



CITY OF MORGAN HILL

Regular Meeting Agenda

City Council

Steve Tate ~ Mayor

Rich Constantine ~ Mayor Pro Tem

Gordon Siebert ~ Council Member

Marilyn Librers ~ Council Member

Larry Carr ~ Council Member

**Wednesday, September 7, 2016
7:00 PM**

**Council Chamber
17555 Peak Avenue
Morgan Hill, CA 95037**

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 Tate)

ROLL CALL ATTENDANCE

(Deputy City Clerk Wilson)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Deputy City Clerk Wilson)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Mayor Tate

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS**PROCLAMATIONS**

Proclaiming the month of September as
National Preparedness Month 2016
Sergeant Ray Ramos

PRESENTATION

Silicon Valley Turkey Trot
Dan Tran

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

Item # Report #1 [16-452](#)**ACCEPTANCE OF DOWNTOWN UNDERGROUNDING
UTILITIES STREET IMPROVEMENT PROJECT
(SIDE STREET RENOVATION)****Recommendation:**

Adopt resolution approving the following actions:

1. Accepting as complete the Downtown Undergrounding Utilities Street Improvement Project in the final amount of \$2,221,314;
2. Authorizing the Public Works Director to sign the attached Notice of Completion; and
3. Directing the City Clerk to file said Notice of Completion with the County Recorder's Office.

Item # Report #2 [16-455](#)**ACCEPTANCE OF MONTEREY ROAD STREETSCAPE
PROJECT****Recommendation:**

Adopt resolution approving the following actions:

1. Accepting as complete the Monterey Road Streetscape Project in the final amount of \$2,089,730.40;
2. Authorize the Public Works Director to sign the attached Notice of Completion; and
3. Direct the City Clerk to file said Notice of Completion with the County Recorder's Office.

Item # Report #3 [16-457](#)**ACCEPTANCE OF DOWNTOWN PARKING STRUCTURE
PROJECT****Recommendation:**

Adopt Resolution:

1. Accepting as complete the Downtown Parking Structure Project in the final amount of \$11,221,700;
2. Authorizing the Public Works Director to sign the attached Notice of Completion; and
3. Directing the City Clerk to file said Notice of Completion with the County Recorder's Office.

Item # Report

4 [16-600](#)**SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BIGGS CARDOSA ASSOCIATES, INC. FOR THE DOWNTOWN PARKING STRUCTURE PROJECT****Recommendation:**

Adopt resolution approving the following actions:

1. Approving the Second Amendment to Agreement with Biggs Cardosa Associates, Inc. for the Downtown Parking Structure Project in the amount of \$53,930 for a total contract amount not to exceed \$228,930 to provide third-party building code and structural review and special inspection and testing; and
2. Authorizing the City Manager to execute the Second Amendment to Agreement with Biggs Cardosa Associates, Inc. for the Downtown Parking Structure Project.

Item # Report

5 [16-615](#)**ACCEPTANCE OF SUBDIVISION PUBLIC IMPROVEMENTS FOR STONEBRIDGE - TRACT NO. 10177****Recommendation:**

Adopt resolution:

1. Accepting the subdivision public improvements for Stonebridge - Tract No. 10177; and
2. Directing the City Clerk to file a Notice of Completion with the Recorder of Santa Clara County.

Item # Report

6 [16-607](#)**CONTRACT AMENDMENT TO INCREASE THE SCOPE OF THE PARKS AND RECREATION MASTER PLAN****Recommendation:**

Adopt resolution appropriating \$66,000 in Park Impact Funds and authorizing the City Manager to execute an amendment to the consultant agreement with Moore Iacofano Goltsman, Inc (MIG, Inc.), increasing the scope of services to include a sports tourism economic impact study and design of a printable bikeways, trails, and park map.

Item # Report

7 [16-567](#)**MAZE & ASSOCIATES AUDIT SERVICES CONTRACT AMENDMENT****Recommendation:**

Adopt resolution approving the contract amendment with Maze & Associates.

Item # Report #**8** [16-586](#)**AWARD CONTRACT FOR ON-CALL EMERGENCY SPILL
RESPONSE CLEANUP SERVICES****Recommendation:**

Adopt resolution:

1. Awarding a consultant agreement to Disaster Kleenup Specialists ("Disaster Kleenup") for emergency spill response cleanup services for three years, with the option to extend the term of the agreement for a maximum period of one year; and
2. Authorizing the City Manager to execute the agreement and other related documents for a three year term not to exceed \$100,000 annually, and allowing the City Manager to extend the term of the contract for an additional one year after the initial term not to exceed an additional \$100,000 for a total not to exceed of \$400,000 for four years.

Item # Report #**9** [16-616](#)**AGRICULTURAL PRESERVATION CONSULTING
AGREEMENT****Recommendation:**

Adopt resolution authorizing the City Manager to execute an agreement with Scharffenberger Land Planning & Design for agricultural preservation consulting services for a maximum amount of \$120,000.

Item # Report #**10** [16-612](#)**GRANT APPLICATION FOR LITTLE LLAGAS CREEK TRAIL
PROJECT****Recommendation:**

Adopt resolution authorizing the submission of a grant application to the State of California Habitat Conservation Fund (HCF) Program and the execution of grant documents if the grant application is successful.

