

**CITY OF HOLLISTER AGENDA
REGULAR MEETING AGENDA**

for Regular City Council Meeting

of **May 1, 2017**, on the hour of **6:00 p.m. for Closed Session**, and on or after the hour of **6:30 p.m. for Regular Session**, in the City Council Chambers, City Hall, 375 Fifth Street, Hollister, CA.

CLOSED SESSION – On or after the hour of 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 – Existing Litigation **(City Attorney)**
Pursuant to §54956.9: (One Case)
 - ii. Conference with Real Property Negotiations (§ 54956.8)
Property: APN – 054-080-0050 **(City Attorney)**
 - iii. Public Employee Appointment Pursuant to § 54957(b)(1) (One Case)
Title: (City Manager) **(City Manager)**

REGULAR SESSION: On or after the hour of 6:30 P.M.

Call to Order

Pledge of Allegiance

Oath of Office – Administered to Councilmember-Designate Jim Gillio, District 4 (City Clerk)

Roll Call: Mayor Ignacio Velazquez, Vice Mayor Karson Klauer (District 3), City Council Members Raymond Friend (District 1), Mickie Solorio Luna (District 2), Jim Gillio (District 4), City Manager William Avera, City Attorney Soren Diaz, Chief of Police David Westrick, and City Clerk Thomas Graves. **(City Clerk)**

Verification of Agenda Posting (City Clerk)

City Attorney Oral Report on Closed Session (City Attorney)

001. PROCLAMATION – Proclaiming May, 2017 as Water Awareness Month (City Clerk)

A. CONSENT CALENDAR (May 1, 2017):

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 A.1.1, A.1.2, A.1.3, A.2, A.3, A.4, A5, A.6, A.7, A.8, A.9, A.10, A.11, A.12, A.13, A.14, and A.15.

1.1. Minutes of the City Council meeting of April 3, 2017. (City Clerk)

RECOMMENDATION: That the City Council APPROVE the Minutes of the Regular City Council meeting of April 3, 2017.

1.2. Minutes of the Special City Council meeting of April 17, 2017. (City Clerk)

RECOMMENDATION: That the City Council APPROVE the Minutes of the Special City Council meeting of April 17, 2017.

1.3. Minutes of the Regular City Council meeting of April 17, 2017. (City Clerk)

RECOMMENDATION: That the City Council APPROVE the Minutes of the Regular City Council meeting of April 17, 2017.

2. Warrant Registers (**Administrative Services**)

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

2.1	April 10, 2017	1,777.63
2.2	April 14, 2017	3,134.76
2.3	April 14, 2017	266,499.54
2.4	April 19, 2017	230,558.10
2.5	April 10, 2017	167,816.55
2.6	April 19, 2017	370,713.50

3. Claims Against the City - Two Claims (City Clerk)

a) **TITLE:** Claim against the City – Benjamin Cadena

DESCRIPTION: A claim against the City was filed by Benjamin Cadena on April 4, 2017. Staff recommends denial of this claim and seeks authorization to send notices of rejection to the claimants.

RECOMMENDATION: That the City Council make the following motion: Deny the claim against the City filed by Benjamin Cadena and direct staff to send the Notice of Rejection of Claim to the claimant.

b) **TITLE:** Claim against the City – John Credi

DESCRIPTION: A claim against the City was filed by John Credi on April 4, 2017. Staff recommends denial of this claim and seeks authorization to send notices of rejection to the claimants.

RECOMMENDATION: That the City Council make the following motion: Deny the claim against the City filed by Benjamin Cadena and direct staff to send the Notice of Rejection of Claim to the claimant.

4. **TITLE:** RESOLUTION NO 2017-98, A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT TO SUBMIT AN APPLICATION FOR THE FIRE PREVENTION AND SAFETY (FPS) GRANT. **(Fire)**

DESCRIPTION: Resolution No 2017-98, a Resolution Authorizing The Fire Department To Submit An Application For The FPS Grant.

