



**DRAFT
REGULAR CITY COUNCIL
MEETING MINUES
TUESDAY, JULY 15, 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 1:32 p.m., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCILMEMBERS

Present: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onnen and Wallis.

Staff Present: Assistant City Attorney Brian A. Pierik, Community Services Director Steve Wagner, Planning and Environmental Services Director Steve Chase, Principal Civil Engineer Marti Schultz, Planning Manager Patricia Miller, and City Clerk Deborah Constantino.

PUBLIC FORUM

Scott Wentz, representing Cars are Basis encouraged the City carefully review any future traffic calming suggestions.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Mayor Bennett reported that from the County Fire Department that would like to make a brief presentation on the Gap Fire.

BY CONSENSUS ITEMS A.3, A.4, AND A.8 WERE PULLED FROM THE CONSENT CALENDAR

A. CONSENT CALENDAR

A.1 Acceptance of June 2008 Check Register

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

MOTION: Councilmember Mayor Pro Tempore Aceves/Councilmember Onnen to accept the check register for the month of June 2008.

VOTE: Motion approved by a unanimous voice vote.

A.2 Maintenance Contract for the FY 2008-2009 Annual Contract for Striping Services

Recommendation: Authorize the City Manager to execute a contract with Safety Striping Service, Inc. for the FY 2008-2009 Annual Striping Services in an amount not to exceed \$100,000, subject to the requirements of the contract documents.

MOTION: Councilmember Mayor Pro Tempore Aceves/Councilmember Onnen to authorize the City Manager to execute a contract with Safety Striping Service, Inc. for the FY 2008-2009 Annual Striping Services in an amount not to exceed \$100,000, subject to the requirements of the contract documents.

VOTE: Motion approved by a unanimous voice vote.

A.5 Urban Forest Mapping Contract with Native Communities Development Corporation

Recommendation:

A. Authorize the City Manager to execute a professional services agreement with Native Communities Development Corporation in an amount not to exceed \$17,450 for Urban Forest Mapping services.

B. Appropriate revenues in the amount \$80,000 for Urban Forest Management Grant in account # 310-4-8500-4220

- C. Appropriate expenses in the amount of \$80,000 for Urban Forest Management Grant expenses in account # 310-5-5400-500
- D. Appropriate expenses in the amount of \$13,500 for Urban Forest Management Grant matching funds in account # 5-5400-550

MOTION: Councilmember Mayor Pro Tempore Aceves/Councilmember Onnen to authorize the City Manager to execute a professional services agreement with Native Communities Development Corporation in an amount not to exceed \$17,450 for Urban Forest Mapping services, appropriate revenues in the amount \$80,000 for Urban Forest Management Grant in account # 310-4-8500-4220, appropriate expenses in the amount of \$80,000 for Urban Forest Management Grant expenses in account # 310-5-5400-500, and appropriate expenses in the amount of \$13,500 for Urban Forest Management Grant matching funds in account # 5-5400-550

VOTE: Motion approved by a unanimous voice vote.

A.6 Resolution Amending the City of Goleta Salary Schedule and Classification Plan

Recommendation:

- A. Adopt resolution No. 08-__ entitled "a Resolution of the City Council of the City of Goleta, California Amending the City of Goleta Salary Schedule and Classification Plan for Fiscal Year 2008-09;
- B. Adopt the Classification Specification for the new Capital Improvement Program Manager position.

MOTION: Councilmember Mayor Pro Tempore Aceves/Councilmember Onnen to adopt resolution No. 08-32 entitled "a Resolution of the City Council of the City of Goleta, California Amending the City of Goleta Salary Schedule and Classification Plan for Fiscal Year 2008-09;and adopt the Classification Specification for the new Capital Improvement Program Manager position.

VOTE: Motion approved by a unanimous voice vote.

A.7 Public Works Mutual Aid Agreement

Recommendation:

- A. Adopt a Resolution No. 08-___ entitled "A Resolution of the City Council of the City of Goleta, California approving the Public Works Mutual Aid Agreement; and
- B. Authorize the City Manager to execute duplicate copies of the Public Works Mutual Aid Agreement No. 62170 and forward to the Disaster Services Coordinator at Los Angeles County, Department of Public Works.

MOTION: Councilmember Mayor Pro Tempore Aceves/Councilmember Onnen to adopt a Resolution No. 08-33 entitled "A Resolution of the City Council of the City of Goleta, California approving the Public Works Mutual Aid Agreement; and

authorize the City Manager to execute duplicate copies of the Public Works Mutual Aid Agreement No. 62170 and forward to the Disaster Services Coordinator at Los Angeles County, Department of Public Works.

VOTE: Motion approved by a unanimous voice vote.

