

RESOLUTION NO. 07-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA AUTHORIZING USE OF GOLETA TRANSPORTATION IMPROVEMENT PROGRAM FUNDS FOR THE EXTENSION OF OVERPASS ROAD CONSISTENT WITH GENERAL PLAN POLICY T.E 5.6.

WHEREAS, on October 2, 2006 the City of Goleta ("City") adopted its General Plan/Coastal Land Use Plan ("General Plan"), including a Transportation Element; and

WHEREAS, Policy T.E 5.6 of that Transportation Element provides:

TE 5.6 Extension of Overpass Road. [GP] The Overpass Road Extension Project is designed to connect the existing Overpass Road with Hollister Avenue at a new signalized intersection. The primary purpose of this major project is to accommodate traffic generated by planned residential development along the route extension. The project will also help reduce congestion at the Overpass Road/Patterson Avenue and the Patterson Avenue/Hollister Avenue intersections by diverting some westbound vehicle trips to the new route. This project is also located within the Goleta Old Town Redevelopment Project Area.; and

WHEREAS, City collects certain transportation development impact fees as part of the Goleta Transportation Improvement Program ("GTIP") for use consistent with General Plan Policy T.E 5.6; and

WHEREAS, the design and construction of an extension of Overpass Road from its current terminus to Hollister Avenue ("Overpass Road Extension") is consistent with General Plan Policy T.E 5.6 and is a permitted use of GTIP funds; and

WHEREAS, the Sumida Family Limited Partnership ("Developer") is undertaking the development and construction of a two hundred (200) unit apartment complex, including thirty-four (34) affordable units, ("Project") and has obtained certain approvals and permits ("Project Approvals") from the City for the Project including that certain Development Agreement by and between the City of Goleta and Sumida Family Limited Partnership dated November 19th, 2007 as approved by Ordinance No.07-19 on November 19, 2007 ("Development Agreement"); and

WHEREAS, the Developer has been conditioned under the Project Approvals and Development Agreement to design and construct the Overpass Road Extension as part of the Project; and

WHEREAS, the Developer has requested that City provide GTIP funds to Developer as financial assistance for the design and construction of the Overpass Road Extension; and

WHEREAS, the City Council, on advice from its staff and consultants, desires to provide GTIP funds to Developer for this purpose.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA HEREBY DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

SECTION 1.

The City Council finds that the expenditure of GTIP funds for the design and construction of the Overpass Road Extension as conditioned in the Project Approvals and Development Agreement, and as authorized in this Resolution, is consistent with Policy T.E 5.6 of the General Plan and is consistent with the Goleta Transportation Improvement Program requirements.

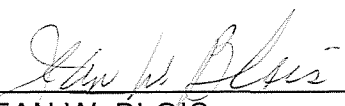
SECTION 2.

The City Council hereby authorizes the Treasurer and/or the Finance Director to disburse an amount not to exceed Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) from City Fund 220 (GTIP) to Sumida Family Limited Partnership, or its successors or assigns, in accordance with the terms and conditions of Section 4.2.1 of the Development Agreement.

SECTION 3.

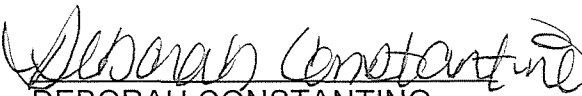
The City Clerk shall certify to the adoption of this Resolution.


PASSED, APPROVED AND ADOPTED this 19th day of November, 2007.

By 
JEAN W. BLOIS
MAYOR

ATTEST:

APPROVED AS TO FORM:


DEBORAH CONSTANTINO
CITY CLERK


BRIAN A. PIERIK
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss
CITY OF GOLETA)

I, Deborah Constantino, City Clerk of the City of Goleta, do hereby certify that the foregoing Resolution No.07-53 was adopted by the City Council at a regular meeting held the 19th day of November 2007, by the following vote:

AYES: MAYOR BLOIS, MAYOR PRO TEMPORE BENNETT,
 COUNCILMEMBERS ACEVES, ONNEN AND WALLIS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

(SEAL)


DEBORAH CONSTANTINO,
CITY CLERK