

## **CITY OF HOLLISTER AGENDA**

for **City Council Meeting**

of **May 7, 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 Mickie Solorio Luna, City Council Members, Raymond Friend, Karson Klauer and Jim Gillio, City Manager William Avera, City Attorney E. Soren Diaz, Chief of Police David Westrick, and 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, et. al. v. PG&E, et al. (City Attorney)

2. Conference with Labor Negotiators pursuant to Government Code Section 54957.8  
Agency designated representatives: (Administrative Services Director Miller)  
Employee organization: (Hollister Firefighter Union, Local 3395)
3. Conference with Legal Counsel-Anticipated Litigation  
Significant exposure to litigation pursuant to Government Code section 54956.9  
(*One potential case, 400 Block Referendum*)  
(City Attorney, City Clerk) (Ignacio Velazquez recused from 400 Block Referendum.)

### **Pledge of Allegiance**

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

### **Verification of Agenda Posting**

**Closed Session: Report out.**

### **Proclamations:**

Water Awareness Month - May 2018, presented to Shawn Novack, San Benito County Water District

Buddy Poppy Days - May 18, 19, 2018, presented to Dolly DeVasier, Veterans' of Foreign Wars

Municipal Clerks Week - May 6-12, 2018, presented to Christine Black, MMC, City of Hollister

Certificate of Recognition – Police Captain Carlos Reynoso

### **A. CONSENT RESOLUTION (May 7, 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, A14, A15, A16, A17, A18, and A19.**

- A1. The Minutes of the regular City Council meeting of April 16, 2018.

**RECOMMENDATION:** Staff requests that City Council APPROVE the Minutes for the regular City Council meeting of April 16, 2018.

#1

A2. Warrant Registers.

The City Council will ratify and approve the following Warrant Registers for the General-Special-Enterprise-Assessment Funds dated: (Administrative Services) #2

- April 10, 2018, in the amount of \$ 222,110.37
- April 12, 2018, in the amount of \$ 953,313.34
- April 17, 2018, in the amount of \$ 115,896.26

A3. ABC License Review- Johnny's Bar & Grill, Inc. (City Clerk) #3

**RECOMMENDATION:** Staff recommends that the City Council make a motion to acknowledge receipt of the ABC License review and order it filed.

A4. Resolution No. 2018-99, a Resolution of the City Council of the City of Hollister approving a supplemental appropriation in the amount of \$68,705 and authorizing the City Manager to execute a Letter of Engagement with Michael Baker International for the Park Facility Master Plan Environmental Review. (Development Services) #4

The City Council will also consider a request to adopt a resolution approving a supplemental appropriation of \$68,705 from the Park Impact Fee Fund 205 to prepare an Initial Study for the draft Park Master Plan and authorizing the City Manager to execute a letter of engagement for environmental review.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-99, approving a supplemental appropriation in the amount of \$68,705 and authorizing the City Manager to execute a Letter of Engagement with Michael Baker International for the Park Facility Master Plan Environmental Review.

A5. Resolution No. 2018-100, a Resolution of the City Council of the City of Hollister approving the Preliminary Engineer's Report for the Levy and Collection of Annual Assessments for Landscaping and Lighting District No. 93-1 Fiscal Year 2018/2019. (Development Services) #5

**DESCRIPTION:** This Resolution will consider approval of the Preliminary Engineer's Report and Budget for the Levy and Collection of Annual Assessments for Landscape & Lighting District 93-1.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-100, approving the Preliminary Engineer's Report for the Levy and Collection of Annual Assessments for Landscape & Lighting District 93-1, FY 2018.

- A6. Resolution No. 2018-101, a Resolution of the City Council of the City of Hollister approving the subdivision improvement agreement for Allendale, Tract No. 339, and authorizing the execution of the agreement for the improvements with Allendale, LLC. (Development Services) #6

**DESCRIPTION:** This Resolution will approve the Subdivision Improvement Agreement for Allendale, a conditionally approved residential development with 279-lots for single family units and 11 parcels for a minimum 60 multi-family units, and authorizes execution of the agreement for the improvement of associated infrastructure requirements.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-101, approving the subdivision improvement agreement for Allendale, Tract No. 339, and authorizing execution of the agreement for the improvement with Civic Allendale, LLC.

