



**REGULAR CITY COUNCIL
MEETING MINUTES
TUESDAY, MARCH 3, 2009**

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

Roger S. Aceves, Mayor
Eric Onnen, Mayor Pro Tempore
Michael T. Bennett, Councilmember
Margaret Connell, Councilmember
Edward Easton, Councilmember

Daniel Singer, City Manager
Deborah Constantino, City Clerk
Tim W. Giles, City Attorney

AFTERNOON SESSION

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Aceves called the meeting to order at 1:30 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

Present: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton.
Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Chase, Planning & Environmental Services Director; Patty Miller, Planning Division Manager; Steve Wagner, Community Services Director and Rheannon Parr, Deputy City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. CONSENT CALENDAR

A.1 Approval of the Minutes of the Regular City Council/Joint City Council/Redevelopment Agency Meeting of February 17, 2009

Recommendation: Approve the Minutes of the Regular City Council/Joint City Council/Redevelopment Agency Meeting of February 17, 2009.

MOTION: Councilmember Bennett/Mayor Pro Tempore Onnen to approve the minutes of the Regular City Council/Joint City Council/ Redevelopment Agency Meeting of

VOTE: Motion approved by unanimous voice vote.

A.3 Case No. 07-208-SPA, -DP; Camino Real Hotel Project; 401 Storke Road; APN 073-440-019

Recommendation:

A. Conduct the second reading (by title only) and waive further reading of City Council Ordinance 09-__ entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Camino Real Specific Plan; 401 Storke Road; APN 073-440-019". (Attachment 1)

B. Adopt City Council Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan, Including Assignment of GGV Points, for the Camino Real Hotel Project, Case No. 07-208-DP; at the Northwest Corner of Storke Road and Phelps Road; 401 Storke Road; APN 073-440-019". (Attachment 2,

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

MOTION: Councilmember Bennett/Mayor Pro Tempore Onnen conducted the second reading and adopted City Council Ordinance 09-03 entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Camino Real Specific Plan; 401 Storke Road; APN 073-440-019"; and adopted City Council resolution 09-14 entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan, Including Assignment of GGMO Points, for the Camino Real Hotel Project, Case No. 07-208-DP; at the Northwest Corner of Storke Road and Phelps Road; 401 Storke Road; APN 073-440-019".

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

ITEM A.2 AND A.4 WERE PULLED FROM THE CONSENT CALENDAR

A.2 Case No. 05-140-OA, -TM, -DP; Rancho Mobile Home Park Condominium conversion Project; 7465 Hollister Avenue; APN 079-210-058

Recommendation:

- A. Conduct the second reading (by title only) and waive further reading of City Council Ordinance 09-__ entitled "An Ordinance of the City Council of the City of Goleta, California Approving a Development Agreement between the City of Goleta and Goleta Mobile Home Park, LP, a California Limited Partnership for the Condominium Conversion of the Rancho Mobile Home Park". (Attachment 1)
- B. Adopt City Council Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tentative Tract Map for Condominium Purposes and a Development Plan for the Rancho Mobile Home Condominium Conversion Project; 7465 Hollister Avenue; APN 079-210-058; Case No. 05-140-OA, -TM, -DP". (Attachment 2)

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

Public Speakers:

Ken Tatro (letter on file), James Richard, Sharon Rose, and John Douglas (letter on file) raised concerns and spoke in opposition of the Rancho Mobile Home Park Condominium Conversion Project.

MOTION: Mayor Pro Tempore Onnen/Councilmember Easton conducted the second reading and adopted City Council Ordinance 09-02 entitled "An Ordinance of the City Council of the City of Goleta, California Approving a Development Agreement between the City of Goleta and Goleta Mobile Home Park, LP, a California Limited Partnership for the Condominium Conversion of the Rancho Mobile Home Park"; and adopted City Council resolution 09-13 entitled "A Resolution of the City Council of the City of Goleta, California Approving a Tentative Tract Map for Condominium Purposes and a Development Plan for the Rancho Mobile Home Condominium Conversion Project; 7465 Hollister Avenue; APN 079-210-058; Case No. 05-140-OA, -TM, -DP".

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

Recess 2:06 P.M. – 2:10 P.M.

