



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, August 22, 2018 6:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

PUBLIC NOTICE

The public hearing continued from the July 25, 2018 City Council Meeting regarding:

ZA2018-0003: AN ORDINANCE AMENDING THE COMPETITION MANUAL FOR THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) AND ESTABLISHING THE AVAILABLE ALLOTMENTS FOR THE 2018 COMPETITION YEAR

Will be continued from August 22, 2018 to the September 5, 2018 City Council Meeting.

SPECIAL/REGULAR MEETING

(6:00 P.M. Closed Session/ 7:00 P.M. Regular Meeting)

A special meeting of the City Council is called at 6:00 p.m. for the purpose of conducting a closed session.

SPECIAL MEETING

6:00 P.M.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
(Minutes Clerk Gonzalez)

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

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; Edward Kreisberg, Meyers Nave
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 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

Mayor Pro Tem Constantine

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PROCLAMATION

Proclaiming the week of August 20-26, 2018 as Women's Equality Week

August 22, 2018

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. ACCEPTANCE OF DOWNTOWN PARKS PROJECT

Recommendation:

1. Accept as complete, the Downtown Parks Project, in the final amount of \$5,413,872;
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.

2. ACCEPTANCE OF SUBDIVISION PUBLIC IMPROVEMENTS – ESPERANZA - TRACT NO. 10277

Recommendation:

1. Accept the Subdivision Public Improvements for Esperanza – Tract No. 10277;
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 County Recorder's Office.

3. ADOPT RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER TO MAKE AND CERTIFY DETERMINATIONS OF INDUSTRIAL DISABILITY TO THE CALIFORNIA EMPLOYEES' RETIREMENT SYSTEM.

Recommendation:

Adopt resolution to delegate authority to the City Manager to make and certify determinations of industrial disability to the California Public Employees' Retirement System (CalPERS).

4. APPROVE PROPERTY CONVEYANCE AGREEMENT WITH SANTA CLARA COUNTY FOR HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Adopt resolution approving the conveyance of portions of properties from APN 767-06-034 and 767-06-035 from the County of Santa Clara to the City of Morgan Hill 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. APPROVAL OF IMPROVEMENT AGREEMENT AND STORMWATER BEST-MANAGEMENT-PRACTICES OPERATION AND MAINTENANCE AGREEMENT WITH UHC 00661 MORGAN HILL, L.P.

Recommendation:

1. Approve an Improvement Agreement with UHC 00661 Morgan Hill, L.P.;
2. Authorize the City Manager to execute the Improvement Agreement;
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 Improvement Agreement and the Stormwater BMP Operation and Maintenance Agreement.

6. APPROVE AGREEMENT ACCEPTING SELECTIVE TRAFFIC ENFORCEMENT GRANT

Recommendation:

Adopt resolution to:

1. Authorize the City Manager to execute an Agreement with the California State Office of Traffic Safety accepting grant funds from the Selective Traffic Enforcement Grant Program in the amount of \$43,000; and
2. Amend the FY 18-19 general fund budget to recognize grant revenue and appropriate \$43,000 in expenditures.

7. APPROVAL OF RECLASSIFICATIONS OF POSITIONS, TITLE CHANGE, AND SALARY SCHEDULE

Recommendation:

1. Approve reclassification of Community Services Director to Public Services Director and salary range for Public Services Director;
2. Approve reclassification of Community Services Coordinator to Community Services Supervisor;
3. Approve re-title of the flexibly-staffed classifications of Engineering Aide I/II to Engineering Technician I/II; and
4. Approve Elected Officials and City Council Appointed Positions Salary Schedule.

8. RATIFY AGREEMENT WITH COUNTY OF SANTA CLARA (SAN MARTIN ANIMAL SHELTER) FOR ANIMAL SERVICES

Recommendation:

Ratify the three-year agreement, for a total of \$92,727, with Santa Clara County Animal Shelter (San Martin), for the housing and medical treatment of stray animals.

9. APPROVE FUNDS FOR TEMPORARY EMERGENCY HOTEL STAYS FOR THOSE AT-RISK OF HOMELESSNESS AS A RESULT OF BEING DISPLACED

Recommendation:

Approve the use of housing funds (maximum \$7,000) to be used for a 3-day emergency hotel stay, in the event that a household receives a notice of violation or "red tag" from City code enforcement, resulting in a temporary and immediate homeless situation.

10. APPROVE AGREEMENT FOR ELECTRIC VEHICLE CHARGING STATIONS

Recommendation:

Approve agreement with EV Connect, Inc. to install and administer electric vehicle charging stations at the Centennial Recreation Center and the John Moreno Police Facility, and authorize the City Manager to execute the agreement.

11. REJECTION OF BIDS FOR THE LIBRARY EXPANSION PROJECT

Recommendation:

Reject bids for the Library Expansion Project.

12. ANNUAL EVALUATION REPORT FOR THE SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI) FOR FISCAL YEAR 2017-18 (YEAR 3)

Recommendation:

Accept the Annual Evaluation Report for FY 2017-18 (Year 3) of the 2015 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI).

13. ANNUAL REPORTS OF ACTIVITIES BY NONPROFIT PARTNER ORGANIZATIONS

Recommendation:

Receive annual reports from City partner organizations.

14. APPROVE UPDATE TO THE LEADERSHIP MORGAN HILL UTILITY BOX ART PROJECT

Recommendation:

Approve proposed additional artwork and new locations for the Leadership Morgan Hill Class of 2018 Utility Box Art Project.

15. APPROVE CITY POSITION ON PENDING LEGISLATION SB 794 (FIREWORKS)

Recommendation:

Receive legislative correspondence.

PUBLIC HEARING

**16. APPEAL (AAE2018-0010) OF PLANNING COMMISSION'S DECISION ON
CONDITIONAL USE PERMIT (UP2017-0015) FOR A DRIVE-THROUGH, SELF-SERVICE,
AUTOMATED CAR WASH ON PROPERTY IDENTIFIED BY ASSESSOR PARCEL
NUMBER 817-29-027 LOCATED ON THE SOUTHWEST CORNER OF CAPUTO DRIVE
AND TENNANT AVENUE**

Recommendation:

1. Grant a hearing de novo;
2. Open/close public hearing; and
3. Adopt resolution denying the appeal and reaffirming the decision of the Planning Commission to approve the project subject to Conditions of Approval.

Estimated Time: 30 Minutes

OTHER BUSINESS

17. APPROVE RESPONSE TO GRAND JURY REPORT - AFFORDABLE HOUSING

Recommendation:

Authorize the City Manager to file the Response to the Civil Grand Jury Report, "Affordable Housing Crisis *Density is our Destiny*", with the Presiding Judge of the Santa Clara County Superior Court.

Estimated Time: 30 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.

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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.