- A7. Resolution No. 2018-102, a Resolution of the City Council of the City of Hollister Approving the Proposed Boundary of Allendale Subdivision for the Annexation of Territory into Community Facility District No. 4 Annexation No. 23 (Public Facilities Services) (Development Services) #7

**DESCRIPTION:** This Resolution will consider approval of the boundary of Allendale Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 23 (Public Facilities Services), and authorize execution of the agreement for the proposed boundary.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-102, approving the proposed boundary of Allendale Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 23 (Public Facilities Services).

- A8. Resolution No. 2018-103, a Resolution of the City Council of the City of Hollister approving plans and specifications and authorizing the calling for sealed bids for the Bella Vista Drive Drainage Improvement Project, CIP 1610. (Development Services) #8

**DESCRIPTION:** This Resolution will approve plans and specifications and authorize staff to call for sealed bids for the Bella Vista Drive Drainage Improvements Project, CIP 1610.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-103, approving the plans and specifications and authorizing the calling for sealed bids for the Bella Vista Drive Drainage Improvements Project, CIP 1610.

- A9. Resolution No. 2018-104, a Resolution of the City Council of the City of Hollister approving the plans and specifications and authorizing the calling for sealed bids for the Aerostar Way Sewer Pipe Upgrade Project, CIP C1702. (Development Services) #9

**DESCRIPTION:** This Resolution will approve plans and specifications and authorize staff to call for sealed bids for the Aerostar Way Sewer Pipe Upgrade Project, CIP C1702.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-104, approving the plans and specifications and authorizing the calling for sealed bids for the Aerostar Way Sewer Pipe Upgrade Project, CIP C1702.

- A10. Resolution No. 2018-105, a Resolution of the City Council of the City of Hollister accepting the proposals for weed and brush abatement and authorize the City Manager to execute a professional services agreement with Long's Custom Discing, Inc. (Fire Department) #10

**DESCRIPTION:** This Resolution will 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 that the City Council approves the following motion: ADOPT Resolution No. 2018-105, accepting the proposals and authorizing the execution of a Professional Services Agreement with Long's Custom Discing Inc. for Weed and Brush Abatement.

- A11. Resolution No. 2018-106, a Resolution of the City Council of the City of Hollister authorizing the Hollister Fire Department to apply for the staffing for adequate Fire and Emergency Response (SAFER) Grant offered to Municipal Fire Departments through the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) and authorizing the augmentation of nine (9) Firefighters to serve in the Hollister Fire Department. (Fire Department) #11

**DESCRIPTION:** This Resolution will authorize the Fire Department to apply for the SAFER Grant program and augment critically needed staffing within the Hollister Fire Department. The SAFER Grant program funds municipal fire departments for a period of three years, with salary percentages of 75% for the first two years, and 35% for the final year. This program is designed for cities to hire firefighters without the expensive initial cost and incrementally affords the City to absorb the Firefighters' salary over three years if the City elects to do so.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-106, authorizing the Hollister Fire Department to apply for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant offered to Municipal Fire Departments through the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) and authorizing the augmentation of nine (9) Firefighters to serve in the Hollister Fire Department.

- A12. Resolution No. 2018-107, a Resolution of the City Council of the City of Hollister authorizing the Fire Chief to establish the position and recruitment of Administrative Analyst (Fire) within the Hollister Fire Department. (Fire Department) #12

**DESCRIPTION:** This Resolution will authorize the Fire Chief to establish the position of Administrative Analyst (Fire) within the Hollister Fire Department

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-107, authorizing the Fire Chief to establish the position and the recruitment of Administrative Analyst (Fire), with a maximum of one position in the Hollister Fire Department.

