



**DRAFT  
REGULAR CITY COUNCIL  
JOINT CITY COUNCIL /  
REDEVELOPMENT AGENCY  
MEETING MINUTES  
TUESDAY, MAY 6, 2008**

Afternoon Session

1:30 P.M.

City Hall

130 Cremona Drive, Suite B  
Goleta, California

**SITE VISIT**

6:00 P.M.

598 North Fairview Ave

Evening Session

7:30 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

***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  
Julie Hayward Biggs, Agency Legal Counsel

**AFTERNOON SESSION**

**CALL TO ORDER AND PLEDGE OF**

Mayor Bennett called the meeting to order at 1:30 p.m., followed by the Pledge of Allegiance led by the Students of Coastline Academy.

## **ROLL CALL OF CITY COUNCIL**

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

## **ROLL CALL OF REDEVELOPMENT AGENCY**

Redevelopment Agency members present: Chair Aceves, Vice Chair Bennett, Agency Members Blois, Onnen, and Wallis

Staff present: City Manager Daniel Singer, City Attorney Brian Pierik, Vyto Adomaitis, Redevelopment, Neighborhood Services, and Public Safety Director, Principal Civil Engineer Marti Schultz, Rosemarie Gaglione, Sr. Project Manager, and City Clerk Deborah Constantino.

## **PUBLIC FORUM**

### **SPEAKERS:**

Jim Downing, Goleta Library representative, reported the Santa Barbara County Library Advisory committee would be meeting on Wednesday, June 18, 2008 and encouraged the public to attend.

Cynthia Bowers raised issues on the UCSB Long Range Development Plan regarding the Storke Avenue corridor and impacts to residents living along Storke Avenue and Phelps road.

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None

### **A. PRESENTATION**

#### **A.1 Proclamation to the City of Goleta Community Services Department Proclaiming May 18-24, 2008 Goleta Public Works Week**

##### **STAFF:**

Marti Schultz, Principal Civil Engineer

Mayor Bennett presented the Goleta Public Works department with a proclamation recognizing May 18-24, 2008 Goleta Public Works Week.

### **B. CONSENT CALENDAR**

#### **B.1 Acceptance of Quarterly Treasurer's Report for the Quarter Ending March 31, 2008**

Recommendation: Accept the Quarterly Treasurer's Report for the Quarter Ending March 31, 2008.

**MOTION:** Councilmember Blois/Mayor Pro Tempore Aceves to accept the Quarterly Treasurer's Report for the Quarter Ending March 31, 2008.

**VOTE:** Motion approved by a unanimous voice vote.

**B.2 Amendment to Professional Services Agreement for the San Jose Creek Capacity Improvement Project**

Recommendation:

- A. Authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Penfield & Smith for Preliminary Engineering/Environmental Review of the San Jose Creek Capacity Improvement Project in an amount not to exceed \$315,951.
- B. Extend the contract period to June 30, 2010.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Penfield & Smith for Preliminary Engineering/Environmental Review of the San Jose Creek Capacity Improvement Project in an amount not to exceed \$315,951, and extend the contract period to June 30, 2010.

VOTE: Motion approved by a unanimous voice vote.

**ITEM B.3 PULLED FROM THE CONSENT CALENDAR**

**B.3 Notice of Completion of Library HVAC Replacement Project**

Recommendation:

- A. Adopt Resolution No. 08-\_\_ entitled "A Resolution of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Library HVAC Replacement Project; and
- B. Direct the City Clerk to file the Notice of Completion.

STAFF:

Martin Schultz, Principal Civil Engineer

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to adopt resolution No. 08-18 entitled "A Resolution of the Council of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Library HVAC Replacement Project; and Direct the City Clerk to file the Notice of Completion.

VOTE: Motion approved by a unanimous voice vote.

**RECESS TO THE JOINT CITY COUNCIL/REDEVELOPMENT AGENCY**

**B.4 FY 2007-08 Third Quarter Financial Review**

Recommendation:

As the City Council:

- A. Adopt Resolution No. 08-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California, Amending the City's Operating and CIP Budget for Fiscal Year 2007-08".

As the Redevelopment Agency:

B. Adopt Resolution No. 08-\_\_ entitled "A Resolution for the Redevelopment Agency for the City of Goleta, California, Amending the Operating Budget for Fiscal Year 2007-08".

MOTION: Agency Members Blois/Onnen to adopt resolution No. 08-19 entitled "A Resolution for the Redevelopment Agency for the City of Goleta, California, Amending the Operating Budget for Fiscal Year 2007-08", and Adopt resolution No. 08-02 entitled "A Resolution of the City Council of the City of Goleta, California, Amending the City's Operating and CIP Budget for Fiscal Year 2007-08".

VOTE: Motion approved by a unanimous voice vote.

## **ADJOURN THE JONT CITY COUNCIL/REDEVELOPMENT AGENCY AND RECONVENE CITY COUNCIL**

### **C DISCUSSION/ACTION ITEM**

#### **C.1 Report of the CDBG Subcommittee Recommendations for the 2008-2009 Community Development Block Grant (CDBG) Action Plan**

Recommendation: Accept the report of the City Council CDBG Subcommittee and provide direction regarding 2008-2009 CDBG Draft Action Plan recommendations.

STAFF:

Vyto Adomaitis, Redevelopment, Neighborhood Services, and Public Safety Director

SPEAKERS:

None

MOTION: Councilmember Onnen/Mayor Pro Tempore Aceves to accept the report of the City Council CDBG Subcommittee.

VOTE: Motion approved by a unanimous voice vote.

#### **C.2 Ekwill Alignment Analysis and Award of Design Services Contracts**

Recommendation:

A. Receive Ekwill Street Alignment Analysis; and

B. Authorize the City Manager to execute a consulting services agreement with RBF, Inc. for preliminary engineering services required to support the environmental document in an amount not to exceed \$121,000; and

C. Authorize the City Manager to execute a consulting services agreement with URS Corporation for an expanded environmental review in an amount not to exceed \$126,502.

D. Approve the appropriation of an additional \$47,502 from RDA fund 604.

STAFF:

Rosemarie Gaglione, Sr. Project Manager

**SPEAKERS:**

None

**MOTION:** Councilmembers Blois/Wallis to authorize the City Manager to execute a consulting services agreement with RBF, Inc. for preliminary engineering services required to support the environmental document in an amount not to exceed \$121,000; and authorize the City Manager to execute a consulting services agreement with URS Corporation for an expanded environmental review in an amount not to exceed \$126,502, and approve the appropriation of an additional \$47,502 from RDA fund 604.

**VOTE:** Motion approved by a unanimous voice vote.

**C.3 City Attorney Services Options**

**Recommendation:**

- A. Review an analysis of in-house versus contract City Attorney services; and,
- B. Provide direction to staff on the Council's preferred alternative.

**STAFF:**

Dan Singer, City Manager

Michelle Greene, Administrative Services Director

**SPEAKERS:**

None

**MOTION:** Councilmembers Onnen/Blois to move forward with the concept of an in-house City Attorney and move to the next step of evaluating and making an offer to the appropriate candidate.

**VOTE:** Motion approved by the following voice vote, AYES: Mayor Bennett, Councilmembers Blois and Onnen, NOES: Mayor Pro Tempore Aceves and Councilmember Wallis.

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

**ADJOURN TO CLOSED SESSION AT 3:00 P.M.**

**CLOSED SESSION**

The City Council met in closed session:

**CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTER**

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

- Consider Appointment of a City Attorney

**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 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 REAL PROPERTY NEGOTIATOR**

Property: Parcel # 073-450-005  
Agency Negotiator: Dan Singer, City Manager  
Negotiating Party: Sares Regis Group  
Under Negotiations: Price and Term

**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 vs. City of Goleta Superior Court Case No. 01197138

**RECESS TO EVENING SESSION  
CITY COUNCIL MEETING  
6:00 P.M.  
130 Cremona Drive, Suite B  
Goleta, California**

**D SITE VISIT HELD AT 6:00 P.M. - LOCATED AT:**

**D.1 Fairview Gardens located at 598 North Fairview Ave (APN 069-090-052)**

**EVENING SESSION CONVENED AT CITY HALL**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bennett called the meeting to order at 7:32 p.m.

**ROLL CALL OF CITY COUNCIL**

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

Staff present: City Manager Daniel Singer, City Attorney Brian Pierik, Steve Chase, Planning and Environmental Services Director, Patricia Miller, Planning Manager, and City Clerk Deborah Constantino.

**PUBLIC FORUM**

**SPEAKERS:**

None

**AMENDMENTS OR ADJUSTMENTS TO AGENDA**

Mayor Bennett reported that all Councilmembers were present at the site visit at Fairview Gardens located at 598 North Fairview Ave (APN 069-090-052)

**E. PRESENTATION**

**E.1 Recognition Item**

Dan Singer, City Manager reported that the City of Goleta has become the recipient of the Tree City USA award. Marilyn Cummings, President Goleta Valley Beautiful and Dan Singer, City Manager presented Council with the Tree City USA Award.

**F PUBLIC HEARING**

**F.1 Public Hearing to Consider an Update of Building & Safety Codes**

Recommendation:

- A. Conduct a public hearing; and
- B. Approve second reading (by title only) and adopt Ordinance No. 08-\_\_ entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Title 8, Buildings and Construction, of the Goleta Municipal Code: To Delete Chapter 8.01 Entitled, 'Administration' and Chapter 8.12 Entitled, 'Fire Code'; To Amend Chapter 8.02 Entitled, 'Building Code,' Chapter 8.04 Entitled, 'Housing Code,' Chapter 8.06 Entitled, 'Electrical Code,' Chapter 8.08 Entitled, 'Plumbing Code,' Chapter 8.10 Entitled, 'Mechanical Code,'

Chapter 8.14 Entitled, 'Dangerous Buildings Code,' and Chapter 8.16 Entitled, 'Building Conservation Code'; and to Add Chapter 8.18 Entitled, Administrative Code." (Attachment 1); and

- C. Authorize staff to draft By-Laws that reconstitute the Building Standards Appeals Board and, thereafter, provide public notice and solicitation to appoint technical members; and
- D. Appropriate General Fund revenue in the amount of \$2,500 to account 101-5-4200-114 for purchase of three sets of updated code books.

**STAFF:**

Steve Chase, Planning and Environmental Services Director

Dan McLaughlin, Interim Building and Safety Sr. Building Inspector

**PUBLIC HEARING OPENED: 7:40 P.M.**

**SPEAKERS:**

None

**PUBLIC HEARING CLOSED: 7:40 P.M.**

**MOTION:** Councilmember Blois/Mayor Pro Tempore Aceves to Approve second reading (by title only) and adopt Ordinance No. 08-05 entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Title 8, Buildings and Construction, of the Goleta Municipal Code: To Delete Chapter 8.01 Entitled, 'Administration' and Chapter 8.12 Entitled, 'Fire Code'; To Amend Chapter 8.02 Entitled, 'Building Code,' Chapter 8.04 Entitled, 'Housing Code,' Chapter 8.06 Entitled, 'Electrical Code,' Chapter 8.08 Entitled, 'Plumbing Code,' Chapter 8.10 Entitled, 'Mechanical Code,' Chapter 8.14 Entitled, 'Dangerous Buildings Code,' and Chapter 8.16 Entitled, 'Building Conservation Code'; and to Add Chapter 8.18 Entitled, Administrative Code."

**VOTE:** Motion approved by a unanimous voice vote.

**MOTION:** Councilmembers Blois/Onnen to authorize staff to draft By-Laws that reconstitute the Building Standards Appeals Board and, thereafter, provide public notice and solicitation to appoint technical members; and

**VOTE:** Motion approved by a unanimous voice vote.

**MOTION:** Councilmembers Onnen/Blois to appropriate General Fund revenue in the amount of \$2,500 to account 101-5-4200-114 for purchase of three sets of updated code books.

**VOTE:** Motion approved by a unanimous voice vote.

**G DISCUSSION/ACTION ITEM**

**G.1 Case No. 03-159-OA, 03-159-CP; Fairview Gardens Ordinance Amendments, Farm Labor Camp, Commercial Poultry Operation, and Sale of Off-Site Agricultural Products; 598 North Fairview Avenue, APN 069-090-052**



Recommendation:

- A. Allow presentations from staff and the applicant.
- B. Take public testimony.
- C. Set a future public hearing date to consider the proposed Ordinance Amendment and Conditional Use Permits.

