



**REGULAR CITY COUNCIL
MEETING MINUTES
TUESDAY, APRIL 6, 2010**

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

Eric Onnen, Mayor
Margaret Connell, Mayor Pro Tempore
Roger S. Aceves, Councilmember
Michael T. Bennett, 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 Onnen called the meeting to order at 1:31 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

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

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Michelle Greene, Administrative Services Director and Deborah Constantino, City Clerk

PUBLIC FORUM

Speakers:

R. Kabir Chalfin spoke in opposition and raised concerns regarding Dioji Doggie Day Care. Mr. Chalfin requested a compliance hearing regarding Dioji Doggie Day Care.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. PRESENTATION

A.1 Employee 5-Year Recognition

Mayor Onnen presented John Shields, Maintenance Worker II, with a 5-Year Recognition pin.

B. CONSENT CALENDAR

B.1 Pre-Authorized Qualified Consultants List

Recommendation: Establish a Pre-Authorized Qualified Consultants List to provide Construction Management, Inspection, Materials Testing, and Surveyor Services.

MOTION: Councilmembers Bennett/Aceves to establish a Pre-Authorized Qualified Consultants List to provide Construction Management, Inspection, Materials Testing, and Surveyor Services.

VOTE: Motion approved by unanimous voice vote.

B.2 Parking Lot License Agreement between the City of Goleta and the First Church of Christ Scientist

Recommendation: Authorize the City Manager to execute a Parking Lot License Agreement between the City of Goleta and the First Church of Christ, Scientist.

MOTION: Councilmembers Bennett/Aceves to authorize the City Manager to execute a Parking Lot License Agreement between the City of Goleta and the First Church of Christ, Scientist.

VOTE: Motion approved by unanimous voice vote.

B.3 Annual Claim with the Santa Barbara County Association of Governments for Allocation of FY 2010-2011 Transportation Development Act Funds

Recommendation: Adopt Resolution No. 10-__ entitled "A Resolution of the City of Goleta, California Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of Transportation Development Act Funds for Fiscal Year 2010-2011".

MOTION: Councilmembers Bennett/Aceves to adopt Resolution No. 10-21 entitled "A Resolution of the City of Goleta, California Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of Transportation Development Act Funds for Fiscal Year 2010-2011".

VOTE: Motion approved by unanimous voice vote.

B.4 New Memorandum of Understanding for Participation in the Proposition 84 Integrated Regional Water Management Plan

Recommendation: Authorize the City Manager to execute a new Memorandum of Understanding to continue participation in the State-wide Proposition 84 process and revise the area-wide Integrated Regional Water Management Plan in Santa Barbara County.

MOTION: Councilmembers Bennett/Aceves to authorize the City Manager to execute a new Memorandum of Understanding to continue participation in the State-wide Proposition 84 process and revise the area-wide Integrated Regional Water Management Plan in Santa Barbara County.

VOTE: Motion approved by unanimous voice vote.

B.5 Cooperative Agreement to Implement a Contractual Assessment Program for Energy and Water Efficiency

Recommendation: Approve and authorize the City Manager to execute a Cooperative Agreement with the County of Santa Barbara to Implement a Contractual Assessment Program (formerly known as the Central Coast Energy Independence Program).

MOTION: Councilmembers Bennett/Aceves to approve and authorize the City Manager to execute a Cooperative Agreement with the County of Santa Barbara to Implement a Contractual Assessment Program (formerly known as the Central Coast Energy Independence Program).

VOTE: Motion approved by unanimous voice vote.

C. DISCUSSION/ACTION ITEM

C.1 Community Project Grant Funding Recommendations

Recommendation: Approve the funding recommendations of the Subcommittee for the distribution of the City's Community Project Grants.

Council Declarations:

Mayor Pro Tempore Connell reported she is a member of the Goleta Valley Historical Society.

Councilmember Bennett reported he is a member of the Goleta Valley Historical Society, Chamber of Commerce and the Rotary Club.

Mayor Onnen reported he is a member of the Goleta Rotary Club and the Chamber of Commerce.

Staff Speakers:

Michelle Greene, Administrative Services Director

MOTION: Councilmember Bennett/Mayor Onnen to approve the funding recommendations of the Subcommittee for the distribution of the City's Community Project Grants.
VOTE: Motion approved by unanimous voice vote.

C.2 Design Review Board Candidate Interviews

Recommendation: Conduct interviews of the two candidates and consider appointments to the Design Review Board.

