



Amended

City Council

Agenda

Tuesday, December 21, 2021

Closed Session Continued/Regular Session 5:30 P.M.

City Hall, Council Chambers

130 Cremona Dr.,

Goleta, CA

Pursuant to AB361, the meeting will be virtual because meeting in person would present imminent risks to the health and safety of attendees.

Members of the City Council

Mayor Paula Perotte

Mayor Pro Tempore James Kyriaco

Councilmember Roger Aceves

Councilmember Stuart Kasdin

Councilmember Kyle Richards

Michelle Greene, City Manager

Megan Garibaldi, City Attorney

Deborah S. Lopez, City Clerk

IMPORTANT NOTICE REGARDING THE CITY COUNCIL MEETING

This Virtual Meeting is held pursuant to AB361. The meeting will be Virtual because meeting in person would present imminent risks to the health or safety of attendees. The public may only view the meeting on Goleta Channel 19 and/or online at <https://cityofgoleta.org/goletameetings> and not in the Council Chamber

PUBLIC PARTICIPATION

Speaking at the Meeting - Submit an email to the City Council meeting to cityclerkgroup@cityofgoleta.org which states the item you want to speak to and provide your name, email and phone number.

INSTRUCTIONS FOR USING ZOOM

- Join the meeting using the link below.
- You must have audio and microphone capabilities on the device you are using to join the meeting.
- When you join the meeting make sure that you join the meeting with audio and follow the prompts to test your speaker & microphone prior to joining the meeting.

TO SPEAK ON AN ITEM USING ZOOM

- The Mayor will call the item and staff will begin the staff report.
- Click on the Raise Hand icon if you would like to speak on the item.
- The City Clerk will call your name when it's your turn to speak.
- When your name is called, you will be prompted to unmute yourself.
- When your time is up, you will be muted.
- You will repeat this process for each item you want to speak on.

FOR OPEN SESSION PARTICIPATION

Join Meeting Electronically at:

https://zoom.us/webinar/register/WN_jgj6ar3cTI2bhiZuzQcZ6A

One Tap Mobile: US: US: +16699006833,,92408923657#,,,,*727073#
or+14086380968,,92408923657#,,,,*727073#

Or dial: For higher quality, dial a number based on your current location.

US: +1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or +1 253 215 8782 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 924 0892 3657

Passcode: 727073

ADDITIONAL PUBLIC PARTICIPATION ALTERNATIVES:

Distribution to the City Council - Submit your comment via email to the City Clerk at: cityclerkgroup@cityofgoleta.org. Your comment will be placed into the record and distributed appropriately.

AMERICANS WITH DISABILITIES ACT:

In compliance with the ADA, if assistance is needed to participate in a City Council meeting (including assisted listening devices), please contact the City Clerk's office at (805) 961-7505. Notification at least 72 hours prior to the meeting helps to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

TELEVISION COVERAGE:

Each regular City Council meeting is broadcast live on Goleta City TV Channel 104.148 (Cox Subscribers Channel 19) on the 1st and 3rd Tuesdays and rebroadcast on Wednesdays and Saturdays at 10:00 a.m. and 5:00 p.m.

WEB STREAMING:

Live or archived webstreaming of the City Council meetings is available at <https://cityofgoleta.org/goletameetings>

WRITTEN SUBMITTALS TO COUNCIL:

Written submittals concerning agenda items may be sent to the City Clerk email: cityclerkgroup@cityofgoleta.org; or mail: Attn: City Council and City Clerk at 130 Cremona Drive, Suite B Goleta, California 93117.

PLEASE NOTE THIS ITEM WAS CONTINUED TO A FUTURE MEETING DATE

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section § 54957 (b)(1)

Title: City Manager

5:30 P.M. - REGULAR AGENDA**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. COUNCIL REORGANIZATION****A.1 [21-548](#) Selection of Mayor Pro Tempore**

Recommendation: Select a Mayor Pro Tempore from among the members of the City Council.

Staff: Deborah S. Lopez, City Clerk

Estimated Time: 15 minutes

B. CONSENT CALENDAR**B.1 [21-529](#) Findings to Hold Remote Teleconference/Meetings, Pursuant to Assembly Bill 361**

Recommendation: In accordance with Assembly Bill 361 ("AB 361"), authorize remote teleconference/virtual meetings of all City of Goleta legislative bodies, by finding that: (1) a statewide state of emergency is currently in place; (2) state and local officials have imposed or recommended measures to promote social distancing in connection with COVID-19; and (3) meeting in person would present imminent risks to the health or safety of attendees.

