



**CITY COUNCIL
MEETING MINUTES
Tuesday, October 01, 2019**

Regular Meeting
5:30 PM
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the City Council

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

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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Perotte called the meeting to order at 6:00 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco

ABSENT: None

PUBLIC FORUM

Paulina Kahn and Peter Kahn spoke in support of Assembly Bill HR1384, Medicare for All Act 2019 and requested City Council support a resolution in favor of the Bill.

Natalie Taylor raised concerns about the vehicles traveling at excessive speeds on Kellogg Avenue near the Winslowe Townhomes.

Jean Blois expressed her enthusiasm for evening only City Council meetings.

Dana Kasmedo, United Boys and Girls Club Goleta Unit Director, expressed appreciation for the renovation of the multi-purpose field at the Goleta Valley Community Center.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. CONSENT CALENDAR

A.1 Approval of the City Council meeting minutes of September 17, 2019

Approve the City Council meeting minutes of September 17, 2019.

Approval of the City Council meeting minutes of September 17, 2019

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to approve the City Council meeting minutes of September 17, 2019.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.2 Establishment of an Ad Hoc 2020 Legislative Issues Committee and Appointment of the Mayor and Mayor Pro Tempore to the Committee

A. Adopt Resolution No. 19- entitled, "A Resolution of the City Council of the City of Goleta, California Establishing an Ad Hoc 2020 Legislative Issues Committee;" and B. Appoint the Mayor and Mayor Pro Tempore to serve on the Ad Hoc 2019-20 Legislative Issues Committee.

Establishment of an Ad Hoc 2020 Legislative Issues Committee and Appointment of the Mayor and Mayor Pro Tempore to the Committee

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to A. Adopt Resolution No. 19-59 entitled, "A Resolution of the City Council of the City of Goleta, California Establishing an Ad Hoc 2020 Legislative Issues Committee;" and B. Appoint the Mayor and Mayor Pro Tempore to serve on the Ad Hoc 2019-20 Legislative Issues Committee.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.3 Budget Appropriation of \$3.9 million for the Coastal Conservancy Grant for Enhancement of Monarch Butterfly and Other Wildlife Habitat at the Ellwood Mesa/Sperling Preserve Open Space

Approve a budget appropriation and grant revenue adjustment of approximately \$3.9 million for the Grant Agreement with the Coastal Conservancy for enhancement of monarch butterfly and other wildlife habitat at the Ellwood Mesa/Sperling Preserve Open Space into Fund 322 as identified in the fiscal impact section of the report.

Budget Appropriation of \$3.9 million for the Coastal Conservancy Grant for Enhancement of Monarch Butterfly and Other Wildlife Habitat

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to approve a budget appropriation and grant revenue adjustment of approximately \$3.9 million for the Grant Agreement with the Coastal Conservancy for enhancement of monarch butterfly and other wildlife habitat at the Ellwood Mesa/Sperling Preserve Open Space into Fund 322 as identified in the fiscal impact section of the report.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.4 Budget Appropriation for Maintenance Project in San Jose Creek Channel

Approve a budget appropriation of \$120,000 from the General Fund Unassigned Fund Balance for a maintenance project in San Jose Creek Channel to remove vegetation and sediment in account 101-5-5300-557 (Contract Services - Stormwater).

Budget Appropriation for Maintenance Project in San Jose Creek Channel

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to approve a budget appropriation of \$120,000 from the General Fund Unassigned Fund Balance for a maintenance project in San Jose Creek Channel to remove vegetation and sediment in account 101-5-5300-557 (Contract Services - Stormwater).

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.5 Renewal of the Santa Barbara South Coast Tourism Business Improvement District

Adopt Resolution No. 2019-____, entitled "A Resolution of the City Council of the City of Goleta, California, Granting Consent to the City of Santa Barbara to renew the Santa Barbara South Coast Tourism Business Improvement District."

Renewal of the Santa Barbara South Coast Tourism Business Improvement District

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to adopt Resolution No. 19-60, entitled "A Resolution of the City Council of the City of Goleta, California, Granting Consent to the City of Santa Barbara to renew the Santa Barbara South Coast Tourism Business Improvement District."

