



Meeting Minutes

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**

CALL TO ORDER

The meeting was called to order at 7:01 p.m.

ROLL CALL ATTENDANCE

Present: 5 - Council Member Carr, Mayor Pro Tem Constantine, Council Member Librers,
Council Member Siebert, Mayor Tate

Absent: 0

DECLARATION OF POSTING OF AGENDA

Deputy City Clerk Michelle Wilson declared the posting of the agenda.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Mayor Tate shared that on a monthly or bi-monthly basis he holds his Coffee With the Mayor event where he buys the coffee and anyone is welcome to talk to him about anything, offer ideas for the community, criticize, ask questions, whatever you want. The next Coffee With the Mayor will be on Saturday, September 24th at Grinds, Vines & Automobiles from 9:00 to 10:30 a.m. That is the same day that the Taste of Morgan Hill starts. He also spoke regarding Silicon Valley Clean Energy Authority (SVCEA). SVCEA is a joint powers driven organization that provides an alternative source to buy energy. It will come on line around April or May next year. The Board is made up of representatives from the 11 cities in Santa Clara County that do not have their own source of electric power. A week ago Saturday they held an all day workshop to learn the details of the electric industry and how it works. For energy that is at least 50% clean, the City will establish a rate that is at least 1% lower than what you would be charged by PG&E. If you would like to stay with PG&E, you can opt-out. If you want to get 100% clean energy you can sign up for that with an additional sur-charge.

CITY MANAGER'S REPORT

City Manager Steve Rymer recognized our Cal Fire teammates for demonstrating our core values of teamwork and customer service. They did outstanding work containing the fire near Chesbro Reservoir. The fire started in the afternoon and fortunately through the partnerships that we have and the state resources, they were able to contain the fire quickly.

He announced that the City recently ordered all new intersection lights that will go at the crosswalks through the downtown. The lead time for those is about 12 weeks. The new signal that will be installed at Fourth and Monterey is in plancheck and should be ready to go to bid in October. We will be adding white striping outside the crosswalks to help make the crosswalks more visible to the drivers. We are also moving forward with installing in-ground lighting at the Third Street crosswalk to test the longevity.

He shared that our Parent Project is coming up. It is a 12 week program starting on September 27th led by our School Resources Officer Jeff Brandon, to help parents come together and learn how to have positive relationships and interactions with teens. He also announced that the Community Services Department is hosting our first Family Overnight at Community Park on September 30th through October 1st.

He concluded by speaking to the evening's supplements and presentations.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin had no reports.

OTHER REPORTS

None.

PUBLIC COMMENT

*The public comment was opened at 7:11 p.m.
Hearing no requests to speak, the public comment was closed.*

ADOPTION OF AGENDA

Action: On a motion by Council Member Librers and seconded by Mayor Pro Tem Constantine, adopting the agenda as posted. The motion passed by the following vote:

Ayes: 5 - Carr, Constantine, Librers, Siebert, Tate
Noes: 0
Absent: 0

PROCLAMATIONS

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

Mayor Tate presented the National Preparedness Month proclamation to Sergeant Ray Ramos and Police Chief David Swing.

PRESENTATION

Silicon Valley Turkey Trot
Dan Tran

Dan Tran with the Silicon Valley Leadership Group provided a presentation about the upcoming Silicon Valley Turkey Trot. He invited the community to attend the 12th annual Applied Materials Silicon Valley Turkey Trot. Over the event's 12 year history, they have raised over \$5 million dollars for local organizations such as the Healthier Kids Foundation, the Health Trust, Second Harvest Food Bank of San Mateo, Santa Cruz and Santa Clara Counties, and the Housing Trust of Silicon Valley. He challenged the Mayor and City Council to develop a team to participate in the Mayor's Cup portion of the run.

CONSENT CALENDAR:

Approval of the Consent Calendar

Action: On a motion by Council Member Siebert and seconded by Council Member Carr, approving consent calendar items 1, 2, and 5 through 15. Items 3 and 4 were pulled at the request of the Council for discussion. The motion passed by the following vote:

Ayes: 5 - Carr, Constantine, Librers, Siebert, Tate
Noes: 0
Absent: 0

- 1 [16-452](#) ACCEPTANCE OF DOWNTOWN UNDERGROUNDING UTILITIES STREET IMPROVEMENT PROJECT (SIDE STREET RENOVATION)

- 2 [16-455](#) ACCEPTANCE OF MONTEREY ROAD STREETScape PROJECT
- 5 [16-615](#) ACCEPTANCE OF SUBDIVISION PUBLIC IMPROVEMENTS FOR STONEBRIDGE - TRACT NO. 10177
- 6 [16-607](#) CONTRACT AMENDMENT TO INCREASE THE SCOPE OF THE PARKS AND RECREATION MASTER PLAN
- 7 [16-567](#) MAZE & ASSOCIATES AUDIT SERVICES CONTRACT AMENDMENT
- 8 [16-586](#) AWARD CONTRACT FOR ON-CALL EMERGENCY SPILL RESPONSE CLEANUP SERVICES
- 9 [16-616](#) AGRICULTURAL PRESERVATION CONSULTING AGREEMENT
- 10 [16-612](#) GRANT APPLICATION FOR LITTLE LLAGAS CREEK TRAIL PROJECT
- 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
- 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)
- 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)

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

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

3 [16-457](#) ACCEPTANCE OF DOWNTOWN PARKING STRUCTURE PROJECT

Item pulled at the request of the Council.