Staff: Megan Garibaldi, City Attorney
Winnie Cai, Assistant City Attorney

B.2 [21-530](#) Approval of the Special City Council Meeting Minutes of November 5, 2021, Special City Council Meeting Minutes of December 2, 2021, and the City Council Meeting Minutes of December 7, 2021

Recommendation: Approve the Special City Council Meeting Minutes of November 5, 2021, and the Special City Council Meeting Minutes of December 2, 2021, and the City Council Meeting Minutes of December 7, 2021.

Staff: Deborah S. Lopez, City Clerk

B.3 [21-525](#) Acceptance of the November 2021 Check Register

Recommendation: Accept the check register for the month of November 2021.

Staff: Luke Rioux, Finance Director

B.4 [21-528](#) Acceptance of the November 2021 Investment Transaction Report

Recommendation: Accept the investment transaction report for the month of November 2021.

Staff: Luke Rioux, Finance Director

B.5 [21-547](#) Fiscal Year 2021/22 First Quarter Financial Review

Recommendation: Adopt Resolution No. 21-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta's Operating and CIP Budget for Fiscal Year 2021/22."

Staff: Luke Rioux, Finance Director
Tony Gonzalez, Accounting Manager

B.6 [21-527](#) Ratification of Mayoral Appointments to the Public Engagement Commission and the Mosquito and Vector Management District Board of Santa Barbara County

Recommendation: A. Ratify the mayoral reappointments of Pedro Paz, Silvia Uribe, and Rey Ybarra (Goleta Elections Committee) for terms ending November 2, 2025 and the appointment of Susan Klein-Rothschild for a term ending November 2, 2025 to the Public Engagement Commission; and

B. Ratify the mayoral appointment of Craig Geyer to the Mosquito and Vector Management District Board of Santa Barbara County for a term ending January 2024.

Staff: Deborah S. Lopez, City Clerk

B.7 [21-522](#) Visitor Profile Analysis and Economic Development Strategic Plan Contract Award

- Recommendation:**
- A. Authorize the City Manager to execute Professional Services Agreement with Coraggio Group, Inc. in the amount not-to-exceed \$219,055, with a term ending June 30, 2023 for contract services for the development of a Visitor Profile Analysis and Economic Development Strategic Plan; and
 - B. Authorize the City Manager to approve contingency contract change orders for the Visitor Profile Analysis and Economic Development Strategic Plan, if necessary, in an amount not to exceed \$50,000;
 - C. Authorize additional appropriation of \$174,055 from the General Fund unassigned fund balance to the Economic Development Program account number 101-60-6400-51200 .

Staff: Michelle Greene, City Manager
 Ryan Kintz, Assistant to the City Manager

B.8 [21-519](#) Legislative Platform for Calendar Year 2022

- Recommendation:** Adopt Resolution No. 21-__ entitled, "A Resolution of the City Council of the City of Goleta, California, Establishing the City of Goleta Legislative Platform for Calendar Year 2022."

Staff: Michelle Greene, City Manager
 Ryan Kintz, Assistant to the City Manager
 Shannon Kirn, Management Analyst

B.9 [21-514](#) Purchase & Sale Agreement with Christine Jensen for Acquisition of Mathilda Drive Parcel, APN 079-553-013

- Recommendation:**
- A. Authorize the City Manager to execute the attached Purchase and Sale Agreement with Christine Jensen for a parcel located at the south end of Mathilda Drive, identified as Assessor's Parcel Number 079-553-013; and
 - B. Authorize an additional appropriation of \$62,000 from the General Fund unassigned fund balance to account 101-90-9024-57050 (Land Acquisition) for acquisition of APN 079-553-013.

Staff: Jaime A. Valdez, Neighborhood Services Director
 Claudia Dato, Senior Project Manager

B.10 [21-523](#) Amendment No. 1 to the General Services Agreement No. 2021-070 with JaniCare

Recommendation: Approve and authorize the City Manager to execute Amendment No. 1 to General Services Agreement No. 2021-070 with JaniCare for custodial services at the Goleta Valley Library, City Hall, and Corporate Yard, and increase the contract amount by \$12,290 for a new total not-to-exceed amount of \$102,050.

Staff: Kristine Schmidt, Assistant City Manager
Todd Mitchell, HR/Risk Manager

B.11 [21-513](#) Authorizing Approval of Final Parcel Map 32,061 for Goleta Energy Storage, located at 6868 Cortona Drive, Case No. 21-0004-SUB

Recommendation: A. Adopt Resolution No. 21- _____ entitled “A Resolution of the City Council of the City of Goleta, California, Authorizing the Execution and Recordation of Final Map 32,061 for Goleta Energy Storage, Cortona Investors a Delaware Limited Liability Company, located at 6868 Cortona Drive, Case No. 21-0004-SUB, related to Case No. 19-0001-SUB”;

B. Approve and Authorize the City Clerk to accept the Public Road Easement on Cortona Drive as shown on Map 32,061; and

C. Accept the Right to Restrict Direct Vehicle Ingress to and Egress from Storke Road along Lot 1 and Lot 2 as shown on Map 32,061.

