



**Special - Regular Meeting Agenda  
City Council**

*Steve Tate - Mayor*  
*Larry Carr - Mayor Pro Tem*  
*Rich Constantine - Council Member*  
*Caitlin Jachimowicz - Council Member*  
*Rene Spring - Council Member*

---

**Wednesday, March 15, 2017 6:30 PM**

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

---

**SPECIAL/REGULAR MEETING**

**(6:30 P.M. Closed Session / 7:00 P.M. Regular Meeting)**

*A Special Meeting of the City Council is called at 6:30 p.m. for the purpose of conducting a closed session.*

**TELECONFERENCE**

Mayor Tate will be participating in the meeting via teleconference as follows:

Mayor Steve Tate  
4610 North 68th Street, Unit 438  
Scottsdale, AZ 85251

Public comment from the Arizona location shall be allowed.

**SPECIAL MEETING**

**6:30 P.M.**

**CALL TO ORDER**

*(Mayor Pro Tem Carr)*

## **ROLL CALL ATTENDANCE**

*(Deputy City Clerk Wilson)*

## **DECLARATION OF POSTING AGENDA**

Per Government Code Section 54954.2

*(Deputy City Clerk Wilson)*

## **CLOSED SESSION**

## **OPPORTUNITY FOR PUBLIC COMMENT**

## **ADJOURN TO CLOSED SESSION**

### **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Initiation of litigation pursuant to: Government Code Section 54956.9(d)(4)

Number of Cases: One (1)

### **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Authority: Pursuant to Government Code Section 54956.9(d)(1)  
Case Name: The Bank of New York Mellon v. City of Morgan Hill, et al.  
Case Number: Santa Clara County Superior Court Case No: 1-15-CV-279257

## **RECONVENE**

## **CLOSED SESSION ANNOUNCEMENT**

### **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**

Proclaiming the week of March 20, 2017 as Science Fair Week  
*Forrest Williams, Board Member, Santa Clara Valley Science and Engineering Fair Association*

Proclaiming the Month of March 2017 as American Red Cross Month  
*Mohammed "Mo" Ghandehari, Silicon Valley Chapter*

Proclaiming the Month of March 2017 as Arts Education Month  
*Sharon Dahnert, Artspiration Program, Santa Clara County Office of Education*

## **PRESENTATIONS**

### **YAC PRESENTATION - ASSET #17 - CREATIVE ACTIVITIES**

## **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)

## **OUTSIDE AGENCY REPORTS**

### **ANDERSON DAM WATER LEVEL REPORT**

Recommendation:

Receive verbal report from the Santa Clara Valley Water District and discuss items related to Anderson Dam's water level

## **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

### **1. ACCEPT AQUATIC FOUNDATION DONATION**

Recommendation:

Authorize the City Manager to execute, administer, and further negotiate as necessary a contract accepting a donation from the Morgan Hill Aquatic Foundation for the provision of swim lessons for under-served youth.

**2. BOARD OF STATE AND COMMUNITY CORRECTIONS CITY LAW ENFORCEMENT GRANT**

Recommendation:

1. Adopt resolution accepting grant funding in the amount of \$49,705.98 from the State of California Board of State and Community Corrections for the supplement of the City of Morgan Hill's Safe Parking Program and amending the Fiscal Year 2016/17 Budget and appropriating an additional \$49,705.98 for the purchase of supplies/materials and participant services; and
2. Recognize grant revenue.

**3. PEDESTRIAN SAFETY AND TRAFFIC CALMING UPDATE AND AWARD OF CONTRACT FOR THE FOURTH STREET & MONTEREY ROAD SIGNALIZATION PROJECT**

Recommendation:

Adopt Resolution approving the following actions:

1. Receive update on pedestrian safety and traffic calming projects;
2. Approve Fourth Street & Monterey Road Signalization Project plans and specifications;
3. Award a contract to Mike Brown Electric Co. for the Fourth Street & Monterey Road Signalization Project in the amount of \$306,430;
4. Authorize expenditure of construction contingency funds not to exceed \$30,643; and
5. Authorize the City Manager to execute and administer the construction contract with Mike Brown Electric Co.

**4. JANUARY 2017 FINANCIAL AND INVESTMENT REPORT**

Recommendation:

Accept and file report.

**5. RECEIVE AND FILE THE ANNUAL SB 165 REPORT FOR CFD NO. 2014-1 (FISHER CREEK)**

Recommendation:

Receive and file the report.

**6. FOLLOW-UP RESPONSE TO GRAND JURY REGARDING PENSION AND OTHER POST-EMPLOYMENT BENEFITS**

Recommendation:

Approve the follow-up response to Grand Jury.