A.4 Consultant Services Agreement with Flowers & Associates, Inc, for Design of the FY 2009-2010 Pavement Rehabilitation Project

Recommendation: Authorize the City Manager to execute a consultant services Agreement with Flowers & Associates, Inc., in an amount not to exceed \$45,000 for engineering design services of the FY 2009-2010 Pavement Rehabilitation Project subject to the review and approval as to form by the City Attorney.

MOTION: Mayor Pro Tempore Onnen/Councilmember Connell to authorize the City Manager to execute a consultant services Agreement with Flowers & Associates, Inc., in an amount not to exceed \$45,000 for engineering design services of the FY 2009-2010 Pavement Rehabilitation Project subject to the review and approval as to form by the City Attorney.

VOTE: Motion approved by unanimous voice vote.

B. DISCUSSION/ACTION ITEM

B.1 Street Improvement and Reinvestment Program Status Report

Recommendation: Receive a status report on the City's Street Improvement and Reinvestment Program.

Staff Speakers:
Steve Wagner, Community Services Director

Council received the report.

B.2 Discussion on City of Goleta Naming Policy

Recommendation:

A. Provide direction to staff on the creation of a naming policy and process for parks, facilities, streets and other municipal property.

B. Authorize the re-naming of the "Optimist Grove" at the Lake Los Carneros to the "Turnbull Optimists Grove".

Staff Speakers:
Dan Singer, City Manager

Public Speakers:
Joe Kovachi, Optimist Club, spoke in support of staff recommendations and noted the many accomplishments of Al Turnbull.

Ken Knight, Goleta Valley Beautiful, spoke in support of staff recommendations.

MOTION: Councilmembers Bennett/Connell to authorize the re-naming of the "Optimist Grove" at the Lake Los Carneros to the "Al Turnbull Optimists Grove".

VOTE: Motion approved by unanimous voice vote.

Al Turnbull expressed his gratitude to the City of Goleta for honoring him.

MOTION: Mayor Aceves/Mayor Pro Tempore Onnen directed staff to return to council with a naming policy that includes a sign standard, and a tree donation policy.

VOTE: Motion approved by unanimous voice vote.

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

Tim W. Giles, City Attorney, read into record closed session matters by title only:

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 respect to potential initiation of one matter of litigation.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following matter:

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

- Title: City Attorney

ADJOURN TO CLOSED SESSION AT 3:04 P.M.

**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 Aceves called the meeting to order at 6:02 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

Present: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton.

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Steve Wagner, Community Services Director Steve Chase, Planning & Environmental Services Director; Patty Miller, Planning Division Manager; Cindy Moore, Senior Planner and Rheannon Parr, Deputy City Clerk.

REPORT FROM CLOSED SESSION - (City Attorney)

Tim Giles, City Attorney reported on closed sessions matters;

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following matter:

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

- Title: City Attorney

Action: No reportable action

PUBLIC FORUM

Patricia Mondragon partner specialist with the U.S. Census Bureau spoke in regard to the 2010 Census. Ms. Mondragon requested a proclamation from the City of Goleta for the 2010 Census noting commitment to partner with the US Census Bureau to help ensure a full and accurate count in 2010, and that a liaison be appointed from the City of Goleta to assist in the coordination of a census count for the City.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

C. PUBLIC HEARING

C.1 Case No. 08-157-OA, -DP RV; Towbes/ATK Space Systems Project; 600 Pine Avenue; APN 071-130-040

Recommendation:

- A. Open the public hearing on the Towbes/ATK Space Systems project.
- B. Allow staff presentation, applicant presentation, and public testimony.
- C. Close the public hearing.
- D. Adopt City Council Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Negative Declaration (08-MND-003) and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Towbes/ATK Space Systems Project; Case No. 08-157-OA, -DP RV; 600 Pine Avenue; APN 073-130-040". (Attachment 1)
- E. Introduce and conduct the first reading (by title only) and waive further reading of City Council Ordinance 09-__ entitled "An Ordinance of the City Council of the City of Goleta, California Amending Ordinance 03-04 and Adopting Revised Growth Management Regulations Applicable to Non-Residential Development within the City of Goleta". (Attachment 2)
- F. Conceptually approve the Towbes/ATK Space Systems Project by conditionally adopting City Council Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan Revision for the Towbes/ATK Space Systems Project, Case No. .08-157-DP RV; 600 Pine Avenue; APN 073-130-040" (Attachment 3).
- G. Continue the item to March 17, 2009 in order to conduct the second reading and adoption of the Ordinance and to adopt a City Council Resolution thereby approving the Towbes/ATK Space Systems Project.