Staff Speakers:
Deborah Constantino, City Clerk

MOTION: Councilmember Bennett/Mayor Pro Tempore Connell to re-appoint Tom Smith to the At-large position on the Design Review Board.
VOTE: Motion approved by the following voice vote: Ayes: Mayor Onnen, Mayor Pro Tempore Connell, Councilmember Aceves and Bennett. Noes: None. Abstain: Councilmember-Easton.

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 - EXISTING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(a) to confer with its legal counsel with regard to the following matters of pending litigation:

- 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
- Guggenheim v. City of Goleta, United States Court of Appeals for the Ninth Circuit, Case 06-56306

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: 079-554-024
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: Marc P. and Bonnie Wasson
Under Negotiations: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

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

Property: 073-330-030
Agency Negotiator: Dan Singer, City Manager
Negotiating Party: CHA Partners LLC
Under Negotiations: Price and Terms

ADJOURNED TO CLOSED SESSION AT 2:13 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 Onnen called the meeting to order at 6:02 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

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

Absent: None

Staff Present: Dan Singer, City Manager; Tim W. Giles, City Attorney; Patty Miller, Planning Manager; Cindy Moore, Senior Planner and Deborah Constantino, City Clerk.

REPORT FROM CLOSED SESSION

None

PUBLIC FORUM

None—

AMENDMENTS OR ADJUSTMENTS TO AGENDA

By Consensus Council requested moving Item F.2 after Item D.1

D. PRESENTATION

D.1 Dos Pueblos High School Girls Water Polo Team -- Certificate of Recognition

Mayor Onnen presented the Dos Pueblos High School Girls Water Polo Team with a Certificate of Recognition for their impressive season which resulted in winning the California Interscholastic Federation Championship.

F. DISCUSSION/ACTION ITEM

F.2 Appointment to the Planning Commission

Recommendation: Consider appointment to the Planning Commission nominated by Councilmember Bennett to fill the existing vacancy to the Planning Commission.

MOTION: Councilmembers Easton/Aceves to appoint Reyne Stapelmann to serve as a Planning Commissioner.

VOTE: Motion approved by unanimous voice vote.

E. PUBLIC HEARING

E.1 Mariposa at Ellwood Shores Development Agreement Initiation; Case No. 07-217-OA; 7760 Hollister Avenue; APN 079-210-057

Recommendation:

- A. Open the public hearing.
- B. Allow staff presentation and public testimony.
- C. Close the public hearing.
- D. Initiate staff study, consideration, negotiation and drafting of a Mariposa at Ellwood Shores Development Agreement.

Staff Speakers:

Patty Miller, Planning Manager

OPENED PUBLIC HEARING AT 6:19 P.M.

Speakers:

Dr. Inge Cox spoke against parking reductions and also raised concerns regarding the Mariposa at Ellwood Shores Development Agreement.

CLOSED PUBLIC HEARING AT 6:32 P.M.

MOTION: Councilmember Bennett/Mayor Onnen to initiate staff study, consideration, negotiation and drafting of a Mariposa at Ellwood Shores Development Agreement.

VOTE: Motion approved by unanimous voice vote.

E.2 09-047-APP (04-226-TM, DP); Foster Appeal – Planning Commission Approval of the Citrus Village Project; 7388 Calle Real; APN 077-490-043

Recommendation:

- A. Open the public hearing.
- B. Allow staff presentation, appellant presentation, applicant presentation, and public testimony.
- C. Close the public hearing.
- D. Adopt resolution 10-__ entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Negative Declaration (07-MND-004) and Adopting the Addendum Dated March 23, 2010 to the Mitigated Negative Declaration and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Citrus Village Project; Case No. 04-226-TM, -DP; 7388 Calle Real, APN 077-490-043". (Attachment 1)

- E. Adopt City Council Resolution 10-__ entitled "A Resolution of the City Council of the City of Goleta Approving a Vesting Tentative Tract Map (TM 32,027) for Condominium Purposes and a Final Development Plan for the Citrus Village Project; Case No. 04-226-TM, -DP; 7388 Calle Real; APN 077-490-043". (Attachment 2)

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

Staff Speakers:

Cindy Moore, Senior Planner, provided a PowerPoint presentation regarding the Citrus Village Project. Ms. Moore read into record correspondence received from Richard Foster via e-mail dated April 6, 2010.

OPENED PUBLIC HEARING AT 6:43 P.M.

