

## **CITY OF HOLLISTER AGENDA**

for **City Council Meeting**

of **April 4, 2016**, on or after the hour of **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister, CA.

### **NOTICE TO PUBLIC**

Persons who wish to address the City Council are asked to complete a Speakers Card and give it to the City Clerk prior to 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 prior to the City Council meeting. It is customary for City staff members to review such matters prior to formal presentation in order 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**

**Roll Call:** Mayor Ignacio Velazquez, City Council Members Karson Klauer, Victor Gomez, Raymond Friend, and Mickie Solorio Luna, City Manager William Avera, City Attorney Bradley Sullivan, Chief of Police David Westrick, and City Clerk Thomas Graves.

### **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 the following matters:
  - 1. Conference with Legal Counsel - Significant Exposure to Litigation pursuant to Government Code Section (§54957.9(e)(1)).

## **Call to Order**

**Roll Call:** Mayor Ignacio Velazquez, City Council Members Karson Klauer, Victor Gomez, Raymond Friend, and Mickie Solorio Luna, City Manager William Avera, City Attorney Bradley Sullivan, Chief of Police David Westrick, and City Clerk Thomas A. Graves.

## **Pledge of Allegiance**

## **Verification of Agenda Posting**

**Closed Session:** City Attorney Report Out

## **Proclamations (CC)**

1. National Public Health Week – April 4-10, 2016
2. Water Awareness Month – May, 2016
3. Poppy Days – May 21, 2016
4. Municipal Clerks Week – May 1-7, 2016

## **Employee Service Awards – 1st Quarter 2016 (HR)**

Dennis McNight, 25 years of service  
Derrick Speights, 15 years of service  
Cheryl Mullen, 15 years of service  
Maria Mendez, 10 years of service

## **A. CONSENT RESOLUTION (April 4, 2016):**

All items listed under Consent Resolution will be enacted in one motion authorizing actions indicated for those items so designated.

**Consent Items are Numbers A1, A2, A3, A3.1, A4, A5, A6, A7, A8, A9 and A10.**

1. Minutes of the special City Council meeting of March 14, 2016. (CC)

**Recommendation:** That the City Council APPROVE the Minutes of the special City Council meeting of March 14, 2016.

2. Minutes of the regular City Council meeting of March 21, 2016. (CC)

**Recommendation:** That the City Council APPROVE the Minutes of the regular City Council meeting of March 21, 2016.

3. Warrant Registers (AS)

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

• March 11, 2016, in the amount of	\$ 265,030.00
• March 11, 2016, in the amount of	\$ 1,066,017.79
• March 18, 2016, in the amount of	\$ 160,604.04
• March 23, 2016, in the amount of	\$ 528,068.57
• March 24, 2016, in the amount of	\$ 627,094.30
• March 25, 2016, in the amount of	\$ 7,992,522.00

3.1 ABC License Review – Mariscos Nayarita Restaurant, Inc. (CC)

**Recommendation:** That the City Council acknowledge receipt of the ABC license review for Mariscos Nayarita Restaurant, Inc. and order it filed.

4. RESOLUTION NO. 2016-35, A RESOLUTION OF THE CITY COUNCIL APPROVING A FOURTH AMENDMENT TO THE AGREEMENT FOR OPERATIONS AND MAINTENANCE SERVICES WITH VEOLIA WATER NORTH AMERICA, AND APPROVING A SUPPLEMENTAL BUDGET APPROPRIATION FOR FISCAL YEAR 2015/16. (ED)

**Recommendation:** That the City Council ADOPT Resolution No. 2016–35, a Resolution of the City Council Approving the Fourth Amendment to the Agreement for Operations and Maintenance Services with Veolia Water North America and Approving a Supplemental Budget Appropriation For Fiscal Year 2015/16.

5. RESOLUTION 2016-41, A RESOLUTION OF THE CITY COUNCIL APPROVING THE ANNUAL 2015 GENERAL PLAN PROGRESS REPORT. (DS)

**Recommendation:**

- ✓ That that the City Council review the Annual 2015 General Plan Progress Report and consider written or oral public comments, and
- ✓ That the City Council Approve Resolution 2016-41, accepting the report, and
- ✓ That the City Council Direct staff to forward the report to the Governor’s Office of Planning and Research and to the California Department of Housing and Community Development.

