



City of Morgan Hill

Meeting Minutes

City Council

Steve Tate ~ Mayor

Rich Constantine ~ Mayor Pro Tem

Gordon Siebert ~ Council Member

Marilyn Librers ~ Council Member

Larry Carr ~ Council Member

Wednesday, June 17, 2015

5:30 PM

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

(5:30 pm Workshop / 7:00 pm Regular Meeting)

SPECIAL CITY COUNCIL MEETING AGENDA

5:30 P.M.

CALL TO ORDER

Mayor Pro Tem Carr called the Special / Regular City Council Meeting to order.

ROLL CALL ATTENDANCE

Present: 4 - Mayor Pro Tem Carr, Council Member Constantine, Librers, Council Member Siebert

Absent: 1 - Mayor Tate

DECLARATION OF POSTING OF AGENDA

BEST PRACTICES FOR POTENTIAL BALLOT MEASURES WORKSHOP

Meeting went into Recess

Meeting Reconvened

REGULAR CITY COUNCIL MEETING AGENDA**7:00 P.M.****SILENT INVOCATION****PLEDGE OF ALLEGIANCE****CITY COUNCIL REPORTS**

Mayor Pro Tem Carr spoke on the new voting system that is being implemented at this meeting. He informed us that former Mayor Virginia Mae Days passed away on June 9, 2015. We will adjour tonight's meeting in her honor.

CITY MANAGER'S REPORT

City Manager Rymer recognized City teammates for participating in the Special Olympics Torch Run, collectively they raised over \$600. He recognized Officer Greg Dini for helping a woman that he found by herself on Monterey Road. He learned that her husband had kicked her out of their home, Greg talked to her and personally paid for a hotel room for her for the night. He announced that the City sold its Wastewater bonds today. Morgan Hill's credit rating is extremely strong, we have a AA rating. We were able to sell all 15 million dollars worth of bonds. Mr. Rymer thanked the community for their efforts in water conservation and reminds us that fireworks are illegal in our city. He concluded by speaking on the evening's supplements.

CITY ATTORNEY'S REPORT

City Attorney Gurza had no reportable actions

OTHER REPORTS

None

PRESENTATIONS

*YAC Presentation
Asset # 10 Safety*

PUBLIC COMMENT

Mayor Pro Tem Carr opened Public Comment. Hearing no request to speak, public comment was closed.

ADOPTION OF AGENDA

Action: On a motion by Council Member Librers and seconded by Council Member Constantine, Adopting the Agenda. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

OTHER BUSINESS:

- 1 [15-341](#) ADOPT THE FISCAL YEAR 2015-16 OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET AND ADOPT THE FISCAL YEAR 2015-16 APPROPRIATIONS LIMIT

City Manager Rymer presented the staff report

Mayor Pro Tem Carr opened Public Comment at 7:22 p.m. Hearing no request to speak, public comment was closed.

Action: On a motion by Council Member Constantine and seconded by Council Member Librers, Adopting resolution adopting the Fiscal Year 2015-16 Operating and Capital Improvement Program (CIP) Budget and the Appropriation Limit for Fiscal Year 2015-16; and Approving the Fiscal year 2015-16 Five Year Capital Improvement Program.. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

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

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving Consent Calendar items 2-17, 19, and 22 through 27. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

- 2 [15-205](#) LAW ENFORCEMENT SERVICES AGREEMENT FOR SUPER BOWL 50

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 3 [15-254](#) AWARD 2014-2015 PARKING LOT SEAL COAT PROJECT-PHASE 2

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 4 [15-317](#) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH LUHDORFF & SCALMANINI TO PROVIDE DESIGN SERVICES FOR THE MAIN AVENUE AND WALNUT GROVE WELL BUILDING PROJECT

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 5 [15-318](#) AWARD CITYWIDE SIDEWALK REPLACEMENT PROJECT

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 6 [15-321](#) AWARD DOG PARK GATE AND FENCING PROJECT

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 7 [15-322](#) AWARD CONTRACT FOR 2015 PAVEMENT RESURFACING PROJECT

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 8 [15-323](#) AWARD CITYWIDE MULCH INSTALLATION PROJECT

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 9 [15-325](#) CENTENNIAL RECREATION CENTER (CRC) DOMESTIC HOT WATER SOFTENER PROJECT

