



**DRAFT
SPECIAL CITY COUNCIL/
REGULAR JOINT CITY COUNCIL/REDEVELOPMENT
AGENCY MEETING
TUESDAY, JANUARY 20, 2009**

Special Afternoon Session
3:30 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

Roger S. Aceves, Mayor
Eric Onnen, Mayor Pro Tempore
Michael T. Bennett, Councilmember
Margaret Connell, Councilmember
Edward Easton, Councilmember

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

Members of the Redevelopment Agency

Roger S. Aceves, Chair
Eric Onnen, Vice Chair
Michael T. Bennett, Agency Member
Margaret Connell, Agency Member
Edward Easton, 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 Aceves called the meeting to order at 3:31 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

Present: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton.

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Vyto Adomaitis, Redevelopment, Neighborhood Services and Public Safety Director; and Rheannon Parr, Deputy City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Dan Singer, City Manager, encouraged Council to view new generator.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

Tim W. Giles, City Attorney, read into record closed session matters by title only:

CLOSED SESSION

The City Council met in closed session:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

- Friends of Saspil, An unincorporated association, and Frank Arredondo vs. City of Goleta, City Council of the City of Goleta, and DOES 1 through 15, Superior Court Case No.1304685

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 matters of pending litigation:

- Oly Chadmar Sandpiper General Partnership v. City of Goleta Supreme Court Case No. 01111147
- HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1241926
- Shelby Family Partnership v. City of Goleta, Superior Court Case No. 1241956
- Citizens for a Better Goleta v. City of Goleta, Superior Court Case No. 1241870
- Great Universal Capital Association, L.P/HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1242746

CONFERENCE 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

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

ADJOURN TO CLOSED SESSION AT 3:36 P.M.

**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 Aceves called the meeting to order at 6:02 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF THE JOINT CITY COUNCIL/REDEVELOPMENT AGENCY

Present: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton.

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Wagner, Community Services Director; Vyto Adomaitis, Redevelopment, Neighborhood Services and Public Safety Director; Steve Chase, Planning and Environmental Services Director; Patty Miller, Planning Manager; Scott Kolwitz, Senior Planner and Rheannon Parr, Deputy City Clerk.

PUBLIC FORUM

Public Speakers:

Mario Borgatello, representing MarBorg Industries, spoke to the MarBorg Industries ABOP (antifreeze, batteries, oil, and paint) report and provided a copy to Council.

Nicole Cerra, representing Shorelines and Watersheds, spoke to a letter she provided Council in August regarding a coastal development permit. Ms. Cerra encouraged Council to act to preserve the snowy plover.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. CONSENT CALENDAR

A.1 Approval of the Minutes of the City Council Meetings of December 2, 2008 and December 16, 2008

Recommendation: Approve the Minutes of the City Council Meetings of December 2, 2008 and December 16, 2008

MOTION: Councilmembers Bennett/Connell to approve the Minutes of the City Council Meetings of December 2, 2008 and December 16, 2008.

VOTE: Motion approved by unanimous voice vote.

A.2 Acceptance of December 2008 Check Register

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

MOTION: Councilmembers Bennett/Connell to accept the check register for the month of December 2008.

VOTE: Motion approved by unanimous voice vote.

A.3 Amendment to the City of Goleta Salary Schedule and Classification Plan: Public Information Officer

Recommendation: Adopt resolution No. 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Amending the Revised City of Goleta Salary Schedule and Classification Plan for Fiscal Year 2008-09 to include the Classification Specification and Salary Range for the Public Information Officer Position."

MOTION: Councilmembers Bennett/Connell to adopt resolution No. 09-01 entitled "A Resolution of the City Council of the City of Goleta, California Amending the Revised City of Goleta Salary Schedule and Classification Plan for Fiscal Year 2008-09 to include the Classification Specification and Salary Range for the Public Information Officer Position."

VOTE: Motion approved by unanimous voice vote.

A.4 Notice of Completion for the FY 2008-09 Pavement Rehabilitation Project, Pavement Preparation

Recommendation:

A. Adopt Resolution No. 09-___ entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Construction of the Fiscal Year 2008-09 Pavement Rehabilitation Project, Pavement Preparation and Establishing Final Quantities"; and

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

MOTION: Councilmembers Bennett/Connell to adopt Resolution No. 09-02 entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Construction of the Fiscal Year 2008-09 Pavement Rehabilitation Project, Pavement Preparation and Establishing Final Quantities"; and direct the City Clerk to file a Notice of Completion.

VOTE: Motion approved by unanimous voice vote.

A.5 Notice of Completion for the Construction of the Armitos Avenue Water Main Extension

Recommendation:

A. Adopt Resolution No. 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Construction of the Armitos Avenue Water Main Extension Project, and Establishing Final Quantities"; and

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

MOTION: Councilmembers Bennett/Connell to adopt Resolution No. 09-03 entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Construction of the Armitos Avenue Water Main Extension Project, and Establishing Final Quantities"; and direct the City Clerk to file a Notice of Completion.

VOTE: Motion approved by unanimous voice vote.

B. PUBLIC HEARING

B.1 Amendment of Design Review Board Bylaws and Guidelines

Recommendation: Adopt resolution No.09-__ entitled "A Resolution of the City Council of the City of Goleta, California Repealing Resolution No. 07-22 and Adopting Amended Bylaws and Guidelines for the City Design Review Board".

