

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND ADMINISTER A FUNDING AGREEMENT WITH THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY REGARDING FOR ACTIVITIES RELATED TO THE PREPARATION OF THE MORGAN HILL STATION AREA MASTER PLAN

WHEREAS, the City of Morgan Hill, a municipal corporation and general law city duly organized and existing under and pursuant to the Constitution and laws of the State of California (“City”), is authorized to enter into contracts and agreements for the benefit of the City; and

WHEREAS, the reasons supporting the entrance of the City into that certain agreement described in, and that is the subject of, this Resolution are set forth in detail in that certain City Council Staff Report entitled, “Funding Agreement Between the City of Morgan Hill and the Santa Clara Valley Transportation Authority for Project Readiness Activities Related to the Morgan Hill Station Area Master Plan” submitted for City Council consideration at its meeting of June 17, 2015, submitted to the City Council by the City Manager (the “Staff Report”), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS on February 6, 2014 the VTA Board of Directors adopted the Priority Development Area (“PDA”) Planning Grant Program to emphasize and support growth in housing, employment, and transportation within Santa Clara County’s PDAs; and

WHEREAS on February 11, 2014, VTA issued a call for PDA Planning Grant Program proposals, and the City submitted a proposal to conduct the following PDA Planning Activities:

Conduct planning initiatives to guide implementing actions that achieve the Downtown Specific Plan vision and Plan Bay Area goals: (1) Station Area Master Plan for specific improvement plan; (2) TOD zoning for new high density (18du/ac) infill opportunity; (3) Market demand and financial feasibility analysis to achieve more intense use on 5 PDA opportunity sites; (4) Update seven Planning Elements to align with new realities; and (5) Consolidate zoning provisions from Specific Plan into Code.

WHEREAS, the City Council approved Resolution No. 6822 on March 19, 2014 authorizing the preparation and submittal of a grant application to the Santa Clara Valley Transportation Authority (VTA) for funding of long range planning projects that would support regional transit within Morgan Hill, including preparation of a Station Area Master Plan and analysis of development potential of the jointly owned VTA/City property located on the east side of the railroad tracks; and

WHEREAS, VTA awarded the City of Morgan Hill a \$301,000 grant for the proposed projects and the projects funded by this grant are expected to commence in late summer 2015 following a consultant selection process with VTA, who will negotiate and administer consultant

contracts for the projects. Completion of the projects is anticipated to occur before the end of 2017; and

WHEREAS, the City is required to contribute a local match of \$38,100 toward the project per the terms of the VTA grant; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public meeting at which meeting the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

WHEREAS, the activities allowed pursuant to this Resolution are classified as, “not a project” in that the activities constitute preliminary planning and feasibility analyses and will not result in a physical change to the environment, and therefore is exempt from the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council determines that adoption of this Resolution is in the public interest.

NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The City Council does hereby find, determine and resolve that all the foregoing recitals are true and correct.

SECTION 2. Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

- a. That the Funding Agreement between the City and VTA for the activities related to the preparation of the Morgan Hill Station Area Master Plan, substantially in the form attached and incorporated herein by this reference (the “Agreement”) is hereby approved.
- b. That the City Manager is hereby delegated authority to and is authorized and directed to execute, and subsequently administer including the authority to terminate as necessary or appropriate, the Agreement, substantially in the form attached hereto.

SECTION 3. This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 17TH DAY OF JUNE 2015, AT A REGULAR MEETING
OF THE CITY COUNCIL BY THE FOLLOWING VOTE:**

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ATTEST:

IRMA TORREZ
City Clerk

A F F I D A V I T

I, _____, **applicant**, hereby agree to accept and abide by the terms and conditions specified in this resolution.

(Type Name), **Applicant**

Date

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