



Special - Regular Meeting Agenda

City Council

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

Wednesday, February 5, 2020 6:00 p.m.

**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

STUDENTS - THE CLOSED SESSION THAT STARTS AT 6:00 P.M. IS NOT OPEN TO THE PUBLIC. THE REGULAR MEETING STARTS AT 7:00 P.M.

SPECIAL MEETING

6:00 p.m. Closed Session

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

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

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

One Case

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (§54957)

Title: City Manager

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (§54957)

Title: City Attorney

CONVENE REGULAR MEETING

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

OTHER REPORTS

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 1

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 NOVEMBER 2019 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

2. INFORMATION TECHNOLOGY BUDGET INCREASE

Recommendation:

Adopt resolution amending the adopted 2019-20 Fiscal Year Budget appropriating \$160,000 from the Information Services Fund (730) for critical technology upgrades.

3. APPROVE CHANGE TO LIBRARY, CULTURE AND ARTS COMMISSION TERMS

Recommendation:

Approve transition to four year terms for the Library, Culture and Arts Commission.

4. APPROVE GROUND LEASE AGREEMENT FOR EQUIPMENT SHELTER AT COMMUNITY PARK BETWEEN THE CITY OF MORGAN HILL AND LCB COMMUNICATIONS LLC

Recommendation:

Approve a five-year Ground Lease Agreement, with an option to extend for two additional five-year terms, between the City of Morgan Hill and LCB Communications LLC, for a small communications equipment shelter to be generally located at the far southwestern corner of Community Park.

5. APPROVE PURCHASE OF PROPERTY (KIM & HWANG) APN 726-21-006 FOR THE MAIN AVENUE BIKE LANE AND SIDEWALK PROJECT

Recommendation:

1. Adopt resolution approving the purchase of a portion of APN 726-21-006 for \$101,277 plus escrow and closing costs from Kevin Kim and Jessica Hwang for the Main Avenue Bike Lane and Sidewalk Project; and
2. Authorize the Public Services Director to execute all documents and make minor modifications as necessary in order to consummate the transaction.

6. APPROVE THE JANUARY 15, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

7. APPROVE THE JANUARY 24, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

8. APPROVE THE JANUARY 25, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

9. ADOPT RESOLUTION AUTHORIZING THE COUNTY TO COMMENCE 2020 HAZARDOUS VEGETATION ABATEMENT PROGRAM

Recommendation:

1. Open/Close public hearing;
2. Adopt resolution A authorizing Santa Clara County to commence hazardous vegetation abatement activities on the attached list; and
3. Adopt resolution B authorizing Santa Clara County to commence hazardous vegetation abatement activities for the remaining parcel.

Estimated Time: 10 Minutes

OTHER BUSINESS

**10. HOLD PUBLIC HEARING AND TABULATE BALLOTS FOR JACKSON MEADOWS #6
AND MILL CREEK SUBAREA OF MORGAN HILL LANDSCAPE ASSESSMENT
DISTRICT NUMBER 1**

Recommendation:

1. Open public hearing for Jackson Meadows #6;
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 Jackson Meadows #6 public hearing;
6. Open public hearing for Mill Creek;
7. Accept public input on ballot proceeding;
8. Announce close of public hearing is pending – Any property owner wishing to withdraw their ballot must do so now;
9. Announce close of public hearing is pending – Any property owner wishing to submit a ballot must do so now;
10. Close public hearing for Mill Creek;
11. Take ten-minute recess for ballot tabulation;
12. Accept verbal report from Deputy City Clerk on Jackson Meadows #6 ballot tabulation results; and
13. Accept verbal report from Deputy City Clerk on Mill Creek ballot tabulation results;
14. Adopt Resolution A or B certifying the Jackson Meadows #6 ballot proceeding results; and
15. Adopt Resolution A or B certifying the Mill Creek ballot proceeding results.

Estimated Time: 30 Minutes

11. RECEIVE LEGISLATIVE UPDATE FOR THE POLICE DEPARTMENT

Recommendation:

Accept report.

Estimated Time: 40 Minutes

**12. UPDATES TO SUSTAINABLE MORGAN HILL, ONGOING PRIORITIES, AND 2020-21
STRATEGIC PRIORITIES**

Recommendation:

Adopt updates to Sustainable Morgan Hill and ongoing priorities and establish the City Council's 2020-21 Strategic Priorities.

Estimated Time: 20 Minutes

13. APPROVE UPDATED CITY COUNCIL POLICIES: 97-01 RULES FOR THE CONDUCT OF CITY COUNCIL MEETINGS, PLACEMENT OF ITEMS ON THE AGENDA, AND MATTERS TO BE RECONSIDERED, 99-01 SELECTION OF MAYOR PRO TEMPORE, 94-09 PROCLAMATION/RECOGNITION POLICY, AND ADOPT UPDATED RESOLUTION AUTHORIZING MAYOR AND/OR CITY MANAGER TO PREPARE, EXECUTE, AND TRANSMIT COMMUNICATIONS INDICATING A POSITION ON PROPOSED STATE, COUNTY, OR REGIONAL BOARDS' LEGISLATION OR ACTION THAT MAY HAVE AN IMPACT UPON THE CITY

Recommendation:

1. Approve updated City Council Policies: 97-01 Rules for the Conduct of City Council Meetings, Placement of Items on the Agenda, and Matters to be Reconsidered, 99-01 Selection of Mayor Pro Tempore, and 94-09 Proclamation/Recognition Policy; and
2. Approve updated resolution authorizing the Mayor and/or City Manager to prepare, execute, and transmit communications indicating a position on proposed State, County, or regional boards' legislation or action on certain matters that may have impacts upon the City in certain circumstances and directing a report back to City Council on any such communications transmitted.

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 LEGAL COUNSEL-ANTICIPATED LITIGATION

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

One Case

RECONVENE

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

