



CITY OF MORGAN HILL

Special - Regular Meeting Agenda

City Council

Steve Tate - Mayor

Rich Constantine - Mayor Pro Tem

Larry Carr - Council Member

Caitlin Jachimowicz - Council Member

Rene Spring - Council Member

Wednesday, April 18, 2018 6:00 pm

Council Chamber

17555 Peak Avenue, Morgan Hill, CA 95037

AMENDED AGENDA

Please note that the action for item 17 has been corrected.

SPECIAL/REGULAR MEETING

(6:00 pm Closed Session/ 7:00 pm Regular Meeting)

Closed sessions are not open to the public. Students should attend the 7:00 pm Regular City Council meeting.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2

(Deputy City Clerk Bigelow)

SPECIAL MEETING

6:00 pm

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION ANNOUNCEMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR:

Authority:	Pursuant to Government Code Section 54957.6
City Negotiators	Christina Turner City Manager; Cindy Murphy Assistant City Manager for Administrative Services; Michelle Katsuyoshi Human Resources Director
Employee Organization:	Morgan Hill Police Officers Association Employees Covered under Management Resolution #17-042 AFSCME Local 101 Morgan Hill Community Service Officers Association

RECONVENE

REGULAR MEETING

7:00 pm

The City Council has adopted a policy that regular meetings shall not continue beyond 11:00 p.m. unless extended by a majority of the City Council.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Constantine

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

RECOGNITIONS

Recognizing Lori Paul for her service on the Library, Culture, and Arts Commission and Bill Haskell for his service on the Parks and Recreation Commission

PRESENTATIONS

YAC PRESENTATION ASSET #9 SERVICE TO OTHERS

PROCLAMATIONS

Proclaiming April 12 - 19, 2018

as

Days of Remembrance of Victims of the Holocaust

PUBLIC COMMENT

Members of the public are entitled to address the City Council concerning any item within the Morgan Hill City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

ADOPTION OF AGENDA

CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Pursuant to City Council Policies and Procedures (CP 97-01), any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action.

Time Estimate for Consent Calendar: 1 - 10 Minutes

1. AWARD SERVICE AGREEMENT FOR DESIGN PROFESSIONALS TO CSG CONSULTANTS FOR UTILITY INFRASTRUCTURE PROGRAM MANAGEMENT SERVICES

Recommendation:

1. Award Service Agreement for Design Professionals to CSG Consultants to provide Utility Infrastructure Program Management Services for a not to exceed amount of \$520,000; and
2. Authorize the City Manager to execute and administer a Service Agreement for Design Professionals with CSG Consultants for Utility Infrastructure Program Management.

2. AWARD CONTRACT FOR 2018 INFLOW AND INFILTRATION PROJECT

Recommendation:

1. Approve 2018 Inflow and Infiltration Project plans and specifications;
2. Award contract to Pacific Underground Construction for the 2018 Inflow and Infiltration Project in the amount of \$691,850;
3. Authorize expenditure of construction contingency funds not to exceed \$69,185; and
4. Authorize the City Manager to execute and administer the construction contract with Pacific Underground Construction.

3. APPROVE PURCHASE OF TWO 2018 FORD UTILITY TRUCKS & EQUIPMENT

Recommendation:

1. Approve purchase of two utility trucks in the amount of \$189,919.97;
2. Adopt resolution amending the Fiscal Year 2017/18 Budget by appropriating \$25,000 from the Sewer Fund (640) and \$25,000 from the Water Fund (650) as transfers to the Equipment Replacement Fund (790) and appropriating the total \$50,000 for the purchase of two 2018 Ford Utility Trucks and Equipment; and
3. Authorize City Manager to approve purchase order in the amount of \$189,919.97 with National Auto Fleet Group.

4. FIRST AMENDMENT TO SERVICE AGREEMENT FOR DESIGN PROFESSIONALS WITH MARK THOMAS & COMPANY FOR HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Approve First Amendment to Service Agreement for Design Professionals with Mark Thomas & Company for additional scope of services for the Hale Avenue Extension Project for a total not to exceed contract amount of \$494,733; and
2. Authorize the City Manager to execute and administer a First Amendment to Service Agreement for Design Professionals with Mark Thomas & Company for the Hale Avenue Extension Project.

5. FEBRUARY 2018 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

6. RESOLUTION ADDING A PROPERTY ASSESSED CLEAN ENERGY PROVIDER

Recommendation:

Adopt resolution joining the California Enterprise Development Authority (CEDA) as an Associate Member and authorizing CEDA, through Dividend Finance, LLC, to offer their program and levy assessments within the City of Morgan Hill.

7. APPROVE RESOLUTION SUPPORTING PROPOSITION 69 ON THE JUNE 2018 BALLOT TO PRESERVE TRANSPORTATION FUNDING, OPPOSING EFFORTS TO REPEAL THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SB1), AND JOINING THE COALITION TO PROTECT LOCAL TRANSPORTATION IMPROVEMENTS

Recommendation:

Adopt resolution supporting Proposition 69 and opposing the repeal of the "Road Repair and Accountability Act" (SB 1), and join the Coalition to Protect Local Transportation Improvements.

