



CITY OF MORGAN HILL

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, September 5, 2018 7:00 pm

Council Chamber

17555 Peak Avenue, Morgan Hill, CA 95037

PUBLIC NOTICE

The Public Hearing on Establishing an Annual Regulatory Fee for Massage Establishments within the City limits that was noticed for consideration by the City Council at this meeting will be continued to the October 3, 2018 City Council meeting. This will be duly noticed.

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.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2

(Deputy City Clerk Wilson)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Jachimowicz

CITY MANAGER'S REPORT

Quarterly Teammate Recognition

New Hires

Jose Garcia Gomez- Recreation Services Coordinator
Ericka Davis - Accounting Assistant II
Mariah Dabel- Community Services Supervisor
Patricia Pretell- Accounting Technician
Kira Sareli- Police Recruit
Samuel (Sam) Huezo- Police Officer
Andrew Martinez- Health & Wellness Director (CRC/YMCA)
Katie Plaza- Health & Wellness Coordinator (CRC/YMCA)

Promotions

Eric Blomquist - Building Official
Daniel Cardwell- Building Inspector Supervisor
Chris Ghione - Public Services Director
John Lang - Economic Development Manager
Nichole Martin- Community Services Supervisor

Retirement

Jerry Neumayer- Police Captain
Pat Heikens- Accounting Technician

TEAMMATE RECOGNITION PRESENTATION

CITY ATTORNEY'S REPORT

OTHER REPORTS

PROCLAMATIONS

Proclaiming the week of September 17-23, 2018 as Constitution Week
Proclaiming the month of September as Childhood Cancer Awareness Month
Proclaiming the month of September as Emergency Preparedness Month

RECOGNITIONS

South Valley Civic Theatre 50th Anniversary

Tropos Technology Donation

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)

PUBLIC COMMENT SUPPLEMENTAL

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. ACCEPT DONATION OF TWO ELECTRIC COMPACT UTILITY VEHICLES FROM TROPOS TECHNOLOGIES

Recommendation:

1. Accept donation of two electric utility vehicles from Tropos Technologies, Inc. valued at approximately \$32,000; and
2. Authorize the City Manager to execute and administer all agreements necessary to accept the donation.

2. WATER METERING INFRASTRUCTURE EXPENDITURE REPORT AND CONTINUATION OF SENSUS USA SOLE SOURCE DESIGNATION

Recommendation:

1. Receive report on sole source purchases of water meters, advanced metering infrastructure (AMI) equipment and supporting services; and
2. Reaffirm Sensus USA, Inc.'s designation as the City's sole source provider through the term of the existing agreement between the City and Sensus USA, Inc. (January 21, 2034).

3. APPROVE CITY SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS

Recommendation:

1. Authorize the City's voting delegate(s) to vote on the two resolutions to be considered at the League of California Cities (LOCC) annual conference; and
2. Direct staff to participate in advocacy efforts related to the resolutions: 1) Local Municipal Authority, Control, and Revenue and 2) Repeal Preemption of Regulating Pesticides.

4. UPDATE ON DOWNTOWN SPECIAL EVENTS AND STREET CLOSURES

Recommendation:

Receive update on Downtown Special Events and Street Closures.

5. APPROVE STORMWATER BEST MANAGEMENT PRACTICES (BMP) OPERATION AND MAINTENANCE AGREEMENT FOR A NEW OFFICE AND WAREHOUSE BUILDING LOCATED AT 16250 VINEYARD BOULEVARD (APN: 817-05-065)

Recommendation:

1. Approve a Stormwater Best Management Practices (BMP) Operation and Maintenance Agreement for a new office and warehouse building located at 16250 Vineyard Boulevard (APN: 817-05-065); and
2. Authorize the City Manager to execute the Stormwater BMP Operation and Maintenance Agreement pending review and approval by the City Attorney.

6. APPROVE AGRICULTURAL PROPERTY PURCHASE, EASEMENT, AND RESALE FOR 1469 MAPLE AVENUE

Recommendation:

1. Approve the purchase of the land at 1469 Maple Ave., subject to the City Attorney and City Manager's approval of the appraisal and toxics evaluation, and authorize the City Manager to execute all agreements, documents, and certifications related to the purchase of the property;
2. Adopt resolution amending the FY 2018-2019 Adopted Budget by increasing the appropriation for land acquisition in the Agricultural Preservation CIP Project (No. 140016) by \$400,000;
3. Direct staff to enter into and complete negotiations with a land trust, public agency, or other qualified conservation easement administrator for the administration of an agricultural conservation easement and record an easement on the rear ten acres of the property which prevents any development for nonagricultural purposes on these lands in perpetuity. The City Manager is authorized to execute all agreements, documents, and certifications required to complete the agreement for the easement and its related recordation with Santa Clara County and to make all payments required for the easement so long as they are within the appropriated budget; and
4. Direct staff to take all reasonable measures available, in compliance with State law, to resell the property for the highest return available and return the net proceeds of the sale to the City's Agricultural Preservation and Open Space Fund. The City Manager is authorized to execute all agreements, documents, and certifications necessary to complete the sale.

