



Special - 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, March 6, 2019 5:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

A special meeting of the City Council is called at 5:00 p.m. for the purpose of conducting a Housing Workshop.

5:00 p.m. Housing Workshop

7:00 p.m. Regular Meeting

SPECIAL MEETING

5:00 P.M.

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
Deputy City Clerk Michelle Bigelow

HOUSING WORKSHOP

1. 2019 HOUSING PROGRAM UPDATE

Recommendation:

Receive Report.

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 Martinez Beltran

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

PROCLAMATION

Proclaiming the month of March as Youth Art Month

Sharon DeHart

PRESENTATIONS

Valley Water

Upper Llagas Creek Flood Control Project

John Varela, Director and Stephen Ferranti, Project Manager

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

2. APPROVE MEMORANDUM OF UNDERSTANDING ACCEPTING LAW ENFORCEMENT TOBACCO GRANT FROM STATE OF CALIFORNIA DEPARTMENT OF JUSTICE

Recommendation:

Adopt resolution:

1. Authorizing the City Manager to execute and administer the Memorandum of Understanding with the California Department of Justice to accept grant funds for the Law Enforcement Tobacco Grant for a total amount of \$561,649 over three fiscal years; and
2. Amending the City's FY 2018-19 and Fiscal Year (FY) 2019-20 adopted budget to appropriate expenditure of the grant funding of \$137,874 in FY 2018-19 and \$207,061 in FY 2019-20, in the General Fund (010).

3. ADOPT RESOLUTION APPROVING EMERGENCY MANAGEMENT PERFORMANCE GRANT AGREEMENT - 2018

Recommendation:

Adopt resolution:

1. Authorizing the City Manager to execute and administer the Memorandum of Understanding with the County of Santa Clara for the 2018 Emergency Management Performance Grant; and
2. Amending the City's Fiscal Year 2018-19 adopted budget to recognize revenue and appropriating related expenditure, in the amount of \$1,450, from the General Fund (010).

4. IMPACT FEE FINANCING AGREEMENT-BRIDGE GROUP INVESTMENTS, LLC

Recommendation:

Adopt resolution authorizing the City Manager to execute a Sewer and Traffic Impact Fee Financing Agreement, consistent with the Sewer and Traffic Impact Fee Deferral Program and Government Code section 53083, with Bridge Group Investments, LLC, Inc. for the development of a new Warehouse and Distribution Facility for Shoe Palace Corporation.

5. UPDATE ON DOWNTOWN SPECIAL EVENTS AND STREET CLOSURES

Recommendation:

Receive update on Downtown Special Events and Street Closures.

6. ADOPT RESOLUTION AUTHORIZING THE DISPLAY OF THE NATIONAL FLAG OF INDIA AT THE COMMUNITY AND CULTURAL CENTER IN RECOGNITION OF THE ANNUAL CELEBRATION OF INDIA'S INDEPENDENCE DAY

Recommendation:

Adopt resolution authorizing the display of the national flag of India at the Community and Cultural Center annually during the month of August to commemorate India's Independence Day.

7. APPROVE CITY SPONSORSHIP OF PHILANTHROPY NIGHT, INDIAN FLAG RAISING, AND FUTURE WOMEN LEADERS CONFERENCE EVENTS AT THE COMMUNITY AND CULTURAL CENTER

Recommendation:

1. Authorize the City Manager to waive facility rental fees of \$3,000 for Morgan Hill Community Foundation's November 2019 Philanthropy Night Celebration.
2. Authorize the City Manager to waive facility rental fees of \$726 for Indian Association of South Santa Clara County's August 2019 Flag Raising ceremony.
3. Authorize the City Manager to waive facility rental fees of \$651 for American Association of University Women's April 2019 Future Women Leaders Conference.
4. Authorize the City Manager to waive facility rental fees of \$3,000 for American Association of University Women's April 2020 Future Women Leaders Conference.

8. 2018-19 PAVEMENT REHABILITATION PROJECT UPDATE

Recommendation:

Receive an update on the Pavement Rehabilitation Project for Fiscal Year (FY) 2018-19.

9. ADOPT RESOLUTION APPROVING FY2019-20 LIST OF STREET REHABILITATION PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT

Recommendation:

Adopt resolution approving a list of street rehabilitation Projects Funded by SB 1, the Road and Repair Accountability Act of 2017.

10. APPROVE MASTER STREET TREE PLAN

Recommendation:

Approve Master Street Tree Plan.

11. RATIFY CITY POSITION ON PENDING LEGISLATION HR 530 "ACCELERATING BROADBAND DEVELOPMENT BY EMPOWERING LOCAL COMMUNITIES ACT OF 2019"

Recommendation:

Receive legislative correspondence in support of HR 530 "Accelerating Broadband Development by Empowering Local Communities Act of 2019."

12. APPROVE THE FEBRUARY 20, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

13. APPROVE THE FEBRUARY 27, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

14. ADOPT RESOLUTION DECLARING INTENT TO IMPLEMENT NEW WASTEWATER RATES, COMMENCING PROPOSITION 218 NOTICES, AND SETTING MAY 1, 2019 AS DATE FOR A PUBLIC HEARING

Recommendation:

Adopt resolution:

1. Declaring intent to adjust wastewater rates;
2. Authorizing the commencement of Proposition 218 noticing; and
3. Setting May 1, 2019 as the date for Public Hearing and new wastewater rates adoption.

Estimated Time: 15 Minutes

15. ORDINANCE AMENDING SECTIONS 14.04.020 PURPOSE AND 14.04.070 ALTERNATIVES OF CHAPTER 14.04, INCLUSIONARY HOUSING

Recommendation:

1. Waive the first and second reading of the ordinance; and
2. Introduce ordinance.

Estimated Time: 30 Minutes

16. REPORT REGARDING HOMELESSNESS IN MORGAN HILL

Recommendation:

Receive Report and provide direction.

Estimated Time: 45 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 - EXISTING LITIGATION

Panwala v. City of Morgan Hill, Santa Clara County
Case No. 18-CV-333795

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:

To sustain a safe, inclusive, socially responsible, environmentally conscious, and economically sound community

Choose Morgan Hill:

The City of Morgan Hill is the best community for people to live, work, visit, and operate their businesses.

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 Community History ·
Enhancing Diversity and Inclusiveness · Advancing Regional Initiatives

2019-2020 STRATEGIC PRIORITIES

Agricultural Preservation
Cannabis Policy
Community Engagement and Messaging
Economic Development
Financial Stewardship
High Speed Rail
Homelessness
Housing Infrastructure
Telecommunications
Traffic/Transportation