

## CITY OF HOLLISTER AGENDA

for City Council Meeting

of **August 15, 2016**, on or after the hour of **6:00 p.m.**, for a Closed Session, and **6:30 p.m.** for a Regular Session in the City Council Chambers, City Hall, 375 Fifth Street, Hollister, CA.

### NOTICE TO PUBLIC

Persons who wish to address the City Council are asked to complete a Speakers Card and give it to the City Clerk before 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 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.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days before the City Council meeting. It is customary for City staff members to review such matters before formal presentation so that the City Council may have the benefit of all available data. PowerPoint presentations must be presented to the City Clerk by Noon on the day of the City Council meeting.

### CALL TO ORDER

**Roll Call:** Mayor Ignacio Velazquez, Vice Mayor Victor Gomez, City Council Members Raymond Friend, Karson Klauer, and Mickie Solorio Luna, City Manager William Avera, Management Services Director Mike Chambless, Chief of Fire Bob Martin del Campo, Administrative Services Director Brett Miller, City Attorney Bradley Sullivan, Development Services Director Bryan Swanson, Chief of Police David Westrick, and City Clerk Thomas Graves. (City Clerk)

### REGULAR SESSION: 6:30 P.M.

#### Call to Order

#### Pledge of Allegiance

**Roll Call:** Mayor Ignacio Velazquez, Vice Mayor Victor Gomez, City Council Members Raymond Friend, Karson Klauer, and Mickie Solorio Luna, City Manager William Avera, Management Services Director Mike Chambless, Chief of Fire Bob Martin del Campo, Administrative Services Director Brett Miller, City Attorney Bradley Sullivan, Development Services Director Bryan Swanson, Chief of Police David Westrick, and City Clerk Thomas Graves. (City Clerk)

**Verification of Agenda Posting** (City Clerk)

**PROCLAMATIONS** (Mayor)

Proclaiming September 2016 as Childhood Cancer Awareness Month and honoring Jacob's Heart for 18 Years of Outstanding Support.

**A. CONSENT RESOLUTION (August 15, 2016):**

All items listed under the Consent Resolution will be enacted in one motion authorizing the actions indicated for those items so designated.

**Consent Items are Numbers A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13,**

1. Minutes of the regular City Council meeting of August 1, 2016. (City Clerk)

**Recommendation:** That the City Council APPROVE the Minutes of the regular City Council meeting of August 1, 2016.

2. Minutes of the special City Council meeting of August 4, 2016. (City Clerk)

**Recommendation:** That the City Council APPROVE the Minutes of the special City Council meeting of August 4, 2016.

3. Warrant Registers (Administrative Services)

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

July 22, 2016, of	\$ 495,607.55
July 22, 2016, of	\$ 423,519.38
July 29, 2016, of	\$ 282.96
July 29, 2016, of	\$ 61,857.64
July 29, 2016, of	\$ 75,756.42
August 5, 2016, of	\$ 100,574.09
August 5, 2016, of	\$ 251,711.74
August 8, 2016, of	\$ 430,926.52
August 9, 2016, of	\$ 8,157.83
August 10, 2016, of	\$ 548,563.84

4. This number was not used.
  
5. RESOLUTION NO. 2016-105, A RESOLUTION CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION, FOR THE ELECTION OF COUNCIL MEMBERS FOR DISTRICTS 1 AND 4, AND THE ELECTION OF A MAYOR CITYWIDE AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES, AND FOR THE SUBMISSION TO THE VOTERS OF A QUESTION RELATING TO AN ESSENTIAL CITY SERVICES CONTINUATION MEASURE, REQUESTING THE SAN BENITO COUNTY REGISTRAR OF VOTERS TO CONDUCT THE ELECTION AND REQUESTING CONSOLIDATION OF THE ELECTION.  
(City Clerk)

**Description:** This Resolution will 1) Call for the Consolidated General Municipal Election, and 2) Request the County Board of Supervisors to conduct the Election.

**Recommendation:** That the City Council ADOPT Resolution No. 2016-105, Calling for the Holding of a General Municipal Election to be held on Tuesday, November 8, 2016, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating the General Law Cities and for submission to the Voters a question Relating to an essential City Service No Increase Continuation Measure, and requesting consolidation of the election.

6. RESOLUTION NO. 2016-121, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BRANDMAN UNIVERSITY FOR THE PREMIER PARTNERS SCHOLARSHIP PROGRAM. THIS IS A NO COST AGREEMENT TO THE CITY FOR EMPLOYEES TO RECEIVE REDUCED TUITION ON COURSES PROVIDED BY THE COLLEGE. (City Manager)

**Description:** The City Council will consider authorizing the City Manager to execute an agreement with Brandman University for the Premier Partners Scholarship Program. This is a no cost agreement to the City for employees to receive reduced tuition or courses provided by the College.

