



Meeting Minutes

City Council

Steve Tate ~ Mayor

Larry Carr ~ Mayor Pro Tem

Caitlin Robinett Jachimowicz ~ Council Member

Rene Spring ~ Council Member

Rich Constantine ~ Council Member

Wednesday, January 25, 2017

5:00 PM

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

SPECIAL MEETING

5:00 P.M.

A Special Meeting of the City Council was called at 5:00 p.m. for the purpose of conducting City business.

CALL TO ORDER

Mayor Tate called the meeting to order at 5:00 p.m.

ROLL CALL ATTENDANCE

Council Member Carr arrived at 5:20 p.m.

Present: 4 - Mayor Pro Tem Carr, Council Member Constantine, Mayor Tate, Council Member Spring

Absent: 1 - Council Member Robinett Jachimowicz

DECLARATION OF POSTING OF AGENDA

OATH OF OFFICE

City Clerk Irma Torrez administered the Oath of Office to Council Member Caitlin Robinett Jachimowicz.

ADJOURN TO RECEPTION

The meeting adjourned to the reception at 5:08 p.m.

SELECTED OFFICIAL ASSUMES HER SEAT ON THE DAIS

Council Member Jachimowicz assumed her seat at the dais.

Present: 5 - Mayor Pro Tem Carr, Council Member Constantine, Mayor Tate, Council Member Spring, Council Member Robinett Jachimowicz

Absent: 0

RECONVENE

The meeting was reconvened at 5:34 p.m.

WORKSHOP:

[17-051](#)

THE PURPOSE OF THIS WORKSHOP IS TO RECEIVE INFORMATION FROM VALLEY TRANSPORTATION AUTHORITY (VTA) IN REGARDS TO THEIR NETWORK PLANNING EFFORTS AND THE POTENTIAL IMPACTS ON THE MORGAN HILL COMMUNITY

Mayor Pro Tem Carr introduced the presentation.

Jay Tyree Senior Project Manager with VTA continued the presentation.

The public comment was opened at 6:18 p.m.

Virginia Benche was called to speak.

Cricket Rubino was called to speak, Julie Jensen spoke on her behalf.

Julie Jensen was called to speak.

Doug Muirhead was called to speak.

Frances Scalzo was called to speak.

Roland Lebrun was called to speak.

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

No action taken or required.

Mayor Tate called a recess at 6:50 p.m.

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

The regular meeting convened at 7:03 p.m.

SILENT INVOCATION**PLEDGE OF ALLEGIANCE****CITY COUNCIL REPORTS**

Mayor Pro Tem Carr shared that the Council just concluded a workshop with the Valley Transportation Authority (VTA). The workshop was held because it is important that Morgan Hill gets involved and advocates for the residents with the VTA program changes that will be coming forward. He shared some of the work that he and the Mayor have been doing with the Water District and the Army Corps of Engineers on flood control in Morgan Hill. At a flood control update meeting last Friday, the Water District reported that significant progress has been made. There are three permits that need to be acquired in order to move forward. One of them has been acquired, the second and third permits are in progress. Work on the project should begin this summer.

CITY MANAGER'S REPORT

City Manager Steve Rymer congratulated and welcomed our new Council Member Caitlin Robinett Jachimowicz on behalf of all city teammates. He recognized teammates for their work during these last few storms and for demonstrating the City's core values of innovation, teamwork, customer service, and meeting challenges. He recognized the Community Services, Police, Utilities, Fire, and Public Information teams for their work. He also thanked the community for sharing information about what was going on throughout town during the flooding. He also acknowledged our Public Information team, Maureen Tobin and Nichole Martin for their efforts. The SCVWD used the pre-storm information that we were pushing out to the community as an example as to how all the cities in the county can send as much information out to their residents as possible.

In continuing with the theme of acknowledging and thanking, he spoke about the 5th Annual Morgan Hill Values Youth event that was held on Saturday, January 21, 2017. It's an opportunity for the community, service providers, parents, and youth to come together and look at how we can continue to build our community, support youth, support parents, and support families. In addition to the City of Morgan Hill, he recognized the following organizations for helping to sponsor and for providing resources to make this event possible; the Morgan Hill Unified School District, Project Cornerstone, Community Solutions, Teen Force, the Healthier Kids Foundation, Discovery Counseling Center, the YMCA, Santa Clara County Public Health, and a couple other groups. This event is a really good example of how the community continues to come together to support the youth.

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

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin had no reports.

OTHER REPORTS

Mayor Tate announced that the next coffee with the Mayor will be on Saturday, February 4, 2017 at 10:00 a.m. at Grinds, Vines, & Automobiles with the new Council Member Caitlin Robinett Jachimowicz as his guest.

