



**Closed Session 4:30 P.M.
Regular Session 5:30 P.M.
City Council**

Agenda

Tuesday, October 5, 2021

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

This Virtual Meeting is held pursuant to AB361.
The meeting will be Virtual because meeting in person would present
imminent risks to the health or safety of attendees.

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 AB361. The meeting will be Virtual because meeting in person would present imminent risks to the health or safety of attendees. 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 to cityclerkgroup@cityofgoleta.org which states the item you want to speak to and provide your name, email and phone number.

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 (4:20 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_ylka_WmuTzmaUCJsLDt6XQ

Webinar ID: 953 3182 5124

Or dial: For higher quality, dial a number based on your current location.

US: +1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 958 1924 7040

Passcode: 113043

ADDITIONAL PUBLIC PARTICIPATION ALTERNATIVES:

Distribution to the City Council - 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, or email cityclerkgroup@cityofgoleta.org. Notification 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.

4:30 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

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 [21-430](#) Approval of City Council Meeting Minutes of September 21, 2021**

Recommendation: Approve the City Council Meeting Minutes of September 21, 2021

Staff: Deborah S. Lopez, City Clerk

A.2 [21-433](#) Ordinance Banning Sales of Flavored Tobacco Products

Recommendation: Conduct second reading by title only and waive further reading and adopt 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

A.3 [21-403](#) Establishment of an Ad Hoc 2022 Legislative Issues Committee and Appointment of the Mayor and Mayor Pro Tempore to the Committee

- Recommendation:**
- A. Adopt Resolution No. 21- entitled, “A Resolution of the City Council of the City of Goleta, California Establishing an Ad Hoc 2022 Legislative Issues Committee;” and
 - B. Appoint the Mayor and Mayor Pro Tempore to serve on the Ad Hoc 2021-22 Legislative Issues Committee.

Staff: Michelle Greene, City Manager

A.4 [21-431](#) City Hall Council Chambers Equipment Upgrade - Award of Contract for Audiovisual Improvements

- Recommendation:** Approve and authorize the City Manager to execute a Professional Services Agreement with Western A/V for audiovisual replacement and upgrades as part of the City Hall Council Chambers equipment upgrade project, in an amount not to exceed \$196,800 and with a termination date of January 1, 2022.

Staff: Deborah S. Lopez, City Clerk

A.5 [21-434](#) Acknowledge Michael Jenkins for His Years of Service to the City as City Attorney and Appoint Megan Garibaldi of Best Best & Krieger, LLP (BB&K) to Serve as City Attorney Under the City’s Existing Contract with BB&K

- Recommendation:**
- A. Acknowledge with gratitude Michael Jenkins for his several years of distinguished service to the City as City Attorney.
 - B. Adopt Resolution No. 21- _____ entitled, “A Resolution of the City Council of the City of Goleta, California, Appointing Megan Garibaldi as City Attorney.”
 - C. Authorize the City Manager to execute any documents necessary implement the appointment.

Staff: Michelle Greene, City Manager

B. PUBLIC HEARING**B.1 [21-381](#) Residential Affordable Housing In-Lieu Fees, Non-Residential Affordable Housing Development Impact Fees, and Associated Goleta Municipal Code Title 17 (Zoning) Ordinance Amendments**

- Recommendation:**
- A. Adopt Resolution No. 21-__, entitled “A Resolution of the City of Goleta, California, Approving Residential Affordable Housing In-Lieu Fees”;
 - B. Adopt Resolution No. 21-__, entitled “A Resolution of the City of Goleta, California, Approving a Development Impact Fee Nexus Study and Non-Residential Affordable Housing Impact Fees”; and
 - C. Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 21-__, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting Development Impact Fees for Affordable Housing on Non-Residential Development, In-Lieu Fees for Affordable Housing on Residential Development, and Various Amendments to Title 17 of the Goleta Municipal Code.”

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

Estimated Time: 90 minutes

C. DISCUSSION/ACTION ITEM**C.1 [21-420](#) Project Labor Agreement Update**

- Recommendation:**
- A. Receive and file a report on the Ordinance Committee's work on the development of a draft Project Labor Agreement policy; and
 - B. Either refer the draft Project Labor Agreement policy back to the Ordinance Committee for further refinement, or Adopt Resolution No. 21 - ____, entitled "A Resolution of the City Council of the City of Goleta, California, Adopting a Project Labor Agreement Policy;" and
 - C. If Council adopts a Project Labor Agreement Policy, provide conceptual direction to staff to negotiate a Project Labor Agreement using the Project Labor Agreement/Community Workforce Agreement that the City of Santa Barbara recently negotiated with the Tri Counties Building and Construction Trades Council as the City's base agreement and including alternative or additional terms consistent with the Project Labor Agreement Policy and other direction from Council; and
 - D. Approve and authorize the City Manager to execute Amendment No. 1 to Agreement 2021-027 for Professional Services with Vlaming and Associates increasing the contract amount by \$45,000 for a new total not-to-exceed amount of \$60,000 to provide legal counsel services to assist the City with development of a master Project Labor Agreement; and
 - E. Approve an additional appropriation of \$45,000 to account 101-10-1200-513400 from the General Fund unassigned fund balance to cover the costs of the additional contract authority.

Staff: Kristy Schmidt, Assistant City Manager

Estimated Time: 60 minutes

C.2 [21-432](#) **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

D. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

- 9/27/2021 Energy/Green Issues Standing Committee Meeting
- 9/28/2021 Finance and Audit Standing Committee Meeting

E. CITY MANAGER/STAFF REPORT

F. CITY ATTORNEY REPORT