

MAYOR

Ignacio Velazquez

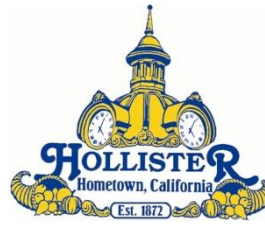
COUNCIL MEMBERS

Carol A. Lenoir, District 1

Rolan Resendiz, District 2

Honor Spencer, District 3

Marty Richman, District 4



CITY COUNCIL AGENDA

Regular Meeting

August 5, 2019

6:30 PM

CITY MANAGER

William B. Avera

CITY ATTORNEY

Jason S. Epperson

CITY CLERK

Christine Black

POLICE CHIEF

David Westrick

CITY TREASURER

Anietra Gomez

CITY OF HOLLISTER

CITY COUNCIL CHAMBERS, CITY HALL

375 FIFTH STREET

HOLLISTER, CA 95023

(831) 636-4300

www.hollister.ca.gov

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 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 - AMENDED

CLOSED SESSION - 5:30 P.M.

Public Comment (limited to any item listed on the Closed Session agenda)

Closed Session will be held by the City Council of the City of Hollister to discuss the following matters:

1. Conference with Legal Counsel Threat to Public Services or Facilities Pursuant to Government Code section 54957(a)
(One (1) potential case Animal Control)
2. Conference with Legal Counsel Anticipated Litigation Pursuant to Government Code section 54956.9(b)
(One (1) potential case)
3. Conference with Legal Counsel pursuant to Government Code Section Case - 54956.9(a) - Existing Litigation, One (1) Case:
Building Industry Association vs. City of Hollister City Council Case No. 19-00028
4. Conference with Legal Council Anticipated Litigation Significant Exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9
(One (1) potential case)
5. Conference with Legal Counsel pursuant to Government Code Section Case - 54956.9(a) - Existing Litigation
Name of case: Lua vs City of Hollister Case No. 19 STCV 01524

PLEDGE OF ALLEGIANCE

ROLL CALL

VERIFICATION OF AGENDA POSTING

CLOSED SESSION - REPORT OUT

RECOGNITION

Employee Service Awards for 2nd Quarter 2019 (Human Resources)

A. CONSENT RESOLUTION

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.

1. The minutes of the **Regular Meeting of City Council June 17, 2019**
2. The minutes of the **Special Meeting of City Council June 24, 2019**
3. **Warrant Registers - August 5, 2019 (Administrative Services)**
DESCRIPTION: Audit attached warrant register(s).

RECOMMENDATION: The City Council will ratify and approve the following Warrant Registers for the General-Special-Enterprise-Assessment funds dated:

- June 10, 2019, in the amount of \$183,355.75
- June 18, 2019, in the amount of \$243,924.91
- June 24, 2019, in the amount of \$996,952.73
- June 28, 2019, in the amount of \$56,270.24
- June 28, 2019, in the amount of \$429,093.76
- June 20, 2019, in the amount of \$125,507.00
- July 10, 2019, in the amount of \$79,877.10
- July 10, 2019, in the amount of \$297.00
- July 12, 2019, in the amount of \$1,629,547.98
- July 12, 2019, in the amount of \$389,158.66
- July 16, 2019, in the amount of \$634,999.49
- July 23, 2019, in the amount of \$818,534.43
- July 25, 2019, in the amount of \$98,260.08
- July 25, 2019, in the amount of \$332,891.30
- June 17, 2019, in the amount of \$334,536.07
- June 26, 2019, in the amount of \$295,913.08
- July 10, 2019, in the amount of \$186,275.30
- June 17, 2019, in the amount of \$561,023.52
- June 26, 2019, in the amount of \$485,876.39
- July 10, 2019, in the amount of \$571,606.87

4. ABC License Review - Larry's Liquor, 570 Tres Pinos Road (City Clerk)

BRIEF DESCRIPTION: The City Council should acknowledge receipt of the ABC license review for Larry's Liquor located at 570 Tres Pinos Road, Hollister, and order it filed.

