



**REGULAR CITY COUNCIL
JOINT CITY COUNCIL CITY COUNCIL/
PLANNING AGENCY
MEETING
TUESDAY, APRIL 15, 2008**

Afternoon Session

1:30 P.M.

City Hall

130 Cremona Drive, Suite B
Goleta, California

Evening Session

6:00 P.M.

City Hall

130 Cremona Drive, Suite B
Goleta, California

Members of the City Council

Michael T. Bennett, Mayor
Roger S. Aceves, Mayor Pro Tempore
Jean W. Blois, Councilmember
Eric Onnen, Councilmember
Jonny Wallis, Councilmember

Daniel Singer, City Manager
Deborah Constantino, City Clerk
Julie Hayward Biggs, City Attorney

Members of the Planning Agency

Eric Onnen, Chair
Jonny Wallis, Vice Chair
Roger S. Aceves, Agency Member
Michael T. Bennett, Agency Member
Jean W. Blois, Agency Member

Daniel Singer, City Manager
Deborah Constantino, Agency Secretary
Brian Pierik, Agency Legal Counsel

AFTERNOON SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL

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. PRESENTATION

A.1 Fire Department Annual Report (Johnson) (20 minutes)

Recommendation: Accept the Fire Department's Annual Report

B. CONSENT CALENDAR

B.1 Award of Concrete Repair Project (Schultz)

Recommendation:

A. Authorize the City Manager to execute a construction contract with Aguilera Brothers Construction, Inc., for the Miscellaneous Concrete Repair Project, FY 2007-2008 in the amount of \$197,412 subject to the requirements of the contract documents;

B. Authorize the City Manager to approve contingency contract change orders if necessary in an amount not to exceed \$40,000.

B.2 Acceptance of March 2008 Check Register (Rivera)

Recommendation: Accept the check register for the month of March 2008.

B.3 Award of Contract for On-Call Inspection Services (Schultz)

Recommendation:

A. Authorize the City Manager to execute a contract for On-Call Construction Inspection Services with Flowers & Associates, Inc. in an amount not to exceed \$20,000;

B. Authorize the City Manager to execute a contract for On-Call Construction Inspection Services with Penfield & Smith, in an amount not to exceed \$20,000;

C. Authorize the City Manager to execute a contract for On-Call Construction Inspection Services with MNS Engineers, Inc., in an amount not to exceed \$20,000; and,

D. Authorize the City Manager to adjust the contract amounts based upon actual work completed by each individual Contractor in an amount not to exceed the total budget of \$60,000.

**B.4 Award of Contract for Auditing Services
(Rivera)**

Recommendation: Authorize the City Manager to execute a three-year Auditing Services contract to Rogers, Anderson, Malody and Scott, LLP in an amount not exceed \$37,450 for FY 2007-08.

C DISCUSSION/ACTION ITEM

**C.1 Management Partners Planning Department Review
(Chase) (90-minutes)**

Recommendation:

- A. Receive a presentation from the Planning & Environmental Services Director and Management Partners on the results of a process improvement study about the land use planning function. (Refer to Attachment 1).
 - B. Provide comments and general direction to staff on the list of recommendations included within the report.
 - C. File the report with the expectation that staff will incorporate the City Council's comments and direction into the Strategic Plan, Budget, codes and administrative processes relative to land use planning and design review.
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OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

ADJOURN TO CLOSED SESSION

CLOSED SESSION

The City Council will meet in closed session:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(c) with regard to potential initiation of one matter of litigation.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property Parcel #'s 079-554-023, 079-554-024, 079-554-025, 079-554-026, 079-554-027, 079-554-028, 079-554-029, 079-554-030, 079-554-031, 079-554-032, 079-554-032, 079-554-039, 079-553-016, 079-553-015, 079-553-014, 079-553-013, and 079-553-011

Agency Negotiator: Dan Singer, City Manager

Negotiating Parties: David Taylor, Marc Wasson, Orland Fiandaca, David Taylor, Carol/Nancy Bottiani, Patricia Banks, Marianna Strickland, Heady Family Trust, Henrietta Ash, Robert Silverthorn, Gaines Family Trust, Adrian Melero, John Brown Manning III, Wesley/Adele Seapy, Christine Jensen, and Christine Jensen, Al & Carol Gottlieb

Under Negotiations: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: Parcel # 073-450-005
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Sares Regis Group
Under Negotiations: Price and Term

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: Parcel # 079-210A-048
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: John Stahl
Under Negotiations: Price and Terms

CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTER

The City Council will meeting in closed session pursuant to Government Code Section 54957 with regard to the following personnel matter:

- Consider Appointment of a City Attorney
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**RECESS TO EVENING SESSION
CITY COUNCIL MEETING
6:00 P.M.
130 Cremona Drive, Suite B
Goleta, California**

EVENING SESSION**CALL TO ORDER AND PLEDGE OF ALLEGIANCE****ROLL CALL OF CITY COUNCIL****ROLL CALL OF PLANNING AGENCY****PUBLIC FORUM**

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AMENDMENTS OR ADJUSTMENTS TO AGENDA

D. PUBLIC HEARING**D.1 Measure D Two-Year Program of Projects for FY 2008-2009 through FY 2009-2010 (Schultz) (20 minutes)**Recommendation:

- A. Conduct a public hearing on the Measure D Two- Year Program of Projects for FY 2008-2009 through FY 2009-2010; and
- B. Adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Measure D Two-Year Local Program of Projects FY 2008-2009 through FY 2009-2010".

