



**REGULAR CITY COUNCIL  
MEETING MINUTES  
TUESDAY, APRIL 20, 2010**

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***

Eric Onnen, Mayor  
Margaret Connell, Mayor Pro Tempore  
Roger S. Aceves, Councilmember  
Michael T. Bennett, 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 Pro Tempore Connell called the meeting to order at 1:31 P.M., followed by the Pledge of Allegiance.

**ROLL CALL OF CITY COUNCIL**

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

Staff Present: Michelle Green, Administrative Services Director; Joanna Smith, Assistant City Attorney; Steve Wagner, Community Services Director; Claudia Dato, Management Analyst and Rheannon Parr, Deputy City Clerk.

## **PUBLIC FORUM**

None

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

By Consensus Council requested Item A.3 to be moved to a future City Council meeting.

### **A. PRESENTATION**

#### **A.1 Employee 5-Year Recognition - Brian Hiefield, Assistant Planner**

Mayor Pro Tempore Connell presented Brian Hiefield, Assistant Planner, with a 5-year recognition pin.

#### **A.2 National Arbor Day Recognition**

Mayor Pro Tempore Connell presented Steve Wagner, Community Services Director, with a proclamation recognizing April 30, 2010 as City of Goleta Arbor Day.

#### **A.3 Police Services 2009 Annual Report**

Recommendation: Accept and file report.

By Consensus Council requested Item A.3 to be moved to a future City Council meeting.

### **B. CONSENT CALENDAR**

#### **B.1 Approve the City Council meeting minutes of March 16, and April 6, 2010**

Recommendation: Approve the Meeting Minutes of March 16, and April 6, 2010.

MOTION: Councilmembers Easton/Bennett to approve the Meeting Minutes of March 16, and April 6, 2010, as amended.

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

#### **B.2 Acceptance of the March 2010 Check Register**

Recommendation: Accept the check register for the month of March 2010.

MOTION: Councilmembers Easton/Bennett to accept the check register for the month of March 2010.

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

### **B.3 Agreement for Sales Tax Audit Services**

Recommendation:

- A. Authorize the City Manager to execute a contract with Hinderliter, de Llamas & Associates (HDL) to perform sales tax audit services for the City of Goleta.
- B. Adopt Resolution No. 10-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California, Authorizing Examination of Sales, Use and Transactions Tax Records".

**MOTION:** Councilmembers Easton/Bennett to authorize the City Manager to execute a contract with Hinderliter, de Llamas & Associates (HDL) to perform sales tax audit services for the City of Goleta and adopt resolution No. 10-24 entitled "A Resolution of the City Council of the City of Goleta, California, Authorizing Examination of Sales, Use and Transactions Tax Records".

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

### **B.4 Facility Reserve Study**

Recommendation:

- A. Direct staff to make a one-time allocation of \$13,355 from the Cashflow reserve to account 101-5-5300-550 in order to expand the scope of the facilities reserve study.
- B. Authorize the City Manager to execute an amendment subject to City Attorney Approval as to form and content to the ENG contract consistent to implement the expanded scope of study.

**MOTION:** Councilmembers Easton/Bennett to direct staff to make a one-time allocation of \$13,355 from the Cashflow reserve to account 101-5-5300-550 in order to expand the scope of the facilities reserve study and authorize the City Manager to execute an amendment subject to City Attorney Approval as to form and content to the ENG contract consistent to implement the expanded scope of study.

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

## **C. PUBLIC HEARING**

### **C.1 Amendments to 2004-2009 CDBG Action Plans and Consideration of 2010-2011 CDBG Action Plan**

Recommendation:

- A. Conduct a public hearing to receive public input on proposed amendments to the 2004-2009 CDBG Action Plans and the 2010-2011 CDBG Action Plan;
- B. Approve the proposed amendments to the 2004-2009 Action Plans and the 2010-2011 Action Plan, subject to any revisions desired by Council; and

- C. Authorize staff to submit the 2004-2009 Action Plan amendments and the Final 2010-2011 Action Plan to the U.S. Department of Housing and Urban Development.

Staff Speakers:

Claudia Dato, Management Analyst

MOTION: Councilmembers Bennett/Easton to move item C.1 to evening session.

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

### **OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS**

None

### **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 matters of pending litigation:

- HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1241926
- Great Universal Capital Association, L.P./HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1242746

#### **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

Property: APN 071-090-077, 071-090-078  
Agency Negotiator: Dan Singer, City Manager  
Negotiating Party: Lee & Associates  
Under Negotiations: Price and Terms

**ADJOURNED TO CLOSED SESSION AT 1:43 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 Onnen called the meeting to order at 6:02 P.M., followed by the Pledge of Allegiance.

### **ROLL CALL OF CITY COUNCIL**

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

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Wagner, Community Services Director; Anne Wells, Advance Planning Manager; Dan Nemechek, Senior Planner and Rheannon Parr, Deputy City Clerk.

### **REPORT FROM CLOSED SESSION**

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

### **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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- HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1241926
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Action: No reportable action

### **PUBLIC FORUM**

None

### **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

#### **C. PUBLIC HEARING**

##### **C.1 Amendments to 2004-2009 CDBG Action Plans and Consideration of 2010-2011 CDBG Action Plan**

Recommendation:

- A. Conduct a public hearing to receive public input on proposed amendments to the 2004-2009 CDBG Action Plans and the 2010-2011 CDBG Action Plan;
- B. Approve the proposed amendments to the 2004-2009 Action Plans and the 2010-2011 Action Plan, subject to any revisions desired by Council; and
- C. Authorize staff to submit the 2004-2009 Action Plan amendments and the Final 2010-2011 Action Plan to the U.S. Department of Housing and Urban Development.