RECOMMENDATION: Staff recommends that the City Council acknowledge receipt of the ABC license review for Larry's Liquor, and order it filed.

5. Resolution No. 2019-166 a Resolution of the City Council of the City of Hollister authorizing execution of an agreement with New SV Media, Inc., dba The Hollister Freelance for legal publication services (City Clerk)

BRIEF DESCRIPTION: This Resolution will authorize execution of the Agreement between the City of Hollister and sole source New SV Media, Inc., dba the Hollister Free Lance newspaper for the publication of legal notices for fiscal year 2019/2020.

RECOMMENDATION: Staff recommends that the City Council ADOPT a Resolution authorizing the execution of an Agreement with New SV Media, Inc., dba the Hollister Free Lance, sole source for publication services.

6. Resolution No. 2019-167 a Resolution of the City Council of the City of Hollister Authorizing Execution of Agreement Between Hollister Fire Department and Unincorporated and Incorporated Areas of San Benito County with CAL FIRE Aromas Tri Counties Fire Protection District for Automatic Aid Response to Emergency Incidents (Fire)

BRIEF DESCRIPTION: This item will allow Hollister Fire Department along with the unincorporated and incorporated areas of San Benito County, to enter into an Agreement for Automatic Aid with the California Department of Forestry and Fire Protection Aromas Tri-Counties Fire Protection District.

RECOMMENDATION: Staff recommends that the City Council ADOPT a Resolution authorizing Hollister Fire Department along with unincorporated and incorporated areas of San Benito County to enter into the submitted Operational Response Plan for Automatic Aid to emergency incidents with the California Department of Forestry and Fire Protection Aromas Tri-Counties Fire Protection District.

7. Resolution No. 2019-168 a Resolution of the City Council of the City of Hollister Approving the Itemized Report of Zero Costs of Abatement of Weeds and Debris on Designated Properties in the City of Hollister and Approval to File Report with the Office of the County Auditor, County of San Benito (Fire)

BRIEF DESCRIPTION: This item is to submit the itemized report of zero cost of abatement of weeds and debris in front of or on each separated parcel of land where work was completed in the City of Hollister and requests approval to submit liens and reports to the Office of the County Auditor, County of San Benito for collection.

RECOMMENDATION: Staff recommends that the City Council ADOPT a Resolution approving the itemized report of zero costs of abatement of weeds and debris on designated properties in the City of Hollister and approval to file report with the Office of the County Auditor, County of San Benito.

8. Resolution No. 2019-169 a Resolution of the City Council of the City of Hollister to Approve the Hollister Fire Department to Erect a Training Facility at the City of Hollister's Water Reclamation Facility (Fire)

BRIEF DESCRIPTION: This item will allow the Hollister Fire Department to erect a training facility at the City of Hollister's Water Reclamation Facility located at 2690 San Juan Road.

RECOMMENDATION: Staff recommends that the City Council ADOPT a Resolution authorizing the Hollister Fire Department to erect shipping containers at the City of Hollister's Water Reclamation Facility for the purpose of a training facility.

9. Resolution No. 2019-170 a Resolution of the City Council of the City of Hollister authorizing an appropriation of \$250,000 for a match payment of a Monterey Peninsula Foundation Grant awarded with Resolution No. 2018-234 (Fire)

BRIEF DESCRIPTION: This action appropriates \$250,000 from the Reserves Fund Balance to the FY 2019/2020 Hollister Fire Department budget Training Line item in Fund 101-2205-722010 for a matching payment of a Monterey Peninsula Foundation Grant awarded with Resolution No. 2018-234.

RECOMMENDATION: Staff recommends the City Council ADOPT a Resolution to approve the appropriation fund transfer in the amount of \$250,000 for a matching payment of a Monterey Peninsula Foundation Grant awarded with Resolution No. 2018-234 for a training facility.

