



**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***

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**Wednesday, December 16, 2015**  
**7:00 PM**

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

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**AMENDED AGENDA**

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*Please note that Item 29 has been amended.*

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**

Council Member Carr

**CITY MANAGER'S REPORT**

**CITY ATTORNEY'S REPORT**

**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)*

**PRESENTATIONS**

Item # Report #

[15-897](#)

**YAC PRESENTATION- ASSET #1 - FAMILY SUPPORT**

Attachments: [YAC Presentation](#)

Item # Report #

[15-896](#)

**PEAK PERFORMANCE AWARD WINNERS**

Attachments: [Peak Performance PP 12.16.2015](#)

**Challenge**

*John Amos*

**Teamwork**

*Lisa Rick*  
*Sergio Jauregui*  
*Debbie Vasquez*  
*Nick Calubaquib*  
*Thannia Delacroche*  
*Sandra Diner*  
*Fred Gomez*  
*Caitlin Kozacek*  
*Chiquy Mejia*  
*Jessica Redfield (YMCA)*  
*Shima Thompson (YMCA)*  
*Stephanie Vegh (YMCA)*  
*Kolby Rousseu (YMCA)*  
*Ashley Munday (YMCA)*  
*Mark Burke (YMCA)*  
*Sandra Madriles (YMCA)*  
*Prisma Renteria (YMCA)*  
*Leo Khooshabeh (YMCA)*

**Professional Growth**

*Jerry Neumayer*

**Customer Service**

*Isabel Arevalo*  
*Nancy Jett*

**Innovation**

*Edith Ramirez*  
*Dale Dapp*  
*Mark Rauscher*  
*Tony Haro*  
*Juan Zamora*  
*Rudy Zamarron*  
*Sergio Marquez*  
*Frank Alvarez*  
*Ismael Montes*  
*Daniel Johnson*

**Thx 26x/yr**

*Pat Heikens*

**Pathfinder***Rebecca Garcia***Fist Bump***Julie Behzad**Mike Fumagalli***Employees of the Year***Maureen Tobin**Harjot Sangha***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 [15-848](#) **2015-16 AVOID THE 13 DUI CAMPAIGN MEMORANDUM OF UNDERSTANDING**

**Attachments:** [12-16-15 AVOID Resolution with Budget.docx](#)  
[030 Avoid the 13 MOU.pdf](#)  
[AVOID 2015 16 MOU.pdf](#)

**Item # Report #**

- 2 [15-854](#) **2016 HAZARDOUS VEGETATION PROGRAM**

**Attachments:** [Initial Resolution - Hazardous Vegetation Program](#)

**Item # Report #**

- 3 [15-861](#) **AB 1600 DEVELOPMENT IMPACT FEE REPORT FOR FISCAL YEAR 2014-15**

**Attachments:** [Attachment A Development Impact Fee Report FY 2014-15](#)

**Item # Report #****4**   [15-866](#)**ADDENDUM TO PARTNERSHIP OPERATING AGREEMENT  
WITH THE YMCA OF SILICON VALLEY**

Attachments:   [CRC Addendum 2 Resolution](#)  
[Second Addendum](#)  
[CRC Addendum Exhibit A](#)

**Item # Report #****5**   [15-868](#)**ADOPT ORDINANCE 2180, NEW SERIES, AN ORDINANCE  
OF THE CITY OF MORGAN HILL APPROVING AN AMENDED  
DEVELOPMENT AGREEMENT FOR THE 12-UNIT CALLE  
SIENA PROJECT LOCATED ON THE NORTHERLY SIDE OF  
EAST MAIN AVENUE, APPROXIMATELY 420 FEET  
EASTERLY OF GRAND PRIX WAY (APN: 726-20-053)**

Attachments:   [2180 DAA-12-05A E. Main Calle Siena](#)  
[2180 Exhibit A](#)  
[32 Handout from Public.pdf](#)

