

## **CITY OF HOLLISTER AGENDA**

for **City Council Meeting**

of **June 1, 2015, at 6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

### **NOTICE TO PUBLIC**

Persons who wish to address the City Council must complete a Speakers Card and give it to the City Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input Section, Section C, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

### **Call to Order**

### **Pledge of Allegiance**

**Roll Call:** Mayor Ignacio Velazquez, City Council Members Karson Klauer, Victor Gomez, Raymond Friend, and Mickie Solorio Luna, City Manager William Avera, City Attorney Bradley Sullivan, Chief of Police David Westrick, and Interim City Clerk Christine Black.

### **Verification of Agenda Posting**

### **CLOSED SESSION: 6:00 p.m.**

- A. Public comment (limited to any item listed on the Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss the following matters:
  - 1. Threat to Public Services or Facilities pursuant to Government Code Section 54957: Consultation with City of Hollister Police & Fire Department Officials

2. Pursuant to Government Code Section 54957:  
Public Employment Contract – Title: City Attorney

**Reconvene**

**Call to Order**

**Pledge of Allegiance**

**Roll Call:** Mayor Ignacio Velazquez, City Council Members Karson Klauer, Victor Gomez, Raymond Friend, and Mickie Solorio Luna, City Manager William Avera, City Attorney Bradley Sullivan, Chief of Police David Westrick, and Interim City Clerk Christine Black.

**Verification of Agenda Posting**

**Closed Session:** Report Out

**Proclamations:** Rotary Club of Hollister's 90th Anniversary

**Certificates of Recognition:** Joe Fata Day – June 5, 2015

**A. CONSENT RESOLUTION (June 1, 2015):**

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

**Consent Items are Numbers A1, A2, A3, A4, A5, A6, A7, and A8.**

A1. Minutes of the Special City Council meeting of May 14, 2015. #1

Approve Minutes of the Special City Council meeting of May 14, 2015.

A2. Warrant Registers. #2

The City Council will ratify and approve the following Warrant Registers for the General-Special-Enterprise-Assessment Funds dated:

- May 8, 2015, in the amount of \$ 323,774.91
- May 15, 2015, in the amount of \$ 286,436.36
- May 20, 2015, in the amount of \$ 592,550.85
- May 22, 2015, in the amount of \$ 1,555.00

A3. Claim Against the City – Quintero.

#3

A claim against the City has been filed by Humberto Quintero. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

A4. Resolution No. 2015-105, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO APPLY FOR A BJA FY 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT; and

#4

Resolution No. 2015-106, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HOLLISTER AND THE COUNTY OF SAN BENITO FOR THE DISTRIBUTION OF BJA FY 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD FUNDS.

These Resolutions will authorize the City Manager to apply for a BJA FY 2015 Edward Byrne Memorial Assistance Grant and authorizes execution of a Memorandum of Understanding with the County of San Benito for the distribution of BJA FY 2015 award funds.

A5. Resolution No. 2015-107, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER CREATING SAFETY ZONES FOR THE HOLLISTER AIRSHOW.

#5

This Resolution will ensure public safety and meet Federal Aviation Administration requirements by closing and restricting public property for June 19-21, 2015 for the Hollister Airshow.

A6. Resolution No. 2015-108, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AND AUTHORIZING EXECUTION OF MODIFICATION AGREEMENTS OR NEW LOAN DOCUMENTS TO EXTEND THE TERMS OF LOANS AND REGULATORY AGREEMENTS, FORGIVE ACCRUED INTEREST AND SUBORDINATE CITY INTERESTS TO DEEDS OF TRUST SECURING NEW CONSTRUCTION AND PERMANENT LOANS FOR THE REFINANCE OF THE COMBINED RANCHO PARK AND RUSTIC GARDENS DEVELOPMENTS, APPROVING A NEW \$117,000 LOAN TO THE COMBINED REFINANCING OF THE TWO DEVELOPMENTS AND RELATED MATTERS.

#6

This Resolution will authorize amendments to the loan agreements for the Rustic Garden and Rancho Park affordable housing projects with Eden Housing as a combined loan for a scattered-site tax credit project.

- A7. Resolution No. 2015-109, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER RESCINDING RESOLUTION NO. 2013-88 REGARDING FIREFIGHTER RESERVE PROGRAM AND CRITERIA AND RESOLUTION NO. 2014-141 REGARDING INCENTIVE PAY FOR RESERVE FIREFIGHTERS IN SAN JUAN BAUTISTA. #7

This Resolution will rescind Resolutions 2013-88 and 2014-141 regarding Reserve Firefighters job description and hourly rate of pay.

