CITY OF MORGAN HILL

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, June 6, 2018 6:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(6:00 P.M. Commission Interviews/ 7:00 P.M. Regular Meeting)

A special meeting of the City Council was called at 6:00 p.m. for the purpose of conducting Commission Interviews.

SPECIAL MEETING

6:00 P.M.

CALL TO ORDER

Mayor Tate called the special meeting to order at 6:00 P.M.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow called the roll.

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

Caitlin Jachimowicz	Council Member	Present	
Rene Spring	Council Member	Present	

DECLARATION OF POSTING AGENDA

Deputy City Clerk Michelle Bigelow declared the posting of the agenda.

COMMISSION INTERVIEWS

1. INTERVIEWS TO FILL ONE (1) VACANCY ON THE LIBRARY, CULTURE, AND ARTS COMMISSION

Recommendation:

1. Discuss the characteristics/traits that a successful applicant would possess;
2. Conduct Interviews;
3. Council Members identify top applicant and provide recommendation to the Mayor; and
4. Discuss and/or appoint applicant.

Mayor Tate introduced the item. The Council shared with the applicants, what their expectations are of a Library, Culture, and Arts Commissioner.

Council Interviewed the following applicants:
Valerie Goodwin
Raquel Gonzalez
Poonam Chabra

The special meeting was adjourned at 6:34 p.m.

Mayor Tate announced during the "Other Reports" section of the agenda that Poonam Chabra was unanimously selected to fill the vacancy on the Library, Culture, and Arts Commission.

RESULT:	**APPOINT**

REGULAR MEETING

7:00 P.M.

Mayor Tate called the regular meeting to order at 7:00 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Jachimowicz spoke about the Institute for Local Government (ILG) TIERS Program. A team from Morgan Hill attended a workshop in February along with 11 other agencies. The two-day workshop involved learning the TIERS framework which provides practical tools for engaging residents, including the immigrant community. Each agency went to the workshop with a specific project to apply the framework to. Morgan Hill's project was engaging the community on infrastructure, public safety services, and funding, which is a timely issue for us. The group felt that it was a successful two days and they will be coming back to Council with a report at the beginning of the next fiscal year with a game plan for implementing some of the strategies they learned to reach those goals moving forward.

She shared that she took part along with City Manager Christina Turner, Mayor Tate, and Council Member Carr in the Cities Association Annual General Membership meeting. At the meeting they talked about housing and transportation like they do at so many of the regional meetings they attend. Although they have not found any solutions or solid answers, they will continue to chip away at those issues. Along those lines, the Cities Association did support three ballot initiatives from this last election and all three passed.

She mentioned that in May she attended "Honoring the Badge" with Council Members Spring and Constantine and that our own Police Chief David Swing received an award that day.

She announced that the Relay for Life of Gilroy disbanded this year and the small team from Morgan Hill took them on; they are now the Relay for Life of South County. The program is run by two individuals from Morgan Hill, Nikki Underhill and Kelly Carmichael. They put on the whole event this year and so far, have raised $107,598. The event took place in May and they will be fundraising until August. These individuals are two stellar members of our community that are doing great work.

CITY MANAGER'S REPORT

Teammate Recognitions

New Hires
Michael Horta - Sr. Human Resources Analyst
Lynette Kong - Associate Engineer

Promotions
Jennie Tucker- Recreation Manager

Retirement
Debbie Lee- Lazzarino

TEAMMATE RECOGNITION PRESENTATION

City Manager Christina Turner recognized the new, promoted, and retired teammates.

She spoke to the evening's supplements and presentations. She shared that she visited the third grade room 115 class at Morgan Hill Charter School's Idea Fair. It was a very fun event. They presented their ideas about what would make Morgan Hill a better community. One of her favorite ideas, was the proposal to expand Cal Train services to provide services throughout the day and to add weekend services. Some other fun ideas were adding batting cages to Morgan Hill and for Morgan Hill to be a gluten free town. She commented that we have a busy summer that is already underway. The Aquatics Center opened on Memorial Day Weekend and has been a great success since the opening. The Aquatics Center is now open 7 days a week through August 17th. She mentioned that she, along with Council Members Spring and Carr, attended a South County Regional Wastewater Authority (SCRWA) Board meeting this morning and announced that SCRWA won the second place award for Outstanding Professional Accomplishment and Engineering Achievement by the California Water Environment Association. SCRWA operates the joint treatment plant for Morgan Hill and Gilroy which treats the sewage from the two cities. The SCRWA Plant has been an award winning plant for many years and this award like past awards is another indication of the excellent work that is being done. She concluded by announcing that June is Pride Month and last Friday the City held a Pride Flag raising ceremony.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin shared that on June 1st, High Speed Rail (HSR) released its 2018 Business

Plan. Upon first reading it doesn't look significantly different from the draft document. We are still anticipating HSR to identify their preferred alignment this month.