**Item # Report #****6**   [15-869](#)**ADOPT ORDINANCE 2181, NEW SERIES, AN ORDINANCE  
OF THE CITY OF MORGAN HILL APPROVING AN AMENDED  
DEVELOPMENT AGREEMENT FOR THE DEL MONTE -  
GIOVANNI PROJECT LOCATED ON THE EAST SIDE OF DEL  
MONTE AVENUE, 600 FEET NORTH OF WRIGHT AVENUE.  
THE AMENDMENT EXTENDS THE OBTAIN BUILDING  
PERMIT DATE THREE MONTHS AND THE  
COMMENCEMENT OF CONSTRUCTION DATE SIX MONTHS  
FOR THE SIX FISCAL YEAR 2014-2015 BUILDING  
ALLOCATIONS**

Attachments:   [2181 DAA-13-11A Del Monte Giovanni](#)

**Item # Report #****7**   [15-873](#)**AMENDMENT TO MEMORANDUM OF UNDERSTANDING  
WITH THE SANTA CLARA VALLEY WATER DISTRICT**

Attachments:   [Resolution Increasing MOU Appropriation](#)  
[033 SCVWD MOU](#)  
[Exhibit B - MOU Amendment](#)

**Item # Report #****8 [15-859](#)****APPROVAL OF TRACTOR AND FLAIL MOWER PURCHASE****Attachments:**[RESO Tractor](#)[2015 Tractor Flail Bid - RDO Salinas](#)**Item # Report #****9 [15-871](#)****APPROVE AMENDMENT TO MOU WITH SOUTH SANTA CLARA COUNTY FIRE DISTRICT FOR FEMA GRANT AND AUTHORIZE PURCHASE FOR TWO SCBA FILL STATIONS****Attachments:**[GrantReso\\_12-16-15 draft](#)[Document - 11-12-2015-85](#)[First Amendment to Telecommunications and Other Equipment MOU](#)**Item # Report #****10 [15-846](#)****APPROVE RIGHT OF WAY AND SLOPE EASEMENT DEDICATIONS TO THE COUNTY OF SANTA CLARA FOR THE DEWITT AVENUE S-CURVE REALIGNMENT PROJECT****Attachments:**[Resolution-Dewitt S-curve Dedication](#)[Exhibit A to Resolution](#)[Project Location Map](#)**Item # Report #****11 [15-710](#)****APPROVE SECOND AMENDMENT TO THE SERVICE AGREEMENT FOR DESIGN PROFESSIONALS WITH HARRIS & ASSOCIATES FOR DEVELOPMENT REVIEW SERVICES****Attachments:**[Resolution Harris Associates - 2nd Amendment](#)[Resolution Exhibit A](#)[Resolution Exhibit B](#)[Attachment to Resolution Exhibit B](#)[11 Supplement 1](#)**Item # Report #****12 [15-879](#)****APPROVE THE AUGUST 5, 2015 SPECIAL/REGULAR CITY COUNCIL MEETING MINUTES****Attachments:**[08-05-15 Special-Regular Meeting Minutes](#)

## Item # Report #

13 [15-880](#)**APPROVE THE SEPTEMBER 2, 2015 REGULAR CITY COUNCIL MEETING MINUTES****Attachments:** [09-02-15 regular meeting minutes](#)

## Item # Report #

14 [15-881](#)**APPROVE THE SEPTEMBER 16, 2015 SPECIAL/REGULAR CITY COUNCIL MEETING MINUTES****Attachments:** [09-16-15 Special-Regular Meeting Minutes](#)

## Item # Report #

15 [15-882](#)**APPROVE THE OCTOBER 7, 2015 SPECIAL/REGULAR CITY COUNCIL MEETING MINUTES****Attachments:** [10-07-15 Special-Regular City Council Meeting Minutes](#)

## Item # Report #

16 [15-883](#)**APPROVE THE OCTOBER 9, 2015 SPECIAL CITY COUNCIL MEETING MINUTES****Attachments:** [10-09-15 Special Meeting Minutes](#)

## Item # Report #

17 [15-884](#)**APPROVE THE OCTOBER 21, 2015 SPECIAL/REGULAR CITY COUNCIL MEETING MINUTES****Attachments:** [10-21-15 Special-Regular Meeting Minutes](#)

## Item # Report #

18 [15-885](#)**APPROVE THE NOVEMBER 4, 2015 SPECIAL/REGULAR CITY COUNCIL MEETING MINUTES****Attachments:** [11-04-15 Special-Regular Meeting Minutes](#)

