



CITY OF MORGAN HILL

Regular Meeting Agenda

City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Council Member
Larry Carr - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, December 19, 2018 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

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 Constantine)

ROLL CALL ATTENDANCE

(Deputy City Clerk Bigelow)

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
(Deputy City Clerk Bigelow)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Mayor Constantine

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

PRESENTATIONS

Morgan Hill Community Library, Heather Geddes

YAC PRESENTATION ASSET # 39 - SENSE OF PURPOSE

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 SUPPLEMENT 1

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. ACKNOWLEDGE NO BIDS FOR PARKING STRUCTURE SAFETY ENHANCEMENT PROJECT AND DIRECT STAFF TO NEGOTIATE CONTRACT FOR SERVICES

Recommendation:

1. Adopt resolution appropriating up to \$220,000 from the Public Facilities Fund (346) for improvements within the Parking Structure;
2. Authorize the City Manager to negotiate, execute, and administer agreements up to \$420,000 for parking structure improvements; and
3. Direct the City Manager to provide a full report to the City Council on actions implemented and the associated agreements for services and materials.

2. APPROVE AGREEMENT WITH HINDERLITER, DE LLAMAS AND ASSOCIATES (HdL), FOR SALES AND USE TAX AUDIT AND BUSINESS LICENSE ADMINISTRATION SERVICES

Recommendation:

1. Approve an agreement with Hinderliter, de Llamas and Associates (HdL), for sales and use tax audit, and business license administration services;
2. Authorize the City Manager to execute and administer that certain agreement; and
3. Adopt resolution authorizing certain City officials and HdL to examine the sales, use, and transaction tax records of the State of California Department of Tax and Fee Administration.

3. ACCEPT GRANT FUNDING FOR AN EMERGENCY BACKUP GENERATOR FOR THE CENTENNIAL RECREATION CENTER AND AUTHORIZE THE PURCHASE AND INSTALLATION OF THE GENERATOR

Recommendation:

Adopt resolution to amend the City's Fiscal Year (FY) 2018-19 adopted budget, to appropriate \$235,000 from the Community/Recreation Centers Impact Fund (360) for the purchase and installation of an emergency back up generator for the Centennial Recreation Center, subject to reimbursement of \$140,249.80 from the State of California Hazard Mitigation Program.

4. ACCEPT DONATION FROM COMMUNITY LAW ENFORCEMENT FOUNDATION

Recommendation:

Adopt a resolution:

1. Accepting a donation from the Community Law Enforcement Foundation in the amount of \$25,439, for the purchase of ballistic plates and carriers for first responders, enhanced communication equipment for our tactical team, and integration costs for a community engagement and evaluation program;
2. Amending the adopted Fiscal Year (FY) 2018-19 budget in the General Fund (010) to recognize the CLEF donation as revenue, and appropriate \$25,439 in the Police Department budget for associated expenditures; and
3. Appropriating a transfer of \$15,840 from the Asset Seizure Fund (225) and to the General Fund (010) for the annual program subscription services.

5. APPROVE AGREEMENT WITH OUTREACH SERVICES IN PARTNERSHIP WITH THE COUNTY OF SANTA CLARA

Recommendation:

1. Approve an agreement with the County of Santa Clara Office of Supportive Housing for Homeless Services to continue support for joint Rapid Re-Housing and Homeless Outreach Services specifically for South County; and
2. Authorize the City Manager to execute and administer the certain agreement.

6. REJECT BID PROTEST AND AWARD NEW COMMUNITY GARDEN INSTALLATION PROJECT

Recommendation:

1. Reject bid protest;
2. Award contract to Castlewood Construction Company, Inc. in the amount of \$195,000 for Community Garden construction;
3. Authorize the expenditure of contingency funds not to exceed \$19,500; and
4. Authorize the City Manager to execute and administer that certain construction contract with Castlewood Construction Company, Inc.

7. APPROVE AGREEMENT FOR TRANSPORTATION FUND FOR CLEAN AIR (TFCA) FUNDING FOR THE MAIN AVENUE BIKE LANE AND SIDEWALK PROJECT

Recommendation:

Adopt resolution:

1. Approving the Santa Clara Valley Transportation Authority's funding agreement for the Bay Area Air Quality Management District TFCA grant program for up to \$65,100 towards the construction of the Main Avenue Bike Lane and Sidewalk Project;
2. Amending the adopted Fiscal Year (FY) 2018-19 budget in School Pedestrian and Traffic Safety Fund (355) to recognize the TFCA Grant as revenue; and
3. Authorizing the Public Services Director to execute and administer the TFCA agreement.