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 10 [15-326](#) FIFTH AMENDMENT TO GAVILAN COMMUNITY COLLEGE LEASE

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 11 [15-330](#) ACCEPTANCE OF AQUATICS CENTER POOL FEEDER SYSTEM PROJECT

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 12 [15-344](#) FINAL MAP APPROVAL FOR ROSE ISLAND - TRACT NO. 10311

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 13 [15-345](#) FUNDING AGREEMENT BETWEEN THE CITY OF MORGAN HILL AND THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY FOR PROJECT READINESS ACTIVITIES RELATED TO THE MORGAN HILL STATION AREA MASTER PLAN

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 14 [15-350](#) UNIFORM SERVICE AGREEMENT - UTILITIES AND MAINTENANCE DIVISION

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 15 [15-351](#) LABORATORY SERVICES AGREEMENT FOR POTABLE WATER SAMPLING AND ANALYSIS

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 16 [15-355](#) AMENDMENT TO COMMUNITY GARDEN LICENSE

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 17 [15-356](#) CONSULTANT AGREEMENT WITH NBS GOVERNMENT FINANCE GROUP FOR WATER AND WASTEWATER COMPREHENSIVE RATE STUDY

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 18 [15-358](#) SANTA CLARA VALLEY WATER DISTRICT WATER CONSERVATION MEMORANDUM OF UNDERSTANDING

Action: On a motion by Council Member Constantine and seconded by Council Member Librers, Adopting resolution to enter into a contract with BAE Urban Economics, Inc., for the preparation of a fiscal impact analysis for a proposed Urban Service Area expansion in the Southeast Quadrant.. The motion passed by the following vote:

Ayes: 3 - Carr, Constantine, Librers

Noes: 0

Absent: 1 - Tate

Abstain: 1 - Siebert

- 19 [15-366](#) CITY POSITION ON PENDING FY 2016 COMMERCE, JUSTICE, AND SCIENCE APPROPRIATIONS BILL

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

20 [15-336](#) AWARD EL TORO FIRE STATION KITCHEN REMODEL PROJECT

Item pulled for discussion

Action: On a motion by Council Member Siebert and seconded by Council Member Constantine, Adopting resolution approving the following actions: Approve project plans and specifications; Award contract to Santa Clara Valley Construction for the El Toro Fire Station Kitchen Remodel Project in the amount of \$21,633;

3; Authorize expenditure of construction contingency funds not to exceed \$2,163; and Authorize the City Manager to sign the Contract.. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

21 [15-353](#) CONTRACT IN AN AMOUNT NOT TO EXCEED \$29,925 FOR THE PREPARATION OF A FISCAL IMPACT ANALYSIS FOR A PROPOSED URBAN SERVICE AREA EXPANSION IN THE SOUTHEAST QUADRANT

Item pulled for discussion

Community Development Director Crabtree presented the staff report

Action: On a motion by Mayor Pro Tem Carr and seconded by Council Member Siebert, Adopting resolution to enter into a contract with BAE Urban Economics, Inc., for the preparation of a fiscal impact analysis for a proposed Urban Service Area expansion in the Southeast Quadrant.. The motion passed by the following vote:

Ayes: 3 - Carr, Librers, Siebert

Noes: 1 - Constantine

Absent: 1 - Tate

22 [15-346](#) AWARD CONTRACT FOR THE MONTEREY ROAD STREETSCAPE PROJECT

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

23 [15-334](#) SUMMER FUN IN THE PARK DONATION ACCEPTANCE

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 24 [15-347](#) ADOPT ORDINANCE 2149, NEW SERIES AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDED DEVELOPMENT AGREEMENT FOR THE CONNEMARA PROJECT LOCATED ON THE SOUTH SIDE OF WATSONVILLE ROAD, AT THE SOUTHERLY TERMINATION OF LA ALAMEDA THE AMENDMENT EXTENDS THE COMMENCEMENT OF CONSTRUCTION DATES FOR THE EIGHT FISCAL YEAR 2014-2015 BUILDING ALLOCATIONS FOR TWELVE MONTHS AND INCORPORATES EIGHT FISCAL YEAR 2016-17 ALLOCATIONS