RECESS TO JOINT CITY COUNCIL/ PLANNING AGENCY

D.2 Case No. 08-053-DP RV01 and 07-MND-01 Addendum dated April 2008, San Jose Creek Capacity Improvement Project Development Plan located south and north of Hollister Avenue (APN's 071-190-017, 071-170-036, 071-140-060 and -040, and 071-090-036, -037 and -078, 071-260-001 thru 008, 071-140-046, 071-140-056) (Gaglione) (30-minutes)Recommendation:

- A. Open the public hearing on the San Jose Creek Capacity Improvement Project with Fish Passage Improvements;
- B. Allow oral presentations from staff and the applicant regarding the project;
- C. Provide directions regarding the project;

As Planning Agency

- D. Adopt the Planning Agency Resolution entitled “A Resolution of the Planning Agency of the City of Goleta Recommending to the City Council Approval of a Final Mitigated Negative Declaration and Final Development Plan for the San Jose Creek Capacity Improvement Project, Located North and South of the Hollister Avenue Bridge and South Along Highway 217 (City of Goleta Cases 07-Mnd-01 Addendum dated April 2008 and 08-053-Dp Rv01 (Cz)”, thereby recommending approval of various actions related to the project;

As City Council

- E. Adopt the City Council Resolution entitled “A Resolution of the City Council of the City of Goleta Approving an Addendum dated April 2008 to the Final Mitigated Negative Declaration/Environmental Assessment for the San Jose Creek Capacity Improvement Project, Located North and South of The Hollister Avenue Bridge and South Along Highway 217 (City Of Goleta Cases Addendum Dated April 2008 to 07-Mnd-01 and 08-053-Dp Rv01)”;
- F. Adopt the City Council Resolution entitled “A Resolution of the City Council of the City of Goleta Approving 08-053-Dp Rv01 (Cz) for the San Jose Creek Capacity Improvement Project, Located North and South of the Hollister Avenue Bridge and South Along Highway 217 Assessor Parcel Numbers: 071-190-017, 071-170-036, 071-140-060 and -040, and 071-090-036, -037 and -078, 071-260-001 thru 008, 071-140-046, and 071-140-056”; and
- G. Authorize transmittal of the portion of the project which lies in the Coastal Zone to the California Coastal Commission.

ADJOURN JOINT CITY COUNCIL/PLANNING AGENCY/ RECONVENE CITY COUNCIL

E. DISCUSSION/ACTION ITEM

E.1 Consideration of Community Project Grant Funding (Greene) (15-minutes)

Recommendation: Approve the funding recommendations of the Community Project Grant Subcommittee.

E.2 Update of Building & Safety Codes (Chase/Mclaughlin) (15-minutes)

Recommendation:

- A. Introduce and conduct the first reading (by title only) and waive further reading of Ordinance No. 08-__ entitled “An Ordinance of the City Council of the City of Goleta, California, Amending Title 8, Buildings and Construction, of the Goleta Municipal Code: To Delete Chapter 8.01 Entitled, ‘Administration’ and Chapter 8.12 Entitled, ‘Fire Code’; To Amend Chapter 8.02 Entitled, ‘Building Code,’ Chapter 8.04 Entitled, ‘Housing Code,’ Chapter 8.06 Entitled, ‘Electrical Code,’ Chapter 8.08 Entitled, ‘Plumbing Code,’ Chapter 8.10 Entitled, ‘Mechanical Code,’ Chapter 8.14 Entitled, ‘Dangerous Buildings Code,’ and Chapter 8.16 Entitled, ‘Building Conservation Code’; and to Add Chapter 8.18 Entitled, Administrative Code.” (Refer to Attachment 1);

- B. Set a public hearing on May 6, 2008 in order to conduct the second reading by title only of the Ordinance; and
- C. Reconstitute the Building Standards Appeals Board with technical experts and direct staff to prepare operating procedures/by-laws.

**E.3 Public Utilities Commission Rule 20A: Utility Undergrounding Funds
(Wagner) (15-minutes)**

Recommendation: Initiate process to create a Utility Undergrounding District pursuant to California Public Utilities Commission's Rule 20A.

**E.4 Design Review Board Vacancies
(Constantino) (20-minutes)**

Recommendation: Provide direction on a selection process or consider appointments to the Design Review Board.

F. COUNCIL COMMENTS

G. CITY MANAGER/STAFF REPORT

H. CITY ATTORNEY REPORT

The public shall have an opportunity to comment on agenda items as each item is considered by the City Council and prior to action being taken. It is requested that speakers complete a "Speaker Request Form" and submit it to the City Clerk prior to addressing the City Council. Administrative Reports relating to the agenda are available at City Offices located at 130 Cremona Drive, Suite B, Goleta, California.

Americans with Disabilities Act: In compliance with the ADA, if special assistance is needed to participate in a City Council meeting (including assisted listening devices), please contact the City Clerk's office at (805) 961-7500. Notification at least 72 hours prior to the meeting helps to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

The next regular meeting of the City Council is scheduled for Tuesday, May, 6, 2008. The next regular meeting of the Goleta Planning Commission is scheduled for Monday, May 12, 2008.

City of Goleta website address: www.cityofgoleta.org Telephone Number: [805.961.7500](tel:805.961.7500) Email: Cityhall@cityofgoleta.org