



**CITY COUNCIL
MEETING MINUTES
Tuesday, May 16, 2023**

Closed Session – 4:30 P.M.
Regular Session - 5:30 PM
City Hall
130 Cremona Drive
Goleta, California

Members of the City Council

Mayor Paula Perotte
Mayor Pro Tempore Kyle Richards
Councilmember Stuart Kasdin
Councilmember Luz Reyes-Martín, District 1
Councilmember James Kyriaco, District 2

Robert Nisbet, City Manager
Deborah S. Lopez, City Clerk
Megan Garibaldi, City Attorney

4:30 P.M. - CLOSED SESSION

CALL TO ORDER

Mayor Perotte called the meeting to order at 4:31 P.M.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco
and Reyes-Martín

ABSENT Councilmember Kasdin

Megan Garibaldi, City Attorney noted for the record that Councilmember Kasdin's
absence was excused.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

RECESS TO CLOSED SESSION AT 4:34 P.M.

CLOSED SESSION

Megan Garibaldi, City Attorney, read into record closed session matters by title only:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957 (b)(1)

Title: City Attorney

5:30 P.M. - REGULAR AGENDA

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Perotte called the meeting to order at 5:31 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín

ABSENT Councilmember Kasdin

REPORT FROM CLOSED SESSION

Megan Garibaldi, City Attorney, reported on closed session matters as follows:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957 (b)(1)

Title: City Attorney

Action: No reportable action

PUBLIC FORUM

Public Forum

Peter Curtin expressed concerns regarding parking near UCSB, and suggested the City implement full time parking restrictions in troublesome areas, and noted a portion of Phelps Road is in need of repaving.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Robert Nisbet, City Manager, noted the staff report for item C.1- Short-Term Vacation Rentals Ordinance Amendments and Voluntary Collections Agreement with Airbnb was revised, and that staff will explain the revisions when the item is discussed.-

CITY MANAGER/STAFF REPORT

Robert Nisbet, City Manager, announced that an event for National Public Works Week will be held May 24, 2023, from 3:00 P.M. to 6:00 P.M at Camino Real Market Place.

A. CONSENT CALENDAR

A.1 Approval of the City Council Meeting Minutes of May 2, 2023

Approve the City Council Meeting Minutes of May 2, 2023.

Approval of the City Council Meeting Minutes of May 2, 2023

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to approve the City Council Meeting Minutes of May 2, 2023.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

A.2 Amendment to Chapter 2.17 of the Goleta Municipal Code regarding membership composition of the Historic Preservation Commission and Determination that the ordinance is exempt from the California Environmental Quality Act

Conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 23- entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 2.17 regarding the number of Historic Preservation Commission members and finding the Ordinance to be exempt from the California Environmental Quality Act".

Amendment to Chapter 2.17 of the Goleta Municipal Code regarding membership composition of the Historic Preservation Commission

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 23-03 entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 2.17 regarding the number of Historic Preservation Commission members and finding the Ordinance to be exempt from the California Environmental Quality Act".

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

A.3 Ratification of Mayoral Appointment to the Public Engagement Commission

Ratify the mayoral appointment of Peter Omoregie to the Public Engagement Commission to fill a vacant unexpired term ending in November 2023.

Ratification of Mayoral Appointment to the Public Engagement Commission

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to ratify the mayoral appointment of Peter Omoregie to the Public Engagement Commission to fill a vacant unexpired term ending in November 2023.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

A.4 Acceptance of the January 2023 Check Register

Accept the check register for the month of January 2023.

Acceptance of the January 2023 Check Register

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to accept the check register for the month of January 2023.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

A.5 Acceptance of the February 2023 Check Register

Accept the check register for the month of February 2023.

Acceptance of the February 2023 Check Register

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to accept the check register for the month of February 2023.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

A.6 Acceptance of the March 2023 Check Register

Accept the check register for the month of March 2023.

Acceptance of the March 2023 Check Register

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to accept the check register for the month of March 2023.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

A.7 Amendment No.4 to Professional Services Agreement No. 2015-105 with Quality Code Publishing

Approve and authorize the City Manager to execute Amendment No. 4 to Agreement No. 2015-105 with Quality Code Publishing for the Goleta Municipal Code extending the term of the agreement for two additional years with a termination date of June 30, 2025, and increasing the contract amount by \$20,000 for a new total not-to-exceed amount of \$65,000, subject to the approval of the FY 23/24 and FY 24/25 budget.

Amendment No.4 to Professional Services Agreement No. 2015-105 with Quality Code Publishing

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to approve and authorize the City Manager to execute Amendment No. 4 to Agreement No. 2015-105 with Quality Code Publishing for the Goleta Municipal Code extending the term of the agreement for two additional years with a termination date of June 30, 2025, and increasing the contract amount by \$20,000 for a new total not-to-exceed amount of \$65,000, subject to the approval of the FY 23/24 and FY 24/25 budget.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

A.8 Amendment No. 1 to Professional Services Agreement No. 2022-057 with Explore Ecology for Watershed and Waste K-6 Education Services

Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2022-057 with Explore Ecology for Watershed and Waste K-6 Education Services, increasing the contract authority by \$49,441 for a new total not-to-exceed amount of \$89,522, incorporating new tasks related to waste education into the scope of work, and updating the schedule of fees.

