

APPENDIX W
LETTER REGARDING ARCHAEOLOGICAL RESOURCES MITIGATION COSTS



August 5, 2013

CITY COUNCIL

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Bob Olson
Tony Wrzosek
R.D. Olson Development
2955 Main Street, Third Floor
Irvine, California 92614

Russ Goodman
Sares Regis Group
996 S. Seaward Ave
Ventura, California 93001

Re: Marriott Residence Inn and Hollister Center Project
Case No. 09-075-DP, -TPM and 09-079-DPAM

Dear Messrs. Olson, Wrzosek and Goodman,

The purpose of this letter is to confirm our discussion regarding mitigation costs associated with archeological resources on the Marriott Residence Inn and Hollister Center Project with the above-mentioned case numbers ("Project"). With respect to mitigation for archeological resources, section 21083.2(e) of the Public Resources Code¹ generally provides that an applicant may be responsible for only one-half of 1 percent of the projected cost of the project for mitigation measures undertaken within the site boundaries of a commercial or industrial project. (Pub. Res. Code, § 21083.2, subd. (e).)

City staff would not recommend approval of the Project if impacts of the Project are not fully mitigated. Based on our discussions, you have indicated your intention to pay all costs associated with mitigation, including potential impacts to archeological resources, notwithstanding any potential limitations that may apply pursuant to section 21083.2(e).

¹ All future statutory references will be to the Public Resources Code.

Messrs. Olson, Wrzosek and Goodman
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Please review and sign the attached waiver and remit it back to me as soon as possible. Thank you.

Sincerely,



Winnie Cai
Deputy City Attorney

Cc: Jennifer Carman, City of Goleta, Director of Planning & Environmental Review
Peter Brown, Brownstein Hyatt Farber Schreck, Attorneys for Applicants and Owner

WAIVER

The City of Goleta City is considering the Marriott Residence Inn and Hollister Center Project, case numbers 09-075-DP, -TPM and 09-079-DPAM. As the Applicant, I agree to forego any opportunity to limit costs of mitigation measures under section 21083.2(e) of the Public Resources Code.

R.D. Olson Development

Approved:
Brownstein Hyatt Farber Schreck

Bob Olson
Applicant

Peter Brown
Attorneys for Applicant and Owner

Sares Regis Group

Russ Goodman
Owner

