

**RESOLUTION NO. 2019-73**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING  
THE INTERGOVERNMENTAL COMMITTEE BY-LAWS**

**WHEREAS**, the City of Hollister participates in the Intergovernmental Committee; and

**WHEREAS**, the City of Hollister has adopted by-laws stating roles and time of the public meetings; and

**WHEREAS**, the Committee desires to amend the by-laws to reflect a change in time of the meetings to accommodate the participants work schedules.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Hollister hereby amends its Intergovernmental Committee by-laws by moving the meeting time from 10:00 am to 4:30 pm on the first Thursday of each month.

**PASSED AND ADOPTED**, by the City Council of the City of Hollister at a regular meeting held this 15th day of April, 2019, by the following vote:

**AYES:** Council Members Richman, Resendiz, Spencer, Lenoir, and Mayor Velazquez.  
**NOES:** None.  
**ABSTAINED:** None.  
**ABSENT:** None.



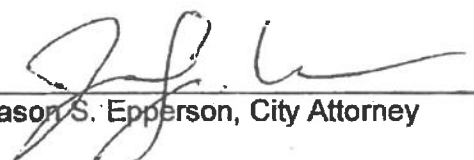
\_\_\_\_\_  
Ignacio Velazquez, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Christine Black, MMC, City Clerk

Prentice, Long & Epperson, Attorneys at Law

  
\_\_\_\_\_  
Jason S. Epperson, City Attorney



**STAFF REPORT  
CITY COUNCIL REGULAR MEETING AGENDA  
MEETING DATE: APRIL 15, 2019**

**SUBMITTED:** April 5, 2019  
**DEPARTMENT:** City Manager  
**DEPARTMENT HEAD:** William Avera, City Manager  
**AGENDA ITEM:** Consent Resolution  
**CONTACT:** William Avera, City Manager

**TITLE OF ITEM: RESOLUTION NO. 2019-73, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AMENDING THE INTERGOVERNMENTAL COMMITTEE BY-LAWS**

**BRIEF DESCRIPTION:** The City Council adopted by-laws for the Intergovernmental Committee Meetings. Due to the current makeup of the Committee it was determined that moving the meeting from 10:00 am to 4:30 pm on the first Thursday of each month would ensure all members could be present.

**RECOMMENDATION:** That the City Council ADOPT a Resolution changing the meeting time of the Intergovernmental Committee from 10:00 am to 4:30 pm on the first Thursday of each month.

**DEPARTMENT SUMMARY:** The County of San Benito, City of San Juan Bautista, Office of Education and the City of Hollister have members that participate in the Intergovernmental Committee. The Committee was established as an advisory board to discuss items that involve two or more of the entities involved. After the last election and upon new appointees to the Committee, it was determined that moving the regularly scheduled time from 10:00am to 4:30pm on the first Thursday of the month would allow members to avoid conflicts with work schedules.

Staff recommends the City Council adopt the attached Resolution amending the current by-laws to reflect the change in meeting time.

**FINANCIAL IMPACT:** \$0

**CEQA:** N/A

**ATTACHMENTS:**

1. Intergov Bylaws 04-04-2019

**THIS REPORT WAS REVIEWED BY THE CITY MANAGER WHO CONCURS WITH THE STAFF RECOMMENDATION**

A handwritten signature in black ink, appearing to read "William B. Avera".

William B. Avera, City Manager

## INTER-GOVERNMENTAL COMMITTEE BYLAWS

### Article-The Committee

Section 1. **Name:** The name of this body is the "San Benito Intergovernmental Committee". (Hereinafter referred to as, "**COMMITTEE**")

Section 2. **Purpose:** The Purpose of the Committee is to Plan, Develop, and Coordinate projects and programs affecting multiple agencies within San Benito County.

