



**DRAFT
REGULAR CITY COUNCIL
JOINT CITY COUNCIL /
REDEVELOPMENT AGENCY
MEETING MINUTES
TUESDAY, OCTOBER 21, 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
Tim W. Giles, City Attorney

Members of the Redevelopment Agency

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

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

AFTERNOON SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bennett called the meeting to order at 1:32 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

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

ROLL CALL OF THE REDEVELOPMENT AGENCY

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

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Vyto Adomaitis, Redevelopment, Neighborhood Services and Public Safety Director; Lt. Chris Pappas, City Police Chief; Jaime Valdez, Senior Management Analyst and Deborah Constantino, City Clerk.

PUBLIC FORUM

Speakers:

Richard Foster spoke to a flyer he received from Goleta PAC regarding "the City of Goleta growth".

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. PRESENTATION

A.1 Isla Vista Halloween Event Preparations

Recommendation: Receive a presentation on this year's response to the Isla Vista Halloween Event.

Public Speakers:
None

Staff Speakers:

Vyto Adomaitis, Redevelopment, Neighborhood Services and Public Safety Director and Lt. Chris Pappas, City Police Chief, provided a presentation on this year's response to the Isla Vista Halloween Event.

Council received the report.

B. CONSENT CALENDAR

B.2 Case No. 07-020-OA, -RZ, -DP; Rincon Palms Hotel and Restaurant; 6868 and 6878 Hollister Avenue; APN 073-140-004

Recommendation:

- A. Conduct the second 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, CA Amending Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Establish a Hotel Overlay District". (Attachment 1)

- B. Conduct the second 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, CA Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District for the Rincon Palms Hotel and Restaurant Project, Applicable to the Northeast Corner of Storke Road and Hollister Avenue; 6868 Hollister Avenue and 6878 Hollister Avenue; APN 073-140-004". (Attachment 2)
- C. Adopt City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, CA Approving a Development Plan for the Rincon Palms Hotel and Restaurant Project, Case No. 07-020-DP; at the Northeast Corner of Storke Road and Hollister Avenue; 6868 and 6878 Hollister Avenue; APN 073-140-004". (Attachment 4)

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

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen conducted the second reading and adopted Ordinance 08-08 entitled "An Ordinance of the City Council of the City of Goleta, CA Amending Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Establish a Hotel Overlay District"; conducted the second reading and adopted Ordinance 08-09 entitled "An Ordinance of the City Council of the City of Goleta, CA Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District for the Rincon Palms Hotel and Restaurant Project, Applicable to the Northeast Corner of Storke Road and Hollister Avenue; 6868 Hollister Avenue and 6878 Hollister Avenue; APN 073-140-004"; and adopted Resolution 08-52 entitled "A Resolution of the City Council of the City of Goleta, CA Approving a Development Plan for the Rincon Palms Hotel and Restaurant Project, Case No. 07-020-DP; at the Northeast Corner of Storke Road and Hollister Avenue; 6868 and 6878 Hollister Avenue; APN 073-140-004".

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

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

Recommendation: Review the status of the Local Emergency pursuant to Resolution No. 08-45 to determine the need for its continuation regarding the flood threat associated with the Gap Fire burn area and the need to continue the delegation of emergency purchasing authority.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen reviewed the status of the Local Emergency pursuant to Resolution No. 08-45 and determined the need for its continuation regarding the flood threat associated with the Gap Fire burn area and the need to continue the delegation of emergency purchasing authority.

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

B.4 Approval of Tract Map 32,034 for Cabrillo Business Park Project

Recommendation:

- A. Adopt, accept and authorize the City Clerk to endorse and cause to be recorded Tract Map 32,034 by SANTA BARBARA REALTY HOLDING COMPANY, LLC, for Phase 0, a 5-lot subdivision, being a portion of the approved 22-lot subdivision located at 6767 Hollister Avenue, APN 073-450-005, for subdivision purposes and an easement for public pedestrian purposes, finding the Map in conformance with the Development Agreement and in general conformance with the City's General Plan. (Map available in City Clerk's office for review.)
- B. Approve the Improvement Plans for Hollister Avenue as shown on the plans entitled "Street Widening Improvements Hollister Ave. & Los Carneros Rd"., for the portion of the development in conjunction with the Phase 0 Tract Map 32,034. (Plans available in City Clerk's office for review.)
- C. Authorize the City Manager to execute the attached Improvement Agreement for the construction of public improvements on Hollister Avenue and Los Carneros Road.
- D. Authorize the City Manager to execute the attached Landscape Maintenance Agreement for the installation and continued maintenance of median and parkway landscaping within the Hollister Avenue and Los Carneros Road street easements.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to adopt, accept and authorize the City Clerk to endorse and cause to be recorded Tract Map 32,034 by SANTA BARBARA REALTY HOLDING COMPANY, LLC, for Phase 0, a 5-lot subdivision, being a portion of the approved 22-lot subdivision located at 6767 Hollister Avenue, APN 073-450-005, for subdivision purposes and an easement for public pedestrian purposes, finding the Map in conformance with the Development Agreement and in general conformance with the City's General Plan.; to approve the Improvement Plans for Hollister Avenue as shown on the plans entitled "Street Widening Improvements Hollister Ave. & Los Carneros Rd"., for the portion of the development in conjunction with the Phase 0 Tract Map 32,034. (Plans available in City Clerk's office for review.); Authorized the City Manager to execute the attached Improvement Agreement for the construction of public improvements on Hollister Avenue and Los Carneros Road; and authorized the City Manager to execute the attached Landscape Maintenance Agreement for the installation and continued maintenance of median and parkway landscaping within the Hollister Avenue and Los Carneros Road street easements.

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

B.5 Wildlife Conservation Board Grant for San Jose Creek Capacity Improvement and Fish Passage Project

Recommendation: Adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving Submittal of a Grant Proposal to the Wildlife Conservation Board for the San Jose Creek Capacity Improvement and Fish Passage Project."

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to adopt Resolution No. 08-53 entitled "A Resolution of the City Council of the City of Goleta, California Approving Submittal of a Grant Proposal to the Wildlife Conservation Board for the San Jose Creek Capacity Improvement and Fish Passage Project."