STAFF:

Steve Chase, Planning and Environmental Services Director

Patricia Miller, Planning Manager provided a PowerPoint presentation on the revisions of the proposed Fairview Gardens Farm Labor Camp, Commercial Poultry Operation, Scott Kolwitz, Senior Planner read into the record letters received on the proposed project (on file in the clerk's office)

SPEAKERS:

Steve Welton, Agent for Fairview Gardens, introduced Selma Ruben, Fairview Garden Board member, Adrian Davis President Pro Tempore of the Fairview Gardens Board, Phil Seymore, Legal Counsel for Fairview Gardens Farm, and Toby General Managing Farmer,

Selma Ruben, Fairview Gardens Board member, spoke in support of Fairview Gardens request for the CUP, and stressed the attention necessary to the housing of the farm workers.

Steve Welton, Agent for Fairview Gardens, provided a PowerPoint presentation which outlined requests to Council as well as the progress made since October. Mr. Welton also addressed the neighborhood concerns such as, sanitation, noise, and traffic impacts concerns, and reported on the response to those concerns. He also addressed the most recent development envelope proposal and options within the development envelope to Council, and finally he highlighted the key requests made of Fairview Gardens at this time to Council; nine months for abandonment of the existing farmer housing, nine months for the intermediary step for installation of yurts or mobile homes, an option to temporarily relocate the farmers off-site, and expiration of the CUP after 5 years, rather than the 18 months.

Adrian Davis, President Pro Tempore, Fairview Gardens Farm, spoke in support of Fairview Gardens proposed project.

Ron Cortez, neighbor noted "Fairview Gardens is a gem of our community" and further stated that there may not be anyone in the room that would not like to have farm worker housing on the Fairview Gardens, including himself. He noted having the housing on the farm would be an advantage to the community. However, the location of the farm site raised him to have concerns noting that he had no prior knowledge of their location. Because of this, he is requesting an environmental impact report and further clarification of the buildings and the building envelope; noting proposed story poles block the views of the mountains. He also raised issues regarding Goleta Sanitary connections.

Steve Sherrill raised issues to the cost of transportation and fuel and its impacts on increasing the price of food.

Sean Hutchison spoke of future food supply shortages and the need to protect and support the Fairview Gardens.

Jim Hurst noted the positive changes by Fairview Gardens; however he spoke against any future extensions to the gardens.

Karen Peabody, neighbor spoke in support of the farm labor camp on site, and has no issues with the requested delay. However did not support the bike/pedestrian path easement.

Adam Green, Santa Barbara City College professor, spoke to organic farming as a hope to a better future.

Larry and Linda Cobb, neighbors raised concerns with the operations of the Fairview Gardens and its unfit conditions of the farm labor camp.

Mary Ann Henry neighbor spoke in support of Fairview Gardens and the necessary time extension.

Gordon Kristoff spoke in support of a time extension for the Fairview Gardens.

Stephanie Kristoff spoke in support of CUP approval and an extension for the Gardens.

Anna Strowsky spoke to water resource issues and land use issues, however spoke in support of providing ample time for FG project.

Toby McPartland Fairview Gardens Manager, expressed appreciation to the Council and the community for the thought and time to the Fairview Gardens proposed project.

By Council consensus Council set a public hearing date of June 3, 2008 to consider the proposed Ordinance Amendment and Conditional Use Permits.

## **H. COUNCIL COMMENTS**

Mayor Pro Tempore Aceves reported his attendance in Sacramento, CA regarding issues on oil development and mobile homes. He also reported attending meetings in Santa Barbara dealing with youth violence in Santa Barbara and provided Council feedback from those meetings; he met with Karen Ramsdale of the Santa Barbara Airport in regard to an appointment on the Santa Barbara Airport Commission and noted that it was recommended that the City of Goleta appoint an Ex –officio member to that commission at this point that would not have voting power but would be able to be sit at the table and bring information to council of particular interest that impact our City.

Councilmember Onnen, reported he attended a Community Action Commission meeting in Buellton and recognized Mayor Bennett as receiving the Community Champion award, he also reported that this week is Goleta's Finest sponsored by chamber of commerce would be taking place at the Bacara Resort and Spa.

## **I. CITY MANAGER/STAFF REPORT**

No report.

## **J. CITY ATTORNEY REPORT**

Brian Pierik, City Attorney reported that the City Council met in closed session this afternoon on the following matters and that there was no reportable action from the closed sessions.

### **CLOSED SESSION**

The City Council met in closed session:

#### **CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTER**

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

- Consider Appointment of a City Attorney

#### **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 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 REAL PROPERTY NEGOTIATOR**

Property: Parcel # 073-450-005  
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#### **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
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- Guggenheim v. City of Goleta, Superior Court Case No. 01187138
- Guggenheim v. City of Goleta, Superior Court Case No. 0124713
- Guggenheim vs. City of Goleta Superior Court Case No. 01197138

**Action: No reportable action**

**ADJOURNMENT TO CLOSED SESSION AT 9:59 P.M.**

Prepared by: Deborah Constantino, City Clerk

GOLETA CITY COUNCIL

\_\_\_\_\_  
MICHAEL T. BENNETT  
MAYOR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

GOLETA PLANNING AGENCY

\_\_\_\_\_  
ROGER S. ACEVES  
CHAIR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
AGENCY SECRETARY



**DRAFT  
REGULAR CITY COUNCIL  
MEETING MINUTES  
TUESDAY, MAY 20, 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  
Brian A. Pierik, 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 led by Junior Spirit of Fiesta and her court.

**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; Brian Pierik, Assistant City Attorney; Michelle Greene, Administrative Service Director; Steve Chase, Planning & Environmental Services Director; Tina Rivera, Finance Director; Bill Millar, Parks & Open Spaces Manager; Kirsten Deshler, Public Information Office/Management Analyst; Jaime Valdez, Management Analyst; and Deborah Constantino, City Clerk.

**PUBLIC FORUM**

Speakers: Ken Tatro, representing Goleta Monarch Mobile Home Association, provided handouts to City Council and introduced various members in the audience. Mr. Tatro spoke to Prop. 98 & 99 encouraging the City Council to vote no on Prop. 98 and Yes on Prop. 99.

**AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None

**A. PRESENTATION**

**A.1 Presentation and Overview from Tim Taylor, El Presidente, the 84<sup>th</sup> Annual Old Spanish Days Fiesta**

Tim Taylor, El Presidente, noted an event to be held on Wednesday, June 4<sup>th</sup>, 2008, at 5:00P.M. at Stow Canyon. Mr. Taylor stated the theme is "Viva La Comunidad", and he encouraged all Santa Barbara County residents to attend. Mayor Bennett presented El Presidente, Tim Taylor, with a Proclamation declaring June 4, 2008 as Fiesta Ranchera day in the City of Goleta.

**A.2 Presentation to the 2008 Junior Spirit of Fiesta, Miss Ashley Almada, 6<sup>th</sup> grader Ellwood School, Goleta**

Ashley Almada, 2008 Junior Spirit of Fiesta, performed a Spanish dance and was presented with a certificate of recognition from Mayor Bennett.

**A.3 Police Services 2007 Annual Report**

Recommendation: Accept and file report.

Public Speakers:  
None

Staff Speaker:  
Dan Singer, City Manager; Vyto Adomaitis, Redevelopment, Neighborhood Services & Public Safety Director and Lt. Pappas, City Chief of Police, who provided a PowerPoint presentation overview of the Police Services 2007 Annual Report.

Council received the report.

**B. CONSENT CALENDAR**

**B.1 Acceptance of April 2008 Check Register**

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

MOTION: Councilmembers Blois/Onnen to accept the check register for the month of April 2008.

VOTE: Motion approved by a unanimous voice vote.

**B.2 Codification Services for the City of Goleta**

Recommendation:

A. Award a professional services agreement in the amount of \$26,975 to Quality Code Publishing for codification and maintenance services for a 5-year term; and

B. Authorize the City Manager to execute said agreement; and

C. Allocate an additional \$ 3,075 for FY 07-08 to account 101-1300-500 to fund said agreement.

MOTION: Councilmembers Blois/Onnen to award a professional services agreement in the amount of \$26,975 to Quality Code Publishing for codification and maintenance services for a 5-year term; and authorize the City Manager to execute said agreement; and allocate an additional \$ 3,075 for FY 07-08 to account 101-1300-500 to fund said agreement.

VOTE: Motion approved by a unanimous voice vote.

**B.3 Approval of the City Council meeting minutes of March 4, 2008, April 1, 2008, and Joint City Council/Planning Agency meeting minutes of April 15, 2008**

Recommendation: Approve the City Council meeting minutes of March 4, 2008, April 1, 2008, and Joint City Council/Planning Agency meeting minutes of April 15, 2008.

MOTION: Councilmembers Blois/Onnen to approve the City Council meeting minutes of March 4, 2008, and April 1, 2008.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Blois/Onnen to approve the City Council meeting minutes of the Joint City Council/Planning Agency meeting minutes of April 15, 2008.

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

**B.4 Amendment No. 3 for Parks Maintenance Services**

Recommendation: Authorize the City Manager to execute amendment No. 3 to the contract with Valley Crest to provide parks maintenance services, increasing the contract authority from \$250,000 to \$305,000.

MOTION: Councilmembers Blois/Onnen to authorize the City Manager to execute amendment No. 3 to the contract with Valley Crest to provide parks maintenance services, increasing the contract authority from \$250,000 to \$305,000.

VOTE: Motion approved by a unanimous voice vote.

**C DISCUSSION/ACTION ITEM**

**C.1 Eminent Domain June Ballot Initiatives: Propositions 98 and 99 and Update on California State Budget Issues**

Recommendation:

A. Oppose Proposition 98, the California Property Owners and Farmland Protection Act (CPOFPA) and support Proposition 99, the Homeowners and Private Property Protection Act (HPPA).

B. Receive an update on the California budget situation, pending the release of the Governor's May Budget Revise.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to Oppose Proposition 98, the California Property Owners and Farmland Protection Act (CPOFPA) and support Proposition 99, the Homeowners and Private Property Protection Act (HPPA); and Receive an update on the California budget situation, pending the release of the Governor's May Budget Revise.

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

## **C.2 Community Poll Results**

Recommendation:

- A. Receive a presentation from polling consultant Wilson Research Strategies on the results and findings of the City's recent community poll.
- B. Provide direction to staff on potential actions related to the poll results.

STAFF SPEAKER:

Dan Singer, City Manager

Council received presentation and directed staff to:

- Refine and revisit at the appropriate time in the future so we can continue to operate effectively.
- Utilize the findings in the Strategic Plan workshop to re-emphasize areas in need of improvement and solve issues found through Polling.

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

SPEAKERS:

None

**ADJOURN TO CLOSED SESSION AT 3:47 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 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 REAL PROPERTY NEGOTIATOR**

Property: Parcel # 073-450-005  
Agency Negotiator: Dan Singer, City Manager



Negotiating Party: Sares Regis Group  
Under Negotiations: Price and Term

**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:

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

**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 6:02 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; Brian Pierik, Assistant City Attorney; Steve Chase, Planning and Environmental Services Director; Patty Miller, Current Planning Manager and Deborah Constantino, City Clerk.

### **PUBLIC FORUM**

#### **SPEAKERS:**

George Relles complimented the City and Staff for sign enforcement during elections and expressed his concerns regarding sign pollution from local businesses.

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

None

## **D. PUBLIC HEARING**

### **D.1 Public Hearing to Consider Case No.07-102-GPA; Bacara Resort and Spa General Plan Amendments Initiation; 8301 Hollister Avenue, APNs 079-200-012 & 013**

#### Recommendation:

- A. Open the public hearing on the Bacara Resort and Spa General Plan Amendments Initiation request.
- B. Allow oral presentations from staff and the applicant regarding the request.
- C. Take public testimony.
- D. Deliberate and adopt the recommended actions identified in Attachment 1.

#### Staff Speakers:

Steve Chase, Planning and Environmental Services Director and Patty Miller, Current Planning Manager.