RECOMMENDATION: That the City Council Adopt Resolution No. 2017-98, a Resolution of the City Council authorizing the Fire Department to apply for the FPS grant.

5. **TITLE:** RESOLUTION NO. 2017-99, A RESOLUTION OF THE CITY COUNCIL APPROVING A SUPPLEMENTAL APPROPRIATION OF \$35,000 TO FUND 601 (AIRPORT) FROM FUND 601 (AIRPORT ENTERPRISE RESERVES) TO REPLACE THE FUEL TANK MONITORING SYSTEM. **(Airport)**

DESCRIPTION: This resolution will transfer \$35,000 from the Airport Enterprise Fund Reserves to Fund 601 for the purpose of replacing our outdated and noncompliant fuel monitoring system.

RECOMMENDATION: Staff recommends that the City Council Approve Resolution No. 2017-99.

6. **TITLE:** RESOLUTION NO. 2017-89, APPROVING THE APPOINTMENT OF COUNCILMEMBER RAY FRIEND AS PRIMARY DELEGATE TO THE POLICY BOARD OF THE COMMUNITY CHOICE ENERGY PROGRAM, AND APPROVING THE APPOINTMENT OF IGNACIO VELAZQUEZ AS AN ALTERNATE DELEGATE TO THIS SAME BOARD. **(City Clerk)**

DESCRIPTION: As a part of the agreement executed on February 21, 2017, the Mayor will appoint a Primary and an Alternate to the Community Choice Energy Program.

RECOMMENDATION: That the City Council adopt Resolution No. 2017-89, approving the Mayor's appointments.

7. **TITLE:** RESOLUTION NO. 2017-100 APPROVING A TEMPORARY STREET CLOSURE OF EAST STREET FOR THE NEW VETERAN'S MURAL CELEBRATION. **(City Clerk)**

DESCRIPTION: This Resolution approves the temporary closure of 6th Street between Brown's Alley and Seventh Street for the New Veteran's Mural BBQ & Music Celebration.

RECOMMENDATION: That the City Council Approve Resolution No. 2017-100, A Resolution Of The City Council Approving Temporary Street Closure Of East Street For The New Veteran's Mural Celebration.

8. **TITLE:** RESOLUTION NO. 2017-101, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROPOSED BOUNDARY OF VISTA DE ORO SUBDIVISION FOR THE ANNEXATION OF TERRITORY INTO COMMUNITY FACILITY DISTRICT NO. 4 ANNEXATION NO. 15 (PUBLIC FACILITIES SERVICES) **(Development Services)**

DESCRIPTION: Consider approval of the boundary of Vista De Oro Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 15 (Public Facilities Services), and authorize execution of the agreement for the proposed boundary.

RECOMMENDATION: That the City Council Adopt Resolution No. 2017-101, a Resolution of the City Council of the City of Hollister approving the proposed boundary of Vista De Oro Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 15 (Public Facilities Services).

9. **TITLE:** RESOLUTION NO. 2017- 102, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING CONTROLLED ACCESS HIGHWAY AGREEMENT WITH THE STATE OF CALIFORNIA. **(Development Services – Engineering)**

DESCRIPTION: This item will approve and authorize execution of a Controlled Access Highway Agreement with the State of California as it relates to new, relocated, abandoned roadways and existing SR25.

RECOMMENDATION: City Council approves the following motion: Adopt Resolution No. 2017- 102, a Resolution of the City Council of the City of Hollister approving Controlled Access Highway Agreement with The State of California.

10. **TITLE:** RESOLUTION NO. 2017- 103, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DECLARING THE DROUGHT AND WATER SUPPLY EMERGENCY OVER AND ADOPTING NEW WATER CONSERVATION MEASURES. **(Development Services)**

DESCRIPTION: This item would declare the drought and water supply emergency over and adopt new water conservation measures.

RECOMMENDATION: That the City Council approves the following motion: Rescind Resolution No. 2016-81 and ADOPT Resolution 2017-103, A Resolution of the City Council of the City of Hollister Declaring the Drought and Water Supply Emergency Over and Adopting new Water Conservation Measures.

11. **TITLE:** RESOLUTION NO. 2017-104, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING CONTRACT AMENDMENT NO. 1 AND BUDGET APPROPRIATION WITH KELLEY ENGINEERING & SURVEYING FOR THE SAN FELIPE DITCH UPGRADE **(Development Services – Engineering)**

DESCRIPTION: This item will adopt a resolution approving a contract amendment with Kelley Engineering and Surveying for additional design services for the San Felipe Ditch Upgrade and approve a budget appropriation to fund the additional services.

RECOMMENDATION: City Council approves the following motion: ADOPT Resolution 2017-104, A Resolution of the City Council of the City of Hollister approving Contract Amendment No. 1 and Budget Appropriation with Kelley Engineering & Surveying for the San Felipe Ditch Upgrade.

12. **TITLE:** RESOLUTION NO. 2017-106, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION FOR ADDITIONAL WORK TO BE COMPLETED BY QUALITY TREE CARE IN RELATION TO THE TREE REMOVAL FOR THE SIDEWALK & STREET IMPROVEMENT PROJECT, CIP NO. C1410. **(Development Services)**

DESCRIPTION: This Resolution will approve a supplemental appropriation in the amount of \$2,600 and authorize the contractor to perform the additional work in order to complete the tree removal and replacement associated with the Sidewalk & Street Improvement Project, CIP NO. C1410.

RECOMMENDATION: That the City Council adopt Resolution No. 2017-106, approving a supplemental appropriation in the amount of \$2600 for additional work to be completed by Quality Tree Care.

13. **TITLE: SECOND READING:** ORDINANCE NO. 1138, AN ORDINANCE OF THE CITY COUNCIL AMENDING TITLE 16 “SUBDIVISIONS” AND TITLE 17 “ZONING” OF THE HOLLISTER MUNICIPAL CODE. **(Development Services)**

DESCRIPTION: This item would approve an ordinance amending the municipal code to clarify text, make changes to, and implement standards for accessory secondary residential units and for landscape requirements in the M1 Light Industrial Zoning District and IBP Industrial Business Park Zoning District of the City of Hollister to ensure internal consistency within the municipal code.

RECOMMENDATION: That the City Council ADOPT Ordinance 1138 An Ordinance of the City Council of the City of Hollister APPROVING amendments to Title 16, Subdivisions, and Title 17, Zoning of the Hollister Municipal Code This item was pulled by staff.

14. **TITLE: SECOND READING:** ORDINANCE NO. 1139, AMENDING MUNICIPAL CODE CHAPTER 17.24.250 PREZONING OF SPECIFICALLY DESCRIBED REAL PROPERTY (APN019-040-019 AND 019- 040-010) TO LIGHT INDUSTRIAL. **(City Attorney)**

DESCRIPTION: An Ordinance to pre-zone two parcels, one consisting of 1.55 acres and the adjacent parcel of 0.014 acres of land into the Light Industrial (M1) designation for future annexation into the corporate limits of Hollister.

RECOMMENDATION:

1. Staff recommends that the City Council hold a public hearing.
2. Read by Title Only, Waive full reading and Introduce Ordinance No. 1139, an Ordinance of the City of Hollister to amend Title 17.24.250 of the Zoning Code of the Hollister Municipal Code to prezone property for annexation.
3. Schedule a Second Reading on May 1.

- 15. TITLE: RESOLUTION 2017-107**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN ANNEXATION AGREEMENT BETWEEN THE CITY OF HOLLISTER MARK BARON AND RENON PORTEUR AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF HOLLISTER AND **RESOLUTION NO. 2017-108**, A RESOLUTION OF APPLICATION BY THE CITY OF HOLLISTER REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF SAN BENITO COUNTY (LAFCO) TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF TERRITORY.

