

CITY OF HOLLISTER AGENDA

for City Council Meeting

of **April 3, 2017**, on or after the hour of **6:00 p.m. (Closed Session) and 6:30 p.m. (Regular Session)**, 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 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.

CLOSED SESSION 6:00 P.M.

- I. Public comment (limited to any item listed on the Closed Session agenda).
- II. A Closed Session will be held by the City Council of the City of Hollister to discuss the following matters:
 - i. Conference with Legal Counsel – Existing Litigation (**City Attorney**) Pursuant to §54956.9: (Two Cases)
 - ii. Public Employee Appointment Pursuant to § 36512 & 54957 (One Case) Title: (City Councilmember, District 4) (**City Attorney, City Clerk**)
 - iii. Public Unrepresented Employee Conference Pursuant to § 54956.6 (One Case) Title: City Manager (**City Manager**)

REGULAR SESSION: On or after the hour of **6:30 P.M.**

Call to Order

Pledge of Allegiance

Roll Call: Mayor Ignacio Velazquez, Vice Mayor Karson Klauer (District 3), City Council Members Raymond Friend (District 1), Mickie Solorio Luna (District 2), City Manager William Avera, City Attorney Bradley Sullivan, Chief of Police David Westrick, and City Clerk Thomas Graves. **(City Clerk)**

Verification of Agenda Posting (City Clerk)

City Attorney Closed Session Oral Report (City Attorney)

- 001. **PROCLAMATION – Proclaiming April, 2017 as National Donate Life Month; Received by Pati Hughes-Fudge**
- 002. **PROCLAMATION – Proclaiming National Crime Victims’ Rights Week, April 2-8, 2017; Received by Patricia Salcedo**
- 003. **PROCLAMATION – Proclaiming April 22, 2017, as Walk a Mile in Her Shoes Day; Received by Erica Elliott**
- 004. **EMPLOYEE SERVICE AWARDS (1ST QUARTER, 2017)**

Name	Hire Date	Years of Service	Department Head
Paul B. Da Silva	1-28-02	15	City Manager Avera
Eric Estrada	2-25-12	5	IT Services Manager DaSilva
Michael Paddy	3-26-12	5	Chief Westrick

A. CONSENT CALENDAR (April 3, 2017):

All items listed on the Consent Calendar will be enacted in one motion authorizing the 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 or a staff member.

Consent Items are Numbers:

A.1, A.1.2, A.2, A.3, A.4, A.5., A.6., ~~A.7.~~, A.8., A.9., A.10., A.11., A.12., and A.13.

- 1. Minutes of the City Council meeting of March 20, 2017. **(City Clerk)**

RECOMMENDATION: That the City Council APPROVE the Minutes of the City Council meeting of March 20, 2017.

2. Warrant Registers (**Administrative Services**)

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

2.1	March 10, 2017, in the amount of	427,693.71
2.2.	March 10, 2017, in the amount of	236,418.81
2.3.	March 13, 2017, in the amount of	1,085,471.15
2.4.	March 17, 2017, in the amount of	199,482.19
2.5	March 22, 2017, in the amount of	362,741.51
2.6.	March 22, 2017, in the amount of	226,336.92

3. Claims Against the City - One Claim (**City Clerk**)

TITLE: Claim against the City –Judito Aton.

DESCRIPTION: A claim against the City was filed by Judito Aton on March 16, 2017. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

RECOMMENDATION: That the City Council make the following motion: Deny the claim against the City filed by Judito Aton and direct staff to send the Notice of Rejection of Claim to the claimant.

4. **TITLE:** RESOLUTION NO. 2017-69, A RESOLUTION APPROVING TEMPORARY CLOSURE OF VARIOUS STREETS FOR THE ANNUAL SDES PORTUGUESE PARADE TO BE HELD JUNE 4, 2017. (**City Clerk**)

DESCRIPTION: This Resolution will authorize the temporary closure of various streets for the annual SDES Portuguese Parade to be held on Sunday, June 4, 2017.

RECOMMENDATION: City Council motion to adopt Resolution No. 2017-69, A Resolution of the City Council of the City of Hollister Approving Temporary Street Closures for the Annual SDES Portuguese Parade.

