



**REGULAR CITY COUNCIL
MEETING MINUTES
TUESDAY, SEPTEMBER 1, 2009**

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

Roger S. Aceves, Mayor
Eric Onnen, Mayor Pro Tempore
Michael T. Bennett, Councilmember
Margaret Connell, Councilmember
Edward Easton, Councilmember

Daniel Singer, City Manager
Deborah Constantino, City Clerk
Tim W. Giles, City Attorney

AFTERNOON SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Aceves called the meeting to order at 1:30 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

Present: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton.

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

Tim W. Giles, City Attorney, read into record closed session matters by title only:

CLOSED SESSION

The City Council met in closed session:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

- City Manager Evaluation
- City Attorney Evaluation

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 Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

Property: 130 Cremona Drive, Suite B, Goleta, CA 93117
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: East Group Properties
Under Negotiations: Price and Terms

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 matters of pending litigation:

- Veloz Payne v. City of Goleta City of Goleta, Superior Court Case No. 1338285

ADJOURNED TO CLOSED SESSION AT 1:34 P.M.

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

ROLL CALL OF CITY COUNCIL

Present: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton.

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Wagner, Community Services Director and Deborah Constantino, City Clerk.

REPORT FROM CLOSED SESSION

Tim Giles, City Attorney, reported on closed sessions matters;

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

- City Manager Evaluation
- City Attorney Evaluation

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 Negotiation:	Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

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Agency Negotiator:	Dan Singer, City Manager
Negotiating Party:	East Group Properties
Under Negotiations:	Price and Terms

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 matters of pending litigation:

- Veloz Payne v. City of Goleta City of Goleta, Superior Court Case No. 1338285

Action: No reportable action

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. CONSENT CALENDAR

A.1 Second Amendment to Cooperative Agreement with Caltrans for the Design and Construction of the Hollister/Cathedral Oaks Interchange Project

Recommendation: Authorize the City Manager to execute Amendment No. 2 to the Cooperative Agreement with Caltrans for the Design and Construction of the Hollister/Cathedral Oaks Interchange Project.

MOTION: Councilmembers Connell/Easton to authorize the City Manager to execute Amendment No. 2 to the Cooperative Agreement with Caltrans for the Design and Construction of the Hollister/Cathedral Oaks Interchange Project.

VOTE: Motion approved by unanimous voice vote.

A.2 Jones & Stokes ICF and Expanded Track 3 General Plan Amendment Environmental Review Services

Recommendation: Authorize the City Manager to execute an amendment to the agreement for professional services with Jones & Stokes ICF to provide expanded Track 3 General Plan Amendment public hearing participation services and environmental review in an amount not to exceed \$20,000.

MOTION: Councilmembers Connell/Easton to authorize the City Manager to execute an amendment to the agreement for professional services with Jones & Stokes ICF to provide expanded Track 3 General Plan Amendment public hearing participation services and environmental review in an amount not to exceed \$20,000.

VOTE: Motion approved by unanimous voice vote.

B. DISCUSSION/ACTION ITEM

B.1 Authorization to Establish a Multi-Way Stop Controlled Intersection at Los Carneros Road and Calle Real

Recommendation: Adopt resolution No. 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Installation of Additional Stop Signs Establishing a Multi-Way Controlled Intersection on Los Carneros Road at Calle Real Intersection".

Staff Speakers:
Steve Wagner, Community Services Director

MOTION: Councilmember Easton/Bennett to adopt resolution No. 09-41 entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Installation of Additional Stop Signs Establishing a Multi-Way Controlled Intersection on Los Carneros Road at Calle Real Intersection".

VOTE: Motion approved by unanimous voice vote.

B.2 07-007-TPM, -DP; 07-167-DP AM; Marriott Residence Inn/Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020

Recommendation: Adopt Resolution 09-__, entitled "A Resolution of the City Council of the City of Goleta, California Rescinding Resolution 08-59 (Adoption of Final Mitigated Negative Declaration and Acceptance of Addendum Dated August 1, 2008) and Rescinding Resolution 08-60 (Approval of Tentative Parcel Map, Development Plan for the Marriott Residence Inn, and Development Plan Amendment for the Hollister Center Project); 6300 Hollister Avenue; 07-007-TPM, -DP; 07-167-DP AM; APN 073-050-020". (See Attachment 1)

Staff Speakers:
Tim Giles, City Attorney
Steve Chase, Planning and Environmental Services Director

MOTION: Mayor Pro Tempore Onnen/Councilmember Connell adopt resolution 09-42, entitled "A Resolution of the City Council of the City of Goleta, California Rescinding Resolution 08-59 (Adoption of Final Mitigated Negative Declaration and Acceptance of Addendum Dated August 1, 2008) and Rescinding Resolution 08-60 (Approval of Tentative Parcel Map, Development Plan for the Marriott Residence Inn, and Development Plan Amendment for the Hollister Center Project); 6300 Hollister Avenue; 07-007-TPM, -DP; 07-167-DP AM; APN 073-050-020".

VOTE: Motion approved by unanimous voice vote.

B.3 Codification of the Goleta Municipal Code

Recommendation:

- A. Receive a report by staff on the Codification of the Goleta Municipal Code;
- B. Provide direction to staff; and
- C. Schedule the introduction and first reading of a proposed ordinance adopting the Codified Goleta Municipal Code on October 6, 2009.

Staff Speakers:

Tim Giles, City Attorney

By Consensus, Council directed staff to schedule the introduction and first reading of a proposed ordinance adopting the Codified Goleta Municipal Code on October 6, 2009.

