

CITY OF HOLLISTER AGENDA-AMENDED

for City Council Meeting

of **November 7, 2016**, on or after the hour of **6:00 p.m. for Closed Session and 6:30 p.m. for Open 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 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 item ii. or item iii. listed on the Closed Session agenda below.
- ii. Conference with Legal Counsel – Anticipated Litigation:
Significant exposure to litigation pursuant to § 54956.9(b): (1 case),
- iii. Conference with Real Property Negotiations (§ 54956.8)
Property: 345 Fifth Street
Negotiator: William B. Avera, 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 Victor Gomez, City Council Members Raymond Friend, Karson Klauer, and Mickie Solorio Luna; City Manager William Avera, City Attorney Bradley Sullivan, Chief of Police David Westrick, and City Clerk Thomas Graves.

Verification of Agenda Posting

Closed Session Report – (City Attorney)

ELECTION INFORMATION - Angela Curro, San Benito County Assistant County Clerk for Elections. **(City Clerk)**

PROCLAMATION – National Philanthropy Day, November 15, 2016 **(City Clerk)**

A. CONSENT CALENDAR (November 7, 2016):

All items listed on the Consent Calendar will be enacted in one motion. There will be no separate discussion of these items unless requested by a member of the City Council or a staff member. Members of the public must secure the agreement of a council member or the mayor to have an item pulled for separate discussion.

Consent Items are Numbers A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, and A12.

1. Minutes of the regular City Council meeting of October 3, 2016. **(City Clerk)**

Recommendation: That the City Council APPROVE the Minutes of the regular City Council meeting of October 3, 2016.

2. Number Not Used.

3. Minutes of the regular City Council meeting of October 17, 2016. **(City Clerk)**

Recommendation: That the City Council APPROVE the Minutes of the regular City Council meeting of October 17, 2016.

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

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

October 10, 2016, in the amount of	\$ 25,006.30
October 14, 2010, in the amount of	\$ 205,996.56
October 18, 2016, in the amount of	\$ 732,379.47
October 19, 2016, in the amount of	\$ 223,072.92
October 19, 2016, in the amount of	\$ 357,373.06
October 21, 2016, in the amount of	\$ 1,828,521.36
October 24, 2016, in the amount of	\$ 607,385.98

5. Claims against the City – Lias, Jeanette, and Cisneros, Blanca (**City Clerk**)

Description: 1). A claim against the City was filed on October 27, 2016 by Jeanette Lias. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

2). A claim against the City was also filed on October 31, 2016 by Blanca Cisneros. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

6. RESOLUTION NO. 2016 – 167, AUTHORIZING A 12 DAYS OF GIVING CAMPAIGN AND APPROPRIATING \$2,500.00. (**City Manager**)

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 and Community Foundation to assist essential local non-profits.

Recommendation: Approve Resolution 2016-167 authorizing the commitment of \$2,500.00 for the 12 days of Giving Campaign.

7. CEQA Compliance for Crosstown Pipeline (**City Manager**)

Description: The City of Hollister and Sunnyslope County Water District are preparing to begin construction of the Cross Town Pipeline Project. This project does require compliance with CEQA. The City released proposals to our environmental consultants and staff selected EMC Planning to prepare the study and is recommending their firm to the City Council.

Recommendation: Staff recommends that the City Council authorize a letter of engagement and approve the supplemental appropriation \$45,845.00.

8. Adopt Resolution 2016-174, authorizing execution of Agreement between the City of Hollister and New SV Media, Inc. dba the Hollister Free Lance.

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 2016/2017.

Recommendation: Adopt Resolution No. 2016-174, awarding bid and authorizing execution of an Agreement with New SV Media, Inc. dba the Hollister Free Lance for publication services.

9. RESOLUTION NO. 2016 – 178, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE SUPPLEMENTAL APPROPRIATION OF FUNDS FROM FY 15/16 TO THIS CURRENT YEAR FOR THE PAYMENT OF A TRUCK DELIVERED IN FY 16/17.

Description: This Resolution will authorize the Supplemental appropriation of funds from last fiscal year to this fiscal year to pay for a vehicle ordered last year.

Recommendation: Adopt Resolution No. 2016-178, A Resolution of the City Council of the City of Hollister Authorizing the Supplemental Appropriation of Funds from FY 15/16 to this current year to pay for the truck delivered in FY 16/17.

10. RESOLUTION NO. 2016-179, A RESOLUTION OF THE CITY COUNCIL APPROVING THE PURCHASE OF PROPERTY AT 1160 SUNNYSLOPE ROAD AND APPROVING A SUPPLEMENTAL APPROPRIATION OF \$250,000.

Description: This Resolution will allow the City Manager to make all necessary purchase arrangements for the residence at 1160 Sunnyslope Road to improve traffic safety and a supplemental appropriation to make the purchase.

Recommendation: Adopt Resolution No. 2016-179 A Resolution of the City Council of the City of Hollister Approving the Purchase of property at 1160 Sunnyslope Road (APN# 060-010-019) and approving a Supplemental Appropriation in the amount \$250,000.

11. RESOLUTION NO. 2016-180, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL BUDGET APPROPRIATION OF FUND 662 FOR THE SAN FELIPE DITCH UPGRADE PROJECT, CIP NO. 4000-V02.

Description: This item will approve a supplemental budget appropriation for design services of the San Felipe Ditch Upgrade Project, CIP No. 4000-V02

Recommendation: Adopt Resolution 2016 -180, approving a Supplemental Budget Appropriation of Fund 662 for the San Felipe Ditch Upgrade Project, CIP No. 4000-V02.

12. RESOLUTION NO. 2016-181, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A TASK ORDER WITH WALLACE GROUP FOR WEST STREET DIVERSION STRUCTURE DESIGN SERVICES AND APPROVE A BUDGET APPROPRIATION.

Description: This item will approve the issuance of a Task Order to Wallace Group for the design services of the West Street Diversion Structure and approve a budget appropriation for the project.

Recommendation: Adopt Resolution 2016 -181, approving a task order with Wallace Group for the West Street Diversion Structure Design Services and approve a budget appropriation

13. RESOLUTION NO. 2016-182, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A PROFESSIONAL SERVICES CONTRACT WITH RSG FOR A PHASE 1 TAX INCREMENT FINANCIAL FEASIBILITY ANALYSIS.

DESCRIPTION: The City Council will consider approval of a contact with RSG to conduct a Phase 1 for Tax Increment Financial Feasibility Analysis for the possible establishment of Community Revitalization and Investment Authority (CRIA) and an Enhanced Infrastructure Financing District (EIFD).

RECOMMENDATION: Staff recommends that the City Council receive the report and adopt by consent Resolution 2016-182 A Resolution of the City of Hollister City Council Approving a Professional Services Contract with RSG for a Phase 1 Tax Increment Financial Feasibility Analysis.

14. RESOLUTION NO. 2016-183, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING APPROPRIATION AND ACCEPTANCE OF GRANT MONEY FROM CCP FOR THE PURCHASE OF BODY WORN CAMERAS.

Description: This Resolution will authorize the Hollister Police Department to appropriate grant money for the purchase of body cameras for the entire patrol force.

Recommendation: Adopt Resolution No. 2016-183 A Resolution of the City Council of the City of Hollister Authorizing Appropriation and Acceptance of Grant money from CCP for the purchase of Body Worn Cameras.

15. RESOLUTION NO. 2016-184, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE APPROVAL OF THE JOB DESCRIPTION, JOB TITLE AND SALARY RANGE FOR THE HOUSING PROGRAMS COORDINATOR POSITION.

Description: This Resolution will approve the job title, job description and salary range for the Housing Programs Coordinator position, a permanent full-time position.

Recommendation: Adopt Resolution No. 2016-184 to approve the job description, job title and salary range for the Housing Programs Coordinator position.

B. THE CITY OF HOLLISTER AS THE SUCCESSOR 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.

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. (City Manager)

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

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

None.

F. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

51. RESOLUTION NO. 2016 – 168, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN AGREEMENT WITH ROADSHOWS INC. TO PROMOTE THE HOLLISTER MOTORCYCLE RALLY.

Description: The City Council will consider a contract with Roadshows Inc. as the promoter of the 2017 Rally.

Recommendation: That the City Council Adopt Resolution 2016 – 168, A Resolution of the City Council of the City of Hollister Approving an Agreement With Roadshows Inc. to promote the 2017 Hollister Motorcycle Rally.

