

## CITY OF HOLLISTER AGENDA

for **City Council Meeting**

of **September 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 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 Jim Gillio, Raymond Friend, Mickie Solorio Luna, City Manager William Avera, City Attorney E. Soren Diaz, Chief of Police David Westrick, 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 – Anticipated Litigation pursuant to Government Code Section 54956.9 (4) (*Four potential cases*) (Development Services)
  - 2. Significant exposure to litigation pursuant to Government Code Section 54956.9(b):

(*One potential case*). (City Attorney, City Clerk) (Ignacio Velazquez recused.)

3. Conference with Legal Counsel pursuant to Government Code Section 54957(b) *(One potential case)*. (City Manager)
4. 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)

**Pledge of Allegiance**

**Roll Call:** Mayor Ignacio Velazquez, Vice Mayor Karson 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, and Deputy City Clerk Christine Black.

**Verification of Agenda Posting**

**Closed Session: Report out.**

**Proclamation:** September 2017 as National Recovery Month honoring Sun Street Centers.

**A. CONSENT RESOLUTION (September 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, and A7.**

A1. The Minutes of the Special City Council meeting of August 14, 2017. (City Clerk) #1

**Recommendation:** That the City Council approve the Minutes of the Special City Council meeting of August 14, 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)

- July 25, 2017, in the amount of \$ 251,647.95
- July 25, 2017, in the amount of \$ 83,800.00
- July 28, 2017, in the amount of \$ 384,287.80
- July 28, 2017, in the amount of \$ 240,625.19
- August 14, 2017, in the amount of \$ 957,388.54
- August 14, 2017, in the amount of \$ 587,354.49

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- August 18, 2017, in the amount of \$ 588,861.62
- August 23, 2017, in the amount of \$ 384,712.21
- August 23 , 2017, in the amount of \$ 241,204.03

- A3. RESOLUTION NO. 2017-215, A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING THE CALLING FOR BIDS FOR THE FOURTH STREET INFRASTRUCTURE PROJECT, CIP C1609, C1611 & C1612. (Development Services) #3

**DESCRIPTION:** This Resolution would approve plans and specifications and authorize staff to call for sealed bids for the Fourth Street Infrastructure Project, CIP C1609, C1611 & C1612.

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution 2017-215, approving plans and specifications an authorizing the calling for bids for the Fourth Street Infrastructure project, CIP C1609, C1611 & C1612.

- A4. RESOLUTION NO. 2017-216, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF \$20,000 FROM FUND 601 (AIRPORT) FOR THE EMERGENCY REPLACEMENT OF THE WEATHERLY BUILDING HANGAR DOORS. (Management Services) #4

**DESCRIPTION:** This Resolution would approve a supplemental appropriation of \$20,000 to fund the replacement of 50+ year old hangar doors.

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution 2017-216, approving a supplemental appropriation of \$20,000 from Fund 601 (Airport) for the emergency replacement of the Weatherly Building hangar doors.

- A5. RESOLUTION NO. 2017-217, A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH TJKM TRANSPORTATION CONSULTANTS FOR TRAFFIC ENGINEERING SERVICES FOR ENGINEERING AND TRAFFIC SURVEY RELATED TO SPEED. (Development Services) #5

**DESCRIPTION:** This Resolution would adopt a resolution approving a Professional Services Agreement for TJKM Transportation Consultants of Pleasanton California, to conduct Speed Surveys as required by State Code to enable Hollister Police Department to utilize Radar Enforcement on various streets.

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution 2017-217, approving Professional Services Agreement with TJKM Transportation Consultants for Traffic Engineering Services for Engineering and Traffic Survey related to speed.

- A6. RESOLUTION NO. 2017-218, A RESOLUTION APPROVING A CONTRIBUTION OF \$2,500.00 TO THE 12 DAYS OF GIVING CAMPAIGN. (City Manager) #6

**DESCRIPTION:** The City has received a request to participate in the 12 days of Giving Campaign. The Campaign raises money that is then matched by the United Way to assist essential local non-profits.