Staff Speakers:

Steve Chase, Planning and Environmental Services Director

Patty Miller, Planning Manager

Scott Kolwitz, Senior Planner provided a PowerPoint Presentation entitled "Amendment of Design Review Board Bylaws and Guidelines".

OPENED PUBLIC HEARING AT 6:34 P.M.

Public Speakers:

Gary Vademan, submitted a letter to Council and copies were provided to the Public.

Carl Schneider spoke to letter which he co-authored with Chair Wignot in July of last year. Mr. Schneider iterated the moving of the appeal point for signs is the "big issue".

CLOSED PUBLIC HEARING AT 6:37 P.M.

MOTION: Councilmembers Bennett/Easton to adopt resolution No. 09-04 entitled "A Resolution of the City Council of the City of Goleta, California Repealing Resolution No. 07-22 and adopting Amended Bylaws and Guidelines for the City Design Review Board".

VOTE: Approved by the following voice vote: Ayes: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton. Noes: None.

C. DISCUSSION/ACTION ITEM

C.1 Goleta Amtrak Station Improvement Project

Recommendation:

- A. Consider a request from Amtrak for the City to contribute \$66,000 towards the completion of the Goleta Amtrak Station Improvement Project;
- B. Authorize the City Manager to execute a Memorandum of Understanding, subject to the review and approval of the City Attorney, between Amtrak and the City of Goleta to provide \$66,000 toward the completion of the Goleta Amtrak Station Improvement Project; and
- C. Appropriate RDA project funds in the amount of \$66,000.

- MOTION: Councilmembers Bennett/Connell to authorize the City Manager to execute a Memorandum of Understanding, subject to the review and approval of the City Attorney, between Amtrak and the City of Goleta to provide \$66,000 toward the completion of the Goleta Amtrak Station Improvement Project; and appropriate RDA project funds in the amount of \$66,000.
- VOTE: Approved by the following voice vote: Ayes: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton. Noes: None.

C.2 Gap Fire Emergency Response Plan Expenditures

Recommendation:

- A. Receive report on Gap Fire Emergency Response Plan Expenditures; and
- B. Adopt Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Amending Revenue and Appropriations for Funding the 2008 Winter Storm Preparation Projects for the Fiscal Year 2008/2009."

Public Speakers:

Ann Ostrowsky raised concerns over potential flooding due to GAP fire.

MOTION: Councilmembers Bennett/Connell to adopt Resolution No. 09-05 entitled "A Resolution of the City Council of the City of Goleta, California Amending Revenue and Appropriations for Funding the 2008 Winter Storm Preparation Projects for the Fiscal Year 2008/2009."

VOTE: Approved by the following voice vote: Ayes: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton. Noes: None.

RECESS 6:59 P.M. – 7:11 P.M

C.3 General Plan Amendment Work Program – Status Update

Recommendation: Receive and file this work program update and provide direction to staff accordingly.

Public Speakers:

Rudy Fischer, Dave Harms, Steve Sheaffer, Tracey Reynolds, Sharon Wilson, Gail Shannon, and Judy Braun expressed disappointment and opposition that "Area C" was submitted with the LAFCO application.

Barbara Massey raised concern that "Area C" was added to the Sphere of influence. Ms. Massey requested Council reopen the work plan, change course and move forward with changing the amendments.

Connie Hannah, representing League of Women Voters, raised concerns regarding the General Plan Amendment work program and requested Council reopen the work plan and make changes to the present course.

Cynthia Brock raised concerns over initiated and proposed General Plan Amendments. Ms. Brock requested Council reopen the work plan and make changes to the present course.

Gary Vademan requested Council reopen the General Plan Amendments.

Craig Zimmerman, President of the Towbes Group, spoke to the inclusionary housing percentage and the Track 3 amendments.

MOTION: Mayor Pro Tempore Onnen/Councilmember Bennett to receive update and direct staff to proceed as outlined.

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

D. COUNCIL COMMENTS

Mayor Pro Tempore Onnen reported the Community Action Commission is looking for nominations for Community heroes and noted that access forms are available at their website. He also reported that as a sitting board member of the APCD he was appointed as the Vice Chair and was also appointed to the Basin Control Committee. Mayor Pro Tempore Onnen noted that as a sitting board member of the APCD he has the opportunity to appoint two people to their Community Advisory Committee, he currently has one member in place and reached out to the public for a second appointee.

Mayor Aceves report his attendance to the Martin Luther King Jr. march in Santa Barbara along with fellow Councilmembers Connell and Easton. He also reported that two 5th grade students from La Patera School won a poetry and literature contest. The Mayor will make an appearance at their classroom to thank them for representing Goleta

E. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, reported he will be accompanying Councilmember Easton in Sacramento for the New Council orientation and training and will be out of the office until Friday.

F. CITY ATTORNEY REPORT

Tim Giles, City Attorney reported on closed sessions matters;

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- Shelby Family Partnership v. 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

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Action: No reportable action and staff received direction.

ADJOURNMENT AT 8:38 P.M. IN HONOR OF PRESIDENT BARACK OBAMA

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL

ROGER S. ACEVES
MAYOR

ATTEST: _____
DEBORAH CONSTANTINO
CITY CLERK