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

B. PUBLIC HEARING

B.1 Appeal by Thornwood Real Estate, LLC of Planning Commission Resolution 19-07 Approving a CEQA Addendum to the Final Environmental Impact Report (FEIR) for the Ekwil Street and Fowler Road Extensions Project (State Clearinghouse [SCH] No. 2004061072), Case No. 11-EIR-02.

Adopt Resolution No.19-____ entitled "A Resolution of the City Council of the City of Goleta, California, Denying Thornwood Real Estate, LLC's Appeal of Planning Commission Resolution 19-07 (Case No. 19-062 APP) and Approving the CEQA Addendum to the Final Environmental Impact Report (FEIR) for the Ekwil Street and Fowler Road Extensions Project (State Clearinghouse [SCH] No. 2004061072), Case No. 11-EIR-02."

Appeal by Thornwood Real Estate, LLC of Planning Commission Resolution 19-07 Approving a CEQA Addendum to the Final Environmental Impact Report

Public Comment

Appeal by Thornwood Real Estate, LLC of Planning Commission Resolution 19-07

Councilmember Kyriaco disclosed an ex-parte communication with the appellant and the appellant's representative. Councilmember Aceves disclosed meeting with the appellant's representative. Mayor Perotte reported she had a meeting

scheduled with the appellant on September 30, 2019, and the meeting was cancelled.

Staff Speakers:

Charlie W. Ebeling, Public Works Director

Winnie Cai, Assistant City Attorney

Gerald Comati, COM3 Consulting

Christopher Julian, Rincon Consulting

Laura Bridley, Contract Planner, provided a presentation titled "Appeal of Planning Commission Approval of CEQA Addendum for Ekwill Street and Fowler Road" dated October 1, 2019 (presentation on file).

Julie Love, Rincon Consulting, Contract Biologist

Michael Jenkins, City Attorney

Appellant:

Beth Collins, Brownstein Hyatt Farber Schreck, provided a presentation titled, "Appeal by Thornwood Real Estate, LLC of Ekwill/Fowler Addendum" dated October 1, 2019 (presentation on file).

OPENED THE PUBLIC HEARING AT 7:00 P.M.

Public Speakers:

Eric Onnen commented the plans are inferior to what has been envisioned all the previous years and raised concerns the plans do not provide corridors between Fairview Avenue to Kellogg Avenue or Ekwill Street to Fowler Road and Technology Drive is now isolated.

Michael Poland, Kellogg Avenue, LLC, raised concerns with the location of the environmentally sensitive habitat and 100 foot setbacks in relation to his property. Mr. Poland noted the Appellant has offered something equitable and fair and pointed out that the stakeholders have not been consulted.

CLOSED THE PUBLIC HEARING AT 7:25 P.M.

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to adopt Resolution No.19-61 entitled "A Resolution of the City Council of the City of Goleta, California, Denying Thornwood Real Estate, LLC's Appeal of Planning Commission Resolution 19-07 (Case No. 19-062 APP) and Approving the CEQA Addendum to the Final Environmental Impact Report (FEIR) for the Ekwill Street and Fowler Road Extensions Project (State Clearinghouse [SCH] No. 2004061072), Case No. 11-EIR-02.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves,

Kasdin, and Kyriaco Noes: None.

MOTION Councilmember Aceves/Kyriaco to direct staff to work with
FAILED: Thornwood Real Estate, LLC to look at superior site alternatives
for the relocation of mitigation site and to agendaize this for a future
City Council meeting.
VOTE : Motion failed by the following roll call vote: Ayes: Councilmembers
Aceves and Kyriaco Noes: Mayor Perotte, Mayor Pro Tempore
Richards and Councilmember Kasdin.

C. DISCUSSION/ACTION ITEM

C.1 Old Town Sidewalks Improvement Project

A. Adopt Resolution No. 19- , entitled "A Resolution of the City Council of the City of Goleta, California, adopting the Addendum to the Final Mitigated Negative Declaration for the Old Town Sidewalks Improvement Project"; and B. Approve and authorize the City Manager to execute Amendment No. 2 to Professional Design Services Agreement No. 2017-024 with MNS Engineers, Inc., for the Old Town Sidewalks Improvement Project to replace Section 3, Compensation and Payment to match the Caltrans actual cost-plus fixed fee accounting format; and C. Approve Plans and Specifications for the Old Town Sidewalks Improvement Project; and D. Authorize staff to advertise a notice inviting bids for the Old Town Sidewalks Improvement Project.

