



**Meeting Minutes  
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**

**5:30 P.M.**

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

**CALL TO ORDER**

Mayor Tate called the special meeting to order at 5:34 p.m.

**ROLL CALL ATTENDANCE**

Deputy City Clerk Michelle Wilson called the roll.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Steve Tate	Mayor	Present	
Larry Carr	Mayor Pro Tem	Present	
Rich Constantine	Council Member	Present	
Caitlin Jachimowicz	Council Member	Present	

Rene Spring	Council Member	Present	
-------------	----------------	---------	--

## **DECLARATION OF POSTING AGENDA**

Deputy City Clerk Michelle Wilson declared the posting of the agenda.

### **WORKSHOP**

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

City Manager Steve Rymer introduced the workshop.

Police Chief David Swing introduced David McPherson with Hdl Companies who provided a presentation.

The public comment was opened at 6:46 p.m. The following people were called to speak:

Sean Kali-Rai

Doug Muirhead

Brian Faircloth

Ryan Treffers

There being no further requests to speak, the public comment was closed.

The meeting went into recess at 6:56 p.m.

## **REGULAR MEETING**

**7:00 P.M.**

**The regular meeting was convened at 7:05 p.m.**

### **SILENT INVOCATION**

### **PLEDGE OF ALLEGIANCE**

### **CITY COUNCIL REPORTS**

Council Member Spring thanked the Chamber of Commerce and the many volunteers that organized the Taste of Morgan Hill, it was a beautiful event. He shared that last night he attended a panel discussion organized by American Association of University Women (AAUW) regarding homelessness and what we can do as individuals to help. He thanked the AAUW as well as the panel members that attended and provided insight. This is a topic that is near and dear to his heart. It is not just the mentally ill or those who have never had anything that are struggling with homelessness, it is also our middle class that are losing their homes. We have more and more of those people in our city and we need to find a solution for them. We don't have the answers yet, but with this Council, we can address more of those topics.

## **CITY ATTORNEY'S REPORT**

City Attorney Donald Larkin has no report.

## **OTHER REPORTS**

None.

## **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

## **PROCLAMATIONS**

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

## **CITY MANAGER'S REPORT**

City Manager Steve Rymer thanked everyone for attending. He announced the evening's supplement and presentations. He provided an update on the South Monterey Road pavement project from Dunne Avenue to Middle Avenue. The project should be completed within the next few weeks. He then shared that by the end of this week, we will have six additional accessible parking spaces available Downtown.

He thanked the City Council and former Council Members Librers and Siebert for their support and confidence. He then recognized the community for their outstanding engagement, for coming together to serve the community, and for all their support. He thanked City Attorney Donald Larkin for being a great teammate and for all his support. He thanked all his city teammates for being true teammates, for their dedication to serve, and for all their exceptional work. He congratulated Christina Turner on her appointment as City Manager and thanked all the folks that showed up to support her.

Mayor Tate commented that Steve Rymer said it all when he said, "make Morgan Hill even better". He continued by stating that he feels that the statement applies to all the City Council and every employee of the City of Morgan Hill and that Steve has brought that to life over the last four and a half years.

Council Member Constantine shared that it has been a pleasure having Steve serve as City Manager.

Council Member Jachimowicz commented that so much about Morgan Hill that is great, is going to be Steve's legacy.

Council Member Spring shared his gratitude for all the amazing contributions Steve has brought to the community.

Council Member Carr mentioned how the Council was thrilled about the enthusiasm Steve brought to the organization. The City Manager at that time saw something in him and he was immediately given some difficult tasks to complete and he brought them to the success that they are today. Council Member Carr continued that he was excited to have the opportunity to interview and appoint Steve as City Manager. He was absolutely the right choice. He thanked Steve and his wife Helene for their commitment and dedication to the City and community.

## **PUBLIC COMMENT**

The public comment was opened at 7:44 p.m.

Brian Faircloth was called to speak.

There being no further requests to speak, the public comment was closed.

## **ADOPTION OF AGENDA**

**MOTION:**

Adopting the agenda as posted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rene Spring, Council Member
<b>SECONDER:</b>	Caitlin Jachimowicz, Council Member
<b>AYES:</b>	Tate, Carr, Constantine, Jachimowicz, Spring

## **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.

Mayor Tate provided the report.