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

B.6 Changes on Promissory Note of loan from the City of Goleta to the Goleta Redevelopment Agency

Recommendation:
As the City Council:

A. Approve the change to Note Commencement and Maturity Dates of the Promissory Note Evidencing the Loan of Funds from the City of Goleta to the Goleta Redevelopment Agency.

As the Redevelopment Agency:

B. Approve the change to Note Commencement and Maturity Dates of the Promissory Note Evidencing the Loan of Funds from the City of Goleta to the Goleta Redevelopment Agency.

As the City Council:

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to approve the change to Note Commencement and Maturity Dates of the Promissory Note Evidencing the Loan of Funds from the City of Goleta to the Goleta Redevelopment Agency.

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

As the Redevelopment Agency:

MOTION: Agency Chair Aceves/Agency Member Onnen to approve the change to Note Commencement and Maturity Dates of the Promissory Note Evidencing the Loan of Funds from the City of Goleta to the Goleta Redevelopment Agency.

VOTE: Motion approved by the following voice vote: Ayes: Agency Chair Aceves, Vice Chair Bennett, Agency Members Onnen, and Wallis; Noes: None; Absent: Agency Member Blois.

ITEM B.1 PULLED FROM THE CONSENT CALENDAR

B.1 Acceptance of September 2008 Check Register

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

Action: Mayor Pro Tempore Aceves pulled this item to acknowledge funds provided to Girsh Park as part of the City's commitment to recreation. He noted that to date the City has provided to Girsh Park 750,000 in funding.

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

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

C. DISCUSSION/ACTION ITEM

C.1 Lodging Market Analysis for Goleta

Recommendation:

Authorize the City Manager to issue a Request for Proposals for professional services to study local lodging room supply and demand as well as the capacity for local conference and convention facilities.

Staff Speakers:

Dan Singer, City Manager

Speakers:

Steve Hyslop, Board Member of Santa Barbara Conference and Visitor Bureau and Film Commission, spoke to their support of the proposed market study. Mr. Hyslop requested Council consider the need for allocating marketing dollars to help create demand for the Goleta lodging community.

Trey Pinner, Pacifica Suites, provided a handout (to public and Council) in regards to occupancy data for Pacifica Suites over the last twelve months.

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to incorporate the study for local lodging room supply and demand as well as the capacity for local conference and convention facilities into the current Economic Development Study.

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

RECESS TO THE REDEVELOPMENT AGENCY MEETING AT 3:01 P.M.

C.2 Update on Storefront Façade Improvement Program

Recommendation:

Receive a staff report and provide direction to staff as to whether to proceed with a formal request for re-appropriating funds to the Storefront Façade Improvement Program (SFIP).

Staff Speakers:

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

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to re-appropriate funds in the amount of \$125,000 to the Storefront Façade Improvement Program (SFIP).

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

ADJOURN THE REDEVELOPMENT AGENCY MEETING AND RECONVENE CITY COUNCIL MEETING AT 3:18 P.M.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

ADJOURN TO CLOSED SESSION AT 3:18 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 - EXISTING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(a) to confer with its legal counsel with regard to the following matter of pending litigation:

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

PUBLIC EMPLOYEE PERFORMANCE – EVALUATION

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

- City Manager Performance Evaluation

RECESS TO EVENING SESSION

CITY COUNCIL MEETING

6:00 P.M.

130 Cremona Drive, Suite B

Goleta, California

EVENING SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bennett called the meeting to order at 6:03 P.M., followed by the Pledge of Allegiance led by the candidates for the Goleta Teen of the year.

ROLL CALL OF CITY COUNCIL

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

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Chase, Planning and Environmental Services Director; Alan Hanson, Senior Planner and Deborah Constantino, City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

D PUBLIC HEARING

D.1 Case No. 08-109-GP; Jordano's Master Plan General Plan Amendment Initiation; 5324 and 5305 Ekwil Street, APNs 065-090-034 & -036

Recommendation:

- A. Conduct a public hearing on the Jordano's Master Plan General Plan Amendment Initiation request and receive public testimony; and
- B. Deliberate and move to initiate the proposed General Plan Amendment to change the land use designation to General Industrial for the property on the north side of 5305 Ekwil Street and on the entirety of 5324 Ekwil Street; or
- C. Refer back to staff if the City Council decides to take action other than the recommended action.

PUBLIC HEARING OPENED AT 6:25 P.M.

Staff Speakers:

Alan Hanson, Senior Planner, provided a PowerPoint presentation on the proposed General Plan Amendment.

Speakers:

Applicant

Steve Welton, representing Suzanne Elledge Planning and Permitting Services, spoke to the history of the Jordano's project. Mr. Welton noted that Jordano's is asking for additional warehouse and office space to maintain the existing facilities.

Pete Jordano, Jordano's Owner, provided a history of Jordano's to the Council and the Public and noted that he was looking for ways to keep his business in Goleta. He noted that although growth is limited in the beverage business, the food business is growing rapidly. Because of this, he is requesting the proposed amendment to change the land use designation to General Industry for various reasons as he stated. He also noted he would like to have trucks loaded and unloaded in the building so there is reduced noise to the surrounding area.

PUBLIC HEARING CLOSED AT 6:06 P.M.

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to initiate the proposed General Plan Amendment to change the land use designation to General Industrial for the property on the north side of 5305 Ekwil Street and on the entirety of 5324 Ekwil Street.

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

D.2 Case No. 07-007-OA, -TPM, -DP; 07-167-DP AM; Marriott Residence Inn and Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020

Recommendation:

- A. Open the public hearing on the Marriott Residence Inn and Hollister Center Project.
- B. Allow staff presentation, applicant presentation, and public testimony.
- C. Adopt City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Declaration (07-MND-003), Accepting the Addendum dated August 1, 2008, and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Marriott Residence Inn and Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020; Case No. 07-007-OA, -TPM, -DP; 07-167-DP AM". (Attachment 1)
- D. 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 Amending Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to establish a Hotel Overlay District". (Attachment 2)
- E. Conceptually approve the Marriott Residence Inn and Hollister Center Project by conditionally adopting City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tentative Parcel Map and Development Plan for the Marriott Residence Inn and Hollister Center Project and a Development Plan Amendment for the Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020; Case No. 07-007-TPM, -DP; 07-167-DP AM". (Attachment 3)
- F. Continue the item to November 4, 2008 in order to conduct the second reading by title only of the Ordinance for an Ordinance Amendment and adopt a City Council Resolution thereby approving the Marriott Residence Inn and Hollister Center Project.
- G. Close the public hearing.

