



**REGULAR CITY COUNCIL
MEETING
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

ROLL CALL OF CITY COUNCIL

PUBLIC FORUM

At this time the public shall have an opportunity to comment on any non-agenda item relevant to the jurisdiction of the City. It is requested that each speaker complete a "Speaker Request Form" and submit it to the City Clerk. Reasonable time limits are imposed on each topic and each speaker. In accordance with the provisions of the Ralph M. Brown Act (GC § 54950 et seq.), no action or discussion may take place by the Council on any item not on the posted agenda. The Council may respond to statements made or questions asked, and may direct the staff to report back on the topic at a future meeting.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

A. CONSENT CALENDAR

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

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.

**A.2 Acceptance of August 2008 Check Register
(Rivera)**

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

**A.3 Standby Generator Installation at Corporation Yard
(Morgenstern)**

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.

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
(Chase/Miller/Hanson) (5 minutes)**

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.

C. DISCUSSION/ACTION ITEMS

**C.1 Offshore Oil & Gas Policy
(Chase) (90 minutes)**

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.

**C.2 Emergency Preparedness Action Items
(Adomaitis)**

(30 minutes)

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."

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

(10 minutes)

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.

D. COUNCIL COMMENTS

E. CITY MANAGER/STAFF REPORT

F. CITY ATTORNEY REPORT

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

ADJOURN TO CLOSED SESSION

CLOSED SESSION

The City Council will meet 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:

- Oly Chadmar Sandpiper General Partnership v. City of Goleta Supreme Court 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 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 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:

- 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

The public shall have an opportunity to comment on agenda items as each item is considered by the City Council and prior to action being taken. It is requested that speakers complete a "Speaker Request Form" and submit it to the City Clerk prior to addressing the City Council. Administrative Reports relating to the agenda are available at City Offices located at 130 Cremona Drive, Suite B, Goleta, California.

Americans with Disabilities Act: In compliance with the ADA, if special assistance is needed to participate in a City Council meeting (including assisted listening devices), please contact the City Clerk's office at (805) 961-7500. Notification at least 72 hours prior to the meeting helps to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

The next regular meeting of the City Council is scheduled for Tuesday, October 7, 2008. The next regular meeting of the Goleta Planning Commission is scheduled for Monday, October 13, 2008.

City of Goleta website address: www.cityofgoleta.org Telephone Number: [805.961.7500](tel:805.961.7500) Email: Cityhall@cityofgoleta.org