



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, October 19, 2022 7:00 PM

Hybrid Meeting

17555 Peak Avenue, Morgan Hill, CA 95037 and Virtual (Link to join the meeting can be found below)

CALL TO ORDER

Mayor Pro Tem Borgioli called the meeting to order at 7:02 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Angie Gonzalez called the roll.

PRESENT	Rene Spring, Gino Borgioli, John McKay, Yvonne Martinez Beltran (arrived at 7:05 p.m.)
ABSENT	Rich Constantine

DECLARATION OF POSTING AGENDA

Deputy City Clerk Angie Gonzalez declared the posting of the agenda.

PRESENTATIONS

YAC Presentation- Asset # 5- Caring School Climate

CITY COUNCIL REPORTS

Councilmember Yvonne Martinez Beltran shared that she was appointed as Vice Chair of Housing, Community, and Economic Development for the CalCities Policy

Committee. She attended the Peninsula Division Luncheon for a discussion on reliable energy supply, aligned cities, and community choice aggregation roles. She shared that the Plein Air Event was fantastic and she was really moved by the art. She announced that the Dia De Los Muertos event will be on the 28th of October. They will light up a 6-foot altar and play the movie Encanto. She concluded by announcing that Savor Del Valle held a fundraiser dinner and they were able to give the Grange a \$4,500 grant.

CITY MANAGER'S REPORT

City Manager Christina Turner expressed her excitement for our first hybrid meeting. She thanked the professional team and the Council for their efforts in getting ready for hybrid meetings. Many cities are moving forward with in-person meetings and not offering a hybrid capability for streamlining. We have learned that hybrid meetings have a lot of technical complexity and require investment and infrastructure. However, we know that hybrid meetings make our meetings more accessible to all members of the community and we are committed to doing our best to allow for remote community engagement. She asked the community to be mindful that technology, including audio/video and streaming is a work in progress. And that we are still working out the integration of multiple platforms, which include in-person, zoom, channel 17 and facebook. She stated that we have varying levels of comfort regarding the status of Covid in our community. The County is still recommending masks for in-person meetings. The City is not requiring masks at our meetings but does have masks available for anyone who would like one.

She reminded everyone of the City Council's Norms. While these norms are intended for City Council, many of them apply to the community. She highlighted the first two – be respectful of each other, and address the issue, not the person. We all share the common purpose of making Morgan Hill the best community ever, and while we all have different viewpoints and roles, let's always respect each other, consistent with our recent Morgan Hill Together program.

She concluded by sharing a few announcements:

October 20th, the City of Morgan Hill will join millions of people worldwide by participating in the Great California Shakeout earthquake drill. Each City facility will practice an initial safety reaction to an earthquake by dropping, covering, and holding on to a desk or table leg until the simulated earthquake stops. Teammates will then evacuate to their designated assembly points. An interesting update to outdated advise is that getting in a doorway during an earthquake is no longer considered safe. We now recognize that doorways are not stronger than any other part of a building and do not provide protection from falling or flying objects and will not be a safe space in the rare case of building collapse. Our participation will be run by our Safety Committee and Office of Emergency Services.

Saturday, October 29th, join the Make it Magical Team/Kindness Ambassadors and the Youth Action Council leaders for a fun afternoon full of music, a pumpkin painting project, face painting, and a costume parade. The event is called "Spooktacular in the Park" and will be at the Magical Bridge Playground from 3:30 – 5:30 p.m. All Ages! All Abilities! All Welcome!

Monday, October 31st, the Morgan Hill Downtown Association is hosting "Safe Trick-or-Treat" from 5:00 – 7:00 p.m. Downtown businesses make it fun and safe!

The General Election is on Tuesday, November 8th, less than three weeks away! There are multiple events and resources available, including the Santa Clara County

Registrar of Voters, to help voters learn about the voting process, how to register, individual candidates, and issues in the election. Please see our website for more information.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that the 6th District Court of Appeals upheld our ordinance requiring gun owners whose guns are lost or stolen to report the theft or loss within two days.

OTHER REPORTS

None.

PUBLIC COMMENT

Public Comment Supplement

Public comment opened at 7:23 p.m.

Joe Baranowski was called to speak. Miguel Jimenez and Robert Guynn ceded their time to him.

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted

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

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 1 through 3.

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

1. **ACCEPT ANNUAL EVALUATION REPORT FOR THE SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI) FOR FY 2021-22 (YEAR 1) RELATING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM'S COMMUNITY RATING SYSTEM PROGRAM**

Recommendation:

Accept the Annual Evaluation Report for FY 2021-22 (Year 1) for the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI).

2. **UPDATE THE LIBRARY, CULTURE, AND ARTS COMMISSION (LCAC) WORK PLAN TO INCLUDE "MORGAN HILL STANDS UNITED AGAINST HATE" CAMPAIGN**

Recommendation:

Approve an update to the LCAC Work Plan.