Staff Speakers:

Steve Chase, Planning & Environmental Services Director

Patty Miller, Current Planning Manager provided a PowerPoint presentation overview of the Towbes/ATK Space Systems Project.

APPLICANT:

Mr. Towbes, The Towbes Group, introduced the Towbes/ATK Space Systems project. He also noted it was vital to ATK's contractual obligations that the proposed project moves forward.

Roger Johnson, Facilities Manager for ATK, presented video clips and a PowerPoint presentation which provided an in depth look of the company, employees and products that the company manufactures. He noted that the company currently has 160 employees (high tech engineering and manufacturing professionals) and noted that 70% of those employees live in the south coast, of which half he reported live in the City of Goleta. He also noted timing of the proposed project is critical, ATK needs to have the manufacturing capability by calendar year 2010 but also needs to show its customers now that they have those facilities online within their manufacturing need dates.

Laurel Perez of Susan Eldridge Planning and Permitting Services noted the video clips provided by Mr. Johnson demonstrated the need for the proposed building editions and specifically the clear space requirements in order for ATK to meet contractual obligations for the construction of Solar Arrays. Ms. Perez provided a PowerPoint presentation overview of the proposed Towbes/ATK Space Systems Project. Ms. Perez requested the ordinance language specify that the proposed project "approximately" 25, 026 sq ft.

Peter Brown, representing the applicant, spoke to the issue of housing impact fees. Mr. Brown requested that the fees reflect ATK particular qualities such as high technology, higher paying jobs, and the technology type produced within this facility. He further reported that with very large structures being developed, there was one employee per thousand square feet, when usually in an industrial setting it is one employee per 250 square feet, thus noting ATK's unusual situation. He spoke to the survey produced by staff, he suggested the housing fee of \$170,000 was excessive. Mr. Brown suggested that this survey did not really work for ATK for the above mentioned rationale. Mr. Brown recommended consideration of a site specific analysis of ATK's impacts in the amount of \$80, 645.

OPENED PUBLIC HEARING AT 7:02 P.M.

Public Speakers:

Gary Vandeman spoke to the In-lieu fees and suggested having the fees established independent of the occupant. He also spoke in support of the Goleta Growth Management Ordinance exemption.

CLOSED PUBLIC HEARING AT 7:12 P.M.

MOTION: Mayor Pro Tempore Onnen/Councilmember Easton to adopt City Council resolution 09-15 entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Negative Declaration (08-MND-003) and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Towbes/ATK Space Systems Project; Case No. 08-157-OA, -DP RV; 600 Pine Avenue; APN 073-130-040"; introduced and conducted the first reading and waived further reading of City Council Ordinance 09-___ entitled "An Ordinance of the City Council of the City of Goleta, California Amending Ordinance 03-04 and Adopting Revised Growth Management Regulations Applicable to Non-Residential Development within the City of Goleta" as amended; conceptually approved the Towbes/ATK Space Systems Project by conditionally adopting City Council resolution 09-___ entitled "A Resolution of the City Council of the City of Goleta, California Approving a Development Plan Revision for the Towbes/ATK Space Systems Project, Case No. 08-157-DP RV; 600 Pine Avenue; APN 073-130-040" as amended; and Continue the item to March 17, 2009 in order to conduct the second reading and adoption of the Ordinance and to adopt a City Council Resolution thereby approving the Towbes/ATK Space Systems Project.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton. Noes: None

Recess 7:28 P.M. – 7:36 P.M.

C.2 Case No. 07-217-GPA: Mariposa at Ellwood Shores General Plan Amendment Initiation; 7760 Hollister Avenue (APN 079-210-057)

Recommendation:

- A. Open the public hearing.
- B. Allow staff presentation, applicant presentation, and public testimony.
- C. Close the public hearing.
- D. Deliberate and move to initiate processing of the Mariposa at Ellwood Shores General Plan Amendment.

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

Staff Speakers:

Steve Chase, Planning & Environmental Services Director

Cindy Moore, Senior Planner provided a PowerPoint presentation on the proposed Mariposa at Ellwood Shores General Plan Amendment Initiation. Ms. Moore read into record correspondence received from Ingeborg E. Cox and Vic Cox on March 3, 2009.