Old Town Sidewalks Improvement Project

Staff Speaker:

Charlie W. Ebeling, Public Works Director

James Winslow, Senior Project Engineer, provided a presentation titled, "Old Town Sidewalks" dated October 1, 2019 (presentation on file).

MOTION: Councilmember Kasdin/Mayor Pro Tempore Richards to
A. Adopt Resolution No. 19-66, entitled "A Resolution of the City Council of the City of Goleta, California, adopting the Addendum to the Final Mitigated Negative Declaration for the Old Town Sidewalks Improvement Project"; and B. Approve and authorize the City Manager to execute Amendment No. 2 to Professional Design Services Agreement No. 2017-024 with MNS Engineers, Inc., for the Old Town Sidewalks Improvement Project to replace Section 3, Compensation and Payment to match the Caltrans actual cost-plus fixed fee accounting format; and C. Approve Plans and Specifications for the Old Town Sidewalks Improvement Project; and D. Authorize staff to advertise a notice inviting bids for the Old Town Sidewalks Improvement Project.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco Noes: None.

C.2 Designation of City Council Delegates for the League of California Cities Annual Conference and Consideration of the Resolutions for the Business Meeting

A. Appoint a voting delegate and up to two alternates to represent the City at the League of California Cities 2019 Annual Business Meeting; and B. Provide direction to the voting delegate regarding whether to vote in favor of or against adoption of policy resolutions being considered at the League of California Cities 2019 Annual Business Meeting.

Designation of City Council Delegates for the League of California Cities Annual Conference and Consideration of the Resolutions for the Business Meeting

Staff Speakers:

Kristy Schmidt, Assistant City Manager

Deborah S. Lopez, City Clerk

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to appoint Councilmember Kyriaco as a voting delegate to represent the City at the League of California Cities 2019 Annual Business Meeting.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco Noes: None.

MOTION: Mayor Pro Tempore Richards/Mayor Perotte to appoint Council Members Kasdin and Aceves as the two alternates to represent the City at the League of California Cities 2019 Annual Business Meeting.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco Noes: None.

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to support staff recommendation as amended to vote in favor of policy resolutions being considered at the League of California Cities 2019 Annual Business Meeting:

- Resolution No. 1, Resolution of the League of California Cities Calling on the California Public Utilities Commission to Amend Rule 20A to Add Projects in Very High Fire Hazard Severity Zones to the List of Eligibility Criteria and

to Increase Funding Allocations for Rule 20A Projects

- Resolution No 2, A Resolution Calling Upon the Federal and State Governments to Address the Devastating Impacts of International Transboundary Pollution Flows into the Southernmost Regions of California and the Pacific Ocean.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco Noes: None.

D. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

Councilmember Kyriaco reported providing Dr. Virginia Siegfried a Certificate of Recognition for her ten years of services with Planned Parenthood California Central Coast.

Councilmember Aceves reported attending the Public Safety and Emergency Preparedness Standing Committee meeting and noted the Emergency Operations Plan Staff Report would be an early release report.

Councilmember Kasdin requested City Council concurrence to have staff investigate the speed limits on Kellogg Avenue at the Winslowe project. Mayor Perotte supported this request.

Mayor Perotte reported attending the Santa Barbara County Association of Governments meeting (SBCAG) on September 19, 2019 and noted the Airport Land Use Plan was placed on hold. Mayor Perotte requested support for directing staff to return with a draft resolution in support of HR1384, Medicare for All Act 2019, Councilmember Kyriaco supported the request. Mayor Perotte reported attending Edward Easton's Celebration of Life on September 28, 2019. Mayor Perotte announced International Bike or Walk to School (BOW WOW) will take place on October 2, 2019, and there would be an increase in pedestrians and bicycles and urged motorists to be extra cautious.

E. CITY MANAGER/STAFF REPORT

Michelle Greene, City Manager, announced the Ribbon Cutting for the multi-purpose field at the Goleta Valley Community Center on October 2, 2019, at 4:00 P.M.

F. CITY ATTORNEY REPORT

None

ADJOURNED AT 8:41 P.M.

GOLETA CITY COUNCIL

PAULA PEROTTE,
MAYOR

ATTEST:

DEBORAH S. LOPEZ
CITY CLERK