



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, July 18, 2018 5:30 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

**(5:30 P.M. Closed Session and Residential Development Control System (RDSCS)
Workshop/ 7:00 P.M. Regular Meeting)**

***A special meeting of the City Council is called at 5:30 p.m. for the purpose of conducting
a closed session and a workshop.***

SPECIAL MEETING

5:30 P.M.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
(Deputy City Clerk Bigelow)

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

CLOSED SESSION ANNOUNCEMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to: Government Code Section 54956.9(d)(2)

Number of Cases: One (1)

RECONVENE

RDCS WORKSHOP

The purpose of the workshop is to discuss implementation measures within the Residential Development Control System (RDCS) and their effect on the City's efforts to meet the assigned Regional Housing Needs Allocation (RHNA).

RDCS WORKSHOP

REGULAR MEETING

7:00 P.M.

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 Carr

CITY MANAGER'S REPORT

SIGN ETHICS POSTER

CITY ATTORNEY'S REPORT

OTHER REPORTS

RECOGNITION

Recognition of community partners for their contributions to the 2018 Amgen Tour of California and City's acceptance of gift from Specialized Bicycle Components.

AMGEN RECOGNITIONS

PRESENTATIONS

YAC PRESENTATION- ASSET #27- EQUALITY & SOCIAL JUSTICE

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. APPROVE RULES FOR THE CONDUCT OF PLANNING COMMISSION MEETINGS

Recommendation:

Approve the Rules for the Conduct of Planning Commission Meetings.

2. TWO RESOLUTIONS AUTHORIZING ACTIVE TRANSPORTATION PROGRAM (ATP) GRANT APPLICATIONS

Recommendation:

Adopt two resolutions approving the following actions:

1. Authorizing staff to prepare and submit an Active Transportation Program (ATP) Grant Application to both the California Transportation Commission/California Department of Transportation (CTC/Caltrans) and to the Metropolitan Transportation Commission (MTC) for implementation of the Morgan Hill Safe Routes to School Action plan and related infrastructure improvements; and
2. Authorizing the City Manager to negotiate and execute the ATP grant agreement and other documents, reports, forms, and agreements related to the performance of the identified projects.

3. SCHOOL RESOURCE OFFICER AGREEMENT 2018-2019

Recommendation:

Authorize Approval of Fiscal Year 2018-2019 School Resource Officer Memorandum of Understanding with Morgan Hill Unified School District.

4. ACQUISITION OF PROPERTY (KERR) APN 767-05-024 FOR THE HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Adopt resolution approving the purchase of a portion of APN 767-05-024 for \$11,000 plus escrow and closing costs from Susan L. Kerr and Robert A. Kerr for the Hale Avenue Extension Project; and
2. Authorize the City Manager to execute all documents and make minor modifications as necessary in order to consummate the transaction.

5. ACCEPTANCE OF GALVAN PARK HANDBALL COURT IMPROVEMENTS PROJECT

Recommendation:

1. Accept as complete the Galvan Park Handball Court Improvements Project in the final amount of \$512,031;
2. Authorize the City Engineer to sign the attached Notice of Completion; and
3. Direct the City Clerk to file the said Notice of Completion with the County Recorder's Office.

6. ACCEPT OAK CANYON BOOSTER STATION REHABILITATION PROJECT

Recommendation:

1. Accept as complete the Oak Canyon Booster Station Rehabilitation Project in the final amount of \$1,721,585;
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.

7. ACCEPT SUBDIVISION PUBLIC IMPROVEMENTS – CALLE SIENA - TRACT NO. 10293

Recommendation:

1. Accept the subdivision public improvements for Calle Siena – Tract No. 10293;
2. Authorize the City Engineer to sign a Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the Recorder of Santa Clara County.

8. FINAL MAP APPROVAL OF SAN SEBASTIAN PHASE 2B - TRACT NO. 10457

Recommendation:

1. Approve the Final Map;
2. 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
3. Authorize the recordation of the Final Map and the Stormwater BMP Operation and Maintenance Agreement.

9. APPROVE CONSTRUCTION CONTINGENCY INCREASE FOR BOYS RANCH WELL #2A & JACKSON WELL #3 PROJECT

Recommendation:

Adopt resolution approving the following actions:

1. Approve construction contingency increase of 10% (\$128,123) with Conco West, Inc. for the Boys Ranch Well #2A and Jackson Well #3 Project; and
2. Approve an amendment to the City's Fiscal Year 18-19 budget for \$128,123 from the Water Operations CIP Fund Balance (653).

10. APPROVAL OF MICROSOFT ENTERPRISE AGREEMENT EXPENDITURES

Recommendation:

Authorize the expenditure of not to exceed \$81,321.89 and \$80,000.00 for the second and third years, respectively, of the existing Microsoft Enterprise Agreement to Insight Public Sector, Inc.

11. AWARD PEST CONTROL MAINTENANCE SERVICE AGREEMENT

Recommendation:

1. Award a two-year contract to Animal Damage Management, Inc. in the amount of \$70,320; and
2. Authorize the City Manager to execute and administer the Maintenance Service Agreement with Animal Damage Management, Inc.