10. Resolution No. 2019-171 a Resolution of the City Council of the City of Hollister authorizing staff to develop a contract for a training facility with Fire Blast Global (Fire)

BRIEF DESCRIPTION: This item will authorize the Hollister Fire Department to prepare a contract for a previously approved shipping container style training facility from Fire Blast Global.

RECOMMENDATION: Staff recommends that the City Council ADOPT a Resolution authorizing the Hollister Fire Department to prepare a contract with Fire Blast Global for a Training Facility.

11. Resolution No. 2019-172 a Resolution of the City Council of the City of Hollister Authorizing the Hollister Police Department to Hire One (1) Additional Multi Services Officer and Authorizing the Appropriation of \$130,000 from the General Fund (Police)

BRIEF DESCRIPTION: The Hollister Police Department requests the addition of a second Multi Services Officer position, and an appropriation of \$130,000 from the General Fund.

RECOMMENDATION: That the Council ADOPT a Resolution authorizing the Hollister Police Department to hire one (1) additional Multi Services Officer and an appropriation of \$130,000 from the General Fund.

12. Resolution No. 2019-173 a Resolution of the City Council of the City of Hollister Appropriating \$65,000 from the General Fund Reserves to Install Year-Round Downtown Tree Lighting (Management Services)

BRIEF DESCRIPTION: This Resolution will provide \$65,000 to install year-round downtown tree lighting and upgrade the downtown tree well electrical service.

RECOMMENDATION: Staff recommends that the City Council ADOPT a Resolution appropriating \$65,000 from the general fund reserves to install year-round downtown tree lighting.

13. Resolution No. 2019-174 a Resolution of the City Council of the City of Hollister Approving the Plans and Specifications for the Construction of Two CDS Stormwater Filters and Directing Staff to Receive Sealed Bids for the Construction of the Project (Management Services)

BRIEF DESCRIPTION: Our consultant, Kimley-Horn, has completed the engineering on CIP 1809 & CIP 1810, and has prepared plans and specifications and the bid package for the construction of two CDS stormwater filters. Staff is requesting that the City Council approve the plans and specifications and authorize staff to request sealed bids to complete the project.

RECOMMENDATION: Staff recommends that the City Council ADOPT a Resolution approving the plans and specifications for the construction of two CDS stormwater filters and direct staff to receive sealed bids for the construction of the project.

14. Resolution No. 2019-175 a Resolution of the City Council of the City of Hollister Defining and Establishing Certain Streets and Parts of Streets in the City of Hollister as Stop Intersections (Engineering) - Amended

BRIEF DESCRIPTION: This Resolution will adopt the all-way stop control warrant analysis prepared by Kimley-Horn and Associates, and authorize the installation of all-way stop control for the intersection of Westside Boulevard and Central Avenue, and the intersection of Sunset Drive and Hillock Drive.

RECOMMENDATION: That the City Council ADOPT a Resolution adopting the all-way stop control warrant analysis prepared by Kimley-Horn and Associates, and authorize the installation of all-way stop control for the intersection of Westside Boulevard and Central Avenue, and the intersection of Sunset Drive and Hillock Drive.

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

None.

C. 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 City Manager Avera.

E. PUBLIC HEARINGS

1. Resolution No. 2019-176 a Resolution of the City Council of the City of Hollister Amending Transportation Permit Fees within the Engineering Division (Engineering)

BRIEF DESCRIPTION: The City of Hollister Development Services Department Engineering Division is requesting approval to amend Transportation Permit Fees in order to comply with State and Federal Laws.

RECOMMENDATION: That the City Council ADOPT a Resolution amending Transportation Permit Fees within the Engineering Division.

2. Ordinance No. 1181 an Amendment to an Ordinance of the City of Hollister Adding Chapter 5.38 to the Municipal Code to Require the Licensing of Tobacco Retailers (City Attorney)

DESCRIPTION: An Ordinance to amend multiple sections of Title 5, Chapter 38 of the Hollister Municipal Code to: (1) define “flavored tobacco” and other terms; (2) provide for inspecting locations selling tobacco and flavored tobacco products; and (3) limit sales of flavored tobacco to locations not within “Youth Populated Areas.”