Staff: Charles W. Ebeling, Public Works Director
Mark Schleich, Acting Principal Civil Engineer

C. PUBLIC HEARING**C.1 [21-543](#) Public Hearing to Consider Adoption of Urgency and Non-Urgency Ordinances for SB 9 Lot Splits and Residential Projects in Single-Family Residential (RS) Zone District (Case No. 21-0006-ORD).**

- Recommendation:** A. Adopt on a four-fifths vote Urgency Ordinance No. 21-__U entitled, “An Ordinance of the City Council of the City of Goleta, California, Amending Titles 5, 16, and 17 of the Goleta Municipal Code to Provide Procedures and Regulations for Lot Splits and New Housing Development Pursuant to Senate Bill 9 (2021), Case No. 21-0006-ORD, Determining the Ordinance to be Exempt from CEQA, and Declaring the Urgency Thereof;” and
- B. Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 22-__, entitled “An Ordinance of the City Council of the City of Goleta, California, Amending Titles 5, 16, and 17 of the Goleta Municipal Code to Provide Procedures and Regulations for Lot Splits and New Housing Development Pursuant to Senate Bill 9 (2021), Case No. 21-0006-ORD, and Determining the Ordinance to be Exempt from CEQA.”

Staff: Peter Imhof, Planning and Environmental Review Director
Anne Wells, Advance Planning Manager
Andy Newkirk, Senior Planner

Estimated Time: 60 minutes

D. DISCUSSION/ACTION ITEM**D.1 [21-512](#) SB 1383 Organics Ordinance**

Recommendation: Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 21-__ entitled “An Ordinance of the City Council of the City of Goleta, California, Adding Article V. Mandatory Organic Waste Disposal Reduction Ordinance, Sections 8.10.810 to 8.10.890 to Chapter 8.10 of the Goleta Municipal Code and Amending Certain Sections of Chapter 8.10 Regarding Integrated Waste Management for Consistency.”

Staff: Charles W. Ebeling, Public Works Director
Melissa Nelson, Environmental Services Coordinator

Estimated Time: 45 minutes

D.2 [21-546](#) Consider Opting into Settlement Agreements with Distributors of Opioids, Amerisource Bergen, Cardinal Health, and McKesson, and Opioid Manufacturer Janssen (owned by Johnson & Johnson)

- Recommendation:**
- A. Opt into settlement agreement with opioid distributors, Amerisource Bergen, Cardinal Health, and McKesson, whereby the County of Santa Barbara will receive the City's designated share of settlement funds, and direct the City Manager to execute any documents necessary to implement the action; and
 - B. Opt into settlement agreement with opioid manufacturer, Janssen (owned by Johnson & Johnson), whereby the County of Santa Barbara will receive the City's designated share of the settlement funds and direct the City Manager to execute any documents necessary to implement the action.

Staff: Megan Garibaldi, City Attorney
 Winnie Cai, Assistant City Attorney

Estimated Time: 20 minutes

D.3 [21-469](#) Certification of Sufficient Referendum Petition against Ordinance No. 21-09, Amending Chapter 5.07 of Title 5 of the Goleta Municipal Code Banning the Sales of Flavored Tobacco and Next Steps

Recommendation:

- A. Receive and File signature verification calculations from the Santa Barbara County Clerk-Recorder and the City Clerk certifying the sufficiency of the Referendum Petition against Ordinance No. 21-09, Amending Chapter 5.07 of Title 5 of the Goleta Municipal Code Banning the Sales of Flavored Tobacco.” (Referendum); and
- B. Consider one of the following actions:
1. Repeal Ordinance No. 21-09 in its entirety and direct staff to return with an ordinance to effectuate the repeal of Ordinance No. 21-09;
 2. Submit the Referendum to the voters for consideration at either the next regular municipal election (November 8, 2022) or at a special election, to be held not less than 88 days after the order of the City Council, and direct staff to come back at the next meeting of the City Council with the necessary resolutions; or
 3. Direct staff to return with an item at a future agenda and any additional information, as deemed necessary by the City Council, to discuss Options (B)(1) and (B)(2).

Staff:

Deborah S. Lopez, City Clerk

Estimated Time:

30 minutes

E. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

- 12/9/2021 Energy/Green Issues Standing Committee Meeting
- 12/13/2021 Finance and Audit Standing Committee Meeting

F. CITY MANAGER/STAFF REPORT

G. CITY ATTORNEY REPORT