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

PUBLIC HEARING OPENED AT 6:27 P.M.

Staff:

Steve Chase, Planning and Environmental Services Director, read into record correspondence received: fax communication dated 10/21/08 from the Native American Heritage Commission.

Patricia Miller, Current Planning Manager

Tim Giles, City Attorney

Speakers:

APPLICANT

Mr. Olsen, R.D. Olsen Companies, provided a PowerPoint presentation of the various R.D. Olsen Development projects as well as the current Marriott Residence Inn project.

Bruce Baltin, Senior Vice President in charge of PKF consulting spoke to current hospitality supply & demand, future demand generators and the "Marriot Brand": Residence Inn & market niche. Mr. Baltin noted that an extended-stay type of hotel supports local business park.

Russ Goodman, Sares Regis President, requested a revision of Condition 2 Exhibit 3 of proposed resolution. Mr. Goodman also noted that he supports the remaining conditions.

Public Speakers:

Barbara Massey raised concerns that the two Environment reports were prepared by Dudek, the agent for the applicant, which she felt was a conflict of interest. Ms. Massey stated that she felt this project was not ready for final review.

Vennise Miller, representing Chumash people, requested Council to reconsider the project due to the Chumash cultural resources.

Frank Arredondo, Chumash, noted that the Chumash people collectively support a "no build" concept on the proposed site. He also felt that during the process there was no outreach to the Chumash community.

Ed Easton spoke in opposition of proposed projects.

Sam Cohen, Santa Ynez Band of Chumash Indians, spoke in opposition of proposed project.

Gary Lytle, Pacifica Suites, spoke in support of growth within the lodging industry.

REBUTTAL:

Peter Brown, Attorney for Applicant, addressed issues raised regarding Cultural resources discussed during the Public Hearing.

Jane Gray, Dudek, addressed Air Quality analysis prepared by Dudek.

MOTION: Councilmember Onnen/Mayor Bennett to adopt City Council Resolution 08-___ entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Declaration (07-MND-003), Accepting the Addendum dated August 1, 2008, and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Marriott Residence Inn and Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020; Case No. 07-007-OA, -TPM, -DP; 07-167-DP AM". (Attachment 1); and Conceptually approve the Marriott Residence Inn and Hollister Center Project by conditionally adopting City Council Resolution 08-___ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tentative Parcel Map and Development Plan for the Marriott Residence Inn and Hollister Center Project and a Development Plan Amendment for the Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020; Case No. 07-007-TPM, -DP; 07-167-DP AM". (Attachment 3)

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

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to conduct a focused EIR as it relates to the Cultural Resources.

VOTE: Motion failed by the following voice vote: Ayes: Mayor Pro Tempore Aceves and Councilmember Wallis; Noes: Mayor Bennett and Councilmember Onnen; Absent: Councilmember Blois.

MOTION: Councilmember Onnen/Mayor Bennett to continue this meeting to November 18, 2008.

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

MOTION: Councilmembers Wallis/Onnen to receive public testimony at the continued meeting only as it relates to new material.

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

PUBLIC HEARING CLOSED AT 8:50 P.M.

E. COUNCIL COMMENTS

Mayor Bennett reported that he attended the Town and Gown conference in San Luis Obispo.

F. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, reported that he also attended the Town and Gown conference in San Luis Obispo and reported on the incubator business's session he attended. Mr. Singer also noted the Lemon festival was well attended.

G. CITY ATTORNEY REPORT

Tim Giles, City Attorney, reported no reportable action for this afternoons closed session. Mr. Giles reported the Rancho Mobile home conversion application is being followed up on and that the court hearing has been rescheduled by the court for February 11, 2009.

ADJOURNMENT OF MEETING AT 9:30 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
MEETING MINUTES
TUESDAY, NOVEMBER 4, 2008**

Evening Session
6:03 P.M.
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the City Council

Michael T. Bennett, Mayor
Roger S. Aceves, Mayor Pro Tempore
Jean W. Blois, Councilmember
Eric Onnen, Councilmember
Jonny Wallis, Councilmember

Daniel Singer, City Manager
Deborah Constantino, City Clerk
Tim W. Giles, City Attorney

EVENING SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bennett called the meeting to order at 6:03 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

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

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Chase, Planning and Environmental Services Director; Cindy Moore, Senior Planner; Shine Ling, Assistant Planner and Rheannon Parr, Deputy City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

A CONSENT CALENDAR

A.1 Acceptance of Quarterly Treasurer's Report for the Quarter Ending September 30, 2008

Recommendation: Accept the Quarterly Treasurer's Report for the Quarter Ending September 30, 2008.

MOTION: Councilmembers Blois/Onnen to accept the Quarterly Treasurer's Report for the Quarter Ending September 30, 2008.

VOTE: Motion approved by a unanimous voice vote.

A.2 Confirming Resolution Regarding Fairview Gardens Development Impact Fees

Recommendation: Adopt City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving In Part and Denying In Part the Request for Development Impact Fee Reduction by Fairview Gardens; 598 North Fairview Avenue; APN 069-090-052" (Attachment 1).

MOTION: Councilmembers Blois/Onnen to adopt City Council Resolution 08-54 entitled "A Resolution of the City Council of the City of Goleta, California Approving In Part and Denying In Part the Request for Development Impact Fee Reduction by Fairview Gardens; 598 North Fairview Avenue; APN 069-090-052".

VOTE: Motion approved by a unanimous voice vote.

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

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

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

VOTE: Motion approved by a unanimous voice vote.

A.4 Amendment to the Consultant Services Agreement for Computer and Network Maintenance Services

Recommendation:

- A. Approve an extension of the term of the Agreement for Consultant Services between the City of Goleta and Synergy Computing, Inc. for computer and network maintenance services for one year;

- B. Approve an amendment of the contract scope to incorporate the maintenance and service of new devices not included in the original scope for an additional \$12,840 annually; and
- C. Authorize the City Manager to execute Amendment No. 1 to the Agreement for Consultant Services between the City of Goleta and Synergy Computing, Inc. for computer and network maintenance services.