RECOMMENDATION: Hold a public hearing. Read by title only, waive full reading and INTRODUCE an Ordinance of the City of Hollister Amending Title 5, Chapter 38, “Tobacco Retailers,” of the Hollister Municipal Code, and schedule a second reading and adoption of the Ordinance for the August 19, 2019 City Council meeting.

F. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES

1. Resolution No. 2019-177 a Resolution of the City Council of the City of Hollister Authorizing the City Manager to Execute an Employment Agreement with Bryan Swanson as Development Services Director (City Manager)

BRIEF DESCRIPTION: The City Council will consider a Resolution authorizing the City Manager to execute an Employment Agreement with Bryan Swanson for Development Services Director.

RECOMMENDATION: Staff recommends City Council ADOPT a Resolution Authorizing the City Manager to Execute an Employment Agreement with Bryan Swanson as Development Services Director.

2. Resolution No. 2019-178 a Resolution of the City Council of the City of Hollister Approving the Initiation of Pre-zoning of a Property Consisting of Approximately 4.69 Acres Located in the Unincorporated Area of the County of San Benito at the Westerly Terminus of Apricot Lane, Further Identified as San Benito County Assessor Parcel Number 020-060-014 and the Initiation of a General Plan Amendment to Amend the Land Use Plan Map of the City of Hollister General Plan to Designate the Property Located at APN 020-060-014 as Open Space and Medium Density residential (Planning)

BRIEF DESCRIPTION: Consider approval of initiation of pre-zoning No. 2018-7 of a property consisting of approximately 4.69 acres located in the unincorporated area of the County of San Benito and the initiation of a general plan amendment to amend the Land Use Plan Map of the City of Hollister General Plan to designate the property located at APN 020-060-014 as open space and medium density residential. Section 17.24.250 of the Hollister Municipal Code (HMC) requires City Council authorization to initiate pre-zoning for annexation. Section 17.24.290 of the HMC requires City Council authorization to initiate a general plan amendment with four affirmative votes.

RECOMMENDATION: That the City Council ADOPT a Resolution authorizing the initiation of pre-zoning application No. 2018-7 and the initiation of general plan amendment 2019-1.

3. Resolution No. 2019-179 a Resolution of the City Council of the City of Hollister Setting the Market Rate Housing Allocations at 133 Units Per Year (City Manager)

BRIEF DESCRIPTION: City Council discussed the Growth Management Ordinance at the meeting of June 6, 2019. The draft Ordinance is nearly complete; however, the annual Growth Rate for market rate units for the City remains unresolved. The City Council will consider a Resolution adopting a Growth Rate of 133 market rate units per year to be incorporated into the Growth Management Ordinance for adoption in August/September 2019.

RECOMMENDATION: Staff recommends the City Council ADOPT a Resolution setting market rate housing units annual growth rate at 133.

4. Resolution No. 2019-180 a Resolution of the City Council of the City of Hollister Regulating Industrial Hemp as Cannabis under The Cannabis Ordinance (Cannabis)

BRIEF DESCRIPTION: At the time the City adopted the Cannabis Ordinance it did not fully appreciate the potential interest in industrial hemp. Since California Business and Professions Code explicitly states that cannabis does not include industrial hemp. However, in order to ensure the effective implementation of the City of Hollister land use objectives and policies, regulation on the cultivation of industrial hemp is necessary.

RECOMMENDATION: Staff recommends the City Council ADOPT a Resolution directing staff to regulate industrial hemp under the Cannabis Ordinance as policy.

