



Amended

City Council

Agenda

Tuesday, September 21, 2021

Closed Session - 4:00 P.M.

Regular Meeting - 5:30 P.M.

City Hall, Council Chambers

130 Cremona Drive, Suite B

Goleta, California

This Virtual Meeting is held pursuant to the Governor's Executive Orders
N-29-20 and N-08-21

Members of the City Council

Mayor Paula Perotte

Mayor Pro Tempore James Kyriaco

Councilmember Roger Aceves

Councilmember Stuart Kasdin

Councilmember Kyle Richards

Michelle Greene, City Manager

Michael Jenkins, City Attorney

Deborah S. Lopez, City Clerk

IMPORTANT NOTICE REGARDING THE CITY COUNCIL MEETING

This Virtual Meeting is held pursuant to the Governor's Executive Orders N-29-20 issued by Governor Gavin Newsom on March 17, 2020 and N-08-21 issued by Governor Gavin Newsom on June 11, 2021 regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on television and/or online. In accordance with Executive Orders N-29-20 and N-08-21, the public may only view the meeting on Goleta Channel 19 and/or online at <https://tinyurl.com/GoletaMeetings> and not in the Council Chamber.

PUBLIC PARTICIPATION

Speaking at the Meeting - Submit an email 24 hours prior to the City Council meeting to cityclerkgroup@cityofgoleta.org which states the item you want to speak to and provide your name, email and phone number and indicate which item you'd like to speak on.

FOR CLOSED SESSION PARTICIPATION

By phone -

- Email cityclerkgroup@cityofgoleta.org to be added to the speaker list. Please state your name, your phone number and indicate which closed session item you would like to speak on.
- Dial-in 10 minutes prior to the start of the meeting (3:50 pm): Toll-Free Dial-in: (866)580-6521, Participant passcode: 72295187 then #
- Please mute your phone until you are called to speak. If you do not have a mute button, you may mute by pressing the star key followed by the number six (* 6). You can unmute by pressing the same keys (* 6). Comments from the public are limited to three (3) minutes per speaker.

INSTRUCTIONS FOR USING ZOOM

- Join the meeting using the link below.
- You must have audio and microphone capabilities on the device you are using to join the meeting.
- When you join the meeting make sure that you join the meeting with audio and follow the prompts to test your speaker & microphone prior to joining the meeting.

TO SPEAK ON AN ITEM USING ZOOM

- The Mayor will call the item and staff will begin the staff report.
- Click on the Raise Hand icon if you would like to speak on the item.
- The City Clerk will call your name when it's your turn to speak.
- When your name is called, you will be prompted to unmute yourself.
- When your time is up, you will be muted.
- You will repeat this process for each item you want to speak on.

FOR OPEN SESSION PARTICIPATION

Join Meeting Electronically at:

https://zoom.us/webinar/register/WN_8SDZugcwQGO9eLoz_Is2tA

Webinar ID:

997 6364 5240

ADDITIONAL PUBLIC PARTICIPATION ALTERNATIVES:

Distribution to the City Council - Submit your comment via email 24 hours prior to the City Council meeting. Please submit your comment to the City Clerk at: cityclerkgroup@cityofgoleta.org. Your comment will be placed into the record and distributed appropriately.

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**CALL TO ORDER****ROLL CALL OF CITY COUNCIL****OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS****RECESS 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 LABOR NEGOTIATORS

Pursuant to the provisions of 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

PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS

Government Code Section § 54957 (b)(1)

Title: City Manager

Title: City Attorney

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

5:30 P.M. - REGULAR AGENDA**CALL TO ORDER AND PLEDGE OF ALLEGIANCE****ROLL CALL OF CITY COUNCIL****REPORT FROM CLOSED SESSION****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 [21-400](#) Approval of the September 7, 2021 City Council Meeting Minutes**

Recommendation: Approve the September 7, 2021 City Council Meeting Minutes.

Staff: Deborah S. Lopez, City Clerk

A.2 [21-377](#) Ratification of Mayoral Appointments to the Public Engagement Commission, Parks and Recreation Commission, Library Advisory Commission and Santa Barbara County Library Advisory Committee

Recommendation: A. Ratify the mayoral reappointments of Barbara Massey and Beth Schneider to the Public Engagement Commission for terms ending November 2023, and ratify the appointment of Kyle Yao (Youth Member) to the Public Engagement Commission for a term ending September 21, 2022;

B. Ratify the mayoral appointment of Sarah Dent to the Parks and Recreation Commission (Student Member) for a term ending date of September 21, 2022;

C. Ratify the mayoral appointment of Lori Goodman to the Library Advisory Commission for a term ending June 30, 2024;

D. Ratify the Santa Barbara County Board of Supervisors' selection of Dave Callanan to the City of Goleta Library Advisory Commission representing the unincorporated area of the City of Goleta with a term ending June 30, 2024; and

E. Ratify the mayoral appointment of Jane Gray to the Santa Barbara County Library Advisory Committee for a term ending June 30, 2022.

Staff: Deborah S. Lopez, City Clerk
Liana Campos, Deputy City Clerk
David Cutaia, Deputy City Clerk

A.3 [21-380](#) Acceptance of the August 2021 Check Register

Recommendation: Accept the check register for the month of August 2021.

Staff: Luke Rioux, Finance Director

A.4 [21-383](#) Acceptance of the August 2021 Investment Transaction Report

Recommendation: Accept the investment transaction report for the month of August 2021.

Staff: Luke Rioux, Finance Director

A.5 [21-388](#) Annual Review and Adoption of City's Investment Policy

Recommendation: Adopt Resolution No. 21-__ entitled, "A Resolution of the City Council of the City of Goleta, Adopting the City of Goleta Investment Policy and Rescinding Resolution No. 20-03."