MOTION: Councilmembers Blois/Onnen to authorize an extension of the term of the Agreement for Consultant Services between the City of Goleta and Synergy Computing, Inc. for computer and network maintenance services for one year; authorize an amendment of the contract scope to incorporate the maintenance and service of new devices not included in the original scope for an additional \$12,840 annually; and authorize the City Manager to execute Amendment No. 1 to the Agreement for Consultant Services between the City of Goleta and Synergy Computing, Inc. for computer and network maintenance services.

VOTE: Motion approved by a unanimous voice vote.

A.5 Assignment of Traffic Signal Maintenance Contract

Recommendation: Authorize the City Manager to approve an Assignment Agreement between Traffic Signal Maintenance and Republic ITS.

MOTION: Councilmembers Blois/Onnen to authorize the City Manager to approve an Assignment Agreement between Traffic Signal Maintenance and Republic ITS.

VOTE: Motion approved by a unanimous voice vote.

A.6 Urban Streams Restoration Grant for San Jose Creek Capacity Improvement and Fish Passage Project

Recommendation: Adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving Submittal of a Grant Proposal to the Urban Streams Restoration Grant Program for the San Jose Creek Capacity Improvement and Fish Passage Project."

MOTION: Councilmembers Blois/Onnen to adopt Resolution No. 08-55 entitled "A Resolution of the City Council of the City of Goleta, California Approving Submittal of a Grant Proposal to the Urban Streams Restoration Grant Program for the San Jose Creek Capacity Improvement and Fish Passage Project."

VOTE: Motion approved by a unanimous voice vote.

B. PUBLIC HEARING

B.1 08-045-RZ: HCR Ltd. Rezone Project; 6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-035

Recommendation:

- A. Open the public hearing on the HCR Ltd. Rezone project.
- B. Allow staff presentation, applicant presentation, and public testimony.

- C. 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 Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-035". (Attachment 1)
- D. Continue the item to November 18, 2008 in order to conduct the second reading and adoption of the ordinance for the rezone.
- E. Close the public hearing.

Refer back to staff for appropriate findings, if the City Council takes other than the recommended action.

Staff Speakers:
Cindy Moore, Senior Planner

Speakers:
Jonathan Leach, agent for applicant and land owner, spoke to parcel zoning and Land Use designation and requested that staff expedite the process. Mr. Leach noted the Applicant concurs with staffs report findings.

PUBLIC HEARING OPENED AT 6:13 P.M.

Public Speakers:
None

PUBLIC HEARING CLOSED AT 6:13 P.M.

MOTION: Councilmembers Onnen/Wallis 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 Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-035" (Attachment 1); and continue the item to November 18, 2008 in order to conduct the second reading and adoption of the ordinance for the rezone.

VOTE: Motion approved by a unanimous voice vote.

B.2 Case No. 08-057-GPA, -RZ: Harwin/Aero Camino General Plan Amendment and Rezone located at 6390, 6398, and 6416 Hollister Avenue; APN 073-070-024, -021, -005

Recommendation:

- A. Open the public hearing on the Harwin/Aero Camino General Plan Amendment and Rezone.
- B. Allow staff presentation, applicant presentation, and public testimony.

- C. Adopt City Council Resolution 08-___ entitled "A Resolution of the City Council of the City of Goleta, California Amending General Plan/Coastal Land Use Plan Figure 2-1 Land Use Plan Map By Changing the Land Use Designation Applicable to 6390, 6398, and 6416 Hollister Avenue; APN 073-070-024, 073-070-021, 073-070-005." (Attachment 1)
- D. 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 Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6390, 6398, and 6416 Hollister Avenue; 073-070-024, 073-070-021, 073-070-005". (Attachment 2)
- E. Continue the item to November 18, 2008 in order to conduct the second reading and adoption of the ordinance for the rezone.
- F. Close the public hearing.

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

Staff Speakers:

Shine Ling, Assistant Planner

Speakers:

Steve Welton, agent for applicant Lisa Harwin, concurs with staffs finding and analysis.

PUBLIC HEARING OPENED AT 6:25 P.M.

Public Speakers:

None

PUBLIC HEARING CLOSED AT 6:25 P.M.

MOTION: Councilmembers Wallis/Mayor Pro Tempore Aceves to adopt City Council Resolution 08-56 entitled "A Resolution of the City Council of the City of Goleta, California Amending General Plan/Coastal Land Use Plan Figure 2-1 Land Use Plan Map By Changing the Land Use Designation Applicable to 6390, 6398, and 6416 Hollister Avenue; APN 073-070-024, 073-070-021, 073-070-005" (Attachment 1); 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 Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6390, 6398, and 6416 Hollister Avenue; 073-070-024, 073-070-021, 073-070-005" (Attachment 2); and Continue the item to November 18, 2008, in order to conduct the second reading and adoption of the ordinance for the rezone.

VOTE: Motion approved by a unanimous voice vote.

C. COUNCIL COMMENTS

None

D. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, noted City Hall be closed on Veterans' Day, November 11, 2008.

E. CITY ATTORNEY REPORT

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

CLOSED SESSION

The City Council met in closed session:

CONFERENCE WTH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(c) with regard to potential initiation of one matter of litigation.

PUBLIC EMPLOYEE PERFORMANCE – EVALUATION

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

City Manager Performance Evaluation

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

SPEAKERS:

None

ADJOURN TO CLOSED SESSION AT 6:31 P.M.

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL

MICHAEL T. BENNETT
MAYOR

ATTEST: _____
DEBORAH CONSTANTINO
CITY CLERK



**REGULAR CITY COUNCIL/JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY
MEETING
TUESDAY, NOVEMBER 18, 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
Tim W. Giles, City Attorney

Members of the Redevelopment Agency

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

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

AFTERNOON SESSION

Mayor Bennett called the meeting to order at 1:30 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF THE CITY COUNCIL

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

ROLL CALL OF THE REDEVELOPMENT AGENCY

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

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Chase, Planning and Environmental Services Director; Tina Rivera, Finance Director; Vyto Adomaitis, Redevelopment, Neighborhood Services; Rosemarie Gaglione, Capital Improvement Project Manager; Marti Schultz, Principal Civil Engineer and Deborah Constantino, City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

BY CONSENSUS ITEMS A.8 AND A. 10 WERE PULLED FROM THE CONSENT CALENDAR

A. CONSENT CALENDAR

A.1 Approval of the Minutes of Joint City Council/Redevelopment Agency Meeting Minutes of October 7, 2008.

