



**REGULAR CITY COUNCIL/
JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY
MEETING MINUTES
TUESDAY, OCTOBER 6, 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 1:31 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; Rosemarie Gaglione, Capital Improvement Program Manager and Deborah Constantino, City Clerk.

REPORT FROM CLOSED SESSION

Tim W. Giles, City Attorney, reported on Closed Session matters;

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:

- Guggenheim v. City of Goleta USDC CV 0202478 FMC, Ninth Circuit Case No. 06-56306

Action: No reportable action

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. PRESENTATION

A.1 Employee Recognition - Gaglione

Steve Wager, Community Service Director, recognized Rosemarie Gaglione, Capital Improvement Program Manager, for her recent achievement of acquiring her Engineering License. Mayor Aceves, on behalf of the City of Goleta presented Ms. Gaglione with a Certificate of Appreciation for acquiring an Engineering License.

B. STUDY SESSION

B.1 Overview of the AB 1600 Process and the Status of the Goleta Transportation Improvement Program

Recommendation:

- A. Receive an overview from staff on AB1600 Process and the Status of the Goleta Transportation Improvement Program.
- B. Receive and update on the Draft Development Impact Fee Report; and provide direction or input as needed.

Staff Speakers:

Tim W. Giles, City Attorney

Steve Wagner, Community Services Director

Rosemarie Gaglione, Capital Improvement Program Manager provided a PowerPoint presentation on the Development Impact Fee program.

RECESS 2:35 P.M. – 2:45 P.M.

Council provided direction to staff.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS CLOSED SESSION MATTERS

Sharon Rose, University Park Mobile Homeowners Association, spoke in regard to the Ninth Circuit Court of Appeals decision and requested the City of Goleta join in with the League of California Cities to appeal the decision.

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 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 USDC CV 0202478 FMC, Ninth Circuit Case No. 06-56306

ADJOURNED TO CLOSED SESSION AT 3:25 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 6:01 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; Tina Rivera, Finance Director and Deborah Constantino, City Clerk.

REPORT FROM CLOSED SESSION

Tim W. Giles, City Attorney, reported on Closed Session 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 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:

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Action: No reportable action

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Tim W. Giles, City Attorney, reported that recommendation B of item C.2 has been removed for action by Council.

C. CONSENT CALENDAR

C.1 Approve the Minutes of the Regular City Council meeting of September 15, 2009 and Special City Council meeting of September 15, 2009

Recommendation: Approve the Minutes of the City Council meetings of September 15, 2009 and the Special City Council meeting of September 15, 2009.

MOTION: Councilmember Easton/Mayor Pro Tempore Onnen to approve the Minutes of the City Council meetings of September 15, 2009 and the Special City Council meeting of September 15, 2009.

VOTE: Motion approved by unanimous voice vote.

C.2 Massage Therapy Regulation Ordinance Adoption

Recommendation:

- A. Conduct second reading by title only (and waive further reading) and adopt ordinance No. 09-__ entitled "An Ordinance of the City Council of the City of Goleta, California Adopting Chapter 9.AA of the Goleta Municipal Code Regulating Massage Establishments, Massage Technicians, and the Practice of Massage and Repealing Existing Massage Fees";
- B. Adopt resolution No. 09-___ entitled "An Ordinance of the City Council of the City of Goleta, California Adopting Chapter 9.AA of the Goleta Municipal Code Regulating Massage Establishments, Massage Technicians, and the Practice of Massage and Repealing Existing Massage Fees".

MOTION: Councilmember Easton/Mayor Pro Tempore Onnen conducted second reading by title only (and waive further reading) and adopted ordinance No. 09-13 entitled "An Ordinance of the City Council of the City of Goleta, California Adopting Chapter 9.AA of the Goleta Municipal Code Regulating Massage Establishments, Massage Technicians, and the Practice of Massage and Repealing Existing Massage Fees"

VOTE: Motion approved by the following voice vote: Ayes: Mayor Aceves, Mayor Pro Tempore Onnen Councilmembers Connell and Easton. Noes: Councilmember Bennett.

C.3 NextG Right-of-Way Use Agreement

Recommendation: Approve and authorize the City Manager to execute the Right of Way Use Agreement.

MOTION: Councilmember Easton/Mayor Pro Tempore Onnen to approve and authorize the City Manager to execute the Right of Way Use Agreement.

VOTE: Motion approved by unanimous voice vote.

D. DISCUSSION/ACTION

D.1 Economic Development Strategic Plan

Recommendation:

A. Review and provide comments on the Economic Development Strategic Plan (EDSP).

B. Adopt the Economic Development Strategic Plan.

Speakers:

Vyto Adomaitis, Redevelopment, Neighborhood Services & Public Safety Director provided a PowerPoint presentation on the Economic Development Strategic Plan.

Jaime Valdez, Senior Management Analyst

Public Speakers:

Jessica Laughlin, Sy West Development spoke to a letter she provided Council dated October 6, 2009. (Letter on file)

Jim Knight and Kirsten Amyx representing the Goleta Valley Chamber of Commerce spoke in support of staff recommendations.

