



**REGULAR CITY COUNCIL
MEETING MINUTES
TUESDAY, MAY 5, 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 1:34 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; Vyto Adomaitis, Redevelopment, Neighborhood Services and Public Safety Director; Claudia Dato, Management Analyst; Anne Wells, Advance Planning Manager and Rheannon Parr, Deputy City Clerk.

PUBLIC FORUM

None

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

RECOGNITION ITEMS:

- Proclamation: Girl's Inc. Girl's Rights Week Presented to: Kristina Webster, Goleta Valley Center Director

Mayor Aceves presented Kristina Webster, Goleta Valley Center Director, with a proclamation recognizing the week of May 4 – May 8, 2009, May as Girl's Rights Week.

A. PRESENTATION

A.1 MTD Presentation on Proposed Service Route Changes to Old Town Shuttle (Line 9), Lines 6 and 11 Enhanced Service, and Line 8

Staff Speakers:
Dan Singer, City Manager

Speakers:
Sherrie Fisher, MTD General Manager, provided a PowerPoint presentation on proposed service route changes.

Council received the report.

B. CONSENT CALENDAR

B.1 Approval of the Minutes of the Regular City Council Meeting of April 7, 2009 and Special City Council meeting of April 13, 2009

Recommendation: Approve the Minutes of the Regular City Council meeting of April 7, 2009 and the Special City Council meeting of April 13, 2009.

MOTION: Councilmembers Connell/Bennett to approve the Minutes of the Regular City Council meeting of April 7, 2009 and the Special City Council meeting of April 13, 2009.

VOTE: Motion approved by unanimous voice vote.

B.2 Acceptance of Quarterly Treasurer's Report for the Quarter Ending March 31, 2009

Recommendation: Accept the Quarterly Treasurer's Report for the Quarter Ending March 31, 2009.

MOTION: Councilmembers Connell/Bennett to accept the Quarterly Treasurer's Report for the Quarter Ending March 31, 2009.

VOTE: Motion approved by unanimous voice vote.

B.3 Construction Management Contract for Hollister Avenue Sewer Improvements Project

Recommendation: Authorize the City Manager to execute a professional services contract with Penfield & Smith Engineers, Inc. for construction management, inspection, testing and surveying services for the Hollister Avenue Sewer Improvements in an amount not to exceed \$27,540.

MOTION: Councilmembers Connell/Bennett to authorize the City Manager to execute a professional services contract with Penfield & Smith Engineers, Inc. for construction management, inspection, testing and surveying services for the Hollister Avenue Sewer Improvements in an amount not to exceed \$27,540.

VOTE: Motion approved by unanimous voice vote.

B.4 Affordable Housing Impact Fee Study

Recommendation:

- A. Authorize the City Manager to execute an amendment to an existing agreement for professional services with Economic & Planning Systems, Inc. to conduct a study of housing impacts fees in an amount not to exceed \$52,500; and
- B. Approve allocations totaling \$52,500 of housing related Developer Impact Fees funds.

Speaker:

Peter Brown, Brownstein Hyatt Farber Schreck, LLP, raised concerns regarding the Affordable Housing Impact Fee Study.

MOTION: Councilmembers Easton/Connell to authorize the City Manager to execute an amendment to an existing agreement for professional services with Economic & Planning Systems, Inc. to conduct a study of housing impacts fees in an amount not to exceed \$52,500; and approve allocations totaling \$52,500 of housing related Developer Impact Fees funds.

VOTE: Motion approved by unanimous voice vote.

C. PUBLIC HEARING

C.1 Amendment of the City's Community Development Block Grant (CDBG) Program 2008-2009 Action Plan

Recommendation:

- A. Conduct a public hearing to receive public input on the proposed CDBG Amended 2008-2009 Action Plan; and
- B. Approve the Amended 2008-2009 Action Plan and authorize submittal to the U.S. Department of Housing and Urban Development (HUD).

Staff Speakers:

Vyto Adomaitis, Redevelopment, Neighborhood Services and Public Safety Director

Claudia Dato, Management Analyst

OPENED PUBLIC HEARING AT 2:10 P.M.

Speakers:

None

CLOSED PUBLIC HEARING AT 2:10 P.M.