8. ADOPT RESOLUTION APPROVING FY2018-19 LIST OF STREET REHABILITATION PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT

Recommendation:

Adopt resolution approving a list of street rehabilitation projects funded by SB 1: The Road Repair and Accountability Act.

9. ADOPTION OF AN UNCODIFIED ORDINANCE REAUTHORIZING CHAPTER 5.21 - STATE VIDEO FRANCHISES OF THE MORGAN HILL MUNICIPAL CODE ESTABLISHING FRANCHISE FEES, PEG FEES, AND CUSTOMER SERVICE PENALTIES FOR STATE VIDEO FRANCHISE HOLDERS PROVIDING VIDEO SERVICE WITHIN THE CITY OF MORGAN HILL

Recommendation:

Waive the reading, adopt Ordinance No. 2273, New Series, and declare that the title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

10. APPROVE THE APRIL 4, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

11. LEADERSHIP MORGAN HILL PUBLIC ART PROPOSAL

Recommendation:

Approve the Leadership Morgan Hill Class of 2018 class project proposal for the coordination of utility box art installation.

Estimated Time: 10 Minutes

12. PROVIDE COMMENTS AND DIRECTION REGARDING HIGH SPEED RAIL BUSINESS PLAN

Recommendation:

1. Receive update on High Speed Rail's 2018 Business Draft Plan (Draft Plan); and
2. Direct the City Manager to prepare formal comments regarding the Draft Plan on behalf of the City of Morgan Hill.

Estimated Time: 30 Minutes

13. CANNABIS AND TRANSIENT OCCUPANCY TAX COMMUNITY SURVEY RESULTS

Recommendation:

1. Receive report on Cannabis and Transient Occupancy Tax (TOT) Survey administered by Godbe Research; and
2. Discuss next steps.

Estimated Time: 30 Minutes

14. APPROVE AGREEMENT GRANTING EXCLUSIVE RIGHT TO NEGOTIATE THE REDEVELOPMENT OF HALE LUMBER SITE IN CONJUNCTION WITH VACATION OF 0.29 ACRES OF DEPOT STREET AND REALIGNMENT OF DEPOT STREET TO CHURCH STREET AND EAST DUNNE AVENUE INTERSECTION.

Recommendation:

Approve negotiations with Latala Homes, LLC and property owner to explore a residential development proposal that would require vacating approximately 0.29 acres of Depot Street, requiring a re-alignment of Depot Street to Church Street.

Estimated Time: 30 Minutes

15. ADOPTION OF RESOLUTIONS AND APPROVAL OF AGREEMENTS SUPPORTING THE PURCHASE OF AN AGRICULTURAL CONSERVATION EASEMENT ON FOUNTAIN OAKS RANCH

Recommendation:

1. Adopt resolution approving and supporting the purchase of an agricultural conservation easement (Easement) by the Santa Clara Valley Open Space Authority (Authority) on Fountain Oaks Ranch;
2. Adopt resolution amending the Adopted Fiscal Year 2017-2018 Budget to appropriate \$2,000,000 from the City's Agriculture and Open Space Preservation Fund (Fund 306) for the City's contribution to the Easement purchase;
3. Authorize the City Manager to execute a Funding Agreement with the Authority and Santa Clara County (County) requiring the contribution of up to \$3,000,000 of City funds for the purchase of the Easement subject to further negotiation and the review and approval of the City Attorney; and
4. Authorize the City Manager to execute an agreement or memorandum of understanding with the State of California, Authority, and County apportioning the mitigation credits associated with the Easement proportionally among the parties funding the purchase of the Easement subject to further negotiation and the review and approval of the City Attorney.

Estimated Time: 15 Minutes

PUBLIC HEARING

16. PUBLIC HEARING AND BALLOT TABULATION FOR SANDALWOOD SUBAREA OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

1. Open public hearing;
2. Accept public input on ballot proceeding;
3. Announce close of public hearing is pending – Any property owner wishing to withdraw their ballot must do so now;
4. Announce close of public hearing is pending – Any property owner wishing to submit a ballot must do so now;
5. Close public hearing;
6. Take ten-minute recess for ballot tabulation;
7. Accept verbal report from Deputy City Clerk on ballot tabulation results; and
8. Adopt Resolution A or B certifying the ballot proceeding results.

Estimated Time: 10 Minutes

17. ZA2017-0007, DA2017-0003: E. DUNNE-KYONO (FORMERLY E. DUNNE MANA) - ZONING AMENDMENT AND DEVELOPMENT AGREEMENT FOR A 32 LOT SUBDIVISION, IDENTIFIED BY ASSESSOR PARCEL NUMBER 726-02-014 LOCATED AT 505 E. DUNNE AVENUE

Recommendation:

1. Open and close public hearing;
2. Waive first and second reading of Zoning Amendment Ordinance;
3. Introduce Zoning Amendment Ordinance;
4. Waive first and second reading of Development Agreement Ordinance;
and
5. Introduce Development Agreement Ordinance.

