



**REGULAR CITY COUNCIL
MEETING MINUTES
TUESDAY, APRIL 1, 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 1:30 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

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

Absent: None.

Staff Present: Daniel Singer, City Manager; Brian A. Pierik, City Attorney; Vyto Adomaitis, Redevelopment, Neighborhood Services, and Public Safety Director; Marti Schultz, Principal Engineer and Deborah Constantino, City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Item B.1 was requested by staff to be pulled from the consent calendar as there was new information submitted to add new Exhibit 1.

A. PRESENTATION

A.1 Employee Oath of Allegiance – Greg Nordyke, Code Compliance Officer

Deborah Constantino, City Clerk, administered the oath of allegiance to Greg Nordyke, Code Compliance Officer.

A.2 Introduction of Sergeant Kevin Huddle

STAFF SPEAKERS:

Vyto Adomaitis, Redevelopment, Neighborhood Services, and Public Safety Director introduced Sergeant Kevin Huddle.

B. CONSENT CALENDAR

B.2 Submittal of Annual Claim with the Santa Barbara County Association of Governments for Allocation of FY 2008-2009 Transportation Development Act Funds

Recommendation: Adopt resolution No. 08-__ entitled "A Resolution of the City of Goleta, CA Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of Transportation Development Act Funds for Fiscal Year 2008-2009".

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to adopt resolution No. 08-14 entitled "A Resolution of the City of Goleta, CA Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of Transportation Development Act Funds for Fiscal Year 2008-2009".

VOTE: Motion approved by a unanimous voice vote.

B.3 Award Construction Contract for Armitos Park Development Project

Recommendation:

- A. Authorize the City Manager to execute a construction contract with Shaw Excavating and Grading, Inc., for the Armitos Park Development Project, in the not to exceed amount of \$117,380.74 subject to the requirements of the contract documents; and
- B. Authorize the City Manager to approve contingency contract change orders if necessary in an amount not to exceed \$15,000.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to authorize the City Manager to execute a construction contract with Shaw Excavating and Grading, Inc., for the Armitos Park Development Project, in the not to exceed amount of \$117,380.74 subject to the requirements of the contract

documents; and authorize the City Manager to approve contingency contract change orders if necessary in an amount not to exceed \$15,000.

VOTE: Motion approved by a unanimous voice vote.

B.4 Authorization to execute agreement with The NTI Group for the Connect-CTY Mass Notification System

Recommendation: Authorize the City Manager to execute an agreement with The NTI Group, also known as Blackboard Connect, Inc. for the Connect-CTY mass notification system.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to authorize the City Manager to execute an agreement with The NTI Group, also known as Blackboard Connect, Inc. for the Connect-CTY mass notification system.

VOTE: Motion approved by a unanimous voice vote.

ITEM B.1 PULLED FROM THE CONSENT CALENDAR

B.1 Proposition 1B Expenditure Plan for Fiscal Year 2007/2008

Recommendation:

- A. Adopt resolution No. 08-__ entitled "A Resolution of the City of Goleta, CA Approving the Proposition 1B Expenditure Plan for Fiscal year 2007/2008"
- B. Accept Proposition 1B – Local Streets and Roads Improvement, Congestion Relief and Traffic Safety Account Funds (LSR) Grant funding in the amount of \$485,250;
- C. Increase the estimated Fiscal Year 2007/2008 Streets Capital Program Fund revenues by \$485,250, and appropriate this amount to the Fiscal Year 2008/2009 Streets Capital Program.

STAFF SPEAKERS:

Marti Schultz, Principal Civil Engineer

SPEAKERS:

None.

MOTION: Mayor Pro Tempore Aceves/Councilmember Blois to adopt resolution No. 08-13 entitled "A Resolution of the City of Goleta, CA Approving the Proposition 1B Expenditure Plan for Fiscal year 2007/2008"; Accept Proposition 1B – Local Streets and Roads Improvement, Congestion Relief and Traffic Safety Account Funds (LSR) Grant funding in the amount of \$485,250; and Increase the estimated Fiscal Year 2007/2008 Streets Capital Program Fund revenues by \$485,250, and appropriate this amount to the Fiscal Year 2008/2009 Streets Capital Program.