MOTION: Councilmembers Connell/Easton to approve the Amended 2008-2009 Action Plan and authorize submittal to the U.S. Department of Housing and Urban Development (HUD).

VOTE: Motion approved by unanimous voice vote.

D. STUDY SESSION

D.1 Housing Element Update Study Session

Recommendation: Receive a staff presentation regarding the Housing Element update and provide direction to staff accordingly.

Staff Speakers:

Vyto Adomaitis, Redevelopment, Neighborhood Services and Public Safety Director

Anne Wells, Advanced Planning Manager, provided a PowerPoint presentation of the Housing Element Update.

Public Speakers:

Kristen Amyx, Goleta Valley Chamber of Commerce; Michael Towbes, The Towbes Group, Inc.; Craig Zimmerman, The Towbes Group, Inc.; Peter Brown, The Towbes Group, Inc.; Harwood White, Representing Cortona Corner, LP. and Oliver Dixon; Debbie Cox Bultan, Coastal Housing Coalition; John Campanezca, BDC/Rockber Partners; Andrew Bermant, BDC/Rockber Partners; Jeff Bermant, Bermant Development Co.; Connie Hannah, League of Women Voters; Peter Koetting, Westar Associates; and Laurel Perez, SEPPS, raised concerns regarding the Housing Element.

RECESS 3:20 P.M. – 3:28 P.M.

By Consensus Council approved staff recommendations for proposed HE 11.4 Flexibility in Meeting Inclusionary Requirements. [GP], HE 10.3 "Designated" Affordable Housing Sites. [GP], and HE 11.2 Applicability of Inclusionary Requirements. [GP].

MOTION: Councilmember Bennett/Mayor Pro Tempore Onnen to remove subpart a in proposed HE 11.5 Establishment of Unit Percentages and Income Levels [GP].

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

MOTION: Councilmembers Connell/Bennett to direct staff amend proposed subpart b in 11.5 Establishment of Unit Percentages and Income Levels [GP] to allow for 15% - 20% inclusionary rates.

AMENDED MOTION:

MOTION: Councilmembers Connell/Bennett to direct staff amend proposed subpart b in 11.5 Establishment of Unit Percentages and Income Levels [GP] to allow for 15% - 20% inclusionary rates citywide and allow staff to create criteria for the different inclusionary rates.

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

MOTION: Councilmembers Connell/Bennett to keep the 20% inclusionary requirements.

AMENDED MOTION:

MOTION: Councilmembers Connell/Bennett to direct staff to keep the proposed 20% inclusionary requirements in HE 11.6 Inclusionary Requirements for Affordable Housing Opportunity Sites [GP] subparts a - d.

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

MOTION: Councilmembers Bennett/Connell to approve staff recommendations in proposed IP-11A Prepare Inclusionary Housing Regulations in the New Zoning Code.

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmembers Connell/Easton to approve staff recommendations in proposed HE 10.1 Density Bonus for Affordable Housing Developments. [GP].

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmember Bennett/Mayor Pro Tempore Onnen to approve staff recommendations in proposed HE 10.2 Other Incentives for Affordable Housing Developments [GP] and to include all associated elements.

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

MOTION: Mayor Pro Tempore Onnen/Councilmember Connell to approve staff recommendations in proposed IP-10C State Density Bonus Law.

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

MOTION: Mayor Pro Tempore Onnen/Councilmember Bennett to approve staff recommendations in proposed IP-10D Offer Incentives.

VOTE: Motion approved by unanimous voice vote.

MOTION: Mayor Pro Tempore Onnen/Councilmember Easton to approve staff recommendations in proposed IP-10E Modify Procedures and Materials to Expedite Project Review.

VOTE: Motion approved at unanimous voice vote.

MOTION: Mayor Pro Tempore Onnen/Councilmember Easton to approve staff recommendations in proposed HE 11.7 Long-Term Affordability of Inclusionary Units [GP].

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmembers Easton/Bennett to approve staff recommendations in proposed HE 5.6 Housing for Homeless Persons [GP].

VOTE: Motion approved by unanimous voice vote

MOTION: Councilmembers Connell/Onnen to approve staff recommendations in proposed IP-5E Programs to Address Homeless Needs.