Amendment No. 1 to Professional Services Agreement No. 2022-057 with Explore Ecology for Watershed and Waste K-6 Education Services

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2022-057 with Explore Ecology for Watershed and Waste K-6 Education Services, increasing the contract authority by \$49,441 for a new total not-to-exceed amount of \$89,522, incorporating new tasks related to waste education into the scope of work, and updating the schedule of fees.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

A.9 Amendment No. 4 to Agreement with Flowers and Associates, Inc. for Professional Services Related to Capital Improvements at the Goleta Community Center

Authorize the City Manager to execute Amendment No. 4 to Agreement No. 2021-041 with Flowers and Associates, Inc. for professional design services related to capital improvements at the Goleta Community Center, adding to the scope of work and increasing the contract authority by \$73,084, for a total not-to-exceed amount of \$298,873.

Amendment No. 4 to Agreement with Flowers and Associates, Inc. for Professional Services Related to Capital Improvements at the Goleta Community Center

MOTION: Councilmember Kyriaco/Mayor Pro Tempore Richards to authorize the City Manager to execute Amendment No. 4 to Agreement No. 2021-041 with Flowers and Associates, Inc. for professional design services related to capital improvements at the Goleta Community Center, adding to the scope of work and increasing the contract authority by \$73,084, for a total not-to-exceed amount of \$298,873.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

B. PUBLIC HEARING

B.1 Consideration of Title 17 (Zoning) Amendments Ordinance and Determination that the Ordinance is Exempt from the California Environmental Quality Act

Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 23-__, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 17 of the Goleta Municipal Code and Finding the Amendments to be Exempt from the California Environmental Quality Act."

Public Comment Received

Consideration of Title 17 (Zoning) Amendments Ordinance and Determination that the Ordinance is Exempt from the California Environmental Quality Act

Staff Speakers:

Anne Wells, Advanced Planning Manager, and Andy Newkirk, Senior Planner, provided a presentation titled "Title 17 Amendments Ordinance," dated May 16, 2023 (presentation on file).

OPENED THE PUBLIC HEARING AT 6:26 P.M.

Public Speakers:

Cecilia Brown, spoke in support of staff recommendation.

Steve Fort, Suzanne Elledge Planning and Permitting and Maxfield Steele made suggestions to the proposed ordinance.

CLOSED THE PUBLIC HEARING AT 6:33 P.M.

All comments received posted online:

Trey Powell, Scott Branch, Cecilia Brown, and Ingeborg Cox.

MOTION: Mayor Pro Tempore Richards/Councilmember Reyes-Martín to introduce on first reading Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 23-__, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 17 of the

Goleta Municipal Code and Finding the Amendments to be Exempt from the California Environmental Quality Act."

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

C. DISCUSSION/ACTION ITEM

C.1 Short-Term Vacation Rentals Ordinance Amendments and Voluntary Collections Agreement with Airbnb

A. Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 23- entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 5.08 of the City of Goleta Municipal Code, Entitled Short-Term Vacation Rentals;" and B. Find that the adoption of the Ordinance is exempt from the California Environmental Quality Act under Guideline 15301(c) and direct staff to file a Notice of Exemption within five business days; and C. Authorize staff to negotiate and execute a voluntary collection agreement with Airbnb in substantially the same form as the provided draft.

Short-Term Vacation Rentals Ordinance Amendments and Voluntary Collections Agreement with Airbnb

Public Comment Received

Staff Speakers:

Luke Rioux, Finance Director and Megan Garibaldi, City Attorney, provided a presentation titled "Short-Term Vacation Rental Ordinance Amendments," dated May 16, 2023 (presentation on file).

Public Speakers:

Faro Prestigiacomo, Michelle Roberson, and Gulcin Dagli expressed concerns with staff recommendation and spoke on the issues that arise with Short-Term Vacation Rentals.

All comments received posted online:

Todd Shea

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to A. Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 23-__ entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Chapter 5.08 of the City of Goleta Municipal Code, Entitled Short-Term Vacation Rentals;" as amended and B. Find that the adoption of the Ordinance is exempt from the California Environmental Quality Act under Guideline 15301(c) and direct staff to file a Notice of Exemption within five business days; and C. Authorize staff to negotiate and execute a voluntary collection agreement with Airbnb in substantially the same form as the provided draft.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

RECESS 7:43 P.M. - 7:53 P.M.