#### Applicant:

Richard Monk, provided a PowerPoint presentation of the Bacara project timeline; Steven Kauffman, Richards, Watson & Gershon; and Mary Rochelle, Planner.

**PUBLIC HEARING OPENED AT 6:22 P.M.**

## SPEAKERS:

John Ruiz, representing the Chumash people, suggested that public access in the evening has lead to looting of archeological sites (he pointed out the locations on a map to Council and audience). He also spoke to concerns over the lack of protection on those sites by Bacara.

Bayron Toledo, Bacara employee, shared his experiences working for Bacara. He said the Bacara has provided him the support and management training to be a successful professional. He suggested the proposed addition could allow Bacara to hire more employees and bring more business to Goleta.

Adrianna Wells, Bacara employee, spoke in support of Bacara's proposed amendments. She said Bacara supports the efforts of the community and inspires employees and their families to achieve their goals. She urged the members of the Council to listen and make an educated decision that better serves the future of Goleta.

Blanca Hernandez, Team Member Services Manager at Bacara, expressed her support of Bacara and asked Council to recognize Bacara's contribution to the community and consider Bacara's amendments.

Annie Montalvo, Executive Director of Team Member Services at Bacara, spoke in support of the Bacara and urged Council to consider the proposed amendments.

Barbara Massey requested additional time to review the recent information before any decisions are to be made.

Margaret Connell, CPA Landuse Committee, presented a letter written by Naomi Kovacs, Executive Director of CPA Landuse Committee, urging Council to adopt staff recommendations.

Rodgon Johnson expressed his support of Bacara and he raised concern of 24/7 access to Haskell's Beach.

Bill Redding spoke in support of Bacara's proposed amendments.

George Shibla spoke in support of Bacara's proposed amendments.

George Relles expressed his concerns that workshop feedback on Attachment 1, General Plan Amendment data sheets, is listed as N/A. Mr. Relles echoed Margaret Connell's comments from the letter written by Naomi Kovacs, Executive Director of CPA Landuse Committee.

Ron Bruns spoke in support of Bacara's proposed amendments, urging Council to support the General Plan amendment.

Connie Hannah, League of Woman Voters, opposes public access relocation and requested that Council reject any General Plan amendments related to the public access being relocated.

David Brown, Director of Safety and Security at the Bacara, spoke of his observations of vandalism that have occurred at Haskell's Beach.

Deane Plaister, Surfrider Foundation, provided remarks from a letter of the Chapter Vice Chair, Sandy Lejeune. Mr. Plaister spoke in opposition of Bacara's proposed amendments.

Matthew Wallace, Surfrider Foundation, spoke in support of 24/7 access to Haskell's beach. Mr. Wallace echoed Mr. Ruiz comments regarding lack of protection by Bacara.

Don Gilman spoke in support of Bacara's proposed amendments and urged Council to vote in favor of initiating the General Plan amendments.

Bill Shelor spoke in support of public beach access as a local source of recreational activity.

Janet Garcia, Coastal Band of Chumash Nation Tribal Chair, spoke in support of public beach access with limitations on hours.

PUBLIC HEARING CLOSED AT 7:50 P.M.

RECESS FROM 7:50 P.M. TO 8:07 P.M.

Steve Chase, Director of Planning and Environmental Services, read into the record correspondence received from the public as follows: letter dated Tuesday, May 20, 2008, from Goleta Valley Chamber of Commerce; email communication from Kristen Walker dated Tuesday, May 20, 2008; email from Fred and Bonnie Freeman dated Tuesday, May 20, 2008; email from Cary Penniman dated Tuesday, May 20, 2008; and an email from Anna and Petar Kokotovic dated Monday, May 19, 2008. Mr. Chase also read into the record phone calls received by City of Goleta from Chris Wood (he supports the General Plan amendments) and Hugh Stephen (he spoke in opposition of the proposed limited access to Haskell's beach).

MOTION: Councilmembers Onnen/Blois to initiate study of Policy OS 1.2/Figure 3-1 to initiate consideration of relocation of the existing vertical access easement, but evaluate it as part of the case processing of the Completion Phase Project.

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

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to decline to initiate Policy OS 1.10.d. regarding time restrictions.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Onnen/Blois to initiate Policy OS 2.3 with edits to address issues of unreasonable as appropriate or inappropriate in the text.

Motion Failed.

Amended Motion:

MOTION: Councilmembers Onnen/Blois to initiate the proposed amendment with one word change, Policy OS 2.3.

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

- MOTION: Councilmembers Onnen/Wallis to decline to initiate the proposed text amendment regarding time restrictions to Policy OS 2.8.b.
- VOTE: Motion approved by a unanimous voice vote.
- MOTION: Councilmember Onnen/Mayor Bennett to initiate the proposed text amendment ensuring public safety as a criteria for the management of accessways, Policy OS 1.10.d. & OS 2.8.b.
- VOTE: Motion approved by a unanimous voice vote.
- MOTION: Councilmember Blois/Mayor Bennett to initiate the proposed text amendment to Policy OS 2.8.f.
- VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois and Onnen. Noes: Councilmember Wallis.
- MOTION: Councilmembers Onnen/Blois to initiate amendment of Policy OS 6.2/Table 3-1 that the regional open space designation (#36) relocate with the vertical access path if and when it is built and to not change the park type of Haskell's Beach in Table 3-1 .
- VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Councilmembers Blois and Onnen. Noes: Mayor Pro Tempore Aceves and Councilmember Wallis.
- MOTION: Councilmembers Onnen/Blois to initiate Policy OS 7.2/Figure 3-5, the proposed map amendment to relocate the Passive Parks/Open Space designation if and when project goes forward.
- VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Councilmembers Blois and Onnen. Noes: Mayor Pro Tempore Aceves and Councilmember Wallis.
- MOTION: Councilmember Blois/Mayor Bennett to initiate the proposed map amendment request to remove the ESHA designation as described in conjunction with the case processing of the Completion Phase Project, Policy OS 7.2/Figure 3-5.
- VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Councilmembers Blois and Onnen. Noes: Mayor Pro Tempore Aceves and Councilmember Wallis.
- MOTION: Councilmembers Onnen/Blois to initiate and dislodge the proposed map amendment request to remove the ESHA designation as described, but only in conjunction with the case processing of the development application for the Completion Phase project, Policy CE 1.2/Figure 4-1.
- VOTE: Motion approved by the following voice votes: Ayes: Mayor Bennett, Councilmembers Blois and Onnen. Noes: Mayor Pro Tempore Aceves and Councilmembers Wallis.
- MOTION: Councilmembers Wallis/Blois to initiate a City sponsored amendment to review new County and State modeling information data as it relates to the Tsunami issue in reference to Policy SE 6.1/Figure 5-2.
- VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to decline the initiation of the proposed policy amendment, Policy SE 6.1/Figure 5-2.

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

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to decline to initiate the proposed amendment, Policy VH 1.2/Figure 6-1.

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

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to decline to initiate the proposed amendment of Noise Element Section 9.2.

VOTE: Motion approved by a unanimous voice vote.

**E. COUNCIL COMMENTS**

None

**F. CITY MANAGER/STAFF REPORT**

Dan Singer, City Manager, reported the City of Goleta is advertising a Library Advisory Vacancy. Mr. Singer also noted that there will be a Special Council meetings will be held on May 29, 2008, at 2:30 P.M, to hear results of the Business License study, and on June 2, 2008, at 2:30P.M. a Workshop will be held on the Strategic Plan. He reminded the public on May 29, 2008, the State of the City will be held at the Holiday Inn sponsored by the City and Chamber of Commerce.

**G. CITY ATTORNEY REPORT**

Brian Pierik, City Attorney reported City Council met in closed session on May 6, 2008 and stated no reportable action.

**CONFERENCE WTH LEGAL COUNSEL – PERSONNEL MATTER**

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

- Consider Appointment of a City Attorney

**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 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 REAL PROPERTY NEGOTIATOR**

Property: Parcel # 073-450-005

Agency Negotiator: Dan Singer, City Manager  
Negotiating Party: Sares Regis Group  
Under Negotiations: Price and Term

**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

**H. ADJOURNMENT OF MEETING AT 9:27 P.M.**

Prepared By: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL

\_\_\_\_\_  
MICHAEL T. BENNETT  
MAYOR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

GOLETA REDEVELOPMENT AGENCY

\_\_\_\_\_  
ROGER ACEVES  
CHAIR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
SECRETARY



**DRAFT  
REGULAR CITY COUNCIL  
JOINT CITY COUNCIL /  
REDEVELOPMENT AGENCY  
MEETING MINUTES  
TUESDAY, JUNE 3, 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

***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  
Julie Hayward Biggs, Agency Legal Counsel

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**AFTERNOON SESSION**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bennett called the meeting to order at 1:37 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.



## **ROLL CALL OF REDEVELOPMENT AGENCY**

Present: Chair Aceves, Vice Chair Bennett, Agency Members Blois, Onnen and Wallis.

Staff Present: Assistant City Attorney Brian A. Pierik, Director of Community Services Steve Wagner, Finance Director Tina Rivera, and City Clerk Deborah Constantino.

## **PUBLIC FORUMPUBLIC FORUM**

Cyril Humphries, Storke Ranch Home Owners Association and Lisa Ball, Storke Ranch employee, raised concerns with potential traffic impacts should the Phelps easement occur.

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

**MOTION:** Mayor Pro Tempore Aceves/Councilmember Onnen to add item B. 4 Budget Amendment for Business License Study Expenditures to today's agenda as a matter of urgency.

**VOTE:** Motion approved by a unanimous voice vote.

### **A. PRESENTATION**

#### **A.1 Make a Wish Foundation Month of Joy in Goleta**

Mayor Bennett recognized the month of June 2008 as Make a Wish Foundation Month in the City of Goleta and read the proclamation recognizing the event.

### **B. CONSENT CALENDAR**

## **RECESS TO THE JOINT CITY COUNCIL/REDEVELOPMENT AGENCY**

#### **B.3 Loan of funds from the City of Goleta to the Goleta Redevelopment Agency**

Recommendation:  
As the City Council:

- A. Adopt Resolution No. 08-\_\_, entitled "A Resolution of the City Council of the City of Goleta, Approving the Execution by the City of Goleta of a Promissory Note Evidencing the Loan of Funds from the City of Goleta to the Goleta Redevelopment Agency."

As the Redevelopment Agency:

- B. Adopt Resolution No. 08-\_\_, entitled "A Resolution of the Redevelopment Agency of the City of Goleta, Approving the Execution by the Goleta Redevelopment Agency of a Promissory Note Evidencing the Loan of Funds from the City of Goleta to the Goleta Redevelopment Agency."

MOTION: Councilmembers Wallis/Blois to adopt Resolution No. 08-20, entitled "A Resolution of the City Council of the City of Goleta, Approving the Execution by the City of Goleta of a Promissory Note Evidencing the Loan of Funds from the City of Goleta to the Goleta Redevelopment Agency."

VOTE: Motion approved by a unanimous voice vote.

MOTION: Agency members Wallis/Blois to adopt resolution No. 08-03 entitled "A Resolution of the Redevelopment Agency of the City of Goleta, Approving the Execution by the Goleta Redevelopment Agency of a Promissory Note Evidencing the Loan of Funds from the City of Goleta to the Goleta Redevelopment Agency."

VOTE: Motion approved by a unanimous voice vote.

## **ADJOURN THE JOINT CITY COUNCIL/REDEVELOPMENT AGENCY AND RECONVENE CITY COUNCIL**

### **B.4 Budget Amendment for Business License Study Expenditures**

Recommendation:

- A. Allocate \$10,000 from the City's General Fund cashflow reserve to account 101-5-1200-500; and
- B. Authorize the City Manager to expend said funds in support of additional Business License Study actions.

MOTION: Councilmembers Wallis/Blois to allocate \$10,000 from the City's General Fund cashflow reserve to account 101-5-1200-500; and authorize the City Manager to expend said funds in support of additional Business License Study actions.

VOTE: Motion approved by a unanimous voice vote.

## **ITEMS PULLED FROM THE CONSENT CALENDAR**

### **B.1 Public Affairs Consulting Services**

Recommendation: Authorize the City Manager to enter into a consulting services agreement with Madrid & Associates, public affairs consultant, for Phase II work, as outlined in the attached proposal.