Recommendation: Approve the minutes of Joint City Council/Redevelopment Agency meeting minutes of October 7, 2008.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to approve the minutes of Joint City Council/Redevelopment Agency meeting minutes of October 7, 2008.

VOTE: Approved by a unanimous voice vote

A.2 Continuation of a Local Emergency Regarding the Flood Threat Associated with the Gap Fire Burn Area and Delegation of Emergency Purchasing Authority

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

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

VOTE: Approved by a unanimous voice vote

A.3 Resignation of Planning Commissioner Ken Knight

Recommendation: Accept the resignation of Planning Commissioner Kenneth A. Knight.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to accept the resignation of Planning Commissioner Kenneth A. Knight.

VOTE: Approved by a unanimous voice vote

RECESS TO JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

A.4 FY 2008/09 First 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 2008-09".

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 2008-09".

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to adopt Resolution No. 08-57 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".

VOTE: Approved by a unanimous voice vote

MOTION: Agency Member Blois/Chair Aceves to adopt Resolution No. 08-06 entitled "A Resolution for the Redevelopment Agency for the City of Goleta, California, Amending the Operating Budget for Fiscal Year 2008-09".

VOTE: Approved by a unanimous voice vote

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

A.5 Acceptance of the October 2008 Check Register

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

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

VOTE: Approved by a unanimous voice vote

A.6 Case No. 08-045-RZ: HCR Ltd. Rezone Project; 6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-035

Recommendation: Conduct the second reading (by title only), waive further reading, and adopt City Council Ordinance 08-__ entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-035". (Attachment 1)

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to conduct the second reading (by title only), waive further reading, and adopt City Council Ordinance 08-09 entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-035".

VOTE: Approved by a unanimous voice vote

A.7 Case No. 08-057-GPA, -RZ: Harwin/Aero Camino General Plan Amendment and Rezone; 6390, 6398, and 6416 Hollister Avenue; APN 073-070-024, -021, -005

Recommendation: Conduct the second reading (by title only), waive further reading, and adopt City Council Ordinance 08-__ entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6390, 6398, and 6416 Hollister Avenue; 073-070-024, 073-070-021, 073-070-005". (Attachment 1)

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to conduct the second reading (by title only), waive further reading, and adopt City Council Ordinance 08-10 entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6390, 6398, and 6416 Hollister Avenue; 073-070-024, 073-070-021, 073-070-005".

VOTE: Approved by a unanimous voice vote

A.9 Professional Services Agreement for Surveying Services

Recommendation:

- A. Authorize the City Manager to execute a contract for On-Call Professional Survey Consultant Services with Penfield & Smith in an amount not to exceed \$20,000; and
- B. Authorize the City Manager to execute a contract for On-Call Professional Survey Consultant Services with Wallace Group in an amount not to exceed \$20,000; and
- C. Authorize the City Manager to execute a contract for On-Call Professional Survey Consultant Services with MNS Engineers, Inc. in an amount not to exceed \$20,000; and

- D. Authorize the City Manager to execute a contract for On-Call Professional Survey Consultant Services with Cardenas and Associates Surveying, Inc. in an amount not to exceed \$20,000; and
- E. Authorize the City Manager to adjust the contract amounts based upon actual work completed by each individual contractor in an amount not to exceed the total budget of \$80,000.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to authorize the City Manager to execute a contract for On-Call Professional Survey Consultant Services with Penfield & Smith in an amount not to exceed \$20,000; and authorize the City Manager to execute a contract for On-Call Professional Survey Consultant Services with Wallace Group in an amount not to exceed \$20,000; authorize the City Manager to execute a contract for On-Call Professional Survey Consultant Services with MNS Engineers, Inc. in an amount not to exceed \$20,000; authorize the City Manager to execute a contract for On-Call Professional Survey Consultant Services with Cardenas and Associates Surveying, Inc. in an amount not to exceed \$20,000; and authorize the City Manager to adjust the contract amounts based upon actual work completed by each individual contractor in an amount not to exceed the total budget of \$80,000.

VOTE: Approved by a unanimous voice vote

A.11 Consideration of Appointment of the City's Representative to the Vector Control District Board

Recommendation: Reappoint John Olson to serve a two-year term on the Vector Control District Board commencing January 1, 2009, and concluding on December 31, 2010.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to reappoint John Olson to serve a two-year term on the Vector Control District Board commencing January 1, 2009, and concluding on December 31, 2010.

VOTE: Approved by a unanimous voice vote

ITEMS PULLED FROM THE CONSENT CALENDAR

A.8 Purchase and Installation of a Backup Power Generator and Automatic Electrical Transfer Switch for City Hall

Recommendation:

- A. Authorize the City Manager to purchase a backup power generator and accompanying automatic electrical transfer switch from Quinn Power Systems for City Hall in an amount not to exceed \$65,567.29.
- B. Confirm existing emergency authorization for the City Manager to award a contract for the labor and installation of the aforementioned equipment upon completion of the bidding process, in an amount not to exceed \$44,299.71.

STAFF SPEAKERS:

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

Steve Wagner, Community Services Director

MOTION: Councilmembers Blois/Onnen to authorize the City Manager to purchase a backup power generator and accompanying automatic electrical transfer switch from Quinn Power Systems for City Hall in an amount not to exceed \$65,567.29, and confirm existing emergency authorization for the City Manager to award a contract for the labor and installation of the aforementioned equipment upon completion of the bidding process, in an amount not to exceed \$44,299.71.

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

A.10 Award of Maintenance Contracts for the FY 2008-09 Annual Street Maintenance Services

Recommendation:

- A. Authorize the City Manager to execute a maintenance contract for Annual Street Maintenance to Granite Construction Company, Inc. in an amount not to exceed \$80,000.
- B. Authorize the City Manager to execute a maintenance contract for Annual Street Maintenance to Berry General Engineering Contractors, Inc., in an amount not to exceed \$80,000.
- C. Authorize the City Manager to execute a maintenance contract for Annual Street Maintenance to Elevation General Engineering Contractor, Inc., in an amount not to exceed \$80,000.
- D. Authorize the City Manager to execute contract amendments to increase the not to exceed amount on the above Agreements based upon actual work by each individual contractor such that the total incurred for all agreements does not exceed the total budget of \$240,000.

