



**REGULAR CITY COUNCIL
MEETING MINUTES
TUESDAY, SEPTEMBER 16, 2008**

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
Tim W. Giles, City Attorney

EVENING SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bennett called the meeting to order at 6:02 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

Present: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onnen and Wallis.
Absent: None

Staff Present: Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Michelle Greene, Administrative Services Director; Steve Wagner, Community Services Director; Steve Chase, Planning and Environmental Services Director; Tina Rivera, Finance Director; and Deborah Constantino, City Clerk.

PUBLIC FORUM

Connie Hannah, representing Santa Barbara League of Woman voters, noted both the North and South County League of Woman voters are in support of "Measure A" ½ percent sales tax to support local transportation.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. CONSENT CALENDAR

A.1 Second Reading and Adoption of an Ordinance Increasing Compensation for Members of the City Council

Recommendation: Conduct a second reading by title only and adopt Ordinance No. 08-___ entitled "An Ordinance of the City Council of the City of Goleta, California Repealing and Reenacting Chapter 2.04 of the Goleta Municipal Code, increasing the compensation of the City Council" in accord with California Government Code Section 36516 et seq.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to conduct a second reading by title only and adopt Ordinance No. 08-14 entitled "An Ordinance of the City Council of the City of Goleta, California Repealing and Reenacting Chapter 2.04 of the Goleta Municipal Code, increasing the compensation of the City Council" in accord with California Government Code Section 36516 et seq.

VOTE: Motion approved by unanimous voice vote.

A.2 Acceptance of August 2008 Check Register

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

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to accept the check register for the month of August 2008.

VOTE: Motion approved by unanimous voice vote.

B. PUBLIC HEARING

B.1 Case No. 08-109-GP; Jordano's Master Plan General Plan Amendment Initiation; 5324 and 5305 Ekwil Street, APNs 065-090-034 & -036

Recommendation:

A. Conduct a public hearing on the Jordano's Master Plan General Plan Amendment Initiation request and receive public testimony; and.

B. Deliberate and move to initiate the proposed General Plan Amendment to change the land use designation to General Industrial for the property on the north side of 5305 Ekwil Street and on the entirety of 5324 Ekwil Street; or

C. Refer back to staff if the City Council decides to take action other than the recommended action.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to reschedule the public hearing to October 21, 2008.

VOTE: Motion approved by unanimous voice vote.

C. DISCUSSION/ACTION ITEMS

C.2 Emergency Preparedness Action Items

Recommendation:

- A. Authorize the City Manager to move forward with acquisition of the list of proposed emergency action items included in this report; and
- B. Adopt Resolution No. 08-___ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Disaster Pay Policy for Exempt Employees."

Staff Speakers:

Vyto Adomaitis, Redevelopment, Neighborhood Services & Public Safety Director
Michelle Greene, Administrative Services Director

MOTION: Councilmembers Wallis/Onnen to proceed with acquisition of proposed emergency action items not related to generator, staff to conduct price comparison between the costs of purchasing and renting a generator, and staff to return to Council with "A Resolution of the City Council of the City of Goleta, California Approving a Disaster Pay Policy for Exempt Employees "as amended.

VOTE: Motion approved by unanimous voice vote.

BY CONSENSUS ITEM A.3 WAS PULLED FROM CONSENT CALENDAR AND MOVED AFTER ITEM C.2

A.3 Standby Generator Installation at Corporation Yard

Recommendation: Authorize the City Manager to execute a contract with Imperial Electric Company for the installation of a 50 kilowatt standby generator at the City's corporation yard in an amount not to exceed \$33,660 subject to the requirements of the contract documents.

MOTION: Councilmembers Wallis/Onnen to conduct price comparison between the costs of purchasing and renting a generator.

VOTE: Motion approved by unanimous voice vote.

C.3 Continuation of a Local Emergency Regarding the Flood Threat Associated with the Gap Fire Burn Area and Delegation of Emergency Purchasing Authority

Recommendation: Review the status of the Local Emergency pursuant to Resolution No. 08-45 to determine the need for its continuation regarding the flood threat associated with the Gap Fire burn area and the need to continue the delegation of emergency purchasing authority.

Staff Speaker:

Steve Wagner, Community Services Director

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to approve continuation regarding the flood threat associated with the Gap Fire burn area and to continue the delegation of emergency purchasing authority.

VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onnen and Wallis. Noes: None

RECESS FROM 6:57 P.M. TO 7:04 P.M.

Tim Giles, City Attorney, reported on correspondence dated September 16, 2008, from Hollister & Brace in relation to the proposed Offshore Oil & Gas Policy Resolution, Agenda item C.1.

BY CONSENSUS ITEM C.1 WAS MOVED AFTER ITEMS C.2 AND C.3

C.1 Offshore Oil & Gas Policy

Recommendation:

- A. Adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Proclaiming Opposition to New Exploration, Leasing and Development Activities in the Western Santa Barbara Channel for Oil and Gas Production; and
- B. Authorize the Mayor to sign and forward the Resolution to Governor Arnold Schwarzenegger, Congressperson Lois Capps, Board of Supervisors, State Lands Commission, and California Coastal Commission.

Staff Speakers:

Steve Chase, Planning and Environmental Services Director

Speakers:

Doug Anthony, Energy Division of the County of Santa Barbara, provided a PowerPoint presentation on energy profiles.

