



Special - 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 21, 2016

5:30 PM

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

SPECIAL/REGULAR MEETING

A Special Meeting of the City Council is called at 5:30 p.m.
for the purpose of conducting a workshop.

SPECIAL MEETING

5:30 P.M.

Item # Report #

[16-652](#)

LOCAL AND REGIONAL TRANSPORTATION WORKSHOP

Recommendation:

The California High Speed Rail Authority (CHSRA) is the State Agency responsible for the planning, design and construction of the California high speed rail system that will connect the San Francisco Bay Area to Los Angeles (eventually from Sacramento to San Diego) with a train system that will run at speeds of over 200 miles per hour. The purpose of the September 21, 2016 Study Session is to review in detail the alignment options for the High Speed Rail Train as it comes through Morgan Hill. High Speed Rail engineers and design consultants will explain the differences between the alternatives currently being studied, including:

1. At grade east of the tracks on Monterey Road
2. Elevated in a viaduct east of the tracks on Monterey Road
3. Elevated in a viaduct alongside Highway 101

REGULAR MEETING

7:00 P.M.

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)

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 Carr

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PROCLAMATIONS

**Honoring Jacob's Heart Children's Cancer Support Services and
Proclaiming the month of September as Childhood Cancer Awareness Month**

Proclaiming the month of September as Ovarian Cancer Awareness Month

Proclaiming the week of October 9-15, 2016 as Fire Prevention Week

PRESENTATION

Item # Report #

[16-651](#)

**YAC PRESENTATION- ASSET #6 PARENT INVOLVEMENT
IN SCHOOLING**

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 [16-629](#)**AWARD DUNNE HILL FIRE STATION ROOF REPAIR****Recommendation:**

Adopt resolution:

1. Approving project specifications;
2. Awarding a contract to Andy's Roofing Company for the Dunne Hill Fire Station Roof Repair Project in the amount of \$41,878;
3. Authorizing the expenditure of construction contingency funds not to exceed \$4,188; and
4. Authorizing City Manager to execute and administer the construction contract with Andy's Roofing Company.

Item # Report #2 [16-643](#)**REJECT THE BID FOR THE 2016 PAVEMENT RESURFACING PROJECT****Recommendation:**

Reject the bid and direct staff to rebid the project.

Item # Report

3 [16-627](#)**THIRD AMENDMENT TO CSG CONSULTANTS, INC.
AGREEMENT FOR PROGRAM MANAGEMENT SERVICES**

Recommendation: Adopt resolution approving and authorizing the City Manager to execute a Third Amendment to the contract with CSG Consultants, Inc. in the amount of \$300,000, for a total contract amount not to exceed \$1,383,598 for project delivery services through June 1, 2017 for both water and sewer bond projects.

Item # Report

4 [16-636](#)**FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT -
ASSISTANCE TO FIREFIGHTERS 2015**

Recommendation: Adopt resolution:
1. Accepting the Assistance to Firefighters Grant award in the amount of \$75,712; and
2. Appropriating \$83,283 for associated grant expenditures and activities.

Item # Report

5 [16-637](#)**CITY SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES
VISION ZERO TRAFFIC SAFETY RESOLUTION**

Recommendation: 1. Authorize the City's voting delegate to vote on the Vision Zero traffic safety resolution to be considered at the League of California Cities (LOCC) annual conference; and
2. Direct staff to explore the benefits the Vision Zero traffic safety initiative would have on Morgan Hill.

Item # Report

6 [16-635](#)**JULY 2016 FINANCIAL AND INVESTMENT REPORT**

Recommendation: Accept and file report.

Item # Report

7 [16-630](#)**ADOPT ORDINANCE 2217, NEW SERIES, AN ORDINANCE
OF THE CITY OF MORGAN HILL APPROVING AN AMENDED
DEVELOPMENT AGREEMENT FOR THE DUNNE HILL
MEADOW SIX LOT RESIDENTIAL DEVELOPMENT
LOCATED ON THE NORTHEASTERLY CORNER OF EAST
DUNNE AVENUE AND HILL ROAD (ASSESSOR'S PARCEL
NUMBER 728-11-026)**

Recommendation: Waive the reading, adopt Ordinance No. 2217, 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

8 [16-645](#) **APPROVE THE SEPTEMBER 7, 2016 REGULAR CITY COUNCIL MEETING MINUTES**

Recommendation: Approve Minutes.

OTHER BUSINESS:

Item # Report

9 [16-642](#) **AGRICULTURAL LANDS PRESERVATION REPORT**

Recommendation: Receive verbal report from Santa Clara County and Santa Clara Valley Open Space Authority representatives on the Sustainable Agricultural Lands Policy Framework.

Estimated Time: 30 Minutes

Item # Report

10 [16-602](#) **DOWNTOWN PARKS FINAL DESIGNS AND LAND ACQUISITION**

Recommendation:

1. Approve project scope;
2. Approve designs for the Downtown Parks; and
3. Adopt resolution authorizing the City Manager to execute a purchase agreement with the Santa Clara Valley Water District for two properties for an amount not to exceed \$126,000.

Estimated Time: 25 Minutes

Item # Report

11 [16-640](#) **TRANSIENT OCCUPANCY TAX COMPLIANCE AUDIT REPORT**

Recommendation:

1. Receive the Transient Occupancy Tax (TOT) compliance audit report; and
2. Provide direction to staff to further review the City's TOT Ordinance (Municipal Code Chapter 3.24) and present recommendations on modifying the 30+ day exemptions policy.

Estimated Time: 30 Minutes

Item # Report

12 [16-638](#)**LEGISLATIVE POSITIONS ON 2016 REGIONAL AND STATE BALLOT MEASURES****Recommendation:**

1. Discuss the recommended positions on 2016 regional and state ballot measures; and
2. Direct staff to correspond appropriately in support of Measure A, B, Propositions 51, 54, and 67; in opposition of Propositions 53, 57, 64, and 65; and to take no position on Proposition 63.

Estimated Time:

25 Minutes

PUBLIC HEARINGS:

Item # Report

13 [16-608](#)**DEVELOPMENT AGREEMENT, DA2016-004: CONDIT-MANA: A 165 - UNIT APARTMENT PROJECT LOCATED ON THE NORTHEAST SIDE OF SAN PEDRO AVENUE AND MURPHY AVENUE (APN 817-12-006)****Recommendation:**

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

Estimated Time:

10 Minutes

Item # Report

14 [16-633](#)**DEVELOPMENT AGREEMENT, DA2016-0006:PRICE-CONN: A DEVELOPMENT AGREEMENT FOR A SINGLE LOT RESIDENTIAL DEVELOPMENT LOCATED ON PRICE DRIVE, WEST OF DEWITT AVENUE (APN 773-08-081)****Recommendation:**

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

Estimated Time:

5 Minutes

Item # Report #15 [16-617](#)**DEVELOPMENT AGREEMENT, DA2016-0007:
DEWITT-MURRAY - A FOUR LOT SUBDIVISION PROPOSED
ON THE SOUTHEAST CORNER OF DEWITT AVENUE AND
PRICE DRIVE (APN 773-08-064)****Recommendation:**

1. Open/close Public Hearing;
2. Waive the first and second reading of the Development Agreement Ordinance; and
3. Introduce Development Agreement Ordinance.

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.

CLOSED SESSION**OPPORTUNITY FOR PUBLIC COMMENT****ADJOURN TO CLOSED SESSION****CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of litigation pursuant to: Government Code Section 54956.9(d)(4)

Number of Cases: One (1)

RECONVENE**CLOSED SESSION ANNOUNCEMENT****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**