



**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, October 4, 2017 5:30 PM**

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

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**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**

Deputy City Clerk Michelle Wilson

**DECLARATION OF POSTING AGENDA**

Per Government Code Section 54954.2  
Deputy City Clerk Michelle Wilson

**WORKSHOP**

The purpose of the Environmental Workshop is to provide an update on environmental program activities and obtain policy direction from the City Council on future programs.

**ENVIRONMENTAL AGENDA PRESENTATION AND HANDOUT**

**CLOSED SESSION**

**OPPORTUNITY FOR PUBLIC COMMENT**

**ADJOURN TO CLOSED SESSION**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Authority: Government Code Section 54956.8  
Property: APN 728-06-019, Hendry Drive  
Agency Negotiators: Christina Turner and Anthony Eulo  
Negotiating Parties: Thomas George Preston, Jr., Trustee, et al.  
Under Negotiation: Price and Terms of Payment

**RECONVENE**

**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 Constantine

**CITY MANAGER'S REPORT**

**CITY ATTORNEY'S REPORT**

**OTHER REPORTS**

**PROCLAMATIONS**

Proclaiming the Week of October 8 - 14, 2017 as Fire Prevention Week

**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. HAZARD MITIGATION PLAN UPDATE**

Recommendation:

Adopt resolution accepting the City of Morgan Hill and Santa Clara County Operational Area Hazard Mitigation Plan update.

### **2. GRANT APPLICATION TO THE SANTA CLARA VALLEY WATER DISTRICT FOR THE WEST LITTLE LLAGAS CREEK INTERPRETIVE WILDLIFE TRAIL PROJECT**

Recommendation:

Adopt resolution approving the submission of a grant application to the Santa Clara Valley Water District, authorizing the City Manager to execute grant documents if the grant application is successful, and finding the proposed project categorically exempt from the California Environmental Quality Act.

### **3. ACCEPTANCE OF SUBDIVISION PUBLIC IMPROVEMENTS FOR MISSION RANCH PHASE 14 - TRACT NO. 10272**

Recommendation:

1. Accept the subdivision public improvements for Mission Ranch Phase 14 – Tract No. 10272;
2. Authorize the Public Works Director to sign a Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the Recorder of Santa Clara County.

### **4. COUNTY INCLUSIVE PLAYGROUND GRANT AUTHORIZATION**

Recommendation:

Adopt resolution authorizing the City Manager to prepare and submit an application for the County of Santa Clara's All-Inclusive Playground Grant.

### **5. HISTORICAL SOCIETY VILLA MIRA MONTE IMPROVEMENT AND REPAIR FUNDING AGREEMENT**

Recommendation:

Authorize the City Manager to execute and subsequently administer a funding agreement with the Morgan Hill Historical Society for repairs and improvements at Villa Mira Monte.

**6. PLAYHOUSE SEATING PROJECT**

Recommendation:

Adopt resolution with the following actions related to the Playhouse Seating Project:

1. Rejecting all bids received;
2. Declaring that the project can be performed more economically by day labor, or the materials or supplies furnished at a lower price in the open market; and
3. Authorizing the City Manager to execute a purchase agreement in an amount not to exceed \$80,000 for the purchase of playhouse seating.

**7. APPROVE SERVICE MAINTENANCE AGREEMENT WITH CD & POWER FOR GENERATOR MAINTENANCE AND REPAIR**

Recommendation:

Approve and authorize the City Manager to execute a three-year agreement with CD & Power in the amount of \$119,475 for routine and emergency maintenance and repair to the City's 26 standby generators.

**8. APPROVE APPLICATION FOR EMERGENCY MANAGEMENT PERFORMANCE GRANT 2017 MOU**

Recommendation:

1. Adopt resolution authorizing the City Manager to execute the Memorandum of Understanding (MOU) with County of Santa Clara for the 2017 Emergency Management Performance Grant (EMPG); and
2. Recognize grant revenue in an amount not to exceed \$37,150 to implement an Emergency Volunteer Center (EVC) exercise, purchase Emergency Operations Center (EOC) Computers, and for registration and associated costs for the OES Coordinator to attend the California Emergency Services Association (CESA) and International Association of Emergency Managers (IAEM) training and conferences.

**9. APPROVE THE SEPTEMBER 6, 2017 MEETING MINUTES**

Recommendation:

Approve Minutes.

**10. APPROVE THE SEPTEMBER 27, 2017 MEETING MINUTES**

Recommendation:

Approve Minutes.

**OTHER BUSINESS**

## **11. DOWNTOWN SPECIAL EVENTS AND STREET CLOSURES**

Recommendation:

Approve the proposed revised Downtown Special Events Street Closure Policy.

Estimated Time: 30 Minutes

## **12. APPROVE OUTDOOR SPORTS CENTER CONCESSIONAIRE AGREEMENT AMENDMENT**

Recommendation:

Authorize the City Manager to execute and subsequently administer a Fourth Amendment to the Concessionaire Agreement with the Morgan Hill Youth Sports Alliance for the operations of the Outdoor Sports Center.

Estimated Time: 15 Minutes

## **13. BOYS & GIRLS CLUB TRANSITION TO THE FRIENDLY INN**

Recommendation:

1. Direct staff to move forward in developing and updating agreements for the Boys & Girls Club of Silicon Valley to move to the Friendly Inn by August 2018; and
2. Direct staff to further investigate construction of a new permanent non-profit center.

Estimated Time: 30 Minutes

## **PUBLIC HEARING**

### **14. ZONING AMENDMENT, ZA2017-0001: NINA – BOTROS: REQUEST FOR ZONING AMENDMENT TO CHANGE THE ZONING MAP DESIGNATION FOR THREE PROPERTIES FROM R-1 12,000/RPD TO R-1 7,000. CEQA: PROJECT COMPLIES WITH SECTION 15183 (CONSISTENT WITH COMMUNITY PLAN, GENERAL PLAN OR ZONING)**

Recommendation:

1. Open/close public hearing;
2. Waive the First and Second Reading of Ordinance approving zoning amendment; and
3. Introduce Ordinance.

Estimated Time: 15 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**

## **COMMUNICATIONS**

## 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.