**Recommendation:** That the City Council ADOPT Resolution No. 2016-121, authorizing the City Manager to execute the agreement between the City and Brandman University.

7. RESOLUTION NO. 2016-122, A RESOLUTION OF THE CITY COUNCIL APPROVING A SUPPLEMENTAL APPROPRIATION OF FUNDS FOR PROFESSIONAL SERVICES WITH RAFTELIS FINANCIAL CONSULTANTS, INC. FOR THE PAYMENT OF SERVICES RELATED TO THE SEWER FEE/CONNECTION IMPACT FEE STUDY AND AUTHORIZING THE MAYOR TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT. (City Manager)

**Description:** This resolution will authorize the Mayor to execute an agreement with Raftelis Financial Consultants, Inc. and authorize the City to remit payment for services related to the Sewer Fee/Connection Impact Fee Study

**Recommendation:** That the City Council ADOPT Resolution No. 2016-122.

8. South Bay Soaring Society (SBSS) proposal. (City Manager)

**Description:** The Council will consider authorizing the use of spray fields for events held by South Bay Soaring Society two times a week, generally Sunday and Thursday, for a monthly fee of \$200.00 for an initial period of one year.

**Recommendation:** That the City Council will APPROVE the proposal and authorize by motion the City Manager to produce keys to be available for SBSS for the use of the spray field. (City Manager)

9. RESOLUTION NO. 2016-123, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$374,026.00 TO THE FIRE DEPARTMENT FOR A TACTICAL TYPE I WATER TENDER. (Fire Department)

**Description:** The Finance Department requires authorization to spend remaining funds of \$374,026.00 of Reserve Fund-268 for expenditures in Fiscal Year 2016/2017.

**Recommendation:** That the City Council ADOPT Resolution No. 2016-123, a Resolution of the City Council of the City of Hollister.

10. RESOLUTION NO. 2016-124, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE ITEMIZED REPORT OF THE COSTS OF ABATEMENT OF WEEDS AND DEBRIS ON DESIGNATED PROPERTIES IN THE CITY OF HOLLISTER AND APPROVAL TO FILE THE REPORT WITH THE OFFICE OF THE COUNTY AUDITOR, COUNTY OF SAN BENITO. (Fire Department)

**Description:** This Resolution is to submit the itemized report of the cost of abatement of weeds and debris in front of or on each separated parcel of land where work was completed in the City of Hollister and requests approval to submit to the Office of the County Auditor, County of San Benito for collection.

**Recommendation:** That the City Council APPROVE the adoption of Resolution No. 2016-124 approving the itemized report and submittal to Office of the County Auditor, County of San Benito.

11. RESOLUTION NO. 2016-125, A RESOLUTION APPROVING AN AGREEMENT FOR OUTSIDE JURISDICTION SEWER SERVICE WITH SUNNYSLOPE COUNTY WATER DISTRICT. (City Manager)

**Description:** The City Council will authorize the City Manager to execute an agreement that memorializes the arrangement between the District and the City to provide sewer services in certain areas outside the City Limits that is consistent with the Hollister Urban Area Water and Waste Water Master Plan.

**Recommendation:** That the City Council ADOPT the Resolution No. 2016-125, authorizing the City Manager to execute the agreement between the City and Sunnyslope County Water District.

12. Appointment of a Representative to the Public Art Review Committee. (Development Services)

**Description:** The City Council will consider approval of the appointment of David Huboi as a community at large representative to the Public Art Review Committee.

**Recommendation:** Staff recommends that the City Council receive the report and appoint David Huboi to the Committee.

13. Ratify Annual City Council Members' appointments to the Planning Commission and discuss and ratify appointments to the Parks and Recreation Commission. (City Clerk)

**Description:** The City Council will ratify appointments of Council Members Klauer, Friend, and Luna to the Planning Commission, and discuss and ratify appointments to the Parks and Recreation Commission.

**Recommendation:** Motion to ratify appointments to the Hollister Planning Commission and the Hollister Parks and Recreation Commission.

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

None.

**C. PUBLIC INPUT:**

Members of the public may address the City Council on any matter within the City Council's jurisdiction that is not on the agenda. Comments are limited to three (3) minutes per person, with a maximum of 30 minutes per subject. Speaker Cards are available in the Foyer and are to be completed and given to the City Clerk before speaking. State law prohibits the City Council from discussing or taking action on any item which is not on the agenda.

**Note:** *Time allotted to speakers may be increased or decreased at the Presiding Officer's discretion.*

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

31. City Manager's oral report. (City Manager)

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

32. West Hills Water Treatment Plant Report – Harry Blohm (City Manager)

Mr. Blohm will give an oral report.