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 25 [15-372](#) CITY OF MORGAN HILL SPECIAL CITY COUNCIL
BUDGET WORKSHOP MINUTES- MAY 29, 2015

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 26 [15-373](#) CITY OF MORGAN HILL SPECIAL CITY COUNCIL
MEETING MINUTES- JUNE 03, 2015

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

- 27 [15-374](#) CITY OF MORGAN HILL SPECIAL/regular CITY COUNCIL
MEETING
MINUTES- JUNE 03, 2015

Action: On a motion by Council Member Constantine and seconded by Council Member Librers approving the Consent Calendar. The motion passed by the following vote:

OTHER BUSINESS:

- 28 [15-329](#) APPROVE OLDER ADULT SERVICES SUPERVISOR
OUTCOME-BASED JOB DESCRIPTION AND CORRESPONDING
SALARY SCHEDULE AND ADOPT THE MANAGEMENT,
PROFESSIONAL, AND CONFIDENTIAL EMPLOYEES RESOLUTION
AND CORRESPONDING SALARY SCHEDULES

Human Resources Manager Katsuyoshi presented the staff report

Mayor Pro Tem Carr opened public comment at 7:40 p.m. Hearing no request to speak, public comment was closed.

Action: On a motion by Council Member Constantine and seconded by Council Member Siebert, Approving Older Adult Services Supervisor outcome-based job description and corresponding salary;
and

Adopting the Management, Professional, and Confidential Employees Resolution and corresponding salary schedules effective July 2015. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

- 29 [15-363](#) GATEWAY ART PROJECT

Economic Development Manager Ramirez presented the staff report

Mayor Pro Tem Carr opened Public Comment. Hearing no request to speak, public comment was closed.

Meeting went into Recess

at 8:00 p.m.

Meeting Reconvened at 8:05 p.m.

Action: On a motion by Council Member Siebert and seconded by Council Member Constantine, Receiving verbal update on Placemaking Activities; Selecting Blessing Hancock's bicycle wheels sculpture for the Gateway Public Art Project.; and Adopting a resolution approving a contract with Skyrim Studios Inc. for the design, fabrication and installation of a Gateway Art Project not to exceed \$75,000 and authorizing the City Manager to further negotiate, execute and administer the contract.. The motion passed by the following vote:

Ayes: 3 - Carr, Constantine, Siebert

Noes: 1 - Librers

Absent: 1 - Tate

**30 [15-364](#) 2015 AFFORDABLE HOUSING PROGRAM UPDATE AND
COMMUNITY PLAN TO END HOMELESSNESS**

Housing Manager Garcia presented the staff report, and introduced Jennifer Loving who concluded the staff report.

Mayor Pro Tem Carr opened public comment at 8:45p.m.

Mark Irving was called to speak

John Telfer was called to speak

Mark Irving was called to speak

Hearing no further request to speak, public comment was closed.

Action: On a motion by Council Member Constantine and seconded by Council Member Siebert, Adopting resolution to endorse and support the Community Plan to End Homelessness in SCC, 2015-2020. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

31 [15-342](#) APRIL 2015 FINANCIAL AND INVESTMENT REPORT

Assistant City Manager for Administrative Services Murphy presented the staff report.

Accept and file report.

PUBLIC HEARINGS:**32 [15-339](#) REESTABLISHMENT OF RECREATION CENTER AND ADJUSTMENT TO TRAFFIC IMPACT FEES**

Community Services Director Ghione presented the staff report and introduced Carlos Villareal who gave a presentation

Mayor Pro Tem Carr opened the public hearing 9:40 p.m. Hearing no request to speak, the public hearing was closed.

Action: On a motion by Council Member Constantine and seconded by Council Member Siebert, Adopting resolution adjusting the City's Traffic Impact Fee and initiating the City's Recreation Center Impact fees.

