



**REGULAR CITY COUNCIL
MEETING MINUTES
TUESDAY, AUGUST 19, 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

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bennett called the meeting to order at 1:31 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: Dan Singer, City Manager; Julie Biggs, City Attorney; Steve Wagner, Community Services Director; Tina Rivera, Finance Director; Rosemarie Gaglione, Capital Improvement Project Manager; Marti Schultz, Principal Civil Engineer and Rheannon Parr, Deputy City Clerk.

PUBLIC FORUM

Tom Thomas, Co-Chair of Santa Barbara Fighting Back, presented their Communities Indicator Report and provided copies of the Report to Council.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

ITEM A.1 WAS MOVE AFTER CONSENT CALENDAR

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to move Item A.1 to end of Consent Calendar

VOTE: Motion approved by a unanimous voice vote.

B. CONSENT CALENDAR

BY CONSENSUS, THE CITY COUNCIL PULLED CONSENT ITEMS B.1, B.6 & B.8

B.2 Acceptance of Quarterly Treasurer's Report for the Quarter Ending June 30, 2008

Recommendation: Accept the Quarterly Treasurer's Report for the Quarter Ending June 30, 2008.

MOTION: Councilmembers Onnen/Blois to accept the Quarterly Treasurer's Report for the Quarter Ending June 30, 2008.

VOTE: Motion approved by a unanimous voice vote.

B.3 Acceptance of July 31, 2008 Check Register

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

MOTION: Councilmembers Onnen/Blois to accept the check register for the month of July 2008.

VOTE: Motion approved by a unanimous voice vote.

B.4 Professional Services Agreement for the 101 Overpass Project Feasibility Study and Project Study Report

Recommendation:

A. Authorize the City Manager to execute a Professional Services Agreement with Drake Haglan and Associates for Project Feasibility Study and Project Study Report Services for the Goleta Overpass Improvement Project in an amount not to exceed \$299,939.

B. Appropriate \$306,939 from the Goleta Transportation Improvement Program (GTIP) fund account #220-5-9027-706.

MOTION: Councilmembers Onnen/Blois to authorize the City Manager to execute a Professional Services Agreement with Drake Haglan and Associates for Project Feasibility Study and Project Study Report Services for the Goleta Overpass Improvement Project in an amount not to exceed \$299,939; and Appropriate \$306,939 from the Goleta Transportation Improvement Program (GTIP) fund account #220-5-9027-706.

VOTE: Motion approved by a unanimous voice vote.

B.5 Amendment No. 3 to Agreement for Paratransit Services with Easy Lift Transportation, Inc.

Recommendation: Authorize the City Manager to execute Amendment No.3 to the Agreement for Paratransit Services with Easy Lift Transportation, Inc. for a one-year extension in an amount not to exceed \$27,506 for FY 2008-09.

MOTION: Councilmembers Onnen/Blois to authorize the City Manager to execute Amendment No.3 to the Agreement for Paratransit Services with Easy Lift Transportation, Inc. for a one-year extension in an amount not to exceed \$27,506 for FY 2008-09.

VOTE: Motion approved by a unanimous voice vote.

B.7 Statewide Local Streets and Roads Needs Assessment Study

Recommendation: Authorize payment in the amount of \$2,000 to the League of California Cities for the City to participate in the Statewide Local Streets and Roads Needs Assessment Study facilitated by the League of California Cities.

MOTION: Councilmembers Onnen/Blois to authorize payment in the amount of \$2,000 to the League of California Cities for the City to participate in the Statewide Local Streets and Roads Needs Assessment Study facilitated by the League of California Cities.

VOTE: Motion approved by a unanimous voice vote.

ITEMS B.1, B.6 AND B.8 WERE PULLED FROM CONSENT CALENDAR.

B.1 Approval of the minutes of Joint City Council/Redevelopment Agency meeting minutes of May 6, 2008 and June 17, 2008, Regular City Council meeting minutes of May 20, 2008 and June 3, 2008, and the Special City Council meeting minutes of May 29, 2008, June 24, 2008, and July 28, 2008.

Recommendation: Approve the minutes of Joint City Council/Redevelopment Agency meeting minutes of May 6, 2008 and June 17, 2008, Regular City Council meeting minutes of May 20, 2008 and June 3, 2008, and the Special City Council meeting minutes of May 29, 2008, June 24, 2008, and July 28, 2008

MOTION: Councilmembers Onnen/Mayor Pro Tempore Aceves to approve the meeting minutes of June 17, 2008, as amended.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to approve the meeting minutes of Joint City Council/Redevelopment Agency meeting of May 6, 2008 and Regular City Council meeting of May 20, 2008 and June 3, 2008, and the Special City Council meeting of May 29, 2008, June 24, 2008, and July 28, 2008

VOTE: Motion approved by a unanimous voice vote.