6. RESOLUTION NO. 2016-47, A RESOLUTION OF THE CITY COUNCIL APPROVING A LEASE AGREEMENT WITH THE VETERANS OF FOREIGN WARS AND THE AMERICAN LEGION FOR CONTINUED MANAGEMENT OF THE VETERANS' MEMORIAL BUILDING. (CM)

This Resolution will authorize entering into a lease agreement with the Veterans of Foreign Wars and the American Legion for continued Management of the Veterans Memorial Building.

**Recommendation:** That the City Council adopt Resolution No. 2016-47, executing a lease agreement with the Veterans of Foreign Wars and the American Legion for the continued Management of the Veterans Memorial Building.

7. RESOLUTION NO. 2016-42, A RESOLUTION OF THE CITY COUNCIL DECLARING THE CONDITION OF CERTAIN PROPERTIES TO CONSTITUTE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT OF WEEDS THEREON, AND NOTICING A HEARING FOR THE RECEIPT OF OBJECTIONS TO THE PROPOSED ABATEMENT. (FD)

This Resolution starts the legal process for the 2016 Weed Abatement Program by declaring the condition of certain properties to constitute a public nuisance due to the existence of weeds, and noticing a hearing for the receipt of objections by property owners to the proposed abatement by the City.

**Recommendation:** That the City Council ADOPT Resolution No. 2016-42, a Resolution of the City Council declaring the condition of certain properties to constitute a public nuisance, ordering the abatement of weeds thereon, and noticing a public hearing for the receipt of objections to the proposed abatement.

8. RESOLUTION NO. 2016-43, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$20,000 FOR THE CONSTRUCTION OF 3 ADA COMPLIANT PARKING SPACES AT DUNNE PARK. (MS)

Staff is requesting that the City Council approve the resolution allowing a supplemental appropriation of \$20,000 for the construction ADA Parking spaces at Dunne Park.

**Recommendation:** That the City Council APPROVE Resolution No. 2016-43, approving the appropriation.

9. RESOLUTION NO. 2016-48, A RESOLUTION OF THE CITY COUNCIL REVISING THE JUNIOR ENGINEER/ASSOCIATE ENGINEER/ASSOCIATE CIVIL ENGINEER JOB DESCRIPTION AND APPROVING A JUNIOR ENGINEER POSITION FOR THE ENGINEERING DIVISION OF THE DEVELOPMENT SERVICES DEPARTMENT. (ED)

This resolution will approve the changes to the Junior Engineer/Associate Engineer/Associate Civil Engineer Job Description and change the vacant Engineering Technician position approved in the 2015 – 2016 Fiscal Year to a Junior Engineer.

**Recommendation:** That the City Council ADOPT Resolution No. 2016 – 48, approving the amended Junior Engineer/Associate Engineer/Associate Civil Engineer job description and approving the Junior Engineer position within the Engineering Division of the Development Services Department.

10. RESOLUTION NO. 2016-49, A RESOLUTION OF THE CITY COUNCIL APPROVING AND AUTHORIZING EXECUTION OF AN EMPLOYMENT AGREEMENT FOR DEVELOPMENT SERVICES DIRECTOR. (CM)

This item would approve and authorize execution of an employment agreement with Bryan Swanson for the position of City of Hollister Development Services Director.

**Recommendation:** That the City Council ADOPT Resolution 2016-49, a Resolution of the City Council of the City of Hollister Approving an Employment Agreement Between the City of Hollister and Bryan Swanson-Development Services Department.

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

21. Report on Exclusive Negotiating Agreement (ENA) for a build to lease 25,000 square foot Education Center on the Leatherback property. (SARA)

Successor Agency (SA) will receive a report on the decision of Gavilan Community College District not to negotiate an MOU for a build to lease Education Center at the Leatherback site and review next steps.

**Recommendation:** That the Successor Agency receive the report, discuss its implications, provide direction to staff, and take whatever other action it deems necessary to take.

**C. PUBLIC INPUT:**

Members of the public may address the City Council on any matter within the City Council's jurisdiction that is not on the agenda. Comments are limited to three (3) minutes per person, with a maximum of 30 minutes per subject. Speaker Cards are available in the Foyer, and are to be completed and given to the City Clerk prior to speaking. State law prohibits the City Council from discussing or taking action on any item which is not on the agenda.

Note: Time allotted to speakers may be increased or decreased at the Presiding Officer's discretion.

**D. PETITIONS, REMONSTRANCE'S, AND COMMUNICATIONS:**

31. City Manager's oral report. (CM)

The City Manager will give an oral report regarding activities and/or any public comments or presentations.

**E. PUBLIC HEARINGS (After the hour of 6:30 p.m.)**

41. TRANSPORTATION IMPACT MITIGATION FEES. (ED)

RESOLUTION NO. 2016-40, A RESOLUTION OF THE CITY COUNCIL ESTABLISHING UPDATED TRAFFIC IMPACT FEES BASED ON A STUDY PREPARED BY MICHAEL BAKER INTERNATIONAL.

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

**Recommendation:** THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2016-40, A RESOLUTION OF THE CITY COUNCIL ADOPTING A TRANSPORTATION IMPACT FEE.

42. RESOLUTION NO. 2016-45, A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION FOR PREZONE 2014-6 AND AN ORDINANCE No. 1129, AMENDING MUNICIPAL CODE CHAPTER 17.24.250 PREZONING OF SPECIFICALLY DESCRIBED REAL PROPERTY (APNS 020-080-022) TO LOW DENSITY RESIDENTIAL PERFORMANCE OVERLAY ZONING DISTRICT. (DS)

A Resolution Adopting a Mitigated Negative Declaration for Prezone 2014-6 and an Ordinance to prezone 7.25 acres for future annexation in the R1-L/PZ Low Density Residential Performance Overlay Zoning District.

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

**Recommendation:**

1. That the City Council hold a public hearing, and
2. Adopt Resolution No. 2016-45, adopting the Mitigated Negative Declaration for Prezone 2014-6 and approving the Mitigation Monitoring and Reporting Program, and
3. Read by Title Only, Waive full reading and Introduce Ordinance No. 1129, an Ordinance of the City of Hollister to amend Title 17.24.250 of the Zoning Code of the Hollister Municipal Code to prezone property for annexation, and
4. Schedule a second reading and adoption of the ordinance for the April 18, 2016 City Council Meeting

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

51. RESOLUTION NO. 2016-44, A RESOLUTION OF THE CITY COUNCIL APPROVING AN ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION THAT WAS ADOPTED FOR THE 2009-2014 CITY OF HOLLISTER HOUSING ELEMENT AND A RESOLUTION APPROVING GENERAL PLAN AMENDMENT NO. 2016-1 CONSISTING OF THE ADOPTION OF THE 2015-2E.42023 FINAL HOUSING ELEMENT. (DS)

The City of Hollister is required to periodically revise the Housing Element and concurrently amend elements related to conservation and safety in the General Plan pursuant to Article 10.6 and Sections 65302(d)(3) and (g)(2) of the Government Code.

**Recommendation:** That the City Council APPROVE the following motion:

1. Hold a public hearing on the addendum to the Mitigated Negative Declaration and General Plan Amendment No. 2016-1
2. Close the public hearing and review and consider the public comments as well as the information contained for General Plan Amendment No. 2016-1
3. Approve the addendum to the Mitigated Negative Declaration as presented in Exhibit E and approve Resolution No. 2016-44 approving General Plan Amendment No. 2016-1.

**G. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

61. 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, and take additional action as appropriate.

62. Informational Reports from City Council, City Manager, City Attorney, City Clerk, and Staff.

Receive informational oral reports from the City Council, City Manager Avera, the City Attorney, Chief of Police Westrick, City Clerk Graves, and other Staff as applicable, and take additional action as appropriate.

63. Airport Runway Project Update (MS)

Staff will provide an update on the runway improvements to date. The City Council will receive the report, and take any additional action it deems appropriate.

64. Junior Giants Survey Report (PD)

Al De Vos, San Benito County Gang Prevention Coordinator, will provide an overview of the report.

**H. UNFINISHED BUSINESS:**

None.

**I. NEW BUSINESS:**

81. Mayor's Committee Appointments

Mayor Velazquez will appoint members to the *Ad Hoc* Roads and Pavement Management Committee.

82. A Proposed Resolution to Deal With Waste From Supermarkets, Which Can Be Used By Non-Profits to Feed Both People and Animals.

The City Council will discuss the proposed Resolution, and provide direction to staff as appropriate.

**J. MISCELLANEOUS:**

None.

**K. CITY OF HOLLISTER AS THE HOUSING SUCCESSOR 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, extension 16. 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.)*

*Such documents may also be available on the City of Hollister website pursuant to Ordinance No. 1080, subject to staff's ability to post the documents before the meeting.*

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, April 18, 2016, at 6:30 p.m.
- Regular City Council Meeting – Monday, May 2, 2016, at 6:30 p.m.
- Regular City Council Meeting – Monday, May 16, 2016, at 6:30 p.m.
- Regular City Council Meeting – Monday, June 6, 2016, at 6:30 p.m.