The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

33 [15-340](#) INITIATE ANNUAL ASSESSMENT PROCESS FOR LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Community Services Director Ghione presented the staff report

Mayor Pro Tem Carr opened the public hearing 9:57 p.m. Hearing no request to speak, the public hearing was closed.

Action: On a motion by Council Member Librers and seconded by Council Member Constantine, Adopting resolutions approving the following actions:

Initiating the proceedings for the levy of assessments for Fiscal year 2015-16, providing approval of the Engineer's Annual Report and the proposed assessment levy, and declaring the City Council's intention to levy the assessments in the District and to set the Public Hearing date for July 15, 2015. The motion passed by the following vote:

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

OTHER BUSINESS:**34 [15-348](#) AWARD CONTRACT FOR THE DOWNTOWN UNDERGROUNDING
UTILITIES STREET IMPROVEMENT PROJECT**

Senior Engineer Behzad presented the staff report.

Mayor Pro Tem Carr opened Public Comment at 10:01 p.m.

Rocke Garcia was called to speak

Hearing no further request to speak public comment was closed.

**Action: On a motion by Council Member Constantine and seconded by Council Member Siebert, Adopting
Resolution approving the following actions:**

**Approving project plans and specifications, awarding contract to St. Francis Electric, LLC for the
Downtown Undergrounding Utilities Street Improvement Project in the amount of \$1,871,464, authorizing
expenditure of construction contingency funds not to exceed \$280,720, and
authorizing the City Manager to sign the Contract. The motion passed by the following vote:**

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

35 [15-335](#) VTA CALL FOR PROJECTS

City Manager Rymer and Senior Civil Engineer Creer presented the staff report

The Meeting went into Recess

The Meeting was Reconvened

Provided direction on project candidates for Regional Transportation Plan update.

**36 [15-357](#) MORGAN HILL 2035: RDCS UPDATE WORKING GROUP
PROGRESS REPORT - MEETING #3**

Community Development Director Crabtree presented the staff report

*Mayor Pro Tem Carr opened public comment at 10:45 p.m. Hearing no request to
speak, public comment was closed.*

FUTURE COUNCIL INITIATED AGENDA ITEMS:

*Council Member Constantine requests to bring back the Home Owners BMR
rehabilitation loans to look at removing the 10 year extension add on when they request
the loan.*

**Action: On a motion by Council Member Constantine and Seconded by Council member Carr, extending
the meeting to 11:30 p.m. The motion passed by the following vote:**

Ayes: 4 - Carr, Constantine, Librers, Siebert

Noes: 0

Absent: 1 - Tate

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Authority: Government Code 54957
Public Employee Performance Evaluation: City Attorney
Attendees: City Council, City Attorney

EXISTING LITIGATION:

Authority: Pursuant to CA Govt. Code Section 54956.9(d)(1)
Case Name: Cabarello v. City of Morgan Hill
Case Numbers: Worker's Compensation Claim No: MHL120010, WCAB# ADJ8606660; ADJ8606584
Attendees: City Manager, City Attorney

RECONVENE

The meeting was reconvened at 11:15 p.m.

CLOSED SESSION ANNOUNCEMENT

No reportable action

ADJOURNMENT

The meeting was adjourned at 11:15 p.m.

MINUTES PREPARED BY:

Angie Garcia, Minutes 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. 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

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.

- Stimulate economic development to increase jobs and expand the City's tax base
- Actively participate in regional issues for the benefit of Morgan Hill
- Develop an infrastructure funding and advocacy plan
- Evaluate, develop, and implement short and long term strategies to address the environmental and financial impacts of drought conditions
- Continue our General Plan Update, Morgan Hill 2035, including updating and incorporating the Residential Development Control System (RDCS)
- Advance revitalization of our downtown by completing our significant public investment
- Implement Southeast Quadrant agricultural preservation and land use plans that satisfy the Council's goals by working cooperatively with landowners, public agencies, and other stakeholders
- Develop a plan for ongoing and comprehensive support of senior services
- Advance regional transportation decisions that are consistent with the Council's position to best serve Morgan Hill by working with regional and state organizations
- Measure the effectiveness of community engagement efforts
- Facilitate maintaining and enhancing the provision of medical services in Morgan Hill