Staff Speakers:

Steve Wagner, Community Services Director

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to authorize the City Manager to execute a maintenance contract for Annual Street Maintenance to Granite Construction Company, Inc. in an amount not to exceed \$80,000, authorize the City Manager to execute a maintenance contract for Annual Street Maintenance to Berry General Engineering Contractors, Inc., in an amount not to exceed \$80,000, authorize the City Manager to execute a maintenance contract for Annual Street Maintenance to Elevation General Engineering Contractor, Inc., in an amount not to exceed \$80,000, and authorize the City Manager to execute contract amendments to increase the not to exceed amount on the above Agreements based upon actual work by each individual contractor such that the total incurred for all agreements does not exceed the total budget of \$240,000.

VOTE: Approved by a unanimous voice vote

B. DISCUSSION/ACTION ITEM

Mayor Bennett recused himself from Item B.1 and left the dais at 1:48 p.m.

B.1 Reconsideration of Professional Services Agreement to Develop Urban Forest Master Plan

Recommendation:

- A. Rescind Council action of August 19, 2008 authorizing City Manager to execute a Professional Services Agreement with Goleta Valley Beautiful to develop an Urban Forest Master Plan;
- B. Independent of prior consideration, consider anew whether to approve and authorize City Manager to execute a Professional Service Agreement with Goleta Valley Beautiful to develop an Urban Forest Master Plan in an amount not to exceed \$47,000.

Staff Speakers:

Steve Wagner Community Services Director
Tim Giles, City Attorney

Speakers:

Merlyn Cummings, Goleta Valley Beautiful, reported on the services to the City of Goleta over the past 37 years, and noted the mission of Goleta Valley Beautiful as she outlined previous projects that Goleta Valley Beautiful had provided over that time period.

Ken Knight, Goleta Valley Beautiful, addressed the long term relationship between the City of Goleta and Goleta Valley Beautiful. He went on to address the importance of the Urban Forest Management Plan.

Bill Spiewak, Master Arborist, spoke to the need for an Urban Forest Management plan and felt that the City of Goleta and went on to note his support of Goleta Valley Beautiful to provide professional services to develop an Urban Forest Master Plan

Maia Kazaks, Goleta Valley Beautiful, spoke in support of Goleta Valley Beautiful and addressed the practice of students volunteering their time through Goleta Valley Beautiful.

Barbara Massey spoke in support of rescinding the agreement.

MOTION: Councilmembers Onnen/Blois to rescind Council action of August 19, 2008 authorizing City Manager to execute a Professional Services Agreement with Goleta Valley Beautiful to develop an Urban Forest Master Plan;

VOTE: Approved by a unanimous voice vote.

MOTION: Councilmembers Onnen/Blois independent of prior consideration, to approve and authorize City Manager to execute a Professional Service Agreement with Goleta Valley Beautiful to develop an Urban Forest Master Plan in an amount not to exceed \$47,000.

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

RECESS 2:29 TO 2:34 P.M.

Mayor Bennett returned to the dais after the recess.

B.2 Update on Goleta Strategic Plan

Recommendation: Review an updated version of the City's Strategic Plan and provide direction on any additions and amendments to the Plan.

Staff Speakers:

Dan Singer, City Manager

Kirsten Deshler, Management Analyst noted that there was a correction to the staff report. Goal 11 should read, "Create Parks & Recreation Opportunities". Since "Open Space" is emphasized in Goal No. 6 it was redundant to include in Goal 11 and there were no objectives in Goal No. 11 related to Open Space. Noted that Goal 12 was emphasizing public safety and staff has added emergency preparedness to that goal to emphasize our strategic commitment to emergency preparedness in our community. Ms. Deshler went on to note progress on Goals that have been undertaken in the past year, and those that have been completed. As well as Objectives completed in the past year. Ms. Deshler went on to point out the two new Objectives for consideration in pg 6 of the staff report: Item #1 (proposed by the Community Services Department) Implement the State Storm Water Management Program and Item #2, Develop a City Wide Green Strategy and Initiatives.

Speakers:

None

MOTION: Councilmember Onnen/ Mayor Bennett to update the Strategic Plan to include two new objectives as follows: 1). Storm Water Management Plan and 2). Develop Comprehensive City Wide Green Strategy & Initiatives with the idea that this item would be coming back to Council late winter or early spring.

VOTE:

Amended Motion:

MOTION: Councilmember Onnen/Mayor Bennett to update the Strategic Plan to include two new objectives as follows: 1). Storm Water Management Plan and 2). Develop Comprehensive City Wide Green Strategy & Initiatives with the idea that the Strategic Plan would be coming back to Council late winter or early spring. Incorporate two of the three changes recommended, on Goal No. 8 change "Initiatives" to "Programs;" Goal No. 11 remains "Create Parks and Recreation Opportunities;" Goal No.13 is changed to "Improve and Maintain City Infrastructure;" and in Goal No. 12, the word "Initiatives" was removed.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to include the Old Town Substation in Goals 10 and 12, and in Item #12 include the "Bicycle and Foot Patrol".

VOTE: Motion approved by a unanimous voice vote.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

Speakers:

None

ADJOURNED TO CLOSED SESSION AT 3:13 P.M.

The City Council met in closed session:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following 6 matters:

Property: Parcel # 071-260-01 through 06
Negotiating Party: Bottiani Properties, General Partnership
Agency Negotiator: Dan Singer, City Manager
Under Negotiation: Price and Terms

Property: Parcel # 071-260-07 and 08
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Waters Land Surveying, Inc.;
Under Negotiation: Price and Terms

Property: Parcel # 071-140-56 and 58
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Kellogg Square, LLC
Under Negotiation: Price and Terms

Property: Parcel # 071-140-46
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Bottiani Properties, General Partnership
Under Negotiation: Price and Terms

Property: Parcel # 071-090-73
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: DLC Enterprises
Under Negotiation: Price and Terms

Property: Parcel # 071-090-36
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Newland
Under Negotiation: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following matter:

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

PUBLIC EMPLOYEE PERFORMANCE – EVALUATION

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

- City Manager Performance Evaluation

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

EVENING SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bennett called the meeting to order at 6:00 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

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

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Chase, Planning and Environmental Services Director; Cindy Moore, Senior Planner and Deborah Constantino, City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

C. PUBLIC HEARING

C.1 Case No. 07-171-OA/HO, -OA/GGMO, -DP, -CUP; Goleta Valley Cottage Hospital Project; 334 and 351 S. Patterson Avenue; APNs 065-090-022 and 065-090-028.