Estimated Time: 15 Minutes

OTHER BUSINESS

18. 2018 INFRASTRUCTURE UPDATE REPORT

Recommendation:

Receive the updated 2018 Report on City Infrastructure.

Estimated Time: 20 Minutes

19. FIRE RESOURCES REPORT

Recommendation:

Accept report on Fire resources and update on Public Safety Master Plan recommendations.

Estimated Time: 20 Minutes

20. ADOPT ORDINANCE TO 1) UPDATE ENFORCEMENT PROVISIONS OF THE MUNICIPAL CODE, 2) AMEND PROVISIONS REGARDING ANIMAL NUISANCES, AND 3) CLEAN UP VARIOUS TYPOGRAPHICAL AND OTHER ERRORS IN THE CODE

Recommendation:

1. Waive the first and second reading of the Ordinance to update code enforcement; and
2. Introduce the Ordinance.

Estimated Time: 15 Minutes

FUTURE COUNCIL INITIATED AGENDA ITEMS

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT

NOTICE

Any documents produced by the City and distributed to the majority of the City Council less than 72 hours prior to an open meeting, will be made available for public inspection at the City Clerk's Counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers, and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Council, but it is very helpful. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the City Council.

Persons interested in proposing an item for the City Council agenda should contact a member of the City Council who may plan an item on the agenda for a future City Council meeting. Should your comments require Council action, your request may be placed on the next appropriate agenda. Council discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the City Council, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of City Council Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email michelle.wilson@morganhill.ca.gov.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email michelle.wilson@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.



Sustainable Morgan Hill Vision

Morgan Hill is a safe, inclusive, socially responsible, environmentally conscious, and economically sound community.

CITY COUNCIL ONGOING PRIORITIES

Enhancing Public Safety · Protecting the Environment · Maintaining Fiscal Responsibility ·
Supporting Our Youth, Seniors, and Entire Community · Fostering a Positive Organizational Culture ·
Preserving and Cultivating Public Trust · Preserving Our Cultural Heritage ·
Enhancing Diversity and Inclusiveness

2018 STRATEGIC PRIORITIES

Community Engagement and Messaging

Economic Development and Telecommunications

Financial Stewardship

Infrastructure

Regional Initiatives

2018 STRATEGIC PRIORITIES:



Community Engagement and Messaging

The City of Morgan Hill will tell our story through outreach and by working closely with our community in presenting our vision, priorities, and financial needs, and by engaging citizens and business owners to find affordable and sustainable solutions. The City's communications, services, public spaces, and projects will embrace all community members as partners, encouraging public participation.



Economic Development and Telecommunications

The Economic Blueprint will continue to be implemented, with a primary goal of attracting jobs and investment into our community. The City will collaborate with the private sector to explore ways to provide fast, reliable access and wireless connectivity for residents and businesses. The 2016 Telecommunications Infrastructure and Economic Blueprint reports will be the foundation for continuing discussions with broadband providers, public utilities, and other infrastructure service providers in developing an implementation plan for growing our telecommunications infrastructure with private sector partnerships. The plan will be used to signal Morgan Hill's support for business expansion.



Financial Stewardship

We will be financial stewards of the City's assets to ensure long-term fiscal sustainability. New revenue sources, including a possible tax measure, will be considered to fund increasing costs to deliver services and complete infrastructure projects. The City will closely manage its expenditures to maintain its general fund reserve. The labor contracts will be negotiated using the City's adopted Employee Compensation Guiding Principles.



Infrastructure

The City will review its streets, parks, and public facilities infrastructure needs to quantify the funding gap. We will identify potential funding options as ongoing revenue is insufficient to fund our vital community assets at a sustainable level without significantly impacting existing service levels that our community has come to expect. Morgan Hill will actively work with the Valley Transportation Agency, the County, and the State to secure funding for transportation projects and road maintenance. For High Speed Rail, we will strongly advocate for the route with the least impact on Morgan Hill.



Regional Initiatives

City Council and staff will focus on influencing regional decisions that benefit Morgan Hill. A regional approach will be employed to address many priorities, including but not limited to, homelessness, animal services, teen suicide, High Speed Rail, and land use (Catholic High School, Outdoor Sports Center, agricultural preservation, and city limits). This regional involvement will include partnering with the League of California Cities, Valley Transportation Authority, Caltrain, Santa Clara Valley Water District, Cities Association of Santa Clara County, the City of Gilroy, Santa Clara County, Morgan Hill Unified School District, the Local Agency Formation Commission, the Open Space Authority, and Silicon Valley Clean Energy to advance projects that further Sustainable Morgan Hill.