



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 17, 2020 7:00 p.m.

Virtual Meeting
Link to join the meeting can be found below, 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/061720CCMeeting> or by calling in to: (669) 900-9128, then enter the meeting id: 826 6318 0774 <<https://us02web.zoom.us/j/82663180774>>.

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

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.

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
Deputy City Clerk Bigelow

PRESENTATIONS

Sobrato High School Valedictorian Dean Tran

What YAC Leaders have been doing during the shelter-in-place
<<https://www.youtube.com/watch?v=DhWDD3C8vkc>>

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY COUNCIL EQUITABLE COMMUNITIES RESOLUTION

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 APRIL 2020 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

2. APPROVE THE JUNE 3, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

3. APPROVE COMMUNITY PROMOTIONS FUNDING REQUESTS FOR FISCAL YEAR 2020-21

Recommendation:

Approve recommended Fiscal Year (FY) 2020-21 Community Promotions funding requests totaling \$25,500.

4. APPROVE CITY SPONSORSHIP OF PHILANTHROPY NIGHT, INDIA INDEPENDENCE DAY FESTIVAL, AND FUTURE WOMEN LEADERS CONFERENCE EVENTS AT THE COMMUNITY AND CULTURAL CENTER

Recommendation:

1. Authorize the City Manager to waive facility rental fees of \$1,500 for Morgan Hill Community Foundation's November 2020 Philanthropy Night Celebration;
2. Authorize the City Manager to waive facility rental fees of \$307 for Indian Association of South Santa Clara County's August 2020 India Independence Day Festival and flag raising ceremony; and
3. Authorize the City Manager to waive facility rental fees of \$1,500 for American Association of University Women's April 2021 Future Women Leaders Conference.

5. APPROVAL OF A GOVERNMENT CODE 65915 DENSITY BONUS AT 80 PERCENT AND FOUR CONCESSIONS FOR A 100 PERCENT AFFORDABLE HOUSING PROJECT (SR2020-005 MONTEREY-MORGAN HILL SENIOR APARTMENTS)

Recommendation:

Adopt resolution approving the request for the following, pursuant to Government Code:

1. Density bonus at 80 percent.
2. Affordable housing concessions:
 - a. Increase in floor area ratio;
 - b. Reduction in on-site parking;
 - c. Reduction in private open space; and
 - d. Increase in building height.

6. APPROVE SIDE LETTER AGREEMENTS BETWEEN THE CITY OF MORGAN HILL AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES LOCAL 101, DISTRICT COUNCIL 57 OF MORGAN HILL TO AMEND SECTION 9.02 UNIFORMS WITHIN THE PREVIOUS MEMORANDUM OF UNDERSTANDING DATED JULY 1, 2015 THROUGH DECEMBER 31, 2018 AND CURRENT MEMORANDUM OF UNDERSTANDING DATED DECEMBER 30, 2018 THROUGH DECEMBER 31, 2021

Recommendation:

1. Approve Side-Letter Agreement Between the City of Morgan Hill and the American Federation of State, County, and Municipal Employees Local 101, District Council 57 of Morgan Hill for the previous Memorandum of Understanding dated July 1, 2015 through December 31, 2018 amending Section 9.02 UNIFORMS; and
2. Approve Side-Letter Agreement Between the City of Morgan Hill and the American Federation of State, County, and Municipal Employees Local 101, District Council 57 of Morgan Hill for the current Memorandum of Understanding dated December 30, 2018 through December 31, 2021 amending Section 9.02 UNIFORMS.

7. ADOPT RESOLUTION AUTHORIZING GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT RELATED AGREEMENTS AND DOCUMENTS FOR A LOCAL EARLY ACTION PLANNING GRANT

Recommendation:

Adopt resolution:

1. Authorizing staff to prepare and submit a Local Early Action Planning Grants Program (LEAP) Application to the State of California, Department of Housing and Community Development for an amount not to exceed \$150,000 for the development of a proposed Housing Element Update; and
2. Authorizing the City Manager to negotiate and execute the City of Morgan Hill LEAP application, grant documents, and any amendments thereto as required by the Department of Housing and Community Development for receipt of the grant.

8. AMEND THE IMPACT FEE FREEZE PROGRAM FOR COMMERCIAL AND INDUSTRIAL PROJECTS

Recommendation:

1. Approve the Impact Fee Freeze Program and guidelines; and
2. Authorize the City Manager to negotiate and execute Impact Fee Freeze Agreements that are under \$100,000 for new commercial and industrial projects consistent with the program criteria.

9. CONSIDER CITY POSITION ON AB 2959 PROVIDING CLARITY ON CONTROL AUTHORITY OF ORGANIC WASTE MATERIALS

Recommendation:

Direct staff to submit letter in support of AB 2959 to the appropriate representatives.

10. PROVIDE DIRECTION REGARDING 2020 CALIFORNIA LEGISLATIVE UPDATE - HOUSING, LAND USE AND BALLOT MEASURES

Recommendation:

Review League of California Cities positions if available and determine Bills of interest; provide positions or amendment suggestions.

11. AUTHORIZE STAFF TO PREPARE HIGH SPEED RAIL EIR/EIS COMMENT LETTER

Recommendation:

Authorize the City Manager to submit a Comment Letter to the California High Speed Rail Authority for the San Jose to Merced Project section EIR/EIS.

PUBLIC HEARING

12. ADOPT THE FISCAL YEAR (FY) 2020-21 AND 2021-22 OPERATING BUDGET, FY 2020-21 THROUGH 2025-26 CAPITAL IMPROVEMENT BUDGET, AND FY 2020-21 APPROPRIATIONS LIMIT

Recommendation:

1. Open/Close Public Hearing.
2. Adopt resolution to:
 - a. Adopt the FY 2020-21 and 2021-22 Operating Budget;
 - b. Adopt the FY 2020-21 through 2025-26 Capital Improvement Program Budget; and
 - c. Adopt the FY 2020-21 Appropriations Limit and Appropriations Limit Adjustment Factors.

Estimated Time: 15 Minutes

OTHER BUSINESS

13. DISCUSS POTENTIAL NEXT STEPS FOR NOVEMBER 2020 REVENUE MEASURE INITIATIVES AND OTHER FUNDING APPROACHES

Recommendation:

1. Receive report regarding potential revenue initiatives;
2. Direct staff to pursue and establish a new citywide Community Facilities District (CFD) for new residential developments;
3. Direct staff to research the feasibility of a Special Fire District for the City of Morgan Hill and any applicable requirements; and
4. Direct staff to:
 - a. Not pursue a revenue measure for November 3, 2020 ballot.
OR;
 - b. Pursue placement of one or more of the presented revenue measure(s) on the November 3, 2020 ballot, based on October 2019 polling results data.
OR;
 - c. Pursue placement of one or more of the presented revenue measure(s) on the November 3, 2020 ballot, and conduct a community polling immediately.

Estimated Time: 45 Minutes

14. APPROVE HALE AVENUE EXTENSION PROJECT FUNDING AGREEMENT

Recommendation:

Authorize the City Manager to enter into a funding agreement with the Santa Clara Valley Transportation Authority (VTA) to fund the City's construction of the Hale Avenue Extension Project.

Estimated Time: 30 Minutes

15. RECEIVE UPDATE REGARDING REGIONAL HOUSING NEED ALLOCATION AND HOUSING ELEMENT REFORMS

Recommendation:

Receive report.

Estimated Time: 30 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