8. APPROVE STORMWATER BEST MANAGEMENT PRACTICES OPERATION AND MAINTENANCE AGREEMENT FOR THE RESIDENTIAL CARE FACILITY FOR THE ELDERLY AT 16515 BUTTERFIELD BLVD (APN: 817-57-049)

Recommendation:

1. Approve a Stormwater Best Management Practices (BMP) Operation and Maintenance Agreement for the Residential Care Facility for the Elderly at 16515 Butterfield Blvd. (APN: 817-57-049); and
2. Authorize the City Manager to execute the Stormwater BMP Operation and Maintenance Agreement pending review and approval by the City Attorney.

9. ACCEPT SUBDIVISION PUBLIC IMPROVEMENTS - CONNEMARA PHASE 2 - TRACT NO. 10357

Recommendation:

1. Accept the Subdivision Public Improvements for Connemara Phase 2 – Tract No. 10357;
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.

10. APPROVE PHASE 1 RECORDS RETENTION SCHEDULE UPDATE

Recommendation:

Approve changes to the City's Records Retention Schedule.

11. APPROVE THE DECEMBER 5, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

12. APPROVE THE DECEMBER 12, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

13. RECEIVE HIGH SPEED RAIL (HSR) UPDATE AND APPROVE HDR ENGINEERING INC. CONTRACT FOR GRADE SEPARATIONS STUDY

Recommendation:

1. Authorize City Manager to execute a contract with HDR Engineering, Inc., in the amount of \$125,000 to study roadway grade separations at Dunne Avenue and Tennant Avenue; and
2. Adopt resolution approving a three-year interfund loan in the amount of \$125,000 to the Traffic Impact Fund from the Local Drainage Impact Fund and amend the City's adopted Fiscal Year 2018-19 budget in funds No. 303 and 309 for related expenditures.

Estimated Time: 30 Minutes

14. APPROVE OUTDOOR SPORTS CENTER OPERATOR AGREEMENT

Recommendation:

1. Authorize the City Manager to execute an operations and maintenance agreement with MHOSC, LLC. for the Outdoor Sports Center; and
2. Adopt resolution appropriating \$100,000 from the Park Impact Fund (301) and \$50,000 from the General Fund (010), a total of \$150,000, for improvements and repairs to the Outdoor Sports Center.

Estimated Time: 30 Minutes

15. APPROVE MAGICAL BRIDGE MORGAN HILL PLAYGROUND CONCEPT DESIGN

Recommendation:

Approve the updated conceptual design for the Magical Bridge Inclusive Playground at Community Park.

Estimated Time: 20 Minutes

16. ADOPT POLICY FOR RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) AGRICULTURAL PRESERVATION EXEMPT SET-ASIDES, TRANSFER OF DEVELOPMENT RIGHTS AND/OR AUCTION

Recommendation:

1. Adopt a policy for Agricultural Set-A-Sides, Transfer of Development Rights, and/or Auction process;
2. Establish number of Agricultural Set-A-Sides Available for Auction in 2019; and
3. Authorize 2019 Auction.

Estimated Time: 20 Minutes

17. PROVIDE DIRECTION REGARDING MONTEREY CORRIDOR BLOCK-LEVEL MASTER PLAN ALTERNATIVES

Recommendation:

Receive report and provide direction to staff on follow-up recommendation for Block-Level Master Plan Alternative for two Monterey Road Corridor projects.

Estimated Time: 20 Minutes

18. SELECT CITY COUNCIL MAYOR PRO TEMPORE AND REVIEW CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Recommendation:

1. Open floor to nomination(s) for Mayor Pro Tempore;
2. Select a Council Member to serve as Mayor Pro Tempore per City Council Policy 99-01; and
3. Review and discuss the listing of City Council Appointments to Outside Agencies.

Estimated Time: 5 Minutes

PUBLIC HEARING

19. ACCEPT PUBLIC COMMENT REGARDING THE MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID)

Recommendation:

Receive and accept public comment on the formation of a Morgan Hill TBID.

Estimated Time: 5 Minutes

20. DEVELOPMENT AGREEMENT APPLICATION DA2018-0002: E. DUNNE-YOUNG: REQUEST FOR APPROVAL OF A DEVELOPMENT AGREEMENT FOR THE FIRST 20 UNITS OF A 46-UNIT, THREE STORY, MULTI-FAMILY RESIDENTIAL CONDOMINIUM PROJECT PROPOSED ON A 3.5 ACRE PARCEL LOCATED ON THE NORTH SIDE OF E. DUNNE AVENUE, ADJACENT TO THE NORTH SIDE OF THE MORGAN HILL KINDER CARE LEARNING CENTER AT 605 E. DUNNE AVENUE.

Recommendation:

1. Open and close public hearing;
2. Waive the first and second reading of Development Agreement Ordinance; and
3. Introduce the Development Agreement 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.