

CITY OF HOLLISTER AGENDA

for City Council Meeting

of **November 21, 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.

None

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 (City Clerk)

New Employee Presentation – (Fire Department)

A. CONSENT CALENDAR (November 21, 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, and A9.

1. Minutes of the special City Council meeting of October 10, 2016. **(City Clerk)**

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

2. Minutes of the regular City Council meeting of November 7, 2016. **(City Clerk)**

Recommendation: That the City Council APPROVE the Minutes of the regular City Council meeting of November 7, 2016.

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

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

October 28, 2016, in the amount of	\$	487,942.51
October 31, 2016, in the amount of	\$	2,271.99
November 4, 2016, in the amount of	\$	2,289.00
November 7, 2016, in the amount of	\$	131,003.25
November 7, 2016, in the amount of	\$	213,955.95
November 7, 2016, in the amount of	\$	339,122.08

4. Claims against the City – Juan Antonio Aguilar **(City Clerk)**

Description: A claim against the City was filed by Juan Antonio Aguilar on November 8, 2016. 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 Juan Antonio Aguilar and direct staff to send the Notice of Rejection of Claim to the claimant.

5. RESOLUTION NO. 2016-188, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$7,000 FOR MEETING AGENDA DISPLAY CASES. **(Management Services)**

Description: Staff is requesting that the City Council approve the resolution allowing a supplemental appropriation of \$7,000 for new meeting agenda boards for City Hall. Our current board is insufficient to meet demand and creates ADA issues.

Recommendation: Staff recommends that the City Council Approve Resolution No. 2016-188 approving a supplemental appropriation of \$7,000 from Fund 101 reserves for meeting agenda display cases.

6. RESOLUTION NO. 2016-189, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF \$25,000 FOR PLAYGROUND REPAIRS AND ADA IMPROVEMENTS AT DUNNE PARK. **(Management Service)**

Description: Staff is requesting that the City Council approve the resolution allowing a supplemental appropriation of \$25000 for safety improvements to the Dunne Park Playground and ADA improvements to several areas of the park.

Recommendation: Staff recommends that the City Council Approve Resolution No. 2016-189, approving a supplemental appropriation of \$25,000 from Fund 101 reserves for playground repairs and ADA improvements at Dunne Park.

7. RESOLUTION NO. 2016-190, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A PURCHASE ORDER WITH MAGGIORA BROTHERS DRILLING, INC. FOR FALLON ROAD WELL NO. 3, CIP NO. 2912. **(Developmental Services)**

Description: This item will approve the issuance of a Purchase Order to Maggiora Brothers Drilling, Inc. for well drilling of a new well and well demolition of an existing well for the Fallon Road Well No. 3, CIP No. 2912.

Recommendation: Adopt Resolution 2016 -190 approving a purchase order to Maggiora Brothers Drilling, Inc. for Fallon Road Well No. 3, CIP No. 2912.

8. RESOLUTION NO. 2016-195, A RESOLUTION OF THE CITY COUNCIL TEMPORARILY SUSPENDING TIMED PARKING ENFORCEMENT IN CITY OF HOLLISTER PARKING LOTS. **(Police Department)**

Description: This item will temporarily suspend HMC 10.24.040 - parking time restrictions in City of Hollister downtown parking lots during the holiday shopping season. Timed parking on public streets will remain in effect.

Recommendation: Adopt Resolution 2016-195 temporarily suspending timed parking enforcement in City of Hollister downtown parking lots only during holiday shopping season.

9. Authorize City Manager to execute necessary documents at Veterans Memorial Hall to install solar panels. **(City Manager)**

Description: The City owns the Veterans Memorial Hall that is currently operated VFW and American Foreign Legion. They would like to install solar panels to reduce the power bills associated with the day to day operation at the facility. Staff is requesting the City Council authorize the City Manager to execute any and all documents necessary as the property owner representative for the installation of the system.

Recommendation: Staff recommends the City Council authorize the City Manager as property owner representative.

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.)

41. A PUBLIC HEARING AND RESOLUTION NO. 2016-197 TO JOIN THE STATEWIDE COMMUNITY INFRASTRUCTURE PROGRAM AND BECOME A PARTICIPATING AGENCY MEMBER IN THE PROGRAM. **(Development Services)**

Description: The City Council will hold a public hearing to consider participation in the Statewide Community Infrastructure Program ("SCIP"), which is sponsored by the California Statewide Communities Development Authority ("CSCDA") and bonds to be issued by CSCDA and consider approval of a resolution making certain findings and authorizing certain matters necessary to participate in SCIP.

Open Public Hearing
Conduct Public Hearing
Close Public Hearing

Recommendation: City Council do the following: 1) Receive the staff report; 2) Open the public hearing to order and invite any interested members of the public to provide testimony regarding SCIP and the proposed action; 3) Upon the close of the hearing, the Council consider the report and public testimony and if the Council wishes to join SCIP and become a participating member agency in this program, adopt Resolution 2016-197, a Resolution of the City Council of the City of Hollister Authorizing the City to Join the Statewide Community Infrastructure Program; Authorizing the California Statewide Communities Development Authority to Accept Applications From Property Owners, Conduct Special Assessment Proceedings and Levy Assessments Within the Territory of the City of Hollister; Approving Form of Acquisition Agreement for Use When Applicable; and Authorizing Related Actions.

F. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

51. RESOLUTION NO. 2016- 191, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER TO CONSIDER AND TO EXPLORE OPTIONS RELATED TO A COUNTYWIDE FIRE PROTECTION DISTRICT OR JOINT POWERS AUTHORITY AND SHARE IN 40% OF THE COST OF THE STUDY. **(City Manager)**

Description: The City provides fire protection services for the County of San Benito and City San Juan Bautista. Those agencies have recently adopted resolutions supporting the formation of a countywide fire district or a joint powers authority. The Council will consider cooperating in the feasibility study.

Recommendation: Staff recommends the City Council approve Resolution No. 2016-191, to consider and to explore options related to a countywide fire protection district or joint powers authority and share in 40% of the cost of the study.

52. TITLE OF ITEM: RESOLUTION NO. 2016-192, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE APPROPRIATION OF \$70,454.00 FROM THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND GRANT FOR EXPENDITURE INTO FISCAL YEAR 2016-2017. **(Police Department)**

Description: This item will authorize the finance department to appropriate funds not used in FY 14-15 in the Supplemental Law Enforcement Services Funds account to the current fiscal year for the purchase of police vehicles and equipment.

Recommendation: Adopt Resolution 2016-192, authorizing the appropriation of \$70,454.00 from the FY 15-16 Supplemental Law Enforcement Services Funds to account for expenditure in the fiscal year 2016-2017.

53. RESOLUTION NO. 2016 – 193, A RESOLUTION OF THE CITY COUNCIL APPROVING THE SUMMARY VACATION OF A PORTION OF MCCRAY STREET, SOUTH OF PARK STREET. **(Development Services)**

Description: The City Council will consider vacating a portion of McCray Street south of Park Street and north of the Walgreens and Les Schwab.

Recommendation: Staff recommends City Council adopt Resolution No. 2016-193 approving the summary vacation of Public Right of Way on a portion of McCray Street.

54. RESOLUTION NO. 2016 – 194, 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. **(Development Services)**

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. The Council is declaring its intention to sell and authorize staff to release a request for proposal.

Recommendation: Staff recommends City Council adopt Resolution No. 2016 – 194, 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.

55. **SECOND READING:** READ BY TITLE ONLY, WAIVE FULL READING, AND ADOPT ORDINANCE NO. 1131, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING AND RESTATING CHAPTER 5.42 “MEDICAL MARIJUANA FACILITIES REGULATORY PERMIT” TO TITLE 5 “BUSINESS LICENSES AND REGULATIONS” OF THE HOLLISTER MUNICIPAL CODE. **(City Attorney)**

Description: This Medicinal Marijuana Administrative Ordinance will provide for cultivation, dispensing, manufacturing processes to be performed on, and other ancillary services provided to Medicinal Marijuana businesses. The ad hoc committee of Councilmembers Ray Friend and Karson Klauer has reviewed the new Medical Marijuana Regulation and Safety Act (MMRSA) that consists of three separate bills (AB 243, AB 266 & SB 643) which were enacted together on Sept 11, 2015. The bills create a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis. All licenses must also be approved by local governments. The included ordinance initiates this process, and will be followed with regulations that can be adopted and updated to account for foreseeable changes at state and federal level relating to marijuana use and regulation.

Recommendation: Read by title only; waive full reading and Adopt Ordinance No. 1131.

56. RESOLUTION NO. 2016-196, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN AGREEMENT WITH ROADSHOWS INC. TO PROMOTE THE HOLLISTER MOTORCYCLE RALLY. **(City Manager)**

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

Recommendation: That the City Council approve the following motion: Adopt Resolution 2016-196, a Resolution of the City Council of the City of Hollister Approving an Agreement With Roadshows Inc. to promote the 2017 Hollister Motorcycle Rally.

57. RESOLUTION NO. 2016-198, A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY AND THE SAN BENITO COUNTY ARTS COUNCIL (SBCAC) FOR THE INSTALLATION OF A VETERAN'S MURAL ON THE EAST WALL OF THE VETERANS MEMORIAL BUILDING. **(Development Services)**

Description: The City Council will consider a resolution approving an Agreement between the City and the San Benito Arts Council to paint a mural as part of the 'Veteran's Voices of San Benito County' collaborative muralism and digital storytelling project on the east wall of the Veteran's Memorial Building.

Recommendation: Staff recommends that the City Council receives the report and adopt Resolution 2016-198, a Resolution of the City Council of the City of Hollister Approving An Agreement By and Between the City of Hollister and the San Benito County Arts Council for the Veteran's Mural Project.

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

61. Report on the status of the 2017 Hollister Airshow. **(Management Services)**

Description: Staff will report the responses from the Airshow Committee and the Airport Advisory Commission and recommend canceling the 2017 Hollister Airshow.

Recommendation: Provide direction to staff regarding the 2017 Hollister Airshow.

62. Residential Development Process and Update **(City Manager)**

Description: The City Manager will provide a brief report on the residential development process and an update on the number of units completed since the moratorium and what is currently under construction within the City of Hollister.

Recommendation: Staff recommends the City Council receive the report.

63. 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.

64. 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 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:

Special City Council Meeting – Monday, November 28, 2016, at 6:00 p.m.
Regular City Council Meeting – Monday, December 5, 2016, at 6:30 p.m.