

## CITY OF HOLLISTER AGENDA

for City Council Meeting

of **December 5, 2016**, on or after the hour of **6:00 p.m.**, 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.

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

### CLOSED SESSION 6:00 P.M.

- I. Public comment (limited to any item listed on the Closed Session agenda).
- II. A Closed Session will be held by the City Council of the City of Hollister to discuss the following matters:
  - i. Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to § 54956.9(c): (Three cases)

**REGULAR SESSION:** On or after the hour of 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, City Attorney Bradley Sullivan, Chief of Police David Westrick, and City Clerk Thomas Graves. **(City Clerk)**

- a) Presentation to Vice Mayor Victor Gomez, who is leaving the City Council after eight years of service.

Mayor Velazquez will present on behalf of the City Council and the City of Hollister.

- b) Remarks by outgoing Vice Mayor Victor Gomez.

Vice Mayor Gomez will speak and then leave the dais.

- c) Councilmember-elect Roy Sims will take the Oath and then be seated.

- d) Remarks by incoming Councilmember Roy Sims.

- e) A brief time for other Councilmembers, the Mayor and Senior Staff to thank former Vice Mayor Gomez and to welcome Councilmember Sims.

**PRESENTATION** – San Benito Health and Human Services on the status of the Lee Law (17.20.060)

**A. CONSENT CALENDAR (December 5, 2016):**

All items listed on the Consent Calendar will be enacted in one motion authorizing the 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 or a staff member.

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

- 1.1 Election of the Vice Mayor/Mayor Pro Tempore. **(City Clerk)**

The City Council shall meet annually at its first regular meeting in December to choose one of its number as Mayor Pro Tem. (5.2.1.)

1. Minutes of the regular City Council meeting of November 21, 2016. **(City Clerk)**

**Recommendation:** That the City Council APPROVE the Minutes of the regular City Council meeting of November 21, 2016.

2. Minutes of the special City Council meeting of November 28, 2016. **(City Clerk)**

**Recommendation:** That the City Council APPROVE the Minutes of the special City Council meeting of November 28, 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:

November 14, 2016, in the amount of	\$	2,040,081.07
November 16, 2016, in the amount of	\$	214,060.93
November 16, 2016, in the amount of	\$	329,442.48
November 15, 2016, in the amount of	\$	15,239.81
November 21, 2016, in the amount of	\$	2,124,873.36

4. Claims Against the City - (**City Clerk**)

None

5. RESOLUTION NO. 2016-201, A RESOLUTION TO CANCEL THE REGULAR CITY COUNCIL MEETING OF JANUARY 2, 2017. (**City Manager**)

**Description:** This Resolution will authorize the cancellation of the regular City Council meeting scheduled for January 2, 2017.

**Recommendation:** Adopt Resolution No. 2016-201, a Resolution of the City Council of the City of Hollister Cancelling the City Council Meeting of January 2, 2017.

6. RESOLUTION NO. 2016-206, A RESOLUTION REAPPOINTING MEMBERS OF THE AIRPORT COMMISSION. (**Airport**)

**Description:** Staff advertised for applicants for Hollister Airport Authority Commission. The current terms available are with District 1 and District 4, which expire in December 2010; and the Mayor's term, which expires in December of 2018. These appointments are reflected in Resolution No. 2007-15, Section 3 and amended by Resolution No. 2007-82. Three applications have been received from City residents Mr. Frederick Meyer, Mr. Stephen Huston and Mr. Robert Scattini, all current commissioners reapplying.

**Recommendation:** That the City Council adopt Resolution No. 2016-206, ratifying the three re-appointments to the Hollister Airport Advisory Commission.

7. RESOLUTION 2016-204, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE SURPLUS AND DONATION OF NON-COMPLIANT PERSONAL PROTECTIVE EQUIPMENT (PPE) STRUCTURAL TURNOUTS. SURPLUS AND DONATE TO THE FIRE DEPARTMENT IN TALA JALISCO, MEXICO.

**Description:** This Resolution will approve the surplus and donation of non-compliant PPE Turnouts. Per the National Fire Protection Association (NFPA) standard 1851, this standard deals with fire departments selection and care of Personal Protective Equipment, and contains chapters on inspection, cleaning and decontamination, repair, storage, retirement, verification, and test procedures. It requires a 10-year mandatory retirement rule for structural gear from the date of manufacturing. However, if a garment is worn or has been damaged beyond repair or if the organization deems it is not possible or cost effective to repair or decontaminate, the garment must be taken out of service and replaced. The department performs routine inspections and when these routine inspections indicate that a problem exists; those problems are noted and are sent out to be repaired. The organization that repairs the turnouts then does advanced cleanings, hydro-test the inner moisture barriers and make any necessary repairs. 17 sets of Structural Turnouts (17 coats & 17 pants) and 3 additional Structural Turnout Coats have come back condemned due to age or the cost of repair exceeds the worth of the garment.

