



City Council

Meeting Minutes

Rich Constantine - Mayor
Gino Borgioli - Mayor Pro Tem
John McKay - Council Member
Yvonne Martinez Beltran - Council Member
Rene Spring - Council Member

Wednesday, August 17, 2022 5:00 PM

Virtual Meeting

Link to join the meeting can be found below

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 5:00 p.m. for the purpose of conducting a Mid-Year Goal Review Workshop

CALL TO ORDER

Mayor Constantine called the City Council meeting to order at 5:00 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

PRESENT	Rich Constantine, Rene Spring, Gino Borgioli, John McKay, Yvonne Martinez Beltran
ABSENT	None
EXCUSED	None

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

SPECIAL MEETING

5:00 p.m.- Mid-Year Goal Review Workshop

WORKSHOP

1. CITY COUNCIL MID-YEAR GOAL REVIEW WORKSHOP

Recommendation:

1. Review and discuss:
 - a. 2022-2023 Sustainable Morgan Hill, including Vision, Ongoing Priorities, and Strategic Priorities and
 - b. 2022-2023 Strategic Priorities Work Plan
2. Determine whether to have Future Agenda Items on the following*:
 - a. Term limits for Commissioners, Council Members, and the Mayor
 - b. Methods on how to increase diversity on Commissions
 - c. Alignment, civility, and behavior of City Council Members
 - d. Process to monitor outside committee assignments to identify when an alternate is needed and to share how City Council Members voted at those committees.
 - e. Council Member reimbursements for dependent care costs during Council meetings
 - f. Policy for deadlines for submittal of agenda item supplements and a policy limiting the number of times a Council meeting can be extended
 - g. Review of City Council budget, including establishing policy on how City Council Member attendance at conferences is funded
3. Review and discuss City Council Follow-up/Future Council Initiated Agenda Items.

*The above items were brought forward by City Council Members during the *Future Council Initiated Agenda Items* section of City Council meetings. At the Mid-Year Goal Setting, the City Council will be asked whether they want the items to be considered at a future meeting. If a majority of City Council Members want the items to be considered, they will be added to future agendas. See the attachment for *City Council Follow-up/Future Council Initiated Agenda Items* that will be brought forward as part of Staff's Work Plan.

City Manager Christina Turner introduced and led the conversation.

Public comment opened at 5:47 p.m. The following people were called to speak:

Joe Baranowski

Monica Guynn

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

The public comment opened at 6:06 p.m.
Joe Baranowski was called to speak.
There being no further requests to speak, public comment closed.

The meeting recessed at 6:10 p.m.

REGULAR MEETING

The regular meeting convened at 7:00 p.m.

PROCLAMATIONS

Proclaiming the month of September as Emergency Preparedness Month

CITY COUNCIL REPORTS

Council Member John McKay shared that he attended a tour of Valley Water's water purification plant. He shared that last month, he toured the South County Regional Wastewater Authority (SCRWA) waste treatment facility in Gilroy. He spoke about a conversation he and several City teammates had with a state senator. The goal was to push legislation that would require broadband service providers to provide the resiliency that we all need.

CITY MANAGER'S REPORT

City Manager Turner shared that we are sharing through social media, flex alerts to conserve energy from 4 to 9 p.m. She encouraged everyone to save energy where they can. In addition, she announced the upcoming Community Emergency Response Team (CERT) basic training courses that start August 30, 2022 and run through September 24, 2022.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

Council Member Martinez Beltran announced the South County Women's Equality Series on August 26th and 27th.

Mayor Constantine shared that he had the opportunity to taste the water from Valley Water's water purification plant and it is undiscernible. He stated that the drought is an emergency situation and is pushing Valley Water to expedite the use of recycled water.

PUBLIC COMMENT

Public comment opened at 7:09 p.m.
There being no requests to speak, public comment closed.

PUBLIC COMMENT SUPPLEMENTS

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

RESULT:	Passed
MOVER:	Council Member Spring
SECONDER:	Council Member Martinez Beltran
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli, Council Member McKay, Council Member Martinez Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

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

MOTION:

Approving consent calendar items 2 through 6.

RESULT:	Passed
MOVER:	Council Member McKay
SECONDER:	Council Member Martinez Beltran
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli, Council Member McKay, Council Member Martinez Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

2. APPROVE PHASE 2 RECORDS RETENTION SCHEDULE UPDATE

Recommendation:

Approve changes to the City's Records Retention Schedule.

3. **APPROVE CONTRACT BETWEEN THE COUNTY OF SANTA CLARA AND THE CITY OF MORGAN HILL FOR CONTINUATION OF HOMELESS PREVENTION SERVICES**

Recommendation:

Approve and authorize the City Manager to execute and administer a two-year contract with the County of Santa Clara to continue to support Homeless Prevention Services for a total of \$100,000.

4. **APPROVE PACIFIC GAS AND ELECTRIC COMPANY AGREEMENT TO UNDERGROUND DRY UTILITIES FOR THE UPPER LLAGAS CREEK FLOOD CONTROL AND HALE AVENUE EXTENSION PHASE 2B PROJECT BETWEEN WRIGHT AND MAIN AVENUES**

Recommendation:

Approve and authorize the City Manager to execute and administer a Pacific Gas and Electric Company Agreement to underground dry utilities at the intersection of Main and Hale Avenues for a not to exceed amount of \$589,199.