5. Resolution No. 2019-181 a Resolution of the City Council of the City of Hollister Authorizing Staff to Commence Actions to Permanently Close, Vacate and Dispose of a Portion of Nash Road (City Manager)

BRIEF DESCRIPTION: The City of Hollister, San Benito County, and San Benito High School District entered into an agreement to work collaboratively on making the High School crossings on Nash Road safer

for students and faculty. The original agreement closed the road during the school year from 7:00 am to 7:00 pm. This item would direct staff to begin preparing the necessary documents for actions to be taken by the Hollister City Council to permanently close Nash Road between West Street and Monterey Street.

RECOMMENDATION: Staff recommends the City Council ADOPT a Resolution authorizing and directing staff to prepare necessary documents to permanently close a portion of Nash Road from West Street to Monterey.

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, City Clerk and Staff

Receive informational reports from the City Council, City Manager Avera, City Attorney Epperson, Chief of Police Westrick, City Clerk Black, and other Staff as applicable.

3. Proposed City of Hollister Inclusionary Housing Ordinance (City Manager)

BRIEF DESCRIPTION: The City Council has requested that staff begin working on an Inclusionary Housing Ordinance for the City of Hollister. San Benito County and the City collaborate on affordable housing issues, monitoring, etc. and share staff to do so. In addition, San Benito County currently has an inclusionary Ordinance and is in the process of updating the regulations. Staff will share the County's considerations and receive direction from the Council on drafting an inclusionary housing Ordinance.

RECOMMENDATION: Receive report and provide direction to staff.

4. Update on Supplemental Appropriation of \$516,315 for a Neuros PLC Blower upgrade at the Domestic Wastewater Treatment Plant (Public Works - Utilities)

BRIEF DESCRIPTION: At the June 17, 2019 meeting, Council tabled item until August 5, 2019 to receive more information. This Resolution will appropriate \$516,315 for the purchase and installation of upgrades to the Aeration and MCP control systems.

RECOMMENDATION: Staff recommends that the City Council table the update on the purchase and installation of upgrades to the Aeration and MCP control systems.

5. Campaign Finance Policy (City Clerk)

BRIEF DESCRIPTION: At the June 17, 2019, City Council Meeting, Council Member Resendiz requested to establish a Campaign Finance

Policy. Currently there are no Campaign Finance limits in the City of Hollister.

California Campaign Finance requirements govern the following:

- How much money candidates may receive from individuals and organizations.
- How much and how often they must report those contributions.
- How much individuals, organizations and political parties may contribute to campaigns.

In addition to direct campaign contributions, campaign finance laws also apply to third party organizations and non-profit organizations that seek to influence elections through independent expenditures or issue advocacy.

RECOMMENDATION: Staff is requesting that City Council receive report, and provide direction. If the City Council decides to move forward, staff suggests we establish an Ad Hoc Committee to work on the Ordinance.

6. Designation of Voting Delegate for the League of California Cities (City Clerk)

BRIEF DESCRIPTION: The League of California Cities Annual Conference will be held in Long Beach October 16-18, 2019, in Long Beach, California. The City Council should designate a voting delegate and up to two (2) alternates depending on which Council Members are planning on attending the conference this year.

RECOMMENDATION: By CONSENSUS, the City Council may designate a voting delegate and up to two (2) voting alternates for the 2019 League of California Cities Annual Conference and direct staff to make reservations for attending Council Members.

7. Cannabis Cultivation Fees in Development Agreements (City Manager)

BRIEF DESCRIPTION: The City of Hollister has received a request to reduce the cannabis cultivation fees on large scale projects. The City Council will receive a report to discuss potential alternatives to the requests.

RECOMMENDATION: Receive report and provide direction to staff.

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.

L. 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 and periodically on Cable Channel 17.

The next City Council Meetings are scheduled as follows:

- Regular City Council Meeting -- Monday, August 19, 2019, at 6:30 p.m.
- Regular City Council Meeting -- Tuesday, September 3, 2019, at 6:30 p.m. (due to Labor Day Holiday on September 2)
- Regular City Council Meeting -- Monday, September 16, 2019, at 6:30 p.m.
- Regular City Council Meeting -- Monday, October 7, 2019, at 6:30 p.m.