



**REGULAR CITY COUNCIL
MEETING MINUTES
TUESDAY, JULY 15, 2008**

Afternoon Session

1:30 P.M.

City Hall

130 Cremona Drive; Suite B
Goleta, California

Evening Session

6:00 P.M.

City Hall

130 Cremona Drive, Suite B
Goleta, California

Members of the City Council

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

Daniel Singer, City Manager
Deborah Constantino, City Clerk
Julie Hayward Biggs, City Attorney

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 COUNCILMEMBERS

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

Staff Present: Assistant City Attorney Brian A. Pierik, Community Services Director Steve Wagner, Planning and Environmental Services Director Steve Chase, Principal Civil Engineer Marti Schultz, Planning Manager Patricia Miller, and City Clerk Deborah Constantino.

PUBLIC FORUM

Scott Wentz, representing Cars are Basis encouraged the City carefully review any future traffic calming suggestions.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Mayor Bennett reported that from the County Fire Department that would like to make a brief presentation on the Gap Fire.

BY CONSENSUS ITEMS A.3, A.4, AND A.8 WERE PULLED FROM THE CONSENT CALENDAR

A. CONSENT CALENDAR

A.1 Acceptance of June 2008 Check Register

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

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

VOTE: Motion approved by a unanimous voice vote.

A.2 Maintenance Contract for the FY 2008-2009 Annual Contract for Striping Services

Recommendation: Authorize the City Manager to execute a contract with Safety Striping Service, Inc. for the FY 2008-2009 Annual Striping Services in an amount not to exceed \$100,000, subject to the requirements of the contract documents.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to authorize the City Manager to execute a contract with Safety Striping Service, Inc. for the FY 2008-2009 Annual Striping Services in an amount not to exceed \$100,000, subject to the requirements of the contract documents.

VOTE: Motion approved by a unanimous voice vote.

A.5 Urban Forest Mapping Contract with Native Communities Development Corporation

Recommendation:

- A. Authorize the City Manager to execute a professional services agreement with Native Communities Development Corporation in an amount not to exceed \$17,450 for Urban Forest Mapping services.
- B. Appropriate revenues in the amount \$80,000 for Urban Forest Management Grant in account # 310-4-8500-4220
- C. Appropriate expenses in the amount of \$80,000 for Urban Forest Management Grant expenses in account # 310-5-5400-500
- D. Appropriate expenses in the amount of \$13,500 for Urban Forest Management Grant matching funds in account # 5-5400-550

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to authorize the City Manager to execute a professional services agreement with Native Communities Development Corporation in an amount not to exceed \$17,450 for Urban Forest Mapping services, appropriate revenues in the amount \$80,000 for Urban Forest Management Grant in account # 310-4-8500-4220, appropriate expenses in the amount of \$80,000 for Urban Forest Management Grant expenses in account # 310-5-5400-500, and appropriate expenses in the amount of \$13,500 for Urban Forest Management Grant matching funds in account # 5-5400-550

VOTE: Motion approved by a unanimous voice vote.

A.6 Resolution Amending the City of Goleta Salary Schedule and Classification Plan

Recommendation:

- A. Adopt resolution No. 08-__ entitled "a Resolution of the City Council of the City of Goleta, California Amending the City of Goleta Salary Schedule and Classification Plan for Fiscal Year 2008-09;
- B. Adopt the Classification Specification for the new Capital Improvement Program Manager position.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to adopt resolution No. 08-32 entitled "a Resolution of the City Council of the City of Goleta, California Amending the City of Goleta Salary Schedule and Classification Plan for Fiscal Year 2008-09; and adopt the Classification Specification for the new Capital Improvement Program Manager position.

VOTE: Motion approved by a unanimous voice vote.

A.7 Public Works Mutual Aid Agreement

Recommendation:

- A. Adopt a Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California approving the Public Works Mutual Aid Agreement; and
- B. Authorize the City Manager to execute duplicate copies of the Public Works Mutual Aid Agreement No. 62170 and forward to the Disaster Services Coordinator at Los Angeles County, Department of Public Works.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to adopt a Resolution No. 08-33 entitled "A Resolution of the City Council of the City of Goleta, California approving the Public Works Mutual Aid Agreement; and authorize the City Manager to execute duplicate copies of the Public Works Mutual Aid Agreement No. 62170 and forward to the Disaster Services Coordinator at Los Angeles County, Department of Public Works.

VOTE: Motion approved by a unanimous voice vote.

ITEMS A.3 AND A.8 WERE PULLED FROM THE CONSENT CALENDAR

A.3 Resolution of the City Council Excluding Certain Real Property Acquisitions and Dispositions from Conformance with the General Plan Requirements of Government Code Section 65402

Recommendation:

Adopt resolution No. 08-__ entitled "A Resolution of the City Council of the City Excluding Certain Real Property Acquisitions and Dispositions from Conformance with the General Plan Requirements Under Government Code Section 65402."

Staff Speakers:

Steve Wagner Director of Community Services

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to have staff return with a revised resolution.

VOTE: Motion approved by a unanimous voice vote.

A.4 Case No. 07-117-GPA, -RZ -DP RV01: Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016

Recommendation:

A. Approve Second reading and adopt Ordinance No. 08-__ entitled "An Ordinance of the City Council of the City of Goleta, California to Amend the City of Goleta Zoning Map to Reflect a Requested Rezone From CH Highway Commercial to C-2 Retail Commercial for the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016."

B. Adopt Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving the Development Plan Revision for the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016."

STAFF:

Steve Chase Planning and Environmental Services Director

Public Speakers:

Dr. Inge Cox raised concerns and perhaps incorrect statements with the administrative findings to Winchester Union 76.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to Approve Second reading and adopt Ordinance No. 08-07 entitled "An Ordinance of the City Council of the City of Goleta, California to Amend the City of Goleta Zoning Map to Reflect a Requested Rezone From CH Highway Commercial to C-2 Retail Commercial for the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20

Winchester Canyon Road / 7798 Calle Real; APN 079-121-016.”, and adopt Resolution No. 08-31 entitled “A Resolution of the City Council of the City of Goleta, California Approving the Development Plan Revision for the Winchester Union 76 Land Uses and Sale of Alcoholic Beverages Project; 20 Winchester Canyon Road / 7798 Calle Real; APN 079-121-016.”

VOTE: Motion approved by a unanimous voice vote.

A.8 Resolution Declaring a Local Emergency Due to the Gap Fire

Recommendation: Adopt resolution No.08-__ entitled “a Resolution of the City Council of the City of Goleta, California Declaring a Local Emergency Caused by Fire and confirming the request for a Local of Emergency.”

STAFF:

Dan Singer, City Manager

Vyot Adomaitis, Redevelopment Agency, Neighborhood Services, and Public Safety Director.

MOTION: Councilmembers Blois/Wallis to adopt resolution No.08-34 entitled “a Resolution of the City Council of the City of Goleta, California Declaring a Local Emergency Caused by Fire and confirming the request for a Local of Emergency.”

VOTE: Motion approved by a unanimous voice vote.

B. DISCUSSION/ACTION ITEMS

B.1 Consideration of Joint Emergency Operations Center (EOC) with County of Santa Barbara

Recommendation: Receive staff report and provide direction to staff as to whether to proceed with discussions with the County of Santa Barbara for the City's participation in a joint EOC with the County.

Staff Speakers:

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

Speakers:

Vic Cox although in support of the idea of a joint EOC, raised concerns on the City's proposed return on investment. Mr. Cox noted his support of the City of Goleta to have its own EOC in the future.

Mr. Michael Harris Director of Santa Barbara County Office of Emergency Services reported on the GAP fire and the benefit of moving forward with a joint EOC.

MOTION: Mayor Pro Tempore Aceves/Councilmember Onnen to continue discussions with the County of Santa Barbara for the City's participation in a joint EOC with the County.

VOTE: Motion approved by a unanimous voice vote.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

ADJOURN TO CLOSED SESSION AT 2:26 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:

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

CONFERENCE WTH LEGAL COUNSEL - PENDING LITIGATION

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

- Radke v. the City of Goleta SBSC 01242177

CONFERENCE WTH LEGAL COUNSEL

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

- City Attorney Appointment

**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 6:05 p.m., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCILMEMBERS

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

Staff Present: City Manager Dan Singer, Assistant City Attorney Brian A. Pierik, Steve Chase Director of Planning and Environmental Services, Steve Wagner, Director of Community Services, Patricia Miller, and City Clerk Deborah Constantino.

PUBLIC FORUM

None

Assistant City Attorney Brian A. Pierik reported from the Special City Council meeting held today

CONFERENCE WITH LEGAL COUNSEL

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

- City Attorney Appointment

Action: Brian Pierik, City Attorney reported that in the matter held in closed session (above) there was a motion made to appoint the Tim Giles as the City Attorney and that the motion was made by Councilmember Blois/Mayor Bennett and the vote by the Council was 5-0.

Tim W. Giles was introduced as the City of Goleta newly appointed City Manager.

Tom Franklin, Deputy Chief Santa Barbara County Fire Department provided a PowerPoint presentation on the GAP Fire incident.