3. **RECEIVE MONTHLY BUDGET UPDATE AND AUGUST 2022 FINANCIAL AND INVESTMENT REPORTS**

Recommendation:

Accept and file report.

PUBLIC HEARINGS

4. **INTRODUCE AN ORDINANCE TO AMEND THE TEXT OF TITLE 14 RELATED TO INCLUSIONARY HOUSING AND TITLE 18 RELATED TO THE DENSITY BONUS LAW**

Recommendation:

1. Open/close the continued public hearing;
2. Waive the first and second reading of the Ordinance; and
3. Introduce the Ordinance as recommended by staff and the Planning Commission.

Assistant City Attorney Cynthia Hasson provided a presentation and answered questions.

The public hearing opened at 7:57 p.m.

Joe Baranowski was called to speak.

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

MOTION:

Waiving the first and second reading of the ordinance.

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

MOTION:

Introducing the ordinance striking the language designating Development Services Director in Chapter 18.48 to retain final approval of density bonuses and concessions at the City Council.

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

ABSENT:	Mayor Constantine
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City Council recessed at 8:16 p.m. and reconvened at 8:27 p.m.

OTHER BUSINESS

5. ACCEPT MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT (MHTBID) OWNERS ASSOCIATION ANNUAL REPORT (DBA VISIT MORGAN HILL)

Recommendation:

Accept and file the Visit Morgan Hill Annual Report.

Executive Director for Visit Morgan Hill Krista Rupp provided a presentation and answered questions.

Public comment opened at 9:08 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

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

6. ACCEPT 2022 PUBLIC HEALTH GOALS REPORT ON WATER QUALITY

Recommendation:

1. Receive public comment; and
2. Accept and file the June 2022 Public Health Goals Report on Water Quality for the City of Morgan Hill.

Deputy Director for Utilities Services James Sylvain presented the report and answered questions.

Public comment opened at 9:22 p.m. Hearing no requests to speak, public comment closed.

MOTION:

Approving the recommended actions.

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

7. **INTRODUCE AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING CHAPTERS 15.08 (BUILDING CODE), 15.12 (ELECTRICAL CODE), 15.16 (MECHANICAL CODE), 15.20 (PLUMBING CODE), AND 15.44 (FIRE CODE) TO ADOPT BY REFERENCE THE 2022 CALIFORNIA STATE BUILDING STANDARDS CODES KNOWN AND DESIGNATED AS CALIFORNIA CODE OF REGULATIONS, TITLE 24 AMENDING CHAPTER 15.25 (PROPERTY MAINTENANCE) TO ADOPT BY REFERENCE THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE AND TO MAKE MINOR CHANGES TO SECTIONS IN CHAPTERS 15.65 (SUSTAINABLE BUILDING REGULATIONS) AND 15.66 (SWIMMING POOLS) OF TITLE 15 (BUILDING AND CONSTRUCTION) OF THE MORGAN HILL MUNICIPAL CODE**

Recommendation:

1. Waive reading;
2. Introduce the ordinance by title; and
3. Set November 2, 2022 at 7:00 p.m. as the date and time for a public hearing to consider adoption of an ordinance.

Building Official Eric Blomquist provided a presentation.

Public comment opened at 9:31 p.m. Hearing no requests to speak, public comment closed.

MOTION:

Approving the recommended action

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

ABSENT:	Mayor Constantine
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8. RECEIVE MONTHLY BUDGET UPDATE; SEPTEMBER 2022 FINANCIAL AND INVESTMENT REPORTS; AND THE CITY MANAGER AUTHORITY REPORT

Recommendation:
Accept and file report.

Finance Director Dat Nguyen provided a presentation and answered questions.

Public comment opened at 9:46 p.m.
Joe Baranowski was called to speak.
Hearing no further requests to speak, public comment closed.

9. APPROVE DRAFT CONDIT ROAD SPORTS FACILITIES MASTER PLAN

Recommendation:

1. Provide comments and feedback on the proposed Draft Condit Road Sports Facilities Master Plan; and
2. Approve Draft Condit Road Sports Facilities Master Plan.

Public Services Director Chris Ghione provided a presentation and answered questions.

Public Comment opened at 10:41 p.m.
Joe Baranowski was called to speak.
Hearing no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

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

10. COMMUNITY FUNDING POLICY REVIEW AND UPDATE

Recommendation:
Review policy and direct staff to make any updates to the Community Funding Policy.

Public Services Director Chris Ghione presented the report and answered questions.

Public comment opened at 10:55 p.m. Hearing no requests to speak, public comment closed.

MOTION:

Extending the meeting to 11:05 p.m.

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

MOTION:

Approving the policy with the removal of section 1e.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

Mayor Pro Tem Borgioli thanked staff for their work on our first hybrid meeting. The being no further business, the meeting adjourned at 11:02 p.m.

Minutes Prepared by:

Angie Gonzalez, Deputy City Clerk