Councilmember Easton reported that because he lives within 500 feet of an item referred to in the CDBG Action Plan there is a need to be recused from this item and left the dais at 6:04 P.M. Councilmember Easton noted that he lives within a 500 foot radius of an item on the Action Plan.

Staff Speakers:  
Claudia Dato, Management Analyst

#### **OPENED PUBLIC HEARING AT 6:09 P.M.**

Speakers:  
None

#### **CLOSED PUBLIC HEARING AT 6:09 P.M.**

MOTION: Councilmember Bennett/Mayor Pro Tempore Connell to approve the proposed amendments to the 2004-2009 Action Plans and the 2010-2011 Action Plan.

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

MOTION: Mayor Pro Tempore Connell/Councilmember Easton to authorize staff to submit the 2004-2009 Action Plan amendments and the Final 2010 - 2011 Action Plan to the U.S. Department of Housing and Urban Development.

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

Councilmember Easton returned to the dais at 6:17 P.M.

### **D. PRESENTATION**

#### **D.1 UCSB Environmental Studies 40th Anniversary Recognition**

Mayor Onnen presented Dr. Josh Schimel, representing University of California, Santa Barbara, and Heather Berry, University of California, Santa Barbara environmental studies alumni, with a proclamation recognizing the University of California, Santa Barbara's Environmental Studies Program on its 40th Anniversary.

#### **D.2 Santa Barbara County Park – Goleta Beach 2.0**

Erik Axelson, Deputy Director Santa Barbara County Parks, provided a PowerPoint presentation on Goleta Beach 2.0.

Public Speakers:

Ed de la Torre, representing Goleta Beach Park Coalition, spoke to protective measures that would not cause negative environmental impacts or down coast sand depravation. Arthur Sylvester raised concerns regarding the proposed Goleta Beach 2.0

Kristen Amyx, representing Goleta Valley Chamber of Commerce, requested that Council not endorse Goleta Beach 2.0 as it is currently proposed to the Board of Supervisors. Ms. Amyx noted three objections to Goleta Beach 2.0 as currently proposed; removing 900 feet of buried rocks; removing the parking lot; and moving the utility lines.

Michael Rattray, representing Goleta Beach Park Coalition, noted that the rock barrier is for the protection of the park not the beach and reported that Goleta Beach Park Coalition will be encouraging the County to get the permits to keep the rocks in place.

## **E. PUBLIC HEARING**

### **E.1 Measure A Five-Year Program of Projects for FY 2010-2015**

Recommendation:

- A. Conduct a public hearing on the Measure A Five-Year Program of Projects for FY 2010-2015.
- B. Adopt Resolution No. 10-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Measure A Five-Year Local Program of Projects FY 2010-2015".

Staff Speakers:

Steve Wagner, Community Services Director

**RECESS 7:20 P.M. - 7:26 P.M.**

**OPENED PUBLIC HEARING AT 7:47 P.M.**

Speakers:

None

**CLOSED PUBLIC HEARING AT 7:47 P.M.**

MOTION: Mayor Pro Tempore Connell/Councilmember Bennett to adopt resolution No. 10-25 entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Measure A Five-Year Local Program of Projects FY 2010-2015".

VOTE: Motion approved by unanimous voice vote.

## **F. DISCUSSION/ACTION ITEM**

### **F.1 Ellwood Mesa Well Abandonment Work Plan**

Recommendation: Approve the Work Plan for Abandonment of Oil Wells, Water Production Wells and Groundwater Monitoring Well, at Ellwood Mesa/Sperling Preserve, dated March 25, 2010, for the purposes of commencing the project entitlement process.

Staff Speakers:

Anne Wells, Advance Planning Manager

Dan Nemechek, Senior Planner, provided a PowerPoint presentation on the Ellwood Mesa Well Abandonment Work Plan.

MOTION: Mayor Pro Tempore Connell/Councilmember Aceves to approve the Work Plan for Abandonment of Oil Wells, Water Production Wells and Groundwater Monitoring Well, at Ellwood Mesa/Sperling Preserve, dated March 25, 2010, for the purposes of commencing the project entitlement process.

VOTE: Motion approved by unanimous voice vote.

## F.2 Initiation of Ordinance Establishing Local Campaign Finance Disclosure Requirements

Recommendation: Consider and provide direction to staff on whether to develop an ordinance establishing local campaign finance disclosure requirements.

By Consensus Council directed the City Clerk's office to utilize the notification tools available on the City's website to make campaign disclosure statements available to the public.

## G. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

- **Ordinance Review Standing Committee Meeting – April 8, 2010**

Mayor Pro Tempore Connell reported the Ordinance Review Standing Committee met April 8, 2010, to discuss the Storm Water Management Plan.

Councilmember Aceves reported his attendance at the Board of Supervisor meeting held on April 20, 2010, regarding the Goleta West Sanitary District detachment.

Councilmember Easton reported his attendance at the Board of Supervisor meeting held on April 20, 2010, regarding the Goleta West Sanitary District detachment.

## H. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, acknowledged the Goleta Sanitary District for the tour they provided at the Special City Council meeting held on April 16, 2010. Mr. Singer reported a commercial properties facilities tour Special City Council meeting will be Friday, April 23, 2010. Mr. Singer also reported Special City Council meetings may be needed in May or June in order to update the Strategic Plan thoroughly, and provide for one or two budget workshops.

## I. CITY ATTORNEY REPORT

None

**ADJOURNED AT 9:02 P.M.**

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL



ERIC ONNEN  
MAYOR

ATTEST:



DEBORAH CONSTANTINO  
CITY CLERK