OTHER REPORTS

Mayor Tate announced that the next coffee with the Mayor will be on Saturday, June 23rd at Booksmart from 10:00 to 11:30 a.m.

He shared that earlier in the evening the City Council held interviews to fill a vacancy on the Library, Culture, and Arts Commission. The Council unanimously appointed Poonam Chabra to fill the vacancy.

RECOGNITIONS

Recognizing Roger Knopf for his time, dedication, and service to the Morgan Hill Corporation Yard Commission

PUBLIC COMMENT

The public comment was opened at 7:19 p.m.

John McKay was called to speak.

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 2 through 15 and 17 through 19.

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

2. ACCEPT HIGHLAND AVENUE SEWER UPGRADE PROJECT

Recommendation:

1. Accept as complete the Highland Avenue Sewer Upgrade Project in the final amount of $585,616;
2. Authorize the City Engineer to sign the attached Notice of Completion; and
3. Direct the City Clerk to file said Notice of Completion with the County Recorder's Office.

3. APPROVAL OF STORMWATER BEST MANAGEMENT PRACTICES (BMP) OPERATION AND MAINTENANCE AGREEMENT FOR BUTTERFIELD SELF STORAGE DEVELOPMENT AT 955 JARVIS DRIVE (APN: 726-25-090)

Recommendation:

1. Approve a Stormwater Best Management Practices (BMP) Operation and Maintenance Agreement for the Butterfield Self Storage at 955 Jarvis Drive (APN: 726-25-090); and
2. Authorize the City Manager to execute the Stormwater BMP Operation and Maintenance Agreement pending review and approval by the City Attorney.

4. APPROVAL OF STORMWATER BEST MANAGEMENT PRACTICES (BMP) OPERATION AND MAINTENANCE AGREEMENT FOR MJR ELECTRIC DEVELOPMENT AT 155 MAST STREET (APN: 817-02-050)

Recommendation:

1. Approve a Stormwater Best Management Practices (BMP) Operation and Maintenance Agreement for the MJR Electric development at 155 Mast Street (APN: 817-02-050); and
2. Authorize the City Manager to execute the Stormwater BMP Operation and Maintenance Agreement pending review and approval by the City Attorney.

5. APPROVAL OF STORMWATER BEST MANAGEMENT PRACTICES (BMP) OPERATION AND MAINTENANCE AGREEMENT FOR OAKWOOD SCHOOL DEVELOPMENT AT 105 JOHN WILSON WAY (APN: 779-04-073)

Recommendation:

1. Approve a Stormwater Best Management Practices (BMP) Operation and Maintenance Agreement for the Oakwood School development at 105 John Wilson Way (APN: 779-04-073); and
2. Authorize the City Manager to execute the Stormwater BMP Operation and Maintenance Agreement pending review and approval by the City Attorney.

6. FINAL MAP APPROVAL OF VALENCIA PHASE 2 - TRACT NO. 10433

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvements Agreement with MH Valencia 2015 Inc., a California Corporation;
3. Authorize the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorize the recordation of the Final Map, the Subdivision Improvements Agreement, and the Stormwater BMP Operation and Maintenance Agreement.

7. FINAL MAP APPROVAL OF SAN SEBASTIAN PHASE 2A - TRACT NO. 10451

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvements Agreement with Toll CA XX, LP;
3. Authorize the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorize the recordation of the Final Map, Subdivision Improvements Agreement, and the Stormwater BMP Operation and Maintenance Agreement.

8. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE COOPERATIVE AGREEMENTS WITH THE SANTA CLARA VALLEY WATER DISTRICT TO SHARE IN THE COSTS AND ADMINISTRATION OF WATER CONSERVATION PROGRAMS

Recommendation:

Adopt resolution authorizing the City Manager to execute and administer a Cooperative Agreement annually for water conservation purposes with the Santa Clara Valley Water District.

9. APPROVE AGREEMENT FOR UNIFORM SERVICES FOR UTILITIES AND MAINTENANCE STAFF

Recommendation:

Approve and authorize the City Manager to execute a three-year service agreement for a total of $66,000 with Prudential Overall Supply.

10. AWARD OF TRAFFIC SIGNING AND STRIPING MAINTENANCE SERVICE AGREEMENT

Recommendation:

1. Award a three-year contract to Chrisp Company in the amount of $225,000; and
2. Authorize the City Manager to execute and administer the Maintenance Service Agreement with Chrisp Company.

11. AWARD JANITORIAL SERVICE CONTRACT

Recommendation:

1. Award a two-year contract to Firato Service Company, Inc. in the amount of $880,859; and
2. Authorize the City Manager to execute and administer the Service Agreement with Firato Service Company, Inc.