ITEMS A.3 AND A.8 WERE PULLED FROM THE CONSENT CALENDAR

A.3 Resolution of the City Council Excluding Certain Real Property Acquisitions and Dispositions from Conformance with the General Plan Requirements of Government Code Section 65402

Recommendation:

Adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City Excluding Certain Real Property Acquisitions and Dispositions from Conformance with the General Plan Requirements Under Government Code Section 65402."

Staff Speakers:

Steve Wagner Director of Community Services

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to have staff return with a revised resolution.

VOTE: Motion approved by a unanimous voice vote.

A.4 Case No. 07-117-GPA, -RZ -DP RV01: Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016

Recommendation:

A. Approve Second reading and adopt Ordinance No. 08-__ entitled "An Ordinance of the City Council of the City of Goleta, California to Amend the City of Goleta Zoning Map to Reflect a Requested Rezone From CH Highway Commercial to C-2 Retail Commercial for the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016."

B. Adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving the Development Plan Revision for the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016."

STAFF:

Steve Chase Planning and Environmental Services Director

Public Speakers:

Dr. Inge Cox raised concerns and perhaps incorrect statements with the administrative findings to Winchester Union 76.

MOTION: Councilmember Mayor Pro Tempore Aceves/Councilmember Onnen to Approve Second reading and adopt Ordinance No. 08-07 entitled “An Ordinance of the City Council of the City of Goleta, California to Amend the City of Goleta Zoning Map to Reflect a Requested Rezone From CH Highway Commercial to C-2 Retail Commercial for the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016.”, and adopt Resolution No. 08-31 entitled “A Resolution of the City Council of the City of Goleta, California Approving the Development Plan Revision for the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016.”

VOTE: Motion approved by a unanimous voice vote.

A.8 Resolution Declaring a Local Emergency Due to the Gap Fire

Recommendation: Adopt resolution No.08-__ entitled “a Resolution of the City Council of the City of Goleta, California Declaring a Local Emergency Caused by Fire and confirming the request for a Local of Emergency.”

STAFF:
Dan Singer, City Manager
Vyot Adomaitis, Redevelopment Agency, Neighborhood Services, and Public Safety Director.

MOTION: Councilmembers Blois/Wallis to adopt resolution No.08-34 entitled “a Resolution of the City Council of the City of Goleta, California Declaring a Local Emergency Caused by Fire and confirming the request for a Local of Emergency.”

VOTE: Motion approved by a unanimous voice vote.

B. DISCUSSION/ACTION ITEMS

B.1 Consideration of Joint Emergency Operations Center (EOC) with County of Santa Barbara

Recommendation: Receive staff report and provide direction to staff as to whether to proceed with discussions with the County of Santa Barbara for the City’s participation in a joint EOC with the County.

Staff Speakers:
Vyto Adomaitis, Redevelopment, Neighborhood Services, & Public Safety Director

Speakers:
Vic Cox although in support of the idea of a joint EOC, raised concerns on the City’s proposed return on investment. Mr. Cox noted his support of the City of Goleta to have its own EOC in the future.

Mr. Michael Harris Director of Santa Barbara County Office of Emergency Services reported on the GAP fire and the benefit of moving forward with a joint EOC.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to continue discussions with the County of Santa Barbara for the City's participation in a joint EOC with the County.
VOTE: Motion approved by a unanimous voice vote.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

ADJOURN TO CLOSED SESSION AT 2:26 P.M.

CLOSED SESSION

The City Council met in closed session:

CONFERENCE WTH 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 - 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:

- Bishop Ranch 2000 LLC v. City of Goleta, Superior Court Case No. 1242776

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

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

- City Attorney Appointment

**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 6:05 p.m., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCILMEMBERS

Present: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onnen and Wallis.

Staff Present: City Manager Dan Singer, Assistant City Attorney Brian A. Pierik, Steve Chase Director of Planning and Environmental Services, Steve Wagner, Director of Community Services, Patricia Miller, and City Clerk Deborah Constantino.

PUBLIC FORUM

None

Assistant City Attorney Brian A. Pierik reported from the Special City Council meeting held today

CONFERENCE WITH LEGAL COUNSEL

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

- City Attorney Appointment

Action: Brian Pierik, City Attorney reported that in the matter held in closed session (above) there was a motion made to appoint the Tim Giles as the City Attorney and that the motion was made by Councilmember Blois/Mayor Bennett and the vote by the Council was 5-0.

Tim W. Giles was introduced as the City of Goleta newly appointed City Manager.

Tom Franklin, Deputy Chief Santa Barbara County Fire Department provided a PowerPoint presentation on the GAP Fire incident.