MOTION: Councilmembers Onnen/Blois to authorize the City Manager to enter into a consulting services agreement with Madrid & Associates, public affairs consultant, for Phase II work, as outlined in the attached proposal.

VOTE: Motion approved by a unanimous voice vote.

### **B.2 Construction Contract for the FY 2008-09 Pavement Rehabilitation Project, Phase 1 - Pavement Preparation**

Recommendation:

- A. Authorize the City Manager to execute a construction contract for Phase 1 of the FY 2008-09 Pavement Rehabilitation Project, Pavement Preparation, to Berry General

Engineering, Inc., in the amount of \$500,524 subject to the requirements of the contract documents.

- B. Authorize the City Manager to approve contract change orders as necessary for Phase 1 of the FY 2008-09 Pavement Rehabilitation Project, Pavement Preparation, in an amount not to exceed \$100,000.
- C. Authorize the City Manager to execute a professional services agreement with Flowers and Associates, Inc. for construction management, inspection and material testing services for the Pavement Preparation and Slurry Seal projects in an amount not to exceed \$216,961.

**MOTION:** Councilmembers Onnen/Blois to authorize the City Manager to execute a construction contract for Phase 1 of the FY 2008-09 Pavement Rehabilitation Project, Pavement Preparation, to Berry General Engineering, Inc., in the amount of \$500,524 subject to the requirements of the contract documents, authorize the City Manager to approve contract change orders as necessary for Phase 1 of the FY 2008-09 Pavement Rehabilitation Project, Pavement Preparation, in an amount not to exceed \$100,000, and authorize the City Manager to execute a professional services agreement with Flowers and Associates, Inc. for construction management, inspection and material testing services for the Pavement Preparation and Slurry Seal projects in an amount not to exceed \$216,961.

**VOTE:** Motion approved by a unanimous voice vote.

## **C. DISCUSSION/ACTION ITEM**

### **C.1 Measure A - 2008 Transportation Investment Plan**

Recommendation:

- A. Receive a presentation by Santa Barbara County Association of Governments (SBCAG) staff regarding Measure A–2008 Transportation Investment Plan.
- B. Adopt Resolution No. 08- \_\_ entitled “A Resolution of the City Council of the City of Goleta, California Affirming the Placement of the Measure A-2008 Transportation Investment Plan on the November 4, 2008, General Election Ballot.”

**SPEAKERS:**

Gregg Hart, representing SBCAG, provided an overview of Measure A.

**STAFF SPEAKERS:**

Steve Wagner, Community Services Director

**MOTION:** Mayor Pro Tempore Aceves/Councilmember Wallis to adopt resolution No. 08-21 entitled “A Resolution of the City Council of the City of Goleta, California Affirming the Placement of the Measure A-2008 Transportation Investment Plan on the November 4, 2008, General Election Ballot.”

**VOTE:** Motion approved the following voice vote: Ayes: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Onnen and Wallis. Noes: Councilmember Blois.

## **C.2 Draft Storm Water Management Plan**

Recommendation:

- A. Receive a status report on the City's Draft Storm Water Management Plan; and
- B. Authorize submittal of the Draft Storm Water Management Plan to the Central Coast Regional Water Quality Control Board.

STAFF SPEAKERS:

Steve Wagner, Community Services Director

SPEAKERS:

Kira Redmond, Executive Director of Santa Barbara Channel Keeper, requested Council incorporate comments provided tonight (letter dated May 27, 2008 on file) into the Draft Storm Water Management Plan.

Rick Frickman, Santa Barbara Urban Creeks Council, echoed the comments above, and thanked the City of Goleta for their participation.

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to authorize the revised plan be circulated to Councilmembers and that staff be authorized to submit the Draft Storm Water Management Plan to the Central Coast Regional Water Quality Control Board.

VOTE: Motion approved by a unanimous voice vote.

## **C.3 General Plan Amendment Work Program – Revised Schedule**

Recommendation:

- A. Consider the revised schedule for the General Plan Amendment Work Program (Attachment 1); and
- B. Authorize the City Manager to execute a Contract with Economic & Planning Systems for pro forma/economic feasibility modeling of affordable housing inclusionary rates; and
- C. Authorize an allocation of \$12,500 from the General Fund to Program 4300 (Advance Planning) towards such contract.

STAFF SPEAKERS:

Patricia Miller, Current Planning Manager

SPEAKERS:

None

**MOTION:** Councilmembers Onnen/Blois to approve the revised schedule for the General Plan Amendment Work Program (Attachment 1); authorize the City Manager to execute a Contract with Economic & Planning Systems for pro forma/economic feasibility modeling of affordable housing inclusionary rates; and, authorize an allocation of \$12,500 from the General Fund to Program 4300 (Advance Planning) towards such contract.

**VOTE:** Motion approved by a unanimous voice vote.

RECESS 4:00 – 4:10 P.M.

## **RECESS TO THE JOINT CITY COUNCIL/REDEVELOPMENT AGENCY**

### **C.4 Modifications to Fiscal Year 08-09 Budget**

Recommendation:

As the City Council:

- A. Adopt Resolution No. 08-\_\_ entitled “A Resolution of the City Council of the City of Goleta, California, Amending the City’s Operating and CIP Budget for Fiscal Year 2008-09”.
- B. Adopt Resolution No. 08-\_\_ entitled “A Resolution of the City Council of the City of Goleta, California, Adopting the City’s GANN Limit for Fiscal Year 2008-09”.
- C. Approve the Changes in Accounting Practices.

As the Redevelopment Agency:

- A. Adopt Resolution No. 08-\_\_ entitled “A Resolution for the Redevelopment Agency for the City of Goleta, California, Amending the Operating Budget for Fiscal Year 2008-09”.

**STAFF SPEAKERS:**

Dan Singer, City Manager

Tina Rivera, Finance Director provided a PowerPoint presentation on the proposed modifications to the FY 08-09 Budget.

**SPEAKERS:**

None.

**MOTION:** Mayor Pro Tempore Aceves/Mayor Bennett to authorize a one time allocation in the amount of \$10,000 to the Goleta Boys and Girls Club.

**VOTE:** Motion approved by a unanimous voice vote.

**MOTION:** Councilmember Wallis/Mayor Pro Tempore Aceves to authorize a one time allocation \$10,000 to the Community Grant Program.

**VOTE:** Motion approved by a unanimous voice vote.

**MOTION:** Councilmember Blois/Mayor Bennett to support the Engineering Technician position.

Amended Motion:

MOTION: Councilmember Blois/Mayor Bennett requested that staff return to Council with information necessary to provide direction on the Engineering Technician position.

VOTE: Motion approved by a unanimous voice vote.

Councilmember requested Longevity Pay and PERS enhancement discussions return to Council ad policy items with detailed information.

MOTION: Councilmember Onnen/Mayor Bennett to authorize that half of the PERS Enhancement amount remains unallocated should Council decide to implement this program.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Blois/Onnen to authorize 2008-09 Budget on the revenue side.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to authorize the Personnel Side, with the exclusion of PERS.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Onnen/Wallis to authorize on the expense side: Service and supplies, Items 1-20.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Onnen/Wallis to authorize staff recommendations B. to adopt resolution No. 08-23 entitled "A Resolution of the City Council of the City of Goleta, California, Adopting the City's GANN Limit for Fiscal Year 2008-09", C. to approve the Changes in Accounting Practices, and A.

VOTE: Motion approved by a unanimous voice vote.

As the Redevelopment Agency:

MOTION: Agency members Onnen/Wallis to adopt Resolution No. 08-04 entitled "A Resolution for the Redevelopment Agency for the City of Goleta, California, Amending the Operating Budget for Fiscal Year 2008-09", as amended

VOTE: Motion approved by a unanimous voice vote.

## **ADJOURN THE JOINT CITY COUNCIL/REDEVELOPMENT AGENCY AND RECONVENE CITY COUNCIL**

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

### **ADJOURN TO CLOSED SESSION AT 5:10 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 REAL PROPERTY NEGOTIATOR**

Property: Parcel # 073-450-005

Agency Negotiator: Dan Singer, City Manager

Negotiating Party: Sares Regis Group

Under Negotiations: Price and Term

**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 6:09 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, Director of Community Services Steve Wagner, Finance Director Tina Rivera, and City Clerk Deborah Constantino.

### **PUBLIC FORUM**

Scott Haskins, Storke Ranch resident, addressed the concerns of the Phelps Road extension and commented on potential property value issues should this occur.

John Olson, Vector Control District, spoke in support of the Phelps extension; Mr. Olson also provided an update of the Vector Control District Board.

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

#### **D PUBLIC HEARING**

##### **D.1 Moratorium on Approval of Conversion of Mobilehome Rental Parks to Resident Ownership**

Recommendation:

- A. Receive this report as a record of the actions taken to date to address the issues that made enacting the Interim Urgency Ordinance Moratorium necessary; and
- B. Enact an interim ordinance extending Ordinance No. 07-10 for a period of one year; and
- C. Direct staff to prepare the necessary additional studies and continue processing of current applications.

STAFF SPEAKERS:

Brian A. Pierik. City Attorney

OPENED THE PUBLIC HEARING AT 6:20 P.M.

SPEAKERS:

Ken Tatro, Goleta Mobile Home Owners Coalition, spoke in support of the extension Moratorium on Approval of Conversion of Mobilehome Rental Parks to Resident Ownership.

CLOSED THE PUBLIC HEARING AT 6:24 P.M.



MOTION: Councilmembers Blois/Wallis to receive this report as a record of the actions taken to date to address the issues that made enacting the Interim Urgency Ordinance Moratorium necessary; and enact Ordinance No. 08-06 "An Interim Urgency Ordinance of the City of Goleta, California Extending Interim Urgency Ordinance No. 07-08 For A Period of 1 Year Beyond that Originally Authorized Pursuant to Interim Urgency Ordinance No. 07-10, Adopting and Imposing a Temporary Moratorium on the Conversion of Mobilehome Parks to Resident Ownership" for a period of one year; and direct staff to prepare the necessary additional studies and continue processing of current applications.

VOTE: Motion approved by a unanimous voice vote.

**D.2 Public Hearing to Consider Case No. 03-159-OA, 03-159-CUP; Fairview Gardens Ordinance Amendments, Farm Labor Camp, Commercial Poultry Operation, and Sale of Off-Site Agricultural Products; 598 North Fairview Avenue, APN 069-090-052**

Recommendation:

- A. Open the public hearing;
- B. Allow presentations from staff and the applicant;
- C. Take public testimony;
- D. Adopt City Council Resolution 08-\_\_entitled " A Resolution of the City Council of the City of Goleta, California, Approving Fairview Gardens Case Number 03-159-CUP (Minor Commercial Poultry Operation) 598 North Fairview Avenue; APN 069-090-052 (Attachment 1); and
- E. Deny Without Prejudice Case No. 03-159-OA to Amend the City of Goleta Municipal Code, Chapter 35, Article III, §35-216.3.4 to allow buildings up to 2,000-square feet for sale of agricultural products (AG-I Permitted Uses);
- F. Deny Without Prejudice Case No. 03-159-OA to Amend the City of Goleta Municipal Code, Chapter 35, Article III, §35-216.5 to allow the sale of agricultural products grown off-site through a Minor CUP (AG-I Uses Permitted with a Minor Conditional Use Permit);
- G. Deny Without Prejudice Case No. 03-159-CUP (Minor) for the retail sale of agricultural products grown off-site;
- H. Provide direction regarding Case No. 03-159-CUP (Major) for a farm labor camp from options provided within the staff report (Attachment 3); and
- I. Approve the deferral of Planning and Environmental Services processing fees for Case No. 03-159-CUP.

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

#### STAFF SPEAKERS:

Patricia Miller, Planning Manager provided a PowerPoint presentation outlining the options and staff recommendations. Staff presentation; provide additional information that was requested at the May 6<sup>th</sup> meeting.

Scott Kolwitz, Senior Planner noted for the record that included and distributed as part of the record and made available to the public is a memo dated May 29, 2008 noting letters and emails received regarding 03-159-CUP: located at 598 North Fairview Avenue.