**7. APPROVE THE FEBRUARY 15, 2017 SPECIAL-REGULAR CITY COUNCIL MEETING MINUTES.**

Recommendation:

Approve minutes.

**8. APPROVE THE FEBRUARY 22, 2017 SPECIAL/REGULAR CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve Minutes.

**9. APPROVE THE MARCH 1, 2017 REGULAR CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve Minutes.

**OTHER BUSINESS**

**10. DOWNTOWN PARKING UPDATE**

Recommendation:

1. Receive Downtown Parking Report; and
2. Provide direction on next steps

Estimated Time: 60 Minutes

**11. RECENT SEWER OVERFLOW REPORT AND FIRST AMENDMENT TO LABORATORY SERVICES AGREEMENT - ALPHA ANALYTICAL LABORATORIES**

Recommendation:

1. Receive report on recent sewer spill and response;
2. Approve First Amendment to laboratory services agreement with Alpha Analytical Laboratories, Inc. to amend scope of services, increase the not-to-exceed fee amount to \$208,955, and to extend the term of the agreement by 18 months;
3. Authorize City Manager to execute First Amendment; and
4. Direct staff to return to the Council with a plan for accelerating implementation of master planned sewer trunk facilities.

Estimated Time: 30 Minutes

**12. PUBLIC SAFETY MASTER PLAN UPDATE: REINSTATE CRIME SUPPRESSION UNIT AND ADDITION OF ANIMAL SERVICES OFFICER**

Recommendation:

1. Approve re-establishing Street Crimes Team by reassigning current member of DEA Taskforce;
2. Direct staff to include the addition of an Animal Services Officer for mid-cycle budget consideration; and
3. Accept Police Department's recommendations and implementation plan

Estimated Time: 30 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.

## **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](mailto: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](mailto: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*



### *Sustainable Morgan Hill Vision*

*Morgan Hill is a socially responsible, environmentally conscious, and economically sound community that embraces inclusiveness with participation by all.*

### **CITY COUNCIL ONGOING PRIORITIES**

Enhancing Public Safety · Protecting the Environment · Maintaining Fiscal Responsibility ·  
Supporting Our Youth, Seniors, and Entire Community · Fostering a Positive Organizational Culture ·  
Preserving and Cultivating Public Trust · Preserving Our Cultural Heritage

### **2017 STRATEGIC PRIORITIES**

**High Speed Rail**

**Inclusiveness**

**Infrastructure**

**Regional Initiatives**

**Telecommunications**



## 2017 STRATEGIC PRIORITIES:



### High Speed Rail

The City of Morgan Hill will directly advocate for our community's needs through our communications, discussions, and decisions. We will continue to engage the community, the High Speed Rail Authority, our state and federal legislators, and other regional agencies to mitigate negative impacts and convey our position that the High Speed Rail Authority should only use the existing Highway 101 right-of-way to avoid all impacts to residents, schools, and businesses. Should the Authority decide the 101 right-of-way is not feasible, we will strongly advocate for the route with the least impact on Morgan Hill.



### Inclusiveness

We will celebrate the diversity, history, and culture of our community. Through City Council workshops, community meetings, and researching successes in other communities, the City will listen to and collaborate with the community to define how inclusiveness will be further woven into our community's fabric and to increase public participation. The City's communications, services, public spaces, and projects will embrace all community members as partners, advancing our vision of being a socially responsible community.



### Infrastructure

The City will review its streets, parks, and public facilities infrastructure needs initially by updating its 2014 infrastructure study to quantify the funding gap. We will identify potential funding options as ongoing revenue is insufficient to fund our vital community assets at a sustainable level without significantly impacting existing service levels that our community has come to expect. Morgan Hill will actively work with the Valley Transportation Agency, the County, and the State to secure funding for the Santa Teresa extension and road maintenance. We will continue to work closely with our community to inform them of the needs and engage them to find an affordable and sustainable solution.



### Regional Initiatives

City Council and staff will focus on influencing regional decisions that benefit Morgan Hill. This regional involvement will include, but not be limited to, partnering with the League of California Cities, Valley Transportation Authority, Santa Clara Valley Water District, Cities Association of Santa Clara County, the City of Gilroy, Santa Clara County, Morgan Hill Unified School District, the Local Agency Formation Commission, the Open Space Authority, and Silicon Valley Clean Energy to advance projects that further Sustainable Morgan Hill.



### Telecommunications

The City will collaborate with the private sector to explore ways to provide fast, reliable access and wireless connectivity for residents and businesses. The 2016 Telecommunications Infrastructure and Economic Development Blueprint reports will be the foundation for continuing discussions with broadband providers, public utilities, and other infrastructure service providers in developing an implementation plan for growing our telecommunications infrastructure. The plan will be used to signal Morgan Hill's support for business expansion.