5. **TITLE: SECOND READING:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING CHAPTER 5.42 "MEDICAL CANNABIS FACILITIES REGULATORY PERMIT" TO TITLE 5 "BUSINESS LICENSES AND REGULATIONS" OF THE HOLLISTER MUNICIPAL CODE AND ADMINISTRATIVE PROCEDURE FOR THE ISSUANCE OF MEDICAL CANNABIS FACILITIES REGULATORY PERMITS AND REGULATIONS FOR THE OPERATION OF MEDICAL CANNABIS FACILITIES. **(City Clerk)**

DESCRIPTION: This Resolution Will Amend Chapter 5.42 "Medical Cannabis Facilities Regulatory Permit" To Title 5 "Business Licenses And Regulations" Of The Hollister Municipal Code And Administrative Procedure For The Issuance Of Medical Cannabis.

RECOMMENDATION: The City Council Will Adopt Finally Ordinance No. 1131-A Amending Chapter 5.42 "Medical Cannabis Facilities Regulatory Permit" To Title 5 "Business Licenses And Regulations" Of The Hollister Municipal Code And Administrative Procedure For The Issuance Of Medical Cannabis Facilities Regulatory Permits And Regulations For The Operation Of Medical Cannabis Facilities.

6. **TITLE:** RESOLUTION NO. 2017-70, A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES AGREEMENT WITH CONTRACT SWEEPING SERVICES. **(City Manager)**

DESCRIPTION: This resolution will authorize the City Manager to execute an agreement with Contract Sweeping Services and authorize a supplemental appropriation to cover costs associated with providing Street Sweeping Maintenance.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 2017-70, authorizing the execution of a Professional Services Agreement with Contract Sweeping Services for Street Sweeping Maintenance.

7. This item was pulled by Staff.

8. **TITLE: SECOND READING: ORDINANCE NO. 1137, AN ORDINANCE AMENDING CHAPTER 17.16.100 "NOISE – A. CONSTRUCTION, LANDSCAPE MAINTENANCE, GROUNDS MAINTENANCE." AND 17.16.100 "NOISE – B. LANDSCAPING AND GROUNDS MAINTENANCE." AND ADDING CHAPTER 17.16.100 "NOISE – C. CONSTRUCTION." OF THE HOLLISTER MUNICIPAL CODE RELATING TO CONSTRUCTION NOISE. (Development Services)**

DESCRIPTION: This Ordinance will amend the Municipal Code by including additional clarification, restrictions and regulations regarding noise for construction, landscaping and grounds maintenance.

RECOMMENDATION: Read by title only, Waive Full Reading and Adopt Ordinance No. 1137, An Ordinance of the City of Hollister amending section 17.16.11 of Title 17 Zoning, Chapter 17.16, "Performance Standards," 17.16.100 "Noise," of the Hollister Municipal code relating to additional restrictions and regulations of noise for construction, landscaping and grounds maintenance.

9. **TITLE: RESOLUTION NO. 2017-73, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING BID PROPOSAL, AND APPROVING A BUDGET APPROPRIATION, AND AUTHORIZING EXECUTION OF THE CONTRACT WITH MONTEREY PENINSULA ENGINEERING FOR THE WEST STREET DIVERSION PROJECT CIP C1617. (Development Services)**

DESCRIPTION: This item will accept proposals opened on March 21, 2017, approve a budget appropriation and award the contract to the lowest responsive bidder, Monterey Peninsula Engineering of Marina, CA for West Street Diversion Project, CIP C1617.

RECOMMENDATION: The City Council approve the following motion: Adopt Resolution 2017-73, A Resolution of the City Council of the City of Hollister accepting bid proposals, approving budget appropriations and authorizing execution of the contract with Monterey Peninsula Engineering of Marina, CA for West Street Diversion Project, CIP C1617.