- A13. Resolution No. 2018-108, a Resolution of the City Council of the City of Hollister declaring Emergency Vehicle Specialist, Inc. as the sole source to provide and install emergency equipment for all Hollister Fire Department vehicles. (Fire Department) #13

**DESCRIPTION:** This item will authorize the Emergency Vehicle Specialists as the sole source provider for all City of Hollister Fire Department vehicles.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-108, A Resolution of the City Council of the City of Hollister declaring Emergency Vehicle Specialist, Inc. as the sole source to provide and install emergency equipment for all Hollister Fire Department vehicles.

- A14. Resolution No. 2018-109, a Resolution of the City Council of the City of Hollister authorizing the Fire Chief to utilize a fraction of the currently vacant Division Chief position for the purpose of establishing a permanent Operational Battalion Chief position. (Fire Department) #14

**DESCRIPTION:** This Resolution will authorize the Fire Department to un-fund the Division Chief position for the purpose of establishing the salary for one operational Battalion Chief. The Division Chief position will remain vacant and un-funded until a funding source has been allocated.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-109, authorizing the Hollister Fire Department to utilize a fraction of the recently vacant Division Chief salary to fund the salary of an operational Battalion Chief and establish the position as permanent.

- A15. Resolution No. 2018-110, a Resolution of the City Council of the City of Hollister accepting the proposals received and the City Manager to execute a professional services agreement with Cleaning Services to perform citywide janitorial services for the City of Hollister. (Development Services) #15

**DESCRIPTION:** This Resolution will authorize the City Manager to execute a professional services agreement with Cleaning Services to perform janitorial services for the City of Hollister.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-110, authorizing the City Manager to execute a professional services agreement with Cleaning Services to provide citywide janitorial services for the City of Hollister.

- A16. Resolution No. 2018-111, a Resolution of the City Council of the City of Hollister approving a Regulatory Permit for Cura CA, LLC to operate a medical cannabis distribution facility at 1650 Lana Way. (Development Services) #16

**DESCRIPTION:** At the City Council meeting of March 5, 2018, the City Council approved a manufacturing Cannabis Use Permit/Development Agreement for CURA CA, LLC to operate a cannabis manufacturing facility.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-111, approving Regulatory Permit for CURA CA, LLC cannabis distribution facility.

- A17. Resolution No. 2018-112, a Resolution of the City Council of the City of Hollister accepting the proposals received and authorizing the City Manager to execute a professional services agreement with Prentice, Long & Epperson, PC to provide City Attorney/Legal Services for the City of Hollister. (City Manager) #17

**DESCRIPTION:** This Resolution will accept the proposals received on January 5, 2018 in response to the release of the Request for Proposals for City Attorney/Legal Services and authorize the City Manager to execute a Professional Services Agreement.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-112, accepting the proposals and authorizing the City Manager to execute a professional services agreement with Prentice, Long & Epperson, PC, to provide City Attorney/Legal Services for the City of Hollister.

- A18. Resolution No. 2018-113, a Resolution of the City Council of the City of Hollister authorizing the termination of the professional services contract with L+G LLP/JRG Attorneys at Law dated December 22, 2013 and authorizing the City Manager to execute a new professional services agreement with JRG Attorneys at Law to continue to provide City Attorney/Legal Services for specific ongoing cases. (City Manager) #18

**DESCRIPTION:** This Resolution will authorize the termination of the current professional services agreement with L+G LLP/JRG Attorneys at Law, dated December 22, 2013 and authorize the City Manager to execute a new professional services agreement with JRG Attorneys at Law to continue to provide City Attorney/Legal Services for specific ongoing cases.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-, authorizing the termination of the current professional services agreement with L+G LLP/JRG Attorneys at law dated, December 22, 2013 and authorize the City Manager to execute a new professional services agreement with JRG Attorneys at Law to continue to provide City Attorney/Legal Services for specific ongoing cases.

- A19. Resolution No. 2018-114, a Resolution of the City Council of the City of Hollister authorizing the City Manager to execute a lease agreement for office space and storage at 211 Fifth Street, Hollister, CA. (City Manager) #19

**DESCRIPTION:** This Resolution will consider a Resolution authorizing the City Manager to execute a Lease Agreement with Ann Marie Barragan Burns

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-114, authorizing the City Manager to execute a lease agreement for office space and storage at 211 Fifth Street, Hollister, CA.

