



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, April 3, 2019 6:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

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

6:00 p.m. Closed Session

7:00 p.m. Regular Meeting

TELECONFERENCE

Council Member Spring will be participating in the regular meeting via teleconference as follows:

Crowne Plaza, Greater Noida
Institutional Green 1, Surajpur Chowk
Greater Noida, Uttar Pradesh -201306

Public comment from the teleconference location shall be allowed.

SPECIAL MEETING

6:00 P.M.

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

Deputy Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
Deputy City Michelle Clerk Bigelow

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (CA Govt Code Section 54956.9(a)
Patton et al. v. City of Morgan Hill, et al. Case No. 16-CV-303044

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

Council Member Carr

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

PRESENTATIONS

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 FUNDING AGREEMENT WITH THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY FOR THE 2016 MEASURE B LOCAL STREETS AND ROADS PROGRAM

Recommendation:

Authorize the City Manager to execute a funding agreement with the Santa Clara Valley Transportation Authority (VTA) for the 2016 Measure B Local Streets and Roads Program.

2. APPROVE CONSULTANT AGREEMENT WITH DAVID J. POWERS & ASSOCIATES, INC. (DJPA) FOR PREPARATION OF THE MORGAN HILL TECHNOLOGY PARK & MIXED-USE RESIDENTIAL PROJECT ENVIRONMENTAL IMPACT REPORT (EIR)

Recommendation:

Authorize the City Manager to execute and administer a Consultant Agreement with David J. Powers & Associates, Inc. (DJPA) for preparation of the Morgan Hill Technology Park & Mixed-Use Residential Project Environmental Impact Report (EIR) for a total contract amount not to exceed \$252,828 for the term through December 31, 2019.

3. APPROVE SECOND AMENDMENT TO MORGAN HILL JET ELECTRIC ON-CALL MAINTENANCE SERVICE AGREEMENT

Recommendation:

Approve the Second Amendment to the on-call maintenance service agreement with Morgan Hill JET Electric, Inc. for an additional \$15,000 in services increasing the total contract amount to \$100,000 for the term through June 30, 2019.

4. RATIFY CITY POSITION ON PENDING LEGISLATION AB 1783 H-2A WORKER HOUSING: STATE FUNDING: STREAMLINED APPROVAL PROCESS FOR AGRICULTURAL EMPLOYEE HOUSING DEVELOPMENT

Recommendation:

1. Receive legislative correspondence in support of AB 1783 (R. Rivas) "H-2A worker housing: state funding: streamlined approval process for agricultural employee housing development"; and
2. Ratify City's position.

5. RESOLUTION SUPPORTING THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

Recommendation:

Adopt resolution supporting the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

6. ADOPT ORDINANCE 2300 NEW SERIES, APPROVING DEPOT-LATALA DEVELOPMENT AGREEMENT TO CONFIRM RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) PUBLIC BENEFIT COMMITMENTS FOR 49 DOWNTOWN RDCS BUILDING ALLOTMENTS. THE PROPERTY, IDENTIFIED BY ASSESSOR PARCEL NUMBER 726-13-049, IS LOCATED ON THE EAST SIDE OF DEPOT STREET, NORTH OF EAST DUNNE AVENUE

Recommendation:

Waive the reading, adopt Ordinance No. 2300, 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.

7. APPROVE MEMORANDUM OF UNDERSTANDING ACCEPTING FAMILY JUSTICE CENTER GRANT FUNDS FROM COMMUNITY SOLUTIONS

Recommendation:

Adopt resolution:

1. Authorizing the City Manager to execute and administer the Memorandum of Understanding with Community Solutions to accept grant funds as a sub-recipient of the California Office of Emergency Services grant for a total amount of \$50,000 over three fiscal years; and
2. Amending the City's adopted FY2018-19 and FY2019-20 biennial budget to recognize grant revenue of \$12,500 in FY2018-19 and \$25,000 in FY2019-20, in the General Fund (010).

8. APPROVE THE MARCH 20, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

9. PROVIDE DIRECTION REGARDING AGRICULTURAL CONSERVATION PROGRAM

Recommendation:

Provide direction to staff regarding next steps in the City's agricultural mitigation program.

Estimated Time: 45 Minutes

10. APPROVE DESIGN STANDARDS FOR SMALL CELL ANTENNA IN THE PUBLIC RIGHT OF WAY AND AUTHORIZE CITY MANAGER TO EXECUTE LICENSE AGREEMENTS FOR SMALL CELL FACILITIES

Recommendation:

1. Approve the Small Cell Design Standards related to pole mounted facilities located in the public right of way;
2. Approve the Small Cell License Agreement; and
3. Authorize the City Manager to negotiate, amend, and execute Small Cell License Agreements consistent with the Small Cell Design Standards for up to Forty-Four City owned street light poles for each telecommunication provider.

Estimated Time: 20 Minutes

PUBLIC HEARING

11. INTRODUCE ORDINANCE AMENDING REGULATIONS FOR WIRELESS COMMUNICATIONS FACILITIES REGARDING POLE-MOUNTED WIRELESS COMMUNICATIONS FACILITY IN THE PUBLIC RIGHT-OF-WAY

Recommendation:

1. Open/close public hearing;
2. Waive first and second reading of Zoning Amendment ZA2019-0007: Wireless Communication Facilities; and
3. Introduce Zoning Amendment Ordinance ZA2019-0007: Wireless Communication Facilities.

Estimated Time: 10 Minutes

12. PUBLIC HEARING AND BALLOT TABULATION FOR PARSONS CORNER SUBAREA OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

1. Open public hearing;
2. Accept public input on ballot proceeding;
3. Announce close of public hearing is pending – Any property owner wishing to withdraw their ballot must do so now;
4. Announce close of public hearing is pending – Any property owner wishing to submit a ballot must do so now;
5. Close public hearing;
6. Take ten-minute recess for ballot tabulation;
7. Accept verbal report from Deputy City Clerk on ballot tabulation results; and
8. Adopt Resolution A or B certifying the ballot proceeding results.

Estimated Time: 15 Minutes

13. ADOPT RESOLUTION UPDATING THE CITY'S SELECT DEVELOPMENT IMPACT FEES

Recommendation:

1. Adopt Final Draft of Development Impact Fee Update Study prepared by Willdan Financial Services;
2. Open/close the public hearing; and
3. Adopt resolution updating the City's select Development Impact Fees.

Estimated Time: 30 Minutes

14. PRELIMINARY REVIEW OF MONTEREY CORRIDOR - BLOCK ONE (EAST SIDE OF MONTEREY ROAD NORTH OF BURNETT AVE) SR2019-0009

Recommendation:

1. Provide a determination on SR2019-0009 Preliminary Plan Review's consistency with the adopted Block-Level Master Plan (BLMP) for Monterey Corridor Block One; and
2. Provide feedback on SR2019-0009 Preliminary Plan Review's consistency with the Planned Development (PD) Master Plan Findings.

Estimated Time: 30 Minutes

15. PRELIMINARY REVIEW OF MONTEREY CORRIDOR - BLOCK FOUR (EAST SIDE OF MONTEREY ROAD SOUTH OF OLD MONTEREY ROAD) SR2019-0008

Recommendation:

1. Provide a determination on SR2019-0008 Preliminary Plan Review's consistency with the adopted Block-Level Master Plan (BLMP) for Monterey Corridor Block Four; and
2. Provide feedback on SR2019-0008 Preliminary Plan Review's consistency with the Planned Development (PD) Master Plan Findings.

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.

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