#### OPENED THE PUBLIC HEARING AT 6:42 P.M.

#### Applicant:

Phillip Seymore, Land Use Attorney representing Fairview Gardens, reported for the record that Fairview Gardens accepts and supports the staff recommendation that there be a denial of prejudice for the application concerning the produce stand and noted that Fairview Gardens will be submitting a revised application in 30 days for that item. Fairview Gardens also supports the recommendation for the Minor Cup of the commercial poultry operation if approved. He noted a concern of Fairview Gardens not being able to reach goals called out in Options A and B regarding Sewers and suggested that a 9 month timeframe is more realistic for the sewer installations. As far as replacing the existing Farm worker housing with used mobile homes be a second preference to the farm. He reported that the surrounding neighbors were less enthusiastic once they learned that the mobile homes could become permanent dwellings. The farms preference is that the long term housing is something that is architecturally pleasing and more consistent with the green ecological theme. Mr. Seymore provided responses to concerns that came out of a previous hearing by Council and staff, such as curing the existing code violations as soon as possible, and remarking that that is what Option C is intended to do. Stating that Option C could eventually result in legalizing the existing in the farm worker camp including those that have been noted as being health and safety violations within approximately sixty days, and within one year the existing farm labor camp could be relocated into an approved building, in the building envelope around the permanent farm house and in five years or sooner they could replace all of the interim dwellings. He further noted that housing is a critical component for employees and noted if they do not have a place they can afford they can't stay. He asked the question as to what the Fairview Gardens could do in the short term, stating that yurts and mobile homes were not everyone's idea of an ideal home. He also considered moving the farm workers off site for the two year period, however he responded that there would be trade offs involved and the reality is that the Farm strongly favors keeping the farmworkers on site. The farm would do its best to fund housing for the farm workers off site, and this could be a large strain for the operation. Lastly he reported on the human cost that there is a likelihood that housing would not be available for the farm workers in Goleta or in driving distance and spoke to the risks associated with that scenario. .

Steve Welton, Suzanne Elledge Planning, Planning Agent for Fairview Gardens provided a PowerPoint presentation of Option C. and noted that there would be some corrections to what is stated in the staff report as he outlined the different phases of the development project.

Selma Ruben, Fairview Gardens Board member, addressed the Fairview Gardens fundraising efforts.

Tynes Viar, Director of Development of Fairview Gardens, addressed the fundraising strategy to fund farm worker housing. He also provided Fairview Gardens fundraising history as part of the PowerPoint which also provided examples of grants they have/or would be applying for, as well as, private donations and corporate sponsorship they would be seeking.

Louise Mitchell, President of the Orfeala Foundation, spoke in support of the Fairview Gardens development project. Ms. Mitchell reported on a project called the "School Food Initiative" and with a mission is to create a community of healthy schools that makes educated food choices through out their lives. She reported as a first step toward accomplishing this mission, the Foundation over 8 months visited over 110 public schools across Santa Barbara County to determine how best to help them in the food served in the cafeterias. She addressed Fairview Garden ability to provide with fresh locally grown chemical free fruits and vegetables and noted that value of this could not be overlooked.

#### SPEAKERS:

Jim Hurst, Neighbor of Fairview Gardens, noted concern of the Farm Labor Camp.

Linda Hurst, read a letter dated May 28, 2008 (letter on file) from Steve Nelson and Janet Walker, which spoke in support of option D.

Linda Cobb spoke in opposition to Option C, and issues relating to the sewer connections.

John Olson spoke in support of the Fairview Gardens the idea that we have farming in our community, as well as the work force housing.

Eric Cardenas, Environmental Defense Center spoke in support of Farm Worker housing.

Dr. Stephen Murray spoke in support to Fairview Gardens for the benefits it provides to the community.

Loretta Razo, Teacher at San Marcos High School spoke in support for Fairview Gardens for the food that they produce and the opportunities for education.

Amanda Pelch spoke in support of Fairview Gardens noting that it is a living demonstration of Urban Agricultural land in our area.

Sonia Connors representing Friends of Fairview Gardens spoke in support of Fairview Gardens and requested that they be given reasonable time to accomplish their goals.

Fermina Murray spoke as a local historian, commenting that she proudly looks at Goleta's Heritage when farm workers housing was provided to the farmers, and noted that it is because Fairview Gardens provides this work force housing that leads to their success.

Marianne Henry read a letter from Peggy Lindero which spoke in support of Fairview Gardens calling Fairview Gardens a "community treasure."

Larry Cobb, noted because of the lack of progress by the farms, he is supporting the option which calls for a cease and desist order. Mr. Cobb also stated that he supports Option D, removing the Farm Labor Camp, to allow Fairview Gardens to clean the slate and start fresh.

Charlie Hamilton, spoke against the current farm worker housing, and questioned some of the produce sold. He also objected to the idea of a library easement.

Treva Yang, spoke against the farm labor camp and the sanitary facilities. And spoke against the use of yurts, and noted options A, B, and C had no consequences for not meeting requirements.

Daisy Roseblum, translated for Javier Ochoa, who spoke to resolving issues of the farm and noted what they do, is to produce food for the community as he read a poem to Council and the public.

RECESS 8:00 – 8:12 P.M.

Dave Boydstrum spoke in favor of Option D, and commented on the illegal operations of the Fairview Gardens, the laborer situations and the complications he suggests that that it brings forth.

Barry Tanowitz spoke in opposition of the bike easement; however he noted that the sidewalk is necessary along Fairview Avenue. He spoke to two issues; the living conditions and the view itself. Spoke in support of Option C, with a reasonable timeline. He urged the City Council to provide Fairview Gardens the opportunity and the time to move the development forward the right way.

Jim Knight spoke in support of Fairview Gardens Development project.

Sharon Gill spoke in support Option C with sufficient time to do the job right.

Steve Sherill spoke in support of Option C as well as the sale of organic foods grown offsite.

David Cleveland spoke in support of Option C.

Sandy Lejune former manager and resident of the Fairview Gardens Farm spoke in support of Option C.

Adam Green Professor of Environmental Studies, Santa Barbara City College (SBCC) and the Director for Sustainability spoke in support of Fairview Gardens in continuing its education and opportunity to SBCC students. He reported that allowing the farm o continue educating SBCC and UCSB students may provide an opportunity to provide more funds to the farms as educating urban farming in a sustainable way.

CLOSED THE PUBLIC HEARING AT 8:36 P.M.

Councilmember Onnen reported that he asked for information from the farm and the he did meet with members of the board and employees of the farm to get a better understanding of the organization.

Councilmember Wallis reported that she met with members of the Fairview Gardens team and had received telephone calls from neighbors and visited the site with the remaining Councilmembers.

Mayor Pro Tempore Aceves reported that he with garden staff and neighbors and has received emails pertaining to the Fairview Gardens.

Councilmember Blois reported that she met with members of the Fairview Gardens staff.

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to authorize staff to move forward with Option C as amended at the hearing of June 3, 2008.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Wallis/Blois to adopt City Council Resolution 08-24 entitled " A Resolution of the City Council of the City of Goleta, California, Approving Fairview Gardens Case Number 03-159-CUP (Minor Commercial Poultry Operation) 598 North Fairview Avenue; APN 069-090-052 as amended at the hearing of June 3, 2008.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Wallis/Mayor Pro Tempore Aceves Deny Without Prejudice Case No. 03-159-OA to Amend the City of Goleta Municipal Code, Chapter 35, Article III, §35-216.3.4 to allow buildings up to 2,000-square feet for sale of agricultural products (AG-I Permitted Uses);

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Wallis/Mayor Pro Tempore to Deny Without Prejudice Case No. 03-159-OA to Amend the City of Goleta Municipal Code, Chapter 35, Article III, §35-216.5 to allow the sale of agricultural products grown off-site through a Minor CUP (AG-I Uses Permitted with a Minor Conditional Use Permit);as amended

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Wallis/Onnen to Deny Without Prejudice Case No. 03-159-CUP (Minor) for the retail sale of agricultural products grown off-site;

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Wallis/Mayor Pro Tempore Aceves to approve the deferral of Planning and Environmental Services processing fees for Case No. 03-159-CUP.

VOTE: Motion approved by a unanimous voice vote.

### **D.3 07-201-GPA, City-Initiated Track 2 General Plan/Coastal Land Use Plan Amendments**

Recommendation:

- A. Open the public hearing and receive a staff report and public testimony on Track 2 proposed amendments to the General Plan/Coastal Land Use Plan.
- B. Deliberate and take action, one-by-one, on each of the proposed amendments provided in Attachment 4, Working Table of Proposed General Plan Amendments – Track 2.
- C. Adopt City Council Resolution 08-\_\_ entitled “A Resolution of the City Council of the City of Goleta Adopting a CEQA Addendum, dated March 17, 2008, to the General Plan/Coastal Land Use Plan Final EIR, Adoption of CEQA Findings, Adoption of a Statement of Overriding Considerations, and Adoption of the Track 2 Amendments to the Goleta General Plan/Coastal Land Use Plan (case no. 07-201-GPA) (Attachment 5).

If necessary, continue the public hearing to June 17, 2008 to complete the necessary action by Council.

STAFF SPEAKERS:

Patricia Miller, Planning Manager

OPENED THE PUBLIC HEARING AT 10:13 P.M.

SPEAKERS:

Gary Vandeman raised concern over weakened standards he suggested that the standards be open-ended.

Harwood White raised concerns with 40 FAR and how this doesn't work for their project site. He reports supporting the staff and Planning Commission recommended amendments and offered some language change for good cause of “Significant” community benefit” (Comment letters dated June 3, 2008 on file).

Roger Johnson supports a more flexible General Plan; he noted that cities are living organisms which needs to change over time.

Don Gilman provided several comments to staff recommendations, but reported that he supports the recommendations of staff and the Planning Commission (email on file).

Connie Hannah league of California Women's Voter, agrees with many of the minor changes however, still notes concerned with the Bacara Amendments being taken with the City amendments.

Margaret Connell agrees echoed all of Connie Hannah's comments. Also agrees with height averaging.

Kristen Amyx Goleta Valley Chamber of Commerce CEO supports Track 2 changes with a few exceptions on building standards. She raised questions on moving the proposed changes to Track 3 and questioned on preserve and protect, she recommended one definition.

Richard Monk representing Bacara Resort and Spa addressed LU9.1 and the need to support staff's recommendation.

Mark Dispenza, Goleta Valley Chamber of Commerce spoke about the need for the General Plan to stay broad and flexible and provide for the needs of the future.

Mark Linehan suggested Council embrace change and flexibility if it is appropriate for Goleta, called on removal of the FARS and provided suggestions to Council.

Trevor Scoggins spoke against a Storke/Hollister expansion unless it includes greater bike and pedestrian enhancements.

CLOSED THE PUBLIC HEARING AT 10:43 P.M.

MOTION: Councilmembers Onnen/ Blois to continue the public hearing to June 17, 2008 to complete the necessary action by Council.

VOTE: Motion approved by a unanimous voice vote.

**E. COUNCIL COMMENTS**

No report

**F. CITY MANAGER/STAFF REPORT**

No report

**G. CITY ATTORNEY REPORT**

Brian Pierik, City Attorney reported that the City Council met in closed session this afternoon on the following matters and that there was no reportable action from the closed sessions.

**CLOSED SESSION**

The City Council met in closed session:

**CONFERENCE WITH LEGAL COUNSEL**

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

- City Attorney Interviews.

**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 REAL PROPERTY NEGOTIATOR**

Property: Parcel # 073-450-005  
Agency Negotiator: Dan Singer, City Manager  
Negotiating Party: Sares Regis Group  
Under Negotiations: Price and Term

**H. ADJOURNMENT OF MEETING AT 10:46 P.M.**

Prepared by: Deborah Constantino, City Clerk

GOLETA CITY COUNCIL

\_\_\_\_\_  
MICHAEL T. BENNETT  
MAYOR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

REDEVELOPMENT AGENCY

\_\_\_\_\_  
ROGER S. ACEVES  
CHAIR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
SECRETARY





**DRAFT  
REGULAR CITY COUNCIL/  
JOINT CITY COUNCIL REDEVELOPMENT AGENCY  
MEETING MINUTES  
TUESDAY, JUNE 17, 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

***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  
Julie Hayward Biggs, Agency Legal Counsel

**AFTERNOON SESSION**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bennett called the meeting to order at 1:40 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.