**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. 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, REMONSTRANCE’S, 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. 2018-115, Declaring the condition of certain properties to constitute a public nuisance and ordering the abatement of weeds thereon, and conducting a hearing for the receipt of objection to the proposed abatement. (Fire Department) #20

**DESCRIPTION:** This public hearing is to hear objections to the proposed abatement of weeds and other flammable materials existing on said properties; (Exhibit “A”) and written notice of the proposed abatement and hearing date was mailed to all affected property owners in the manner and form required by law.

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

**RECOMMENDATION:** Conduct Public Hearing for the receipt of objection to the proposed abatement and ADOPT Resolution No. 2018-115, declaring the condition of certain properties to constitute a public nuisance and ordering the abatement of weeds thereon.

2. Resolution No. 2018-116, A Resolution of the City Council of the City of Hollister approving a Conditional Cannabis Use Permit/Development Agreement for Monterey Bay Alternative Medicine, Inc. to operate a Medical Cannabis Dispensary facility at 773 San Felipe Road (APN 051-100-032-000) (Development Services) #21

**DESCRIPTION:** The City Council will consider conditionally approving medical cannabis dispensary for Monterey Bay Alternative Medicine, Inc.

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

**RECOMMENDATION:** Staff recommends that Council approve the following motion: ADOPT Resolution No. 2018-116, approving a Cannabis Use Permit/Development Agreement 2018-6 for Monterey Bay Alternative Medicine, Inc.

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

1. Ordinance No. 1155, Read by Title Only, Waive Full Reading, and ADOPT Ordinance No. 1155, An Ordinance adding Chapter 9.40 relating to unlawful camping. (City Attorney) #22

**DESCRIPTION:** The first reading of this proposed ordinance was on April 16, 2018. This is the second reading of the following proposed ordinance, which would approve and authorize the addition of Chapter 9.40 to Title 9 of the Hollister Municipal Code, relating to Unlawful Camping.

**RECOMMENDATION:** Staff recommends that the City Council have the City Clerk Read by Title Only, Waive Full Reading, and ADOPT Ordinance No. 1155, and to waive any future reading of the ordinance.

2. Resolution No. 2018-117, a Resolution of the City Council of the City of Hollister approving a Cannabis Use Permit/Development Agreement for CURA CA, LLC to operate a cannabis distribution facility at 1650 Lana Way (APN 051-161-005-000). (Development Services) #23

**DESCRIPTION:** This Resolution will consider conditionally approving cannabis distribution facility for CURA CA, LLC.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2018-117, approving a Cannabis Use Permit/Development Agreement for CUP/DA 2018-7 CURA CA, 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, City Clerk Black, and other Staff as applicable.
3. Report on the results of a poll regarding a future sales tax measure to provide funding to maintain local roads, repair potholes and improve traffic flow. #24

**RECOMMENDATION:** That the City Council receives the report.

4. Report on the Formation of the Community Facilities District No. 5 (Police and Fire Services) Development Services. #25

**RECOMMENDATION:** That the City Council receives the report and directs staff to proceed with the formation of CFD No. 5.

5. The City of Hollister will provide a report regarding the Mobile Food Ordinance in Section 17.22.235 of the Hollister Municipal Code.

**DESCRIPTION:** Staff will provide an overview of the Mobile Food Ordinance including the permitted zoning districts where mobile food vendors could operate and take direction from the City Council as to whether staff shall work with the Planning Commission to consider permitting mobile food vending in additional zoning districts.

**RECOMMENDATION:** Staff recommends that the City Council receives the report.

**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.

The next regular City Council Meetings are scheduled as follows:

- Regular City Council meeting – Monday, May 21, 2018, at 6:30 p.m.
- Regular City Council meeting – Monday, June 4, 2018, at 6:30 p.m.
- Regular City Council meeting – Monday, June 18, 2018, at 6:30 p.m.
- Regular City Council meeting – Monday, August 6, 2018, at 6:30 p.m.