Recommendation:

- A. Open the public hearing on the Goleta Valley Cottage Hospital Project.
- B. Allow staff presentation, applicant presentation, and public testimony.
- C. Adopt City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Accepting the CEQA Exemption and Adopting CEQA Findings for the Goleta Valley Cottage Hospital Project; Case No. 07-171-OA/HO, -OA/GGMO, -DP, -CUP; 334 and 351 S. Patterson Avenue; APNs 065-090-022 and 065-090-028". (Attachment 1)
- D. 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 Amending Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Establish a Hospital Overlay District". (Attachment 2)
- 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 Amending Ordinance NO. 03-04, and Adopting Revised Growth Management Regulations Applicable to Non-Residential Development within the City of Goleta". (Attachment 3)
- F. Conceptually approve the Goleta Valley Cottage Hospital Project by conditionally adopting City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan and a Major Conditional Use

Permit for the Goleta Valley Cottage Hospital Project; 334 and 351 S. Patterson Avenue; APNs 065-090-022 and 065-090-028; Case No. 07-171-DP, -CUP". (Attachment 4)

- G. Continue the item to December 2, 2008 in order to conduct the second readings by title only and adopt the Ordinances for the Ordinance Amendments, and to adopt a City Council Resolution thereby approving the Goleta Valley Cottage Hospital Project.
- H. Close the public hearing.

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

OPENED THE PUBLIC HEARING AT 6:02 P.M.

STAFF:

Steve Chase, Planning and Environmental Services Director

Cindy Moore, Senior Planner, provided a PowerPoint presentation (on file).

SPEAKERS:

Applicant: Suzanne Elledge, Elledge Planning and Permitting, introduced Cottage CEO Ronald Werft, Ron Biscaro, Diane Wisby, Brooks Larson, and Tom Thompson, and noted the Hospital has been designed by HBE and a Civil Engineer from their firm was in attendance tonight. Consulting Architectural Firm was Design Arc and noted there were representatives in the audience, she further noted the landscape architect for this project was arcadia studio and , ATE transportation Planner, Environmental Planning Firm, Dudek, and provided a brief summary of the proposed project.

Ronald Werft, Cottage CEO, spoke to the proposed project and project status.

Diane Wisby, President of Goleta Valley Cottage Hospital, spoke to Hospital Programming, Site Constraints, Unique Opportunity and Key Considerations, as well as the first and second floor descriptions of the project, as well as addressed the Helipad at Goleta Valley Cottage Hospital.

Greig Rech, spoke in support of the hospital rebuild and re-allocation of square footage.

Barbara Massey supported the proposed project; however she raised concerns over ambulance access and felt that any proposed changes to the Goleta Growth Management Ordinance should occur at a separate noticed meeting.

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves, to Exempt Cottage Hospital as Described on page 43 part B, from the GGMO.

VOTE:

Tim Giles, City Attorney noted that the proper way to include Cottage Hospital as an exemption would be to adopt the ordinance amendment tonight but limit it to the inclusion of paragraph B in the exempt projects, and not the additional language.

Amended Motion:

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves Introduced and conducted 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 Amending Ordinance NO. 03-04, and Adopting Revised Growth Management Regulations Applicable to Non-Residential Development within the City of Goleta", as amended at the City Council meeting of November 18, 2008.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Onnen/_____to allow the revision to the GGMO, Part C under staff recommendation.

VOTE: Motion failed due to lack of a second

MOTION: Councilmembers Blois/Wallis to adopt City Council Resolution 08-58 entitled "A Resolution of the City Council of the City of Goleta, California Accepting the CEQA Exemption and Adopting CEQA Findings for the Goleta Valley Cottage Hospital Project; Case No. 07-171-OA/HO, -OA/GGMO, -DP, -CUP; 334 and 351 S. Patterson Avenue; APNs 065-090-022 and 065-090-028"

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Blois/Onnen to Introduced and conducted 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 Amending Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Establish a Hospital Overlay District".

VOTE: Motion approved by a unanimous voice vote.

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to conceptually approve the Goleta Valley Cottage Hospital Project by conditionally adopting City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan and a Major Conditional Use Permit for the Goleta Valley Cottage Hospital Project; 334 and 351 S. Patterson Avenue; APNs 065-090-022 and 065-090-028; Case No. 07-171-DP, -CUP". (Attachment 4)

VOTE: Motion approved by a unanimous voice vote.

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to Continue the item to December 2, 2008 in order to conduct the second readings by title only and adopt the Ordinances for the Ordinance Amendments, and to adopt a City Council Resolution thereby approving the Goleta Valley Cottage Hospital Project.

VOTE: Motion approved by a unanimous voice vote.

CLOSED THE PUBLIC HEARING AT 7:31 P.M.

RECESS 7:31 p.m. to 7:42 p.m.

C.2 Case No. 07-007-OA, -TPM, -DP; 07-167-DP AM; Marriott Residence Inn and Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020

Recommendation:

- A. Open the continued public hearing on the Marriott Residence Inn and Hollister Center Project (item continued from October 21, 2008);
- B. Allow staff presentation, applicant presentation, and public testimony;
- C. Adopt City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Declaration (07-MND-003), Accepting the Addendum dated August 1, 2008, and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Marriott Residence Inn and Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020; Case No. 07-007-OA, -TPM, -DP; 07-167-DP AM". (Attachment 1); and
- D. Adopt City Council Resolution 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tentative Parcel Map and Development Plan for the Marriott Residence Inn and Hollister Center Project and a Development Plan Amendment for the Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020; Case No. 07-007-TPM, -DP; 07-167-DP AM" (Attachment 2). This action includes the GGMO award of 6 points.

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

OPENED THE PUBLIC HEARING AT 7:42 P.M.