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution 2017-218, approving a contribution of \$2,500.00 for the 12 days of Giving Campaign.

- A7. RESOLUTION NO. 2017-219, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A REIMBURSEMENT AGREEMENT WITH SUNNYSLOPE COUNTY WATER DISTRICT. (City Manager) #7

**DESCRIPTION:** This Resolution would consider entering into a reimbursement agreement for cost associated with the Cross Town Pipeline Project.

**RECOMMENDATION:** The City Council approves the following motion: ADOPT Resolution 2017-219, authorizing the City Manager to execute the Reimbursement Agreement with Sunnyslope County Water District.

**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.

2. City Manager Report.

Receive report from the City Manager.

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

None.

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

1. A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF HOLLISTER TO DISCUSS POSSIBLE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATIONS. (Development Services) #8

**DESCRIPTION:** City of Hollister City Council will conduct a public hearing to discuss possible applications for the CDGB Program.

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

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

1. RESOLUTION NO. 2017-220, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING STAFF TO RELEASE A REQUEST FOR QUALIFICATIONS TO PROVIDE DESIGN AND CONSTRUCTION SUPPORT FOR THE MCCARTHY PARK PROJECT. (Management Services) #9

**DESCRIPTION:** This Resolution would allow the City of Hollister to seek a qualified park design firm to develop plans for the reconstruction of McCarthy Park.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2017-220, authorizing staff to release a request for qualifications and to provide design and construction support for McCarthy Park Project.

2. RESOLUTION NO. 2017-221, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING ENERGY EFFICIENCY PROPOSAL FROM AMBAG ENERGY WATCH FOR LIGHTING UPGRADE RECOMMENDATIONS FOR HOLLISTER WATER RECLAMATION FACILITY. (Development Services) #10

**DESCRIPTION:** This Resolution would approve an Energy Efficiency Proposal from AMBAG Energy Watch program for lighting upgrade recommendations for the Hollister Water Reclamation Facility.

**RECOMMENDATION:** Staff recommends that the City Council approves the following motion: ADOPT Resolution No. 2017-221, approving the Energy Efficiency Proposal from AMBAG Energy Watch for lighting Upgrade Recommendations for Hollister Water Reclamation Facility.

3. RESOLUTION NO. 2017-222, A RESOLUTION INITIATING AN AMENDMENT TO SECTION 17.12 OF THE CITY OF HOLLISTER MUNICIPAL CODE TO ALLOW LIMITED SPECIAL USES IN THE PUBLIC FACILITY/INSTITUTIONAL ZONING DISTRICT. (Development Services) #11  
**DESCRIPTION:** This item would approve a resolution directing staff to initiate an amendment to Section 17.12. of the Zoning Ordinance to allow additional uses in the Public Facilities/Institutional Zoning District with a Conditional Use Permit.  
**RECOMMENDATION:** Staff recommends City Council motion to ADOPT Resolution 2017-222, a Resolution to initiate an Amendment to allow limited additional uses in the Public Facilities/Institutional Zoning District.
4. RESOLUTION NO. 2017-223, A RESOLUTION APPROVING A HOTEL INCENTIVE PROGRAM. (Development Services) #12  
**DESCRIPTION:** This Resolution will approve a Hotel Incentive Program that will pledge future transient occupancy tax (TOT) revenue to attract new hotels to Hollister and to encourage upgrades to existing hotels.  
**RECOMMENDATION:** Staff recommends City Council motion to ADOPT Resolution 2017-223, approving a Hotel Incentive Program (HIP).
5. RESOLUTION NO. 2017-224, A RESOLUTION AUTHORIZING THE CITY MANAGER/ADMINISTRATIVE SERVICES DEPARTMENT TO COMMENCE RECRUITMENTS FOR STORM DRAIN AND CANNABIS RELATED POSITIONS. (City Manager) #13  
**DESCRIPTION:** The City Council will consider authorizing additional staffing as it relates to the cannabis industry and the City's storm drain system.  
**RECOMMENDATION:** Staff recommends City Council motion to ADOPT Resolution 2017-224, authorizing the City Manager/Administrative Services Department to commence recruitments for Storm Drain and Cannabis related positions.
6. RESOLUTION NO. 2017-225, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SAGE RENEWABLE AND ZERO CITY FOR A FEASIBILITY STUDY IN AN AMOUNT NOT TO EXCEED \$7,500 FOR EARLY BUYOUT OF POWER PURCHASE AGREEMENT. (City Manager) #14  
**DESCRIPTION:** The City Council will consider authorizing the City Manager to execute a task order with Sage Renewables / Zero City for the purposes of conducting a feasibility study on an early buyout of the Power Purchase Agreement in an amount not to exceed \$7,500.00.  
**RECOMMENDATION:** Staff recommends City Council motion to ADOPT Resolution 2017-225, authorizing the City Manager to execute an agreement with Sage Renewables / Zero City.

