



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, May 15, 2019 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CORRECTED AGENDA

This agenda has been corrected to reflect two, rather than one, potential cases of anticipated litigation in the closed session items.

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 Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
Deputy City Clerk Michelle Bigelow

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

PRESENTATION

YOUTH ACTION COUNCIL (YAC) ASSET #18 - YOUTH PROGRAMS

RECOGNITIONS

South County Regional Wastewater Authority (SCRWA) Team Recognition
Gabe Gonzalez
Saeid Vaziry

Awarding the Recycler of the Year Award to Sinaloa Restaurant
Roman Beltran
Elmer Orellana

Poppy Jasper International Film Festival
Mattie Scariot & Board

PROCLAMATIONS

Older Americans Month
May 2019
Debbie Vasquez
Denise Melroy

Foster Care Awareness Month
May 2019
Emma Rodriguez

National Peace Officer Memorial Day and National Police Week
May 15, 2019
May 12 - 18, 2019
David Swing

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)

EMAIL RECEIVED FROM PUBLIC

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 FRIENDS OF THE MORGAN HILL SENIOR CENTER GRANT

Recommendation:

Accept a \$35,000 grant from the Friends of the Morgan Hill Senior Center.

2. ACCEPT MARCH 2019 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

3. APPROVE FIRST AMENDMENT TO GILROY STAFF SERVICES AGREEMENT

Recommendation:

Authorize the City Manager to execute the First Amendment to the Gilroy Staff Services Agreement for Stormwater Permitting Requirements and Environmental Management Services.

4. ADOPT RESOLUTION AUTHORIZING ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM GRANT APPLICATION

Recommendation:

Adopt resolution approving the following actions:

1. Authorize staff to prepare and submit an EEM Program Grant application to the California Natural Resources Agency (CNRA) for the implementation of the Hale Avenue Grove and Trail Project;
2. Authorize the City Manager to negotiate and execute the EEM grant agreement and other documents, reports, forms, and agreements related to the performance of the identified projects; and
3. Approve CEQA Categorical Exemption of this project.

5. ADOPT RESOLUTION AUTHORIZING TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 GRANT APPLICATION

Recommendation:

Adopt resolution approving the following actions:

1. Authorizing staff to prepare and submit a Transportation Development Act (TDA) Article 3 Bicycle Expenditure Program (BEP) grant application to the Santa Clara Valley Transportation Authority for implementation of the Madrone Channel Trail Improvements project; and
2. Authorizing the City Manager to negotiate and execute the TDA grant agreement and other documents, reports, forms, and agreements related to the performance of the identified project.

6. ADOPT ANNEX 11 MORGAN HILL COMMUNITY WILDFIRE PROTECTION PLAN (CWPP)

Recommendation:

1. Accept the Santa Clara County Community Wildfire Protection Plan, including Annex 11 "City of Morgan Hill"; and
2. Adopt resolution adopting the Morgan Hill Annex to the Santa Clara County Community Wildfire Protection Plan as the City of Morgan Hill's Community Wildfire Protection Plan.

7. ADOPT ORDINANCE 2302 NEW SERIES, AMENDING SECTIONS 13.16.030 "RATES- RESIDENTIAL AND NONRESIDENTIAL", 13.16.035 "RATES-LOW INCOME", 13.16.040 "RATES- MOBILE HOME UNITS", 13.16.080 "RATE INCREASES-EFFECTIVE WHEN", 13.16.090 "RATES - ADJUSTMENT PROCEDURE - APPEAL", OF CHAPTER 13.16 "SEWER RATES AND INTERIM GROWTH MANAGEMENT" OF TITLE 13 PUBLIC SERVICES OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL REGARDING THE ESTABLISHMENT AND INCREASE OF SEWER RATES

Recommendation:

Waive the reading, adopt Ordinance No. 2302, 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.

8. APPROVE THE MAY 1, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

9. INITIATE ANNUAL ASSESSMENT PROCESS FOR LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

Adopt resolutions approving the following actions:

1. Initiate the proceedings for the levy of assessments for Fiscal Year 2019-20;
2. Approve the Engineer's Annual Report and the proposed assessment levy; and
3. Declare the City Council's intention to levy the assessments in the District and to set the Public Hearing date for June 5, 2019.

Estimated Time: 5 Minutes

OTHER BUSINESS

10. APPROVE LEADERSHIP MORGAN HILL DOWNTOWN BIKE RACK PROJECT

Recommendation:

1. Approve the 2019 Leadership Morgan Hill Class Downtown Bike Rack Project; and
2. Direct City staff to coordinate final design and installation of the Bike Rack Project.

Estimated Time: 15 Minutes

11. APPROVE AGREEMENT BETWEEN THE CITY AND VISIT MORGAN HILL FOR SERVICES RELATED TO THE MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT

Recommendation:

1. Approve agreement for services with Visit Morgan Hill for administration and delivery of services related to the Morgan Hill Tourism Business Improvement District (MHTBID) and to receive \$100,000 in contributions from Visit Morgan Hill for 2018 Amgen, 2019 Amgen, and costs associated with establishing the MHTBID; and
2. Authorize the City Manager to administer and amend the agreement as needed.

Estimated Time: 10 Minutes

12. ADOPT RESOLUTION CALLING SPECIAL ELECTION ON MARCH 3, 2020 AND PLACING ON THE BALLOT ORDINANCE NO. 2295, NEW SERIES (AMENDING THE PLANNED DEVELOPMENT MASTER PLAN FOR THE "MADRONE VILLAGE SHOPPING CENTER" LOCATED ON THE NORTHWEST CORNER OF MADRONE PARKWAY AND COCHRANE ROAD) (ASSESSOR'S PARCEL NUMBERS 726-33-029, 030, AND 031)

Recommendation:

1. Adopt resolution calling for a special municipal election on Tuesday March 3, 2020 and submitting to City voters, a ballot measure relating to Ordinance No. 2295, New Series, amending the Planned Development Master Plan for the "Madrone Village Shopping Center" located on the northwest corner of Madrone Parkway and Cochrane Road (APNs 726-33-029, 030 and 031); and
2. Adopt resolution requesting the Board of Supervisors of the County of Santa Clara for the conduct of a Special Municipal Election to be held on Tuesday, March 3, 2020.

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.

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

APN: 81706001

Agency Negotiators: Christina Turner and Chris Ghione

Chu John C and May-Jih C Trustee

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation under Government Code section 54956.9(b)

Two potential cases (corrected from: one potential case)

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