## Item # Report #

19 [15-819](#)**AWARD A PROFESSIONAL SERVICES AGREEMENT WITH CSG CONSULTANTS, INC. TO PROVIDE INSPECTION SERVICES FOR PUBLIC WORKS AND BUILDING PROJECTS****Attachments:** [Resolution for Inspection Services CSG 12-16-15](#)  
[Service Agreement with CSG Consultants 12-16-15 - CSG Signed Only](#)  
[035 CSG Consultant Engineering.pdf](#)  
[036 CSG Building.pdf](#)  
[19 Supplement 1](#)

## Item # Report #

20 [15-863](#) **COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2015**

## Item # Report #

21 [15-875](#) **CREATE FLEXIBLY STAFFED CLASSIFICATION SERIES**

Attachments: [Flexibly Staffed Classification Resolution](#)

## Item # Report #

22 [15-824](#) **DOMESTIC VIOLENCE RESPONSE TEAM GRANT FUNDS FROM COMMUNITY SOLUTIONS**

Attachments: [DVRTGrantRenewal resolution](#)  
[Community Solutions\\_DVRT\\_Executed 10-14](#)  
[FY16 Award Letter CalOES DVRT](#)

## Item # Report #

23 [15-874](#) **FIFTH SEMI-ANNUAL REPORT ON POST-ISSUANCE COMPLIANCE PROCEDURES FOR TAX ADVANTAGED BONDS**

## Item # Report #

24 [15-790](#) **FOLLOW UP REPORT ON COMMUNITY AND CULTURAL CENTER ENERGY EFFICIENCY PROJECT**

Attachments: [Carbon Lighthosue MHCC M&V Summary](#)

## Item # Report #

25 [15-584](#) **LICENSE AGREEMENT WITH GEORGE CHIALA FARMS**

Attachments: [GC Farms Resolution](#)  
[chiala lease](#)

## Item # Report #

26 [15-864](#) **OCTOBER 2015 FINANCIAL AND INVESTMENT REPORT**

Attachments: [October 2015 Financial Statement Analysis](#)  
[October 2015 Financial and Investment Reports](#)

## Item # Report #

27 [15-865](#) **PART-TIME TEMPORARY AND SEASONAL EMPLOYEES RESOLUTION AND CALIFORNIA MINIMUM WAGE**

Attachments: [Part-Time Temp Salary and Delegation for CM Reso](#)



Item # Report #

28 [15-818](#)

**UPDATE TO CITY COUNCIL POLICIES AND PROCEDURES  
94-11 ENTITLED “RESPONSIBILITY OF CITY COUNCIL  
DURING LOCAL EMERGENCY”**

**Attachments:**

[Local Emergency Policy for CC Reso](#)

[CP-94-11 RESPONSIBILITY OF CITY COUNCIL DURING CITY DISASTER-EM](#)

**PUBLIC HEARINGS:****Item # Report #****29** [15-853](#)**IMPLEMENTATION OF A COMMUNITY CHOICE ENERGY PROGRAM****Estimated Time:** 10 Minutes

**Attachments:** [FINAL DRAFT SVCCE Technical Study 112515](#)  
[CCA Ordinance](#)  
[Ordinance Resolution](#)  
[Exhibit A Budget Scorecard.pdf](#)  
[Exhibit B JPA Agreement](#)  
[29 Supplement 1](#)  
[29 Supplement 2](#)  
[29 Presentation](#)

**OTHER BUSINESS:****Item # Report #****30** [15-872](#)**PROVIDE DIRECTION TO STAFF ON INCLUDING ITEM ZA-14-13: PEAK-AMAS ON A FUTURE CITY COUNCIL MEETING AGENDA FOR RECONSIDERATION: A ZONING AMENDMENT TO CHANGE THE CURRENT ZONING FROM R-3(C) CONDITIONAL TO R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT AND CLARIFY COUNCIL DIRECTION FOR FUTURE REQUESTS TO RECONSIDER****Estimated Time:** 5 Minutes

**Attachments:** [CP-96-01.pdf](#)  
[11/18/15 Staff Report](#)

**Item # Report #****31 [15-852](#)****LOCATION FOR “NEVER FORGOTTEN” THE TARA ALISH ROMERO SCULPTURE****Estimated Time:** 10 Minutes