Section 3. **Composition:** The Committee shall be composed of seven (7) members. Two (2) shall be members of the City of Hollister, City Council, two (2) shall be members of the San Benito County Board of Supervisors, and two (2) shall be from the City of San Juan Bautista, City Council, one (1) member of San Benito County Office of Education and those ex-officio members as set forth below.

Section 3.a **Ex-Officio Membership:** The Committee may appoint and remove Ex-Officio members, Ex-Officio membership of the Committee is intended to be limited to those individuals that have or potentially have or potentially have significant in-kind or other resources to contribute to the goals and objectives of the Committee.

Ex-Officio Members are non-voting members but can participate in discussion and deliberations of the Committee.

The Ex-Officio Members of the Intergovernmental Committee shall consist of:

*One Member of the Hollister School District and One Member of the San Benito High School District.*

The Intergovernmental Committee may add as ex-officio members, representatives of any other Requested Agencies as it may determine prudent in the future.

Section 4. **Term of Office:** The term of office of the members of the Committee appointed by their respective bodies shall be the same as the term of the appointing Governing Board. Any vacancy in the membership of the Committee shall be filled for the unexpired term using the same nomination and approval process that as the original appointment.

Section 5. **Removal from Office:** Each Committee member shall serve at the pleasure of the Governing Board who appointed them, and the Committee Member may be removed at any time, with or without cause by their respective Board.

Section 6. **Duties of Committee:**

- a. Act as an advisory Committee on issues involving two or more participating agencies on multi-jurisdictional matters.
- b. Communicate written and oral recommendations directly to the Council/Board member who appointed them.

- c. Study and consider long range plans for the development and improvement for all jurisdictions within the County of San Benito.
- d. Study and recommend on matters relating to the Present and future need for services to be rendered to the general public. No recommended action shall be implemented by the member agencies, without formal approval by the applicable City Council or Board of Supervisors.

## ARTICLE II-OFFICERS

- Section 1.1 **Titles:** The officers of this Committee are Chairperson, Vice-Chairperson, and Executive Secretary.
- Section 1.3 **Chairperson:** The Chairperson will preside at meetings of the Committee.
- Section 1.5 **Vice-Chairperson:** In the absence of the Chairperson, the Vice-Chairperson will preside at meetings of the Committee. In the absence of both the Chairperson and the Vice-Chairperson, if enough committee members are present to constitute a quorum (4), the members present shall designate an Acting Chairperson for the meeting.
- Section 1.7 **Communication with Staff:** Committee members are encouraged to communicate directly with the County Administrative Office, City Manager of San Juan Bautista and City Manager of City of Hollister, regarding ideas, future plans, current activities, and problems. All requests requiring utilization of staff time must be approved by the City Manager(s) or the CAO.
- Section 1.9 **Executive Secretary:** The County Clerk of the Board, the Hollister City Clerk, and the San Juan Bautista City Clerk will rotate Annually as the Executive Secretary of the Committee and will carry out the administrative details of the Committee, including keeping the records of Committee meetings, acting as Secretary at all meetings of the Committee, recording all votes, preparing the agenda and minutes of Committee meetings, serving as technical advisor to the Committee pertaining to their duties, and at the direction of the City Manager(s) or CAO, provide necessary research and fact finding services.
- Section 2 **Election of Officers:** Annually, at the regularly scheduled February meeting, the Committee will elect from among its members, a Chairperson and Vice-Chairperson to serve for a term of one year. These positions are limited to two consecutive terms of office.
- Section 3 **Vacancy of Chairperson or Vice Chairperson:** If the office of Chairperson or Vice-Chairperson becomes vacant, the Committee will elect a new successor from its membership at the next regular meeting, and such election will be on the unexpired term of office.

## ARTICLE III-MEETINGS

- Section 1. **Meeting Time and Place:** Regular Intergovernmental Committee meetings are held monthly at 4:30p.m. on the first Thursday of the month, in the City Council Chambers of City Hall, 375 Fifth Street, Hollister, California.

Section 1.3

**Alternate Meeting Times:** Alternate meeting times and places are acceptable as long as public notice is given in accordance with the provisions of the Brown Act and other applicable laws.

Section 1.5

**Meeting Cancellation:** Meetings shall be cancelled if there is not sufficient business to discuss or if a quorum of the Committee is not present at the meeting.

Section 2.

**Special Meetings:** Subject to the provisions of the Brown Act and other applicable laws, special meetings may be held. Only those matters listed in the notice of special meetings may be discussed at the meeting.

Section 3.

**Quorum:** Four (4) Committee members constitute a quorum of the transaction of business. Action shall require a simple majority vote of those present who are not excluded from voting (5 if there are 9 members).

Section 4.

**Order of Business:** At the regular meetings of the Committee, business will be conducted in the following order:

- a. Call to Order
- b. Pledge of Allegiance
- c. Roll Call
- d. Verification of Agenda Posting
- e. Approval of Minutes
- f. Public Input/Comment (on matters not on the agenda)
- g. Schedule of Agenda Items
- h. Confirmation of Next Regular Meeting Date and Setting of Agenda Items for next Regular Meeting
- i. Reports
- j. Adjournment

All official actions shall be entered in the minutes of each meeting as action minutes, said minutes to be prepared by Secretary and shall be approved by the Committee at the next Regular Meeting.

Section 5.

**Manner of Voting:** Voting on matters coming before the Committee will be by voice vote unless a roll call vote is requested by a Committee member or the Executive.

Section 6.

**Rules of Order:** Robert's Rules of Order will govern those aspects of Committee proceedings not specifically provided by these bylaws, the Brown Act or any other applicable state or local law.

Section 7.

**Setting of Agenda Items:** At each meeting, Committee Members may submit items to be placed on the agenda for the next regular meeting. All agenda items shall be on issues that impact other entities represented by the Committee and Ex-Officio Members, and/or that require coordination or joint discussion between the represented entities.

Section 7.5

**Public Input:** Any person wishing to speak on matters within a subject matter

jurisdiction of the Committee must fill out a speaker card prior to addressing the Committee, unless person objects to providing his/her name.

Section 8.

**Agenda:**

- a) An agenda will be prepared by the Executive Secretary and will be adhered to with the exception that items may be taken out of order for the convenience of those in attendance. The agenda will be posted and distributed to interested parties at least 72 hours in advance of all regular Committee meetings.
- b) The Committee will operate its meeting pursuant to the Ralph M. Brown Act, Government Code 54950 et. seq.
- c) The Committee may call a special meeting pursuant to Section 54956, with at least 24 hours advance notice. The notice shall specify the time and place of the special meeting and the business to be translated or discussed. No other Business shall be considered at these meetings by the legislative body.
- d) The Committee may hold an emergency meeting pursuant to Section 54956.5, when either an "emergency" or "dire emergency" as defined by 54956.5 exists.
- e) At Regular meetings the legislative body may take action on items of business not appearing on the posted agenda when allowed pursuant to Section 54954.2. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item. The Committee shall not consider the item until there is a determination by two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that (1) there is a need to take immediate action and (2) that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

**ARTICLE IV-AMENDMENTS TO BYLAWS**

Section 1.

**Procedure:** The bylaws may be amended by the Committee with such request approved by a majority of the Committee at a regular or special meeting provided that written notice of such amendment was given to Committee at least (3) days prior to the meeting and pursuant to agenda setting requirements of Article III, Section 7, above. A proposed bylaw amendment shall be introduced at one meeting and voted on a subsequent meeting.

**ARTICLE V-FORMAT OF MEETING**

Section 1.

Unless otherwise determined by the Committee at the beginning of the meeting, Members and Ex-Officio members shall be seated at the conference table, and staff and the public shall be seated in the chamber's audience area. At the direction of the Committee, the members and ex-officio members may be seated at the dais, with staff at the conference table, and the public in the audience.