



**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*

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**Wednesday, May 3, 2017 5:00 PM**

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

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**(5:00 P.M. SOFTWARE TRAINING/ 6:00 P.M. COMMISSION  
INTERVIEWS/ 7:00 P.M. REGULAR MEETING)**

**SPECIAL/REGULAR MEETING**

A Special Meeting of the City Council has been called at 5:00 p.m. for the purpose of conducting a training and commission interviews.

**SPECIAL MEETING**

**5:00 P.M.**

**CALL TO ORDER**

Mayor Tate

**ROLL CALL ATTENDANCE**

Deputy City Clerk Wilson

**DECLARATION OF POSTING AGENDA**

Deputy City Clerk Wilson

**TRAINING**

Accela WeGovern app electronic agenda access and electronic voting training.

## **COMMISSION INTERVIEWS**

### **1. INTERVIEWS TO FILL ONE (1) VACANCY ON THE LIBRARY, CULTURE, AND ARTS COMMISSION AND THREE (3) VACANCIES ON THE PLANNING COMMISSION**

Recommendation:

1. Accept Library, Culture, and Arts commissioner Linda Vrabel's resignation;
2. Discuss the characteristics/traits that a successful applicant(s) would possess;
3. Conduct Interviews;
4. Council Members identify top applicant(s) and provide recommendation to the Mayor; and
5. Discuss and/or appoint applicant(s).

## **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 May 20, 2017 as Kids to Parks Day  
Proclaiming May 15, 2017 as Peace Officers' Memorial Day and  
the week of May 14-20, 2017 as National Police Week  
Proclaiming the week of May 7-13, 2017 as Wildfire Awareness Week  
Proclaiming the month of May as Aquatics Month  
Proclaiming the month of May as Foster Care/Resource Parent Month

## **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)

## **ADOPTION OF AGENDA**

## RESOLUTIONS OF SUPPORT

### **2. ADOPT RESOLUTION REAFFIRMING THE CITY'S COMMITMENT TO A DIVERSE, SUPPORTIVE, INCLUSIVE COMMUNITY AND TO PROTECTING THE CONSTITUTIONAL RIGHTS OF ITS RESIDENTS**

Recommendation:

Adopt resolution reaffirming the City's commitment to a diverse, supportive, inclusive community and to protecting the constitutional rights of its residents.

## 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

### **3. FINAL MAP APPROVAL OF DUNNE MURPHY - TRACT NO. 10387**

Recommendation:

Adopt resolution:

1. Approving the Final Map;
2. Authorizing the City Manager to execute the Subdivision Improvement Agreement with Live Oak Investments LLC;
3. Authorizing the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorizing the recordation of the Final Map and the Subdivision Improvement Agreement.

### **4. APPROVE AMENDED CASH DEPOSIT GUARANTEEING IMPROVEMENTS FOR GIOVANNI DEVELOPMENT - TRACT NO. 9971**

Recommendation:

Adopt resolution:

1. Amending Cash Deposit Agreement Guaranteeing Improvements for Giovanni Development – Tract No. 9971 with Giovanni Development Company, LLC; and
2. Authorizing the City Manager to execute the agreement pending review and approval by the City Attorney.

### **5. AWARD CONTRACT FOR THE MONTEREY ROAD PRESERVATION PROJECT**

Recommendation:

Adopt resolution to:

1. Amend the Fiscal Year 2016-17 budget and appropriate an additional \$899,526 from the Street CIP Fund (308) for the Monterey Road Preservation Project (CIP Project No. 519Z15);
2. Approve project plans and specifications;
3. Award a contract to Granite Construction Company for the Monterey Road Preservation Project in the amount of \$2,465,933;
4. Authorize expenditure of construction contingency funds not to exceed \$246,593; and
5. Authorize the City Manager to execute and administer the construction contract with Granite Construction Company.

**6. AWARD BOYS RANCH WELL #2A AND JACKSON WELL #3 PROJECT**

Recommendation:

1. Approve Boys Ranch Well #2 and Jackson Well #3 Project plans and specifications;
2. Award a contract to Conco-West, Inc. for the Boys Ranch Well #2 and Jackson Well #3 Project in the amount of \$1,281,230;
3. Authorize expenditure of construction contingency funds not to exceed \$128,123; and
4. Authorize the City Manager to execute and administer the construction contract with Conco-West, Inc.

**7. APPROVAL OF MICROSOFT ENTERPRISE AGREEMENT**

Recommendation:

1. Approve the purchase of Microsoft Office 365 Government Enterprise 3, Exchange Plan 2 and Software Assurance and Device Client Access Licenses from Insight Public Sector, Inc. for a not-to-exceed amount of \$75,000; and
2. Authorize the City Manager to execute a Microsoft Enterprise Agreement for the licensing of City of Morgan Hill Microsoft products and services, pending review and approval by the City Attorney.

**8. ANNUAL REPORT ON CENTENNIAL RECREATION CENTER MEMBERSHIP**

Recommendation:

Accept the Annual Report on Centennial Recreation Center Membership.

**9. SILICON VALLEY ENERGY WATCH GRANT FOR ENERGY CONTROL IMPROVEMENTS**

Recommendation:

1. Accept \$90,000 grant from the City of San Jose for Silicon Valley Energy Watch funding and authorize the City Manager to execute a grant agreement subject to the review and approval of the City Attorney; and
2. Direct staff to include the grant revenue and expenditures in the Fiscal Year 2017-18 budget, including an additional appropriation of \$27,790 for City matching funds from the Building Maintenance Fund.

**10. PARK PLACE AFTER SCHOOL PROGRAM CONTINUATION**

Recommendation:

Direct staff to include \$13,000 in funding from the General Fund for consideration in the mid-cycle budget review for FY 2017-18 to fund the afterschool program at Park Place with the expiration of CALGRIP grant funding.

**11. CITY POSITION ON PENDING LEGISLATION SB 649 AND AB 1250**

Recommendation:

Receive legislative correspondence in opposition of SB 649 (Hueso) Wireless Telecommunications Facilities and AB 1250 (Jones-Sawyer) Counties and Cities: Contracts for Personal Services.

**12. ADOPT ORDINANCE 2234, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDED DEVELOPMENT AGREEMENT FOR A NINE LOT DEVELOPMENT PROJECT AAE2017-0010: WALNUT GROVE-NEWLAND LOCATED ON THE EAST SIDE OF WALNUT GROVE DRIVE, SOUTH OF DIANA AVENUE (APN 726-07-089,726- 07-023, -024)**

Recommendation:

Waive the reading, adopt Ordinance No. 2234, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

**13. MINUTES OF SPECIAL - REGULAR MEETING MEETING HELD APRIL 5, 2017**

Recommendation:

Approve Minutes.

**14. MINUTES OF SPECIAL - REGULAR MEETING MEETING HELD APRIL 19, 2017**

Recommendation:

Approve Minutes.

**OTHER BUSINESS**

**15. CITY MANAGER AMENDED AND RESTATED EMPLOYMENT AGREEMENT**

Recommendation:

Approve the City Manager's Amended and Restated Employment Agreement.

Estimated Time: 5 Minutes

**16. MASTER SERVICES AGREEMENT WITH OPEN COUNTER ENTERPRISES, INC. FOR A WEB BASED TOOL FOR ZONING AND PERMITTING.**

Recommendation:

Authorize the City Manager to execute a Master Services Agreement with Open Counter Enterprises, Inc. for a not-to-exceed fee of \$79,000 for the configuration and use of the Open Counter Economic Development software service suite for three years.

Estimated Time: 20 minutes

**17. ECONOMIC BLUEPRINT BUDGET REQUEST**

Recommendation:

1. Discuss the proposed budget for initial Economic Blueprint implementation; and
2. Direct staff to include funding the implementation of the Economic Blueprint as part of the budget mid-cycle workshop on May 19, 2017.

Estimated Time: 30 Minutes

## **18. HISTORICAL SOCIETY PARTNERSHIP FRAMEWORK**

Recommendation:

1. Direct staff to develop an agreement with the Morgan Hill Historical Society for the operation of Villa Mira Monte as a public facility, based on framework outlined in this report; and
2. Direct staff to include operating and maintenance financial support for the Historical Society in the budget mid-cycle discussion.

Estimated Time: 30 Minutes

## **19. ACCEPTANCE OF STATE HOMELAND SECURITY GRANTS AND APPROVAL OF THE PURCHASE OF A PUBLIC SAFETY COMMAND VEHICLE**

Recommendation:

1. Accept the 2016 and 2017 State Homeland Security Grant Program grants in the amount of \$690,132;
2. Approve sole source purchasing process through LDV; and
3. Direct staff to return at a future meeting with a recommendation to confirm the purchase of a Public Safety Command Vehicle.

Estimated Time: 15 Minutes

## **20. TRIPLING OF FINES FOR MUNICIPAL CODE VIOLATIONS DURING SPECIFIED PERIODS**

Recommendation:

1. Waive the first and second reading of the ordinance; and
2. Introduce Ordinance.

Estimated Time: 20 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.