



**CITY COUNCIL
MEETING MINUTES
Tuesday, October 06, 2020**

Closed Session - 4:45 P.M.
Regular Meeting - 5:30 P.M.
City Hall
130 Cremona Drive, Suite B
Goleta, California

City Council conducted this meeting in accordance with California Governor Newsom's Executive Order N-20-20 and N-35-20 and COVID-19 Pandemic Protocols

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

4:00 P.M. - CLOSED SESSION

CALL TO ORDER

Mayor Perotte called the meeting to order at 4:00 P.M.

ROLL CALL OF CITY COUNCIL

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

ABSENT: None

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

Michael Jenkins, City Attorney, read into record closed session matters by title only.

CLOSED SESSION

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:

- City of Goleta v. Torridon, LLC, et al., Santa Barbara Superior Court, Case No.20CV01361

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL THREATENED LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)(2) and (e) (5) with regard to one potential case.

- Letter from Richard K. Howell, Rutan & Tucker dated September 24, 2020

RECESS TO CLOSED SESSION

5:30 P.M. - REGULAR AGENDA

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Perotte called the meeting to order at 5:34 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

REPORT FROM CLOSED SESSION

Michael Jenkins, City Attorney, reported on closed session matters as follows:

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:• City of Goleta v. Torridon, LLC, et al., Santa Barbara Superior Court, Case No.20CV01361

Action: No reportable action

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

Action: No reportable action

CONFERENCE WITH LEGAL COUNSEL THREATENED LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)(2) and (e) (5) with regard to one potential case. • Letter from Richard K. Howell, Rutan & Tucker dated September 24, 2020

Action: No reportable action

PUBLIC FORUM

Public Comment Received

Public comment received from Phebe Mansur read into the record.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. CONSENT CALENDAR

ITEM A.7 WAS PULLED FROM THE CONSENT CALENDAR

A.1 Approval of the Special City Council Meeting Minutes of September 14, 2020 and the City Council Meeting Minutes of September 15, 2020

Approve the Special City Council Meeting Minutes of September 14, 2020 and the City Council Meeting Minutes of September 15, 2020.

Approval of the Special City Council Meeting Minutes of September 14, 2020 and the City Council Meeting Minutes of September 15, 2020

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to approve the Special City Council Meeting Minutes of September 14, 2020 and the City Council Meeting Minutes of September 15, 2020.

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

A.2 Acceptance of the August 2020 Investment Transaction Report

Acceptance of the August 2020 Investment Transaction Report.

Acceptance of the August 2020 Investment Transaction Report

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to accept the August 2020 Investment Transaction Report.

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

A.3 Ratification of Mayoral Appointments to the Parks and Recreation Commission, Design Review Board and the Santa Barbara County Library Advisory Committee

A. Ratify the mayoral appointments of Edward Holdren for a term ending February 1, 2021 and Jonika Ronkainen (Student Member) for a term ending October 6, 2021 to the Parks and Recreation Commission; and B. Ratify the mayoral re-appointment of Karis Clinton (Licensed Landscape Professional) for a term ending January 31, 2023; re-appointment of Craig Shallenberger (Licensed Architect) for a term ending January 31, 2023; Jonathan Eymann (At-Large) for a term January 31, 2021; Gregg Hart (At-Large) for a term ending January 31, 2022 and Martha Degasis (Licensed Landscape Professional) for a term ending January 31, 2022 to the Design Review Board; and C. Ratify the mayoral reappointment of Patricia Kistler to the Santa Barbara County Library Advisory Committee.

Ratification of Mayoral Appointments to the Parks and Recreation Commission, Design Review Board and the Santa Barbara County Library Advisory Committee

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to a A. Ratify the mayoral appointments of Edward Holdren for a term ending February 1, 2021 and Jonika Ronkainen (Student Member) for a term ending October 6, 2021 to the Parks and Recreation Commission; and B. Ratify the mayoral re-appointment of Karis Clinton (Licensed Landscape Professional) for a term ending January 31, 2023; re-appointment of Craig Shallenberger (Licensed Architect) for a term ending January 31, 2023; Jonathan Eymann (At-Large) for a term January 31, 2021; Gregg Hart (At-Large) for a term ending January 31, 2022 and Martha Degasis (Licensed Landscape Professional) for a term ending January 31, 2022 to the Design Review Board; and C. Ratify the mayoral reappointment of Patricia Kistler to the Santa Barbara County Library Advisory Committee.

