City Council

Agenda

Tuesday, December 17, 2019

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

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

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

CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)
Agency designated representative: City Attorney
Unrepresented employee: City Manager

CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)
Agency designated representatives:
Michelle Greene, City Manager
Kristy Schmidt, Assistant City Manager
Michael Jenkins, City Attorney
Employee Organization:
Goleta General Employees Unit and Goleta Miscellaneous Employees Unit

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 two potential cases.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

One item of threatened (anticipated) litigation against the City under Government Code section 54956.9(d)(2) and (e)(5) with regard to one potential case (Letter from Richard H. Close dated October 15, 2019)

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 matter of pending litigation:

• Thornwood Real Estate LLC v. City of Goleta (Santa Barbara Superior Court, Case No. 19CV05887)

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 19-602 **Acceptance of the November 2019 Check Register and Investment Transaction Report**

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

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

Staff: Luke Rioux, Finance Director

A.2 19-585 **Annual Financial Report of the City of Goleta's Development Impact Fee Program for Fiscal Year 2018-19**

Recommendation: Adopt Resolution 19-__, entitled "A Resolution of the City Council of the City of Goleta, California, Approving the Annual Development Impact Fee Financial Report"

Staff: Charles W. Ebeling, Public Works Director

A.3 19-560 **Amendments to Public Works Professional Services Contracts for Fiscal Year 2019-2020**

Recommendation:

A. Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement No. 2019-017 with Solid Waste Solutions, Inc., for Engineering Support Services, increasing the contract authority by $90,000, for a new total contract amount of $209,000, extending the agreement to June 30, 2020, and approve a budget appropriation for additional funds in the amount of $90,000.

B. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2018-078 with MNS Engineers, for Development Review Services, increasing the contract authority by $250,560 for Fiscal Year 2019/20 and increasing by $250,560 for Fiscal Year 2020/21 for a total contract authority increase by $501,120, for a new total contract amount of $801,120, extending the agreement to June 30, 2021.

C. Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement No. 2019-013 with Dudek, for Professional Services, increasing the contract authority by $109,010, for a new total contract amount of $322,880, extending the agreement to June 30, 2020, and approve a budget appropriation for additional funds in the amount of $109,010.

D. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2019-063 with Rincon Consultants, Inc., for Professional Design Services, increasing the contract authority by $90,000, for a new total contract amount of $270,000 and extending the agreement to June 30, 2020.

E. Authorize the City Manager to execute Amendment No. 2 to Professional Design Services Agreement No. 2017-131 with Kimley-Horn and Associates, Inc., for professional Design Services, to extend the agreement to December 31, 2020.

F. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2018-126 with Kimley-Horn and Associates, Inc., for professional Design Services, increasing the contract authority by $20,000, for a new total contract amount of $238,401, and to extend the agreement to June 30, 2022.

G. Authorize the City Manager to execute Amendment No. 4 to Professional Services Agreement No. 2016-117 with Stantec, for Professional Design Services, increasing the contract authority by $125,000 for Fiscal Year 2019/20, by $125,000 for Fiscal Year

2020/21 and by $125,000 for Fiscal Year 2021/22 for a new total contract amount of $775,000.

H. Authorize the City Manager to execute a Professional Services Agreement with Stantec for Floodplain Management Plan Services in an amount not to exceed $45,000 with a termination date of December 31, 2020.

I. Authorize the City Manager to execute Amendment No. 3 to Professional Services Agreement No. 2017-037 with Beacon Integrated Professional Resources, Inc. dba Hamner, Jewell & Associates, for Right of Way Services, increasing the contract authority by $25,000 for a new total contract amount of $105,000.

Staff: Charles W. Ebeling, Public Works Director
Maureen Gaasch, Senior Management Analyst

A.4 19-589 **Approval of the 2019-20 Agreement for Operation of a County-wide Library System**

Recommendation: Approve and authorize the City Manager to execute an Agreement for Operation of a County-Wide Library System for Fiscal Year 2019-20 between the County of Santa Barbara and the City of Goleta.

