



**REGULAR CITY COUNCIL  
JOINT CITY COUNCIL /  
REDEVELOPMENT AGENCY  
MEETING MINUTES  
TUESDAY, MAY 6, 2008**

Afternoon Session

1:30 P.M.

City Hall

130 Cremona Drive, Suite B  
Goleta, California

SITE VISIT

6:00 P.M.

598 North Fairview Ave

Evening Session

7:30 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

**AFTERNOON SESSION**

**CALL TO ORDER AND PLEDGE OF**

Mayor Bennett called the meeting to order at 1:30 p.m., followed by the Pledge of Allegiance led by the Students of Coastline Academy.

## **ROLL CALL OF CITY COUNCIL**

Councilmembers present: Mayor Bennett, Mayor Pro Tempore Aceves, Councilmembers Blois, Onne and Wallis.

## **ROLL CALL OF REDEVELOPMENT AGENCY**

Redevelopment Agency members present: Chair Aceves, Vice Chair Bennett, Agency Members Blois, Onnen, and Wallis

Staff present: City Manager Daniel Singer, City Attorney Brian Pierik, Vyto Adomaitis, Redevelopment, Neighborhood Services, and Public Safety Director, Principal Civil Engineer Marti Schultz, Rosemarie Gaglione, Sr. Project Manager, and City Clerk Deborah Constantino.

## **PUBLIC FORUM**

### **SPEAKERS:**

Jim Downing, Goleta Library representative, reported the Santa Barbara County Library Advisory committee would be meeting on Wednesday, June 18, 2008 and encouraged the public to attend.

Cynthia Bowers raised issues on the UCSB Long Range Development Plan regarding the Storke Avenue corridor and impacts to residents living along Storke Avenue and Phelps road.

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None

### **A. PRESENTATION**

#### **A.1 Proclamation to the City of Goleta Community Services Department Proclaiming May 18-24, 2008 Goleta Public Works Week**

##### **STAFF:**

Marti Schultz, Principal Civil Engineer

Mayor Bennett presented the Goleta Public Works department with a proclamation recognizing May 18-24, 2008 Goleta Public Works Week.

### **B. CONSENT CALENDAR**

#### **B.1 Acceptance of Quarterly Treasurer's Report for the Quarter Ending March 31, 2008**

Recommendation: Accept the Quarterly Treasurer's Report for the Quarter Ending March 31, 2008.

**MOTION:** Councilmember Blois/Mayor Pro Tempore Aceves to accept the Quarterly Treasurer's Report for the Quarter Ending March 31, 2008.

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

**B.2 Amendment to Professional Services Agreement for the San Jose Creek Capacity Improvement Project**

Recommendation:

- A. Authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Penfield & Smith for Preliminary Engineering/Environmental Review of the San Jose Creek Capacity Improvement Project in an amount not to exceed \$315,951.
- B. Extend the contract period to June 30, 2010.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Penfield & Smith for Preliminary Engineering/Environmental Review of the San Jose Creek Capacity Improvement Project in an amount not to exceed \$315,951, and extend the contract period to June 30, 2010.

VOTE: Motion approved by a unanimous voice vote.

**ITEM B.3 PULLED FROM THE CONSENT CALENDAR**

**B.3 Notice of Completion of Library HVAC Replacement Project**

Recommendation:

- A. Adopt Resolution No. 08-\_\_ entitled "A Resolution of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Library HVAC Replacement Project; and
- B. Direct the City Clerk to file the Notice of Completion.

STAFF:

Martin Schultz, Principal Civil Engineer

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to adopt resolution No. 08-18 entitled "A Resolution of the Council of the City of Goleta, California Authorizing the Filing of a Notice of Completion for the Library HVAC Replacement Project; and Direct the City Clerk to file the Notice of Completion.

VOTE: Motion approved by a unanimous voice vote.

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

**B.4 FY 2007-08 Third Quarter Financial Review**

Recommendation:

As the City Council:

- A. Adopt Resolution No. 08-\_\_ entitled "A Resolution of the City Council of the City of Goleta, California, Amending the City's Operating and CIP Budget for Fiscal Year 2007-08".

As the Redevelopment Agency:

B. Adopt Resolution No. 08-\_\_ entitled "A Resolution for the Redevelopment Agency for the City of Goleta, California, Amending the Operating Budget for Fiscal Year 2007-08".

