



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, July 17, 2019 6:00 p.m.

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

AMENDED AGENDA

Public notice added to the agenda.

PUBLIC NOTICE

The public hearing regarding **Development Agreement DA2018-0001: Old Monterey - Kelly Vo**, that was publicly noticed for consideration by the City Council at this meeting has been continued to date uncertain.

TELECONFERENCE

Council Member Martinez Beltran will be participating in the meeting via teleconference as follows:

The Westgate Hotel
Business Center
1055 2nd Ave
San Diego, CA 92101

Public comment from the teleconference location shall be allowed.

SPECIAL/REGULAR MEETING

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

6:00 p.m. High Speed Rail Workshop

7:00 p.m. Regular Meeting

SPECIAL MEETING

6:00 P.M.

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

WORKSHOP

The Purpose of this workshop is to:

- Share California High Speed Rail Authority (CHSRA) staff - recommended State's Preferred Alternative and process for identifying the State's Preferred Alternative;
- Provide Council Members with the opportunity to discuss the CHSRA staff recommendation; and
- Collect Council feedback on the CHSRA staff-recommended State's Preferred Alternative.

PRESENTATION AND HANDOUTS

WORKSHOP SUPPLEMENT

WORKSHOP- UPDATED PRESENTATION

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 Spring

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

July 17, 2019

OTHER REPORTS

PRESENTATIONS

YAC PRESENTATION - ASSET #27- EQUALITY AND SOCIAL JUSTICE

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

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 FEE WAIVER FOR USE OF THE DOWNTOWN AMPHITHEATER BY THE FORD STORE MORGAN HILL

Recommendation:

Authorize the City Manager to waive facility rental fees of \$512 for use of the Downtown Amphitheater by The Ford Store Morgan Hill.

2. APPROVE RESOLUTION AUTHORIZING GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT-RELATED AGREEMENTS AND DOCUMENTS

Recommendation:

Adopt the resolution approving the following actions:

1. Authorizing staff to prepare and submit a Statewide Park Development and Community Revitalization Program Grant Application to the State of California Department of Parks and Recreation for an amount not to exceed \$8,500,000 for the development of the proposed park at Butterfield Boulevard and Monterey Road; and
2. Authorizing the City Manager to negotiate and execute the Statewide Park Development and Community Revitalization Program Grant agreement and other documents, reports, forms, and agreements related to the performance of the identified project.

3. APPROVE AGREEMENT WITH AXON FOR BODY WORN CAMERAS

Recommendation:

1. Approve a 5-Year Sales Agreement with AXON for the purchase of body worn cameras, cloud storage, service and maintenance; and
2. Authorize City Manager to execute 5-Year Agreement with AXON for an amount not to exceed \$194,405.

4. APPROVE DESIGN SERVICES AGREEMENT FOR WEST LITTLE LLAGAS CREEK TRAIL PROJECT

Recommendation:

Authorize the City Manager to execute and administer a consultant agreement with Verde Design, Inc. for a not to exceed amount of \$199,895, for design of the West Little Llagas Creek Trail Project.

5. APPROVE FUNDING AGREEMENT WITH THE BOYS AND GIRLS CLUBS OF SILICON VALLEY

Recommendation:

Authorize the City Manager to execute a funding agreement with the Boys and Girls Clubs of Silicon Valley for Park Place Apartments youth program services.

6. APPROVE SENIOR ACCOUNTANT SALARY RANGE AND AFSCME SALARY SCHEDULE

Recommendation:

1. Approve the Senior Accountant monthly salary range of \$7,220 - \$9,215; and
2. Approve the American Federation of State, County, and Municipal Employees (AFSCME) Salary Schedule.

7. APPROVE PURCHASE OF THREE UNMARKED POLICE VEHICLES

Recommendation:

1. Approve the purchase and build out of three new unmarked replacement vehicles for the Police Department for the not to exceed amount of \$138,212, which includes 10% contingency of \$12,565;
2. Approve repurposing of the existing three unmarked vehicles within the Police Department; and
3. Authorize the City Manager to approve the purchase order with Priority 1 Public Safety Equipment Installation, Inc.

8. ACCEPT 2018 PAVEMENT RESURFACING PROJECT

Recommendation:

1. Accept as complete, the 2018 Pavement Resurfacing Project, in the final amount of \$1,528,721;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

9. ACCEPT SUBDIVISION PUBLIC IMPROVEMENTS – MONTEREY PARQUE – TRACT NO. 10331

Recommendation:

1. Accept the subdivision public improvements for Monterey Parque – Tract No. 10331;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

10. ACCEPT REPORT REGARDING CITY RECREATION PROGRAMS OVERVIEW

Recommendation:

Receive report.