12. PROFESSIONAL SERVICE AGREEMENTS WITH CSG CONSULTANTS, INC. AND HARRIS & ASSOCIATES, INC. FOR ON-CALL LAND DEVELOPMENT ENGINEERING PLAN REVIEW AND TECHNICAL SUPPORT SERVICES

Recommendation:

Authorize the City Manager to execute two agreements; one with with CSG Consultants Inc. and one with Harris & Associates, Inc. for \$161,500 each, with a \$48,450 contingency to be specifically authorized by the City Manager, for a total contract amount not to exceed \$209,950 each with a combined total for both two-year agreements not exceeding the budgeted amount of \$439,000.

13. MAY 2018 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

14. APPROVE THE JUNE 20, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

15. APPROVE PLACING A TRANSIENT OCCUPANCY TAX (TOT) INCREASE ON THE NOVEMBER 2018 BALLOT AND PROVIDE DIRECTION REGARDING THE ESTABLISHMENT OF A TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID)

Recommendation:

1. Open and close the public hearing;
2. Adopt resolution calling a general municipal election and ordering consolidation with the statewide general election for the purpose of submitting to the voters a 1% increase to the transient occupancy tax for general revenue purposes and authorizing the City Clerk to contract with the County of Santa Clara for services to be performed in connection with the statewide general election to be held on Tuesday, November 6, 2018;
3. Direct the City Attorney to prepare an impartial analysis of the proposed ballot measure;
4. Determine whether the Council will submit an argument related to the ballot measure and designate the Mayor and/or Councilmembers to write the argument;
5. Determine whether to print the full text of the ordinance in the voter pamphlet;
6. Direct the City Clerk and the City Attorney to take all necessary actions to submit the proposed ballot measure to the voters; and
7. Determine whether to direct staff to complete the steps to establish a TBID.

Estimated Time: 90 Minutes

16. APPROVE PROPOSED BALLOT MEASURE REGARDING THE TAXATION OF CANNABIS

Recommendation:

1. Open and close the public hearing;
2. Adopt resolution calling a general municipal election and ordering consolidation with the statewide general election for the purpose of submitting to the voters a cannabis business tax ordinance and authorizing the City Clerk to contract with the County of Santa Clara for services to be performed in connection with the statewide general election to be held on Tuesday, November 6, 2018;
3. Direct the City Attorney to prepare an impartial analysis of the proposed ballot measure;
4. Determine whether the Council will submit an argument related to the ballot measure and designate the Mayor and/or Councilmembers to write the argument;
5. Determine whether to print the full text of the ordinance in the voter pamphlet; and
6. Direct the City Clerk and the City Attorney to take all necessary actions to submit the proposed ballot measure to the voters.

Estimated Time: 45 Minutes

17. APPROVE BALLOT MEASURE FOR APPOINTIVE CITY CLERK AND CITY TREASURER

Recommendation:

1. Open and close the public hearing;
2. Adopt resolution calling a general municipal election and ordering consolidation with the statewide general election for the purpose of seeking voter approval for appointed City Clerk and City Treasurer positions and authorizing the City Clerk to contract with the County of Santa Clara for services to be performed in connection with the statewide general election to be held on Tuesday, November 6, 2018;
3. Adopt resolution approving an amendment to the Fiscal Year 2018-19 budget to appropriate \$52,300 to the elections budget (010.2420.42231) for this ballot measure;
4. Direct the City Attorney to prepare an impartial analysis of the proposed ballot measure;
5. Determine whether the Council will submit an argument related to the ballot measure and designate the Mayor and/or Councilmembers to write the argument; and
6. Direct the City Clerk and the City Attorney to take all necessary actions to submit the proposed ballot measure to the voters.

Estimated Time: 30 Minutes

OTHER BUSINESS

18. INCLUSIONARY HOUSING ORDINANCE

Recommendation:

1. Waive the First and Second Reading of the Ordinance; and
2. Introduce Ordinance.

Estimated Time: 60 Minutes

19. RESPONSE TO 2017-2018 CIVIL GRAND JURY REPORT

Recommendation:

1. Accept report and response to the Santa Clara County Civil Grand Jury Report, "Police and the Mentally Ill; Improving Outcomes"; and
2. Authorize the City Manager to send the response letter.

Estimated Time: 10 Minutes

20. VOTING DELEGATES FOR THE 2018 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Recommendation:

1. Appoint voting delegate and up to two (2) alternate voting delegates to the League of California Cities' Annual Conference; and
2. Direct the Clerk's team to complete and forward the voting delegate form to the League of California Cities.

Estimated Time: 5 Minutes

21. COMMISSION FISCAL YEAR 18/19 WORK PLANS

Recommendation:

1. Approve the proposed Parks and Recreation Commission FY 2018/19 Work Plan; and
2. Approve the proposed Library, Culture and Arts Commission FY 2018/19 Work Plan.

Estimated Time: 10 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.