**Attachments:** [Never Forgotten Public Art Reso](#)  
[Image of Never Forgotten](#)  
[Proposed Location for Never Forgotten](#)  
[Attachment 4](#)  
[Attachment 5](#)  
[31 Presentation](#)

**Item # Report #****32 [15-830](#)****SPAY AND NEUTER PROGRAM****Estimated Time:** 10 Minutes

**Attachments:** [32 and 33 Supplement](#)  
[32 Presentation](#)

**Item # Report #****33 [15-870](#)****CITYWIDE MINIMUM WAGE COMMUNITY ENGAGEMENT PROCESS REPORT****Estimated Time:** 20 minutes

**Attachments:** [Cities Assoc Subcommittee on Minimum Wage Report 06.07.15](#)  
[Minimum Wage Community Forum 12.01.15](#)  
[Minimum Wage Business Forum 12.01.15](#)  
[Minimum Wage Survey Results](#)  
[32 and 33 Supplement](#)

**Item # Report #****34 [15-858](#)****AMENDMENT TO MEDICAL MARIJUANA ORDINANCES****Estimated Time:** 10 Minutes

**Attachments:** [MJ Cultivation](#)  
[MJ Delivery Services Doc](#)  
[Med MJ Cultivation, Delivery, and Dispensary Ban\\_v2](#)  
[34 Presentation](#)

**PUBLIC HEARINGS:****Item # Report #**35 [15-844](#)

**AP 15-07- APPEAL OF THE PLANNING COMMISSION'S  
EVALUATION OF RESIDENTIAL DEVELOPMENT CONTROL  
SYSTEM (RDCS) APPLICATION MC-15-12 (JARVIS-MWEST)  
-PROPOSED DEVELOPMENT WOULD BE 374 RENTAL  
UNITS AT FULL BUILD-OUT. THE PROPERTIES,  
IDENTIFIED BY ASSESOR PARCEL NUMBER(S) 726-25-078,  
726-25-079, 726-25-066 AND 726-25-067, ARE LOCATED AT  
THE NORTHEAST CORNER OF JARVIS DRIVE AND  
MONTEREY ROAD (MWEST PROPCO., APPLICANT).**

**Estimated Time:** 45 Minutes**Attachments:**[CC Resolution 12-16-15](#)[MWest Notice of Appeal Letter to City Clerk 11 30 15](#)[PC Reso. 15-66](#)[MC-15-12-Jarvis-MWest \(Final\)](#)[Project Plans](#)[PC Staff Report-Oct. 27, 2015](#)[PC Staff Report-Nov. 10, 2015](#)[MWest Appeal Letter to City Council on RDCS Score \(12 04 15\) v2 \(3\)](#)[Jarvis-MWest RDCS Comments Adjustments and Final Score](#)[35 Supplement 1](#)[35 Supplement 2](#)[35 Presentation](#)**OTHER BUSINESS:****Item # Report #**36 [15-850](#)**MORGAN HILL 2035: ZONING CODE UPDATE****Estimated Time:** 20 Minutes**Attachments:**[Annotated Zoning Code Outline Memo](#)[Zoning Code Update Outline](#)[36 Presentation](#)**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. 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](mailto: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](mailto:michelle.wilson@morganhill.ca.gov). Requests must be made as early as possible and at least two-full business days before the start fo the meeting.*

## City Council's Priorities, Goals, and Strategies

### 2015

#### 2015 Commitment

*For 2015, the City Council is committed to remaining focused on existing planning efforts, projects, and initiatives with an eye towards completing what has already been started.*

#### Ongoing Priorities

*The City Council is committed to providing high quality and sustainable services to 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 an organizational culture
- Preserving and cultivating public trust

#### 2015 Focus Areas

*In addition to the City Council's priorities, eleven specific focus areas were recognized by the Council that require significant resources in 2015.*

**AP 15-07- APPEAL OF THE PLANNING COMMISSION'S EVALUATION OF RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) APPLICATION MC-15-12 (JARVIS-MWEST) -PROPOSED DEVELOPMENT WOULD BE 374 RENTAL UNITS AT FULL BUILD-OUT. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBER(S) 726-25-078, 726-25-079, 726-25-066 AND 726-25-067, ARE LOCATED AT THE NORTHEAST CORNER OF JARVIS DRIVE AND MONTEREY ROAD (MWEST PROPCO., APPLICANT).**