Staff: Allison Gray, Library Director

A.5 19-580 **Intent to Vacate Street Right of Way on Los Carneros Road and Calle Real**

Recommendation:

A. Adopt Resolution No. 19-___, entitled "A Resolution of the City Council of the City of Goleta, California, Declaring the Intention of the City Council of said City to Vacate an Excess Portion of Los Carneros Road Right Of Way to the Adjacent Property Located at 6491 Calle Real, APN 077-160-040, and Providing for the Holding of a Public Hearing, the Posting of Required Notices, and the Publication of this Resolution"; and

B. Adopt Resolution No. 19-___, entitled "A Resolution of the City Council of the City of Goleta, California, Declaring the Intention of the City Council of said City to Vacate Excess Portions of Los Carneros Road and Calle Real Right Of Way to the Adjacent Property Located at 302 Los Carneros Road, APN 077-160-064, and Providing for the Holding of a Public Hearing, the Posting of Required Notices, and the Publication of this Resolution."

Staff:

James Campero, Deputy Public Works Director
Charles W. Ebeling, Public Works Director

A.6 19-572 **Amendment No. 1 to Professional Services Agreement with Rincon Consultants, Inc. for the Goleta Train Depot Station Area Master Plan**

Recommendation:

Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2019-005 between the City of Goleta and Rincon Consultants, Inc. for the Goleta Train Depot Station Area Master Plan to extend the term of the contract from December 31, 2019, to June 30, 2020.

Staff:

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

A.7 19-605 **Amendment No. 2 to Agreement #2017-133 with KTU&A for the development of a Parks, Facilities, and Playgrounds Master Plan**

Recommendation:

Approve and authorize the City Manager to execute Amendment No. 2 to Agreement No. 2017-133 with KTU&A (KTU&A) for the development of a Parks, Facilities, and Playgrounds Master Plan (CIP 9068), extending the term of the agreement to June 30, 2020.

Staff:

Vyto Adomaitis, Neighborhood Services and Public Safety Director
JoAnne Plummer, Parks and Recreation Manager

B. DISCUSSION/ACTION ITEM

B.1 19-555 **Revised Project Plans and Specifications and Award of Construction Contracts for the Old Town Sidewalk Improvement Project**

Recommendation:

A. Approve revised Plans and Specifications for the Old Town Sidewalks Improvement Project;

B. Authorize the City Manager to execute a construction contract with Toro Enterprises, Inc. for the Old Town Sidewalk Improvement Project in an amount not to exceed $3,158,750.30, subject to the requirements of the contract documents;

C. Authorize the City Manager to approve contingency contract change orders for the Old Town Sidewalk Improvement Project in an amount not to exceed $631,750:

D. Authorize the City Manager to execute a consultant services agreement with Filippin Engineering, Inc., in an amount not-to-exceed $430,295 for Construction Management, Inspection, and Testing Services for Old Town Sidewalk Improvement Project with a termination date of June 30, 2022;

E. Authorize additional appropriations of $400,000 from the Measure A Fund, $450,000 from the GTIP Fund, and $953,133 from General Fund Unassigned Fund Balance to the Old Town Sidewalk Improvement Project account; and

F. Authorize the City Manager to execute Amendment No. 3 to Professional Design Services Agreement with MNS Engineers, Inc., for the Old Town Sidewalk Improvement Project for an additional compensation of $25,000 for a total not-to- exceed amount of $807,814.

Staff: Charles W. Ebeling, Public Works Director
James Winslow, Senior Project Engineer

Estimated Time: 30 minutes

B.2 19-604 **Urgency Ordinance Enacting a Temporary Prohibition on No-Fault Evictions**

Recommendation: Adopt Ordinance No 19-__ entitled "An Urgency Ordinance of the City Council of the City of Goleta, California, Temporarily to Prohibit No-Fault Evictions Through December 31, 2019 for Residential Real Property Built Prior to January 1, 2005 and Declaring the Urgency Thereof."

Staff: Michael Jenkins City Attorney
Winnie Cai, Assistant City Attorney

Estimated Time: 15 minutes

C. PUBLIC HEARING

C.1 19-601 **Adoption of the New Zoning Ordinance**

Recommendation:

A. Adopt the Planning Commission's recommendation and introduce and conduct the first reading (by title only and waive further reading) 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"; 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 the regularly scheduled public meeting on January 21, 2020.

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

Estimated Time: 210 minutes

D. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

- Energy/Green Issues Standing Committee Meeting 12/12/2019

E. CITY MANAGER/STAFF REPORT

F. CITY ATTORNEY REPORT