MOTION: Agency Members Blois/Onnen to adopt resolution No. 08-19 entitled "A Resolution for the Redevelopment Agency for the City of Goleta, California, Amending the Operating Budget for Fiscal Year 2007-08", and Adopt resolution No. 08-02 entitled "A Resolution of the City Council of the City of Goleta, California, Amending the City's Operating and CIP Budget for Fiscal Year 2007-08".

VOTE: Motion approved by a unanimous voice vote.

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

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

#### **C.1 Report of the CDBG Subcommittee Recommendations for the 2008-2009 Community Development Block Grant (CDBG) Action Plan**

Recommendation: Accept the report of the City Council CDBG Subcommittee and provide direction regarding 2008-2009 CDBG Draft Action Plan recommendations.

STAFF:

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

SPEAKERS:

None

MOTION: Councilmember Onnen/Mayor Pro Tempore Aceves to accept the report of the City Council CDBG Subcommittee.

VOTE: Motion approved by a unanimous voice vote.

#### **C.2 Ekwill Alignment Analysis and Award of Design Services Contracts**

Recommendation:

- A. Receive Ekwill Street Alignment Analysis; and
- B. Authorize the City Manager to execute a consulting services agreement with RBF, Inc. for preliminary engineering services required to support the environmental document in an amount not to exceed \$121,000; and
- C. Authorize the City Manager to execute a consulting services agreement with URS Corporation for an expanded environmental review in an amount not to exceed \$126,502.
- D. Approve the appropriation of an additional \$47,502 from RDA fund 604.

STAFF:

Rosemarie Gaglione, Sr. Project Manager

**SPEAKERS:**

None

**MOTION:** Councilmembers Blois/Wallis to authorize the City Manager to execute a consulting services agreement with RBF, Inc. for preliminary engineering services required to support the environmental document in an amount not to exceed \$121,000; and authorize the City Manager to execute a consulting services agreement with URS Corporation for an expanded environmental review in an amount not to exceed \$126,502, and approve the appropriation of an additional \$47,502 from RDA fund 604.

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

**C.3 City Attorney Services Options**

**Recommendation:**

- A. Review an analysis of in-house versus contract City Attorney services; and,
- B. Provide direction to staff on the Council's preferred alternative.

**STAFF:**

Dan Singer, City Manager

Michelle Greene, Administrative Services Director

**SPEAKERS:**

None

**MOTION:** Councilmembers Onnen/Blois to move forward with the concept of an in-house City Attorney and move to the next step of evaluating and making an offer to the appropriate candidate.

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

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

**ADJOURN TO CLOSED SESSION AT 3:00 P.M.**

**CLOSED SESSION**

The City Council met in closed session:

**CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTER**

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

- Consider Appointment of a City Attorney

**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 # 079-210A-048  
Agency Negotiator: Dan Singer, City Manager  
Negotiating Party: John Stahl  
Under Negotiations: Price and Terms

**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

**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:

- Guggenheim v. City of Goleta, Superior Court Case No. 01246103
- Guggenheim v. City of Goleta, Superior Court Case No. 01246104
- Guggenheim v. City of Goleta, Superior Court Case No. 01187138
- Guggenheim v. City of Goleta, Superior Court Case No. 0124713
- Guggenheim vs. City of Goleta Superior Court Case No. 01197138

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

**D SITE VISIT HELD AT 6:00 P.M. - LOCATED AT:**

**D.1 Fairview Gardens located at 598 North Fairview Ave (APN 069-090-052)**

**EVENING SESSION CONVENED AT CITY HALL**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Bennett called the meeting to order at 7:32 p.m.

**ROLL CALL OF CITY COUNCIL**

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

Staff present: City Manager Daniel Singer, City Attorney Brian Pierik, Steve Chase, Planning and Environmental Services Director, Patricia Miller, Planning Manager, and City Clerk Deborah Constantino.

**PUBLIC FORUM**

**SPEAKERS:**

None

**AMENDMENTS OR ADJUSTMENTS TO AGENDA**

Mayor Bennett reported that all Councilmembers were present at the site visit at Fairview Gardens located at 598 North Fairview Ave (APN 069-090-052)

**E. PRESENTATION**

**E.1 Recognition Item**

Dan Singer, City Manager reported that the City of Goleta has become the recipient of the Tree City USA award. Marilyn Cummings, President Goleta Valley Beautiful and Dan Singer, City Manager presented Council with the Tree City USA Award.