APPLICANT:

Bendy White, spoke on behalf of Oliver Dixon, the applicant for Mariposa at Ellwood Shores. Mr. White stated that Mr. Dixon is a Santa Barbara native and his family is a 50 plus year business owner in the Goleta Valley. He noted that if the project is to be approved the Dixon family would continue to own and manage Mariposa at Ellwood Shores. He provided a project summary and a PowerPoint presentation of the nationwide and locally projected population growth of individuals ages 65 and older. Mr. White requested that Council initiate a change to the General Plan which would remove inclusionary requirements for locally approved licensed residential care facilities.

OPENED PUBLIC HEARING AT 7:59 P.M.

Public Speakers:

Gary Vandeman raised concerns regarding the pay scale of the employees and noted the proposed project is a good example of a project that should provide employee housing.

Barbara Massey spoke in opposition of the proposed General Plan amendment.

REBUTTAL:

Mr. White stated he disagreed with land use issues brought up during the public hearing and noted they will be resolve during the project review. He also noted that if the units are dedicated to affordable housing it would render this project infeasible.

CLOSED PUBLIC HEARING AT 8:07 P.M.

MOTION: Mayor Pro Tempore Onnen/Mayor Aceves to initiate processing of the Mariposa at Ellwood Shores General Plan Amendment.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett and Easton. Noes: None Abstain: Councilmember Connell

Councilmember Connell noted her support of removing the inclusionary housing requirement as it related to the residents of the facility but does not support removing the inclusionary housing requirement as it relates to the employee's.

D. DISCUSSION/ACTION ITEM

D.1 Urgency Interim Ordinance Establishing a Temporary Moratorium on the Approval of Permits for the Installation of Communication Facilities

Recommendation: Read in Title only, waive further reading and adopt by four-fifths vote Ordinance No. 09-___ entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting as an Urgency Measure an Interim Zoning Ordinance Pursuant to California Government Code Section 65858 Pertaining to the Permitting of Communication Facilities within the City of Goleta."

MOTION: Councilmembers Easton/Bennett read in title and waived further reading and adopted by four-fifths vote Ordinance No. 09-04 entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting as an Urgency Measure an Interim Zoning Ordinance Pursuant to California Government Code Section 65858 Pertaining to the Permitting of Communication Facilities within the City of Goleta."

VOTE: Motion approved by the following voice vote: Ayes: Mayor Aceves, Mayor Pro Tempore Onnen, Councilmembers Bennett, Connell and Easton. Noes: None

E. COUNCIL COMMENTS

Councilmember Easton reported attending the Board meeting of the Goleta Valley Community Center and noted possible expansion of the community center. Councilmember Easton expressed his interest in adding the proposed expansion of the community center to the City Strategic Plan.

Councilmember Bennett congratulated the Dos Pueblos High School Girls' Water Polo team for winning the California State Championship.

Mayor Pro Tempore Onnen reported that citizens have raised concerns regarding unrestricted areas of parking and requested Council revisit the protocols so items of public safety have a more expeditious path.

Councilmember Connell reported attending tours of MTD, the Santa Barbara Airport, and ATK. She also reported attending the Track 3 EIR Hearing. Councilmember Connell also recognized the Dos Pueblos High School mock trial team for winning the county championship.

Mayor Aceves recognized the Goleta Valley Junior High School student who won the District Spelling Bee. Mayor Aceves also requested a public discussion on the UCSB LRDP at the March 17, 2009 City Council meeting.

F. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, noted the Track 3 EIR comment period has been extended to April 6, 2009, and a workshop will be held on March 16, 2009 at 6 P.M. Mr. Singer also noted the Sphere of Influence application is scheduled to go before LAFCO on March 5, 2009, at the Government Center at 2 P.M. He also reported several City of Goleta staff members will be

participating next week in the state wide exposition on green business programs, practices and products held in Sacramento.


G. CITY ATTORNEY REPORT

Tim Giles, City Attorney, reported attending the League of Cities City Attorney's Department continuing Legal education conference in Los Angeles regarding Senate Bill 375 Greenhouse gas requirements. He also noted a typographical error on the February 17th agenda notice regarding the Conference with Legal Counsel - Pending Litigation regarding the City of Goleta Detachment from the Goleta West Sanitary District. The agenda reported Government Code Section §54956.9(b), however it was corrected to Government Code Section §54956.9(a).

ADJOURNMENT AT 8:41 P.M.

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL



ROGER S. ACEVES
MAYOR

ATTEST



DEBORAH CONSTANTINO
CITY CLERK