10. **TITLE:** RESOLUTION NO. 2017-74, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE SURPLUS AND DONATION OF NON-COMPLIANT SELF CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT. **(Fire)**

DESCRIPTION: This Resolution will approve the surplus and donation of non-compliant SCBA equipment. The Fire Department's SCBA equipment has met its service life of 15 years. The Hollister Fire Department acquired an Assistance to Firefighters Grant (AFG) to replace the entire inventory. Ninety five new cylinders, and 55 new harnesses and masks were acquired from the AFG; 96 old cylinders, 38 old harnesses and 35 masks were replaced.

RECOMMENDATION: That the City Council Adopt Resolution No. 2017-74, a Resolution of the City Council of the City of Hollister Authorizing the City of Hollister to surplus and donate out dated SCBA equipment.

11. **TITLE:** RESOLUTION NO. 2017-75, A RESOLUTION ADOPTING A JOB DESCRIPTION FOR THE POSITION OF ACCOUNTING ASSISTANT AND APPROVE THE HIRING OF (2) ACCOUNTING ASSISTANTS. **(Administrative Services)**

DESCRIPTION: The City Council will consider a Resolution adopting a job description for the position of Accounting Assistant and approve hiring of (2) Accounting Assistant positions to replace the current vacant Accounting Technician I/II for the Administrative Services Departments/Finance Division.

RECOMMENDATION: That the City Council adopt Resolution No. 2017-75, a job description for the position of Accounting Assistant and approve the hiring of two (2) Accounting Assistants.

12. **TITLE:** RESOLUTION NO. 2017-80, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$20,000 FOR THE REPAIR OF 580' OF REDWOOD SOUND WALL. **(Management Services)**

DESCRIPTION: Staff is requesting that the City Council approve the Resolution allowing a supplemental appropriation of \$20,000 to repair 580' of redwood sound wall that was damaged on 2/17/17 during a storm.

RECOMMENDATION: Staff recommends that the City Council Approve Resolution No. 2017-80, approving a supplemental appropriation of \$20,000 from Fund 101 reserves to repair the sound wall.

13. **TITLE:** RESOLUTION NO. 2017-81, A RESOLUTION 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. **(Fire)**

DESCRIPTION: This Resolution starts the legal process for the 2017 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: City Council approves the following motion: Adopt Resolution No. 2017-81, a Resolution of the City Council of the City of Hollister 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. **(Fire)**

14. **TITLE:** RESOLUTION NO. 2017-82, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF HOLLISTER AND PANOCHÉ VALLEY SOLAR, LLC. FOR FIRE PROTECTION SERVICES. **(Fire)**

DESCRIPTION: The City Council will consider a Resolution to provide Fire Protection and Emergency Medical Response services to the Panoche Valley Solar, LLC. project.

RECOMMENDATION: That the City Council Adopt Resolution No. 201782, A Resolution of the City Council of the City Hollister authorizing the Mayor to execute a contract with Panoche Valley Solar, LLC. for Fire Protection Services.

15. **TITLE:** RESOLUTION NO. 2017-83, A RESOLUTION OF THE CITY COUNCIL 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 6 FIREFIGHTERS TO SERVE IN THE HOLLISTER FIRE DEPARTMENT. **(Fire)**

DESCRIPTION: This Resolution will authorize the Hollister 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 25% for the final year. This program is designed for cities to hire public safety personnel 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: Adopt Resolution No. 2017-83, a Resolution of the City Council authorizing the Hollister Fire Department to apply for the Department of Homeland Security FEMA funded SAFER Grant program and where upon receiving the grant award authorize the Hollister Fire Department to augment public safety personnel within the Hollister Fire Department.

16. **TITLE:** RESOLUTION NO. 2017-84, A RESOLUTION OF THE CITY COUNCIL OF HOLLISTER CONSENTING THE FIRE DEPARTMENT TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT (AFG) TO PURCHASE A CRITICALLY NEEDED TYPE 3 FIRE ENGINE TO COVER THE URBAN INTERFACE AND TO PURCHASE TRAINING SHIPPING CONTAINERS. **(Fire)**

DESCRIPTION: This Resolution will allow the Fire Department to apply for the 2017 Assistance to Firefighters Grant. This grant is for the purpose of the purchase of a type 3 fire engine and the purchase for training shipping containers for live controlled fire training.

