

## **CITY OF HOLLISTER AGENDA**

for **City Council Meeting**

of **November 20, 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 Speaker's 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 Karson Klauer, City Council Members, Raymond Friend, Mickie Solorio Luna and Jim Gillio, City Manager William Avera, City Attorney Soren Diaz, 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 all or some of the following matters:
  - 1. Conference with Legal Counsel-Anticipated Litigation  
Significant exposure to litigation pursuant to Government Code section 54956.9(b):  
(1 *potential case*) (City Attorney, City Clerk) (Ignacio Velazquez recused.)

2. Conference with Legal Counsel-Existing litigation pursuant to Government Code section 54956.9  
Name of case: Award Homes v. City of Hollister, et. al. (City Attorney)

**Pledge of Allegiance**

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

**Verification of Agenda Posting**

**Closed Session: Report out.**

**A. CONSENT RESOLUTION (November 20, 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, A13, A14, A15, A16, and A17.**

- A1. The Minutes of the regular City Council meeting of November 6, 2017. #1  
(City Clerk)

**Recommendation:** That the City Council approve the Minutes of the regular City Council meeting of November 6, 2017.

- A2. Warrant Registers. #2

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

- October 23, 2017, in the amount of \$ 4,958,216.44
- October 26, 2017, in the amount of \$ 256,561.02
- November 2, 2017, in the amount of \$ 258,406.29
- November 2, 2017, in the amount of \$ 394,668.08
- November 3, 2017, in the amount of \$ 1,280.07

- A3. RESOLUTION NO. 2017-282, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING THE PEDESTRIAN SAFETY ENHANCEMENT PROJECT SUMMARY OF TRAFFIC COUNT DATA AND RECOMMENDATIONS. (Development Services) #3

**DESCRIPTION:** This item would adopt the Pedestrian Safety Enhancement Project study and recommendations.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-282, A Resolution of the City Council of the City of Hollister adopting the Pedestrian Safety Enhancement Project Summary of Traffic Count Data and Recommendations.

- A4. RESOLUTION NO. 2017-283, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER A RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER EQUITY LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, INC. (Administrative Services) #4

**DESCRIPTION:** The City currently owns and maintains more than 120 vehicles used by City departments to provide services to the community daily. The average age of these vehicles is approximately ten (10) years and many of the vehicles frequently used are approaching or well beyond their useful lives. As a result, there are many vehicles that need to be replaced to assure the City's fleet remains safe and efficient, while mitigating repair and maintenance costs which have been approximately \$278,000 annually in the previous year.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-283, A Resolution of the City Council of the City of Hollister approving a master equity lease agreement and related maintenance agreement with Enterprise Fleet Management, Inc. upon final review by the City Attorney. We also ask the Council to approve an initial dollar amount that is between \$50,000 to \$100,000.

- A5. RESOLUTION NO. 2017-284, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE AIRPORT IMPROVEMENT PROGRAM PROJECT LIST AND AUTHORIZING STAFF TO APPLY FOR AND USE FAA & CALTRANS AIRPORT CAPITAL IMPROVEMENT PROGRAM (ACIP) GRANT MONIES TO ACCOMPLISH THOSE PROJECTS. (Management Services) #5

**DESCRIPTION:** Staff is seeking approval of the AIP project list and direction to apply for the FAA & Caltrans ACIP grants to fund projects at the airport.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-284, approving the AIP project list and directing staff to apply for the FAA & Caltrans ACIP grant and to use any monies received to complete projects at the Hollister Municipal Airport.

- A6. RESOLUTION NO. 2017-285, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING STAFF TO RELEASE A REQUEST FOR QUALIFICATIONS TO PROVIDE ON CALL ENGINEERING SUPPORT FOR THE MANAGEMENT SERVICES DEPARTMENT AND THE ENGINEERING DEPARTMENT. (Management Services) #6

**DESCRIPTION:** The City of Hollister is seeking a qualified firm to act as an on-call engineer for both the Management Services Department and Engineering Departments. The selected firm will be required to consult in the preparation of grant forms, provide design and construction oversight services, and will complete other work as directed.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-285, approving staff to release the request for qualifications.

- A7. RESOLUTION NO. 2017-286, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER RE-APPROPRIATING FUNDS FROM FY 16/17 TO FY17/18 FOR CIP PROJECTS IN PROGRESS. (Management Services) #7

**DESCRIPTION:** Staff is seeking approval of a re-appropriation of Funds for FY 16/17 CIP projects that are currently in progress.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-286, approving the re-appropriation of Funds for FY 16/17 CIP projects that are currently in progress.

- A8. RESOLUTION NO. 2017-287, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$260,000 FROM FUND 601 (AIRPORT) FOR 2018 AIRPORT CAPITAL IMPROVEMENT PROJECTS. (Management Services) #8

**DESCRIPTION:** Staff is seeking approval a supplemental appropriation of \$260,000 to conduct the repairs to the main runway and for the design and engineering of Taxiway – K.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-287, approving a supplemental appropriation of \$260,000 to conduct the repairs to the main runway and for the design and engineering of Taxiway – K.

- A9. RESOLUTION NO. 2017-288, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$20,000 FROM FUND 601 (AIRPORT) FOR PARTICIPATION IN THE 2018 NBACE. (Management Services) #9

**DESCRIPTION:** Staff is seeking approval a supplemental appropriation of \$20,000 for the exhibition and advertising costs of the 2018 NBACE.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-288, approving a supplemental appropriation of \$20,000 from Fund 601 (Airport) for participation in the 2018 NBACE.

- A10. RESOLUTION NO. 2017-289, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE MAYOR TO SIGN A LETTER OF SUPPORT FOR THE SAN BENITO HEALTH FOUNDATION (SBHF) HEALTH SERVICES RESOURCES ADMINISTRATION (HSRA) SERVICE AREA COMPETITION (SAC) FUNDING. (Development Services) #10

**DESCRIPTION:** This Resolution will authorize the Mayor to sign a letter of support for the SBHF SAC funding competition with the Health Services Resources Administration.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-289, Authorizing the Mayor to Sign a Letter of Support for the San Benito Health Foundation (SBHF) Health Services Resources Administration (HSRA) Service Area Competition (SAC) funding.

- A11. RESOLUTION NO. 2017-290, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$20,000 FROM FUND 662-300101 (STORM WATER) TO FUND 662-5015-730000 FOR THE PREPARATION AND DEPLOYMENT OF A COMMUNITY BASED SOCIAL MARKETING CAMPAIGN BY ACTION RESEARCH INC. (Management Services) #11

**DESCRIPTION:** Staff is seeking approval for a supplemental appropriation of \$20,000 to be used for the development and deployment of a Community Based Social Marketing (CBSM) campaign through Action Research Inc. The purpose of which is to change resident behaviors to mitigate a pollutant of concern's (fecal coliform) impact from the City on local receiving water bodies of the United States. This type of campaign is mandated by our MS4 permit.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-290, appropriating funds for the development and deployment of a Community Based Social Marketing campaign through Action Research Inc.

- A12. RESOLUTION NO. 2017-291, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE RELEASE OF THE REQUEST FOR PROPOSALS FOR CITY ATTORNEY/LEGAL SERVICES FOR THE CITY OF HOLLISTER BY AND INDIVIDUAL OR FIRM. (City Manager) #12

**DESCRIPTION:** This item would approve and authorize the release of a Request for Proposals for City Attorney/Legal Services.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-291, Approving the release of the Request for Proposals for City Attorney/Legal Services for the City of Hollister by an individual or firm.

- A13. RESOLUTION NO. 2017-292, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A REGULATORY PERMIT FOR PACIFC ORGANICS AND WELLNESS INC. TO OPERATE A MEDICAL CANNABIS DISTRIBUTION FACILITY AT 1802 SHELTON DRIVE. (Development Services) #13

**DESCRIPTION:** At its special City Council Meeting of August 14<sup>th</sup> 2017, The City Council approved manufacturing Cannabis Use Permit/Development Agreement for Pacific Organics and Wellness Inc.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-292, approving Regulatory Permit for Pacific Organics and Wellness Inc.

- A14. RESOLUTION NO. 2017-293, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A REGULATORY PERMIT FOR AGRIPHARMA EXTRACTION LLC TO OPERATE A MEDICAL CANNABIS MANUFACTURING FACILITY AT 1851 AIRWAY DRIVE. (Development Services) #14

**DESCRIPTION:** At its special City Council Meeting of August 14<sup>th</sup> 2017, The City Council approved manufacturing Cannabis Use Permit/Development Agreement for Agripharma Extraction LLC.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-293, approving Regulatory Permit for Agripharma Extraction LLC.

- A15. RESOLUTION NO. 2017-294, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A REGULATORY PERMIT FOR AGRIPHARMA NURSERY LLC TO OPERATE A MEDICAL CANNABIS CULTIVATION FACILITY AT 1851 AIRWAY DRIVE. (Development Services) #15

**DESCRIPTION:** At its special City Council Meeting of August 14<sup>th</sup> 2017, The City Council approved cultivation Cannabis Use Permit/Development Agreement for Agripharma Nursery LLC.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-294, approving Regulatory Permit for Agripharma Nursery LLC.

- A16. RESOLUTION NO. 2017-295, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL HORSE SHOW PARADE. (City Clerk) #16

**DESCRIPTION:** This Resolution will authorize the temporary closures of various streets for the Annual Horse Show Parade to be held on June 16, 2018.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2017-295, authorizing Temporary Street closures of various streets for the Annual Horse Show Parade.

A17. ABC License Review – Seabrisa’s Eatery. (City Clerk)

#17

**RECOMMENDATION:** Motion to acknowledge receipt of the ABC license review for Seabrisa’s Eatery and order it filed.

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

1. Resolution 2017-02 SA, A Resolution of the Successor Agency to the City of Hollister Redevelopment Agency Approving a Memorandum of Understanding Between the Successor Agency of the Redevelopment Agency of the City of Hollister and San Benito County to Provide Staffing Services to the Oversight Board of the Successor Agency to the Redevelopment Agency of the City of Hollister.

#18

**DESCRIPTION:** This Resolution will approve a Memorandum of Understanding (“MOU”) between the Successor Agency (the “SA”) of the City of Hollister Redevelopment Agency (the “Former RDA”) and San Benito County (“SBC”) designating staff of the SA as staff services of the Oversight Board (OB) of the City of Hollister Redevelopment Agency (the “OB”).

**RECOMMENDATION:** Successor Agency approves the following motion: ADOPT Resolution 2017-02 SA, A Resolution of the Successor Agency to the City of Hollister Redevelopment Agency Approving a Memorandum of Understanding Between the Successor Agency of the Redevelopment Agency of the City of Hollister and San Benito County to Provide Staffing Services to the Oversight Board of the Successor Agency to the Redevelopment Agency of the City of Hollister.

**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. Speaker cards are available in the lobby, and are to be completed and given to the City Clerk before speaking. 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:**

1. City Manager Report.

Receive report from the City Manager.

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

1. RESOLUTION NO. 2017-296, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE WASTEWATER FINANCIAL PLAN AND RATE STUDY PREPARED BY RAFTELIS FINANCIAL CONSULTANTS AND ADOPT AND IMPLEMENT THE SEWER FACILITIES IMPACT FEES AND SEPTAGE AND WASTEWATER RATES. (City Manager) #19

**DESCRIPTION:** City of Hollister City Council will conduct a public hearing to receive comments regarding the proposed fees and rates as identified by the study prepared by Raftelis Financial Consultants and adopt a Resolution adopting the study and directing staff to implement the new rates and fees.

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

**RECOMMENDATION:** City Council of the City of Hollister open the public hearing, hear testimony and receive comments in regards to the implementation of the Sewer Facilities Impact Fees and Wastewater and Septage Rates as identified in the Wastewater Financial Plan and Rate Study prepared by Raftelis Financial Consultants, close public hearing. Adopt Resolution No. 2017-296 adopting the Wastewater Financial Plan and Rate Study and adopt and implement the new sewer facilities impact fees and Wastewater and Septage.

