



Special - Regular Meeting Agenda

City Council

Steve Tate ~ Mayor

Larry Carr ~ Mayor Pro Tem

Caitlin Robinett Jachimowicz ~ Council Member

Rene Spring ~ Council Member

Rich Constantine ~ Council Member

Wednesday, February 1, 2017

5:30 PM

Council Chamber

17555 Peak Avenue

Morgan Hill, CA 95037

SPECIAL MEETING

5:30 P.M.

A special meeting of the City Council was called at 5:30 p.m. for the purpose of conducting a workshop.

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)

WORKSHOP:

Item # Report #

1 [17-054](#)

**THE PURPOSE OF THE WORKSHOP IS TO DISCUSS
PROPOSITION 64 AND RELATED POLICIES**

Estimated Time: 90 Minutes

REGULAR MEETING**7:00 P.M.**

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 Spring

CITY MANAGER'S REPORT**CITY ATTORNEY'S REPORT****OTHER REPORTS****PROCLAMATIONS**

Item # Report #

[17-076](#)**PROCLAIMING THE WEEK OF FEBRUARY 5-11, 2017
AS FUTURE BUSINESS LEADERS OF AMERICA WEEK****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 #**2** [17-049](#)**APPROVAL OF AN AMENDMENT TO THE LEGAL SERVICES CONSULTANT AGREEMENT WITH THE LAW FIRM OF GARY M. BAUM FOR OUTSIDE COUNSEL SERVICES TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT TO \$60,000**

Recommendation: Authorize the City Manager to execute and administer an amendment to the legal services Consultant Agreement with the Law Firm of Gary M. Baum for outside counsel services to increase the total not to exceed amount to \$60,000.

Item # Report #**3** [17-023](#)**APPROVE SOFTWARE SERVICES LICENSING AGREEMENT FOR WATER AND SEWER ASSETS AND NETWORK MANAGEMENT**

Recommendation: Approve a multi-year agreement with IDModeling, of Arcadia, CA, for software licensing services for asset management, network management, and SCADA integration for the Water and Sewer system, totaling \$164,640.

Item # Report #**4** [17-046](#)**APPROPRIATION OF FUNDS FOR PURCHASE PROPERTY**

Recommendation: Adopt resolution approving an amendment to the City's fiscal year 2016/17 annual budget in the Park Impact Fund (301) to appropriate \$1,900,000 to allocate funds for the purchase of property adjacent to the Aquatics Center and Outdoor Sports Center.

Item # Report

5 [17-042](#)**ACCEPT MONTEREY ROAD SANITARY SEWER MANHOLE
INSTALLATION PROJECT****Recommendation:**

Adopt resolution approving the following actions:

1. Accept as complete the Monterey Road Sanitary Sewer Manhole Installation Project in the final amount of \$57,085;
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

6 [17-040](#)**REJECT ALL BIDS FOR THE FOURTH STREET &
MONTEREY ROAD SIGNALIZATION PROJECT****Recommendation:**

Reject all bids and direct staff to rebid the project.

Item # Report

7 [17-035](#)**AQUATICS CENTER RESIDENT LAP LANE RENTAL
CHARGES****Recommendation:**

Approve increase to resident lap lane rental charges at the Morgan Hill Aquatics Center.

Item # Report

8 [17-045](#)**RESOLUTION AUTHORIZING ADDITIONAL PACE
ADMINISTRATORS****Recommendation:**

Adopt resolution authorizing additional administrators to serve Morgan Hill customers for property improvements.

Item # Report

9 [17-026](#)**APPROVE THE DECEMBER 14, 2016 SPECIAL CITY
COUNCIL MEETING MINUTES****Recommendation:**

Approve Minutes.

Item # Report

10 [17-056](#)**APPROVE THE JANUARY 18, 2017 SPECIAL/REGULAR
CITY COUNCIL MEETING MINUTES****Recommendation:**

Approve Minutes.

Item # Report

11 [17-057](#)**APPROVE THE JANUARY 25, 2017 SPECIAL/REGULAR
CITY COUNCIL MEETING MINUTES****Recommendation:**

Approve Minutes.

PUBLIC HEARINGS:

Item # Report

12 [17-048](#)

ZONING AMENDMENT, ZA2016-008/ DEVELOPMENT AGREEMENT, DA2016-0009/ ENVIRONMENTAL ASSESSMENT, EA2016-0012: DEPOT - SUNSWEET MORGAN HILL, LLC.: REQUEST FOR A ZONING AMENDMENT AND DEVELOPMENT AGREEMENT FOR A MIXED-USE PROJECT CONSISTING OF 83 RESIDENTIAL UNITS AND 5,760 SQUARE FEET OF COMMERCIAL SPACE ON A 1.65- ACRE SITE LOCATED ON THE WEST SIDE OF DEPOT STREET, BETWEEN EAST THIRD STREET AND EAST FOURTH STREET (APN(S) 726-13-044, 032 & 054)

Recommendation:

1. Open/close Public Hearing;
2. Waive the First and Second Reading of Ordinance establishing a Planned Development Zoning District incorporating a Precise Development Plan;
3. Introduce the Ordinance;
4. Waive the First and Second Reading of Ordinance approving the Development Agreement; and
5. Introduce Ordinance.

Estimated Time:

45 Minutes

Item # Report

13 [17-041](#)

RESOLUTIONS AUTHORIZING THE SANTA CLARA COUNTY CONSUMER AND ENVIRONMENTAL PROTECTION AGENCY TO ABATE WEEDS

Recommendation:

1. Open/Close public hearing;
2. Adopt Resolution "A" authorizing the County Consumer and Environmental Protection Agency to Abate Weeds, excluding Parcel Numbers struck out of the attached list; and
3. Adopt Resolution "B" authorizing the County Consumer and Environmental Protection Agency to Abate Weeds, excluding Parcel Numbers struck out of the attached list.

Estimated Time:

10 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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Authority:

Government Code 54957(b)(1)

Title:

City Manager

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**