Mayor Bennett presented certificates of appreciation to the following for their service to the City of Goleta during the Gap fire incident. Chief Wally Bennett, Forest Supervisor Ken Heffner, Santa Barbara District Ranger Cindy Chojnacky, Fire Chief John Cherry, Deputy Chief Tom Franklin, and Sheriff Bill Brown.

PUBLIC FORUM

None.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Dan Singer, City Manager reported there had been an item titled "Revisions to the City of Goleta environmental Review Guidelines", which was noticed, however not ready to bring before Council tonight. Mr. Singer noted this item will be re-noticed and brought back to Council on August 19, 2008.

C PUBLIC HEARING

C.1 Case No. 08-057-GPA: Harwin General Plan Amendment Initiation; 6390, 6398, and 6416 Hollister Avenue (APN: 073-070-024; -021; -005)

Recommendation:

- A. Allow oral presentations from staff.
- B. Conduct a public hearing and receive testimony.
- C. Deliberate and move to initiate processing of the Harwin General Plan Amendment request at 6390 Hollister Avenue, and include the properties at 6398 Hollister Avenue and 6416 Hollister Avenue.

Staff Speakers:

Patricia Miller, Current Planning Manager
Shine Ling, Associate Planner

Steve Welton, Agent for Ms. Harwin provided a PowerPoint outlining project site potential should Council consider Harwin's General Plan amendment.

PUBLIC HEARING OPEND AT 6:48 p.m.

SPEAKERS:

Mr. Oza spoke in support of staff recommendation.

PUBLIC HEARING CLOSED AT 6:51 p.m.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to initiate processing of the Harwin General Plan Amendment request at 6390 Hollister Avenue, and include the properties at 6398 Hollister Avenue and 6416 Hollister Avenue.

VOTE: Motion approved by a unanimous voice vote.

C.2 Public Hearing to Consider Establishing the Tax Rate for the Goleta Library Special Tax for Fiscal Year 2008-09

Recommendation:

- A. Adopt a Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Establishing Goleta Library Special Tax for Fiscal Year 2008-2009; and

- B. Authorize the City Manager to enter into an agreement with the County Auditor-Controller for the collection of special assessments.

Staff Speakers:

Marti Schultz, Principal Civil Engineer

PUBLIC HEARING OPEND AT 6:59 p.m.

SPEAKERS:

None

PUBLIC HEARING CLOSED AT 6:59 p.m.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Establishing Goleta Library Special Tax for Fiscal Year 2008-2009; and

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Blois/Onnen to authorize the City Manager to enter into an agreement with the County Auditor-Controller for the collection of special assessments.

VOTE: Motion approved by a unanimous voice vote.

C.3 Public Hearing to Consider a Street Lighting Benefit Assessment for Fiscal Year 2008-09

Recommendation:

A. Adopt a Resolution No. 08-__ entitled "A Resolution of the City Council of the City of the City of Goleta, California Establishing the City of Goleta Street Lighting Benefit Assessment for Fiscal Year 2008-2009; and

B. Authorize the City Manager to enter into an agreement with the County Auditor-Controller for the collection of special assessments.

Staff Speakers:

Marti Schultz, Principal Engineer

PUBLIC HEARING OPEND AT 7:02 p.m.

SPEAKERS:

None

PUBLIC HEARING CLOSED AT 7:02 p.m.

MOTION: Councilmember Blois/Mayor Bennett to adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City of the City of Goleta, California

Establishing the City of Goleta Street Lighting Benefit Assessment for Fiscal Year 2008-2009.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onnen, and Wallis, Noes: None.

MOTION: Mayor Pro Tempore Aceves/ Councilmember Onnen Authorize the City Manager to enter into an agreement with the County Auditor-Controller for the collection of special assessments.

VOTE: Motion approved by a unanimous voice vote.

C.4 Case No. 08-063-GPA, Initiation of Proposed General Plan Amendments Bishop Ranch, 96 Glen Annie Road, APN 077-020-045

Recommendation:

- A. Conduct a public hearing on the initiation of proposed General Plan Amendments by Bishop Ranch.
- B. Receive public testimony.
- C. Deliberate and move to decline initiation of the proposed General Plan Amendments.

City Attorney Brian Pierik reported that the applicant submitted correspondence to the City of Goleta on the Friday prior to tonight's meeting, and after the agenda was posted requesting that their application be withdrawn. However prior to that time, this item had been noticed as a public hearing, as well as being on the agenda, so if the Council desires they can proceed with the public hearing with regards to the subject that the initiations of the proposed general plan amendments and receive public testimony, and then Council may decide what actions to take.