VOTE: Motion approved by unanimous voice vote.

MOTION: Mayor Pro Tempore Onnen/Councilmember Easton to approve staff recommendations in proposed HE 5.3 Density Bonuses for Special Needs Housing [GP].

VOTE: Motion approved by unanimous voice vote

MOTION: Councilmembers Easton/Bennett to approve staff recommendations in HE 11.1 Inclusionary Housing Approach.

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmembers Connell/Easton to move for reconsideration of proposed IP-5E Programs to Address Homeless Needs.

AMENDED MOTION:

MOTION: Councilmembers Connell/Easton to request staff to explore the feasibility of other zones and C-3 be included in section 1 of proposed IP-5E Programs to Address Homeless Needs.

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmember Easton/Mayor Pro Tempore Onnen to approve staff recommendations in proposed HE 11.9 Redevelopment Area Housing Requirements

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmember Easton/Mayor Pro Tempore Onnen to direct staff to modify the proposed opportunity site zoning from 20 units pre acre to 25-20 units per acre.

VOTE: Motion approved by unanimous voice vote.

E. DISCUSSION/ACTION ITEMS

MOTION: Mayor Pro Tempore Onnen/Councilmember Bennett to move items E.1 and E.3 to the evening session of the City Council meeting.

VOTE: Motion approved by unanimous voice vote.

E.2 Tax Allocation Agreement with the County of Santa Barbara for Sanitary District Services

Recommendation:

- A. Adopt Resolution 09-___, entitled "A Resolution of the City Council of the City of Goleta, California Approving the Property Tax Allocation Agreement between the City of Goleta and County of Santa Barbara Board of Supervisors for Detachment of Properties from Goleta West Sanitary District" and
- B. Authorize the Mayor to execute that Allocation Agreement.

Staff Speakers:

Dan Singer, City Manager

Tim Giles, City Attorney

Public Speakers:

Larry Meyer spoke in opposition of staff recommendations.

Steven A. Amerikaner, representing Goleta West Sanitary District, provided a handout regarding the proposed Tax Exchange Agreement. Mr. Amerikaner spoke in opposition of staff recommendations.

MOTION: Councilmembers Easton/Bennett to adopt resolution 09-24, entitled "A Resolution of the City Council of the City of Goleta, California Approving the Property Tax Allocation Agreement between the City of Goleta and County of Santa Barbara Board of Supervisors for Detachment of Properties from Goleta West Sanitary District" as amended.

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

MOTION: Mayor Pro Tempore Onnen/Councilmember Bennett to authorize the Mayor to execute that Allocation Agreement.

VOTE: Motion approved by unanimous voice vote.

Mayor Aceves requested the Channel 19 scroll reflect that Evening Session will start at approximately 6:15 P.M.

ADJOURNED AT 5:54 P.M.

CLOSED SESSION

Council did not meet in Closed Session in regard to the following matters:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

- City Attorney
- City Manager

**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 6:20 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; Patricia Miller, Current Planning Manager; Anne Wells, Advanced Planning Manager; Steve Wagner, Community Services Director and Rheannon Parr, Deputy City Clerk.

REPORT FROM CLOSED SESSION - (City Attorney)

None

PUBLIC FORUM

Mickey Caughey recommended the installation of solar photovoltaic panels throughout the City of Goleta.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Dan Singer, City Manager, noted that Discussion/Action items E.1 and E.3 from the Afternoon Session were moved to Evening Session. Mr. Singer recommended Council discuss Item E.1, Construction and Construction Management and Inspection Contracts for Los Carneros Interchange Landscaping Project, after the Girsh Park Presentation and discuss item E.3, Affirm Changes to the City's Strategic Plan, after item H.1.

RECOGNITION ITEMS

- Proclamation: National Association of Letter Carriers #290 Stamp Out Hunger Food Drive May 9, 2009 - Presented to: Scott Pickering, Coordinator of Goleta Food Drive
- Certificate of Recognition: Dos Pueblos High School, Virtual Enterprise Program

- Certificate of Recognition: Dos Pueblos High School, Girl's Water Polo

Mayor Aceves presented Scott Pickering, Coordinator of Goleta Food Drive, with a proclamation recognizing May 9, 2009, as National Association of Letter Carriers Stamp Out Hunger Food Drive Day.