11. ACCEPT MAY 2019 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

12. ACCEPT ANNUAL EVALUATION REPORT FOR THE SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI) FOR FISCAL YEAR 2018-19 (YEAR 4) RELATING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM'S COMMUNITY RATING SYSTEM PROGRAM

Recommendation:

Accept the Annual Evaluation Report for FY 2018-19 (Year 4) of the 2015 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI).

13. AWARD TENNANT AVENUE SEWER MAIN PROJECT

Recommendation:

1. Approve Tennant Avenue Sewer Main Project plans and specifications;
2. Award contract to KJ Woods Construction for the Tennant Avenue Sewer Main Project in the amount of \$2,148,000;
3. Authorize expenditure of construction contingency funds not to exceed \$322,200; and
4. Authorize the City Manager to execute and administer the construction contract with KJ Woods Construction.

14. RATIFY CITY POSITION ON PENDING LEGISLATION; AB 516 AUTHORITY TO REMOVE VEHICLES, SB 13 ACCESSORY DWELLING UNITS, AB 68 LAND USE: ACCESSORY DWELLING UNITS, AB 1763 PLANNING AND ZONING: DENSITY BONUSES: AFFORDABLE HOUSING, AND SB 592 HOUSING ACCOUNTABILITY ACT

Recommendation:

1. Receive legislative correspondence in opposition of AB 516 Authority to remove vehicles;
2. Receive legislative correspondence in opposition of SB 13 Accessory dwelling units;
3. Receive legislative correspondence in opposition of AB 68 Land use: accessory dwelling units;
4. Receive legislative correspondence in opposition of AB 1763 Planning and zoning: density bonuses: affordable housing;
5. Receive legislative correspondence in opposition of SB 592 Housing Accountability Act; and
6. Ratify City's positions.

15. APPROVE THE JUNE 26, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

16. RECEIVE REPORT ON PREVENTATIVE GUN VIOLENCE MEASURES AND PROVIDE DIRECTION FOR FIREARMS SAFETY EDUCATION

Recommendation:

1. Accept report regarding preventative gun violence measures the City has implemented; and
2. Provide direction for firearms safety education.

Estimated Time: 30 Minutes

17. ACCEPT DONATION OF AN AMBULANCE TO FIRE AND APPROVE ASSOCIATED REQUIREMENTS TO PLACE IN SERVICE

Recommendation:

1. Accept the donation of an ambulance from Monterey County Regional Fire District;
2. Adopt resolution amending Fiscal Year 2019-20 adopted budget to appropriate \$100,000 from the General Fund and a transfer of \$25,000 from Fire Impact Fund (313) to the General Fund (010), for one-time costs to place the ambulance in service, operate the ambulance and the capability to bill for treatment and transport; and
3. Authorize the City Manager to approve, amend and execute agreements to operate the ambulance within Santa Clara County Emergency Medical Services (EMS) and other agencies that are required to place the ambulance in service for use.

Estimated Time: 15 Minutes

18. APPROVE SECOND AMENDMENT TO THE 911 EMERGENCY MEDICAL SERVICES PROVIDER AGREEMENT BETWEEN THE CITY OF MORGAN HILL AND THE COUNTY OF SANTA CLARA TO EXTEND THE TERM OF THE AGREEMENT AND THE USE OF THE MEDICAL PRIORITY DISPATCH SYSTEM

Recommendation:

1. Approve the Second Amendment to the Agreement with the County of Santa Clara Emergency Medical Services Agency relating to providing 911 emergency medical services extending the Agreement for a 36-month period through June 30, 2022;
2. Authorize the City Manager to include ambulance transport services provided by Morgan Hill Fire in the Second Amendment, subject to Council action on Agenda Item #17 - Ambulance Donation; and
3. Authorize the City Manager to execute the agreement.

Estimated Time: 5 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

Authority: Pursuant to Government Code Section 54956.9(a)
Case Name: Patton et al. v. City of Morgan Hill, et al.
Case Number: Santa Clara County Superior Court Case No. 16-CV-303044
Number of Cases: One (1)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority: Pursuant to Government. Code Section 54956.9(d)(1)
Case Name: Brandon v. City of Morgan Hill and Innovative Claim Solutions, Inc.
Case Numbers: Workers' Compensation Claim Nos:
MHL1800030; MHL1800023, WCAB ADJ11309060; UNASSIGNED

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 cityclerk@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 cityclerk@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