B.4 Professional Services Agreement for the San Jose Creek Capacity Improvement Project

Recommendation: Authorize the City Manager to execute a Professional Services Agreement with Bengal Engineering, Inc. for Geotechnical Engineering/Investigation and Design Services for the San Jose Creek Capacity Improvement Project for an amount not to exceed \$524,074.

Staff Speakers:

Rosemarie Gaglione, Capital Improvement Program Manager

Councilmember Easton left the dais at 6:38 P.M.

MOTION: Councilmembers Connell/Bennett to authorize the City Manager to execute a Professional Services Agreement with Bengal Engineering, Inc. for Geotechnical Engineering/Investigation and Design Services for the San Jose Creek Capacity Improvement Project for an amount not to exceed \$524,074.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmember Bennett and Connell. Noes: None. Absent: Councilmember Easton.

Councilmember Easton returned to the dais at 6:47 P.M.

B.5 Consideration of a new purchasing ordinance

Recommendation: Introduce and conduct the first reading (by title only and waive further reading) of City Council Ordinance No. 09-__ entitled "An Ordinance of the City Council of the City of Goleta, California Repealing and Replacing Title 3 Chapter 24 of The Goleta Municipal Code Relating to the City of Goleta Purchasing System." (Attachment 1)

Staff speakers:

Michelle Greene, Administrative Services Director

MOTION: Councilmembers Bennett/Connell introduced and conducted the first reading (by title only and waive further reading) of City Council Ordinance No. 09-__ entitled "An Ordinance of the City Council of the City of Goleta, California Repealing and Replacing Title 3 Chapter 24 of The Goleta Municipal Code Relating to the City of Goleta Purchasing System." As amended.

VOTE: Motion approved by unanimous voice vote.

B.6 Library Ad-hoc Committee

Recommendation:

A. Adopt Resolution No. 09_ entitled, "A Resolution of the City Council of the City of Goleta, California Establishing a Council Ad Hoc Library Committee".

B. Appoint two City Councilmembers to serve on the committee.

Staff Speakers:

Dan Singer, City Manager

MOTION: Councilmember Connell/Mayor Pro Tempore Onnen to adopt Resolution No. 09-43 entitled, "A Resolution of the City Council of the City of Goleta, California Establishing a Council Ad Hoc Library Committee"

VOTE: Motion approved by unanimous voice vote.

MOTION FAILED

MOTION: Councilmember Easton/ to appoint Councilmember Connell and Mayor Pro Tempore Onnen to serve on the Ad Hoc Library committee.

MOTION: Councilmembers Easton/Bennett to appoint Councilmember Connell to serve on the Ad Hoc Library committee.

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmember Connell/Mayor Aceves to appoint Mayor Pro Tempore Onnen to serve on the Ad Hoc Library committee.

VOTE: Motion approved by unanimous voice vote.

C. COUNCIL COMMENTS/STANDING COMMITTEE REPORTS

Committee Reports:

- Finance Committee 8/19/2009
- Economic Development & Revitalization Committee 8/19/2009
- Ordinance Committee 8/20/2009

Mayor Pro Tempore Onnen reported the Finance Committee met at the Goleta Library with County of Santa Barbara, City of Goleta and City of Santa Barbara staff to discuss revenue enhancement for the library with Supervisor Wolf. Mayor Pro Tempore Onnen also reported the Economic Development & Revitalization Committee met to discuss the Economic Development Strat Plan.

Councilmember Easton reported receiving a letter from Randy Rossness, Goleta Valley Community Center Executive Director, noting that he will be retiring January 31, 2010.

Councilmember Connell reported attending the opening of the Brandon school new auditorium along with Councilmember Bennett, noting that a Board Member expressed interest in the joint City Council/Santa Barbara School District meeting to discuss issues of mutual interest or concern.

D. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, reported that as of September 1, 2009, the City of Goleta has started the Goleta Prepared Now Campaign, noting this campaign is being funded by a grant received through the Orfalea foundation. Mr. Singer informed the public that the City of Goleta, Red Cross, and Chamber of Commerce will be reaching out to the community with Goleta Prepared Now booths at various locations within the City throughout the month of September. Dan Singer, City Manager, also announced that the Monarch press comes out this week and requested the public contact City Hall if they do not receive a copy in the mail. Mr. Singer reminded the public that City Hall will be closed for Labor Day on Monday, September 7, 2009, and that efforts are underway to schedule a joint City Council/Santa Barbara School District meeting to

discuss issues of mutual interest or concern, date and details are still to be determined.

E. CITY ATTORNEY REPORT

Tim W. Giles, City Attorney, reported that AB 566, legislation addressing mobile home subdivision statute, was prepared for a third reading in the Senate and final adoption last week and has been continuing day to day as the various votes are being marshaled in that effort. Tim W. Giles reported that he authored a letter with the County of Ventura County Counsel and the City Attorney of the City of Carson addressing a number of issues raised by legal counsel for the Mobile Home Park Owners Association. Through these efforts this legislation will work its way through the legislature, onto the Governor's desk and hopefully resolve some of the issues. Tim W. Giles, City Attorney, reported that the one trial court that had ruled in favor of a local agency, which had attempted to apply additional conditions to a mobile home park subdivision in the County of Sonoma, was up on appeal and within the last week the decision came down that the ruling was adverse to the County. This decision makes it unanimous of all court decisions relating to this issue and so the last recourse is the Legislative effort, the City will continue to support the effort to make those modifications as necessary.

Tim W. Giles, City Attorney, read into record closed session matters by title only:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION


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

- City Manager Evaluation
- City Attorney Evaluation

ADJOURNED TO CLOSED SESSION AT 7:35 P.M.

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL



ROGER S. ACEVES
MAYOR

ATTEST



DEBORAH CONSTANTINO
CITY CLERK