**F PUBLIC HEARING**

**F.1 Public Hearing to Consider an Update of Building & Safety Codes**

Recommendation:

A. Conduct a public hearing; and

B. Approve second reading (by title only) and adopt Ordinance No. 08-\_\_ entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Title 8, Buildings and Construction, of the Goleta Municipal Code: To Delete Chapter 8.01 Entitled, 'Administration' and Chapter 8.12 Entitled, 'Fire Code'; To Amend Chapter 8.02 Entitled, 'Building Code,' Chapter 8.04 Entitled, 'Housing Code,' Chapter 8.06 Entitled, 'Electrical Code,' Chapter 8.08 Entitled, 'Plumbing Code,' Chapter 8.10 Entitled, 'Mechanical Code,'

Chapter 8.14 Entitled, 'Dangerous Buildings Code,' and Chapter 8.16 Entitled, 'Building Conservation Code'; and to Add Chapter 8.18 Entitled, Administrative Code." (Attachment 1); and

- C. Authorize staff to draft By-Laws that reconstitute the Building Standards Appeals Board and, thereafter, provide public notice and solicitation to appoint technical members; and
- D. Appropriate General Fund revenue in the amount of \$2,500 to account 101-5-4200-114 for purchase of three sets of updated code books.

STAFF:

Steve Chase, Planning and Environmental Services Director

Dan McLaughlin, Interim Building and Safety Sr. Building Inspector

PUBLIC HEARING OPENED: 7:40 P.M.

SPEAKERS:

None

PUBLIC HEARING CLOSED: 7:40 P.M.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to Approve second reading (by title only) and adopt Ordinance No. 08-05 entitled "An Ordinance of the City Council of the City of Goleta, California, Amending Title 8, Buildings and Construction, of the Goleta Municipal Code: To Delete Chapter 8.01 Entitled, 'Administration' and Chapter 8.12 Entitled, 'Fire Code'; To Amend Chapter 8.03 Entitled, 'Building Code,' Chapter 8.04 Entitled, 'Housing Code,' Chapter 8.05 Entitled, 'Electrical Code,' Chapter 8.08 Entitled, 'Plumbing Code,' Chapter 8.10 Entitled, 'Mechanical Code,' Chapter 8.14 Entitled, 'Dangerous Buildings Code,' and Chapter 8.16 Entitled, 'Building Conservation Code'; and to Add Chapter 8.18 Entitled, Administrative Code."

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Blois/Onnen to authorize staff to draft By-Laws that reconstitute the Building Standards Appeals Board and, thereafter, provide public notice and solicitation to appoint technical members; and

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Onnen/Blois to appropriate General Fund revenue in the amount of \$2,500 to account 101-5-4200-114 for purchase of three sets of updated code books.

VOTE: Motion approved by a unanimous voice vote.

## **G DISCUSSION/ACTION ITEM**

- G.1 Case No. 03-159-OA, 03-159-CP; Fairview Gardens Ordinance Amendments, Farm Labor Camp, Commercial Poultry Operation, and Sale of Off-Site Agricultural Products; 59 North Fairview Avenue, APN 069-090-052**



Recommendation:

- A. Allow presentations from staff and the applicant.
- B. Take public testimony.
- C. Set a future public hearing date to consider the proposed Ordinance Amendment and Conditional Use Permits.

STAFF:

Steve Chase, Planning and Environmental Services Director

Patricia Miller, Planning Manager provided a PowerPoint presentation on the revisions of the proposed Fairview Gardens Farm Labor Camp, Commercial Poultry Operation,

Scott Kolwitz, Senior Planner read into the record letters received on the proposed project (on file in the clerk's office)

SPEAKERS:

Steve Welton, Agent for Fairview Gardens, introduced Selma Ruben, Fairview Garden Board member, Adrian Davis President Pro Tempore of the Fairview Gardens Board, Phil Seymore, Legal Counsel for Fairview Gardens Farm, and Toby General Managing Farmer,

Selma Ruben, Fairview Gardens Board member, spoke in support of Fairview Gardens request for the CUP, and stressed the attention necessary to the housing of the farm workers.