- A8. Resolution No. 2015-110, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ESTABLISHING JOB DESCRIPTION FOR THE CITY OF HOLLISTER RESERVE FIREFIGHTER AND HOURLY RATE OF PAY. #8

This Resolution will establish job descriptions and rate of pay for the City of Hollister Reserve Firefighter Program.

**B. CITY OF HOLLISTER AS THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY:**

None.

**C. PUBLIC INPUT:**

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and city for the record, and speak to the City Council. Each speaker will be limited to three (3) minutes. Please note that state law prohibits the City Council from discussing or taking action on any item not on the agenda.

**D. PETITIONS, REMONSTRANCE'S, AND COMMUNICATIONS:**

1. City Manager's oral report.

The City Manager will give an oral report regarding activities and/or any public comments or presentations.

**E. PUBLIC HEARINGS (On or After 6:30 p.m.)**

1. Resolution No. 2015-111, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING THE AS-BUILT COST ASSOCIATED WITH THE REIMBURSEMENT AGREEMENT WITH BMC PROMISE WAY, LLC FOR THE SAN BENITO STREET INSTALLATION AND OVERSIZING OF A SEWER LINE AND AUTHORIZING THE REIMBURSEMENT TO BMC PROMISE WAY, LLC BY ALLOWING CREDIT OF SEWER CONNECTION FEES. #9

**Open Public Hearing.**  
**Conduct Public Hearing.**  
**Close Public Hearing.**

This Resolution will accept the as-built construction costs for the San Benito Street Installation and oversizing of a sewer line and authorize the reimbursement to BMC, Promise Way, LLC by allowing credit of sewer connection fees.

2. Read by Title Only, Waive Full Reading, and Introduce Ordinance No. 1118, AN ORDINANCE OF THE CITY OF HOLLISTER AMENDING THE HOLLISTER MUNICIPAL CODE CHAPTER 5.38.010 LEGISLATIVE FINDINGS AND 5.38.050 LIMITS ON TOBACCO RETAILER LICENSES. #10

**Open Public Hearing.**  
**Conduct Public Hearing.**  
**Close Public Hearing.**

This Ordinance will consider an amendment to the Municipal Code to curtail the issuance or reissuance of tobacco retail licenses to Pharmacies or itinerant (non-fixed) retailers.

**F. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1. Resolution No. 2015-112, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN AGREEMENT BETWEEN THE CITY AND THE SAN BENITO COUNTY WATER DISTRICT ASSIGNING SAN BENITO COUNTY WATER DISTRICT AS THE SOLE DISTRIBUTOR OF RECYCLED WATER UNDER CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD ORDER R3-2008-0069. #11

This Resolution will authorize execution of an agreement for the distribution of reclaimed water for a period of thirty (30) years with the San Benito County Water District pursuant to the MOU for Hollister Urban Area Water and Waste Water Management Plan.

2. Resolution No. 2015-113, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER COMMITTING \$1,000,000 OF WATER ENTERPRISE FUNDS FOR GAP FUNDING ON THE WEST HILLS WATER TREATMENT FACILITY. #12

This Resolution will approve a commitment of \$1,000,000 from Fund 620 reserves as a short term funding mechanism from award of the West Hills Treatment Facility.

3. Read by Title Only, Waive Full Reading, and Adopt Ordinance No. 1116, AN ORDINANCE OF THE CITY OF HOLLISTER AMENDING THE HOLLISTER MUNICIPAL CODE CHAPTER 17.24.250 PREZONING OF SPECIFICALLY DESCRIBED REAL PROPERTY TO MEDIUM DENSITY RESIDENTIAL PERFORMANCE OVERLAY ZONE (APN 019-250-004). #13

This Ordinance will prezone 1 acre for future annexation in the R3-M/PZ Medium Density Residential Performance Overlay Zoning District.

4. Resolution No. 2015-114, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE MAYOR TO EXECUTE AN ANNEXATION AGREEMENT WITH JOHN IVANCOVICH; and #14

Resolution No. 2015-115, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER REQUESTING THE LOCAL AGENCY FORMATION COMMISSION (LAFCo) OF SAN BENITO COUNTY TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF TERRITORY (JOHN IVANCOVICH).