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

A.4 Approval of the 2020-21 Agreement for Operation of a County-wide Library System

Approve and authorize the City Manager to execute an Agreement for Operation of a County-Wide Library System for Fiscal Year 2020-21 between the County of Santa Barbara and the City of Goleta.

Approval of the 2020-21 Agreement for Operation of a County-wide Library System

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to approve and authorize the City Manager to execute an Agreement for Operation of a County-Wide Library System for Fiscal Year 2020-21 between the County of Santa Barbara and the City of Goleta.

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

A.5 Establishment of an Ad Hoc 2021 Legislative Issues Committee and Appointment of the Mayor and Mayor Pro Tempore to the Committee

A. Adopt Resolution No. 20- entitled, "A Resolution of the City Council of the City of Goleta, California Establishing an Ad Hoc 2021 Legislative Issues Committee"; and B. Appoint the Mayor and Mayor Pro Tempore to serve on the Ad Hoc 2020-21 Legislative Issues Committee.

Establishment of an Ad Hoc 2021 Legislative Issues Committee and Appointment of the Mayor and Mayor Pro Tempore to the Committee

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to A. Adopt Resolution No. 20-59 entitled, "A Resolution of the City Council of the City of Goleta, California Establishing an Ad Hoc 2021 Legislative Issues Committee"; and B. Appoint the Mayor and Mayor Pro Tempore to serve on the Ad Hoc 2020-21 Legislative Issues Committee.

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

A.6 Permanent Easement from the County of Santa Barbara required for Hollister Avenue Bridge Project (#9033)

Authorize the City Clerk to accept a Permanent Easement from the County of Santa Barbara (APN 071-090-037) required for the construction of the Hollister

Avenue Bridge Project.

Permanent Easement from the County of Santa Barbara required for Hollister Avenue Bridge Project (#9033)

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to authorize the City Clerk to accept a Permanent Easement from the County of Santa Barbara (APN 071-090-037) required for the construction of the Hollister Avenue Bridge Project.

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

A.8 Award of Contract for a Commercial / Housing Nexus Study and an Affordable Housing In-Lieu Fee Study

Authorize the City Manager to execute a Professional Services Agreement between the City of Goleta and Keyser Marston Associates, Inc. to prepare a Commercial / Housing Nexus Study and an Affordable Housing In-Lieu Fee Study for a total not-to-exceed amount of \$150,000 and a termination date of December 31, 2021.

Award of Contract for a Commercial - Housing Nexus Study and an Affordable Housing In-Lieu Fee Study

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to authorize the City Manager to execute a Professional Services Agreement between the City of Goleta and Keyser Marston Associates, Inc. to prepare a Commercial / Housing Nexus Study and an Affordable Housing In-Lieu Fee Study for a total not-to-exceed amount of \$150,000 and a termination date of December 31, 2021.

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

ITEM A.7 WAS PULLED FROM THE CONSENT CALENDAR

A.7 Title 17 (Zoning) Ordinance Amendment Second Reading and Adoption

Conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 20- , entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting Amendments to Various Sections of Title 17 of the Goleta Municipal Code and to Repeal Various Development Impact Fee Regulations."

Title 17 (Zoning) Ordinance Amendment Second Reading and Adoption

Public Comment Received

Staff Speakers:

Peter Imhof, Planning and Environmental Review Director

Anne Wells, Advance Planning Manager

MOTION: Councilmember Kasdin/Councilmember Kyriaco to conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 20-09, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting Amendments to Various Sections of Title 17 of the Goleta Municipal Code and to Repeal Various Development Impact Fee Regulations."

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

B. DISCUSSION/ACTION ITEM

B.1 Consideration of Termination or Amendment to Residential and Commercial Evictions and Foreclosures Moratoria

A. Provide direction to staff to return with an ordinance either retaining the residential eviction moratorium with modifications or terminating the moratorium thereby allowing the provisions of the newly enacted State law, AB 3088, to replace the City's ordinance; B. Provide direction to staff as to whether Goleta's commercial eviction moratorium should stay in place or be terminated; C. Provide direction to staff as to whether Goleta's residential and commercial foreclosure moratorium should stay in place or be terminated.

Consideration of Termination or Amendment to Residential and Commercial Evictions and Foreclosures Moratoria

Public Comment Received

Staff Speakers:

Michael Jenkins, City Attorney and Winnie Cai, Assistant City Attorney, provided a presentation titled "Consideration of Termination or Amendment to Residential and Commercial Evictions and Foreclosures Moratoria," dated October 6, 2020 (presentation on file).

