



# City of Morgan Hill

## Legislation Details (With Text)

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**File created:** 8/30/2016      **In control:** City Council  
**On agenda:** 9/7/2016      **Final action:**  
**Title:** AGRICULTURAL PRESERVATION CONSULTING AGREEMENT  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Exhibit A Scharffenberger Agreement Resolution, 2. Scharffenberger Contract, 3. Morgan Hill RFP for Consultant for Agricultural Preservation Program, 4. Scharffenberger Proposal, 5. 3, 6, 9, and 10 Supplement

Date	Ver.	Action By	Action	Result
9/7/2016	1	City Council	approved	Pass

## CITY COUNCIL STAFF REPORT MEETING DATE: SEPTEMBER 7, 2016

PREPARED BY: Anthony Eulo, Program Administrator/Community Services  
APPROVED BY: City Manager

### AGRICULTURAL PRESERVATION CONSULTING AGREEMENT

#### RECOMMENDATION(S)

Adopt resolution authorizing the City Manager to execute an agreement with Scharffenberger Land Planning & Design for agricultural preservation consulting services for a maximum amount of \$120,000.

#### COUNCIL PRIORITIES, GOALS & STRATEGIES:

##### Ongoing Priorities

Protecting the Environment

##### 2016 Focus Areas

Planning Our Community  
Participating in Regional Issues

#### REPORT NARRATIVE:

With the City Council's adoption of the forward thinking Agricultural Lands Preservation Program and Mitigation Ordinance, the City is now poised to further develop its agricultural preservation program and begin acquiring conservation easements on local lands as key steps to developing a mitigation

land bank.

To ensure the City had the required expertise and experience to successfully acquire conservation easements, the City released the attached request for proposals on May 31, 2016 to secure a consultant to support the City's efforts. The City received one proposal (attached) in response to the RFP and it was submitted by Scharffenberger Land Planning & Design. City staff interviewed Tom Scharffenberger and found that the expertise and experience of its proposed team is well-suited to the City's needs. Scharffenberger is very familiar with the process associated with securing agricultural easements and has experience throughout California - including Santa Clara County. Staff recommends approval of the proposed resolution authorizing the City Manager to execute the agreement.

### **COMMUNITY ENGAGEMENT: Collaborate**

The City's mitigation ordinance was itself an outgrowth of many years of community input and involvement. As the City proceeds down this path, securing conservation easements will require active collaboration with local property owners and farmers. The proposed agreement explicitly includes these collaboration activities in its scope of services.

### **ALTERNATIVE ACTIONS:**

The City Council could choose to not engage a consultant for agricultural preservation and mitigation at this time.

### **PRIOR CITY COUNCIL AND COMMISSION ACTIONS:**

Over the past few years, the City Council has had significant discussion about the agriculture preservation program and adopted the City's Agricultural Mitigation Ordinance on August 5, 2015. The City Council approved the funding for this proposed agreement when the Fiscal Year 2016/2017 Budget was adopted on June 15, 2016.

### **FISCAL AND RESOURCE IMPACT:**

Funding for this agreement was included in the City's Fiscal Year 2016/2017 and 2017/2018 Adopted Budgets for the Agricultural Preservation and Open Space Fund. The source of funds in this activity is the agriculture preservation and open space fees collected from developers to pay for these expenses. Administering this agreement is included in the work program of the Community Services Department.

### **CEQA (California Environmental Quality Act):**

Not a Project

Engaging a consultant to support the City's program is an administrative function that is "not a project" as defined by CEQA. Future discretionary actions taken by the City to secure easements will be processed in compliance with CEQA.

### **LINKS/ATTACHMENTS:**

Resolution

Agreement for Consulting Services

RFP for Consulting Services

Scharffenberger Proposal