Staff Speakers:

Steve Chase, Director of Planning and Environmental Services
Patricia Miller, Current Planning Manager

MOTION: Councilmember Blois/Mayor Bennett to not consider future general plan amendment on this parcel.

VOTE: Motion to be tabled until public comment was taken.

Brian Pierik, City Attorney, noted that the motion on the floor was not agenzized so if the Council was going to consider the motion it would have to be one that would come back to council agenzized for a future meeting.

The above maker and the second of the motion withdrew the motion.

PUBLIC HEARING OPEND AT 7:19 p.m.

SPEAKERS:

Fermina Murray spoke in opposition to Bishop Ranch proposed General Plan Amendments

Gary Stenshol, Agricultural Landscape Services, spoke in neither of support or opposition to the Bishop Ranch proposed General Plan Amendments. Manages Bishop Ranch, spoke to agriculture in specific to water as the limiting factor, essentially spoke to the water issues on the property. Mr. Stenshol provided his written comments (on file).

Gregory Johnson requested unbiased studies for viable use of the subject property.

Suzanne Aguilera spoke in support of staff recommendations.

Kelly Hildner spoke to support of staff recommendation, questioned the water rights by property owner.

Debbie Cox Bultan, Executive Director of the Coastal Housing Coalition, noted residential guidelines that the Coalition suggests would be incorporated should the proposed amendments come aback to Council.

Gene Nooney requested that Council study the idea of making any amendments and including an EIR that would go with an amendment.

Deborah Scott spoke in support of staff recommendations. Echoed Mr. Nooney's comments above and also spoke to traffic concerns.

Krista Pleiser, Santa Barbara Association of Realtors spoke in support of the proposed General Plan Amendment. Comment letter on file.

Ann Wisheart spoke in support of staff recommendation, and feels it would be a waste of tax payer money to embark on a study. Also spoke to the water issue on Bishop Ranch, noting that they transferred the water rights to Camino Real Market Place.

Lee Chiacos supports the idea of agriculture land usage, and provided several supporting suggestions for this usage.

Gilda T. Corissa spoke to housing cost issues in the area. Ms. Corissa noted that the issues related to housing costs add to the difficulty in employee retention.

Connie Hannah representing the League of Women Voters, raised issues with the lack of affordable housing, however, spoke in support of staff recommendation.

Barbara Massey reported that she was pleased that the applicant withdrew his request. She further noted that she was in favor of staff recommendation.

PUBLIC HEARING CLOSED AT 7:53 p.m.

MOTION: Councilmember Blois/Mayor Bennett to accept the applicant's withdrawal.

VOTE: Motion approved by a unanimous voice vote.

E. COUNCIL COMMENTS

Councilmember Wallis reported that she is a representative to the home advisory group and had the Mr. Phil Mengano.; the BEACON meeting spoke to sand nourishment program,

Mayor Pro Tempore Aceves, after school sports program at Goleta Valley High School, tomorrow will be attending the CJPIA meeting at La Palma.

Councilmember Member Blois reported that at the kiosk during the Gap fire noted the- spoke to comments she received during the gap fire for the

Councilmember Onnen expressed his appreciate to staff for efforts for their participation in providing information to the public.

Mayor Bennett echoed Councilmembers Onnen comments. Also noted that firefighters from Idaho, Utah, Colorado, and as well as our local firefighters.

F. CITY MANAGER/STAFF REPORT

Dan Singer City Manager reported that John Garamendi Lieutenant Governor would be visiting the area tomorrow. Reporting on how the state would step up to help with the costs of the Gap fire. Mr. Singer also noted that Council will go dark for the next regular meeting however will be returning in August 19, 2008.

G. CITY ATTORNEY REPORT

Assistant City Attorney Brian A. Pierik reported from the Special City Council meeting held at 5:00 P.M. today

CLOSED SESSION

The City Council met in closed session:

CONFERENCE WTH 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 - 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:

- Bishop Ranch 2000 LLC v. City of Goleta, Superior Court Case No. 1242776

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

Action: No Reportable Action

ADJOURNMENT: 8:04 P.M.