## **ROLL CALL OF REDEVELOPMENT AGENCY**

Present: Chair Aceves, Vice Chair Bennett, Agency Members Blois, Onnen and Wallis.

Staff Present: Dan Singer, City Manager, City Attorney Julie Hayward Biggs, Director of Community Services Steve Wagner, Director of Planning and Environmental Services Steve Chase, Finance Director Tina Rivera, and City Clerk Deborah Constantino.

## **PUBLIC FORUM**

Mario Borgatello presented the City a historic framed photo of the City of Goleta and provided information on the photo.

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

### **A. PRESENTATION**

#### **A.1 Presentation on Economic Analysis – Chumash Casino**

### **B. CONSENT CALENDAR**

#### **B.1 Amendment No. 2 to the Agreement with the City of Santa Barbara for Videotaping Services**

Recommendation: Authorize the City Manager to execute Amendment No. 2 to the agreement with the City of Santa Barbara for videotaping services subject to the requirements of the contract documents.

MOTION: Councilmembers Blois/Onnen to Authorize the City Manager to execute Amendment No. 2 to the agreement with the City of Santa Barbara for videotaping services subject to the requirements of the contract documents.

VOTE: Motion approved by a unanimous voice vote.

#### **B.2 Acceptance of May 2008 Check Register (Schultz)**

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

MOTION: Councilmembers Blois/Onnen to accept the check register for the month of May 2008.

VOTE: Motion approved by a unanimous voice vote.

#### **B.4 Contract Amendments for Consultant Services Agreements for Fiscal Year 2008 -2009**

Recommendation:

Authorize the City Manager to execute the following amendments to Consultant Services Agreements:

- A. Amendment No. 3 to COM3 Consulting, Inc. for Project Management Services extending the term of the contract to June 30, 2009 in an amount not to exceed \$164,800.
- B. Amendment No. 5 to AllianceJB, Inc. for Traffic Engineering Services extending the term of the contract to June 30, 2009 in an amount not to exceed \$110,000.
- C. Amendment No. 3 to Solid Waste Solutions, Inc. for Project Management Services extending the term of the contract to June 30, 2009 in an amount not to exceed \$110,000.
- D. Amendment No. 1 contract to Dowling Associates, Inc. for Traffic Modeling Services in an amount not to exceed \$60,000, for FY 2008-2009.
- E. Amendment No. 1 to Laura M. Bridley, AICP for Land Use Planning Services for Capital Improvement Projects in an amount not to exceed \$36,570.

**MOTION:** Councilmembers Blois/Onnen to authorize the City Manager to execute the following amendments to Consultant Services Agreements: Amendment No. 3 to COM3 Consulting, Inc. for Project Management Services extending the term of the contract to June 30, 2009 in an amount not to exceed \$164,800, Amendment No. 5 to AllianceJB, Inc. for Traffic Engineering Services extending the term of the contract to June 30, 2009 in an amount not to exceed \$110,000, Amendment No. 3 to Solid Waste Solutions, Inc. for Project Management Services extending the term of the contract to June 30, 2009 in an amount not to exceed \$110,000, Amendment No. 1 contract to Dowling Associates, Inc. for Traffic Modeling Services in an amount not to exceed \$60,000, for FY 2008-2009, and Amendment No. 1 to Laura M. Bridley, AICP for Land Use Planning Services for Capital Improvement Projects in an amount not to exceed \$36,570.

**VOTE:** Motion approved by a unanimous voice vote.

#### **B.5 Contract for Professional Services to Provide GIS Technical Support**

Recommendation: Authorize the City Manager to execute an amendment to the City's Contract with JDL Mapping to provide Geographic Information System (GIS) Technical Support and General Plan map updates in an amount not to exceed \$20,000.

**MOTION:** Councilmembers Blois/Onnen to Authorize the City Manager to execute an amendment to the City's Contract with JDL Mapping to provide Geographic Information System (GIS) Technical Support and General Plan map updates in an amount not to exceed \$20,000.

**VOTE:** Motion approved by a unanimous voice vote.

## **B.6 Economic Development Strategic Plan Request for Proposals**

Recommendation: Authorize the Redevelopment, Neighborhood Services, & Public Safety Director to issue a Request for Proposals for Consultant Services for the creation of an Economic Development Strategic Plan (EDSP).

MOTION: Councilmembers Blois/Onnen to Authorize the Redevelopment, Neighborhood Services, & Public Safety Director to issue a Request for Proposals for Consultant Services for the creation of an Economic Development Strategic Plan (EDSP).

VOTE: Motion approved by a unanimous voice vote.

## **B.7 Sumida Gardens Residential Project**

Recommendation: Approve the Assignment and Assumption Agreement between Sumida Family Limited Partnership and Sumida Gardens, L.P.

MOTION: Councilmembers Blois/Onnen to Approve the Assignment and Assumption Agreement between Sumida Family Limited Partnership and Sumida Gardens, L.P.

VOTE: Motion approved by a unanimous voice vote.

## **ITEM PULLED FROM THE CONSENT CALENDAR**

### **B.3 Amendments to Public Works Streets and Parks and Open Spaces Maintenance Services Contracts for FY 2008-09**

Recommendation:

Authorize the City Manager to execute the following amendments to Annual Street Maintenance Services and Parks and Open Spaces Service Agreements:

- A. Amendment No. 1 to Annual Street Sweeping Services Agreement with Venco Power Sweeping, Inc. in an amount not to exceed \$90,000, per the approved FY 2008-09 budget.
- B. Amendment No. 5 to Annual Traffic Signal Maintenance Services Agreement with Traffic Signal Maintenance (TSM) in an amount not to exceed \$200,000, per the approved FY 2008-09 budget.
- C. Amendment No. 1 to Annual Concrete Grinding Maintenance Services Agreement with Central Coast Surface Grinding, Inc in an amount not to exceed \$30,000, per the approved FY 2008-09 budget.
- D. Amendment No. 1 to Tree Maintenance Services Agreement with West Coast Arborists Inc. (WCA) for the term from July 1, 2008 to June 30, 2009 in an amount not to exceed \$175,000 as per the FY 2008-2009 approved budget.
- E. Amendment No. 4 to Park Maintenance Services Agreement with Valley Crest for the term from July 1, 2008 to June 30, 2009 in an amount not to exceed \$250,000 as per the FY 2008-2009 approved budget.

- F. Amendment No. 1 to Citywide Median Landscape Maintenance Services Agreement with Valley Crest, Inc. for the term from July 1, 2008 to June 30, 2009 in an amount not to exceed \$75,000 as per the FY 2008-2009 approved budget.

**MOTION:** Mayor Pro Tempore Aceves/Councilmember Onnen to authorize the City Manager to execute the following amendments to Annual Street Maintenance Services and Parks and Open Spaces Service Agreements: Amendment No. 1 to Annual Street Sweeping Services Agreement with Venco Power Sweeping, Inc. in an amount not to exceed \$90,000, per the approved FY 2008-09 budget, Amendment No. 5 to Annual Traffic Signal Maintenance Services Agreement with Traffic Signal Maintenance (TSM) in an amount not to exceed \$200,000, per the approved FY 2008-09 budget, Amendment No. 1 to Annual Concrete Grinding Maintenance Services Agreement with Central Coast Surface Grinding, Inc in an amount not to exceed \$30,000, per the approved FY 2008-09 budget, Amendment No. 1 to Tree Maintenance Services Agreement with West Coast Arborists Inc. (WCA) for the term from July 1, 2008 to June 30, 2009 in an amount not to exceed \$175,000 as per the FY 2008-2009 approved budget, Amendment No. 4 to Park Maintenance Services Agreement with Valley Crest for the term from July 1, 2008 to June 30, 2009 in an amount not to exceed \$250,000 as per the FY 2008-2009 approved budget, and Amendment No. 1 to Citywide Median Landscape Maintenance Services Agreement with Valley Crest, Inc. for the term from July 1, 2008 to June 30, 2009 in an amount not to exceed \$75,000 as per the FY 2008-2009 approved budget.

**VOTE:** Motion approved by a unanimous voice vote.

## **C. DISCUSSION/ACTION ITEMS**

### **C.1 Green Business Program**

Recommendation: Authorize the City Council to become signatory partners to the Santa Barbara County Green Business Program and allocate \$2,000 in annual support of the program from the Solid Waste Fund Account.

**STAFF SPEAKER:**

Kirsten Z. Deshler, Management Analyst

**SPEAKERS:**

**MOTION:** Mayor Pro Tempore Aceves/Mayor Bennett to authorize the City Council to become signatory partners to the Santa Barbara County Green Business Program and allocate \$2,000 in annual support of the program from the Solid Waste Fund Account.

**VOTE:** Motion approved by a unanimous voice vote.

**MOTION:** Mayor Pro Tempore Aceves/Councilmember Blois to appoint Kirsten Deshler as an advisory member with Mayor Pro Tempore Aceves to serve as an alternate to the Santa Barbara County Green Business Program Committee.

**VOTE:** Motion approved by a unanimous voice vote.

## C.2 Business License Options

Recommendation:

- A. Receive an oral report from staff on input received as a result of outreach effort to business community; and
- B. Provide direction to staff on placing a tax initiative on the 2008 General Election.

STAFF SPEAKERS:

Dan Singer, City Manager

Tina Rivera, Finance Director

SPEAKERS:

Richard Schneider and Barbara Massey spoke against the proposed business license tax and opposes the placement of this item on the November 2008 General Election Ballot.

John Knight, Chairman of the Goleta Valley Chamber of Commerce, reported that the Chamber represents over 600 businesses supporting over 25, 000 jobs in the Goleta Valley. He reported that the Goleta Chamber of Commerce endorses such a program as long as it contributes to the type of community that was previously described. The Chambers only concern is that this program re-invests much of the business tax revenue into programs that enhance our communities innovative business climate.

Kristen Amyx, Goleta Valley Chamber of Commerce spoke in support of placement of a tax initiative on the 2008 General Election and provided supporting information. Ms. Amyx also requested that the City of Goleta become a funding partner to be part of a partnership between the City of Goleta, Goleta Valley Chamber of Commerce, and UCSB in developing an Economic Development Program.

Dr. Don Oparah, Director of Venture Acceleration Initiative (VAI) at UCSB, provide project highlights for VAI.

MOTION: Mayor Pro Tempore Aceves/\_\_\_\_\_to move forward with a business License tax initiative

Motion failed due to lack of a second

MOTION: Councilmembers Wallis/Blois to not move forward with a business License tax initiative at this time.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Bennett, Councilmembers Blois, Onnen, and Wallis Noes: Mayor Pro Tempore Aceves.

MOTION: Councilmembers Blois/Mayor Bennett to direct staff to pursue a fee based business license for the future.

VOTE: Motion approved by a unanimous voice vote.

### **C.3 Consideration of Ballot Measures for the November 2008 General Election for the City of Goleta**

Recommendation:

- A. Discuss ballot measure options.
- B. Direct staff and legal counsel to prepare ballot measure options being considered by the Council for the November 2008 General Election and to bring back such options for consideration by the Council at the next available meeting.

STAFF SPEAKERS:

Dan Singer, City Manager  
Tina Rivera, Finance Director

SPEAKERS:

Barbara Massey, raised concerns over a recent survey to the citizens, Ms. Massey further noted her opposition in placing a sales tax and Revenue Neutrality measure on the ballot at this time.

MOTION: Councilmembers Blois/Wallis to not place proposed ordinance amending the Revenue Neutrality Agreement on the 2008 General Election Ballot.

VOTE: Motion failed by the following roll call vote: Ayes: Mayor Pro Tempore Aceves and Councilmember Wallis. Noes: Mayor Bennett, Councilmembers Blois and Onnen.

MOTION: Councilmember Onnen/Mayor Bennett to direct staff to proceed with the revision of the Revenue Neutrality Agreement for placement on the 2008 General Election Ballot.

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

MOTION: Councilmembers Onnen/Blois advance a Sales Tax Measure to the November Ballot, based on a ½ cent sales tax 30-year period as a General Tax, with a General Indication of the Use.