**E. PUBLIC HEARINGS (After the hour of 6:30 p.m.)**

41. Resolution No. 2016-126, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING, WITH QUALIFICATIONS, THE HOLLISTER AREA URBAN WATER MANAGEMENT PLAN 2015. (City Manager)

**DESCRIPTION:** Hollister Urban Area Water Management Plan (HUAWMP) has been prepared as a collaborative effort between the San Benito County Water District (District), Sunnyslope County Water District (Sunnyslope or SSCWD), and the City of Hollister (Hollister). The plan has been prepared in accordance with the Urban Water Management Planning Act and guidelines prepared by the Department of Water Resources (DWR). The 2015 HUAUWMP is intended to help guide the area's future water management efforts.

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

**STAFF RECOMMENDATION:** Hold a Public Hearing, Receive comments, questions, and provide information. **ADOPT** Resolution No 2016 -126, approving with qualifications, the Hollister Urban Area Water Management Plan 2015.

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

51. SECOND READING: READ BY TITLE ONLY, WAIVE FULL READING, AND ADOPT ORDINANCE NO. 1131, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING AND RESTATING CHAPTER 5.42 "MEDICAL MARIJUANA FACILITIES REGULATORY PERMIT" TO TITLE 5 "BUSINESS LICENSES AND REGULATIONS" OF THE HOLLISTER MUNICIPAL CODE. (City Attorney)

**Description:** This Medicinal Marijuana Administrative Ordinance will provide for cultivation, dispensing, manufacturing processes to be performed on, and other ancillary services provided to Medicinal Marijuana businesses. The ad hoc committee of Councilmembers Ray Friend and Karson Klauer has reviewed the new Medical Marijuana Regulation and Safety Act (MMRSA) that consists of three separate bills (AB 243, AB 266 & SB 643) which were enacted together on Sept 11, 2015. The bills create a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis. All licenses must also be approved by local governments. The included ordinance initiates this process, and will be followed with regulations that can be adopted and updated to account for foreseeable changes at state and federal level relating to marijuana use and regulation.

**Recommendation:** Authorize the City Manager to Seek an RFQ for Entities to Provide a Study of Costs and Impacts on City Services when Adopted, and Approve FINAL ADOPTION.

52. SECOND READING: READ BY TITLE ONLY, WAIVE FULL READING, AND ADOPT ORDINANCE NO. 1132 TO BE PLACED ON THE NOVEMBER 2016 BALLOT TO CONTINUE A ONE-CENT TRANSACTIONS AND USE TAX FOR TWENTY YEARS. (City Manager)

**Description:** An ordinance imposing a one cent Transactions and Use Tax for Twenty years to be submitted to the voters on November 8, 2016, which must first be adopted by 2/3 vote of the City Council.

**Recommendation:** That the City Council APPROVE:

By 2/3 vote of Council, Ordinance No. 1132 continuing a one cent Transactions and Use Tax for Twenty years to be submitted to the voters for approval.

53. RESOLUTION 2016-127, A RESOLUTION OF THE CITY COUNCIL APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT FOR VISTA DE ORO SUBDIVISION, TRACT NO. 332 AND AUTHORIZING EXECUTION OF THE AGREEMENT FOR THE IMPROVEMENT WITH J.B. HOWARD TRUST AND RITTS FAMILY TRUST. (Engineering)

**Description:** Consider approval of the Subdivision Improvement Agreement for a 6 lot subdivision, 5 commercial and 1 residential lot located between Graff Road and Miller Road on the north side of Fourth Street, and authorize execution of the agreement for the improvement of associated infrastructure requirements.

**Recommendation:** Adopt Resolution No. 2016 -127 approving the subdivision improvement agreement for Vista De Oro Subdivision, Tract 332 and authorizing execution of the agreement for the improvement with J.B. Howard Trust and Ritts Family Trust.

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

61. 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, and take additional action as appropriate.

62. Informational Reports from City Council, City Manager, City Attorney, and City Clerk.

Receive informational oral reports from the City Council, City Manager Avera, the City Attorney, Chief of Police Westrick, City Clerk Graves, and other Staff as applicable, and take action as appropriate.

63. Hollister Urban Area 2015 Urban Water Management Plan

Approve the report, and take additional action as appropriate.

64. Report on the Hollister Motorcycle Rally of July, 2016 and Planning for the Rally of 2017.

Receive informational oral reports from City Manager Avera.

(

**H. UNFINISHED BUSINESS:**

None.

**I. NEW BUSINESS:**

None.

**J. MISCELLANEOUS:**

None.

**K. CITY OF HOLLISTER AS THE HOUSING SUCCESSOR 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].*

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 – **Tuesday**, September 6, 2016, at 6:30 p.m.
- Regular City Council Meeting – Monday, September 19, 2016, at 6:30 p.m.
- Regular City Council Meeting – Monday, October 3, 2016, at 6:30 p.m.
- Regular City Council Meeting – Monday, October 17, 2016, at 6:30 p.m.