

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: M

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 Ioan 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 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 WTH 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 Ekwill 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 Ekwill Street and on the entirety of 5324 Ekwill 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.

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 Ekwill Street and on the

entirety of 5324 Ekwill Street.

VOTE:

MOTION:

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.

Venice 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.

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

VOTE:

MOTION:

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

ATTES^{*}

DEBORAH CONSTANTINO

CITY CLERK

GOLETA REDEVELOPMENT AGENCY

ROGER ACEVES

CHAIR

ATTES¶

DEBORAH CÓNSTANTING

SECRETARY