VOTE: Motion approved by a unanimous voice vote.

C. DISCUSSION/ACTION ITEMS

C.1 UCSB Long Range Development Plan Presentation

Recommendation:

Receive a presentation from the University of California Santa Barbara (UCSB), on their Long Range Development Plan, corresponding Environmental Impact Report, and related matters.

STAFF SPEAKERS:

Dan Singer, City Manager

SPEAKERS:

Jerry Hess, Director Governmental Relations and John Wiemann, Chancellor Institutional Advancement representing UCSB provided a PowerPoint presentation outlining the UCSB Vision 2025 Long Range Development Plan (On file).

Jack Ruskey noted concerns to available water for potential projects (written correspondence on file).

C.2 Special Council Meeting Dates

Recommendation:

- A. Establish a meeting date for City Attorney Interviews in Closed Session with the full Council.
- B. Establish a meeting date for consideration of the Track 2 Minor Revisions to the General Plan.
- C. Establish a meeting date for a workshop and update on the City's Strategic Plan.

STAFF SPEAKERS:

Dan Singer, City Manager

SPEAKERS:

None.

By Consensus Council directed staff to establish the following meeting dates:

- Special City Council meeting (Closed Session) City Attorney Interviews to be scheduled for April 11, 2008 at 8:30 a.m.
- Track 2 Minor Revisions to the General Plan, meeting date scheduled for May 1, 2008, with an alternate date of April 14, 2008 if necessary.
- City's Strategic Plan Workshop, meeting date scheduled for Thursday, May 29th 2:30 – 6:30 p.m.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

ADJOURN TO CLOSED SESSION

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.

Action: Closed Session held on one matter.

**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 6:04 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

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

Absent: None

Staff Present: Daniel Singer, City Manager; Brian A. Pierik, City Attorney; Steve Chase, Planning and Environmental Services Director; and Deborah Constantino, City Clerk.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

PUBLIC FORUM

Andrew Ochner, Boone Graphics, raised parking issues in the Armitos area and offered a suggestion of 90 minute parking during business hours to ease concerns raised in that area.

Reilly Pollard, Kellogg Ranch Association, provided photos; echoed comments rose by Mr. Ochner and suggested a crosswalk be added to that area.

D. PUBLIC HEARING

D.1 Revised Caltrans Freeway Agreement

Recommendation:

Authorize the City Manager to enter into a Freeway Agreement between the State of California acting by and through the Department of Transportation and the City of Goleta.

STAFF SPEAKERS:

Rosemary Gaglione, Project Manager

OPENED THE PUBLIC HEARING AT 6:12 P.M.

SPEAKERS:

None

CLOSED THE PUBLIC HEARING AT 6:12 P.M.

MOTION: Councilmember Blois/Mayor Pro Tempore Aceves to authorize the City Manager to enter into a Freeway Agreement between the State of California acting by and through the Department of Transportation and the City of Goleta".

VOTE: Motion approved by a unanimous voice vote.

E. DISCUSSION/ACTION ITEMS

E.1 Track 1 Housing Element Amendments - Key Issues

Recommendation:

- A. Consider the Planning Commission's recommendations to the City Council regarding key issues related to the Housing Element Amendments.
- B. Consider staff's further recommendations.
- C. Provide direction on the key issues.

STAFF SPEAKERS:

Steve Chase, Planning and Environmental Services Director

SPEAKERS:

Jerry Bunin, Home Builders Association, provided written material and suggested that an economic analysis be considered; Michael Towbes, the Towbes Group, submitted a letter dated April 1, 2008 outlining his suggestions on Section HE 10.1, HE 11.2, HE 11.3, HE 11.5, HE 11.6 and HE 11.7.(on file); Barbara Massey, spoke in opposition of removal of HE. 11.6 and submitted comments; Margaret Connell noted it was a complex issue and the goal of the Housing Element should be equal to Housing Affordable while maintaining the quality of the Goleta environment; Jennifer McGovern noted that more review should occur on H.E 11.3 and supported the removal of with H.E 11.6; George Rellis suggested that reducing affordable units on the mid Hollister site could bring about units being built elsewhere, he suggested that a map be made available to Council to chart the location of those units over the next 10-15 years, he also spoke in opposition to one city wide rate; and Dr. Linda Phillips, League of Women's Voters provided comments on the Housing Element changes (on file).

