



**REGULAR CITY COUNCIL
MEETING
TUESDAY, JULY 1, 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
Julie Hayward Biggs, 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 Construction Contract for the FY 2008-2009 Pavement Rehabilitation Project, Phase 2 – Slurry Seal (Wagner)**

Recommendation:

- A. Authorize the City Manager to execute a construction contract for Phase 2 of the FY 2008-2009 Pavement Rehabilitation Project, Slurry Seal to Bond Blacktop, Inc., in the amount of \$923,125 subject to the requirements of the contract documents; and
- B. Authorize the City Manager to approve contract change orders as necessary for Phase 2 of the FY 2008-2009 Pavement Rehabilitation Project, Slurry Seal in an amount not to exceed \$180,000.

B. PUBLIC HEARING

**B.1 Case No. 08-111-CUP; Fairview Gardens Farm Labor Camp;
598 North Fairview Avenue; APN 069-090-052
(Chase/Miller/Kolwitz) (60 minutes)**

Recommendation:

- A. Open the public hearing.
- B. Allow presentations from staff and the applicant.
- C. Take public testimony.
- D. Close the public hearing.
- E. Adopt City Council Resolution 08-_____ entitled "A Resolution of the City of Goleta, California, Approving Fairview Gardens Farm Labor Camp Case Number 08-111-Cup (Major); 598 North Fairview Avenue; APN 069-090-052" (Attachment 1);
- F. Approve Deferral of Planning and Environmental Services Processing Fees for Case No. 08-111-CUP (Major) for a period of 1-year from date of City Council approval.

Refer back to staff if the City Council decides to take other than the recommended action.

C. DISCUSSION/ACTION ITEM

**C.1 Correspondence regarding the Goleta Fireworks Festival at Girsh Park and
response to U.S. Department of Fish & Wildlife
(Adomaitis) (15 minutes)**

Recommendation: Authorize the Mayor to forward correspondence to Congresswoman Lois Capps regarding the U.S. Department of the Interior Fish and Wildlife Service's (USFWS) May 19, 2008 correspondence regarding the Goleta Fireworks Festival at Girsh Park.

C.2 Resolution Approving a Council-Sponsored Ordinance to Be Submitted to the Voters Entitled, “A Council-Sponsored Ordinance of the City of Goleta Adding a New Chapter 3.19 to the Goleta Municipal Code Relating to the Imposition of an Additional One-Half of One-Percent (.50%) Sales and Use Tax within the City of Goleta to Be Effective for a Period of 30 Years.
(Biggs) (30 minutes)

Recommendation:

- A. Adopt a resolution approving one of the following sales and use tax ordinances to be submitted to the voters for the establishment of an additional City sales and use tax, and direct the City Attorney to prepare an Impartial Analysis as required by law:
1. A Sales and Use Tax Ordinance Establishing a One-Half Cent (.50%) Sales and Use Tax for a Period of Thirty Years; or
 2. A Sales and Use Tax Ordinance Establishing a One-Half Cent (.50%) Sales and Use Tax for a Period of Thirty Years to Commence Upon the Expiration and Termination of County Adopted Measure D; or
 3. A Sales and Use Tax Ordinance Establishing a One-Half Cent (.50%) Sales and Use Tax for a Period of Thirty Years to Take Effect only if Measure A Fails to Pass in the November 4, 2008 Election; or
 4. A Sales and Use Tax Ordinance Establishing a One-Half Cent (.50%) Sales and Use Tax for a Period Of Thirty Years To Take Effect Only If Measure A Fails To Pass in the November 4, 2008 Election Upon the Expiration and Termination of Measure D; or
 5. A Sales and Use Tax Ordinance Establishing a One-Quarter (.25%) Cent Sales and Use Tax for a Period of Thirty Years.

C.3 Resolution Approving a Council-Sponsored Ordinance Repealing the Revenue Neutrality Agreement to Be Submitted to the Voters.
(Biggs) (30 minutes)

Recommendation: Adopt resolution No. 08-__ entitled “A Resolution of the City Council of the City of Goleta, California, Approving an Ordinance of the City of Goleta Amending and Repealing Certain Provisions of Section 17 of Measure H2001 and Amending and Repealing Related Provisions of the Revenue Neutrality Agreement Ratified by the Goleta City Council to Implement Measure H2001 on February 1, 2002 Relating to Revenue Neutrality Payments from the City to the County of Santa Barbara” thereby approving the Council-sponsored initiative measure for submission to the electorate.

C.4 Resolution Calling and Giving Notice of the Holding of a General Municipal Election to be held in the City on November 4, 2008 for the Election of Certain Officers, and Two Proposed Council-Sponsored Measures.
(Constantino) (10 minutes)

Recommendation:

Adopt resolution No. 08-__ entitled: "A Resolution of the City Council of the City of Goleta, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held in the City on Tuesday, November 4, 2008, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities and Council-Sponsored Initiative Ordinances submitted to the Electorate."

C.5 Resolution Requesting the Board of Supervisors of the County of Santa Barbara to Consolidate a General Municipal Election to Be Held on November 4, 2008 (Constantino) (10 minutes)

Recommendation:

Adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California, Requesting that the Board of Supervisors of the County of Santa Barbara Consolidate a General Municipal Election for the Purpose of Electing Two Members of the City Council and Submission of Two Council-Sponsored Ordinances to the Voters to Be Held on November 4, 2008, with the Statewide General Election to Be Held on the Date Pursuant to Section 10403 of the Elections Code."

C.6 Resolution Relating to Council-Sponsored Ballot Measures, Establishing Procedures for Submitting Ballot Arguments and Rebuttal Arguments for City Measures Submitted at Municipal Elections. (Constantino) (10 minutes)

Recommendation:

In accord with California law, approve resolutions as follows:

1. Determine whether the City Council or any individual member(s) of City Council will file an argument regarding the proposed ordinance, and if so, adopt Resolution No.08-__ entitled "A Resolution of the City Council of the City of Goleta, California, Authorizing and Setting Priorities for Filing of a Written Argument Regarding the Ordinances to be Placed on the Ballot for the November 4, 2008 General Election; and
2. Determine if rebuttal arguments will be permitted regarding the proposed ordinance, and if so adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Providing for the Filing of Rebuttal Arguments for City Measures Submitted at Municipal Elections.

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, July, 15, 2008. The next regular meeting of the Goleta Planning Commission is scheduled for Monday, July 21, 2008.

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