**Recommendation:** That the City Council Adopt Resolution No. 2016-204, a Resolution of the City Council of the City of Hollister Authorizing the City of Hollister to surplus and donate out dated PPE Turnouts.

**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.

**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.

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

41. An Ordinance Amending the City of Hollister General Plan on approximately 81.01 acres of property located on the north side of North Street between the east terminus of Buena Vista Road and the west terminus of North Street, further identified as APN 053-370-038, 053-370-037, 019-130-027, and 019-130-026 from High Density Residential which requires 12 to 35 dwelling units per acre to Medium Density Residential which requires 8 to 12 dwelling units per acre and for the expansion of the sphere of influence to encompass the entire site, and another ordinance amending Municipal Code Chapter 17.24.250 Pre-zoning of Specifically Described Real Property (APN 019-130-027 and 019-130-026) to Medium Density Residential Performance Overlay Zoning District and Re-zoning Real Property (APN 053-370-038 and 053-370-037) to Medium Density Residential Performance Overlay Zoning District and a Resolution adopting an Environmental Impact Report and Mitigation Monitoring and Reporting Program.

**Description:** An Ordinance for a general plan amendment of approximately 81.01 acres APN 053-370-038, 053-370-037, 019-130-027, and 019-130-026 from High Density Residential which requires 12 to 35 dwelling units per acre to Medium Density Residential which requires 8 to 12 dwelling units per acre and to expand the sphere of influence to encompass the entire site and another ordinance to pre-zone (APN 019-130-027 and 019-130-026) to Medium Density Residential Performance Overlay Zoning District and Re-zone (APN 053-370-038 and 053-370-037) to Medium Density Residential Performance Overlay Zoning District and a Resolution adopting an Environmental Impact Report and Mitigation Monitoring and Reporting Program.

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

**Recommendation:** That the City Council of the City of Hollister Approve Resolution No. 2016-202, adopting the North Street Project Environmental Impact Report and Monitoring and Reporting Program and Resolution No. 2016-203, for the initiation of general plan amendment for the properties identified as 053-370-038 and 053-370-038, and Read by Title Only, Waive full reading and Introduce Ordinance No. 2016-1133 and Ordinance No. 2016- 1134, An Ordinance Of The City Council Authorizing A General Plan Amendment From High Density Residential Which Requires 12 To 35 Dwelling Units Per Acre To Medium Density Residential Which Requires 8 To 12 Dwelling Units Per Acre The Property Identified As Apn 053-370-038, 053-370-037, 019-130-027, And 019-130-026 And For The Expansion Of The Sphere Of Influence To Encompass The Entire Site, And An Ordinance Pre-Zoning The Property Identified As Apn 019-130-027 And 019-130-026 And Re-Zoning The Property Identified As Apn 053-370-037 And 053-370-038 To R3-M/Pz Medium Density Residential Performance Overlay Zoning District.

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

51. FIRST 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 CANNABIS FACILITIES REGULATORY PERMIT" TO TITLE 5 "BUSINESS LICENSES AND REGULATIONS" OF THE HOLLISTER MUNICIPAL CODE

**Description:** This Medicinal Cannabis Administrative Ordinance will provide for cultivation, dispensing, manufacturing processes to be performed on, and other ancillary services provided to Medicinal Cannabis businesses. The ad hoc committee of Councilmembers Ray Friend and Karson Klauer has reviewed the new Medical Cannabis 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 Cannabis use and regulation.

**Recommendation:** Read by title only; waive full reading and Adopt Ordinance No. 1131 for First Reading. Schedule Second Reading for December 19, 2016.

52. Olive Festival

**Description:** The City Council will discuss and provide direction to staff regarding the Olive Festival on October 14, 2017.

**Recommendation:** That the City Council Adopt Resolution 2016-205 Directing Staff To Process A Public Assembly Permit For The Olive Festival And Make Necessary Improvements At The Brigantino Spray Field To Accommodate The Event .

**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.

**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 – Monday, December 19, 2016, at 6:30 p.m.
- Regular City Council Meeting – Tuesday, January 17, 2017, at 6:30 p.m.
- Regular City Council Meeting – Monday, February 5, 2017, at 6:30 p.m.
- Regular City Council Meeting – Tuesday, February 21, 2017, at 6:30 p.m.