52. RESOLUTION NO. 2016-169, A RESOLUTION OF THE CITY COUNCIL APPROVING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT TO EVALUATE AND NEGOTIATE A CELLULAR TOWER LEASE AT 420 HILL STREET AND APPROVING A SUPPLEMENTAL APPROPRIATION FOR \$14,000.

Description: This Resolution will approve Contract Amendment No. 3 with Development & Public Finance, LLC, now doing business as MF Whipple & Associates, to review and evaluate all of the existing site leases at 420 Hill Street and negotiate a new lease with Crown Castle and a supplemental appropriation for \$14,000.

Recommendation: Adopt Resolution No. 2016-169, A Resolution of the City Council of the City of Hollister Approving Amendment No. 3 to the Professional Services Agreement with Development & Public Finance, LLC Now Doing Business as MF Whipple & Associates to Evaluate Cellular Tower Leases at 420 Park Hill and Negotiate a Lease with Crown Castle and a Supplemental Appropriation for \$14,000.

53. RESOLUTION NO. 2016-170, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER RESCINDING RESOLUTION NO. 2015-129 AND RESOLUTION NO. 2016-90; AND RESOLUTION NO. 2016-171, DEFINING THE FACTORS TO BE USED TO DETERMINE THE CITY'S APPROPRIATIONS LIMIT AND SETTING THE APPROPRIATION LIMIT FOR THE CITY OF HOLLISTER FOR FISCAL YEAR '15-16 AND FISCAL YEAR '16-17.

Description: The Hollister City Council is required to adopt a formal appropriation limit for each Fiscal Year. It was found that a calculation error was made in Resolution No. 2015-129 and 2016-90. It is requested that Council rescind Resolution No. 2015-129 and 2016-90. This process involves the adoption of a resolution as required by law.

Recommendation: Adopt Resolution Number 2016-170 and Resolution Number 2016 - 171, Resolutions Rescinding Resolution No. 2015-129 and 2016-90 and Defining the factors to be used to determine the City's Appropriations Limit and setting the Appropriation Limit for the City of Hollister for Fiscal Year '15-16 and Fiscal Year '16-17.

54. RESOLUTION NO. 2016 - 172. A RESOLUTION OF THE CITY COUNCIL APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN TO RE-EVALUATE TRAFFIC IMPACT FEES FOR CERTAIN TYPES OF INDUSTRIAL, COMMERCIAL AND RESIDENTIAL DEVELOPMENT. **(Development Services)**.

Description: This Resolution will approve a Professional Services Agreement with Willdan Financial Services to re-evaluate traffic impact fees for industrial and commercial developments that will not add significant traffic volumes to peak traffic on Highways 25 and 156 and for higher density residential development near transit corridors and services and a supplemental appropriation for \$15,240.00.

Recommendation: Adopt Resolution No. 2016-172, A Resolution of the City Council of the City of Hollister Approving a Professional Services Agreement with Willdan Financial Services for a reconsideration of traffic impact fees and a Supplemental Appropriation for \$15,240.00.

55. Resolution No. 2016-175, A Resolution of the City Council Ordering the Sale of Real Property located on McCray Street, South of Park Street and the Release of a Request for Proposals.

Description: The City of Hollister owns a piece of real property that will be vacated and is located on McCray Street, south of Park Street and north of the Walgreens and Les Schwab. There is no municipal use for this property and the Council is declaring its intention to sell and authorizes staff to release a request for proposal.

Recommendation: Staff recommends City Council adopt Resolution No. 2016-175 Ordering the sale of real property located on McCray Street, south of Park Street and north of the Walgreens and Les Schwab and authorizing staff to release a request for proposals.

56. Resolution No. 2016-185, A Resolution approving the proposed boundary of Orchard Park and Cerrato Subdivisions for the annexation of territory into Community Facilities District No. 2, Annexation No. 14 and 15 (Fire and Police Services).

Description: Consider approval of the boundary of Orchard Park and Cerrato Subdivisions for the Community Facility District No. 2 Annexation No. 14 and 15 for the Police and (Fire Services) and authorize execution of the agreement for the proposed boundary.

Recommendation: Hold a public hearing, receive comments, questions, and provide information. Adopt Resolution No. 2016-185, A Resolution of the City Council of the City of Hollister approving the proposed boundary of Orchard Park and Cerrato Subdivisions for the annexation of territory into Community Facility District No. 2 Annexation No. 14 and 15 (Police & Fire Services).

57. RESOLUTION NO. 2016-176, A RESOLUTION OF THE CITY COUNCIL APPROVING THE INTERAGENCY COOPERATION AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE INTERAGENCY COOPERATION AGREEMENT ON BEHALF OF THE CITY OF HOLLISTER AND DIRECTION TO STAFF.

Description: The City has been negotiating with the County of San Benito and the San Benito High School District for the temporary closure of that portion of Nash Road that bisects the San Benito High School Campus between West Street and Monterey Street due to health and safety reasons. The Interagency Cooperation Agreement sets out the terms and conditions of the three agencies for such temporary closure.

Recommendation: Consider the attached resolution, draft Interagency Cooperation Agreement, hold a public hearing, and make the findings necessary to approve the Interagency Cooperation Agreement and direct the City Manager to execute the Agreement on behalf of the City of Hollister.

58. RESOLUTION NO. 2016-177, A RESOLUTION OF THE CITY COUNCIL APPROVING THE TEMPORARY CLOSURE OF NASH ROAD BETWEEN WEST STREET AND MONTEREY STREET BASED UPON CERTAIN CONDITIONS EXPRESSED IN THE INTERAGENCY COOPERATION AGREEMENT BETWEEN THE CITY OF HOLLISTER, COUNTY OF SAN BENITO, AND THE SAN BENITO HIGH SCHOOL DISTRICT.

Description: The City has been negotiating with the County of San Benito and the San Benito High School District for the temporary closure of that portion of Nash Road that bisects the San Benito High School Campus between West Street and Monterey Street due to health and safety reasons. The Interagency Cooperation Agreement sets out the terms and conditions of the three agencies for such temporary closure.

Recommendation: Consider the attached resolution, hold a public hearing, and make the findings necessary to close Nash Road between the hours of 7:00 AM and 7:00 PM Monday through Friday to be effective on the occurrence of the conditions stated in the Interagency Cooperation Agreement, and in this transmittal below.

59. Resolution No. 2016-179, General Outside Cannabis Counsel Hourly Fee Agreement (**City Attorney**)

Description: The City Council determined several meetings ago that in order to avoid the appearance of a conflict, new counsel should be sought to represent the City in matters that pertain to cannabis.

Recommendation: That the City Council consider the attached Hourly Fee Agreement, and pass it as Resolution No. 2016-179.

60. Adopt Resolution of the City Council of the City of Hollister Approving the Proposed Boundary Orchard Park Subdivision for The Annexation of Territory Into Community Facility District No. 4 Annexation No. 8 (Public Facilities Services)

Description: Consider approval of the boundary of Orchard Park Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 8 (Public Facilities Services), and authorize execution of the agreement for the proposed boundary.

Recommendation: Hold a public hearing, receive comments, questions, and provide information. Adopt Resolution No. 2016-186, A Resolution of the City Council of the City of Hollister approving the proposed boundary Orchard Park Subdivision for the annexation of territory into Community Facility District No. 4 Annexation No. 8 (Public Facilities Services).

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.

63. Ad Hoc Committee on Hollister – Mexico Sister City

Receive Report and establish *ad hoc* committee.

H. UNFINISHED BUSINESS:

1. Ad Hoc Committee on Joint Use Agreements with Hollister School Districts.

Description: The City of Hollister and the Hollister School District (HSD) currently have several agreements related to the joint use of various recreational facilities. The City and HSD desire to consolidate and/or negotiate many of the agreements for ease and consistency. Staff is recommending the Council appoint an ad hoc committee to work the joint use agreements.

Recommendation: Receive Oral Report and establish ad hoc committee.

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 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, November 21, 2016, at 6:30 p.m.
- Regular City Council Meeting – Monday, December 5, 2016, at 6:30 p.m.
- Regular City Council Meeting – Monday, December 19, 2016, at 6:30 p.m.
- Regular City Council Meeting – Tuesday, January 3, 2017, at 6:30 p.m.