12. APPROVE REHABILITATION OF THE 330 CREEKWOOD COURT BELOW MARKET RATE (BMR) HOME BY THE CITY HOUSING FUND

Recommendation:

1. Authorize rehabilitation of the Moderate, Below Market Rate (BMR) home located at 330 Creekwood Court to re-sell to an income-eligible buyer, preserving the unit within the City's affordable housing inventory at 120% of the Area Median Income and extending the affordability covenants; and
2. Adopt resolution to amend the City's Fiscal Year 2017-18 budget, appropriating $74,851.43 from the Housing Fund (255) for short term expenses associated with the rehabilitation of the home located at 330 Creekwood Court, to be recovered at the time of resale of the property.

13. AUTHORIZE WRITE-OFF OF UNCOLLECTIBLE HOUSING REHABILITATION LOAN IN ACCORDANCE WITH THE WRITE-OFF POLICY

Recommendation:

Authorize write-off of uncollectible housing loan in the amount of $38,725, in accordance with the write-off policy.

14. REPORT ON CURRENT OPERATIONS AT SKATEBOARD/BMX PARK

Recommendation:

Receive update on current operations at Skateboard/BMX Park.

15. ANNUAL EVALUATION REPORTS FOR THE SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI)

Recommendation:

Accept the Annual Evaluation Reports for FY 2015-16 (Year 1) and FY 2016-17 (Year 2) of the 2015 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI).

16. ITEM PULLED FOR DISCUSSION

17. ADOPT ORDINANCE APPROVING A COMPREHENSIVE UPDATE OF TITLE 18 – ZONING OF THE CITY OF MORGAN HILL MUNICIPAL CODE INCLUDING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP CONSISTENT WITH THE MORGAN HILL 2035 GENERAL PLAN (FILE NO. ZA2016-0006: ZONING CODE UPDATE)

Recommendation:

Waive the reading, adopt Ordinance No. 2277, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

18. APPROVE THE MAY 16, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

19. APPROVE THE MAY 18, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FOR DISCUSSION

16. CALL FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018

Recommendation:

1. Adopt resolution calling for a General Municipal Election to be held on Tuesday, November 6, 2018 to elect a Mayor; one Council Member from District B; and one Council Member from District D; and
2. Adopt resolution requesting the services of the Board of Supervisors of the County of Santa Clara and the Registrar of Voters Office - and the Consolidation of the Election.

The public comment was opened at 7:24 p.m.
Doug Muirhead was called to speak.
There being no further requests to speak, the public comment was closed.

MOTION:
Approving the recommended action.

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

PUBLIC HEARING

20. CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1 RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS

Recommendation:

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year 18/19 annual assessments and ordering the levy of assessments for the District.

Interim Deputy City Manager Chris Ghione provided the report.

The public comment was opened at 7:27 p.m.
There being no requests to speak, the public comment was closed.

MOTION:
Approving the recommended action.

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

21. PUBLIC HEARING TO ADOPT THE FISCAL YEAR (FY) 2018-19 AND 2019-20 OPERATING BUDGET, FY 2018-19 THROUGH 2023-24 CAPITAL IMPROVEMENT BUDGET, FY 2018-19 APPROPRIATIONS LIMIT, AND APPROVE A FIVE-YEAR AGREEMENT WITH CAL FIRE

Recommendation:

1. Open/Close Public Hearing;
2. Adopt resolution to:
   a. Adopt the FY 2018-19 and 2019-20 Operating Budget;
   b. Adopt the FY 2018-19 through 2023-24 Capital Improvement Program Budget;
   c. Adopt the FY 2018-19 Appropriations Limit and Appropriations Limit Adjustment Factors;
3. Adopt resolution authorizing the City Manager to enter into a five-year agreement with the California Department of Forestry and Fire Protection (CAL FIRE) to provide fire and emergency medical response services effective July 1, 2018 through June 30, 2023; and
4. Adopt the Management, Professional, and Confidential Employees resolution and corresponding salary schedules effective July 1, 2018.

City Manager Christina Turner, along with Assistant City Manager Cindy Murphy, Finance Director Dat Nguyen, and Budget Manager Monica Delgado provided the report.

The public comment was opened at 7:56 p.m. The following people were called to speak:
Charles Weston and Heidi Golden
Margo Hinnenkamp
Kathy Sullivan
John McKay
Brian Sullivan
There being no further requests to speak, the public comment was closed.

MOTION:
Directing the City Manager to negotiate an agreement with the Grange spending up to $25,000 for the installation of an air conditioning system and negotiate a facility use agreement for City use of the Grange Hall.

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

MOTION:
Approving the recommended actions and include additional funding for the Grange.

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

CLOSED SESSION

CLOSED SESSION ANNOUNCEMENT

City Attorney Donald Larkin announced the closed session item.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 8:31 p.m.

There being no requests to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session 8:31 p.m.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to:	Government Code Section 54956.9(d)(4)
Number of Cases:	One (1)

RECONVENE

The meeting reconvened at 9:17 p.m.

City Attorney Donald Larkin announced that there was no reportable action from the closed session.

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

The meeting was adjourned at 9:17 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk