

## **CITY OF HOLLISTER AGENDA**

for **City Council Meeting**

of **January 16, 2018, 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):  
*(Three potential cases including one involving the 400 Block Referendum)*  
(City Attorney, City Clerk) (Ignacio Velazquez recused from 400 Block Referendum.)

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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)
3. Conference with Legal Counsel-Existing litigation pursuant to Government Code section 54956.9  
Name of case: City of Hollister, et. al. v. PG&E, et al.(City Attorney)
4. Conference with Legal Counsel-Anticipated Litigation  
Threat to public services or facilities pursuant to Government Code section 54957: (City Manager) (Chief of Police)
5. Public Employee Discipline/Dismissal/Release pursuant to Government Code section 54957: (Administrative Services Director)

**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.**

**Employee Service Awards for 4th Quarter 2017:** Department Heads will recognize Employees who have reached specific milestones with the City of Hollister.

**Certificate of Recognition:** Mickie Solorio Luna, Doctor Honoris Causa

**Election of Mayor Pro Tempore:**

**1. Election of Mayor Pro Tempore.**

The City Council will elect the Mayor Pro Tempore from among themselves for the coming year pursuant to Ordinance No. 1080.

**2. Oath of Office to Mayor Pro Tempore.**

Interim City Clerk Black will administer the Oath of Office to the Mayor Pro Tempore.

**A. CONSENT RESOLUTION (January 16, 2018):**

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, and A14.**

- A1. The Minutes of the Special meeting of December 11, 2017 and Minutes of the regular City Council meeting of December 18, 2017. (City Clerk) #1

**Recommendation:** Staff recommends that the City Council approve the Minutes of the Special meeting of December 11, 2017 and the regular City Council meeting of December 18, 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)

• December 7, 2017, in the amount of	\$	275,497.79
• December 13, 2017, in the amount of	\$	515,806.76
• December 13, 2017, in the amount of	\$	299,085.87
• December 13, 2017, in the amount of	\$	479,973.35
• December 14, 2017, in the amount of	\$	181,621.61
• December 21, 2017, in the amount of	\$	99,826.04
• December 21, 2017, in the amount of	\$	280,990.60
• December 27, 2017, in the amount of	\$	256,198.14
• December 27, 2017, in the amount of	\$	400,206.68

- A3. RESOLUTION NO. 2018-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$15,000 FROM FUND 662-300101 (STORM WATER) TO FUND 662-5015-750050 FOR THE PURCHASE AND INSTALLATION OF A CONTECH CDS HYDRODYNAMIC SEPARATOR AT THE CITY CORPORATION YARD. (Management Services) #3

**DESCRIPTION:** Staff is seeking approval for a supplemental appropriation of \$15,000 to be used for the purchase and installation of a Contech CDS Hydrodynamic Separator at the City Corporation Yard. The City is mandated per our Municipal Separate Stormwater Sewer (MS4) permit, Drinking Water Quality Order NO. 2013-0001-DWQ, to successfully mitigate negative impacts to our local watershed generated by its business activities.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-1, approving the appropriation of funds for the purchase and installation of a Contech CDS Hydrodynamic Separator at the City Corporation Yard.

- A4. RESOLUTION NO. 2018-2, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$40,000 FROM FUND 620 (WATER) FOR THE PURCHASE OF WATER METERS. (Management Services) #4

**DESCRIPTION:** Staff is seeking approval of a supplemental appropriation of \$40,000 to purchase water meters.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-2, approving the appropriation.

- A5. RESOLUTION NO. 2018-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$330,000 FROM FUND 101 (GENERAL) FOR THE MASTER AGREEMENT BETWEEN THE CITY OF HOLLISTER AND THE HOLLISTER SCHOOL DISTRICT. (Management Services) #5

**DESCRIPTION:** Staff is seeking approval of a supplemental appropriation of \$330,000 for the City's contribution per MOU entered and signed on December 5th, 2017.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-3, approving the appropriation.

- A6. RESOLUTION NO. 2018-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$30,000 FROM FUND 601 (AIRPORT) FOR CONCRETE TRASH ENCLOSURE AND ASPHALT PAVING FOR THE WESTSIDE HANGERS. (Management Services) #6

**DESCRIPTION:** Staff is seeking approval a supplemental appropriation of \$30,000 for a trash enclosure and asphalt paving for Westside hangers.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-4, approving the appropriation.

- A7. RESOLUTION NO. 2018-5, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$22,000 FROM FUND 101 (GENERAL) FOR NEW STAINLESS STEEL DRAIN GRATES WITH SMALLER OPENINGS LOCATED AT ANIMAL CONTROL SHELTER. (Management Services) #7

**DESCRIPTION:** Staff is seeking approval of a supplemental appropriation of \$22,000 for stainless steel drain gates with smaller openings located at Animal Control Shelter.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-5, approving the appropriation.

- A8. RESOLUTION NO. 2018-6, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROPOSED EXPANSION OF THE BOUNDARY OF COMMUNITY FACILITIES DISTRICT NO. 2 AND COMMUNITY FACILITIES DISTRICT NO. 4 TO PROVIDE FOR FUTURE ANNEXATIONS OF TERRITORY. (Development Services)

#8

**DESCRIPTION:** This Resolution would consider approval of the proposed expansion of the boundary of Community Facility District No. 2 (CFD No. 2) and Community Facility District No. 4 (CFD No. 4) to provide for future annexation of territory to the City of Hollister Police and Fire Services and Public Facility Services.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-6, approving the proposed expansion of the boundary of Community Facilities District No. 2 (Police and Fire Services) and Community Facilities District No. 4 (Public Facility Services).

- A9. RESOLUTION NO. 2018-7, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROPOSED BOUNDARY OF CORIA'S FLOURPLEX SUBDIVISION FOR THE ANNEXATION OF TERRITORY INTO COMMUNITY FACILITY DISTRICT NO. 4 ANNEXATION NO. 21 (PUBLIC FACILITIES SERVICES.) (Development Services)

#9

**DESCRIPTION:** This Resolution would consider approval of the boundary of Coria's Flourplex Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 21 (Public Facilities Services), and authorize execution of the agreement for the proposed boundary.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-7, approving the proposed boundary of Coria's Flourplex Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 21 (Public Facilities Services).

- A10. RESOLUTION NO. 2018-8, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE MEMORANDUM OF AGREEMENT FOR HOME CONSTRUCTION WITHIN THE ORCHARD PARK DEVELOPMENT, AND AUTHORIZING EXECUTION OF THE AGREEMENT WITH PANEGYRIC FINANCIAL, INC. (Development Services).

#10

**DESCRIPTION:** This Resolution would approve a memorandum of agreement for home construction within the Orchard Park development.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-8, approving the memorandum of agreement for home construction within the Orchard Park development, and authorizing execution of the agreement with Panegyric Financial, Inc.

- A11. RESOLUTION NO. 2018-9, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE POLICE DEPARTMENT TO MAKE STAFF CHANGES AT THE POLICE DEPARTMENT INVOLVING THE POLICE SERVICES SUPERVISOR AND ADMINISTRATIVE SUPERVISOR POSITIONS. (Police Department) #11

**DESCRIPTION:** This Resolution would rescind a December 4, 2017 resolution in this matter due to union issues and will authorize the police department to fill a new vacancy for the Administrative Supervisor position and leave the Police Services Supervisor position Vacant.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-9, Authorizing the Police Department to make staff changes at the Police Department involving the Police Services Supervisor and the Administrative Supervisor positions.

- A12. RESOLUTION NO. 2018-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SIDE LETTER OF AGREEMENT BETWEEN THE CITY OF HOLLISTER AND THE SERVICES EMPLOYEES INTERNATIONAL UNION, LOCAL 521. (Management Services) #12

**DESCRIPTION:** This Resolution would authorize the City Manager to execute a side letter agreement with SEIU Local 521 amending the MOU to read: Section D3 "The surviving spouse, beneficiary(s), dependents), or estate of any current employee of this unit who has completed 10 years of continuous service with the City and dies while employed by the City prior to retirement, will be compensated for one hundred percent ( 100%) of accrued, unused sick leave in excess of 240 hours at the employee' s hourly rate of pay at the time of death."

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-10, approving the execution of the letter.

- A13. RESOLUTION NO. 2018-11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN EMPLOYMENT AGREEMENT WITH CHRISTINE BLACK FOR THE POSITION OF CITY OF HOLLISTER CITY CLERK. (City Manager) #13

**DESCRIPTION:** This Resolution would approve and authorize execution of an employment agreement with Christine Black for the position of City of Hollister City Clerk.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-11, Approving an Employment Agreement between the City of Hollister and Christine Black for the position of City Clerk.

- A14. Letter of support for the Santa Clara Valley Transportation Authority's (VTA) application to the Trade Corridor Enhancement Program (TCEP) for environmental clearance and design for the U.S. 101/SR 25 interchange. #14

**DESCRIPTION:** The City Council will receive a request to direct the Mayor to sign a letter of support for the Santa Clara Valley Transportation Authority's (VTA) application to the Trade Corridor Enhancement Program (TCEP) to fund environmental clearance and design for the U.S. 101/SR 25 interchange.

**RECOMMENDATION:** Staff recommends that the City Council direct the Mayor to sign the attached letters recommending support of Santa Clara Valley Transportation Authority's (VTA) application to the Trade Corridor Enhancement Program (TCEP).

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

1. RESOLUTION NO. 2018-01 SA, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER, ACTING IN ITS CAPACITY AS THE SUCCESSOR AGENCY FOR THE CITY OF HOLLISTER REDEVELOPMENT AGENCY (RDA), ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE 18-19 (JULY 1, 2018 TO JUNE 30, 2019). (Development Services) #15

**DESCRIPTION:** This resolution adopts the Successor Agency Recognized Obligation Payment Schedule for the period July 1, 2018 to June 30, 2019 along with the administrative cost allowance.

**RECOMMENDATION:** The City Council of the City of Hollister acting in its capacity as the Successor Agency to the former Hollister RDA approves the following motion: Adopt Resolution No. 2018-01 SA, A Resolution of the City Council of the City of Hollister, Acting in its Capacity as the Successor Agency for the City of Hollister Redevelopment Agency (RDA), Adopting a Recognized Obligation Payment Schedule 18-19 (ROPS) for the period July 1, 2018 to June 30, 2019.

**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. A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF HOLLISTER FOR THE CANNABIS APPEAL FROM CALIFORNIA FINEST MANUFACTURING (SCOTT MCPHAIL). (City Manager) #16

**DESCRIPTION:** The City of Hollister City Manager is recommending that the Regulatory Permit for California Finest is not issued and denied pursuant to HMC 5.42.060. Scott McPhail is the CEO, General Manager, and Security Liaison of the business and filed an appeal to the City Council in a timely manner. The City Council set the appeal hearing for January 16, 2018.

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

**RECOMMENDATION:** That the City Council hear the appeal from California Finest Manufacturing (Scott McPhail) and render a decision.

2. A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF HOLLISTER FOR THE CANNABIS APPEAL FROM LLXP CORPORATION APPEAL (JOSEPH AND NICHOLAS MAXWELL). (City Manager) #17

**DESCRIPTION:** The City of Hollister City Manager is recommending that the Regulatory Permit LLXP Corporation be revoked pursuant to HMC 5.42.060. Joseph and Nicholas Maxwell are the primary owners and operators of the business and filed an appeal to the City Council in a timely manner. The City Council set the appeal hearing for January 16, 2018.

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

**RECOMMENDATION:** That the City Council hear the appeal from LLXP Corporation (Joseph and Nicholas Maxwell) and render a decision.

3. PUBLIC HEARING TO CONSIDER APPROVAL OF RESOLUTION 2018-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN OPERATIONS COVENANT AND DECLARATION OF COVENANTS AND RESTRICTIONS ("AGREEMENT") BETWEEN THE CITY OF HOLLISTER AND HOLLISTER HOTEL LP A CALIFORNIA LIMITED PARTNERSHIP ("OPERATOR"). (Development Services) #18



**DESCRIPTION:** This Public Hearing was continued from the December 4 and December 18<sup>th</sup> 2017 meetings to consider an economic development subsidy that could be approved as part of an Agreement between the City and Hollister Hotel LP as part of the Hotel Incentive Program that will provide an annual rebate of 70% of the Transient Occupancy Tax (TOT) received for ten years with a \$2 million cap and the option for the City Council to provide a five year extension with a 33% rebate of the TOT until the cap is reached.

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

**RECOMMENDATION:** City Council take the following actions: 1) Open the public hearing to consider the agreement and information about the economic development subsidy; 2) Close the public hearing; 3) Approve a motion to ADOPT Resolution No. 2018-12, Approving An Operations Covenant and Declaration of Covenants and Restrictions (“Agreement”) between the City of Hollister and Hollister Hotel LP a California limited partnership (“Operator”).

4. PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF HOLLISTER TO AMEND THE CONTRACT TO THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR A SUPPLEMENTAL ACTIVITY UNDER CONTRACT 13-CDBG-8956 AND TO SOLICIT CITIZEN INPUT; and #19

RESOLUTION NO. 2018-13, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING ADDITIONAL FUNDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME SUPPLEMENTAL ACTIVITY PROJECT AND/OR ACTIVITIES PROVIDED UNDER CDBG CONTRACT 13-CDBG-8956 AND AUTHORIZE CITY MANAGER TO EXECUTE DOCUMENTS AS NEEDED. (Development Services)

**DESCRIPTION:** City of Hollister City Council will conduct a public hearing regarding the amendment of the CDBG contract with the State and adopt the Resolution authorizing additional funds for the CDBG program income supplemental activity project and/or activities provided under the CDBG contract and authorize the City Manager to execute documents as needed.

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

**RECOMMENDATION:** Staff recommends that the City Council conduct the Public Hearing and ADOPT Resolution No. 2018-13, authorizing additional funds for the CDBG Program Income supplemental activity project and/or activities provided under CDBG Contract 13-CDBG-8956 and authorize the City Manager to execute documents as needed.

5. READ BY TITLE ONLY, WAIVE FULL READING AND INTRODUCE ORDINANCE NO. 1145, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING HOLLISTER MUNICIPAL CODE, TITLE 9 PUBLIC PEACE, MORALS AND WELFARE, ADDING CHAPTER 9.10 PROHIBITING AGGRESSIVE SOLICITATION. (City Attorney) #20

**DESCRIPTION:** This item would approve and authorize the introduction and first reading of an aggressive panhandling ordinance that would regulate the activity of aggressive panhandling on public property situated in the City. Currently, the City does not have an applicable ordinance covering this activity.

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

**RECOMMENDATION:** Staff recommends that the City Council consider the proposed new panhandling ordinance, and take the following action: 1) That the City Council conduct a public hearing and discuss the proposed ordinance; 2) That the proposed ordinance be read by title only. The City Clerk will read aloud the proposed ordinance by title only; and 3) That there be a motion by the City Council to approve the first reading of the Ordinance No. 1145, and to waive any future reading of the ordinance.

6. READ BY TITLE ONLY, WAIVE FULL READING AND INTRODUCE ORDINANCE NO. 1146, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING TITLE 17 "ZONING" OF THE HOLLISTER MUNICIPAL CODE. (Development Services) #21

**DESCRIPTION:** An Ordinance to amend miscellaneous sections of Title 17 Zoning to assure internal consistency and minor clarifications in the Hollister Municipal Code, for clarifications and corrections pertaining to on-site notification of proposed projects in the City of Hollister and allowing with an Administrative Permit Review (APR) minor vehicle repair land use facilities and drive-thru establishments in the Downtown Commercial and Mixed Use (DMU) Zoning District except in the Downtown Hollister Historic District.