5. **APPROVE SOLID WASTE FRANCHISE EXTENSION**

Recommendation:

Authorize the City Manager to execute a four-month franchise extension with Recology South Valley.

6. **APPROVE REVISIONS TO CITY COUNCIL POLICY CP-94-04, THE CITY'S INVESTMENT POLICY**

Recommendation:

Approve revisions to City Council Policy CP-94-04, the City's Investment Policy.

ITEM PULLED FOR DISCUSSION

7. **AUTHORIZE THE CITY MANAGER TO AMEND THE AGREEMENT WITH FLOCK SAFETY TO ADD AN ADDITIONAL 25 FLOCK SAFETY AUTOMATED LICENSE PLATE READERS**

Recommendation:

Authorize the City Manager to amend the Agreement with Flock Safety to add an additional 25 Flock Safety cameras for a one-time cost of \$74,750 for infrastructure and software upgrade, with an on-going annual cost of \$66,000.

Police Captain Mario Ramirez provided the report.

Public comment opened at 7:33 p.m.
There being no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

RESULT:	Passed
MOVER:	Council Member Martinez Beltran
SECONDER:	Mayor Pro Tem Borgioli
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli, Council Member McKay, Council Member Martinez Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

PUBLIC HEARINGS

8. **PUBLIC REVIEW OF THE DRAFT CITY OF MORGAN HILL 2023-2031 HOUSING ELEMENT UPDATE AND APPROVE SUBMISSION OF CITY OF MORGAN HILL 2023-2031 HOUSING ELEMENT UPDATE TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

Recommendation:

Review the Draft City of Morgan Hill 2023-2031 Housing Element Update and adopt the Resolution directing the City to submit the Draft 2023-2031 Housing Element to the California Department of Housing and Community Development for review.

Principal Planner Adam Paszkowski provided a report and presentation.

The public hearing opened at 8:35 p.m.

Joe Baranowski was called to speak.

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

MOTION:

Approving the recommended actions.

RESULT:	Passed
MOVER:	Council Member Martinez Beltran
SECONDER:	Council Member McKay
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli,

	Council Member McKay, Council Member Martinez Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

The meeting recessed at 8:47 p.m. and reconvened at 9:00 p.m.

OTHER BUSINESS

9. APPROVE UPDATES TO THE HOTEL STRATEGY AND INCENTIVE POLICY TO SUPPORT NEW HOTEL DEVELOPMENT AND REHABILITATION OF EXISTING HOTELS

Recommendation:

Approve updates to the Hotel Incentive Policy to support new hotel development and rehabilitation of existing hotels.

Economic Development Director Matt Mahood provided a presentation and report.

Public comment opened at 9:48 p.m. The following people were called to speak:

Asit Panwala

Joe Baranowski

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

MOTION:

Approving the recommended actions.

RESULT:	Passed
MOVER:	Council Member Martinez Beltran
SECONDER:	Council Member McKay
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli, Council Member McKay, Council Member Martinez Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

10. RECEIVE MONTHLY BUDGET UPDATE; PRELIMINARY FY 21-22 FINANCIAL AND INVESTMENT REPORTS; CITY MANAGER AUTHORITY REPORT; AND ADOPT BUDGET AMENDMENTS

Recommendation:

1. Accept and file Preliminary Fiscal Year (FY) 2021-2022 Financial and Investment Report and City Manager Authority Report; and
2. Adopt resolution authorizing changes to the adopted Fiscal Year (FY) 2021-2022 City of Morgan Hill Operating Budget.

Finance Director Dat Nguyen provided a presentation and report.

Public comment opened at 10:22 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

RESULT:	Passed
MOVER:	Council Member Martinez Beltran
SECONDER:	Council Member Spring
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli, Council Member McKay, Council Member Martinez Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

11. APPOINT VOTING DELEGATES FOR THE 2022 CALCITIES (LEAGUE) ANNUAL CONFERENCE AND APPROVE CITY SUPPORT OF THE RESOLUTION TO BE CONSIDERED

Recommendation:

1. Appoint a voting delegate and up to two (2) alternate voting delegates to the CalCities Annual Conference;
2. Direct the Clerk team to complete and forward the voting delegate form to CalCities;
3. Confirm "support" for the resolution to be considered on bylaws; and
4. Authorize the City's voting delegate(s) to vote on the resolution to be considered at the CalCities annual conference.

City Clerk/PIO Michelle Bigelow provided the report.

Public comment opened at 10:26 p.m. There being no requests to speak, public comment closed.

MOTION:

Appointing Mayor Constantine as the primary voting delegate and Council members Yvonne Martinez Beltran and John McKay as alternate voting delegates and approving the recommended actions.

RESULT:	Passed
MOVER:	Mayor Constantine
SECONDER:	Council Member Martinez Beltran
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli, Council Member McKay, Council Member Martinez Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session items.

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (§ 54956.9)

Barker v. L&D Construction et al., Santa Clara County Superior Court Case No. 19CV342745

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (§ 54956.9)

Jurevich v. City of Morgan Hill, Workers' Compensation Claim No: MHL2000009

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 10:29 p.m. There being no further business, public comment closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 10:30 p.m.

ADJOURNMENT

The City Council meeting adjourned in honor of Shane Holeman at 10:56 p.m.