The public comment was opened at 7:48 p.m.

There being no requests to speak, the public comment was closed.

**MOTION:**

Approving the recommended action.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Carr, Mayor Pro Tem
<b>SECONDER:</b>	Caitlin Jachimowicz, Council Member
<b>AYES:</b>	Tate, Carr, Constantine, Jachimowicz, Spring

## **OATH OF OFFICE**

City Clerk Irma Torrez administered the Oath of Office to incoming City Manager Christina Turner.

Christina Turner thanked everyone in attendance for their support and shared how blessed she is to serve this city. She thanked her husband, son and daughter, mother and father, and brothers and their children for being here to support her. She also thanked her friends and former teammates from the City of Gilroy. She declared that the Council has her full support and dedication to the City and community. She thanked Steve Rymer for his guidance and leadership.

## **ADJOURN TO RECEPTION**

The meeting adjourned to the reception at 7:58 p.m.

## **RECONVENE**

The meeting was reconvened at 8:13 p.m.

## **CONSENT CALENDAR**

### **MOTION:**

Approving consent calendar items 2 through 13.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Rene Spring, Council Member
<b>SECONDER:</b>	Larry Carr, Mayor Pro Tem
<b>AYES:</b>	Tate, Carr, Constantine, Jachimowicz, Spring

### **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.

City Attorney Donald Larkin provided the report.

The public comment was opened at 8:18 p.m.

Brian Faircloth was called to speak.

There being no further requests to speak, the public comment was closed.

**MOTION:**

Approving the recommended action.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Caitlin Jachimowicz, Council Member
<b>SECONDER:</b>	Rene Spring, Council Member
<b>AYES:</b>	Tate, Carr, Constantine, Jachimowicz, Spring

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

Recommendation:

Adopt resolution approving a Complete Streets Policy.

Community Development Director Jennifer Carman provided the report.

The public comment was opened at 8:27 p.m.

Doug Muirhead was called to speak.

There being no further requests to speak, the public comment was closed.

**MOTION:**

Approving the recommended action.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Carr, Mayor Pro Tem
<b>SECONDER:</b>	Caitlin Jachimowicz, Council Member
<b>AYES:</b>	Tate, Carr, Constantine, Jachimowicz, Spring

## **16. JUNE 2017 FINANCIAL AND INVESTMENT REPORT**

Recommendation:

Accept and file report.

Finance Director Dat Nguyen provided the report.

The public comment was opened at 8:40 p.m.

There being no requests to speak, the public comment was closed.

### **MOTION:**

Approving the recommended action.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rich Constantine, Council Member
<b>SECONDER:</b>	Rene Spring, Council Member
<b>AYES:</b>	Tate, Carr, Constantine, Jachimowicz, Spring

## **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).

Deputy Director for Engineering Scott Creer provided the report.

The public hearing was opened at 8:48 p.m.

There being no requests to speak, the public hearing was closed.

### **Motion:**

Approving the recommended action.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Carr, Mayor Pro Tem
<b>SECONDER:</b>	Caitlin Jachimowicz, Council Member
<b>AYES:</b>	Tate, Carr, Constantine, Jachimowicz, Spring

### **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.

Community Development Director Jennifer Carman provided a brief report.

The public hearing was opened at 8:50 p.m.  
There being no requests to speak, the public hearing was closed.

**MOTION:**

Continuing the public hearing to a future date.

<b>RESULT:</b>	<b>CONTINUED TO A FUTURE MEETING [UNANIMOUS]</b>
<b>MOVER:</b>	Larry Carr, Mayor Pro Tem
<b>SECONDER:</b>	Caitlin Jachimowicz, Council Member
<b>AYES:</b>	Tate, Carr, Constantine, Jachimowicz, Spring

**FUTURE COUNCIL INITIATED AGENDA ITEMS**

Council Member Spring stated that homeless people in our town need access to restrooms, there are not many in our town. He would like the Council to review the open hours for the public restrooms and to look into the possibility of providing a place for the homeless to shower.

**ADJOURNMENT**

The meeting was adjourned at 8:56 p.m.

**MINUTES PREPARED BY:**

Michelle Wilson, Deputy City Clerk



### *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.