

## CITY OF HOLLISTER AGENDA

for **City Council Meeting**

of **June 5, 2017, at 6:30 p.m.**, in the City Council Chambers, City Hall, 375 Fifth Street, Hollister, California.

### 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 the 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

### Pledge of Allegiance

**Roll Call:** Mayor Ignacio Velazquez, Vice Mayor Klauer, City Council Members Jim Gillio, Raymond Friend, Mickie Solorio Luna, City Manager William Avera, City Attorney E. Soren Diaz, Chief of Police David Westrick, City Clerk Thomas A. Graves and Deputy 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 all or some of the following matters:
  - 1. Conference with Legal Counsel-Existing Litigation Pursuant to Government Code Section § 54956.9.  
**Name of case:** *City of Hollister v. Convexx, et. al.*

## Pledge of Allegiance

**Roll Call:** Mayor Ignacio Velazquez, Vice Mayor Klauer, City Council Members Jim Gillio, Raymond Friend, Mickie Solorio Luna, City Manager William Avera, City Attorney E. Soren Diaz, Chief of Police David Westrick, City Clerk Thomas A. Graves and Deputy City Clerk Christine Black.

## Verification of Agenda Posting

**Closed Session:** Report out.

### A. CONSENT RESOLUTION (June 5, 2017):

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, A8, A9, A10, A11, A12 13 and A14.**

A1. The Minutes of the Special City Council meeting of May 8, 2017, and the Regular Minutes of the City Council meeting of May 15, 2017. (City Clerk) #1

Description: That City Council approves the Minutes of the Special City Council meeting of May 8, 2017, and the Minutes of the Regular City Council meeting of May 15, 2017. #2

A2. Warrant Registers.

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

- May 5, 2017, in the amount of \$ 377,792.53
- May 15, 2017, in the amount of \$ 175,186.10
- May 17, 2017, in the amount of \$ 40,405.09
- May 17, 2017, in the amount of \$ 228,868.41
- May 17, 2017, in the amount of \$ 357,545.13
- May 19, 2017, in the amount of \$ 609,906.46

A3. Claims against the City-Filed by Dennis Perry and Magda Perino. (City Clerk) #3

**Description:** Claims against the City were filed by Dennis Perry on May 9, 2017, and Magda Perino on May 10, 2017.

**RECOMMENDATION:** Staff recommends denial of these claims and seeks authorization to send the notice of rejection to the claimants.

- A4. Resolution No. 2017-125, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF \$40,000 FROM FUND 620 (WATER) FOR THE PURCHASE OF WATER METERS. (Management Services) #4

**DESCRIPTION:** This Resolution would approve a supplemental appropriation of \$40,000 to purchase water meters.

**RECOMMENDATION:** Staff recommends that the City Council Approve Resolution No. 2017-125 approving the appropriation.

- A5. Resolution No. 2017-126, A RESOLUTION APPROVING THE APPLICATION FOR A GRANT FOR \$10,000 FROM THE MONTEREY BAY AIR POLLUTION CONTROL DISTRICT AND APPROVING A SUPPLEMENTAL APPROPRIATION OF \$20,000 FROM FUND 660 (SANITATION) FOR THE PURCHASE OF 1 ELECTRIC VEHICLE. (Management Services) #5

**DESCRIPTION:** This Resolution would approve the application for an Air Quality Improvement Grant and a supplemental appropriation of \$20,000 to pay for the purchase of 1 electric vehicle.

**RECOMMENDATION:** Staff recommends that the City Council Approve Resolution No. 2017-126 approving the appropriation.

- A6. Resolution No. 2017-127, A RESOLUTION AUTHORIZING THE APPROVING APPLYING FOR THE EV REPLACEMENT INCENTIVE PROGRAM GRANT FROM MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT IN THE AMOUNT OF \$10,000.00, APPROVE APPLYING FOR A REBATE IN THE AMOUNT OF \$10,000.00 FROM THE CALIFORNIA AIR RESOURCES BOARD AND APPROVE A SUPPLEMENTAL APPROPRIATION OF \$25,000.00 TOWARDS THE PURCHASE OF REPLACEMENT VEHICLE FOR THE INFORMATION SYSTEMS DEPARTMENT. (Information Systems) #6

**DESCRIPTION:** This Resolution would be the approval of \$10,000.00 grant application for the MBUAPCD EV Replacement Incentive Program towards the purchase of a 2018 Chevrolet Bolt EV vehicle for the Information Systems Department, also approve applying for the \$10,000.00 Rebate Program from the California Air Resources Board, and approve a supplemental appropriation of \$25,000.00 to cover the remaining balance.

**RECOMMENDATION:** Adopt Resolution No. 2017-127 approving applying for the EV Replacement Incentive Program Grant from Monterey Bay Unified Air Pollution Control District in the amount of \$10,000.00, approve applying for a Rebate in the amount of \$10,000.00 from the California Air Resources Board and approve a supplemental appropriation of \$25,000.00 towards the purchase of replacement vehicle for the Information Systems Department.

- A7. Resolution No. 2017-128, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS OF THE FINANCE OFFICE. (Management Services) #7

**DESCRIPTION:** This Resolution would permit the destruction of old financial records and correspondence files currently being stored by the City of Hollister.

**RECOMMENDATION:** Staff recommends that the City Council Approve Resolution No. 2017-128 approving destruction of records.

- A8. Resolution No. 2017-129, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER OR HIS OR HER DESIGNEE TO ACT AS THE RESPONSIBLE SIGNATORY FOR ALL ENVIRONMENTAL DOCUMENTS. (Development Services) #8

**DESCRIPTION:** This Resolution would approve and authorize the City Manager for the City of Hollister or his or her designee to sign any and all environmental documents including, but not limited to, Environmental Assessment (EA/NEPA) and California Environmental Quality (CEQA).

**RECOMMENDATION:** ADOPT Resolution 2017-129 A Resolution of the City Council of the City of Hollister authorizing the City Manager or his or her designee to act as the responsible signatory for environmental documents.

- A9. Resolution No. 2017-130, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH HOLLISTER HOTEL LP, A CALIFORNIA LIMITED PARTNERSHIP, TO DEFER IMPACT FEES AT 390 GATEWAY DRIVE. (Development Services) #9

**DESCRIPTION:** This Resolution would approve and authorize execution of an agreement with Hollister Hotel LP a California limited partnership to defer payment of impact fees for the Marriot Hotel at 390 Gateway Drive until December 22, 2018, and direct staff to prepare a Transient Occupancy Tax Incentive Program pledging a grant of 50% of the future transient occupancy tax (TOT) revenue for a maximum term of 15 years or a maximum cap of \$1 million, whichever is achieved first.

**RECOMMENDATION:** City Council approves the following motions:

1. ADOPT Resolution 2017-130, A Resolution of the City Council of the City of Hollister authorizing the City Manager to execute agreements with Hollister Hotel LP a California Limited Partnership to defer impact fees at 390 Gateway Drive.
2. APPROVE a motion by consensus to direct staff to prepare a Transient Occupancy Tax Incentive Program for the construction or redevelopment of 3 to 5 star quality hotels in the City of Hollister and to prepare a Participation Agreement with the Hollister Hotel a California Limited Partnership for City Council approval.

- A10. Resolution No. 2017-131, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF HOLLISTER AND THE HOLLISTER DOWNTOWN ASSOCIATION. (Development Services) #10

**DESCRIPTION:** This Resolution would approve and authorize execution of a Memorandum of Understanding between the City of Hollister and the Hollister Downtown Association.

**RECOMMENDATION:** City Council approves the following motion: Adopt Resolution 2017-131, A Resolution of the City Council of the City of Hollister approving a Memorandum of Understanding between the City of Hollister and the Hollister Downtown Association.