Mayor Bennett presented certificates of appreciation to the following for their service to the City of Goleta during the Gap fire incident. Chief Wally Bennett, Forest Supervisor Ken Heffner, Santa Barbara District Ranger Cindy Chojnacky, Fire Chief John Cherry, Deputy Chief Tom Franklin, and Sheriff Bill Brown.

PUBLIC FORUM

None.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Dan Singer, City Manager reported there had been an item titled "Revisions to the City of Goleta environmental Review Guidelines", which was noticed, however not ready to bring before Council tonight. Mr. Singer noted this item will be re-noticed and brought back to Council on August 19, 2008.

C PUBLIC HEARING

C.1 Case No. 08-057-GPA: Harwin General Plan Amendment Initiation; 6390, 6398, and 6416 Hollister Avenue (APN: 073-070-024; -021; -005)

Recommendation:

- A. Allow oral presentations from staff.
- B. Conduct a public hearing and receive testimony.
- C. Deliberate and move to initiate processing of the Harwin General Plan Amendment request at 6390 Hollister Avenue, and include the properties at 6398 Hollister Avenue and 6416 Hollister Avenue.

Staff Speakers:

Patricia Miller, Current Planning Manager
Shine Ling, Associate Planner

Steve Welton, Agent for Ms. Harwin provided a PowerPoint outlining project site potential should Council consider Harwin's General Plan amendment.

PUBLIC HEARING OPEND AT 6:48 p.m.

SPEAKERS:

Mr. Oza spoke in support of staff recommendation.

PUBLIC HEARING CLOSED AT 6:51 p.m.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to initiate processing of the Harwin General Plan Amendment request at 6390 Hollister Avenue, and include the properties at 6398 Hollister Avenue and 6416 Hollister Avenue.

VOTE: Motion approved by a unanimous voice vote.

C.2 Public Hearing to Consider Establishing the Tax Rate for the Goleta Library Special Tax for Fiscal Year 2008-09

Recommendation:

- A. Adopt a Resolution No. 08-__ entitled "A Resolution of the City Council of the City of Goleta, California Establishing Goleta Library Special Tax for Fiscal Year 2008-2009; and

- B. Authorize the City Manager to enter into an agreement with the County Auditor-Controller for the collection of special assessments.

Staff Speakers:
Marti Schultz, Principal Civil Engineer

PUBLIC HEARING OPEND AT 6:59 p.m.

SPEAKERS:
None

PUBLIC HEARING CLOSED AT 6:59 p.m.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois adopt resolution No. 08-35 entitled "A Resolution of the City Council of the City of Goleta, California Establishing Goleta Library Special Tax for Fiscal Year 2008-2009; and

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmember Blois/Onnen to authorize the City Manager to enter into an agreement with the County Auditor-Controller for the collection of special assessments.

VOTE: Motion approved by a unanimous voice vote.

C.3 Public Hearing to Consider a Street Lighting Benefit Assessment for Fiscal Year 2008-09

Recommendation:

- A. Adopt a Resolution No. 08-__ entitled "A Resolution of the City Council of the City of the City of Goleta, California Establishing the City of Goleta Street Lighting Benefit Assessment for Fiscal Year 2008-2009; and
- B. Authorize the City Manager to enter into an agreement with the County Auditor-Controller for the collection of special assessments.

Staff Speakers:
Marti Schultz, Principal Engineer

PUBLIC HEARING OPEND AT 7:02 p.m.

SPEAKERS:
None

PUBLIC HEARING CLOSED AT 7:02 p.m.

MOTION: Councilmember Blois/Mayor Bennett to adopt resolution No. 08-36 entitled "A Resolution of the City Council of the City of the City of Goleta, California Establishing the City of Goleta Street Lighting Benefit Assessment for Fiscal Year 2008-2009.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onnen, and Wallis, Noes: None.

MOTION: Mayor Pro Tempore Aceves/ Councilmember Onnen Authorize the City Manager to enter into an agreement with the County Auditor-Controller for the collection of special assessments.

VOTE: Motion approved by a unanimous voice vote.

C.4 Case No. 08-063-GPA, Initiation of Proposed General Plan Amendments Bishop Ranch, 96 Glen Annie Road, APN 077-020-045

Recommendation:

- A. Conduct a public hearing on the initiation of proposed General Plan Amendments by Bishop Ranch.
- B. Receive public testimony.
- C. Deliberate and move to decline initiation of the proposed General Plan Amendments.

City Attorney Brian Pierik reported that the applicant submitted correspondence to the City of Goleta on the Friday prior to tonight's meeting, and after the agenda was posted requesting that their application be withdrawn. However prior to that time, this item had been noticed as a public hearing, as well as being on the agenda, so if the Council desires they can proceed with the public hearing with regards to the subject that the initiations of the proposed general plan amendments and receive public testimony, and then Council may decide what actions to take.

