



**Meeting Minutes
City Council**

Steve Tate - Mayor
Rich Constantine - Mayor Pro Tem
Larry Carr - Council Member
Caitlin Jachimowicz - Council Member
Rene Spring - Council Member

Wednesday, February 7, 2018 5:30 PM

**Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037**

SPECIAL/REGULAR MEETING

(5:30 p.m. Commission Interviews/7:00 p.m. Regular Meeting)

A special meeting of the City Council was called at 5:30 p.m. for the purpose of conducting commission interviews.

SPECIAL MEETING

5:30 p.m.

CALL TO ORDER

Mayor Tate called the meeting to order at 5:33 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Gonzalez called the roll.

Attendee Name	Title	Status	Arrived
Steve Tate	Mayor	Present	
Rich Constantine	Mayor Pro Tem	Present	
Larry Carr	Council Member	Present	

Caitlin Jachimowicz	Council Member	Present	
Rene Spring	Council Member	Present	

DECLARATION OF POSTING AGENDA

Minutes Clerk Gonzalez declared the posting of the agenda.

INTERVIEWS

1. INTERVIEWS TO FILL THREE (3) VACANCIES ON THE LIBRARY, CULTURE, AND ARTS COMMISSION AND FOUR (4) VACANCIES ON THE PARKS AND RECREATION COMMISSION

Recommendation:

1. Discuss the characteristics/traits that a successful applicant(s) would possess;
2. Conduct Interviews;
3. Identify top applicant(s) and provide recommendation to the Mayor; and
4. Discuss and/or appoint applicant(s).

Mayor Tate announced that Library, Culture, and Arts Commission applicant, Bob Benich, was not available to attend tonight's meeting and will interview at the February 21, 2018 Council meeting.

City Manager Turner announced that applicant Rick Dudgeon has withdrawn his application.

The City Council interviewed the following candidates for the Library Culture and Arts Commission:

Brigitte Crawford

Paul Lake

Anthony Stenberg

Minutes Clerk Gonzalez informed the Council that applicant Norvin Vogel was unable to attend tonight's meeting and the Clerk's office is working on rescheduling his interview to a future meeting.

The City Council interviewed the following candidates for the Parks and Recreation Commission:

Maureen Grzan-Pieracci

Craig van Keulen

Ron Locicero

LaRene Green

Lisa Cavigliano

RESULT:	NO ACTION TAKEN
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REGULAR MEETING

Mayor Tate called the regular meeting to order at 7:01 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Carr spoke about his outside appointments. He attended the South County Regional Wastewater Authority (SCRWA) meeting this morning. One thing that both Morgan Hill and Gilroy are

going to be faced with soon is the expansion of the plant. Ultimately the services that the plant provides will be the limiting factor to anything happening in South County. Expanding the facility will be a multi-million-dollar project. The SCRWA Board will be addressing the project soon and we anticipate it will be a long-lasting project. The facility uses a significant amount of power and is working on a solar project that will provide the majority of the power needed for the facility. They just need approval from PG&E to flip the switch to solar.

He spoke regarding the South County Water Resources Commission which is a commission between the Cities of Gilroy and Morgan Hill and the Santa Clara Valley Water District. The purpose of this commission is to discuss the health of the aquifer that we draw our water from and how we can continue to improve water resources throughout all of South County. He announced that the Water District is pursuing a new reservoir here in the South County/Pacheco area and the City of Morgan Hill is supporting the Water District's application for State funding for that. They are also exploring the possibility of water reclamation. Today we have recycled water being used in Gilroy, but not in Morgan Hill.

He talked about his meeting with the Mobility Partnership which is a partnership between the Santa Clara Valley Transportation Authority (VTA) and the County of San Benito. They are looking at the Highway 152 Trade Corridor and how we can improve access as it is a somewhat dangerous corridor to travel through. The first phase will be how to improve the Highway 25 and Highway 101 interchange at the south end of Gilroy. As people have longer commutes, the south Gilroy area of 101 is becoming very full of traffic, and the Highway 25 interchange has become more dangerous. Some Measure B dollars are there, and San Benito County will be going out for a tax measure very soon to be able to cover some of their share of the costs.