Councilmember Blois noted that although she was not physically present for the City Council meeting of October 21, 2008, she watched the meeting and has had an opportunity to read through all of the material presented to her for the meeting of October 21, 2008 and is prepared to participate in this continued hearing.

STAFF:

Steve Chase, Planning and Environmental Services Director, read into the record the following correspondence as follows: since the October, 21, 2008. Correspondence received November 13, 2008, from Peter Brown of Brownstein, correspondence received November 14, 2008, from Sares Regis, Russell Goodman, and Ann Munz, Archeologist that participated in part of the meet and confer process. Also received was correspondence received November 16, 2008 from UCSB, Michael Glasow, and Professor who had been involved in the 1979 examination of the site. Mr. Chase also reported on correspondence received as late as today from Gary Earle, and Frank Arredondo, and Sheila Lodge.

Cindy Moore, Senior Planner provided a PowerPoint Presentation.

Peter Brown, Brownstein Hyatt Farber Schreck, representing the applicant presented a PowerPoint presentation outlining project location and design, archeology, mitigation of housing impacts, and benefits and economic effects.

SPEAKERS:

Richard Berti, South Coast Inn, noted that there would be an impact on the occupancy and other Hotels, he questioned the need for additional rooms. He also stated that this property would be overly developed and noted the lack of parking for the proposed project.

Richard Wideman, Esq, representing Pacifica Suites and South Coast Inn, noted opposition to the proposed project.

Phillip Wyatt, Wyatt Technologies Corporation, supports the proposed project while noting the need for an extended stay facility.

Morrie Jurkowitz, Pacifica Suites, spoke in opposition to the proposed project and suggested that this item be taken up with the new City Council.

Tom Blabey, Goleta Valley Chamber of Commerce, spoke in support of the proposed project.

Gary Earle, Gary Vandeman, comment letter on file, spoke to the lack of affordable housing for the low income work force.

Gary Vandeman, spoke in opposition to the proposed project noting the bulk and size of the building suggesting that the project is maxed out in size. He proposed cutting back the number of rooms and take off the third story and onsite employee housing.

Freddie Romero representing the Santa Ynez Ban of Chumash Indians Elders Council, spoke against the proposed project and commented on letters received by staff.

Frank Arredondo, Chumash, spoke against the proposed project.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to adopt City Council Resolution 08-59 entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Declaration (07-MND-003), Accepting the Addendum dated August 1, 2008, and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Marriott Residence Inn and Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020; Case No. 07-007-OA, -TPM, -DP; 07-167-DP AM" as amended at the meeting of the City Council meeting of November 18, 2008.

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

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to adopt City Council Resolution 08-60 entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tentative Parcel Map and Development Plan for the Marriott Residence Inn and Hollister Center Project and a Development Plan Amendment for the Hollister Center Project; 6300 Hollister Avenue; APN 073-050-020; Case No. 07-007-TPM, -DP; 07-167-DP AM".

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

MOTION: Councilmembers Onnen/Blois to amend Condition 73 regarding in lieu fees and to accept the revised analysis suggesting that the in lieu fee totaling \$387, 380.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to accept the one tree per four parking spots ratio as is in the City's ordinance.

VOTE: Second to the motion withdrawn

MOTION: Councilmembers Onnen/Blois to accept the standard of one tree per eight parking spots as requested.

VOTE: Motion approved by a unanimous voice vote.

CLOSED THE PUBLIC HEARING AT 9:11 P.M.

RECESS 9:17 p.m. to 9:29 p.m.

C.3 Cost Allocation and User Fee Studies

Recommendation:

A. Adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California, Approving and Adopting the 2008 Cost Allocation Plan"; and

B. Adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California, Approving and Adopting the 2008 User Fees and Charges".

STAFF:

Dan Singer, City Manager

Tina Rivera, Finance Director

Bill Moses, Wildan Consultant

OPENED THE PUBLIC HEARING AT 9:31 P.M.

SPEAKERS:

None

CLOSED THE PUBLIC HEARING AT 9:31 P.M.

MOTION: Councilmembers Onnen/Blois to adopt Resolution No. 08-61 entitled "A Resolution of the City Council of the City of Goleta, California, Approving and Adopting the 2008 Cost Allocation Plan"; and

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Onnen/Mayor Pro Tempore Aceves to adopt Resolution No. 08-62 entitled "A Resolution of the City Council of the City of Goleta, California, Approving and Adopting the 2008 User Fees and Charges".

VOTE: Motion approved by a unanimous voice vote.

D. COUNCIL COMMENTS

Mayor Pro Tempore Aceves expressed appreciation to the citizens for passing Measure A.

Mayor Bennett echoed Mayor Pro Tempore Aceves comment in regard to Measure A.

Councilmember Blois expressed well wishes for the victims of the Tea fire which recently occurred.

E. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager reported that City Hall will be closed on Thursday and Friday November 27th and 28th for Thanksgiving.

F. CITY ATTORNEY REPORT

Tim Giles, City Attorney reported on the closed session held earlier:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following 6 matters:

Property: Parcel # 071-260-01 through 06
Negotiating Party: Bottiani Properties, General Partnership
Agency Negotiator: Dan Singer, City Manager
Under Negotiation: Price and Terms

Property: Parcel # 071-260-07 and 08
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Waters Land Surveying, Inc.;
Under Negotiation: Price and Terms

Property: Parcel # 071-140-56 and 58
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Kellogg Square, LLC
Under Negotiation: Price and Terms

Property: Parcel # 071-140-46
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Bottiani Properties, General Partnership
Under Negotiation: Price and Terms

Property: Parcel # 071-090-73
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: DLC Enterprises
Under Negotiation: Price and Terms

Property: Parcel # 071-090-36
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Newland
Under Negotiation: Price and Terms

Action: Council directed staff to proceed with property negotiations in regard to above six matters.

ADJOURNMENT 9:53 P.M.

Prepared by: Deborah Constantino, City Clerk

GOLETA CITY COUNCIL

MICHAEL T. BENNETT
MAYOR

ATTEST: _____
DEBORAH CONSTANTINO
CITY CLERK

GOLETA REDEVELOPMENT AGENCY

ROGER S. ACEVES
CHAIR

ATTEST: _____
DEBORAH CONSTANTINO
CITY CLERK