C.2 Home Solar and Battery Storage Program City Participation Agreement through the Sustainable Community Network Program

Authorize the City Manager to enter into a Program Participation Agreement with Electriq Power, Inc. for City participation in the Sustainable Community Network Program.

Home Solar and Battery Storage Program City Participation Agreement through the Sustainable Community Network Program

Staff Speakers:

Dana Murray, Sustainability Manager, and Angeline Foshay, Management Assistant, provided a presentation titled "Home Solar and Battery Storage Program City Participation Agreement through the Sustainable Community Network Program" dated May 16, 2023 (presentation on file).

Steven Honikman, Senior Vice President, Electriq Power

Public Speakers:

Lisa Sloan stated concerns with staff recommendation.

Lynn Durtin, President, Second University Homeowners Association, spoke in support of the staff recommendation.

- MOTION: Councilmember Reyes-Martín/Mayor Pro Tempore Richards to authorize the City Manager to enter into a Program Participation Agreement with Electriq Power, Inc. for City participation in the Sustainable Community Network Program, endorse the power purchase agreement as valid, and support programmatic outreach into the local community to promote the home solar and battery storage program, and the City as part of a public-private partnership to reduce carbon emissions, decrease stress on the electric grid, and increase local climate resiliency by mitigating the effect of power shut offs.
- VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

C.3 Board and Commission Document Amendments

A. Introduce and conduct the first reading (by title only and waive further reading) of Ordinance No. 23- , entitled "An Ordinance of the City Council of the City of Goleta, California, amending Title 2 of the Goleta Municipal Code, Including Chapter 2.08 Entitled Design Review Board; Chapter 2.09 Entitled Planning Commission; Chapter 2.11 Entitled Public Tree Advisory Commission; Chapter 2.12 Entitled Parks and Recreation Commission; Chapter 2.14 Entitled Library Advisory Commission; Chapter 2.17 Entitled Historic Preservation Commission, and 2.19 Entitled Public Engagement Commission and Finding that the Ordinance is Exempt from the California Environmental Quality Act"; B. Adopt a Resolution entitled, "A Resolution of the City Council of the City of Goleta, California, to Increase the Compensation for Board and Commission Members"; and C. Adopt a Resolution entitled, "A Resolution of the Council of the City of Goleta, California, Setting Forth Certain Rules and Procedures for All City Boards and Commissions and Rescinding Resolution Nos 07-15, 09-04, 12-77, 12-78, 18-44, and 19-03".

Board and Commission Document Amendments

Staff speakers:

Kristine Schmidt, Assistant City Manager and Shannon Kirn, Management Analyst, provided a presentation titled "Board and Commission Document Amendments," dated May 16, 2023 (presentation on file).

Public Speakers:

None

MOTION: Mayor Pro Tempore Richards/Councilmembers Reyes-Martín to A. Introduce and conduct the first reading (by title only and waive further reading) of Ordinance No. 23-__, entitled "An Ordinance of the City Council of the City of Goleta, California, amending Title 2 of the Goleta Municipal Code, Including Chapter 2.08 Entitled Design Review Board; Chapter 2.09 Entitled Planning Commission; Chapter 2.11 Entitled Public Tree Advisory Commission; Chapter 2.12 Entitled Parks and Recreation Commission; Chapter 2.14 Entitled Library Advisory Commission; Chapter 2.17 Entitled Historic Preservation Commission, and 2.19 Entitled Public Engagement Commission and Finding that the Ordinance is Exempt from the California Environmental Quality Act"; B. Adopt a Resolution entitled, "A Resolution of the City Council of the City of Goleta, California, to Increase the Compensation for Board and Commission Members"; and C. Adopt a Resolution entitled, "A Resolution of the Council of the City of Goleta, California, Setting Forth Certain Rules and Procedures for All City Boards and Commissions and Rescinding Resolution Nos 07-15, 09-04, 12-77, 12-78, 18-44, and 19-03".

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kyriaco and Reyes-Martín. Noes: None. Absent Councilmember Kasdin.

D. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

Mayor Pro Tempore Richards announced participating in an event on May 10, 2023, where the Isla Vista Youth Projects changed its name to LEAP (Learn, Engage, Advocate, Partner).

Mayor Perotte reported attending a Metropolitan Transit District Board Meeting (MTD) where route changes, and micro transit were discussed as well as a Butterfly Forum at the Santa Barbara Natural History Museum on May 13, 2023.

Councilmember Kyriaco congratulated Jordan Killebrew and Steve Ortiz, honorees for the LEAP (Learn, Engage, Advocate, Partner) awards, and thanked his two interns for their work.

E. CITY ATTORNEY REPORT

Megan Garibaldi, City Attorney, announced that Brown Act training for City Boards and Commissions will be taking place at City Hall on June 1, 2023.

ADJOURNED AT 9:04 P.M.

GOLETA CITY COUNCIL

PAULA PEROTTE,
MAYOR

ATTEST:

DEBORAH S. LOPEZ
CITY CLERK