Andy Caldwell, representing COLAB, spoke in opposition of staff recommendations.

Joe Armendariz, Santa Barbara County Taxpayers Association, raised concerns over Countries Oil supply and resource crisis. Mr. Armendariz spoke in opposition of staff recommendations.

Barbara Massey spoke in support of staff recommendations.

Caroline Vance, representing Assembly Member Pedro Nava, spoke to Assembly Member Nava's Legislative Resolution AJR 51 to oppose off shore oil drilling. Ms. Vance spoke in support of staff recommendations, on behalf of Assembly Member Pedro Nava.

Judy Rossiter, Executive Director of Stop Oil Seeps California, spoke in opposition of staff recommendations. Ms. Rossiter requested the proposed action be postponed to allow additional time to review staff reports.

Tom Burgher, representing the Santa Barbara Technology and Industry Association, spoke in opposition of staff recommendations.

Kathy Staples, representing the memberships of the Santa Barbara County Wide Energy Coalition, the Committee to Improve North County and Santa Maria Valley Chamber of Commerce, requested the City of Goleta allow the memberships she represents to be involved in future Oil and Gas industry discussions. Ms. Staples requested the proposed action be postponed and that staff and Council meet with the memberships she represents to discuss other viable options.

Bruce Allen raised concerns of potential environmental and fiscal impacts associated with staff recommendations.

Lad Handelman, representing Stop Oil Seeps California, provided a video presentation which spoke to the pollution produced from natural seeps and the benefits of offshore oil production.

Toby Plough, representing Western States Petroleum, spoke in opposition of staff recommendations. Mr. Plough requested Council consider staffs alternative, to use this forum to receive information for consideration at a later date.

Steve Greig, Venoco Government Relations & Regulatory Manager, raised concerns relating to Venoco's properties, facilities and projects that are currently in the permitting process. Mr. Greig requested the proposed action be postponed to allow additional time to review staff reports.

Mr. Larson spoke in opposition of staff recommendations.

Connie Hannah, League of Women Voters, spoke in support of staff recommendations.

Jessie Altstatt, Santa Barbara Channelkeepers, spoke in support of staff recommendations.

Hannah Eckberg, representing Get Oil Out, spoke in support of staff recommendations.

Nathan Alley, Attorney with Environmental Defense Center, spoke in support of staff recommendations. Mr. Alley referenced reports from the Bush Administrations Energy Information Administration and New York Times regarding Oil demand and pricing.

Margaret Connell spoke in support of the concept of the proposed Resolution and requested the proposed Resolution focus on the Moratorium on the Federal level.

Kristen Amyx, President and CEO of the Goleta Valley Chamber of Commerce, spoke to the Goleta Valley Chamber of Commerce policy platform on energy. Ms. Amyx raised concerns with staff's recommendations while the Venoco project EIR is being studying.

MOTION: Mayor Pro Tempore Aceves/___ to adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Proclaiming Opposition to New Exploration, Leasing and Development Activities in the Western Santa Barbara Channel for Oil and Gas Production as amended

MOTION FAILED

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to direct staff to return to Council with a revised Resolution as amended.

VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Councilmembers Blois and Wallis. Noes: Councilmember Onnen.

D. COUNCIL COMMENTS

Mayor Pro Tempore Aceves spoke to concerns with the potential State budget adoption. He expressed concern regarding projects in the Old Town and how they may be impacted. He also requested staff to closely monitor this potential issue.

E. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, noted there will be neighborhood meetings on preparations of this winters potential flood incidents as they relate to the Gap Fire. He also noted a meeting will be held on September 23, 2008, at Goleta Valley Jr. High at 6:30 P.M., an additional meeting will be held at Community Center and a third meeting early October more specific to the Business community.

F. CITY ATTORNEY REPORT

Tim W. Giles, City Attorney, reported Council will adjourn to Closed Session to hear the following matters;

CLOSED SESSION

The City Council met in closed session:

CONFERENCE WTH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(a) to confer with its legal counsel with regard to the following matters of pending litigation:

- Oly Chadmar Sandpiper General Partnership v. City of Goleta Supreme Court Case Case No. 01111147
- HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1241926
- Shelby Family Partnership City of Goleta, Superior Court Case No. 1241956
- Citizens for a Better Goleta v. City of Goleta, Superior Court Case No. 1241870
- Great Universal Capital Association, L.P/HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1242746

CONFERENCE WTH 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 WTH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(a) to confer with its legal counsel with regard to the following matters of pending litigation:

- Guggenheim v. City of Goleta, Superior Court Case No. 01246103
- Guggenheim v. City of Goleta, Superior Court Case No. 01246104
- Guggenheim v. City of Goleta, Superior Court Case No. 01187138
- Guggenheim v. City of Goleta, Superior Court Case No. 0124713
- Guggenheim v. City of Goleta, Superior Court Case No. 01197138

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following matter:

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

PUBLIC EMPLOYEE PERFORMANCE – EVALUATION

Pursuant to Government Code Section 54957 with regard to the following personnel matter:

- City Manager Performance Evaluation

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

SPEAKERS:

None

ADJOURN TO CLOSED SESSION AT 9:26 P.M.

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL



MICHAEL T. BENNETT
MAYOR

ATTEST.



DEBORAH CONSTANTINO
CITY CLERK