2. RESOLUTION NO. 2017-297, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ESTABLISHING FEES FOR SERVICES PROVIDED BY THE CITY OF HOLLISTER PLANNING DIVISION. (Development Services) #20

**DESCRIPTION:** This Resolution will establish new user fees collected by the City's Planning Division in accordance with recommendations put forth in a fee study.

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

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution No. 2017-297, establishing New User Fees for the City's Planning Division.



3. Setting date and time for Appeal Hearing for City Council actions taken October 2, 2017, pursuant to Hollister Municipal Code Section 5.42.270. (City Clerk) #21

**DESCRIPTION:** On October 12, 2017, the City Clerk's office received a request to appeal from GreenspoonMarder, representing Haven Dispensary, several actions taken and decisions made during the October 2, 2017, City Council meeting. This item was brought before Council at the November 6, 2017 meeting, and due to lack of a quorum on this item, it was moved to November 20, 2017.

**RECOMMENDATION:** That the City Council receive report and set appeal hearing for December 4, 2017, at 6:30 p.m. or as soon thereafter as the matter may be heard.

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

1. RESOLUTION NO. 2017-298, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO SIGN AND SUBMIT ON BEHALF OF THE CITY COUNCIL A RESPONSE LETTER TO THE 2016-2017 SAN BENITO COUNTY CIVIL GRAND JURY REPORT. (Police Department) #22

**DESCRIPTION:** Response letter to the Report of 2016-2017 San Benito County Civil Grand Jury.

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution No. 2017-298, Approving the response letter to the Report of the 2016-2017 San Benito County Civil Grand Jury and authorize the City Manager to sign and submit the letter.

2. RESOLUTION NO. 2017-299, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 6 TO THE PROFESSIONAL SERVICES AGREEMENT WITH DEVELOPMENT & PUBLIC FINANCE, LLC. FOR COMMUNITY FACILITIES DISTRICT NO. 1 AND 3. (Development Services) #23

**DESCRIPTION:** Consider approval of Amendment No. 6 to the Professional Services Agreement with Development & Public Finance, LLC to assist the City in preparing the appropriations report and annual report for Community Facilities District No. 1 ("CFD No. 1") and Community Facilities District No. 3 ("CFD No. 3"). This proposal will allow DPF to assist the City in preparing the various reports for CFD No. 1 and CFD No. 3.

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution No. 2017-299, approving the Amendment No. 6 to the Professional Services Agreement with Development & Public Finance, LLC.

3. RESOLUTION NO. 2017-300, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A CANNABIS USE PERMIT/ DEVELOPMENT AGREEMENT FOR EUPHORIC LIFE INC. TO OPERATE A MEDICAL CANNABIS CULTIVATION AND MANUFACTURING FACILITY AT 807 INDUSTRIAL DRIVE (APN 056-270-012-00). (Development Services) #24

**DESCRIPTION:** The City Council will consider conditionally approving Euphoric Life, Inc. for cannabis use permit/ development agreement for a facility consisting of manufacturing and cultivation of medical cannabis.

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution No. 2017-300, Cannabis Use Permits/ Development Agreement with conditions for the facility CUP/DA 2017-23 Euphoric Life, Inc.

**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 Diaz, Chief of Police Westrick, Interim City Clerk Black, and other Staff as applicable.
3. A Report on the Hollister Municipal Airport Layout Plan. (Management Services) #25  
**DESCRIPTION:** Staff will provide a report on the Hollister Municipal Airport Layout Plan and narrative.

**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. 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.)

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 [www.CMAP.com](http://www.CMAP.com) and periodically on Cable Channel 17.

Next City Council Meetings scheduled for:

- Regular City Council meeting – Monday, December 4, 2017, at 6:30 p.m.
- Regular City Council meeting – Monday, December 18, 2017, at 6:30 p.m.
- Regular City Council meeting – Tuesday, January 2, 2018, at 6:30 p.m.
- Regular City Council meeting – Monday, January 15, 2018, at 6:30 p.m.