B.6 Construction Contract for Armitos Avenue Water Main Extension

Recommendation:

- A. Authorize the City Manager to execute a construction contract for the Armitos Avenue Water Main Extension project to Lash Construction, Inc., in an amount not to exceed \$20,339 subject to the requirements of the contract documents.
- B. Authorize the City Manager to approve contract change orders as necessary in an amount not to exceed \$5,000.

MOTION: Councilmembers Wallis/Onnen to authorize the City Manager to execute a construction contract for the Armitos Avenue Water Main Extension project to Lash Construction, Inc., in an amount not to exceed \$20,339 subject to the requirements of the contract documents.

VOTE: Motion approved by a unanimous voice vote.

B.8 Urban Forest Management Plan

Recommendation: Authorize the City Manager to execute a professional services agreement with Goleta Valley Beautiful for development of an Urban Forestry Management Plan in an amount not to exceed \$46,500.

STAFF SPEAKER:

Julie Biggs, City Attorney

Steve Wagner, Community Services Director

SPEAKERS:

Barbara Massey spoke against Council approving Goleta Valley Beautiful contract and wanted to know what an Urban Management Advisory Committee is and how will the Committee be Chosen.

MOTION: Councilmembers Wallis/Onnen to authorize the City Manager to execute a professional services agreement with Goleta Valley Beautiful for development of an Urban Forestry Management Plan in an amount not to exceed \$46,500.; as amended.

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

BY CONSENSUS ITEM A.1 WAS MOVE AFTER CONSENT CALENDAR

A. PRESENTATION

A.1 Potential Construction of a Conversion Technology Facility at Tajiguas Landfill

Recommendation: Receive a presentation by the County of Santa Barbara on the current status of the Conversion Technology Feasibility Analysis.

Staff Speakers:
Steve Wagner, Community Services Director

Public Speakers:
Mark Schleich, Deputy Public Works Director of Santa Barbara County; Carlyle Johnston, Project Manager County of Santa Barbara; Bob Samario, City of Santa Barbara Finance Department and Sue Higgins, Consultant from ARI, provided a PowerPoint presentation synopsis of the potential Conversion Technology Facility at Tajiguas Landfill.

Council received the report.

RECESS FROM 2:20 P.M. TO 2:28 P.M.

C. DISCUSSION/ACTION ITEMS

C.1 Recreation Study: An Analysis of Recreation Services and Programs in the Goleta Community

Recommendation: Receive a presentation from Recreation Consultant Carol Belser on the Recreation Study entitled "An Analysis of Recreation Services and Programs in the Goleta Community".

Staff Speakers:
Dan Singer, City Manager
Kirsten Deshler, Management Analyst
Courtney Hebert, Intern, City Managers office

Public Speakers:
Carol Belser, Recreation Consultant, provided a PowerPoint presentation of the 2007-2008 Analysis of Recreation Services Findings and Recommendations.

Council received the report.

C.2 Designation of City Council Representatives to the League of California Cities 2008 Annual Conference and Overview of Policy Resolutions

Recommendation:

- A. Designate a voting delegate and two alternates to represent the City at the League of California Cities 2008 Annual Business Meeting.
- B. Approve staff recommendations regarding the four policy resolutions being considered at the League of California Cities 2008 Annual Business Meeting and provide direction to the voting and alternative delegates.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to approve staff recommendations regarding the four policy resolutions being considered at the League of California Cities 2008 Annual Business Meeting.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to designate Mayor Bennett as Voting Delegate.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to delegate Councilmembers Wallis and Blois as alternates to represent the City at the League of California Cities 2008 Annual Business Meeting.

VOTE: Motion approved by a unanimous voice vote.

C.3 Calle Real/Old Town Shuttle Service Pilot Project

Recommendation:

A. Authorize the City Manager to execute a 2-year transit subsidy agreement with MTD, subject to approval as to form by the City Attorney, for the Calle Real/Old Town Shuttle, Line 9, in an amount not to exceed \$135,683.

B. Appropriate \$66,511 from unappropriated Measure D Funds for FY 2008/2009, Fund 205.

Staff Speaker:

Marti Schultz, Principal Civil Engineer

Public Speaker:

Sherri Fisher and Steve Maas, Representing MTD, spoke to shuttle services provided by MTD.