Public Speakers:

None

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to terminate the moratorium thereby allowing the provisions of the newly enacted State law, AB 3088, to replace the City's ordinance, keeping the City of Goleta's commercial moratoria in place.

FAILED

VOTE: Motion failed by the following roll call vote: Ayes: Mayor Pro Tempore Richards, Councilmembers Aceves. Noes: Mayor Perotte, Councilmembers Kasdin and Kyriaco.

MOTION: Councilmembers Kyriaco/Kasdin to direct staff to return with an ordinance retaining the residential eviction moratorium and clarify the repayment start date of March 1, 2021, to be consistent with AB3088.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Councilmembers Kasdin, and Kyriaco. Noes: Mayor Pro Tempore Richards and Councilmember Aceves.

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to direct staff to keep Goleta's commercial eviction moratorium in place and include the sunset date.

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 Kyriaco/Mayor Pro Tempore Richards to direct to staff to terminate Goleta's residential and commercial foreclosure moratorium.

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

RECESS 6:46 P.M. - 6:56 P.M.

B.2 Diversity, Equity and Inclusion Efforts

A. Receive a presentation on the City's Diversity, Equity and Inclusion efforts; and B. Appoint two City Councilmembers to an Ad Hoc Committee to support and advise staff on the development of a Diversity, Equity and Inclusion Plan; and C. Adopt Resolution No. 20 , entitled "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta Schedule of Authorized Positions and the City of Goleta Salary Schedule and Classification Plan for Fiscal Year 2020/21, adding the Classification Specification of Human Resources Analyst/DEI Officer and, to reclassify a Management Assistant in Support Services to a Human Resources Analyst/DEI Officer."

Diversity, Equity and Inclusion Efforts

Public Comment Received

Staff Speakers:

Kristy Schmidt, Assistant City Manager provided a presentation titled, "Diversity, Equity and Inclusion Efforts," dated October 6, 2020 (presentation on file).

Public Speaker:

Christina Pizzaro and Steve Nelson spoke in support of staff recommendation.

MOTION: Councilmembers Aceves/Kyriaco to appoint City Councilmembers Aceves and Kyriaco to an Ad Hoc Committee to support and advise staff on the development of a Diversity, Equity and Inclusion Plan.

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

MOTION: Councilmembers Aceves/Kyriaco to adopt Resolution No. 20-60, entitled "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta Schedule of Authorized Positions and the City of Goleta Salary Schedule and Classification Plan for Fiscal Year 2020/21, adding the Classification Specification of Human Resources Analyst/DEI Officer and, to reclassify a Management Assistant in Support Services to a Human Resources Analyst/DEI Officer."

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

B.3 Revised Mayor's Letter to Santa Barbara County Sheriff Bill Brown Regarding Police Brutality and Racism

A. Receive and provide direction on a revised draft of the Mayor's letter to Santa Barbara County Sheriff Bill Brown Regarding Police Brutality and Racism.

B. Consider the Public Safety and Emergency Preparedness Standing Committee recommendation to not authorize the Mayor to sign and send a letter to Santa Barbara County Sheriff Bill Brown regarding police brutality and racism on behalf of the City Council, since the content of the letter was discussed with the Sheriff during three public committee meetings that included public participation.

Revised Mayor's Letter to Santa Barbara County Sheriff Bill Brown Regarding Police Brutality and Racism

Public Comment Received

Staff Speakers:

Vyto Adomaitis, Neighborhood Services and Public Safety Director

Jaime Valdez, Principal Project Manager

Sergeant John Maxwell, County of Santa Barbara Sheriff's Department

Public Speaker:

Christina Pizzaro suggested looking into the issue of police use of force further.

MOTION: Councilmembers Aceves/Mayor Pro Tempore Richards to direct staff to send the revised draft of the Mayor's letter to Santa Barbara County Sheriff Bill Brown Regarding Police Brutality and Racism.

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

C. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

Mayor Pro Tempore Richards reported attending a Grant Funding Review Standing Committee meeting on September 29, 2020.

Councilmember Kyriaco asked for concurrence to direct staff to evaluate Childcare Coordinator position for the City, Councilmember Kasdin supported this.

Mayor Perotte reported attending a Metropolitan Transit District Board Meeting on October 6, 2020.

D. CITY MANAGER/STAFF REPORT

None

E. CITY ATTORNEY REPORT

None

GOLETA CITY COUNCIL

ATTEST:

PAULA PEROTTE,
MAYOR

DEBORAH S. LOPEZ
CITY CLERK