



**REGULAR CITY COUNCIL  
JOINT CITY COUNCIL /  
REDEVELOPMENT AGENCY  
MEETING MINUTES  
TUESDAY, JUNE 3, 2008**

Afternoon Session

1:30 P.M.

City Hall

130 Cremona Drive, Suite B  
Goleta, California

Evening Session

6:00 P.M.

City Hall

130 Cremona Drive, Suite B  
Goleta, California

***Members of the City Council***

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

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

***Members of the Redevelopment Agency***

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

Daniel Singer, Executive Director  
Deborah Constantino, Agency Secretary  
Julie Hayward Biggs, Agency Legal Counsel

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**AFTERNOON SESSION**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bennett called the meeting to order at 1:37 p.m., followed by the Pledge of Allegiance.

**ROLL CALL OF CITY COUNCILMEMBERS**

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

## **ROLL CALL OF REDEVELOPMENT AGENCY**

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

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

## **PUBLIC FORUM**

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

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

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

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

### **A. PRESENTATION**

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

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

### **B. CONSENT CALENDAR**

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

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

Recommendation:  
As the City Council:

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

As the Redevelopment Agency:

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

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

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

Recommendation:

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

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

VOTE: Motion approved by a unanimous voice vote.

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

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

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

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

VOTE: Motion approved by a unanimous voice vote.

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

Recommendation:

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

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

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

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

VOTE: Motion approved by a unanimous voice vote.

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

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

Recommendation:

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

SPEAKERS:

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

STAFF SPEAKERS:

Steve Wagner, Community Services Director

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

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

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

Recommendation:

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

STAFF SPEAKERS:

Steve Wagner, Community Services Director

SPEAKERS:

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

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

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

VOTE: Motion approved by a unanimous voice vote.

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

Recommendation:

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

STAFF SPEAKERS:

Patricia Miller, Current Planning Manager

SPEAKERS:

None

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

VOTE: Motion approved by a unanimous voice vote.

RECESS 4:00 – 4:10 P.M.

## RECESS TO THE JOINT CITY COUNCIL/REDEVELOPMENT AGENCY

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

Recommendation:

As the City Council:

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

As the Redevelopment Agency:

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

STAFF SPEAKERS:

Dan Singer, City Manager

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

SPEAKERS:

None.

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

Amended Motion:

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

VOTE: Motion approved by a unanimous voice vote.

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

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

As the Redevelopment Agency:

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

VOTE: Motion approved by a unanimous voice vote.

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

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

**ADJOURN TO CLOSED SESSION AT 5:10 P.M.**

**CLOSED SESSION**

The City Council met in closed session:

**CONFERENCE WTH LEGAL COUNSEL - ANTICIPATED LITIGATION**

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

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

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



## **EVENING SESSION**

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bennett called the meeting to order at 6:09 p.m., followed by the Pledge of Allegiance.

### **ROLL CALL OF CITY COUNCILMEMBERS**

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

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

### **PUBLIC FORUM**

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

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

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

#### **D PUBLIC HEARING**

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

Recommendation:

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

STAFF SPEAKERS:

Brian A. Pierik. City Attorney

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

SPEAKERS:

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

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

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

VOTE: Motion approved by a unanimous voice vote.

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

Recommendation:

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

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

STAFF SPEAKERS:

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

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

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

Applicant:

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

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

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

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

Louise Mitchell, President of the Orfeala Foundation, spoke in support of the Fairview Gardens development project. Ms. Mitchell reported on a project called the "School Food Initiative" and with a mission is to create a community of healthy schools that makes educated food choices

through out their lives. She reported as a first step toward accomplishing this mission, the Foundation over 8 months visited over 110 public schools across Santa Barbara County to determine how best to help them in the food served in the cafeterias. She addressed Fairview Garden ability to provide with fresh locally grown chemical free fruits and vegetables and noted that value of this could not be overlooked.

#### SPEAKERS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECESS 8:00 – 8:12 P.M.

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

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

Jim Knight spoke in support of Fairview Gardens Development project.

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

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

David Cleveland spoke in support of Option C.

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

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

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

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

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

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

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

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

VOTE: Motion approved by a unanimous voice vote.

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

Recommendation:

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

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

**STAFF SPEAKERS:**

Patricia Miller, Planning Manager

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

**SPEAKERS:**

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

Harwood White raised concerns with 40 FAR and how this doesn't work for their project site. He reports supporting the staff and Planning Commission recommended amendments and offered some language change for good cause of "Significant" community benefit" (Comment letters dated June 3, 2008 on file); Roger Johnson supports a more flexible General Plan; he noted that cities are living organisms which needs to change over time; Don Gilman provided several comments to staff recommendations, but reported that he supports the recommendations of staff and the Planning Commission (email on file) ; Connie Hannah league of California Women's Voter, agrees with many of the minor changes however, still notes concerned with the Bacara Amendments being taken with the City amendments; Margaret Connell agrees echoed all of Connie Hannah's comments. Also agrees with height averaging; Kristen Amyx Goleta Valley Chamber of Commerce CEO supports Track 2 changes with a few exceptions on building standards. She raised questions on moving the proposed changes to Track 3 and questioned on preserve and protect, she recommended one definition; Richard Monk representing Bacara Resort and Spa addressed LU9.1 and the need to support staff's recommendation; Mark Dispenza, Goleta Valley Chamber of Commerce spoke about the need for the General Plan to stay broad and flexile and provide for the needs of the future; Mark Linehan suggested Council embrace change and flexibility if it is appropriate for Goleta, called on removal of the FARS and provided suggestions to Council; and Trevor Scoggins spoke against a Storke/Hollister expansion unless it includes greater bike and pedestrian enhancements.

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

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

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

**E. COUNCIL COMMENTS**

No report

**F. CITY MANAGER/STAFF REPORT**

No report

**G. CITY ATTORNEY REPORT**

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

**CLOSED SESSION**

The City Council met in closed session:

**CONFERENCE WITH LEGAL COUNSEL**

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

- City Attorney Interviews.

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

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


**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

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

Prepared by: Deborah Constantino, City Clerk

**GOLETA CITY COUNCIL**

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

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

**REDEVELOPMENT AGENCY**

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

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