7. RESOLUTION NO. 2017-226, A RESOLUTION APPROVING A CANNABIS USE PERMIT/ DEVELOPMENT AGREEMENT FOR HIGHER LEVEL OF CARE HOLLISTER TO OPERATE A MEDICAL CANNABIS DISPENSARY AT 1802 SHELTON DRIVE (APN 051-120-070-000). (Development Services) #15

**DESCRIPTION:** The City Council would consider approving Higher Level of Care Hollister Dispensary for medical cannabis dispensary facilities.

**RECOMMENDATION:** Staff recommends City Council motion to ADOPT Resolution 2017-226, A Resolution approving a Cannabis Use Permit/Development Agreement for Higher Level of Care Hollister to operate a medical cannabis dispensary.

8. RESOLUTION NO. 2017-227, A RESOLUTION AUTHORIZING STAFF TO INITIATE DEVELOPMENT OF A CANNABIS USE PERMIT/ DEVELOPMENT AGREEMENT WITH HAVEN DISPENSARY. (Development Services) #16

**DESCRIPTION:** At its regular City Council Meeting of August 21, 2017, The City Council directed staff to place on the agenda HAVEN dispensary for reconsideration to the final stage of the approval process for medical cannabis dispensary.

**RECOMMENDATION:** Receive staff report.

9. RESOLUTION NO. 2017-228, A RESOLUTION APPROVING CANNABIS USE PERMIT/ DEVELOPMENT AGREEMENT FOR TRADITIONAL ROOTS TO OPERATE A MEDICAL CANNABIS CULTIVATION AND MANUFACTURING FACILITY AT 1091 SAN FELIPE ROAD (APN 019-040-019-000). (Development Services) #17

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

**RECOMMENDATION:** Staff recommends City Council motion to ADOPT Resolution 2017-228, A Resolution approving a Cannabis Use Permits/Development Agreement with Conditions for the listed facility Traditional Roots.

**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, Deputy City Clerk Black, and other Staff as applicable.
  
3. Report on placement of gateway signs. (Development Services) #18  
  
**DESCRIPTION:** This report will approve placement of gateway signs and direct staff to provide additional funding details.  
  
**RECOMMENDATION:** City Council to provide direction by consensus on the location of gateway signs and the possible relocation of the existing gateway sign.
  
4. Report on a revision to traffic impact fees. (Development Services) #19  
  
**DESCRIPTION:** The City Council will receive a report from Willdan Financial Services on a revision to traffic impact fees to re-allocate traffic improvement costs on commute corridors to residential uses and to lower impact fees for residential units with a potential for fewer residents (drivers) such as studios, two bedroom homes and apartments.  
  