Staff: Luke Rioux, Finance Director

A.6 [21-389](#) Professional Services Agreement with FM3 Research, Inc. to Conduct Polling and Public Opinion Research Services for a Potential November 2022 Sales Tax Measure

Recommendation: Authorize the City Manager to execute Professional Services Agreement No. 2020-XXX with FM3 Research, Inc. in the amount not-to-exceed \$56,300, for polling and public opinion research services related to a potential November 2022 sales tax measure, with a term beginning October 1, 2021 and expiring December 31, 2022.

Staff: Kristy Schmidt, Assistant City Manager
Ryan Kintz, Assistant to the City Manager

A.7 [21-374](#) Temporary On-Street Parking Restrictions for the 2021 Isla Vista Halloween Event

Recommendation: Adopt Resolution No. 21-__ entitled, "A Resolution of the City Council of the City of Goleta, California Establishing Temporary Resident-Only On-Street Parking Restrictions Related to the 2021 Isla Vista Halloween Event."

Staff: Jaime Valdez, Interim Neighborhood Services Director
Michael Baris, Emergency Services Coordinator

A.8 [21-375](#) **Award of Agreement for Annual Citywide Median Island Landscape Services to Oakridge Landscape Inc. for Fiscal Year 2022 through 2025**

Recommendation: Authorize the City Manager to execute an agreement for Annual Citywide Median Island Landscape Services with Oakridge Landscape, Inc. for an annual base contract amount of \$79,940.00, and for a total contract not-to-exceed amount of \$319,760.00 with a termination date of June 30, 2025.

Staff: Charles W. Ebeling, Public Works Director
Paul Medel, Public Works Manager

A.9 [21-384](#) **Title 17 (Zoning) Amendments Ordinance Second Reading (Case No. 21-0001-ORD)**

Recommendation: Conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 21-___, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 17 of the Goleta Municipal Code.”

Staff: Peter T. Imhof, Planning and Environmental Review Director
Anne Wells, Advance Planning Manager
Andy Newkirk, Senior Planner
J. Ritterbeck, Senior Planner

B. DISCUSSION/ACTION ITEM

B.1 [21-398](#) **Ordinance Banning Sales of Flavored Tobacco Products**

Recommendation: Introduce and conduct the first reading (by title only and waive further reading) of City Council Ordinance No. 21-___ entitled “An Ordinance of the City of Goleta, California, Amending Chapter 5.07 of Title 5 of the Goleta Municipal Code Banning the Sales of Flavored Tobacco Products.”

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

Estimated Time: 60 minutes

B.2 [21-399](#) **Adoption of An Urgency Ordinance of the City of Goleta, California, Clarifying the Residential Eviction Moratorium to Comport with State Law and Amending the Repayment Provisions of the Commercial Evictions Moratorium and Setting Forth the Facts Constituting Such Urgency**

Recommendation: By a four-fifths vote, adopt Ordinance No. 21-__ entitled “An Urgency Ordinance of the City of Goleta, California, Clarifying the Residential Eviction Moratorium to Comport with State Law, and Amending the Repayment Provisions of the Temporary Commercial Evictions Moratorium and Setting Forth the Facts Constituting Such Urgency.”

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

Estimated Time: 45 minutes

B.3 [21-373](#) **Award Construction Contract for the 2020-2021 Pavement Rehabilitation Project**

Recommendation:

- A. Authorize an additional appropriation of \$3,900,000 from the General Fund unassigned fund balance to the Pavement Rehabilitation Maintenance account 101-50-5800-51073;
- B. Authorize the City Manager to execute a construction contract with Toro Enterprises, Inc. for the 2020-2021 Pavement Rehabilitation Project in the not-to-exceed amount of \$5,807,003.10, subject to the requirements of the contract documents;
- C. Authorize the City Manager to approve contract change orders for the 2020-2021 Pavement Rehabilitation Project, if necessary, in an amount not-to-exceed \$1,161,400.62; and
- D. Award and authorize the City Manager to execute a Professional Design Services Agreement with Cannon Corporation in an amount not-to-exceed \$700,000 for Construction Management and Inspection services with a termination date of December 31, 2022.

Staff: Charles W. Ebeling, Public Works Director
Debbie Talarico, Project Manager

Estimated Time: 30 minutes

B.4 [21-392](#) Naming Recommendations for the Monarch Butterfly Recreation Feature at Berkeley Park

- Recommendation:** A. Receive the recommendations from the Parks and Recreation Commission and the Standing Naming Committee regarding the *Name the Monarch* Contest for the Monarch Butterfly recreation feature to be installed at Berkeley Park; and
- B. Determine a final name for the Monarch Butterfly recreation feature to be installed at Berkeley Park.

Staff: Jaime Valdez, Interim Neighborhood Services Director
JoAnne Plummer, Parks and Recreation Manager

Estimated Time: 15 minutes

B.5 [21-394](#) Fiscal Year 2020/21 Fourth Quarter (Year-End) Financial Review (Unaudited)

- Recommendation:** Adopt Resolution No. 21-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta's Operating and CIP Budget for Fiscal Year 2020/21."

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

Estimated Time: 15 minutes

B.6 [21-395](#) Resolution Affirming the City of Goleta's Support of Reproductive Freedom

- Recommendation:** Consider adoption of Resolution No. 21 - ____, entitled "A Resolution of the City Council of the City of Goleta, California, Affirming Support of Reproductive Freedom."

Staff: Michelle Greene, City Manager
Ryan Kintz, Assistant to the City Manager

Estimated Time: 15 minutes

C. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

- Homelessness Issues Standing Committee 09/09/2021
- Finance and Audit Standing Committee Meeting 09/14/2021

D. CITY MANAGER/STAFF REPORT**E. CITY ATTORNEY REPORT**