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

**RECOMMENDATION:** Staff recommends that the City Council Read by title only, waive full reading and Introduce Ordinance No. 1146, Amending Title 17, Zoning of the Hollister Municipal Code.

7. READ BY TITLE ONLY, WAIVE FULL READING AND INTRODUCE ORDINANCE NO. 1147, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING CHAPTER 16.64 "GROWTH MANAGEMENT PROGRAM" OF THE HOLLISTER MUNICIPAL CODE. (Development Services) #22

**DESCRIPTION:** An ordinance to amend miscellaneous sections of Chapter 16.64 establishing a residential growth management program in the City of Hollister.

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

**RECOMMENDATION:** Staff recommends that the City Council Read by title only, waive full reading and Introduce Ordinance No. 1147, Amending Chapter 16.64, Growth Management Program of the Hollister Municipal Code.

8. READ BY TITLE ONLY, WAIVE FULL READING AND INTRODUCE ORDINANCE NO. 1148, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING THE CITY OF HOLLISTER GENERAL PLAN AND AMENDING THE CITY OF HOLLISTER ZONING MAP FOR AN APPROXIMATELY 4.82 ACRE SITE FROM WEST GATEWAY WHICH REQUIRES 20 TO 35 DWELLING UNITS PER ACRE TO MEDIUM DENSITY RESIDENTIAL PERFORMANCE OVERLAY ZONE WHICH REQUIRES 8 TO 12 DWELLING UNITS PER ACRE. THE GENERAL PLAN AMENDMENT AND RE-ZONE PROPERTY IS IDENTIFIED AS ASSESSOR PARCEL NUMBER 052-300-001 AND IT'S LOCATED BETWEEN FOURTH STREET AND JAN AVENUE, WEST OF WESTSIDE BLVD. (Development Services) #23

**DESCRIPTION:** An ordinance amending an approximately 4.82 acre site from West Gateway which requires 20 to 35 dwelling units per acre to Medium Density Residential Performance Overlay Zone which requires 8 to 12 dwelling units per acre. The General Plan Amendment and Re-zone property is identified as Assessor Parcel Number 052-300-001 and it's located between Fourth Street and Jan Avenue, west of Westside Blvd.

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

**RECOMMENDATION:** Staff recommends that the City Council Read by Title only, Waive full reading and Introduce Ordinance No. 1148, Authorizing a General Plan Amendment and Rezone from West Gateway to Medium Density Residential Performance Overlay Zone for the property identified as APN 052-300-001.

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

1. READ BY TITLE ONLY, WAIVE FULL READING, AND ADOPT ORDINANCE NO. 1144, AN ORDINANCE OF THE CITY COUNCIL AMENDING TITLE 17 "ZONING" OF THE HOLLISTER MUNICIPAL CODE. (Development Services) #24

**DESCRIPTION:** An ordinance with amendments to the municipal code to clarify text, make changes to, and implement standards to the Public Facilities/Institutional Zoning District to allow additional uses such as commercial leases for use of portions or segments of open space or a park or underutilized buildings or areas in the Public Facilities/Institutional Zoning District with a Conditional Use Permit and City Council approval to ensure internal consistency within the municipal code.

**RECOMMENDATION:** The City Council of the City of Hollister approve the following motion: Hold a public hearing. Read by title only, waive full reading and Adopt Ordinance No. 1144, An Ordinance to Amend Title 17, Zoning of the Hollister Municipal Code.