RECOMMENDATION: Adopt Resolution No. 2017-84, a Resolution of the City Council of the City of Hollister allowing the fire department to apply for the 2017 Assistance to Firefighters Grant.

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

None.

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 before speaking. State law prohibits the City Council from discussing or taking action on any item which is not on the agenda.

D. PETITIONS, REMONSTRANCE'S, AND COMMUNICATIONS:

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

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

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

None

F. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

51. **TITLE:** RESOLUTION NO. 2017-71, A RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR PREPARATION OF A PARKING IN-LIEU FEE PROGRAM FOR DOWNTOWN HOLLISTER. **(Development Services)**

DESCRIPTION: The City Council will consider a request from staff to release a Request for Proposal to establish a Parking In-Lieu Fee program for downtown Hollister pursuant to §17.18.90 Reduction of Off-Street Parking Requirements A. General Parking Reduction in the Hollister Municipal Code.

RECOMMENDATION: Staff recommends that the City Council receive the report and consider adoption of Resolution 2017-71, A Resolution of the City Council of the City of Hollister Authorizing the Issuance of a Request for Proposal for a Parking In-Lieu Fee Program in Downtown Hollister

52. **TITLE:** RESOLUTION NO. 2017-76, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$500,000 FOR SITE IMPROVEMENTS AT CALAVERAS PARK. **(Management Services)**

DESCRIPTION: Staff is requesting that the City Council approve the resolution allowing a supplemental appropriation of \$500K for site improvements at Calaveras Park.

RECOMMENDATION: Staff recommends that the City Council Approve Resolution No. 2017-76 approving the appropriation.

53. **TITLE:** RESOLUTION NO. 2017-77, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$12,000 TO FUND 101-7000 FOR THE PUBLIC 2017 FOURTH OF JULY FIREWORKS DISPLAY. **(Management Services)**

DESCRIPTION: This resolution will transfer \$3,600 from the General Fund Reserves to Fund 101-700 and appropriate \$12,000 for the public 2017 Fourth of July Fireworks Display.

RECOMMENDATION: Staff recommends that the City Council Approve Resolution No. 2017-77.

54. **TITLE:**RESOLUTION NO. 2017-78, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF\$10,000 TO FUND 601 (AIRPORT) FROM FUND 601 (AIRPORT ENTERPRISE RESERVES) FOR A FLY IN DURING OCTOBER OF 2017. **(Management Services)**

DESCRIPTION: This resolution will transfer \$10,000 from the Airport Enterprise Fund Reserves to Fund 601 for the purpose of hosting a fly in at the municipal airport.

RECOMMENDATION: That the City Council Approve Resolution No. 2017-78.

55. **TITLE:** RESOLUTION NO. 2017-79, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE TRANSFER OF \$400,000 TO THE HOLLISTER SCHOOL DISTRICT FOR THE RANCHO SAN JUSTO FIELD HOUSE PROJECT. **(Management Services)**

DESCRIPTION: Staff is requesting that the City Council approve the transfer of \$400,000 to the Hollister School District for the Rancho San Justo Field House Project.

RECOMMENDATION: Staff recommends that the City Council Approve Resolution No. 2017-79 approving the transfer.

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, and City Clerk.

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 action as appropriate.

H. UNFINISHED BUSINESS:

None.

I. NEW BUSINESS:

None.

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].*

Notice to anyone attending any public meeting: The meeting may be broadcast live on Cable Channel 17 and/or videotaped or photograph ed. Recent City Council meetings may also be viewed at <http://vp.telvue.com/player?id=T01268&video=10250> and periodically on Cable Channel 17.

The next City Council Meetings are scheduled for:1120

Regular City Council Meeting – Monday, April 17, 2017, at 4:00 p.m. for D-4 Applicant Interviews and at 6:00 p.m. for Public Comment. The Regular meeting will begin on or after the hour of 6:30 p.m.

Regular City Council Meeting – May 1, 2017, at 6:30 p.m.

Regular City Council Meeting – May 15, 2017, at 6:30 p.m.

Regular City Council Meeting – June 5, 2017, at 6:30 p.m.