Prepared by: Deborah Constantino, City Clerk

GOLETA CITY COUNCIL

MICHAEL T. BENNETT
MAYOR

ATTEST: _____
DEBORAH CONSTANTINO
CITY CLERK



**DRAFT
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
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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 June 17, 2008, 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 WITH 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 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, 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 WITH 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

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 - 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 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, 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

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

MICHEAL T. BENNETT
MAYOR

ATTEST: _____
DEBORAH CONSTANTINO
CITY CLERK



**DRAFT
STUDY SESSION/
REGULAR CITY COUNCIL/ JOINT CITY COUNCIL /
REDEVELOPMENT AGENCY
MEETING MINUTES
TUESDAY, SEPTEMBER 2, 2008**

Study 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
Tim W. Giles, City Attorney

Members of the Redevelopment Agency

Roger S. Aceves, Chair
Michael T. Bennett, Vice Chair
Jean Blois, Agency Member
Eric Onnen, Agency Member
Jonny Wallis, Agency Member

Daniel Singer, Executive Director
Deborah Constantino, Agency Secretary
Tim W. Giles, Agency Legal Counsel

AFTERNOON SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bennett called the meeting to order at 1:33 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; Tim W. Giles, City Attorney; Steve Wagner, Community Services Director; Steve Chase, Planning and Environmental Services Director; Tina Rivera, Finance Director; Marti Schultz, Principal Civil Engineer and Rheannon Parr, Deputy City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. STUDY SESSION

A.1 Cost Allocation and User Fee Study

Recommendation:

- A. Receive the results of the City's User Fee study by MuniFinancial; and
- B. Provide direction to staff on the development of a fee schedule; and
- C. Set a public hearing for October 7, 2008, to consider adoption of said Fees.

Staff Speakers:

Steve Wagner, Community Services Director
Steve Chase, Planning and Environmental Services Director
Tina Rivera, Finance Director
Marti Schultz, Principal Civil Engineer

Speakers:

Bill Moses, MuniFinancial

By consensus Council directed staff to: Create an initial page photocopy charge and cost per page thereafter, provide costs associated with an appeal process and list out variables, set fees for non-profit vs. profits special event permits, establish park fee reductions on non-peak days and non-seasonal months, create school fees/exemptions for park usage, and research a Joint Use Agreement with Schools.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

ADJOURN TO CLOSED SESSION AT 4:02 P.M.

CLOSED SESSION

The City Council met in closed session:

CONFERENCE WTH 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 - THREATENED LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(b)

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:

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

PUBLIC EMPLOYEE PERFORMANCE – EVALUATION

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 6:05 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

ROLL CALL OF THE REDEVELOPMENT AGENCY

Present: Chair Aceves, Vice Chair Bennett, Agency Members Blois, Onnen and Wallis.
Absent: None

Staff Present:

Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Wagner, Community Services Director; Vyto Adomaitis, Redevelopment, Neighborhood Services & Public Safety Director; Tina Rivera, Finance Director; and Rheannon Parr, Deputy City Clerk.

PUBLIC FORUM

Steve Jones and Barbara Klein, representing Goleta Noontime Rotary, presented Councilmember Blois with the Paul Harris Award.

Barbara Tzur, President of Goleta Noontime Rotary, expressed appreciation for the support Goleta Noontime Rotary received at their fundraising event yesterday.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

B. CONSENT CALENDAR

BY CONSENSUS, THE CITY COUNCIL PULLED CONSENT ITEM A.7

B.1 Travel Policy

Recommendation: Adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Ratifying the City of Goleta Travel Policy".

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to adopt resolution No. 08-41 entitled "A Resolution of the City Council of the City of Goleta, California Ratifying the City of Goleta Travel Policy".

VOTE: Motion approved by a unanimous voice vote.

B.2 Notice of Completion for the Miscellaneous Concrete Repair Project, FY 2007-2008

Recommendation: Adopt a Resolution establishing final quantities for the Miscellaneous Concrete Repair Project, FY 2007-2008 and direct the City Clerk to file a Notice of Completion.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to adopt Resolution No 08-42 establishing final quantities for the Miscellaneous Concrete Repair Project, FY 2007-2008 and direct the City Clerk to file a Notice of Completion.

VOTE: Motion approved by a unanimous voice vote.

B.3 Notice of Completion for Shaw Excavating and Grading, Inc. for the Construction Contract for Armitos Park

Recommendation:

A. Adopt a Resolution No. 08-__ entitled "A Resolution of the City of Goleta, California Authorizing the Filing of a Notice of Completion for Construction of Armitos Park Development Project and Establishing Final Quantities;" and

B. Direct the City Clerk to file the Notice of Completion.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to adopt Resolution No. 08-43 entitled "A Resolution of the City of Goleta, California Authorizing the Filing of a Notice of Completion for Construction of Armitos Park Development Project and Establishing Final Quantities;" and direct the City Clerk to file the Notice of Completion.

VOTE: Motion approved by a unanimous voice vote.

B.4 Contract Attorney Services and Engagement Letter

Recommendation: Approve and authorize the City Attorney to execute the attached engagement letter for special legal services with Burke, Williams & Sorensen.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to approve and authorize the City Attorney to execute the attached engagement letter for special legal services with Burke, Williams & Sorensen.

VOTE: Motion approved by a unanimous voice vote.

