



CITY OF MORGAN HILL

Regular Meeting Agenda

City Council

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

Wednesday, January 23, 2019 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

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
(Deputy City Clerk Bigelow)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Carr

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

PRESENTATIONS

YAC PRESENTATION ASSET #7 - COMMUNITY VALUES YOUTH

RECOGNITIONS

STEM Winners - Santa Clara Valley Science and Engineering Fair Association

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 PURCHASE OF POLICE VEHICLE

Recommendation:

1. Accept \$59,324 in insurance proceeds for the 2012 Police Chevy Tahoe (#142), from York Insurance;
2. Authorize the salvage of 2012 Chevy Tahoe Patrol #142 (vin# 9099);
3. Adopt resolution amending the City's Fiscal Year (FY) 2018-19 adopted budget to appropriate \$70,987 in the Equipment Replacement Fund (790) for the purchase of a 2019 Chevy Tahoe, including build-out; and
4. Authorize the City Manager to approve a purchase order for \$70,987 with Priority 1 Public Safety Equipment Installation Inc.

2. APPROVE PURCHASE OF A VACTOR HYDRO EXCAVATOR

Recommendation:

1. Approve purchase of a Vactor Hydro Excavator from Owen Equipment Company in the amount of \$451,541 through a Sourcewell cooperative bid contract; and
2. Authorize the City Manager to approve a purchase order for \$451,541 with Owen Equipment Company.

3. APPROVE PURCHASE OF A NEW BACKHOE

Recommendation:

1. Approve purchase of a new John Deere 410L backhoe loader from Pape Machinery in the amount of \$129,481 through a Sourcewell cooperative bid contract;
2. Authorize the City Manager to approve a purchase order for \$129,481 with Pape Machinery;
3. Declare the 2000 Backhoe to be surplus; and
4. Authorize the disposal of equipment in accordance with Section 3.04.400 of the City of Morgan Hill Municipal Code.

4. APPROVE AGREEMENT WITH JEFFCO PAINTING AND COATING, INC. FOR WELL SITES AND BOOSTER STATIONS PAINTING

Recommendation:

Approve and authorize the City Manager to execute and administer a three-year agreement with Jeffco Painting & Coating, Inc. in the amount of \$120,000, for annual painting of well sites and booster stations.

5. APPROVE IMPACT FEE FREEZE AGREEMENTS WITH TBI-MISSION WEST II, LLC FOR THE DEVELOPMENT OF TWO HOTELS AND A NEW CARPENTERS' TRAINING FACILITY BUILDING IN THE MADRONE BUSINESS PARK

Recommendation:

1. Approve an Impact Fee Freeze Agreement with the TBI-Mission West II, LLC (Toeniskoetter Development) for the development of a 55,000 s.f. training center building on 4.92 acres on Madrone Parkway identified by Assessor Parcel Number 726-35-028;
2. Approve an Impact Fee Freeze Agreement with TBI-Mission West II, LLC (Toeniskoetter Development) for the construction of Two Upper Mid-Scale Hotels on 4.41 acres on Cochrane Road identified by Assessor Parcel Number 726-33-029; and
3. Authorize the City Manager to execute and administer the Impact Fee Freeze Agreements.

6. AWARD CONTRACT TO AIR EXCHANGE INC. FOR THE INSTALLATION OF SOURCE CAPTURE EXHAUST SYSTEMS UNDER FEMA ASSISTANCE TO FIREFIGHTERS GRANT 2017

Recommendation:

Adopt resolution:

1. Awarding bid to Air Exchange Inc. for the installation of source capture exhaust systems and authorize the City Manager to execute all necessary agreements subject to City Attorney review; and
2. Amending the Fiscal Year (FY) 2018-19 adopted budget to appropriate \$51,812 from the General Fund (010) to fully fund the grant related expenditures.

7. ACCEPT MONTEREY ROAD PRESERVATION PROJECT

Recommendation:

1. Accept as complete, the Monterey Road Preservation Project, in the final amount of \$2,417,154;
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.

8. RESOLUTION AUTHORIZING SANTA CLARA VALLEY WATER DISTRICT SAFE, CLEAN WATER GRANT APPLICATION

Recommendation:

Adopt resolution approving the following actions:

1. Authorizing staff to prepare and submit a Safe, Clean Water and Natural Flood Protection Program Grant Application to the Santa Clara Valley Water District for the Madrone Channel Trail Project; and
2. Authorizing the City Manager to negotiate and execute the Safe, Clean Water grant agreement and other documents, reports, forms and agreements related to the performance of the identified projects.

9. APPROVE APPOINTMENT OF NEIL BERMAN TO THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY'S (VTA) BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)

Recommendation:

Direct the City Clerk's Office to send correspondence to the VTA requesting the appointment of Parks and Recreation Commissioner Neil Berman as the City of Morgan Hill's representative to the BPAC.

10. ACCEPT OCTOBER 2018 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

11. ACCEPT ELEVENTH SEMI-ANNUAL REPORT ON POST-ISSUANCE COMPLIANCE FOR TAX ADVANTAGED BONDS

Recommendation:

Receive and accept report.

12. ACCEPT UPDATE ON IMPLEMENTATION OF DEVELOPMENT SERVICES REVIEW - ZUCKER SYSTEMS

Recommendation:

Accept Report.

13. ADOPT ORDINANCE 2294 APPROVING DEVELOPMENT AGREEMENT APPLICATION DA2018-0002: E. DUNNE-YOUNG 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:

Waive the reading, adopt Ordinance No. 2294, 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.

14. APPROVE THE DECEMBER 19, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

15. INTRODUCE ORDINANCE AMENDING THE MADRONE VILLAGE SHOPPING CENTER PRECISE DEVELOPMENT MASTER PLAN TO ALLOW HOTEL DEVELOPMENT

Recommendation:

1. Open/close public hearing;
2. Waive the first and second reading of Zoning Amendment Ordinance; and
3. Introduce Ordinance amending the PD zoning.

Estimated Time: 30 Minutes

16. ADOPT A RESOLUTION DECLARING THE RESULTS OF THE MAJORITY PROTEST PROCEEDINGS AND ESTABLISHING THE MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT (MHTBID)

Recommendation:

1. Open/close the public hearing;
2. Ratify the amendments to the Management District Plan;
3. Declare the results of majority protest proceedings; and
4. Adopt resolution establishing the Morgan Hill Tourism Business Improvement District (MHTBID).

Estimated Time: 30 Minutes

OTHER BUSINESS

17. INTRODUCE ORDINANCE ESTABLISHING PROCESS FOR CONTINUITY OF GOVERNMENT IN THE EVENT OF A DISASTER

Recommendation:

1. Accept the Morgan Hill City Council Emergency Procedures;
2. Open/Close public hearing;
3. Waive first and second reading of the ordinance; and
4. Introduce ordinance establishing a process to maintain continuity of government in the event of a disaster relating to the appointment and duties of an emergency standby council.

Estimated Time: 10 Minutes

18. PROVIDE DIRECTION REGARDING THE ADOPTION OF A LOBBYIST REGISTRATION ORDINANCE

Recommendation:

Direct the City Attorney to prepare an ordinance requiring registration of paid lobbyists.

Estimated Time: 5 Minutes

19. RECEIVE CAPITAL IMPROVEMENT PROJECT UPDATE

Recommendation:

Receive an update on City Capital Improvement Projects.

Estimated Time: 20 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.

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Authority: Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4)

Number of Cases: One (1)

RECONVENE

CLOSED SESSION ANNOUNCEMENT

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.