

CITY OF HOLLISTER AGENDA

for City Council Meeting
of **March 6, 2017**, 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 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 – Anticipated Litigation **(City Attorney)**
Initiation of litigation pursuant to § 54956.9(b): (One Case)
 - ii. Conference with Legal Counsel – Existing Litigation **(City Attorney)**
Pursuant to §54956.9: (Two Cases)
 - iii. Public Employee Appointment Pursuant to § 36512 (One Case)
Title: (City Councilmember, District 4) **(City Attorney, City Clerk)**
 - iv. Public Employee Appointment Pursuant to § 54957(b)(1) (One Case)
Title: (City Attorney) **(City Attorney)**

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), and Roy Sims (District 4), 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)

A. CONSENT CALENDAR (March 6, 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 and A5.

1. Minutes of the City Council meeting of February 21, 2017. **(City Clerk)**

RECOMMENDATION: That the City Council APPROVE the Minutes of the City Council meeting of February 21, 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	February 14, 2017, in the amount of	1.97
2.2	February 14, 2017, in the amount of	426,026.45
2.3	February 21, 2017, in the amount of	411,956.66

3. Claims Against the City - Two Claims **(City Clerk)**

Title: Claim against the City – Graciela Lopez and Claim Against the City – Angel Martin.

Description: A claim against the City was filed by Graciela Lopez on February 14, 2017, and by Angel Martin on February 24, 2017. Staff recommends denial of these claims and seeks authorization to send notices of rejection to the claimants.

Recommendation: That the City Council make the following motion: Deny the claim against the City filed by the Law Offices of Philip M. Tobin for Graciela Lopez, and the claim filed against the City filed by Angel Martin, and direct staff to send the Notices of Rejection of Claim to the Claimants.

4. **Title:** RESOLUTION NO. 2017-54, AUTHORIZING THE CITY COUNCIL OF THE CITY OF HOLLISTER TO APPROVE THE ADDITIONS MADE TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF HOLLISTER AND SAN BENITO COUNTY FOR THE SHARED HOUSING PROGRAMS COORDINATOR POSITION. **(Development Services)**

Description: This item will authorize the City Council of the City of Hollister to approve the additions made to the MOU for the Housing Programs Coordinator position, a permanent full-time position which will be equally shared between the City of Hollister and San Benito County.

Recommendation: To Adopt Resolution No. 2017-54, to approve the additions made to the Memorandum of Understanding between the City of Hollister and San Benito County for the shared Housing Programs Coordinator position.

5. **TITLE:** RESOLUTION NO. 2017-52, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE PROPOSED BOUNDARY OF ORCHARD RANCH SUBDIVISION FOR THE ANNEXATION OF TERRITORY INTO COMMUNITY FACILITY DISTRICT NO. 4 ANNEXATION NO. 12 (PUBLIC FACILITIES SERVICES) (Development Services)

Description: Consider approval of the boundary of Orchard Ranch Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 12 (Public Facilities Services), and authorize execution of the agreement for the proposed boundary.

Recommendation Adopt Resolution No. 2017-52 Resolution of the City Council of the City of Hollister approving the proposed boundary of Orchard Ranch Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 12 (Public Facilities Services).

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. This item was removed by Staff.

52. **Title:** RESOLUTION NO. 2017-53, AFFIRMING THE CITY OF HOLLISTER'S COMMITMENT TO FUND THE WEST GATEWAY STREETSCAPE IMPROVEMENTS.

Description: This resolution affirms the City of Hollister's commitment to construct the West Gateway Streetscape CIP Project with pooled funds from the Active Transportation Program Funds Cycle 3, approved Claims from the San Benito County Council of Government for use of transportation funds in support of a proposed application for Active Transportation Program Funds to assist with pedestrian and bicycle safety improvements in west Hollister.

Recommendation: Staff recommends that the City Council consider adoption of Resolution No. 2017-53 A Resolution of the City Council of the City of Hollister Committing the Use Local Funds in combination with Cycle 3 Active Transportation Funds to Construct the Entire West Gateway Streetscape Project. **(Development Services)**

53. TITLE: FIRST READING OF ORDINANCE NO. 1137, 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 restrictions and regulations regarding noise for construction, landscaping and grounds maintenance.

Open Public Hearing
Conduct Public Hearing
Close Public Hearing

RECOMMENDATION: Read by title only, Waive Full Reading, and Introduce 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.

54. **Title:** RESOLUTION NO. 2017-56, A RESOLUTION DIRECTING STAFF TO PROCEED WITH THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE RESURFACING OF SAN BENITO STREET COMMENCING AT NASH ROAD AND SOUTH TERMINATING AT THE CITY LIMIT LINE. **(Development Services)**

Description: This resolution affirms the City of Hollister's dedication to improving major roadways throughout the community and provides staff direction to proceed with the preparation of plans and specifications for the resurfacing of a section of San Benito Street, an integral roadway in the City of Hollister.

Recommendation: Staff recommends that the City Council consider adoption of Resolution No. 2017-56, A Resolution of the City Council of the City of Hollister Directing Staff to proceed with the preparation of plans and specifications as well committing the use of funds to resurface a section of San Benito Street.

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

61. **Title:** Report on business license fees for festivals, one day sales and multi-day sales. **(Development Services)**

Description: The City Council will receive a report requesting the City Council's interpretation of the fees to be charged to vendors at one day festivals, the farmer's market, and three-day sales such as auto sales and the biker rally.

Recommendation: Staff recommends that the City Council receive the report and direct staff to return with a resolution clarifying interpretation of business license fees in Chapter 5 of the Hollister Municipal Code for temporary sales.

62. 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.

63. 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:

Regular City Council Meeting – Monday, March 20, 2017, at 6:30 p.m.

Regular City Council Meeting – Monday, April 3, 2017, at 6:30 p.m.

Regular City Council Meeting – Monday, April 17, 2017, at 6:30 p.m.

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