City Manager Steve Rymer presented the report.

Action: On a motion by Council Member Carr and seconded by Mayor Pro Tem Constantine, adopting resolution 16-147 accepting as complete the Downtown Parking Structure Project in the final amount of \$11,221,700, authorizing the Public Works Director to sign the attached Notice of Completion, and directing the City Clerk to file said Notice of Completion with the County Recorder's Office. The motion passed by the following vote:

Ayes: 5 - Carr, Constantine, Librers, Siebert, Tate

Noes: 0

Absent: 0

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

Item pulled at the request of the Council.

Public Works Director Karl Bjarke presented the report.

Action: On a motion by Mayor Pro Tem Constantine and seconded by Council Member Siebert, adopting resolution 16-148 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 authorizing the City Manager to execute the Second Amendment to Agreement with Biggs Cardosa Associates, Inc. for the Downtown Parking Structure Project. The motion passed by the following vote:

Ayes: 5 - Carr, Constantine, Librers, Siebert, Tate

Noes: 0

Absent: 0

OTHER BUSINESS:

16 [16-611](#)

TRAKIT DEMONSTRATION

Associate Planner Steve Golden provided the TRAKIT demonstration.

The public comment was opened at 8:05 p.m.

Hearing no requests to speak, the public comment was closed.

No action taken.

The meeting went into recess at 8:05 p.m.

The meeting was reconvened at 8:12 p.m.

18 [16-609](#)

JUNE 2016 FINANCIAL AND INVESTMENT REPORT

Finance Director Dat Nguyen presented the staff report.

The public comment was opened at 8:18 p.m.

Hearing no requests to speak, the public comment was closed.

No action taken.

17 [16-614](#)

REPORT REGARDING STATUS OF SOUTH COUNTY COURTHOUSE AND COUNTY OFFICE BUILDING

Assistant City Manager for Community Development Leslie Little presented the report. David Yamasaki, Chief Executive Officer of the South County Courthouse, continued the presentation.

The public comment was opened at 8:46 p.m.

Hearing no requests to speak, the public comment was closed.

No action taken.

19 [16-610](#)

HIGH SPEED RAIL UPDATE

Economic Development Director Edith Ramirez and High Speed Rail Regional Director for Northern California Ben Tripousis presented the report.

The public comment was opened at 9:12 p.m.

Doug Muirhead was called to speak.

Kathy Sullivan was called to speak.

Brian Sullivan was called to speak.

Hearing no further requests to speak, the public comment was closed.

No action taken.

PUBLIC HEARINGS:

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)

Council Member Librers recused herself and exited the dais.

Interim Principal Planner Gina Paolini presented the report.

The public hearing was opened at 9:33 p.m.

Scott Murray was called to speak.

Hearing no further requests to speak, the public hearing was closed.

Action: On a motion by Council Member Siebert and seconded by Mayor Pro Tem Constantine, waiving the first and second reading of Development Agreement Amendment Ordinance 2217. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Siebert, Tate

Noes: 0

Absent: 0

Recused: 1 - Librers

Action: On a motion by Council Member Siebert and seconded by Mayor Pro Tem Constantine, introducing Development Agreement Amendment Ordinance 2217. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Siebert, Tate

Noes: 0

Absent: 0

Recused: 1 - Librers

OTHER BUSINESS:

21 [16-565](#) ADVANCED METERING INFRASTRUCTURE SYSTEM SOLE SOURCE DESIGNATION

Council Member Librers resumed her seat at the dais.

Public Works Director Karl Bjarke presented the staff report.

The public comment was opened at 9:45 p.m.

Doug Muirhead was called to speak.

Hearing no further requests to speak, the public comment was closed.

Action: On a motion by Council Member Siebert and seconded by Council Member Librers, adopting resolution 16-155 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 directing the City Manager to submit to the City Council, on a biennial basis coincident with budget adoption, a summary of AMI system related purchases. The motion passed by the following vote:

Ayes: 5 - Carr, Constantine, Librers, Siebert, Tate

Noes: 0

Absent: 0

FUTURE COUNCIL INITIATED AGENDA ITEMS:

None.

ADJOURNMENT

The meeting adjourned at 9:49 p.m.

MINUTES PREPARED BY:

Michelle Wilson, Deputy City Clerk

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**