**RECOMMENDATION:** That the City Council receives the report and directs staff to prepare a resolution accepting the draft report and amending the traffic impact fees. Staff also recommends that City Council direct staff to prepare a resolution allowing a tiered reduction in residential traffic impact fees for studios, one and two bedroom units that are located within one-quarter of a mile of day to day commercial and transit services.

**H. UNFINISHED BUSINESS:**

None.

**I. NEW BUSINESS:**

None.



**J. MISCELLANEOUS:**

1. Setting date/time of appeal hearing for the City Council decision of denial of a Cannabis Use Permit/Development Agreement for FBT Jordan, Inc. to Operate a Medical Cannabis Manufacturing Facility at 817 Industrial Drive. (City Clerk) #20

**DESCRIPTION:** On August 24, 2017, the City Clerk's office received a request to appeal from FBT Jordan Inc., the City Council decision of August 14, 2017. City Council posted on its agenda that Staff recommends that City Council approve the following motion: Adopt Resolution 2017-191, approving a Cannabis Use Permit/Development Agreement No. CUP 2017-11, FBT Jordan, Inc. At that meeting the City Council did not move forward with staff's recommendation and no motion was made to approve the recommendation.

**RECOMMENDATION:** That the City Council receive report and set appeal hearing for October 2, 2017, at 6:30 p.m. or as soon thereafter as the matter may be heard.

2. Setting date/time of appeal hearing for the City Council decision of denial of a Cannabis Use Permit/Development Agreement for Laylas Landing, Inc. to Operate a Medical Cannabis Dispensary at 817 Industrial Drive. (City Clerk) #21

**DESCRIPTION:** On August 24, 2017, the City Clerk's office received a request to appeal from Laylas Landing, Inc., the City Council decision of August 14, 2017. City Council posted on its agenda that staff recommends that City Council approve the following motion: Adopt Resolution 2017-187, approving a Cannabis Use Permit/Development Agreement No. CUP 2017-5, Laylas Landing, Inc. At that meeting the City Council did not move forward with staff's recommendation and no motion was made to approve the recommendation.

**RECOMMENDATION:** That the City Council receive report and set appeal hearing for October 2, 2017, at 6:30 p.m. or as soon thereafter as the matter may be heard.

3. Setting date/time of appeal hearing for the City Council decision of denial of a Cannabis Use Permit/Development Agreement for Playa Breeze, Inc. to Operate a Medical Cannabis Cultivation Facility at 817 Industrial Drive. (City Clerk) #22

**DESCRIPTION:** On August 24, 2017, the City Clerk's office received a request to appeal from Playa Breeze, Inc., the City Council decision of August 14, 2017. City Council posted on its agenda that staff recommends that City Council approve the following motion: Adopt Resolution 2017-190, approving a Cannabis Use Permit/Development Agreement No. CUP 2017-10, Playa Breeze, Inc. At that meeting the City Council did not move forward with staff's recommendation and no motion was made to approve the recommendation.

**RECOMMENDATION:** That the City Council receive report and set appeal hearing for October 2, 2017, at 6:30 p.m. or as soon thereafter as the matter may be heard.

4. Setting date/time of appeal hearing for the Appeal from GreenspoonMarder for City Council actions taken August 14, 2017 pursuant to Hollister Municipal Code Section 5.42.270. (City Clerk)

#23

**DESCRIPTION:** On August 24, 2017, the City Clerk's office received a request to appeal from GreenspoonMarder, representing Haven Dispensary, several actions taken and decisions made during the August 14, 2017, City Council meeting.

**RECOMMENDATION:** That the City Council receive report and set appeal hearing for October 2, 2017, at 6:30 p.m. or as soon thereafter as the matter may be heard.

**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 <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, September 18, 2017, at 6:30 p.m.
- Regular City Council meeting – Monday, October 2, 2017, at 6:30 p.m.
- Regular City Council meeting – Monday, October 16, 2017, at 6:30 p.m.
- Regular City Council meeting – Monday, November 6, 2017, at 6:30 p.m.