B.5 Animal Control Services for FY 2008-09

Recommendation: Authorize the City Manager to execute an Amendment to the Animal Control Services Agreement between the County of Santa Barbara and the City of Goleta for FY 2008-09.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to authorize the City Manager to execute an Amendment to the Animal Control Services Agreement between the County of Santa Barbara and the City of Goleta for FY 2008-09.

VOTE: Motion approved by a unanimous voice vote.

B.6 Resolution on California State Budget and Opposition to Borrowing of Local Government Funds

Recommendation: Adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Opposing Fiscally Irresponsible State Budget Decisions that Would Borrow Local Government, Redevelopment and Transportation Funds".

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to adopt resolution No. 08-44 entitled "A Resolution of the City Council of the City of Goleta, California Opposing Fiscally Irresponsible State Budget Decisions that Would Borrow Local Government, Redevelopment and Transportation Funds".

VOTE: Motion approved by a unanimous voice vote.

B.8 Adopt the meeting minutes of July 1, 2008

Recommendation: Approve the minutes of July 1, 2008.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to approve the minutes of July 1, 2008.

VOTE: Motion approved by a unanimous voice vote.

ITEM A.7 PULLED FROM CONSENT CALENDAR

B.7 Santa Barbara County Library Advisory Committee Appointee

Recommendation: Appoint Ms. Debbie Aceves to serve as the City of Goleta representative on the Santa Barbara County Library Advisory Committee for the remainder of the current one-year term (July 1, 2008 through June 30, 2009).

MOTION: Councilmember Wallis/Mayor Bennett to appoint Ms. Debbie Aceves to serve as the City of Goleta representative on the Santa Barbara County Library Advisory Committee for the remainder of the current one-year term (July 1, 2008 through June 30, 2009).

VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Councilmembers Blois, Onnen and Wallis. Noes: None. Recuse: Mayor Pro Tempore Aceves.

C. PUBLIC HEARING

C.1 Introduction and First Reading by Title Only of a Proposed Ordinance Increasing Compensation for Members of the City Council

Recommendation:

A. Conduct the public hearing required to receive comment regarding the proposed ordinance; and

B. Introduce and read by title only 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 Relating to Compensation of City Councilmembers".

Staff Speakers:

Tim W. Giles, City Attorney

OPENED PUBLIC HEARING AT 6:18 P.M.

Public Speakers:

None

CLOSED PUBLIC HEARING AT 6:18 P.M.

MOTION: Councilmembers Wallis/Blois to introduce and read by title only 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 Relating to Compensation of City Councilmembers".

VOTE: Motion approved by a unanimous voice vote.

D DISCUSSION/ACTION ITEMS

D.1 Gap Fire Pre-Winter Storm Emergency Response Plan

Recommendation:

1. Receive a presentation on the Gap Fire Pre-Winter Storm Emergency Response Plan; and
2. Adopt Resolution No. 08-___ entitled "A Resolution of the City Council of the City of Goleta, California Proclaiming a Local Emergency to Exist in the Extreme Peril Posed by the Results of the Gap Fire and Delegating Emergency Authority to the City Manager to Procure Necessary Supplies, Equipment and Services; and
3. Adopt Resolution No. 08-___ entitled "A Resolution of the City Council of the City of Goleta, California Adopting a City Policy for Procurement of Supplies, Equipment and Services for Disaster Projects; and
4. Adopt Resolution No. 08-___ entitled "A Resolution of the City Council of the City of Goleta, California Approving Increase Revenue and Appropriations for Funding the 2008 Winter Storm Preparation Projects for the Fiscal Year 2008/2009.

Staff Speakers:

Steve Wagner, Community Services Director

Vyto Adomaitis, Redevelopment, Neighborhood Services & Public Safety Director

Public Speakers:

Tom Fayram, Deputy Public Works Director for Santa Barbara County Public Works Department, expressed appreciation to the City of Goleta for the close working relationship in developing the Gap Fire Pre-Winter Storm Emergency Response Plan. Mr. Fayram reported that the excavation of settlement basins are over 50% completed & stream clearing has begun. Mr. Fayram also noted that the Debris barriers bids open tomorrow with construction anticipated to start next week and the Emergency protective measures in the area of mulching is anticipated to start later this month.

Madars Ozolins, requested Council consider including a sphere of influence in the emergency proclamation to support the Upper La Patera area.