Mayor Aceves presented the Dos Pueblos High School Virtual Enterprise Program Team with a Certificate of Recognition for their achievements at the 5th Annual Bay Area International Trade Fair.

Mayor Aceves presented the Dos Pueblos High School Girl's Water Polo Team with a Certificate of Recognition for their impressive session and winning the Division 1 Championship.

ITEMS E.1 WAS MOVED TO EVENING SESSION

E. DISCUSSION/ACTION ITEMS

E.1 Construction and Construction Management and Inspection Contracts for Los Carneros Interchange Landscaping Project

Recommendation:

- A. Approve the design, plans and specifications for the Los Carneros Interchange Landscaping project on file with the City;
- B. Consider protest of Rock Bottom, Inc;
- C. Find Rock Bottom, Inc. not to be a responsible bidder for the Los Carneros Interchange Landscaping Project;
- D. Find Marina Landscape, Inc. to be a responsible bidder and that Marina Landscape, Inc. submitted the lowest cost responsive bid;
- E. Award contract and Authorize the City Manager to execute a contract with Marina Landscape, Inc. for the construction of the Los Carneros Interchange Landscaping Project in the amount of \$444,258.50;
- F. Authorize City Manager to approve change orders in an amount not to exceed \$44,425; and
- G. Authorize the City Manager to execute a professional services agreement with MNS Engineers, Inc. for construction management and

inspection services for the Los Carneros Interchange Landscaping Project in an amount not to exceed \$59,756.

Staff Speaker:
Steve Wagner, Community Service Director

MOTION: Councilmembers Bennett/Connell to approve the design, plans and specifications for the Los Carneros Interchange Landscaping project on file with the City.

AMENDED MOTION:

MOTION: Councilmembers Bennett/Connell to approve the design, plans and specifications for the Los Carneros Interchange Landscaping project on file with the City; find Rock Bottom, Inc. not to be a responsible bidder for the Los Carneros Interchange Landscaping Project; find Marina Landscape, Inc. to be a responsible bidder and that Marina Landscape, Inc. submitted the lowest cost responsive bid; award contract and authorize the City Manager to execute a contract with Marina Landscape, Inc. for the construction of the Los Carneros Interchange Landscaping Project in the amount of \$444,258.50; authorize City Manager to approve change orders in an amount not to exceed \$44,425; and authorize the City Manager to execute a professional services agreement with MNS Engineers, Inc. for construction management and inspection services for the Los Carneros Interchange Landscaping Project in an amount not to exceed \$59,756.

VOTE: Motion approved by unanimous voice vote.

F. PRESENTATION

F.1 Girsh Park 2008-2009 Annual Report

Staff Speakers:
Dan Singer, City Manager

Ryan Herrington, Executive Director of the Foundation of Girsh Park, provided a PowerPoint presentation on the Girsh Park 2008-2009 Annual Report.

Council received the report.

G. DISCUSSION/ACTION ITEM

G.1 Request for Four-Way Controlled Intersection and New Crosswalk at Armitos and Kellogg Avenue

Recommendation:

Receive a report and:

- A. Consider adoption of Resolution No. 09- __ entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Installation of "Stop" Signs on Armitos Avenue at Kellogg Avenue Intersection Establishing a Four-Way Controlled Intersection"; or
- B. Provide direction to staff regarding a petition received for the installation of two additional stop signs and a crosswalk at the intersection of Armitos and Kellogg Avenues.

Councilmember Easton recused himself based on the proximity of his residence to the subject intersection and left the dais at 6:53 P.M.

Staff Speaker:

Steve Wagner, Community Services Director

Public Speakers:

John O'Shaughnessy raised concerns regarding staff recommendations.

Mickey Caughey spoke in support of staff recommendations.

MOTION: Councilmember Bennett/Connell to adoption resolution No. 09-25 entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the Installation of "Stop" Signs on Armitos Avenue at Kellogg Avenue Intersection Establishing a Four-Way Controlled Intersection".

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

Councilmember Easton returned to the dais from 7:13 P.M.