Steve Welton, Agent for Fairview Gardens, provided a PowerPoint presentation which outlined requests to Council as well as the progress made since October. Mr. Welton also addressed the neighborhood concerns such as, sanitation, noise, and traffic impacts concerns, and reported on the response to those concerns. He also addressed the most recent development envelope proposal and options within the development envelope to Council, and finally he highlighted the key requests made of Fairview Gardens at this time to Council; nine months for abandonment of the existing farmer housing, nine months for the intermediary step for installation of yurts or mobile homes, an option to temporarily relocate the farmers off-site, and expiration of the CUP after 5 years, rather than the 18 months.

Adrian Davis, President Pro Tempore, Fairview Gardens Farm, spoke in support of Fairview Gardens proposed project.

Ron Cortez, neighbor noted "Fairview Gardens is a gem of our community" and further stated that there may not be anyone in the room that would not like to have farm worker housing on the Fairview Gardens, including himself. He noted having the housing on the farm would be an advantage to the community. However, the location of the farm site raised him to have concerns noting that he had no prior knowledge of their location. Because of this, he is requesting an environmental impact report and further clarification of the buildings and the building envelope; noting proposed story poles block the views of the mountains. He also raised issues regarding Goleta Sanitary connections.

Steve Sherrill raised issues to the cost of transportation and fuel and its impacts on increasing the price of food.

Sean Hutchison spoke of future food supply shortages and the need to protect and support the Fairview Gardens.

Jim Hurst noted the positive changes by Fairview Gardens; however he spoke against any future extensions to the gardens.

Karen Peabody, neighbor spoke in support of the farm labor camp on site, and has no issue with the requested delay. However did not support the bike/pedestrian path easement.

Adam Green, Santa Barbara City College professor, spoke to organic farming as a hope to a better future.

Larry and Linda Cobb, neighbors raised concerns with the operations of the Fairview Gardens and its unfit conditions of the farm labor camp.

Mary Ann Henry neighbor spoke in support of Fairview Gardens and the necessary time extension.

Gordon Kristoff spoke in support of a time extension for the Fairview Gardens.

Stephanie Kristoff spoke in support of CUP approval and an extension for the Gardens.

Anna Strowsky spoke to water resource issues and land use issues, however spoke in support of providing ample time for FG project.

Toby McPartland Fairview Gardens Manager, expressed appreciation to the Council and the community for the thought and time to the Fairview Gardens proposed project.

By Council consensus Council set a public hearing date of June 3, 2008 to consider the proposed Ordinance Amendment and Conditional Use Permits.

## **H. COUNCIL COMMENTS**

Mayor Pro Tempore Aceves reported his attendance in Sacramento, CA regarding issues on oil development and mobile homes. He also reported attending meetings in Santa Barbara dealing with youth violence in Santa Barbara and provided Council feedback from those meetings; he met with Karen Ramsdale of the Santa Barbara Airport in regard to an appointment on the Santa Barbara Airport Commission and noted that it was recommended that the City of Goleta appoint an Ex –officio member to that commission at this point that would not have voting power but would be able to be sit at the table and bring information to council of particular interest that impact our City.

Councilmember Onnen, reported he attended a Community Action Commission meeting in Buellton and recognized Mayor Bennett as receiving the Community Champion award, he also reported that this week is Goleta's Finest sponsored by chamber of commerce would be taking place at the Bacara Resort and Spa.

## **I. CITY MANAGER/STAFF REPORT**

No report.

## **J. 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 – PERSONNEL MATTER**

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

- Consider Appointment of a City Attorney

### **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**

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### **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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- Guggenheim v. City of Goleta, Superior Court Case No. 0124713
- Guggenheim vs. City of Goleta Superior Court Case No. 01197138

**Action: No reportable action**

**ADJOURNMENT TO CLOSED SESSION AT 9:59 P.M.**

Prepared by: Deborah Constantino, City Clerk


GOLETA CITY COUNCIL

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

ATTEST:

  
\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

GOLETA PLANNING AGENCY

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

ATTEST:

  
\_\_\_\_\_  
DEBORAH CONSTANTINO  
AGENCY SECRETARY