Staff Speakers:

Steve Chase, Director of Planning and Environmental Services

Patricia Miller, Current Planning Manager

MOTION: Councilmember Blois/Mayor Bennett to not consider future general plan amendment on this parcel.

VOTE: Motion to be tabled until public comment was taken.

Brian Pierik, City Attorney, noted that the motion on the floor was not agenzized so if the Council was going to consider the motion it would have to be one that would come back to council agenzized for a future meeting.

The above maker and the second of the motion withdrew the motion.

SPEAKERS:

Fermina Murray spoke in opposition to Bishop Ranch proposed General Plan Amendments

Gary Stenshol, Agricultural Landscape Services, spoke in neither of support or opposition to the Bishop Ranch proposed General Plan Amendments. Manages Bishop Ranch, spoke to agriculture in specific to water as the limiting factor, essentially spoke to the water issues on the property. Mr. Stenshol provided his written comments (on file).

Gregory Johnson requested unbiased studies for viable use of the subject property.

Suzanne Aguilera spoke in support of staff recommendations.

Kelly Hildner spoke to support of staff recommendation, questioned the water rights by property owner.

Debbie Cox Bultan, Executive Director of the Coastal Housing Coalition, noted residential guidelines that the Coalition suggests would be incorporated should the proposed amendments come aback to Council.

Gene Nooney requested that Council study the idea of making any amendments and including an EIR that would go with an amendment.

Deborah Scott spoke in support of staff recommendations. Echoed Mr. Nooney's comments above and also spoke to traffic concerns.

Krista Pleiser, Santa Barbara Association of Realtors spoke in support of the proposed General Plan Amendment. Comment letter on file.

Ann Wisehart spoke in support of staff recommendation, and feels it would be a waste of tax payer money to embark on a study. Also spoke to the water issue on Bishop Ranch, noting that they transferred the water rights to Camino Real Market Place.

Lee Chiacos supports the idea of agriculture land usage, and provided several supporting suggestions for this usage.

Gilda T. Corissa spoke to housing cost issues in the area. Ms. Corissa noted that the issues related to housing costs add to the difficulty in employee retention.

Connie Hannah representing the League of Women Voters, raised issues with the lack of affordable housing, however, spoke in support of staff recommendation.

Barbara Massey reported that she was pleased that the applicant withdrew his request. She further noted that she was in favor of staff recommendation.

PUBLIC HEARING CLOSED AT 7:53 p.m.

MOTION: Councilmember Blois/Mayor Bennett to accept the applicant's withdrawal.
VOTE: Motion approved by a unanimous voice vote.

E. COUNCIL COMMENTS

Councilmember Wallis reported that she is a representative to the home advisory group and had the Mr. Phil Mengano.; the BEACON meeting spoke to sand nourishment program,

Mayor Pro Tempore Aceves, after school sports program at Goleta Valley High School, tomorrow will be attending the CJPIA meeting at La Palma.

Councilmember Member Blois reported that at the kiosk during the Gap fire noted the- spoke to comments she received during the gap fire for the

Councilmember Onnen expressed his appreciate to staff for efforts for their participation in providing information to the public.

Mayor Bennett echoed Councilmembers Onnen comments. Also noted that firefighters from Idaho, Utah, Colorado, and as well as our local firefighters.

F. CITY MANAGER/STAFF REPORT

Dan Singer City Manager reported that John Garamendi Lieutenant Governor would be visiting the area tomorrow. Reporting on how the state would step up to help with the costs of the Gap fire. M Singer also noted that Council will go dark for the next regular meeting however will be returning i August 19, 2008.

G. CITY ATTORNEY REPORT

Assistant City Attorney Brian A. Pierik reported from the Special City Council meeting held at 5:00 P.M. today

CLOSED SESSION

The City Council met in closed session:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL - 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:

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

CONFERENCE WTH LEGAL COUNSEL - PENDING LITIGATION

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

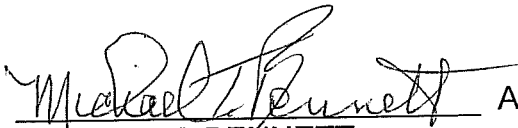
- Radke v. the City of Goleta SBSC 01242177

Action: No Reportable Action

ADJOURNMENT: 8:04 P.M.

Prepared by: Deborah Constantino, City Clerk

GOLETA CITY COUNCIL


MICHAEL T. BENNETT
MAYOR

ATTEST:


DEBORAH CONSTANTINO
CITY CLERK

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