



**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, July 26, 2017 5:30 PM

**Council Chamber
1755 Peak Avenue, Morgan Hill, CA 95037**

SPECIAL/REGULAR MEETING

(5:30 P.M. Workshop/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

5:30 P.M.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

Per Government Code Section 54954.2
(Deputy City Clerk Wilson)

DECLARATION OF POSTING AGENDA

(Deputy City Clerk Wilson)

WORKSHOP

Transition to District Elections Workshop

The purpose of this Community Workshop is to

Host a public forum for discussion of the district election process and map-drawing criteria;

Present the initial draft maps;

Gather feedback from the community; and

Review and discussion by City Council and community of initial draft maps.

Following this Community Workshop, the third public hearing will be held on the same evening (July 26, 2017), to formalize direction to staff and NDC for the development of the final maps and the election sequencing

The initial draft maps are not necessarily the final maps; draft maps can be submitted until August 14, 2017. At the August 23, 2017 City Council meeting, the City Council will review any maps submitted through August 14th and introduce an ordinance selecting the district maps and setting the election sequencing.

WORKSHOP AND ITEM 9 CONSULTANT PRESENTATION

WORKSHOP AND ITEM 9 STAFF PRESENTATION

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 Jachimowicz

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

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

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. APPROVE HEALTHY PLAY GRANT APPLICATION AND CONSIDER BUDGET AMENDMENT FOR MATCHING FUNDS UPON SCOPE COMPLETION

Recommendation:

1. Authorize City Staff to apply for a Healthy Play Grant for new play equipment; and
2. Direct staff to return to the Council with a budget amendment authorizing a matching appropriation from the Park Impact, Park Maintenance, and/or General Fund Budget once the exact final project cost and scope are complete.

2. LETTER OF SUPPORT FOR FUNDING PACHECO RESERVOIR EXPANSION

Recommendation:

Direct staff to prepare and submit a letter supporting the funding for the expansion of Pacheco Reservoir.

3. AWARD FIVE-YEAR AGREEMENT WITH POTABLE DIVERS, INC FOR RESERVOIR CLEANING AND INSPECTION

Recommendation:

1. Approve the execution of a five-year maintenance service agreement with Potable Divers, Inc. in the amount of \$20,600 for reservoir cleaning and inspection; and
2. Authorize the City Manager to execute the five-year maintenance service agreement with Potable Divers, Inc.

4. PURCHASE OF A NEW COMPACT EXCAVATOR AND UTILITY TILT BED TRAILER

Recommendation:

1. Approve purchase of a new compact excavator and utility tilt bed trailer from Pape Machinery, Inc., in the amount of \$71,277.66; and
2. Authorize City Manager to approve purchase order in the amount of \$71,277.66 with Pape Machinery, Inc.

5. AWARD EAST MAIN AVENUE WELL PROJECT

Recommendation:

1. Approve the East Main Avenue Well Project plans and specifications;
2. Award contract to Conco West, Inc. for the East Main Avenue Well Project in the amount of \$1,603,500;
3. Authorize expenditure of construction contingency funds not to exceed \$160,350; and
4. Authorize the City Manager to execute and administer the construction contract with Conco West, Inc.

6. EIGHTH SEMI-ANNUAL REPORT ON POST-ISSUANCE COMPLIANCE FOR TAX ADVANTAGED BONDS

Recommendation:

Receive Report.

7. ORDERING THE MAKING OF AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK) AMENDING REASSESSMENT NO.7

Recommendation:

Adopt the following:

1. Resolution Ordering the Making of the Amended Reassessments Pursuant to Part 10 of The Streets and Highway Code and Directing Actions with Respect Thereto Reassessment District No. 2015-2; and
2. Resolution Ordering Preliminarily Approving Amended Reassessment, Ordering the Public Hearing, and Directing Actions with Respect Thereto Reassessment District No. 2015-2.

8. ADOPT ORDINANCE 2257, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE TITLE OF CHAPTER 9.16 (MEDICAL MARIJUANA) AND SECTIONS 9.16.010 (INTENT), 9.16.020 (DEFINITIONS), AND 9.16.030 (PROHIBITED ACTIVITIES) OF TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE MORGAN HILL MUNICIPAL CODE PROHIBITING MARIJUANA CULTIVATION, MARIJUANA DELIVERY SERVICES, AND MARIJUANA DISPENSARIES

Recommendation:

Waive the reading, adopt Ordinance No. 2257, 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.

PUBLIC HEARING

9. CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

Recommendation:

1. Open/close the public hearing;
2. Discuss initial draft maps; and
3. Provide direction on next steps for draft maps and election sequencing.

Estimated Time: 45 Minutes

10. RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) COMPETITION CATEGORIES AND ALLOTMENT DISTRIBUTION

Recommendation:

Adopt resolution establishing Competition Categories and Distribution of Allotments for the 2017 Residential Development Control System (RDCS) Competition.

Estimated Time: 30 Minutes

OTHER BUSINESS

11. UPDATE ON TELECOMMUNICATIONS PLANNING PROCESS

Recommendation:

1. Receive update report; and
2. Direct staff to schedule a City Council workshop on public/private business models with telecommunications providers and local businesses as the next step to advance the City Council's 2017 Telecommunications Strategic Priority.

Estimated Time: 20 Minutes

12. RESPONSE TO GRAND JURY REGARDING LAFCO DENIALS: A HIGH SCHOOL CAUGHT IN THE MIDDLE

Recommendation:

Approve the response letter to the Santa Clara County Civil Grand Jury.

Estimated Time: 15 Minutes

13. ADOPTION OF WAGE THEFT PREVENTION POLICY

Recommendation:

1. Adopt wage theft policy; and
2. Direct staff to return to City Council in September 2017 with an ordinance implementing additional wage theft prevention measures.

Estimated Time: 15 Minutes

14. AIRCRAFT NOISE MITIGATION ENTITY DISCUSSION

Recommendation:

1. Discuss the City's involvement in the south bay aircraft noise mitigation entity; and
2. Consider appointing one member and one alternate from the Council to serve on the committee, once established.

Estimated Time: 5 Minutes

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

LIABILITY CLAIMS

Authority:	Pursuant to Government Code Section 54956.95
Claimant:	Goldstein, Borgen, Dardarian & Ho
Agency claimed against:	City of Morgan Hill

RECONVENE

CLOSED SESSION ANNOUNCEMENT

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.

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



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.