



City of Morgan Hill

Meeting Minutes

Oversight Board

Steve Tate - Chair

Glen Williams - Vice Chair

Debbie Cauble - Board Member

Steve Kinsella - Board Member

Tze-Ki Lam - Board Member

Angela Rivera - Board Member

George Putris - Board Member

Wednesday, May 25, 2016

2:00 PM

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

CALL TO ORDER

Chair Tate called the meeting to order at 2:00 p.m.

ROLL CALL ATTENDANCE

Present 7 - Chairperson Steve Tate, Board Member Angela Rivera, Board Member Steve Kinsella, Vice Chair Glen Williams, Board Member George Putris, Board Member Debbie Cauble, and Board Member Tze-Ki Lam

Absent 0

DECLARATION OF POSTING OF AGENDA

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

The public comment was opened at 2:01 p.m.

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

ADOPTION OF AGENDA

Action: On a motion by Board Member Kinsella and seconded by Vice Chair Williams, Adopting the agenda removing item 4 from the consent calendar. The motion passed by the following vote:

Ayes: 7 - Chairperson Tate, Board Member Rivera, Board Member Kinsella, Vice Chair Williams, Board Member Putris, Board Member Cauble, and Board Member Lam

Noes: 0

Absent: 0

CONSENT CALENDAR:**Approval of the Consent Calendar**

Action: On a motion by Board Member Kinsella and seconded by Board Member Putris, approving Consent Calendar item 3 (note recusals on items 1 and 2). The motion passed by the following vote:

Ayes: 7 - Chairperson Tate, Board Member Rivera, Board Member Kinsella, Vice Chair Williams, Board Member Putris, Board Member Cauble, and Board Member Lam

Noes: 0

Absent: 0

- 1 [16-362](#) APPROVE THE JANUARY 27, 2016 REGULAR OVERSIGHT BOARD MEETING MINUTES

Action: On a motion by Board Member Kinsella and seconded by Board Member Putris, Approving the Minutes. The motion passed by the following vote:

Ayes: 6 - Chairperson Tate, Board Member Rivera, Board Member Kinsella, Board Member Putris, Board Member Cauble, and Board Member Lam

Noes: 0

Absent: 0

Recused: 1 - Vice Chair Williams

- 2 [16-363](#) APPROVE THE MARCH 23, 2016 REGULAR OVERSIGHT BOARD MEETING MINUTES

Action: On a motion by Board Member Kinsella and seconded by Board Member Putris, Approving the Minutes. The motion passed by the following vote:

Ayes: 5 - Chairperson Tate, Board Member Rivera, Board Member Kinsella, Vice Chair Williams, and Board Member Cauble

Noes: 0

Absent: 0

Recused: 2 - Board Member Putris, and Board Member Lam

- 3 [16-367](#) REPORT ON BOND PROJECTS IMPLEMENTATION AGREEMENT

Receive and file report

4 [16-348](#)**PARKING LOT LEASE AGREEMENT AT 17520-70 MONTEREY ROAD
(MAP LOT 8A)**

Item pulled for discussion by the Board.

Assistant City Manager for Community Development Leslie Little presented the report.

Board Member Williams stated for the record "I do not in any way suggest that it would not be good for the City to have this lot continue as a parking space. I think that its location does in fact help the downtown businesses. This is not in the least about the appropriateness of this parking, it's not in the least about whether the City should do this, but it is about whether or not this should be an obligation of the taxing entities. I believe that the taxing entities do not have any obligation whatsoever to provide downtown parking generically for the City of Morgan Hill. My belief is that it is time to end this and I think that the solution that staff proposed was outstanding in which the gentleman that is going to be the subject of our next conversation was agreeing to take over this lease to provide additional parking to make up for the parking that is going to be eliminated by his construction project. That is not my decision. That is the City's decision and Mr. Leal's decision. Should I vote to continue to pay an obligation to the City of Morgan Hill that I am not obligated to do, I think it is my fiduciary responsibility to not vote for that again."

The public comment was opened at 2:16 p.m.

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

Action: On a motion by Board Member Cauble and seconded by Vice Chair Williams, Directing the Successor Agency to terminate the lease. The motion passed by the following vote:

Ayes: 4 - Vice Chair Williams, Board Member Putris, Board Member Cauble, and Board Member Lam

Noes: 3 - Chairperson Tate, Board Member Rivera, and Board Member Kinsella

Absent: 0

OTHER BUSINESS:

- 5 [16-375](#) FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF MORGAN HILL, AS SUCCESSOR AGENCY TO THE FORMER MORGAN HILL REDEVELOPMENT AGENCY AND GRANADA MARKETPLACE AND HOTEL (GMH), A CALIFORNIA CORPORATION (FORMERLY LEAL VINEYARDS) FOR PROPERTY LOCATED AT 17420-17440 MONTEREY ROAD, APN'S 726-14-025, -026, -029, -030 AND- 031

Assistant City Manager for Community Development Leslie Little presented the report.

The public comment was opened at 2:24 p.m.

Frank Leal was called to speak.

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

Action: On a motion by Board Member Kinsella and seconded by Vice Chair Williams, adopting resolution OB 16-005 concurring with Successor Agency action on May 18, 2016, amending the Purchase and Sale Agreement, facilitating the early purchase of the property and preserving anti-speculation re-purchase rights for failure to construct. The motion passed by the following vote:

Ayes: 7 - Chairperson Tate, Board Member Rivera, Board Member Kinsella, Vice Chair Williams, Board Member Putris, Board Member Cauble, and Board Member Lam

Noes: 0

Absent: 0

FUTURE COMMISSION AGENDA ITEMS:

None.

ADJOURNMENT

The meeting was adjourned at 2:27 p.m.

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the legislative body less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the legislative body. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the Commission 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 Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Commission 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 Commission, 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 Commission 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 Commission.

Persons interested in proposing an item for the Commission agenda should contact a member of the Commission who may plan an item on the agenda for a future Commission meeting. Should your comments require Commission action, your request may be placed on the next appropriate agenda. Commission 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 Commission at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the Commission, 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 Commission 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.