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to approve staff recommendation in HE 10.1 with the provision that language be added that includes all parcel sizes to reflect public comment.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Onnen/Blois to approve staff recommendation in HE 10.2.

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

MOTION: Councilmembers Onnen/Blois to approve staff recommendation in HE 10.3 to remove HE 10.3.

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

MOTION: Councilmembers Onnen/Blois to approve staff recommendation in HE IP-10.C.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Onnen/Blois to approve staff recommendation in HE IP-10.D.

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

MOTION: Councilmember Wallis/Mayor Pro Tempore Aceves to approve staff recommendation in HE IP-10.E, with more explicit wording that there is no CEQA fast tracking.

VOTE: Motion approved by a unanimous voice vote.

RECESS 8:12 P.M. to 8:27 P.M.

MOTION: Councilmembers Onnen/Blois: to approve staff recommendation in HE 11.2 with clarification on 2nd units and setback requirements. Include definition of "family member."

VOTE: Motion approved by a unanimous voice vote.

MOTION: Councilmembers Onnen/Blois to approve staff recommendation in HE 11.5 and evaluate 200% on median income for potential to widen this number. with widening of 120 to 200 % AMI category for above moderate-income households (i.e. up to 200 +).

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

MOTION: Councilmember Onnen to approve staff recommendation in HE 11.6
No Second Motion Failed

MOTION: Councilmember Blois to approve staff recommendation in HE 11.6 with Housing opportunity Sites at 30% requirement.
No Second Motion Failed

MOTION: Councilmember Blois/ Mayor Pro Tempore Aceves to retain policy – but change IHP to 5 % Very Low; 10 % Low; 5 % Moderate; and 10 % Above Moderate 120 – 200 for "Opportunity sites."

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

MOTION: Councilmembers Blois/Onnen to approve staff recommendation in HE 11.7 with language 'applicable to Federal Laws and financing mechanisms, generally 45 years but not less than 30 years'

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

MOTION: Councilmembers Onnen/Blois to approve staff recommendation in IP-11A.

VOTE: Motion approved by a unanimous voice vote.

MOTION: Mayor Pro Tempore Aceves/Councilmember Wallis to approve staff recommendation in IP-11B as well as direct staff to come back to council with a more detailed report.

VOTE: Motion approved by a unanimous voice vote.

F. COUNCIL COMMENTS

Councilmember Blois reported that she attended the League of California Cities Channel Counties Division meeting on Friday, March 28, 2008 and provided a report.

G. CITY MANAGER/STAFF REPORT

No report.

H. CITY ATTORNEY REPORT

REPORT FROM CLOSED SESSION

Brian Pierik, City Attorney reported that there was no reportable action on the Closed Session held on March 18, 2008

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:

- 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

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 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:

- Oly Chadmar Sandpiper General Partnership v. City of Goleta Supreme Court Case No. 01111147
- HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1241926
- Shelby Family Partnership City of Goleta, Superior Court Case No. 1241956
- Citizens for a Better Goleta v. City of Goleta, Superior Court Case No. 1241870
- Great Universal Capital Association, L.P/HT Santa Barbara, Inc. v. City of Goleta, Superior Court Case No. 1242746
- Bishop Ranch 2000 LLC v. City of Goleta, Superior Court Case No. 1242776

Brian Pierik, City Attorney also reported that there was no reportable action on the Closed Session held on April 1, 2008:

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.

I. ADJOURNMENT OF MEETING AT 9:17 P.M.

Prepared by: Deborah Constantino, City Clerk

GOLETA CITY COUNCIL


MICHAEL T. BENNETT
MAYOR

ATTEST


DEBORAH CONSTANTINO
CITY CLERK