H. PUBLIC HEARING

H.1 07-102-GP, -OA, - TM, -DP, -RN: Haskell's Landing Project Northwestern Corner of Hollister Avenue/Las Armas Road Intersection; APN 079-210-049

Recommendation:

- A. Consider the Haskell's Landing Project, which is an item continued from April 7, 2009, and re-open the public hearing.
- B. Allow supplemental staff presentation, applicant presentation, and public testimony.
- C. Close the public hearing.
- D. Adopt resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Accepting the Addendum Dated November 10, 2008 and Addendum Revisions Dated March 27, 2009 to the Aradon Project EIR (94-EIR-9), Residences at Sandpiper Supplemental EIR, and the City of Goleta General Plan/Coastal Land Use Plan EIR Pursuant to the State Guidelines for the Implementation of the California Environmental Quality Act and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Haskell's Landing Project; Case No. 07-102-GP, -OA, - TM, -DP, -RN; Hollister Avenue/Las Armas Road Intersection; APN 079-210-049". (Attachment 1 of staff report dated April 7, 2009).
- 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 Approving Case 07-102-OA, a Development Agreement for the Proposed Haskell's Landing Project; Hollister Avenue/Las Armas Road Intersection; APN 079-210-049" (Attachment 3 of staff report dated April 7, 2009).
- F. Adopt Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving Case No. 07-102-GP, Amending General Plan/Coastal Land Use Plan Policy CE 2.2 and HE Policy 11.5" (Attachment 2 of staff report dated April 7, 2009).
- G. Conceptually approve the Haskell's Landing Project by conditionally adopting City Council Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving Case No. 07-102-TM, -DP, -RN; a Vesting Tentative Tract Map, Development Plan,

and Road Naming for the Haskell's Landing Project, Hollister Avenue/Las Armas Road Intersection; APN 079-210-049" (Attachment 4 of staff report dated April 7, 2009).

- H. Continue the item to May 19, 2009 in order to conduct the second reading and adoption of the Ordinance for a Development Agreement for the proposed Haskell's Landing Project and to consider various adopting Resolutions pertaining to amending General Plan/Coastal Land Use Plan policies CE 2.2 and HE 11.5 and approving the Haskell's Landing Project.

Staff Speakers:

Patricia Miller, Current Planning Manager and Anne Wells, Advanced Planning Manager provided a PowerPoint presentation on the proposed Haskell's Landing Project.

OPENED PUBLIC HEARING 7:41 AT P.M.

APPLICANT:

Mary Reichel, Project Planner for the applicant provided a PowerPoint presentation of the proposed Haskell's Landing Project.

Speakers:

Alyson Spann, Ron Bruns, Mickey Caughey, E.K. Dahl, Larry Stigney, Sue Bruns, Judy Rattray, David Given, Richard Van Seenus, and Silvio DiLoreto spoke in support of the proposed Haskell's Landing project.

Deane Plaister, George Relles, Eddie Harris and Ken Palley spoke in opposition of the proposed General Plan Amendments.

REBUTTAL:

Chuck Lande, applicant, responded to the comments from the public relating to opposition of General Plan Amendments. He also noted that a recent market study is not available on the project therefore he is not able to provide the pricings for the homes.

CLOSED PUBLIC HEARING AT 8:29 P.M.

RECESS 8:29 P.M. – 8:40 P.M.

Councilmember Easton circulated proposed alternative language for CE 2.2 Streamside Protection Area [GP/CP]

MOTION: Mayor Pro Tempore Onnen/Councilmember Bennett to adopt resolution 09-26 entitled "A Resolution of the City Council of the City of Goleta, California Accepting the Addendum Dated November 10, 2008 and Addendum Revisions Dated March 27, 2009 to the Aradon Project EIR (94-EIR-9), Residences at Sandpiper Supplemental EIR, and the City of Goleta General Plan/Coastal Land Use Plan EIR Pursuant to the State Guidelines for the Implementation of the California Environmental Quality Act and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Haskell's Landing Project; Case No. 07-102-GP, -OA, - TM, -DP, -RN; Hollister Avenue/Las Armas Road Intersection; APN 079-210-049".

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmembers Easton/Connell to accept Councilmember Easton's General Plan recommendations in CE 2.2 Streamside Protection Areas [GP/CP].