He shared that the VTA met last week and is working on a program called "The Next Network" to evaluate transportation services. They will use some Measure B dollars. One project they talked about is a project that our team here in Morgan Hill put together to look at how to provide more public transportation services in a flex/on-demand model here within the City of Morgan Hill.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. She announced that Morgan Hill and San Jose will reveal the 2018 AMGEN Tour of California Timed Trial Course Route at a press conference tomorrow at the Community and Cultural Center and invited everyone to attend. She announced that the Mayor's State of the City Address is scheduled for Thursday, February 22, 2018 at 7:00 p.m. She also stated that on Tuesday, February 27, 2018 the American Association of University Women is hosting "Make Your Voice Heard, Tips for Civic Engagement in Morgan Hill" and some of the things that will be covered that night will be: how to build a successful campaign when running for local office and the roles and expectations of a Morgan Hill Unified School District Trustee and City Council Member.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin gave a High Speed Rail (HSR) Update. There have been several meetings over the last couple of weeks both with and about HSR. HSR is coming out with its new business plan in March. They have committed to coming back to do a presentation for us and update us on the new plan shortly after it's released, probably in April or May. Their current plans on the timeline are to announce their preferred alignment in June or July. They have told us that they have narrowed it down to two potential alignments, the Monterey corridor and one near 101, but not on 101. They're going to be test boring on one side of Morgan Hill in the next week or so. That site is on the Monterey Road corridor. They told us the reason that they are only boring on the one side is that they already have all the data that they need for the 101 Alignments because of CalTrans work. They hope to release their draft Environmental Impact Report (EIR) by the end of 2018 and their goal now is to get full environmental clearance for this stretch of the project by fall of 2019. In the meantime, we as staff are continuing to share our ideas for ways HSR can use existing rights of way and minimize the impact to both our downtown and our neighborhoods. In our meetings with HSR they have told us that even after they have given up their

preferred alignment and put out their environmental documents that they will be willing to talk to us about ways to reduce the impacts on neighborhoods in the downtown and to look at alignments that would use existing right of ways even though they may have gotten environmental clearance for a different route. On our end, in order to make sure that we are well prepared to advocate for our neighborhoods, we have been and will continue to work with several outside consultants and rail experts. We are still working out how much of this work can be reimbursed through our agreement with HSR but we mostly want to be ready to go on day one with the draft EIR. We have a very short window in which to comment and respond; in order to make this happen we are likely to be coming to Council with a budget request either at the February 21st or the March 7th meeting once we determine what contracts we need to get in place early to be prepared to respond.

OTHER REPORTS

Mayor Tate announced the State of the City Address on February 22nd.

PROCLAMATIONS

Proclaiming the week of February 5-9, 2018 as
Future Business Leaders of America Week

RECOGNITION

Recognizing the Morgan Hill Teachers Aid Coalition's Chocolate & Wine for Valentines Fundraiser on February 10, 2018.

PUBLIC COMMENT

Mayor Tate opened the public comment at 7:19 p.m.

Ava Geddes was called to speak.

Hearing no further requests to speak, the public comment was closed.

PUBLIC COMMENT HANDOUT

ADOPTION OF AGENDA

MOTION:

Adopting the agenda and moving items 10 and 11 to be heard right after the consent calendar.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rene Spring, Council Member
SECONDER:	Larry Carr, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

CONSENT CALENDAR

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

2. FIRST AMENDMENT TO BRIGHTVIEW LANDSCAPE SERVICES AGREEMENT FOR GROUPS 2 & 4

Recommendation:

Approve the First Amendment to the Maintenance Service Agreement with Brightview Landscape Services, Inc.

3. NOVEMBER 2017 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

4. BUDGET AMENDMENT FOR BUTTERFIELD CONNECTOR PATH

Recommendation:

Adopt resolution amending the adopted Fiscal Year 2017-18 budget to accommodate a new capital project, the Butterfield Connector Path, resulting from the award of a \$1,761,980 grant from the State of California with total project costs of \$1,910,493.

