwill Street and Fowler Road Extensions Project - Resolution of Necessity for Parcel 071-130-062**

Recommendation: Adopt, by a two thirds majority vote, Resolution No. 19-__ entitled "A Resolution of the City Council of the City of Goleta, California Adopting a Resolution of Necessity for the Acquisition of Certain Parcels, Identified as Assessor Parcel Number 071-130-062, Required for the Ekwill Street and Fowler Road Extensions Project."

Staff: Charles W. Ebeling, Public Works Director
Gerald Comati, Project Manger

Estimated Time: 10 minutes

D. PUBLIC HEARING

D.1 19-568 **General Plan Amendment to Housing Element Policy HE 2.5: Inclusionary Housing**

Recommendation: Adopt Resolution No. 19-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Approving a General Plan Amendment to Amend the City's Housing Element Policy HE 2.5: Inclusionary Housing and to Determine that the General Plan Amendment is Exempt from CEQA, Pursuant to CEQA Section 15061(b)(3)" (Attachment 2).

Staff: Anne Wells, Advance Planning Manager
J. Ritterbeck, Senior Planner

Estimated Time: 20 minutes

D.2 19-569 **Adoption of the New Zoning Ordinance**

Recommendation:

A. Adopt the Planning Commission's recommendation and introduce and conduct the first reading (by title only) of Ordinance No. 19-__, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting the New Zoning Ordinance as Title 17 of the Goleta Municipal Code, Repealing Various City Ordinances, and Repealing or Amending Various Sections of the Goleta Municipal Code" (Attachment 1); and delay the second reading until any General Plan Amendments necessary to implement the recommendation are initiated and adopted; or

B. After consideration of certain alternate recommendations from staff, continue the hearing and direct staff to return with New Zoning Ordinance revisions at a public hearing in December 2019.

Note: At this continued hearing, staff will provide an overview presentation and general public comment will be taken. Following that, there will be a staff presentation, public comment, and Council discussion on the "key topics" outlined in the staff report (City Projects, Environmentally Sensitive Habitat Areas (ESHA), and Noticing). After the discussion on key topics, if time permits, there will be a presentation and discussion about Other Items Summary. Otherwise, these items will be continued to a future meeting.

Staff:

Anne Wells, Advance Planning Manager
Andy Newkirk, Senior Planner
J. Ritterbeck, Senior Planner

Estimated Time:

210 minutes

E. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

- Grant Funding Review Standing Committee Meeting 11/07/2019
- Grant Funding Review Standing Committee Meeting 11/12/2019
- Economic Development and Revitalization Standing Committee Meeting 11/18/2019
- Finance and Audit Standing Committee Meeting 11/21/2019

F. CITY MANAGER/STAFF REPORT

G. CITY ATTORNEY REPORT