



**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, September 27, 2017 5:30 PM

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

SPECIAL/REGULAR MEETING

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

SPECIAL MEETING

A Special meeting is called for the purpose of conducting a workshop.

5:30 P.M.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

(Deputy City Clerk Wilson)

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
(Deputy City Clerk Wilson)

WORKSHOP

The purpose of the workshop is to discuss cannabis related policies.

WORKSHOP 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 Spring

CITY ATTORNEY'S REPORT

OTHER REPORTS

PRESENTATIONS

Donation for Downtown Parks from Rotary Club of Morgan Hill

Donation for the Community Park tennis courts from the Morgan Hill Tennis Club

YAC Presentation Asset #6 - Parent Involvement in Schooling

YAC PRESENTATION

PROCLAMATIONS

Proclaiming Sunday, October 22, 2017 as the Bicentennial Birthday of Bahá'u'lláh

CITY MANAGER'S REPORT

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

OTHER BUSINESS

1. APPOINTMENT OF CITY MANAGER

Recommendation:

1. Appoint Christina Turner as City Manager for the City of Morgan Hill;
2. Approve the Employment Agreement; and
3. Authorize the Mayor to execute the agreement on behalf of the City.

Estimated Time: 5 Minutes

OATH OF OFFICE

Incoming City Manager Christina Turner

ADJOURN TO RECEPTION

RECONVENE

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

2. ROTARY DONATION FOR DOWNTOWN PARKS

Recommendation:

1. Accept donation of \$100,000 from the Rotary Club of Morgan Hill in support of elements of the Downtown Parks Project; and
2. Authorize the City Manager to execute and administer a donation agreement with the Rotary Club of Morgan Hill.

3. ACCEPT DONATION FROM THE MORGAN HILL TENNIS CLUB AND MAKE RELATED ADJUSTMENTS TO THE FISCAL YEAR 2017-18 BUDGET

Recommendation:

Adopt resolution accepting a \$11,000 donation from the Morgan Hill Tennis Club for court lighting improvements and amending the City's Adopted Fiscal Year 2017-18 Budget to reflect the increased revenues and expenses associated with the project.

4. APPROVE PROPOSAL FOR RAILROAD PARK SOUND WALL MURAL

Recommendation:

Approve art proposal for Railroad Park sound wall mural by Pamela Mossing.

5. CITY POSITION ON PENDING LEGISLATION AB 726 AND AB 813

Recommendation:

Receive legislative correspondence in opposition of AB 726 (Holden) Energy and AB 813 (Holden) Electricity: Independent System Operator: California Renewable Portfolio Standard Program: procurement.

6. AMEND AGREEMENT WITH ASSET PROTECTION GROUP PRIVATE SECURITY, INC.

Recommendation:

Approve the First Amendment to Consultant Agreement with Asset Protection Group Private Security Inc., increasing the contract amount from \$44,500 to \$65,500.

**7. GRANT APPLICATION FOR IMPROVEMENTS AT LAKE SILVEIRA AND
INSTALLATION OF THE SOUTHERN SEGMENT OF THE WEST LITTLE LLAGAS
CREEK INTERPRETIVE WILDLIFE TRAIL PROJECT**

Recommendation:

Adopt resolution authorizing the submission of a grant application to the State of California Habitat Conservation Fund (HCF) Program and the execution of grant documents if the grant application is successful.

**8. SERVICES AGREEMENT WITH WATERSMART SOFTWARE FOR CUSTOMER
ENGAGEMENT SERVICES**

Recommendation:

Authorize the City Manager to execute an agreement for \$228,062 with WaterSmart Software for customer engagement services for a 57-month program.

**9. CONSULTANT AGREEMENT WITH WILLDAN FINANCIAL SERVICES FOR
DEVELOPMENT IMPACT FEE STUDY**

Recommendation:

Approve consultant agreement with Willdan Financial Services to provide professional consulting services for a Development Impact Fee Study for \$74,320.

10. FINAL MAP APPROVAL OF DUNNE HILL MEADOWS - TRACT NO. 10378

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvements Agreement with Hanalei Land Co. LLC;
3. Authorize 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. Authorize the recordation of the Final Map, Subdivision Improvements Agreement, and the Stormwater BMP Operation and Maintenance Agreement.

11. ADOPT ORDINANCE 2260, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL RENAMING CHAPTER 12.20 (CITY PARKS AND RECREATION BUILDINGS) AND SECTION 12.20.020 (PARK USE – GENERAL PROVISIONS) AND AMENDING SECTIONS 12.20.010 (DEFINITIONS) AND 12.20.060 (CONDUCT IN PARKS – GENERALLY) AND 12.20.80 (ACTIVITIES OR ACTIONS REQUIRING PRIOR APPROVAL FROM THE CITY) AND ADDING SECTIONS 12.20.062 (CONDUCT IN PUBLIC BUILDINGS AND FACILITIES), 12.20.064 (CONDUCT IN CITY PUBLIC PARKING LOTS AND FACILITIES), AND 12.20.067 (CONDUCT ON PUBLIC STREETS AND SIDEWALKS)

Recommendation:

Waive the reading, adopt Ordinance No. 2260, 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.

12. ADOPT ORDINANCE 2261, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL REPEALING ORDINANCE NO. 1398 ENTITLED “FLOOD DAMAGE PREVENTION ORDINANCE” IN ITS ENTIRETY AND CREATING A NEW CHAPTER 15.80 UNDER TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE MORGAN HILL MUNICIPAL CODE ENTITLED “FLOOD DAMAGE PREVENTION”

Recommendation:

Waive the reading, adopt Ordinance No. 2261, 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. APPROVE THE SEPTEMBER 6, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

14. ADOPT FLAG RAISING POLICY

Recommendation:

Adopt City Council policy establishing criteria and procedures for raising flags at City facilities.

Estimated Time: 10 Minutes

15. COMPLETE STREETS POLICY TO MAINTAIN THE CITY'S ELIGIBILITY FOR REGIONAL TRANSPORTATION FUNDING

Recommendation:

Adopt resolution approving a Complete Streets Policy.

Estimated Time: 10 Minutes

16. JUNE 2017 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

Estimated Time: 10 Minutes

PUBLIC HEARING

17. APPROVE AMENDMENT TO FY 2017-18 CAPITAL IMPROVEMENT PROGRAM

Recommendation:

Adopt resolution amending the City's FY 2017-2018 Capital Improvement Program Budget to include the Rehabilitation of Sutter Boulevard (from Cochrane Road to Serene Drive).

Estimated Time: 15 Minutes

18. CONSIDERATION OF REVISED DEVELOPMENT SERVICES FEE SCHEDULE- TO BE CONTINUED TO OCTOBER 18, 2017

Recommendation:

Open the public hearing to consider adoption of a resolution establishing revised development services user fees and continue the item to a date certain of October 18, 2017.

Estimated Time: 10 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.

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.