Speakers:

Karen Kyper spoke in opposition of the proposed project.

Karen Lovelace spoke in opposition to the proposed project, in terms of density and design.

CLOSED PUBLIC HEARING AT 7:02 P.M.

MOTION: Councilmember Aceves/Mayor Pro Tempore Connell to adopt resolution 10-22 entitled "A Resolution of the City Council of the City of Goleta, California Adopting the Final Mitigated Negative Declaration (07-MND-004) and Adopting the Addendum Dated March 23, 2010 to the Mitigated Negative Declaration and Adopting CEQA Findings and a Mitigation Monitoring and Reporting Program for the Citrus Village Project; Case No. 04-226-TM, -DP; 7388 Calle Real, APN 077-490-043".

VOTE: Motion approved by unanimous voice vote.

MOTION: Councilmembers Aceves/Bennett to adopt City Council Resolution 10-23 entitled "A Resolution of the City Council of the City of Goleta Approving a Vesting Tentative Tract Map (TM 32,027) for Condominium Purposes and a Final Development Plan for the Citrus Village Project; Case No. 04-226-TM, -DP; 7388 Calle Real; APN 077-490-043" as presented by staff and amended at the April 6, 2010 city council meeting.

VOTE: Motion approved by unanimous voice vote.

F. DISCUSSION/ACTION ITEM

F.1 St. Raphael's School Request for Waiver of Processing Fees (10-020-CUP AM); 5444 Hollister Avenue; APN 071-330-003 (Signage)

Santa Barbara Certified Farmers Market Request for Waiver of Processing Fees (10-025-CUP AM); 7004 Marketplace Drive; APN 073-440-013 (Addition of Thursday Afternoon Market)

Recommendation:

- A. Provide direction to staff on the approval or denial of the St. Raphael's School sign application request for waiver of processing fees for a conditional use permit amendment (\$2,520).
- B. Provide direction to staff on the approval or denial of the Santa Barbara Certified Farmers Market request for waiver of processing fees for a conditional use permit amendment (\$2,520).

Staff Speakers:

Patty Miller, Planning Manager

Speakers:

Mario Coronado, representing St. Raphael's School and Church, spoke to the St. Raphael's School sign application request for waiver of processing fees for a conditional use permit.

Sam Edelman, General Manager of the Farmers Market, spoke to the Santa Barbara Certified Farmers Market request for waiver of processing fees for a conditional use permit .

MOTION: Councilmembers Aceves/Bennett to approve the St. Raphael's School sign application request for waiver of processing fees for a conditional use permit amendment (\$2,520) and approve the Santa Barbara Certified Farmers Market request for waiver of processing fees for a conditional use permit amendment (\$2,520).

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

G. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

- **Ordinance Review Standing Committee Meeting – 3/18/10**

Councilmember Aceves reported that the Ordinance Review Standing Committee met to review an oversized vehicle parking ordinance and the medical marijuana ordinance.

Mayor Pro Tempore Connell reported her attendance at the library funding issue meeting. Mayor Pro Tempore Connell also reported meeting the Chair of the Friends of the Library and a campaign expert to discuss library funding issues.

Councilmember Bennett reported his attendance at the park commission meeting regarding Goleta Beach 2.0 and that he will also be attending a Santa Barbara County Planning Commission meeting which will be held on April 7, 2010, to discuss Goleta Beach 2.0. Councilmember Bennett raised concerns regarding a report an animal abuse and an animal control officer returning the animal to the accused abuser.

By Consensus Council requested staff to investigate the reported animal abuse incident and report back to Council.

Councilmember Easton reported meeting with an engineer from the Seattle Aquarium to discuss a proposal for the reinstatement of kelp in Goleta Bay.

Councilmember Aceves reported his attendance at the 2010 Central Coast American Planning Association Awards Dinner on April 3, 2010, and that the Sumida Gardens Project received an award from the Central Coast Chapter of the American Planning Association.

Mayor Onnen recognized the Dos Pueblos Engineering Academy Robotics Team 1717 for placing first in the Los Angeles Regional FIRST Competition held in Long Beach.

H. CITY MANAGER/STAFF REPORT

None

I. CITY ATTORNEY REPORT

None

ADJOURNED AT 8:10 P.M.

Prepared by: Rheannon Parr, Deputy City Clerk

GOLETA CITY COUNCIL



ERIC ONNEN
MAYOR

ATTEST: 

DEBORAH CONSTANTINO
CITY CLERK