7. APPROVE RE-SUBORDINATION OF EXISTING CITY LOAN FOR REHABILITATION OF SYCAMORE GLEN SENIOR AFFORDABLE HOUSING APARTMENTS

Recommendation:

Approve re-subordination of existing \$200,000 City loan for rehabilitation of 20-unit Sycamore Glen Senior Affordable Housing Apartment Complex.

8. APPROVE THE JULY 13, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

9. APPROVE THE JULY 18, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

10. APPROVE THE JULY 25, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

11. APPROVE THE JULY 25, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

12. APPROVE THE JULY 27, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

13. APPROVE THE AUGUST 22, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

14. APPROVE THE AUGUST 27, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

**15. CONSIDER JOINING THE SANTA CLARA/SANTA CRUZ COUNTIES
AIRPORT/COMMUNITY ROUNDTABLE**

Recommendation:

1. Consider adopting a resolution for the City to join the Santa Clara/Santa Cruz Airport/Community Roundtable and appoint a representative and alternate; and
2. Authorize the City Manager to execute all documents necessary for participation in the Roundtable.

Estimated Time: 10 Minutes

16. REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) SUBREGION CONSIDERATION

Recommendation:

1. Consider the Cities Association of Santa Clara County Board of Directors' request of each City Council and the County Board of Supervisors to support the concept of forming a Regional Housing Needs Allocation (RHNA) Sub-Region and forward the city's response to the Cities Association Board of Directors by September 28, 2018; and
2. Adopt resolution of support for the creation of a RHNA Sub-Region.

Estimated Time: 15 Minutes

PUBLIC HEARING

**17. APPROVE AMENDMENTS TO TENTATIVE SUBDIVISION MAP AND PLANNED
DEVELOPMENT MASTER PLAN FOR A PROPOSED COMMERCIAL AND RETAIL
CENTER LOCATED ON THE EASTERLY SIDE OF BUTTERFIELD BOULEVARD
BETWEEN COCHRANE ROAD AND JARVIS DRIVE APN 726-25-035 AND 726-32-021
(COCHRANE ROAD INVESTORS, LLC, OWNERS)**

Recommendation:

1. Open and close public hearing;
2. Adopt Subdivision resolution;
3. Waive first and second reading of Zoning Amendment Ordinance; and
4. Introduce Zoning Amendment Ordinance.

Estimated Time: 15 Minutes

**18. APPROVE URBAN SERVICE AREA AMENDMENT USA2018-0001: TENNANT-SOUTH
COUNTY CATHOLIC HIGH SCHOOL**

Recommendation:

Adopt resolution authorizing the City to apply to the Santa Clara County Local Agency Formation Commission (LAFCO) for an amendment to the City's Urban Service Area (USA) boundary, as proposed in application USA2018-0001: Tennant-South County Catholic High School, to include approximately 64.56 acres located on both sides of Murphy Avenue between Barrett Avenue and Tennant Avenue (APNs: 817-17-001, -025, -026; 817-13-008, -011, and -037).

Estimated Time: 30 Minutes

19. 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

Recommendation:

1. Open/close public hearing;
2. Waive first and second reading of Ordinance amending Section III of the RDCS Competition Manual;
3. Introduce Ordinance amending Section III of the RDCS Competition Manual;
4. Adopt resolution amending Sections I, II and IV of the RDCS Competition Manual; and
5. Adopt resolution establishing 215 Fiscal Year 2020/21 allotments for the 2018 RDCS competition.

Estimated Time: 60 Minutes

20. CONDUCT HEARING AND CONSIDER ADOPTION OF RESOLUTION OF NECESSITY FOR THE HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Adopt resolution of Necessity determining that the public interest and necessity require the acquisition by eminent domain of real property from Pacific Gas and Electric Company as identified in Exhibits A and B for the Hale Avenue Extension Project;
2. Authorize the City Attorney to file suit in eminent domain with respect to said property; and
3. Approve the expenditure of \$869,000 for said properties for deposit into the State Condemnation Deposit Fund.

Estimated Time: 10 Minutes

OTHER BUSINESS

21. ADOPT ORDINANCE ESTABLISHING NEWSRACK CONSOLIDATION PROGRAM

Recommendation:

1. Waive the first and second reading of the ordinance; and
2. Introduce the ordinance authorizing the City Manager to create a Newsrack Consolidation Program to regulate the placement, size, and appearance of newsracks located in the public-right-of-way.

Estimated Time: 30 Minutes

22. PROVIDE DIRECTION REGARDING NON-PROFIT CENTER PURCHASE OPPORTUNITY AND FRIENDLY INN SALE

Recommendation:

1. Direct City staff to incorporate the acquisition of a non-profit center within the negotiations for the redevelopment of the Hale Lumber site; and
2. Provide City staff direction on the future sale of the El Toro Youth Center Building.

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.