- A11. Resolution No. 2017-132, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE MAYOR TO SIGN A MULTI-AGENCY RESOLUTION OF SUPPORT FOR THE PINNACLES GATEWAY PARTNERS AND COMMITTING \$2500 OF GENERAL FUND MONEY IN FISCAL YEAR 2017/18 FOR A PART-TIME COORDINATOR FOR PINNACLES GATEWAY PARTNERS. (Development Services) #11

**DESCRIPTION:** The City Council will receive a written report on the most recent Pinnacles Gateway Partners meeting and consider adoption of a resolution authorizing the Mayor to sign a multi-agency Resolution pledging support for Pinnacles Gateway Partners and directing staff to allocate \$2500 of General Fund Money in Fiscal Year 2017-18 for part time coordinator for the Pinnacles Gateway Partners.

**RECOMMENDATION:** Staff recommends that the City Council receives the report and does the following:

1. Receive Memo regarding the 5/18/2017 Pinnacles Gateway Partners meeting.
2. Adopt Resolution 2017-132, A Resolution of the City Council of the City of Hollister Authorizing the Mayor to Sign A Multi-Agency Resolution of Support for the Pinnacles Gateway Partners and Committing \$2500 of General Fund money in Fiscal Year 2017/18 for part-time coordinator for Pinnacles Gateway Partners and Committing \$2500 of General Fund Money in Fiscal Year 2017/18 for a Part-time Coordinator for Pinnacles Gateway Partners

- A12. Resolution No. 2017-133, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING THE PROPOSALS FOR WEED & BRUSH ABATEMENT AND AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH LONG'S CUSTOM DISCING, INC. (Fire Department) #12

**DESCRIPTION:** This Resolution would accept proposals and authorize the City Manager to execute an agreement with Long's Custom Discing, Inc. to perform Weed & Brush Abatement services for the City of Hollister.

**RECOMMENDATION:** Staff recommends the following: City Council ADOPT Resolution No. 2017-133, accepting the proposals and authorizing the execution of a Professional Services Agreement with for Weed and Brush Abatement.

- A13. Resolution No. 2017-134, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF A CONTRACT WITH MANN, URRUTIA, NELSON, CPAS & ASSOCIATES LLP FOR THE CITY OF HOLLISTER'S FISCAL YEAR 2016-17 THROUGH 2018-19 INDEPENDENT AUDITS. (Administrative Services) #13

**DESCRIPTION:** The City of Hollister has an annual Independent Audit performed every fiscal year and is required as per the City's bond covenants. The results of the audit is used to report to various state, federal, and local government agencies, and also serves as a continuing disclosure certificate for distribution to funding providers and the owners of bonds for which the City has obligated for the issuance of debt.

**Recommendation:** Adopt Resolution 2017-134, authorizing execution of a contract with Mann, Urrutia, Nelson, CPAs & Associates LLP for the City of Hollister's Fiscal Year 2016-17 through 2018-19 Independent Audits.

- A14. Resolution No. 2017-135, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING PARTICIPATION IN THE INSTITUTE FOR LOCAL GOVERNMENT'S RECOGNITION PROGRAM, THE BEACON PROGRAM. (Development Services) #14

**DESCRIPTION:** This item would approve a Resolution supporting the City's participation in the Institute for Local Government's Beacon Program.

**RECOMMENDATION:** City Council approves the following motion: ADOPT Resolution 2017-135, A Resolution of the City Council of the City of Hollister approving participation in The Institute for Local Government's Recognition Program, The Beacon 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 with a maximum of 30 minutes per subject. Please note that state law prohibits the City Council from discussing or taking action on any item not on the agenda.

**D. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

None.

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

None.

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

1. Resolution No. 2017-136, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER RATIFYING THE CITY MANAGERS' DECISION TO MOVE HIGHER LEVEL OF CARE AND LAYLAS LANDING INC TO THE MEDICAL CANNABIS CONDITIONAL USE PERMIT STAGE. (Development Services) #15

**DESCRIPTION:** This Resolution would ratify the City Managers' decision to approve Higher Level of Care and Layla's Landing Inc., to the final stage of the approval process for medical cannabis dispensary facilities.

**RECOMMENDATION:** The City Council approves the following motion: Adopt Resolution No. 2017-136, A Resolution of the City Council of the City of Hollister Ratifying the City Managers' decision to move higher level of care and LayLas Landing, Inc. to the Medical Cannabis Conditional Use Permit State.

2. Resolution No. 2017-137, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DECLARING INTENTION TO ORDER THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING DISTRICT NO. 93-1 FOR FISCAL YEAR 2017/2018, AND GIVING NOTICE OF AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY AND COLLECTION OF ASSESSMENT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972. (Development Services) #16

**DESCRIPTION:** This Resolution would declare the intention to order the levy and collection of the annual assessment for Landscape & Lighting District 93-1; setting the time and place for, and giving notice of, a public hearing.the intention to order the levy and collection of the annual assessment for Landscape & Lighting District 93-1; setting the time and place for, and giving notice of, a public hearing.

**RECOMMENDATION:** Adopt Resolution No. 2017-137, declaring the intention to order the levy and collection of annual assessments for Landscape and Lighting District 91-1 for FY 2017/2018.

3. Resolution No. 2017-138, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH DEVELOPMENT & PUBLIC FINANCE, LLC TO ASSIST THE CITY OF HOLLISTER IN THE NEGOTIATION OF CELL TOWER LEASE AGREEMENTS, PREPARATION OF THE ENGINEERS REPORT AND ADOPTION FOR THE CITY LANDSCAPE AND LIGHTING DISTRICT 93-1 AND REVIEW OF COMMUNITY FACILITIES DISTRICT No. 1. (Development Services) #17

**DESCRIPTION:** This Resolution would approve Amendment No. 4 to the Professional Services Agreement with Development & Public Finance, LLC to assist the City of Hollister in the negotiation of cell tower lease agreements, the preparation of the Annual Engineer Report and Adoption for the City Landscape and Lighting District No. 93-1 and conduct and comprehensive review of Community Facilities District No. 1.

**RECOMMENDATION:** Adopt Resolution No. 2017-138, approving Amendment No. 4 to the Professional Services Agreement with Development & Public Finance, LLC.



4. Resolution No. 2017-139, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING EXECUTION OF A DEVELOPMENT AND DISPOSITION AGREEMENT BETWEEN THE CITY OF HOLLISTER, THE DEL CURTO BROTHERS GROUP AND THE COMMUNITY FOUNDATION FOR SAN BENITO COUNTY FOR THE CITY OF HOLLISTER 400 BLOCK PROPERTY. (Development Services) #18

**DESCRIPTION:** This Resolution would approve the execution of a Development and Disposition Agreement for the 400 Block Property (San Benito County Assessor Parcel Numbers 054-011-016, 030 and 036) at the southwest corner of the intersection of San Benito and Fourth Streets for the construction of a Phase 1 Philanthropic Center and a Phase 2 Mixed use building with retail on the first floor and 14 to 22 condominiums on the second and third floors.

**RECOMMENDATION:** City Council approves the following motion: ADOPT Resolution 2017-139, A Resolution of the City Council of the City of Hollister Approving Execution of a Development and Disposition Agreement between the City of Hollister, the Del Curto Brothers Group and the Community Foundation for San Benito County.

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

1. 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.

2. 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, and other Staff as applicable.

3. Integrated Waste Management for the Joint Franchise Agreement for Waste Hauling. (City Manager) #19

**DESCRIPTION:** The City Council will provide direction to the Ad Hoc Committee and staff related to the Joint Franchise Agreement for waste hauling.

**RECOMMENDATION:** Staff recommends that the City Council provide direction to the Integrated Waste Ad Hoc Committee and staff on pursuing the continued negotiations with Recology or release a request for proposal.

**H. UNFINISHED BUSINESS:**

None.

**I. NEW BUSINESS:**

1. Vacancy in the elective office of City Treasurer.

#20

**DESCRIPTION:** This item concerns Council alternatives to filling the vacancy in the elective office of City Treasurer.

**RECOMMENDATION:** Receive report from City Attorney and take action as appropriate.

**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 19, 2017, at 6:30 p.m.
- Regular City Council meeting – Monday, August 7, 2017, at 6:30 p.m.
- Regular City Council meeting – Monday, August 21, 2017, at 6:30 p.m.
- Regular City Council meeting – Monday, September 4, 2017, at 6:30 p.m.