2. RESOLUTION NO. 2018-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE SUMMARY VACATION OF A PUBLIC UTILITY EASEMENT AND A TREE PLANTING AND MAINTENANCE EASEMENT ON PROPERTY BOARDED ON THE WEST BY MCCRAY STREET, ON THE NORTH BY EAST PARK STREET AND ON THE EAST BY STATE ROUTE 25. (Development Services) #25

**DESCRIPTION:** This Resolution approves a summary vacation of a Public Utility Easement and a Tree Planting and Maintenance Easement on property boarded on the west by McCray Street, on the North by East Park Street, and on the west by Pinnacles National Park Highway (State Route 25) to accommodate the proposed Hollister Farms commercial development.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2018-14, Approving the Summary Vacation of a Public Utility Easement and a Tree Planting and Maintenance Easement on property boarded on the west by McCray Street, on the north by East Park Street and on the east by State Route 25.

3. RESOLUTION NO. 2018-15, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING RECOMMENDATIONS FOR CIENEGA ROAD TRAFFIC CALMING AND DIRECT STAFF TO ADVANCE THE PROJECT TO IMPLEMENTATION. (Development Services) #26

**DESCRIPTION:** This Resolution would approve the Cienega Road Traffic Calming design and direct staff to advance the project to implementation by developing Plans and Specifications for Bidding purposes.

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution No. 2018-15, Approving recommendations of the Cienega Road Traffic Calming and Direct staff to advance the project to implementation.

4. RESOLUTION NO. 2018-16, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE INITIATION OF PREZONING OF A CONSISTING OF APPROXIMATELY 14.4 ACRES LOCATED IN THE UNINCORPORATED AREA OF THE COUNTY OF SAN BENITO LOCATED ON THE NORTH WEST CORNER OF SAN FELIPE ROAD AND WRIGHT ROAD FURTHER IDENTIFIED AS SAN BENITO COUNTY ASSESSOR PARCEL NUMBERS 019-090-026. (Development Services) #27

**DESCRIPTION:** Section 17.24.250 of the Hollister Municipal Code (HMC) requires City Council authorization to initiate prezoning for annexation

**RECOMMENDATION:** That the City Council approves the following motion: ADOPT Resolution 2018-16, authorizing the initiation of prezone application for the property identified as San Benito County APN 019-090-026.

5. RESOLUTION NO. 2018-17, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A CANNABIS USE PERMIT/ DEVELOPMENT AGREEMENT FOR AGRIPHARMA DISTRIBUTION LLC TO OPERATE A MEDICAL CANNABIS DISTRIBUTION FACILITY AT 1851 AIRWAY; and #28

RESOLUTION NO. 2018-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A REGULATORY PERMIT FOR AGRIPHARMA DISTRIBUTION LLC TO OPERATE A MEDICAL CANNABIS DISTRIBUTION FACILITY AT 1851 AIRWAY DRIVE.

**DESCRIPTION:** At its special City Council Meeting of August 14, 2017, The City Council approved manufacturing and cultivation Cannabis Use Permit/ Development Agreement for Agripharma at the same location, this approval is for distribution of medical cannabis.

**RECOMMENDATION:** Staff recommends that Council approve the following under two separate motions: 1) Resolution No. 2018-17, for the approval of a CUP/DA 2018-1, for Agripharma Distribution LLC; 2) Resolution No. 2018-18, for the approval of a Regulatory Permit for Agripharma Distribution LLC.

**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.

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3. First Quarter Budget Review and Quarterly presentation to Council for the City of Hollister's Operating Budget for the Fiscal Year ending June 30th, 2018. #29

Receive reports and provide direction to staff.

4. Property Tax Sharing Agreement. #30

That City Council receives the report and provides direction to advisory committee.

5. Ratify Mayoral Appointments and alternates to various agencies and committees. #31

By Council consensus ratify appointments and alternates to various agencies and committees.

**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 regular City Council Meetings are scheduled as follows:

- Regular City Council meeting – Monday, February 5, 2018, at 6:30 p.m.
- Regular City Council meeting – Tuesday, February 20, 2018, at 6:30 p.m.
- Regular City Council meeting – Monday, March 5, 2018, at 6:30 p.m.
- Regular City Council meeting – Monday, March 19, 2018, at 6:30 p.m.