MOTION: Councilmember Easton/Mayor Pro Tempore Onnen to adopt the Economic Development Strategic Plan.

VOTE: Motion approved by unanimous voice vote.

D.2 Goleta 101 Overpass Improvement Project Feasibility Study

Recommendation:

- A. Accept the "Goleta Overpass Improvement Project Feasibility Study."
- B. Authorize the City Manager to execute a Professional Services Agreement with Drake Haglan and Associates for Phase I Preliminary Design Services for the Goleta Overpass Improvement Project in an amount not to exceed \$608,496.
- C. Approve an additional budget appropriation for FY 2009-10 in the amount of \$410,496 from the Goleta Transportation Improvement Program (GTIP) fund account #220-5-9027-706 for this effort.

Staff Speakers:

Rosemarie Gaglione, Capital Improvement Program Manager

MOTION: Councilmembers Bennett/Easton to accept the "Goleta Overpass Improvement Project Feasibility Study"; authorize the City Manager to execute a Professional Services Agreement with Drake Haglan and Associates for Phase I Preliminary Design Services for the Goleta Overpass Improvement Project in an amount not to exceed \$608,496 and approve an additional budget appropriation for FY 2009-10 in the amount of \$410,496 from the Goleta Transportation Improvement Program (GTIP) fund account #220-5-9027-706 for this effort.

VOTE: Motion approved by unanimous voice vote.

RECESS 7:26 P.M. – 7:36 P.M.

D.3 Implementation of City Storm Water Management Program

Recommendation:

- A. Receive a status report on the City's Draft Storm Water Management Plan.
- B. Authorize the City Manager to execute a professional services agreement with URS Corporation in an amount not to exceed \$92,500 for Storm Water Management Plan Implementation assistance.

Staff Speakers:

Steve Wagner, Community Services Director

MOTION: Councilmembers Bennett/Connell to authorize the City Manager to execute a professional services agreement with URS Corporation in an amount not to exceed \$92,500 for Storm Water Management Plan Implementation assistance and authorize an additional budget appropriation in the amount of \$62,500 for this effort.

VOTE: Motion approved by unanimous voice vote.

D.4 Establishment of a Standing Green Issues Committee

Recommendation:

- A. Authorize the establishment of a "Green Issues" Standing Committee.
- B. Adopt resolution No.09-__ entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Establishment of a Green Issues Standing Committee.

Staff Speakers:

Dan Singer, City Manager

Speaker:

Mario Borgatello, Mar Borg Industries, spoke in support of the standing Green Issues Committee.

MOTION: Councilmember Easton/Mayor Pro Tempore Onnen to adopt resolution No.09-47 entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Establishment of a Green Issues Standing Committee.

VOTE: Motion approved by unanimous voice vote.

E. COUNCIL COMMENTS

Mayor Pro Tempore Onnen reported the Finance Committee met with their auditors and reported on the audit process.

Councilmember Connell reported her attendance at the Santa Barbara County Homeless Task Force meeting.

Mayor Aceves reported his attendance, along with Councilmember Connell, at Community Development Block Grant Committee (CDBG) meeting noting the Redevelopment Agency would return to the CDBG Committee with a re-allocation plan for the \$27,000, which was initially given to the Senior Aimed at Independent Living program which is now nonexistent. Mayor Aceves noted that Friday, October 9, 2009, the City of Goleta is declaring Scott O'Leary Day. Mayor Aceves also reported he will be attending the Local Organizing Committee press conference at UCSB on October 7, 2009, regarding the 2010 UCAA Men's Soccer College Cup.

Councilmember Bennett reported his attendance at the Board of Supervisors meeting October 6, 2009, regarding the Goleta Beach proposal to further investigate managed retreat.

Councilmember Easton reported his Attendance at the Redevelopment organization training session held in Pasadena, CA.

F. CITY MANAGER/STAFF REPORT

None

G. CITY ATTORNEY REPORT

Tim W. Giles, City Attorney, reported Council has authorized a petition for review with a full panel of the Ninth District regarding the Guggenheim case. Mr. Giles also reported AB 566 is under review with the Governor, noting a final decision on all pending Bills is expected this week.

ADJOURNED AT 8:21 P.M.

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL



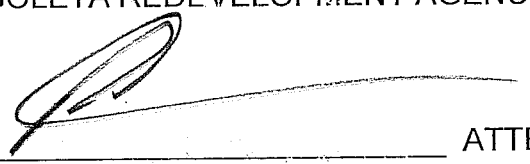
ROGER S. ACEVES
MAYOR

ATTEST:



DEBORAH CONSTANTINO
CITY CLERK

GOLETA REDEVELOPMENT AGENCY



ROGER S. ACEVES
CHAIR

ATTEST:



DEBORAH CONSTANTINO
AGENCY SECRETARY