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

**ADJOURN TO CLOSED SESSION AT 4:39 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 matters of pending litigation:

- Radke v. the City of Goleta SBSC 01242177

**CONFERENCE WITH LEGAL COUNSEL**

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

- City Attorney

**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 6:07 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: Dan Singer, City Manager, City Attorney Julie Hayward Biggs, Director of Community Services Steve Wagner, Finance Director Tina Rivera, and City Clerk Deborah Constantino.

### **PUBLIC FORUM**

None

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

None

City Attorney Julie Hayward Biggs reported from the Closed Session held today:

### **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 matters of pending litigation:

- Radke v. the City of Goleta SBSC 01242177

#### **CONFERENCE WITH LEGAL COUNSEL**

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

- City Attorney

Action: No reportable action.

### **C.4 DISCUSSION/ACTION ITEMS**

#### **C.4 UCSB Draft Long Range Development Plan and Draft Environmental Impact Report**

Recommendation: It is recommended that the City Council authorize the submittal of formal comment letters to the University of California - Santa Barbara, regarding its Draft Vision 2025 Long Range Development Plan and associated Draft Environmental Impact Report.

#### STAFF SPEAKERS:

Steve Chase, Planning and Environmental Services Director and Steve Wagner, Director of Community Services provided a background report and suggested to Council that they would be asked to authorize the submittal of a formal comment letters to the University regarding their Long Range Development Plan.

#### SPEAKERS:

John Dixon Keepphelpsclosed.org, illustrated the impacts that 7,000 cars (bumper to bumper reaching from Phelps road extending through Linden Avenue in Carpinteria, CA) 21 miles and raised concerns of potential impacts of children living in the Phelps Road area. Mr. Dixon spoke against the Phelps road extension.

Michael Scott, provided comment letter on file, spoke in opposition of the Phelps Road extension

Kim DeVenne, resident of Storke Ranch, expressed appreciation to Council for addressing some of the concerns in the draft comment letter, spoke to the safety of children. Spoke on behalf of the low income apartment residents (predominantly Spanish speaking) who knew nothing about the proposed developments including the possible opening of Phelps road even though those residents would be disproportionately affected.

David Esparza, Storke Ranch home owner, spoke to the transportation and circulation of the LRDP. Commented on the DEIR, section 4.1 3-78 Phelps Road Storke road intersection changes from an existing A. level of service to a B. with the LRDP, but with the LRDP and roadway connection this falls to a level of service D. Page 4.1 3-77 explains "the degraded level of service is due to the Phelps mesa connection". The same scenario is described for the Mesa/Los Carneros intersection which is actually on the other side if it were to be opened. Page 4.1 3-81 "The intersection would operate at a level of service F, thus exceeding the significance threshold. The degrading level of service due to the Phelps/Mesa connection". On page 8 of 15 the comments that the city staff has brought forth to Council "it is written "as such the travel forecast generated by the LRDP traffic model may underestimate both future traffic models associated the LRDP and associated traffic impacts". It is understood that it could definitely be underestimated, and suggests since the DEIR adversely affects the level of service at both intersections and as a consequence of the Phelps/ Mesa connection, it is requested the Phelps/Mesa connection be removed from the plan.

Mickey Esparza, spoke to the LRDP (comment letter on file) suggested that the Phelps/Mesa remain closed to through traffic, stating that opening it up would be in direct conflict with the university's "Project Objectives" as stated in the LRDP.

Susan Aguilera, Storke Ranch Community, (comment letter on file) expressed appreciation to staff on the draft comment letter. Spoke against the opening of Phelps road to Los Carneros and suggested that by doing so it would create two bottleneck situations, on Storke/Phelps and Phelps/Los Carneros.

Larry Parsons, Storke Ranch resident, Employee of UCSB, Director of Environmental Health and Safety, spoke in opposition to the Phelps Road extension.

Dan Moosebrugger, Cannon Green HOA. Spoke in opposition to the Phelps road extension.

William Feehery, Storke Ranch resident, president of DuPont Displays, with 150 employees in the City of Goleta. With a number of them in walking distance of Storke Ranch, expanded the employee base in

the City of Goleta by 20% in 2008, and would like to expand past that. Recruiting both Nationwide and world wide for employees. Lives across the street from the pool has four children concerned that if this road is open as the university is projecting that the children that live in that Storke Ranch community will be subject to a number of safety concerns as they use the pool and the tennis courts that are right in the middle of the road. In summary Mr. Feehery is requesting that Council not consider opening up Phelps road.

Kelly Hildner, Storke Ranch resident, spoke in appreciation to the comment letter prepared by staff requesting revision and recirculation of the DEIR, provided comments and suggestions to the DIER.

Augi Aguilera, Storke ranch resident, provided a petition with over 300 signatures opposing the opening of Phelps road between Storke road and Mesa road. Noting that opening Phelps road to through traffic would seriously impact the Storke Ranch community (on file).

Ian Thompson, Storke Ranch resident, spoke in opposition to Phelps road extension and expressed the impacts to children and families and potential separation of community due to the proposed Phelps road extension. Mr. Thompson expressed concern for the lack of water, where will the water come from, urged Council to check on the water situation.

Margaret Connell, commended staffs report as very detailed and comprehensive. Ms. Connell believes a little more be added to the report about the water situation with water becoming a serious issue in this area. The Goleta Water district in it its urban water management plan of 2005 analyzed the water available from the different sources, Cachuma Lake, State Water, Ground Water, and recycled water. Based on the 2005 Land Use plans for the City of Goleta and the rest of the area covered by the Goleta Water District, by 2030 or build out the water would be basically tapped out. This is without the University's LRDP. This was not included in 2005, because it was not available, nor any rezoning or agricultural land included in that report. There may be a scenario to where there is a shortage of water, or competition for water.

Lisa Nichols, Esq., No to Phelps road (Storke Family Housing), asked the Council to consider the danger that would be posed to the children that live in the Storke Family housing if Phelps road extension should occur.

Steve Nichols, resident at the UCSB Family housing on Storke, expressed concern that as a resident that the residents were completely uninformed about any discussion going on about the proposed plan. Noting that it would severely change the entire environment in the community and UCSB made no attempts to keep the residents in that community informed. Most importantly Mr. Nichols expressed deep concern that if UCSB was to tear down the family housing complexes it would important to consider the effects of the families that live there, where would they go? Fearing that they would be spilling out to the Goleta community with extremely higher rent and may not be able to survive in the environment.

Ana Citrin, Attorney, Law office of Mark Chytilo, representing the Storke Ranch Master HOA, concurs with staffs analysis regarding the inadequacies of the LRDP EIR and that material legal flaws in the document require that it be revised and re-circulated. She noted it was especially appreciated that EIR failed to analyze the impacts of the proposed Phelps/Mesa roadway connection. She also highlighted three additional points and requested that consideration of supplementing the City's comments with the additional points brought to Council tonight.

Lu Ann Miller, Executive Director for the Isla Vista Children's Center, raised two points she has not seen any comments that UCSB growth would have on social services and schools in the Goleta Valley. The Isla Vista Youth services has been providing services for almost forty years to children and families who live in Isla Vista and Goleta, she noted her concern to the impact on schools and other supports for families. Open pen and passive recreation, child care, afterschool care, recommended that those be addressed in the comment letter to UCSB, secondly the children's center located in Storke Ranch noting that most of the families do walk to the center, she was very concerned that the most vulnerable population of about 100 children would be on a very busy road with 7,000 cars going by. Agrees with the provisions on page 12 that there were no mitigations should that road be opened no mitigations impacts for the community at all and felt that that needed to be addressed. Proposed that the safest alternative is to keep Phelps road closed. For the safety of the children.

Mayor Pro Tempore Aceves expressed concern that the update on the modeling was just recently provided to staff. And now it is required that the response is due by June 23, 2008, noting its' unfairness, however believes that staff is up to the task of preparing the letter and keep the doors open for future discussion. He is in support of getting the comment letters to UCSB and incorporating many of the comments made tonight with an emphasis on the importance of having a complete transit study, which will also help on the MTD side as they are also responding by June 23, 2008 deadline.

Councilmember Wallis, noted concern over the delay in providing the traffic modeling to the City of Goleta in a timely manner. And felt that it was really pushing it to still expect the City of Goleta's comments to fit within the comment period deadline. Noted the stress on staff should not be taken for granted. Councilmember Wallis requested additional time from UCSB to get the comment letter to UCSB, if staff needs more time on this particular issue they should have it, noting that it would make everything go smoother down the line. She noted that the residents who have come to Council as a simple way of putting it "our residents are asking us to help them get full analysis of the impacts and the benefits of opening up Phelps road, which is as she noted a very legitimate request. They are asking is it worth it, for what it would do for the traffic situation versus the negative impact as that it would have on this community. Mr. Chase said in his presentation that one of the things that might be asked is that staff have lead way to add and revise the comment letter subject to the review of the Town and Gown committee, and suggested that staff please review the things that were said this evening, particularly the comments made by Ana Citrin had three points: recognizing first flaws in the traffic modeling, which she felt that staff is really on top of but she wanted it precise to Phelps too, and secondly a real analysis of the impacts of the Phelps extension, and a transit study and plan is warranted. This is the time to be cutting edge because of the size of and magnitude, it is an opportunity not to be missed. Also made a comment (but not for staff to do) this time on alternative transportation, because it is the university, cutting edge technology and green building and all of these things, but about the transit the impacts need to be considered not just getting people on campus, on city streets, or streets elsewhere, hopes that it looked at to see where trips began and of course they end at the University, so maybe there can be transit that makes sense so that people don't bring their cars though the City of Goleta.

Councilmember Onnen suggested that the comments rose from Lu Ann Miller, Executive Director for the Isla Vista Children's Center, "Schools and Social Services" which Mr. Onnen did not see in the staff comment letter, Mr. Onnen also believes that we should formally ask that UCSB to extend this comment period, not sure if that is a requirement or if it has a specific impact but it seems that considering the modeling being a core of Councils concerns to allow us to make comment of the modeling assumptions. To the residents that oppose the opening of Phelps road, he is not sure that they could place in the comment letter that the City of Goleta is against the opening of Phelps road, and that this is not necessarily the time or place to make that stand not that he is not sympathetic to their

cause or to the reason for it, but we need to go through the process productive and positively, and the first this is lets get all of the information. Hopefully that information will lead us to a course of action that is much more readily accepted than just to jump to the conclusion “ close it or not open it” so again he would not expect that to appear in the comment letters on the EIR. If we are still confined to the time frame, as a member of the Town and Gown, he would be happy to work though the process to finalize those comment letters.

Mayor Bennett suggested to staff that the comments provided tonight be incorporated in the comment letter. He also offered a thought for perhaps future reference, to have a bypass road suggested that would go behind the post office, come off of the entrance from Phelps Road but would veer north behind where the tennis courts are and behind the daycare center is and where the affordable housing is located, and then come back down toward mesa road further to the east. He would like to see if there is any viability in what he proposed. Finally, he noted concern that El Colegio widening was suppose to have occurred back when the Santa Ynez apartments were built., as promised by the university, which never happened. He also stated that UCSB promised that they would widen El Colegio from Los Carneros to the west campus entrance to be funded and completed in concurrence with the graduate housing which may now be almost complete on Storke field. He noted promises have been made before and have yet to be fulfilled, and the water issue is a major issue that falls in his mind in the same category, as UCSB has previously reported that they would look for water, in essence if UCSB was to move forward, they would not be able to complete what they have and they would use up all of the available water that we the Goleta water district has available. There is one direction that he wanted to make sure that if the comment time can not be extended then does the Town and Gown have the authority to assist staff in making this letter move forward?

MOTION: Councilmembers Blois/Wallis to authorize the Town & Gown Committee to amend the comment letters should new information or understandings arise prior to the June 23<sup>rd</sup> submittal deadline.

VOTE: Motion approved by a unanimous voice vote.

## **D PUBLIC HEARING**

### **D.1 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. Open the public hearing on the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages project.
- B. Allow oral presentations from staff and the applicant regarding the project.
- C. Allow public comment.
- D. Adopt City Council Resolution 08-\_\_\_ entitled “A Resolution of the City Council of the City of Goleta, California to Approve Case No. 07-117-GPA Amending General Plan/Coastal Land Use Plan Figure 2-1 Land Use Plan Map by Changing the Land Use Designation of Assessors Parcel Number 079-121-016 from Community Commercial to Intersection/Highway 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.”