These Resolutions will authorize annexation of property located south of Buena Vista Road, west of Calaveras Elementary School and request LAFCO to initiate annexation proceedings.

5. Resolution No. 2015-116, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING A MITIGATED NEGATIVE DECLARATION FOR PREZONE NO. 2014-10 (SOUTH OF HILLCREST ROAD); and #15

Read by Title Only, Waive Full Reading, and Adopt Ordinance No. 1117, AN ORDINANCE OF THE CITY OF HOLLISTER AMENDING MUNICIPAL CODE CHAPTER 17.24.250 PREZONING OF SPECIFICALLY DESCRIBED REAL PROPERTY TO LOW DENSITY RESIDENTIAL PERFORMANCE OVERLAY ZONE (APN 020-120-141, 020-120-142, 020-120-143, 020-120-114, 020-120-144, AND 020-120-145.)

This Resolution adopts a Mitigated Negative Declaration for Prezone 2014-10 (South of Hillcrest Road) and the Ordinance No. 1117 will prezone multiple properties for future annexation in the R1-L/PZ Low Density Residential Performance Overlay Zoning District south of Hillcrest Road between El Cerro Drive to the west and Los Altos Drive to the east.

6. Resolution No. 2015-117, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE MAYOR TO EXECUTE AN ANNEXATION AGREEMENT WITH KUTZ FAMILY TRUST, DARIN AND DEREK DEL CURTO, BRIGANTINO ENTERPRISES, AND MERMOD TIMOTHY-GEORGETTE; and #16

Resolution No. 2015-118, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER REQUESTING THE LOCAL AGENCY FORMATION COMMISSION (LAFCo) OF SAN BENITO COUNTY TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF TERRITORY (KUTZ FAMILY TRUST, DARIN AND DEREK DEL CURTO, BRIGANTINO ENTERPRISES, AND MERMOD TIMOTHY-GEORGETTE.)

These Resolutions will authorize the Mayor to execute the annexation agreements between the applicants and the City of Hollister and approve the Resolution requesting LAFCo to initiate annexation proceedings.

**G. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Partnership between the City and Sunnyslope County Water District for Code Enforcement efforts related to water usage. #17

The City Council will consider authorizing part-time Code Enforcement staff to assist Sunnyslope County Water District with water usage related Code Enforcement.

2. Domestic Waste Water Treatment Plant Solar Power Agreement. #18

Receive report from staff on the current status of the Domestic Waste Water Treatment Plant Solar Power agreement.

3. Reports from City Council Members regarding Committees on which they serve.

Receive oral reports from members regarding the activities of various Ad Hoc and Standing City Council Committees.

4. Informational Reports from City Council, City Manager, City Attorney, and Staff.

Receive informational oral reports from the City Council, City Manager Avera, City Attorney, Chief of Police Westrick, Interim City Clerk Black, and other Staff as applicable.

**H. UNFINISHED BUSINESS:**

None.

**I. NEW BUSINESS:**

None.

**J. MISCELLANEOUS:**

None.

**K. CITY OF HOLLISTER AS THE SUCCESSOR HOUSING AGENCY OF THE REDEVELOPMENT AGENCY:**

None.

**ADJOURNMENT:**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4300, extension 16. Notification of 48 hours prior to the meeting will enable the City to attempt to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].*

*Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at City Hall, 375 Fifth Street, Hollister, Monday through Friday, 8:00 a.m. to noon, 1:00 p.m. to 5:00 p.m. (City Hall is closed between 12:00 and 1:00 p.m.)*

*Such documents may also be available on the City of Hollister website at [www.hollister.ca.gov](http://www.hollister.ca.gov) subject to staff's ability to post the documents before the meeting.*

Notice to anyone attending any public meeting: The meeting may be broadcast live on Cable Channel 17 and/or videotaped or photographed. Recent City Council meetings may also be viewed at <http://vp.telvue.com/player?id=T01268&video=10250> and periodically on Cable Channel 17.

Next City Council Meetings scheduled for:

Regular City Council meeting – Monday, June 15, 2015, at 6:30 p.m.

Regular City Council meeting – Monday, July 20, 2015, at 6:30 p.m.

Regular City Council meeting – Monday, August 3, 2015, at 6:30 p.m.

Regular City Council meeting – Monday, August 17, 2015, at 6:30 p.m.