OTHER BUSINESS

10. LEASE AGREEMENTS FOR FRIENDLY INN AND EL TORO YOUTH CENTER AND NON-PROFIT CENTER CONSTRUCTION OPTION

Recommendation:

1. Update the City policy statements for the Friendly Inn and El Toro Youth Center Building;
2. Authorize the City Manager to further negotiate, execute, and administer lease agreements with the Boys and Girls Club of Silicon Valley for the Friendly Inn, and Community Christian for the El Toro Youth Center Building; and
3. Receive an update on the options for constructing a new non-profit center.

Interim Deputy City Manager Chris Ghione presented the report.

Mayor Tate opened the public comment at 7:28 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor Pro Tem
SECONDER:	Larry Carr, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

11. 2018 PRIORITIES

Recommendation:

Adopt updates to Sustainable Morgan Hill, ongoing priorities, and the City Council's 2018 Strategic Priorities.

City Manager Christina Turner presented the report.

Mayor Tate opened public comment at 7:35 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor Pro Tem
SECONDER:	Rene Spring, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

OTHER BUSINESS

5. SUICIDE PREVENTION UPDATE REPORT

Recommendation:

1. Accept report related to youth suicide prevention; and
2. Adopt the proposed suicide prevention policy.

Police Chief David Swing and Interim Deputy City Manager Chris Ghione presented the report.

Mayor Tate opened the public comment at 7:55 p.m. The following people were called to speak:

Victor Ojakian

Brian Faircloth

Hearing no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended actions.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Rich Constantine, Mayor Pro Tem
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

6. EMERGENCY OPERATIONS PLAN UPDATE

Recommendation:

Adopt resolution authorizing the approval, distribution, and use of the updated City of Morgan Hill's Emergency Operations Plan.

Office of Emergency Services Coordinator Jennifer Ponce presented the report

Mayor Tate opened the public comment at 8:23 p.m.

Hearing no requests to speak, the public comment was closed.

MOTION:

Adopting the recommended action.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor Pro Tem
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

7. ECONOMIC DEVELOPMENT UPDATE AND AGREEMENTS WITH THE SILICON VALLEY BUSINESS JOURNAL AND ANTICS ONLINE, INC.

Recommendation:

1. Receive an update on Economic Blueprint activities;
2. Authorize the City Manager to approve a not to exceed \$55,000 purchase order agreement for marketing with the Silicon Valley Business Journal; and
3. Direct the City Manager to negotiate and execute an agreement with Antics Online not to exceed \$65,000 for the development of an Economic Development website.

Economic Development Director Edith Ramirez presented the report.

Mayor Tate opened the public comment at 8:52 p.m. The following people were called to speak:

Ryan McDaniel

John Horner

Hearing no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor Pro Tem
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

8. 2018 HOUSING PROGRAM UPDATE

Recommendation:

1. Receive update on Below Market Rate (BMR) Program and process, including annual certification of rental and ownership units, vacancy report, and the Housing Work Program;
2. Receive update on Homelessness activities; Support joint efforts of Morgan Hill, Gilroy, and the County to establish permanently assigned case managers and related services for South Santa Clara County;
3. Receive update and summary on 15 New CA Housing Laws effective January 1, 2018; and
4. Direct staff to return with additional information or take steps to prepare recommended actions or preparation of policy documents to achieve greater affordable housing accountability/production.

Housing Manager Rebecca Garcia and Assistant City Manager for Community Development Leslie Little presented the report.

Mayor Tate opened the public comment at 10:00 p.m. The following people were called to speak:

Janet Pocus

Laura Gonzalez-Escoto

Hearing no further requests to speak, the public comment was closed.