- E. Introduce and Conduct the First Reading (By Title Only) and Waive Further Reading of City Council Ordinance 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.”
- F. Continue the hearing to July 15, 2008 in order to conduct the second reading by title only of the Ordinance for a Rezone and to adopt a City Council Resolution approving the Development Plan Revision.

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

STAFF SPEAKERS:

OPENED THE PUBLIC HEARING AT 7:53 p.m.

SPEAKERS:

Jay Higgins provided comment letters and petitions in support of alcohol sales (on file) and provided a PowerPoint presentation.

CLOSED THE PUBLIC HEARING AT 8:02 p.m.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to adopt resolution 08-25 entitled “A Resolution of the City Council of the City of Goleta, California to Approve Case No. 07-117-GPA Amending General Plan/Coastal Land Use Plan Figure 2-1 Land Use Plan Map by Changing the Land Use Designation of Assessors Parcel Number 079-121-016 from Community Commercial to Intersection/Highway 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.”

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to Introduce and Conduct the First Reading (By Title Only) and Waive Further Reading of City Council Ordinance 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.”

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves

VOTE: Motion approved by a unanimous voice vote.

## **D.2 Solid Waste Collection Rates for Fiscal Year 2008-09**

RECOMMENDATION: Adopt Resolution 08-\_\_\_ entitled "A Resolution of the City Council of the City of Goleta, California, Revising the Solid Waste Collection Rates for the Fiscal Year 2008-09."

### **STAFF SPEAKERS:**

Steve Wagner, Community Services Director

OPENED THE PUBLIC HEARING AT 8:07 P.M.

### **SPEAKERS:**

None

CLOSED THE PUBLIC HEARING AT 8:07 P.M.

MOTION: Mayor Pro Tempore Aceves/Blois to adopt Resolution 08-\_\_\_ entitled "A Resolution of the City Council of the City of Goleta, California, Revising the Solid Waste Collection Rates for the Fiscal Year 2008-09."

VOTE: Motion approved by a unanimous voice vote.

## **D.3 Adoption of the 2008-2009 Community Development Block Grant Action Plan**

Recommendation:

A. Conduct a public hearing to receive public comment on the proposed 2008-2009 Community Development Block Grant Action Plan; and

B. Adopt the 2008-2009 Community Development Block Grant Action Plan

### **STAFF SPEAKERS:**

Vyto Adomaitis, Redevelopment, Neighborhood Services, and Public Safety Director

OPENED THE PUBLIC HEARING AT 8:12 P.M.

### **SPEAKERS:**

None

CLOSED THE PUBLIC HEARING AT 8:12 P.M.

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to Adopt the 2008-2009 Community Development Block Grant Action Plan

VOTE: Motion approved by a unanimous voice vote.

## **D.4 Adoption of the 2008-09 to 2012-13 Five Year Implementation Plan for the Goleta Old Town Redevelopment Project Area**

Recommendation:

A. Conduct a public hearing to receive public comment; and

- B. Adopt resolution No. 08-\_\_ entitled "A Resolution of the Redevelopment Agency for the City of Goleta, California, Adopting a 2008-09 to 2012-13 Five Year Implementation Plan for the Goleta Old Town Redevelopment Project Area.

STAFF SPEAKERS:

Vyto Adomaitis, Redevelopment, Neighborhood Services and Public Safety Director  
Jaime Valdez, Management Analyst

OPENED THE PUBLIC HEARING AT 8:17 P.M.

SPEAKERS:

CLOSED THE PUBLIC HEARING AT 8:17 P.M.

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to adopt resolution No. 08-\_\_ entitled "A Resolution of the Redevelopment Agency for the City of Goleta, California, Adopting a 2008-09 to 2012-13 Five Year Implementation Plan for the Goleta Old Town Redevelopment Project Area.

VOTE: Motion approved by a unanimous voice vote.

RECESS 8:18 P.M. – 8:23 P.M.

**D.5 Continued from June 3, 2008 – 07-201-GPA, City Initiated track 2 General Plan/Coastal Land Use Plan Amendments**

Recommendation:

- A. Open the public hearing and receive a staff report and public testimony on Track 2 proposed amendments to the General Plan/Coastal Land Use Plan.
- B. Deliberate and take action, one-by-one, on each of the proposed amendments provided in Attachment 4, Working Table of Proposed General Plan Amendments – Track 2.
- C. Adopt City Council Resolution 08-\_\_ entitled "A Resolution of the City Council of the City of Goleta Adopting a CEQA Addendum, dated March 17, 2008, to the General Plan/Coastal Land Use Plan Final EIR, Adoption of CEQA Findings, Adoption of a Statement of Overriding Considerations, and Adoption of the Track 2 Amendments to the Goleta General Plan/Coastal Land Use Plan (case no. 07-201-GPA) (Attachment 5).
- D. If necessary, continue the public hearing to June 17, 2008 to complete the necessary action by Council.

STAFF SPEAKERS:

Steve Chase, Planning and Environmental Services Department  
Patricia Miller, Current Planning Manager  
Pat Saley, Consultant provided a PowerPoint presentation and outlined staff recommendations.

Councilmember Wallis requested that the minutes reflect opposition to the procedure of lumping several General Plan issues together for a vote.



MOTION: Councilmembers Blois/Onnen to move forward with LU 2.7, LU Figure 2-1, LU Map, OS-1A-1, SE 9-2, SE 9-3, SE 9-4, SE 9-8, SE figure 5-3, VH , TE 4.2 and new TE 1A 7, TE 4.3. As reflected on pages 4 and 5 of the PowerPoint presented tonight.

VOTE: Motion approved by a unanimous voice vote.

\*The motion was split to reflect Councilmember Wallis opposition to the following policies:

MOTION: Councilmembers Blois/Onnen to move forward with LU 1A-6, SE 2-1, as reflected on pages 4 and 5 of the PowerPoint presented tonight.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Bennett, Councilmembers Blois, Onnen, Mayor Pro Tempore Aceves, Noes: Councilmember Wallis.

MOTION: Councilmembers Onnen/Blois to approve staff recommendation LU 1.6.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Bennett, Councilmembers Blois, Onnen, Mayor Pro Tempore Aceves, Noes: Councilmember Wallis.

MOTION: Councilmember Onnen/Mayor Bennett to approve staff recommendation LU 1.9.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Mayor Pro Tempore Aceves/Mayor Bennett to approve staff recommendation LU 1.10.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Onnen/Mayor Bennett to approve staff recommendation LU 1.12

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

MOTION: Councilmember Onnen/Mayor Bennett to approve staff recommendation LU 1.13.

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

MOTION: Councilmember Onnen/Mayor Bennett to approve staff recommendation LU 3.6

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

MOTION: Councilmember Onnen/Mayor Bennett to approve staff recommendation LU 2.1 – 2.4, as amended at the meeting of June 17, 2008.

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

MOTION: Councilmembers Blois/Onnen to approve staff recommendation LU 2.1, LU 2.2, LU 3.1, LU 4.3, and LU 7.1.

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

\*The motion was split to reflect Mayor Pro Tempore Aceves opposition to the following policies:  
MOTION: Councilmembers Blois/Onnen to approve staff recommendation LU 4.2, LU 5.1, and LU 6.1.

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

MOTION: Councilmembers Onnen/ Blois to approve Planning Commission recommendation LU 9.1, under Site 1 Coastal Resort Parcels', E, and F.

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

Steve Chase, Planning and Environmental Services Director noted for the record "The CEQA studies and the analysis that was done of the Bacara resort and Spa looked at 524 total units or Keys. A preliminary development plan approved by the County of Santa Barbra, it contemplated, it analyzed and it conditioned an overall project to include 500 units and 24 Villas and associated on-site amenities. The final development plan, approved by the County of Santa Barbara entitled 400 rooms and the on-site amenities "what was called an initial phase. Under the initial phase build out, however, only 360 units were constructed." Staff is recommending deletion of 9.1B.

MOTION: Councilmembers Onnen/Blois to delete item LU 9.1B.

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

MOTION: Councilmembers Blois/Onnen to approve staff recommendation LU 9.1G.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Bennett, Councilmembers Blois, Onnen and Wallis, Noes: Mayor Pro Tempore Aceves.

MOTION: Councilmembers Onnen/Blois to approve staff recommendation LU 2.3.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Blois/Onnen to approve staff recommendation LU 2.1.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Onnen/Mayor Bennett to approve staff recommendation LU Table 2-2, recommend an X as an Allowed Use.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Blois/Onnen to approve staff recommendation OS 2.4.

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

- MOTION: Councilmember Onnen/Mayor Bennett to approve staff recommendation OS Figure 3.2.  
VOTE: Motion approved by a unanimous voice vote.
- MOTION: Councilmember Onnen/Mayor Bennett to approve staff recommendation SE Figure 2.2.  
VOTE: Motion approved by a unanimous voice vote.
- MOTION: Councilmembers Wallis/Blois to approve staff recommendation VH1.  
VOTE: Motion approved by a unanimous voice vote.
- MOTION: Councilmember Wallis/ Mayor Pro Tempore Aceves to approve staff recommendation to "Reserve and Protect".  
VOTE: Motion approved by a unanimous voice vote.
- MOTION: Councilmembers Blois/Onnen to approve staff recommendation TE 6.5.  
VOTE: Motion approved by the following voice vote: Ayes: Mayor Bennett, Councilmembers Blois, Onnen and Wallis, Noes: Mayor Pro Tempore Aceves.
- MOTION: Councilmember Onnen/Mayor Bennett to adopt resolution 08-30 entitled "A Resolution of the City Council of the City of Goleta Adopting a CEQA Addendum, dated March 17, 2008, to the General Plan/Coastal Land Use Plan Final EIR, Adoption of CEQA Findings, Adoption of a Statement of Overriding Considerations, and Adoption of the Track 2 Amendments to the Goleta General Plan/Coastal Land Use Plan (case no. 07-201-GPA) (Attachment 5).  
VOTE: Motion approved by the following voice vote: Ayes: Mayor Bennett, Councilmembers Blois, Onnen, and Wallis Noes: Mayor Pro Tempore Aceves.

**E. COUNCIL COMMENTS**

No report.

**F. STAFF REPORT**

No report.

**G. CITY ATTORNEY REPORT.**

No report.

**ADJOURNMENT: 10:17 P.M.**

Prepared by: Deborah Constantino, City Clerk

**GOLETA CITY COUNCIL**

\_\_\_\_\_  
MICHAEL T. BENNETT  
MAYOR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

**REDEVELOPMENT AGENCY**

\_\_\_\_\_  
ROGER S. ACEVES  
CHAIR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
SECRETARY



**DRAFT  
SPECIAL CITY COUNCIL  
MEETING MINUTES  
THURSDAY, JULY 28, 2008**

Afternoon Session

4:00 P.M.

City Hall

Conference Room 1

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**

Mayor Bennett called the meeting to order at 4:00 P.M.

**ROLL CALL OF CITY COUNCIL**

Present: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onnen and Wallis.  
Absent: None

Staff Present: Michelle Greene, Administrative Services Director; Brian A. Pierik, City Attorney; and Rheannon Parr, Deputy City Clerk.

**PUBLIC FORUM**

None

**AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None

**A. DISCUSSION/ACTION ITEMS**

**A.1 Approval of an Agreement for Employment of City Attorney**

Recommendations: Approve the proposed Agreement for Employment of City Attorney and direct staff to circulate it for signature.

**STAFF SPEAKERS:**

Michelle Greene, Administrative Services Director  
Brian A. Pierik, City Attorney

**OPENED PUBLIC HEARING AT 4:02 P.M.**

Public Speakers:  
None

**CLOSED PUBLIC HEARING AT 4:02 P.M.**

MOTION: Councilmembers Onnen/Blois to approve the proposed Agreement for  
Employment of City Attorney.

VOTE: Motion approved by a unanimous voice vote.

**ADJOURNMENT AT 4:06 P.M.**

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL

\_\_\_\_\_  
MICHEAL T. BENNETT  
MAYOR

ATTEST: \_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK