



Special - Regular Meeting Agenda
City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Mayor Pro Tem
Larry Carr - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, June 3, 2020 6:30 p.m.

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

MEETING GUIDELINES

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways:

Members of the public may NOT physically attend meetings at the Morgan Hill City Council Chamber.

The City Council Meeting will be live-streamed on Channel 17 and on the City's website. Those members of the public wishing to participate remotely may do so via the electronic meeting at: <https://bit.ly/060320CityCouncilMeeting> or by calling in to: (669) 900-9128, then enter the meeting id: 838 6356 6504

Public comment for City Council meetings will be accepted via email to ccpubliccomment@morganhill.ca.gov <<mailto:ccpubliccomment@morganhill.ca.gov>>. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

SPECIAL/REGULAR MEETING

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

6:30 p.m. Closed Session

7:00 p.m. Regular Meeting

SPECIAL MEETING

6:30 p.m. Closed Session

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

Minutes Clerk Angie Gonzalez

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
Minutes Clerk Gonzalez

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-LIABILITY CLAIM

CLAIMANT: Juvenile Jane Doe

AGENCY CLAIMED AGAINST: City of Morgan Hill

CLOSED SESSION ANNOUNCEMENT

CONVENE REGULAR MEETING

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.

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

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)

PUBLIC COMMENT SUPPLEMENT

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 2019 PAVEMENT RESURFACING PROJECT

Recommendation:

1. Accept as complete, the 2019 Pavement Resurfacing Project, in the final amount of \$4,287,440;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

2. ACCEPT INSURANCE PROCEEDS AND APPROVE PURCHASE TO REPLACE COLLISION INVOLVED POLICE VEHICLE

Recommendation:

1. Accept the insurance proceeds estimated in the amount of \$68,215 for the 2013 Ford Interceptor Utility, #143;
2. Adopt a resolution amending the Fiscal Year 2019-20 adopted budget to appropriate \$68,215 as insurance proceeds revenue and \$80,537 as expenditure from the Equipment Replacement Fund (790) to purchase (including build-out) a patrol 2020 Ford Interceptor Utility;
3. Authorize the City Manager to approve the purchase order with Priority 1 Public Safety Equipment Installation Inc. for the purchase and outfitting of the new vehicle;
4. Declare the 2013 Ford Interceptor Utility #143 (VIN# 8414) to be a surplus; and
5. Authorize the disposal of the surplus vehicle in accordance with Section 3.04.400 of the City of Morgan Hill Municipal Code.

3. APPROVE AGREEMENT WITH COMMUNITY TOWING FOR POLICE INITIATED TOW SERVICES

Recommendation:

Approve and authorize the City Manager to execute and administer an agreement with Community Towing.

4. APPROVE AGREEMENT WITH SECURE SOLUTIONS INC. FOR BACKGROUND INVESTIGATION SERVICES

Recommendation:

Approve and authorize the City Manager to execute and administer an agreement with Secure Solutions Inc. for a not to exceed amount of \$100,000 to conduct hiring background investigations of police personnel.

5. APPROVE RE-SUBORDINATION OF EXISTING JASMINE SQUARE APARTMENTS CITY LOANS

Recommendation:

Approve re-subordination of existing City affordable housing loans necessitated by refinance of senior project loan, allowing developer to pay off balloon payment, lower interest rate, and pay \$150,000 towards City loans.

6. APPROVE FINAL MAP FOR MONTECITO ESTATES - TRACT NO. 10535 (DIANA AVE AND LOTUS WAY) AND RELATED SUBDIVISION IMPROVEMENT AND STORMWATER BEST-MANAGEMENT-PRACTICES (BMP) OPERATIONS AND MAINTENANCE AGREEMENTS

Recommendation:

1. Approve the Final Map;
2. Approve and authorize the City Manager to execute and administer the Subdivision Improvements Agreement with D.R. Horton Bay, Inc.;
3. Approve and authorize the City Manager to execute and administer 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.

7. AWARD 2020 PAVEMENT RESURFACING PROJECT TO MCK SERVICES, INC.

Recommendation:

1. Approve the 2020 Pavement Resurfacing Project plans and specifications;
2. Award contract to MCK Services, Inc. for the 2020 Pavement Resurfacing Project in the amount of \$2,473,669;
3. Authorize expenditure of construction contingency funds not to exceed \$371,050; and
4. Authorize the City Manager to execute and administer the construction contract with MCK Services, Inc. pending review and approval by the City Attorney's office.

8. APPROVE ECONOMIC DEVELOPMENT RECOVERY PLAN

Recommendation:

Approve the recommended Economic Development Recovery Plan.

9. APPROVE AN IMPACT FEE FREEZE AGREEMENT WITH APPLIED MOTION PRODUCTS, INC. FOR A NEW INDUSTRIAL BUILDING ON 2.43 ACRES LOCATED ON MADRONE PARKWAY AND DIRECT STAFF TO RETURN WITH CHANGES TO THE IMPACT FEE PROGRAM

Recommendation:

1. Direct the City Manager to execute an Impact Fee Freeze Agreement with Applied Motion Products, Inc. for the development of a 21,180 square foot new industrial building located on Madone Parkway;
2. Direct staff to make changes to the Impact Fee Freeze Program to remove assisted living and memory care uses as approved uses under the program; and
3. Direct staff to return with a City Council policy formalizing the Impact Fee Freeze Program on June 17, 2020 as an on-going City program.

10. CALL FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

Recommendation:

1. Adopt resolution "A" calling for a General Municipal Election to be held on Tuesday, November 3, 2020 to elect a Mayor; one Council Member from District A; one Council Member from District C; and a City Treasurer; and
2. Adopt resolution "B" requesting the services of the Board of Supervisors of the County of Santa Clara and the Registrar of Voters Office – and the Consolidation of the Election.

11. REJECT BIDS FOR THE EAST MAIN AVENUE BIKE LANES AND SIDEWALK PROJECT AND REBID THE PROJECT WITH MODIFICATIONS

Recommendation:

Reject all bids for the East Main Avenue Bike Lanes and Sidewalk Project and rebid the project with modifications.

12. APPROVE THE MAY 15, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

13. APPROVE THE MAY 20, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

14. APPROVE RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1 (DISTRICT)

Recommendation:

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year (FY) 2020-21 annual assessments and ordering the levy of assessments for the District.

Estimated Time: 5 Minutes

OTHER BUSINESS

15. PROVIDE DIRECTION REGARDING MONTEREY ROAD COMPLETE STREETS/LANE REDUCTION AND USE OF DOWNTOWN PUBLIC SPACES

Recommendation:

Provide direction to staff on revisiting the Monterey Road Complete Streets/Lane Reduction Project and on the use of other public spaces in the Downtown.

Estimated Time: 60 Minutes

16. PROVIDE DIRECTION REGARDING REVIEW OF HIGH SPEED RAIL ENVIRONMENTAL IMPACT REPORT/STUDY

Recommendation:

Receive an update and provide input on the High Speed Rail Environmental Impact Report/Study (EIR/EIS) Analysis.

Estimated Time: 60 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 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 cityclerk@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 cityclerk@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

To sustain a safe, inclusive, socially responsible, environmentally conscious, and economically sound community

Choose Morgan Hill

The City of Morgan Hill is the best community for people to live, work, visit, and operate their businesses.

City Council Ongoing Priorities

- Enhancing Public Safety
- Protecting the Environment and Preserving Open Space and Agricultural Land
- Maintaining Infrastructure
- Supporting our Youth, Seniors, and Entire Community
- Fostering a Positive Organizational Culture
- Preserving and Cultivating Public Trust
- Preserving our Community History
- Enhancing Diversity and Inclusiveness
- Advancing Regional Initiatives

2020-2021 Strategic Priorities

- **Fiscal Sustainability**
- Affordable Housing and Homelessness
- Community Engagement and Messaging
- Economic Development
- Transportation