MOTION: Councilmember Blois/Mayor Bennett to adopt Resolution No. 08-45 entitled "A Resolution of the City Council of the City of Goleta, California Proclaiming a Local Emergency to Exist in the Extreme Peril Posed by the Results of the Gap Fire and Delegating Emergency Authority to the City Manager to Procure Necessary Supplies, Equipment and Services.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Blois/Onnen to adopt Resolution No. 08-46 entitled "A Resolution of the City Council of the City of Goleta, California Adopting a City Policy for Procurement of Supplies, Equipment and Services for Disaster Projects.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Blois/Onnen to adopt Resolution No. 08-47 entitled "A Resolution of the City Council of the City of Goleta, California Approving Increase Revenue and Appropriations for Funding the 2008 Winter Storm Preparation Projects for the Fiscal Year 2008/2009.

VOTE: Motion approved by a unanimous voice vote.

RECESS FROM 7:17 P.M. TO 7:27 P.M.

RECESS TO JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

D.2 FY 2007-08 Year End Statement of Revenues & Expenditures

Recommendation: Adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California, Amending the City's Operating and CIP Budgets for Fiscal Year 2007-08".

Staff Speakers:

Tina Rivera, Finance Director

Speaker:

Ana Ostrowsky requested items to be uploaded to City Website in color when applicable.

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to adopt resolution No. 08-48 entitled "A Resolution of the City Council of the City of Goleta, California, Amending the City's Operating and CIP Budgets for Fiscal Year 2007-08".

VOTE: Motion approved by a unanimous voice vote.

ADJOURN JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING AND RECONVENE CITY COUNCIL MEETING

E. COUNCIL COMMENTS

Mayor Pro Tempore Aceves requested staff create a draft letter to Governor Schwarzenegger acknowledging the City of Goleta does not support the Oil Ban Lift and present the letter to Council at the next regular Council meeting.

Mayor Bennett requested Doug Anthony, Energy Division of the County of Santa Barbara, appear before Council to present the County of Santa Barbara Oil Ban Lift presentation that he previously presented to the Board of Supervisors. Mayor Bennett reported that he received positive feedback from the community regarding the Goleta Firework Show. Mayor Bennett also noted his attendance at a Planting of a "Liberty Tree".

Councilmember Wallis echoed Mayor Bennett's request to have Doug Anthony to appear before Council to present his County of Santa Barbara staff report on the Oil Ban Lift.

Councilmember Onnen noted Old Town merchants are requesting the installation of Public Restrooms.

F. CITY MANAGER/STAFF REPORT

No report

G. CITY ATTORNEY REPORT

No report

ADJOURNED TO CLOSE SESSION AT 8:07 P.M.

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL

MICHEAL T. BENNETT
MAYOR

ATTEST: _____
DEBORAH CONSTANTINO
CITY CLERK



**DRAFT
REGULAR CITY COUNCIL
MEETING MINUTES
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

Mayor Bennett called the meeting to order at 6:02 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; Tim W. Giles, City Attorney; Michelle Greene, Administrative Services Director; Steve Wagner, Community Services Director; Steve Chase, Planning and Environmental Services Director; Tina Rivera, Finance Director; and Deborah Constantino, City Clerk.

PUBLIC FORUM

Connie Hannah, representing Santa Barbara League of Woman voters, noted both the North and South County League of Woman voters are in support of "Measure A" ½ percent sales tax to support local transportation.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. CONSENT CALENDAR

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

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.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to conduct a second reading by title only and adopt Ordinance No. 08-08 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.

VOTE: Motion approved by unanimous voice vote.

A.2 Acceptance of August 2008 Check Register

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

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to accept the check register for the month of August 2008.

VOTE: Motion approved by unanimous voice vote.

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

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.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to reschedule the public hearing to October 21, 2008.

VOTE: Motion approved by unanimous voice vote.

C. DISCUSSION/ACTION ITEMS

C.2 Emergency Preparedness Action Items

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."

Staff Speakers:

Vyto Adomaitis, Redevelopment, Neighborhood Services & Public Safety Director
Michelle Greene, Administrative Services Director

MOTION: Councilmembers Wallis/Onnen to proceed with acquisition of proposed emergency action items not related to generator, staff to conduct price comparison between the costs of purchasing and renting a generator, and staff to return to Council with "A Resolution of the City Council of the City of Goleta, California Approving a Disaster Pay Policy for Exempt Employees "as amended.

VOTE: Motion approved by unanimous voice vote.

BY CONSENSUS ITEM A.3 WAS PULLED FROM CONSENT CALENDAR AND MOVED AFTER ITEM C.2

A.3 Standby Generator Installation at Corporation Yard

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.

MOTION: Councilmembers Wallis/Onnen to conduct price comparison between the costs of purchasing and renting a generator.

VOTE: Motion approved by unanimous voice vote.

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

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.

Staff Speaker:

Steve Wagner, Community Services Director

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to approve continuation regarding the flood threat associated with the Gap Fire burn area and to continue the delegation of emergency purchasing authority.

VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onnen and Wallis. Noes: None

RECESS FROM 6:57 P.M. TO 7:04 P.M.

Tim Giles, City Attorney, reported on correspondence dated September 16, 2008, from Hollister & Brace in relation to the proposed Offshore Oil & Gas Policy Resolution, Agenda item C.1.

BY CONSENSUS ITEM C.1 WAS MOVED AFTER ITEMS C.2 AND C.3

C.1 Offshore Oil & Gas Policy

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.

Staff Speakers:

Steve Chase, Planning and Environmental Services Director

Speakers:

Doug Anthony, Energy Division of the County of Santa Barbara, provided a PowerPoint presentation on energy profiles.

Andy Caldwell, representing COLAB, spoke in opposition of staff recommendations.

Joe Armendariz, Santa Barbara County Taxpayers Association, raised concerns over Countries Oil supply and resource crisis. Mr. Armendariz spoke in opposition of staff recommendations.

Barbara Massey spoke in support of staff recommendations.

Caroline Vance, representing Assembly Member Pedro Nava, spoke to Assembly Member Nava's Legislative Resolution AJR 51 to oppose off shore oil drilling. Ms. Vance spoke in support of staff recommendations, on behalf of Assembly Member Pedro Nava.

Judy Rossiter, Executive Director of Stop Oil Seeps California, spoke in opposition of staff recommendations. Ms. Rossiter requested the proposed action be postponed to allow additional time to review staff reports.

Tom Burgher, representing the Santa Barbara Technology and Industry Association, spoke in opposition of staff recommendations.

Kathy Staples, representing the memberships of the Santa Barbara County Wide Energy Coalition, the Committee to Improve North County and Santa Maria Valley Chamber of Commerce, requested the City of Goleta allow the memberships she represents to be involved in future Oil and Gas industry discussions. Ms. Staples requested the proposed action be postponed and that staff and Council meet with the memberships she represents to discuss other viable options.

Bruce Allen raised concerns of potential environmental and fiscal impacts associated with staff recommendations.

Lad Handelman, representing Stop Oil Seeps California, provided a video presentation which spoke to the pollution produced from natural seeps and the benefits of offshore oil production.

Toby Plough, representing Western States Petroleum, spoke in opposition of staff recommendations. Mr. Plough requested Council consider staffs alternative, to use this forum to receive information for consideration at a later date.

Steve Greig, Venoco Government Relations & Regulatory Manager, raised concerns relating to Venoco's properties, facilities and projects that are currently in the permitting process. Mr. Greig requested the proposed action be postponed to allow additional time to review staff reports.

Mr. Larson spoke in opposition of staff recommendations.

Connie Hannah, League of Women Voters, spoke in support of staff recommendations.

Jessie Altstatt, Santa Barbara Channelkeepers, spoke in support of staff recommendations.

Hannah Eckberg, representing Get Oil Out, spoke in support of staff recommendations.

Nathan Alley, Attorney with Environmental Defense Center, spoke in support of staff recommendations. Mr. Alley referenced reports from the Bush Administrations Energy Information Administration and New York Times regarding Oil demand and pricing.

Margaret Connell spoke in support of the concept of the proposed Resolution and requested the proposed Resolution focus on the Moratorium on the Federal level.

Kristen Amyx, President and CEO of the Goleta Valley Chamber of Commerce, spoke to the Goleta Valley Chamber of Commerce policy platform on energy. Ms. Amyx raised concerns with staff's recommendations while the Venoco project EIR is being studying.

MOTION: Mayor Pro Tempore Aceves/___to 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 as amended

MOTION FAILED

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to direct staff to return to Council with a revised Resolution as amended.

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

D. COUNCIL COMMENTS

Mayor Pro Tempore Aceves spoke to concerns with the potential State budget adoption. He expressed concern regarding projects in the Old Town and how they may be impacted. He also requested staff to closely monitor this potential issue.

E. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, noted there will be neighborhood meetings on preparations of this winters potential flood incidents as they relate to the Gap Fire. He also noted a meeting will be held on September 23, 2008, at Goleta Valley Jr. High at 6:30 P.M., an additional meeting will be held at Community Center and a third meeting early October more specific to the Business community.

F. CITY ATTORNEY REPORT

Tim W. Giles, City Attorney, reported Council will adjourn to Closed Session to hear the following matters;

CLOSED SESSION

The City Council met in closed session:

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 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 WTH 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 - 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

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

SPEAKERS:
None

ADJOURN TO CLOSED SESSION AT 9:26 P.M.

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL

MICHEAL T. BENNETT
MAYOR

ATTEST: _____
DEBORAH CONSTANTINO
CITY CLERK