MOTION: Mayor Pro Tempore Aceves/Mayor Bennett to authorize the City Manager to execute a 2-year transit subsidy agreement with MTD, subject to approval as to form by the City Attorney, for the Calle Real/Old Town Shuttle, Line 9, in an amount not to exceed \$135,683; and appropriate \$66,511 from unappropriated Measure D Funds for FY 2008/2009, Fund 205.

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

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

SPEAKERS:

None

ADJOURN TO CLOSED SESSION AT 4:07 P.M.

CLOSED SESSION

The City Council met 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 WTH LEGAL COUNSEL - PENDING LITIGATION

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

- Radke v. the City of Goleta SBSC 01242177

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 matter 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
- Cortez v. City of Goleta, Superior Court Case No. 1301893.

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 WTH LEGAL COUNSEL – PERSONNEL MATTER

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

- City Manager Performance Evaluation

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

Mayor Bennett called the meeting to order at 6:04 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

Present: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmember's Blois, Onnen and Wallis.
Absent: None

Staff Present: Dan Singer, City Manager; Julie Biggs, City Attorney; Michelle Greene, Administrative Services Director; Steve Chase, Planning and Environmental Services Director; Patty Miller, Current Planning Manager; Marti Schultz, Principal Civil Engineer and Rheannon Parr, Deputy City Clerk.

Julie Biggs, City Attorney, reported no reportable action on the following closed session items;

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

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- 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

PUBLIC FORUM

Ross Cathie, Colleen Robles, Lorie May, Rhonda Setter, Bridget Cathie, Stephanie Newton, Julianne Walsh, and Sheetal Fisher spoke in support of Swim with Phyn.

Beatrice Meier expressed concern for Human Right violations in China.

Julie Smith, Owner of Swim with Phyn, suggested swim with Phyn provides a service that is not available in Goleta. Ms. Smith requested she be placed on a future City Council agenda. She asked for consideration to be allowed to continue her services from home.

Barbara Massey expressed appreciation to Julie Biggs for her services to the City Goleta.

Ken Knight, representing Goleta Planning Commission, spoke at the request of the Planning Commission members to convey interest in changing the way Planning Commission currently reviews Land Use applications. Mr. Knight stated that he and his fellow Planning Commissioners are requesting consideration in expanding their role to include Conceptual and Use review.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

Mayor Bennett presented Julie Biggs, City Attorney, on behalf of the City Council, with a City of Goleta logo tile for her dedication and commitment to the City of Goleta 2002-2008.

D. PUBLIC HEARING

D.1 A Resolution Approving a Tax-Exempt Bond Financing to Be Issued By the California Statewide Communities Development Authority to Benefit Goleta Valley Cottage Hospital and Affiliates

Recommendation:

A. Conduct the public hearing; and

B. Adopt the resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tax-Exempt Bond Financing to Be Issued by the California Statewide Communities Development Authority to Benefit Goleta Valley Cottage Hospital and Affiliates."

Staff Speakers:

Michelle Greene, Administrative Services Director

Speakers:

Karen Jones, representing Goleta Valley Cottage Hospital, requested approval of Resolution.

PUBLIC HEARING OPENED AT 6:30 P.M.

Public Speakers:

None

PUBLIC HEARING CLOSED AT 6:30 P.M.

MOTION: Councilmember Blois/Mayor Bennett to adopt the resolution No. 08-37 entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tax-Exempt Bond Financing to Be Issued by the California Statewide Communities Development Authority to Benefit Goleta Valley Cottage Hospital and Affiliates."

VOTE: Motion approved by a unanimous voice vote.

D.2 Installation of New Stop Signs and Restricted Parking Areas Adjacent to Dos Pueblos High School

Recommendation:

- A. Adopt Resolution No. 08 - ____ entitled "A Resolution of the City Council of the City of Goleta, California, Authorizing the Installation of One-Way STOP Signs on Bassano and Padova Drives at Alameda Avenue."
- B. Adopt Resolution No. 08 - ____ entitled "A Resolution of the City Council of the City of Goleta, California, Rescinding Resolution No. 70-061.2, and Resolution No. 79-639, No Parking Zones, and Establishing a Passenger and a Metropolitan Transit District School Booster Bus Loading/Unloading Zones and Red Curbing on Alameda Avenue between Bassano and Padova Drives."