PUBLIC COMMENT

*The public comment was opened at 7:13 p.m.
Kamyar Nekoui was called to speak.
Roland Lebrun was called to speak.
Hearing no further requests to speak, the public comment was closed.*

[17-052](#)

WRITTEN PUBLIC COMMENT RECEIVED

ADOPTION OF AGENDA

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

Ayes: 5 - Carr, Constantine, Tate, Spring, Robinett Jachimowicz

Noes: 0

Absent: 0

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

Action: On a motion by Council Member Spring and seconded by Council Member Constantine, approving consent calendar items 1 and 3. The motion passed by the following vote:

Ayes: 5 - Carr, Constantine, Tate, Spring, Robinett Jachimowicz

Noes: 0

Absent: 0

- 1 [17-024](#) ACCEPTANCE OF CENTENNIAL RECREATION SENIOR CENTER
GRANT AWARD

- 3 [17-036](#) ADOPT ORDINANCE 2230, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING A DEVELOPMENT AGREEMENT FOR A SINGLE FAMILY ATTACHED DEVELOPMENT PROJECT DA2016-0008: PEAK-FINAMORE LOCATED ON THE SOUTHEAST CORNER OF PEAK AVENUE AND CLAREMONT DRIVE (APN764-36-037)

- 2 [17-037](#) AUTHORIZE CONTRACT WITH MICHAEL BAKER INTERNATIONAL FOR PREPARATION OF A RAILROAD CROSSING "QUIET ZONE" STUDY AND DEPOSITS FOR REIMBURSEMENT OF SERVICE TO UNION PACIFIC RAILROAD

Assistant City Manager Leslie Little provided the report.

The public comment was opened at 7:33 p.m.

Roland Lebrun was called to speak.

Hearing no requests to speak, the public comment was closed

Action: On a motion by Council Member Constantine and seconded by Mayor Pro Tem Carr, approving an amendment to the City's fiscal year 2016-2017 annual budget to appropriate \$88,330 for the "quiet zone" assessment and funding of deposits (\$44,165 Long Range Planning Fund 207 and \$44,165 Public Facilities (Non-AB 1600) Fund 346), approving the professional services contract with Michael Baker International for development of a "quiet zone" assessment and implementation risk report for an amount not to exceed \$58,330, and authorizing \$30,000 in funding of deposits for reimbursement of time and services to Union Pacific Railroad for the review of three proposed "quiet zone" intersections. The motion passed by the following vote:

Ayes: 3 - Carr, Constantine, Robinett Jachimowicz

Noes: 2 - Tate, Spring

Absent: 0

OTHER BUSINESS:

- 4 [17-012](#) SOUTH COUNTY POWER CONNECT PROJECT UPDATE

Economic Development Director Edith Ramirez provided the report. Joe Foster, Public Affairs Representative and Mark Schexnayder, Project Manager with PG&E continued the report.

The public comment was opened at 8:04 p.m.

Roland Lebrun was called to speak.

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

No action required or taken.

5 [17-043](#) ANDERSON DAM SEISMIC RETROFIT UPDATE

Director of Engineering and Utilities Karl Bjarke provided the report. Deputy Operating Officer for Water Utilities Capital Programs, Katherine Oven with the Santa Clara Valley Water District continued the report.

The public comment was opened at 8:52 p.m.

Roland Lebrun was called to speak.

Dave Elliot was called to speak.

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

No action required or taken.

6 [16-860](#) COMMUNICATIONS ASSESSMENT REPORT AND RECOMMENDATIONS

Communications and Engagement Manager Maureen Tobin provided the report.

The public comment was opened at 9:17 p.m.

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

No action required or taken.

7 [17-038](#) INCENTIVE AGREEMENT WITH MORGAN HILL REAL ESTATE LLC,
FOR THE ESTABLISHMENT OF A NEW AUTOMOBILE AGENCY AT
THE AUTO MALL PLANNED DEVELOPMENT SITE ON CONDIT
ROAD

Economic Development Coordinator John Lang provided the report.

The public comment was opened at 9:40 p.m.

Josh Towbin was called to speak.

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

Action: On a motion by Council Member Constantine and seconded by Council Member Spring, adopting resolution 17-007 authorizing the City Manager to execute an Incentive Agreement, consistent with the Auto Dealer Economic Development Strategy, with Morgan Hill Real Estate LLC for a new automobile dealership at the Auto Mall Planned Development Site on Condit Road and make findings of consistency with Section 53083(a)(6)(b) of the Government Code (AB 562). The motion passed by the following vote:

Ayes: 5 - Carr, Constantine, Tate, Spring, Robinett Jachimowicz

Noes: 0

Absent: 0

8 [16-840](#) RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCE) DRAFT
COMPETITION MANUAL - PROGRESS REPORT

Assistant City Manager Leslie Little provided the presentation.

*Mayor Tate called a recess at 11:11 p.m.
The meeting was reconvened at 11:15 p.m.*

*The public comment was opened at 11:15 p.m.
Rocke Garcia was called to speak.
Scott Murray was called to speak.
Wayne Tanda was called to speak.
Kerry Williams was called to speak.
Brian Barry was called to speak.
Hearing no further requests to speak, the public comment was closed.*

No action required or taken.

**Action: On a motion by Council Member Constantine and seconded by Council Member Spring,
extending the meeting until 11:30 p.m. The motion passed by the following vote:**

Ayes: 5 - Carr, Constantine, Tate, Spring, Robinett Jachimowicz

Noes: 0

Absent: 0

FUTURE COUNCIL INITIATED AGENDA ITEMS:

None.

ADJOURNMENT

The meeting was adjourned at 11:36 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