AMENDED MOTION:

MOTION: Councilmembers Easton/Connell to accept Councilmembers Easton's General Plan suggested language for CE 2.2 Streamside Protection Areas [GP/CP] with the following modifications to include: "There is no feasible alternative siting for the new development that will avoid the SPA, Paragraph A and each of the numbers under it would remain unchanged, Paragraph B (the second sentence) "If there are no feasible alternatives to the project" would be deleted and would be replaced with the language "there is no feasible alternative siting for the new development that will avoid the SPA". There would be a new B.2; "the New development will not extend into the Creek related ESHA, and the resulting ESHA buffer will not be less than 50 feet; and renumber the current subpart 2 as number 3, and Paragraph C would remain as provided to currently. B. 1 to strike the first word "significant" and replace with "substantial beneficial".

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

MOTION: Councilmembers Easton/Bennett to 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 Approving Case 07-102-OA, a Development Agreement for the Proposed Haskell's Landing Project; Hollister Avenue/Las Armas Road Intersection;

APN 079-210-049" , providing for the following recommended modifications to the Development Agreement and the proposed Ordinance as follows: 1). to update the dates to reflect that a hearing was conducted on May 5, 2009, and 2). to include a provision that the applicant dismissed pending litigation against the City of Goleta, and 3) and to include a text change to condition number 57 with regard to reclaimed water, replacing the words "as feasible" to "if available".

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmembers Bennett/Connell to conceptually approve the General Plan amendments by conceptually adopting resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving Case No. 07-102-GP, Amending General Plan/Coastal Land Use Plan Policy CE 2.2 and HE Policy 11.5", as amended at the City Council meeting of May 5, 2009.

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmembers Bennett/Connell to conceptually approve the Haskell's Landing Project by conditionally adopting City Council Resolution 09-__ entitled "A Resolution of the City Council of the City of Goleta, California Approving Case No. 07-102-TM, -DP, -RN; a Vesting Tentative Tract Map, Development Plan, and Road Naming for the Haskell's Landing Project, Hollister Avenue/Las Armas Road Intersection; APN 079-210-049" as amended.

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmembers Connell/Bennett to modify staff recommendation E to include revisions to the development agreement and condition number 1 to include two two-bedroom units and to include a text change to condition number 57 with regard to reclaimed water, replacing the words "as feasible" to "if available".

VOTE: Motion approved by unanimous voice vote.

MOTION: Mayor Aceves/Mayor Pro Tempore Onnen to continue the item to May 19, 2009 in order to conduct the second reading and adoption of the Ordinance for a Development Agreement for the proposed Haskell's Landing Project and to consider various adopting Resolutions pertaining to amending General Plan/Coastal Land Use Plan policies CE 2.2 and HE 11.5 and approving the Haskell's Landing Project.

VOTE: Motion approved by unanimous voice vote.

E. DISCUSSION/ACTION ITEMS

E.3 Affirm Changes to the City's Strategic Plan

Recommendation: Review and affirm changes made at the City's Strategic Plan at the March 27, 2009 City Council Work Session.

MOTION: Councilmember Bennett/Connell to move item E.3 to the May 19, 2009 City Council meeting.

VOTE: Motion approved by unanimous voice vote.

I. COUNCIL COMMENTS

Councilmember Connell reported her attendance to a meeting held by The Housing Authority regarding the agency's plans to shift their units from public housing to partially private Section 8 housing and suggested Council receive the presentation from The Housing Authority. Mayor Aceves concurred with Councilmember Connell's request.

Councilmember Easton reported Goleta Valley Community Center will look into installing turf versus astro turf in efforts to reduce costs.

Mayor Aceves requested staff research future needs costs associated with City owned facilities.

J. CITY MANAGER/STAFF REPORT

Dan Singer, City Manager, reported a Special Budget Workshop will be held May 14, 2009, at City Hall.


K. CITY ATTORNEY REPORT

Tim Giles, City Attorney, reported he will be attending the League of California Cities City Attorney's conference the remainder of the week.

ADJOURNMENT AT 10:10 P.M.


Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL



ROGER S. ACEVES
MAYOR

ATTEST:



DEBORAH CONSTANTINO
CITY CLERK