Item # Report #11 [16-603](#)

ADOPT ORDINANCE 2213, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL ADDING A NEW CHAPTER 15.36 (SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEM PERMITTING) TO TITLE 15 (BUILDINGS AND CONSTRUCTION) TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

Recommendation:

Waive the reading, adopt Ordinance No. 2213, 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.

Item # Report #12 [16-604](#)

ADOPT ORDINANCE 2214, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING A ZONING AMENDMENT FROM THE R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT TO THE R-2 (PD) RESIDENTIAL PLANNED DEVELOPMENT OVERLAY DISTRICT WITH A PRECISE DEVELOPMENT PLAN TO ALLOW UP TO 60 TOWNHOME-STYLE CONDOMINIUMS AND 14 SINGLE-FAMILY DETACHED HOMES ON A ±9.6 ACRE SITE LOCATED AT THE NORTHWEST CORNER OF SAN PEDRO AVENUE AND MURPHY AVENUE (APN: 817-12-009)

Recommendation:

Waive the reading, adopt Ordinance No. 2214, 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.

Item # Report

- 13 [16-605](#) **ADOPT ORDINANCE 2215, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING A DEVELOPMENT AGREEMENT FOR THE SAN PEDRO-PRESIDIO RESIDENTIAL CONDOMINIUM DEVELOPMENT LOCATED ON THE NORTHWEST SIDE OF SAN PEDRO AVENUE AND MURPHY AVENUE (APN: 817-12-009)**

Recommendation: Waive the reading, adopt Ordinance No. 2215, 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.

Item # Report

- 14 [16-606](#) **ADOPT ORDINANCE 2216, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE ZONING DESIGNATION OF AN APPROXIMATELY 4.6 ACRE SITE LOCATED ON THE EAST SIDE OF WALNUT GROVE DRIVE, SOUTHERLY OF DIANA AVENUE (ASSESSOR PARCEL NUMBERS 726-07-021; -023, -029, -089) FROM MO INDUSTRIAL OFFICE TO R-1 9,000 SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICT**

Recommendation: Waive the reading, adopt Ordinance No. 2216, 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.

Item # Report

- 15 [16-620](#) **APPROVE THE AUGUST 24, 2016 SPECIAL/REGULAR CITY COUNCIL MEETING MINUTES**

Recommendation: Approve Minutes.

OTHER BUSINESS:

Item # Report

- 16 [16-611](#) **TRAKIT DEMONSTRATION**

Recommendation: Accept report and demonstration.

Estimated Time: 15 Minutes

Item # Report

17 [16-614](#)**REPORT REGARDING STATUS OF SOUTH COUNTY COURTHOUSE AND COUNTY OFFICE BUILDING****Recommendation:** Receive report, hold discussion, and direct staff as appropriate.**Estimated Time:** 30 Minutes

Item # Report

18 [16-609](#)**JUNE 2016 FINANCIAL AND INVESTMENT REPORT****Recommendation:** Accept and file report.**Estimated Time:** 5 Minutes

Item # Report

19 [16-610](#)**HIGH SPEED RAIL UPDATE****Recommendation:** Accept the High Speed Rail Verbal Update.**Estimated Time:** 15 Minutes**PUBLIC HEARINGS:**

Item # Report

20 [16-598](#)**EXTENSION OF TIME, RDCS 2016-0002:DUNNE-LEUNG: DEVELOPMENT AGREEMENT AMENDMENT EXTENSION FOR A SIX LOT SUBDIVISION. THE PROPERTY IS LOCATED ON THE NORTHEASTERLY CORNER OF EAST DUNNE AVENUE AND HILL ROAD (APN 728-11-026)****Recommendation:**

1. Open/close public hearing;
2. Waive first and second reading of Development Agreement Amendment Ordinance; and,
3. Introduce Development Agreement Amendment Ordinance.

Estimated Time: 5 Minutes

OTHER BUSINESS:**Item # Report #**21 [16-565](#)**ADVANCED METERING INFRASTRUCTURE SYSTEM SOLE SOURCE DESIGNATION****Recommendation:**

1. Adopt resolution designating Sensus USA, Inc to be the City's sole source provider for water AMI equipment and supporting services through the term of the existing AMI agreement between the City and Sensus USA, Inc. (January 21, 2034); and
2. Direct the City Manager to submit to the City Council, on a biennial basis coincident with budget adoption, a summary of AMI system related purchases.

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.

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 by 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.

City Council's Priorities, Goals, and Strategies

2016

2016 Commitment

The City Council is committed to engaging the community and being responsible stewards of public resources.

Ongoing Priorities

The City Council is committed to providing high quality and sustainable services for the entire Morgan Hill community. Fundamental to the City Council's success are the ongoing priorities of:

- **Enhancing public safety**
- **Protecting the environment**
- **Maintaining fiscal responsibility**
- **Supporting youth**
- **Fostering a positive organizational culture**
- **Preserving and cultivating public trust**

2016 Focus Areas

In addition to the City Council's priorities, five specific focus areas were recognized by the Council that will require significant resources in 2016.

- **Planning Our Community**
- **Developing Our Community**
- **Enhancing Our Services**
- **Improving Our Communication**
- **Participating In Regional Initiatives**