DESCRIPTION: Resolution No. 2017-107, approving the annexation agreement between the applicant and the City of Hollister and authorizing the Mayor to execute the agreement on behalf of the City and Resolution No. 2017-108 requesting LAFCo to initiate proceedings to annex two parcels, one consisting of 1.55 acres and the adjacent parcel of 0.014 acres of land to the City of Hollister. The annexation agreement establishes criteria for annexing property in compliance with and subject to all City ordinances, resolutions, and policies, and in compliance with all applicable provisions of the Tax Sharing Agreement dated June 6, 2011, between the City of Hollister and County of San Benito, as amended from time to time.

STAFF RECOMMENDATION: That the City Council approve the following motion:

1. Adopt Resolution No. 2017-107, approving the annexation agreement and authorizing the Mayor to execute the agreement on behalf of the City of Hollister.
2. Adopt Resolution No. 2017-108, a resolution requesting LAFCo to initiate proceedings for the annexation of territory.

B. THE CITY OF HOLLISTER AS THE SUCCESSOR HOUSING 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 (On or After the hour of 6:30 p.m.)

None

F. INTRODUCTION AND ADOPTION OF RESOLUTIONS, ORDINANCES, AND REPORTS:

51. **TITLE OF ITEM:** Staff Report Regarding the Aerators and Floating Island Proposal **(Development Services – Engineering)**

DESCRIPTION: Staff will present a verbal report on the Industrial Wastewater Facility's aerators and the Floating Island Proposal.

RECOMMENDATION: That the City Council receives a verbal report on the Industrial Wastewater Facility's aerators and Floating Island Proposal.

52. **TITLE:** RESOLUTION NO. 2017-105, ADOPT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE INITIATION PROCEEDINGS FOR THE LEVY AND COLLECTION OF THE ANNUAL ASSESSMENT FOR LANDSCAPE AND LIGHTING DISTRICT NO. 93-1 AND ORDER THE CITY ENGINEER TO PREPARE AND FILE THE REQUIRED SPECIAL DISTRICT REPORT. **(Development Services)**

DESCRIPTION: Consider approval of the initiation proceedings for the Levy and Collection of the Annual Assessment for Landscape and Lighting District No. 93-1 and order the City Engineer to prepare and file the required Special District Report for Fiscal Year 2017/2018.

RECOMMENDATION Adopt Resolution No. 2017-105, a Resolution of the City Council of the City of Hollister approving the initiation proceedings for the Levy and Collection of the Annual Assessment for Landscape and Lighting District No. 93-1

53. **TITLE OF ITEM:** A Reimbursement Agreement for the DeNova Homes (Allendale Project). **(Development Services – Engineering)**

DESCRIPTION: Resolution No. 2017-97 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 Rezone (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 was approved December 5, 2016. Project application has Environmental Impact Report, Mitigation and Monitoring Program, and Site and Improvement Plans have been the reason for meetings with, and review by, the Planning and Engineering Departments, and Design Review Committee. The project will go to Planning Commission at their April meeting. The form of the Reimbursement Agreement is before the Council for approval.

RECOMMENDATION: Adopt Resolution 2017-97 approving the Reimbursement Agreement for the DeNova Homes (Allendale Project).

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 photograph ed. Recent City Council meetings may also be viewed at <http://vp.telvue.com/player?id=T01268&video=10250> and periodically on Cable Channel 17.

The next City Council Meetings are scheduled for:

Regular City Council Meeting – May 15, 2017, at 6:30 p.m.

Regular City Council Meeting – June 5, 2017, at 6:30 p.m.

Regular City Council Meeting – June 19, 2017, at 6:30 p.m.

Regular City Council Meeting – August 7, 2017, at 6:30 p.m.