Staff Speakers:

Marti Schultz, Principal Civil Engineer

PUBLIC HEARING OPENED AT 6:39 P.M.

Public Speakers:

Stephanie Giorgio (written comments on file) spoke in favor of and requested enforcement of proposed stop signs. Ms. Giorgio spoke in disagreement of relocating the Booster bus loading zones adjacent to Teachers parking lot.

Mimi Applegate Elder, representing Dos Pueblos High School PTSA, spoke in support of the proposed resolution to install signs and modifications to bus and no parking zones as suggested.

Paula Peyote, Co-Chair Dos Pueblos High School Traffic Safety Committee PTSA, spoke in support of staff recommendations. She stated their mission is to make sure the students get to school safe and they have put together a plan to educate parents and students on drop off locations.

Janie Liu spoke in support of the proposed installation of new stop signs.

PUBLIC HEARING CLOSED AT 6:52 P.M.

MOTION: Councilmembers Wallis/Blois to adopt Resolution No. 08 - 38 entitled "A Resolution of the City Council of the City of Goleta, California, Authorizing the Installation of One-Way STOP Signs on Bassano and Padova Drives at Alameda Avenue."

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Wallis/Mayor Bennett to adopt Resolution No. 08 - 39 entitled "A Resolution of the City Council of the City of Goleta, California, Rescinding Resolution No. 70-061.2, and Resolution No. 79-639, No Parking Zones, and Establishing a Passenger and a Metropolitan Transit District School Booster Bus Loading/Unloading Zones and Red Curbing on Alameda Avenue Between Bassano and Padova Drives."

VOTE: Motion approved by a unanimous voice vote.

D.3 Revisions to the City's Environmental Review Guidelines

Recommendation:

- A. Allow oral presentations from staff.
- B. Conduct a public hearing and receive testimony.
- C. Adopt City Council Resolution 08-___ entitled "A Resolution of the City Council of the City of Goleta, California, Repealing Resolution 03-56 and Adopting Environmental Review Guidelines for the Implementation of the Provisions of the California Environmental Quality Act" (Attachment 1).

Staff Speakers:

Steve Chase, Planning and Environmental Service Director

Patty Miller, Current Planning Manager read into the record correspondence received from the public: E-mail communication dated 8/19/08 from Bruce Burke, in support of approving the CEQA revisions.

PUBLIC HEARING OPENED AT 7:14 P.M.

Public Speaker:

Barbara Massey raised concerns with review of Draft Environmental documents with Director of Planning & Environmental Services and/or his designees.

Connie Hannah, representing Santa Barbara League of Women Voters, (written comments on file) requested Council not to shorten the comment periods for document review. She expressed concern over the purpose and intent of appointing an Environmental hearing officer. Ms. Hannah also spoke against placing review of Draft Environmental documents on staff.

Andrew Bermant, representing Bermant Developing Company, submitted to Council Bermant Developing Companies suggested proposed changes to the Environmental guidelines and spoke to reasoning of proposed changes.

PUBLIC HEARING CLOSED AT 7:22 P.M.

MOTION: Councilmembers Blois/Onnen to adopt resolution 08-40 entitled "A Resolution of the City Council of the City of Goleta, California, Repealing Resolution 03-56 and Adopting Environmental Review Guidelines for the Implementation of the Provisions of the California Environmental Quality Act" (Attachment 1) as amended at the hearing of August 19, 2008.

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

E. COUNCIL COMMENTS

Mayor Pro Tempore Aceves reminded the public that local law enforcement will be handing out letters to children who are not following the safely helmet laws. The letter will state were they can pick up helmets for a \$10.00 donation, if no donation is made the helmet will be free of charge.

Councilmember Blois reported attending the California Environmental Quality Act & Climate Change meeting.

F. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, reminded the public that City Hall will be closed on Labor Day September 1, 2008, and the next City Council meeting will be held September 2, 2008. He also noted there will be a Special Labor Day firework celebration due to the cancellation of the 4th of July firework show during the GAP fire.

G. CITY ATTORNEY REPORT

None

ADJOURNED TO CLOSE SESSION AT 7:43 P.M.

CLOSED SESSION

The City Council met in closed session:

CONFERENCE WITH 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 matter of pending litigation:

- Cortez v. City of Goleta, Superior Court Case No. 1301893.

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

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

- City Manager Performance Evaluation

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL


MICHAEL T. BENNETT
MAYOR

ATTEST: 
DEBORAH CONSTANTINO
CITY CLERK