MOTION:

Receive updates. Support the joint efforts of Morgan Hill, Gilroy, and the County of Santa Clara to establish permanently assigned case managers and related services for South Santa Clara County and ask that when we look at homeless programs and work with advocates, we learn why certain things work. Direct staff to return with additional information and recommended actions to achieve greater affordability and direct the Planning Commission to have some hearings on this subject to help us with the matter. One of the areas that we would like to get to is, how can we use the RDCS to affect land costs. If we can start affecting land cost in the equation of a developer we might be able to start affecting some of the bottom line numbers that drive some of the initial costs. We should be using our RDCS competitions specifically in looking at specific income levels and that is one of the ways that we might want to start talking about our competitions and would like to get both staff and Planning Commission recommendations on this.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Rich Constantine, Mayor Pro Tem
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

9. CANNABIS UPDATE AND COMMUNITY SURVEY

Recommendation:

1. Accept report; and
2. Provide direction on ordinance options and for community survey related to cannabis in Morgan Hill and potential other revenue opportunities.

Police Chief David Swing presented the report and introduced Tim Cromartie from HdL and Charles Hester from Godbe Research who answered questions.

Mayor Tate opened the public comment at 10:44 p.m. The following people were called to speak:

Brian Faircloth

Sean Kali-Rai

Hearing no further requests to speak, the public comment was closed.

Council gave direction to staff.

RESULT:	NO ACTION TAKEN
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MOTION:

Extending meeting to 11:30 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor Pro Tem
SECONDER:	Larry Carr, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

10. ITEM 10 WAS MOVED TO FOLLOW THE CONSENT CALENDAR

11. ITEM 11 WAS MOVED TO FOLLOW THE CONSENT CALENDAR

12. CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Recommendation:

1. Review and revise the City Council Appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

City Manager Christina Turner presented the report.

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Tate, Mayor
SECONDER:	Rich Constantine, Mayor Pro Tem
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

PUBLIC HEARING

14. 2018 WEED ABATEMENT COMMENCEMENT

Recommendation:

1. Open/Close public hearing;
2. Adopt Resolution A authorizing Santa Clara County to commence hazardous vegetation abatement activities on the attached list; and
3. Adopt Resolution B authorizing Santa Clara County to commence hazardous vegetation abatement activities for the remaining parcels.

Program Administrator Anthony Eulo presented the report.

Mayor Tate opened public comment at 11:20 p.m.

Brian Faircloth was called to speak.

Hearing no further requests to speak, the public hearing was closed.

MOTION:

Adopting resolution A.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

Mayor Tate abstained from resolution B and exited the dais.

MOTION:

Adopting resolution B.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Larry Carr, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Constantine, Carr, Jachimowicz, Spring
ABSTAIN:	Tate

PUBLIC HEARINGS

13. ORDINANCE ESTABLISHING ADMINISTRATIVE HEARING PROCESS FOR HAZARDOUS VEGETATION CHARGES

Recommendation:

1. Open/Close public hearing;
2. Waive first and second reading of the ordinance; and
3. Introduce ordinance establishing an administrative hearing process to annually consider hazardous vegetation abatement charges.

Mayor Tate resumed his seat at the dais.

Program Administrator Anthony Eulo presented the report.

Mayor Tate opened public comment at 11:26 p.m.
Hearing no requests to speak, the public hearing was closed.

MOTION:

Waiving the first and second reading of the ordinance.

RESULT:	WAIVED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Larry Carr, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

MOTION:

Introducing ordinance establishing an administrative hearing process to annually consider hazardous vegetation abatement charges.

RESULT:	INTRODUCED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Steve Tate, Mayor
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

14. ITEM 14 WAS MOVED TO FOLLOW ITEM 12

15. RESOLUTION OF INTENT TO HOLD SPECIAL BALLOT PROCEEDING FOR SANDALWOOD SUBAREA OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

Open public hearing and continue public hearing to February 21, 2018.

Item continued to the February 21, 2018 City Council meeting.

RESULT:	NO ACTION TAKEN
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FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, Mayor Tate adjourned the meeting at 11:28 p.m.

MINUTES PREPARED BY:

Angie Gonzalez, Minutes Clerk