



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, November 2, 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 Constantine called the City Council meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Kim Mancera called the roll.

PRESENT	Rich Constantine, Rene Spring, Gino Borgioli, John McKay, Yvonne Martinez Beltran (arrived at 7:03 p.m.)
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DECLARATION OF POSTING AGENDA

Deputy City Clerk Kim Mancera declared the posting of the agenda.

PROCLAMATIONS

Proclaiming the month of November 2022 as Philanthropy Month.

CITY COUNCIL REPORTS

Mayor Pro Tem Borgioli announced that he met with the Jewish Community about two months ago, at the Palo Alto Jewish Community Center. They had representatives there from the State Attorney General's Office. Representative Anna Eshoo and about

30 other elective officials all proclaimed to do whatever they can about hate speech and anti-semitism. He had a meeting regarding the Upper Llagas Flood Control last week. He advised that the tunnel is slightly behind but the project is on schedule. It is in preparation for the conduit from PG&E and various communication vehicles, such as Frontier and Charter, to put their lines in the tunnel. They are getting close to where PG&E comes in and starts laying their lines in the tunnel and following them is the communication vehicles. PG&E is not able to provide the crew what they had promised and they are putting together a plan to mitigate that to make sure that this project is on schedule.

CITY MANAGER'S REPORT

City Manager Christina Turner mentioned that we are thankful for the rain but are still in a drought. We need to continue to conserve and always conserve. November 1st marked the beginning of our new irrigation schedule. Tuesday November 1st - February 28th, watering is limited to Wednesdays only. This applies to all potable water, including wells. Irrigation is allowed before 9am and after 7pm. You can find out more information on our website.

She was excited to share that Morgan Hill Open Studios is scheduled for November 5th and 6th at multiple locations. This was created in collaboration with the Library, Culture and Arts Commission (LCAC) and our City. Open Studios operates as a project under Morgan Hill Community Foundation's El Toro Culture and Arts Committee. There are 52 artists throughout the area that are showcasing their art media. You can visit morganhillopenstudios.org to find out where the artists are and to see some samples.

This Saturday, November 5th at 2:30 p.m., at our Magical Bridge Playground is the Dia de los Muertos celebration. Join our Kindness Ambassadors and our Youth Action Council leaders for art projects, face painting and a talent show on the playhouse stage.

Another item that was brought forward by LCAC and members of our community with Congregation Emeth is the United Against Hate week. This is observed nationally from November 13-19th. The City's LCAC Commission will be leading this effort along with other community organizations and Congregation Emeth. Since our City has adopted several anti-hate resolutions in the past, the primary goal of this campaign is to bring this message to our community. You can go online and download a poster about Morgan Hill standing against hate. There will be a kick-off event on Sunday, November 13th from 2:00 -3:30 p.m. with music and different events.

Additionally, there are two items related to our City's core value of professional development. First is the Next Generation Silicon Valley Committee. She serves as a member on that committee and this Next Gen committee offers programs to enhance knowledge about local government agencies, career opportunities and skill advancement. In October, we hosted Tomorrow's Department Head Forum, which brings together City Managers, department heads, and recruiters to learn what it takes to move to the next level. Individuals in our County, as well as San Mateo, met and learned a variety of career and professional items on panels and breakout sessions. A couple of our teammates, Matt Mahood and Chris Ghione, participated. It also involved rounds of speed coaching, all in the spirit of professional development.

She concluded by sharing that we hosted the Santa Clara County Leadership Academy at the Community and Cultural Center. We were excited to host here as most of the events in the Silicon Valley are happening in the North. Two of our teammates went through the program, Elysa Olivares, Senior Human Resources Analyst, and Keri Russell, our Maintenance Manager, graduated from the program

and we celebrated the graduation here. This is a large-scale, multi-month academy that involves people from multiple disciplines. They engage in different activities each month and do a group project. Our City along with San Jose, sponsored one of the projects about continuity of operations during and after a large scale disaster and Jennifer Ponce helped out with that effort.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

Council Member Martinez Beltran reminded everyone that it is the last chance to visit the Dia de los Muertos alter on Monterey in Downtown. It will come down tomorrow. Today is Dia de los Muertos and an exciting time to celebrate the joyous time of those who have passed and whom we love and remember.

Council Member McKay would like to honor and celebrate Native American Heritage Month. It is the month of November.

PUBLIC COMMENT

Public comment opened at 7:11 p.m. The following people were called to speak:

Joe Baranowski with ceded time from Rob Guynn

Pilar Furlong

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

Public Comment Supplement 1

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

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 and 3 through 5.

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

- ADOPT ORDINANCE 2336, NEW SERIES, AMENDING SECTION 14.04.040 (GENERAL REQUIREMENTS) AND SECTION 14.040.060 (CONTINUED AFFORDABILITY AND CITY REVIEW OF OCCUPANCY) OF CHAPTER 14.04 (INCLUSIONARY HOUSING) OF TITLE 14 (HOUSING) TO CLARIFY INCLUSIONARY HOUSING REGULATIONS AND ENACTING CHAPTER 18.48 (DENSITY BONUS) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL REGARDING GRANTING OF DENSITY BONUS, INCENTIVES/CONCESSIONS AND WAIVERS OR REDUCTION OF DEVELOPMENT STANDARDS FOR HOUSING PROJECTS THAT INCLUDE AFFORDABLE UNITS, AS REQUIRED BY STATE LAW (AB 1763)**

Recommendation:

Waive the reading, adopt Ordinance No. 2336, 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.

- APPROVE THE REVISED COMMUNITY SERVICE OFFICERS ASSOCIATION (CSOA) SALARY SCHEDULES**

Recommendation:

Approve the revised Community Service Officers Association (CSOA) salary schedules to include the approved Community Services Officer position.

4. **APPROVE THE SEPTEMBER 28, 2022 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve minutes.

5. **APPROVE THE OCTOBER 19, 2022 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve minutes.

ITEMS PULLED FOR DISCUSSION

2. **APPROVE CONTRACT WITH EXELOO CORPORATION FOR THE PURCHASE OF A SELF-CLEANING RESTROOM AT GALVAN PARK**

Recommendation:

Authorize the City Manager to execute a contract with Exeloo Corporation for a not to exceed amount of \$300,000 to purchase a self-cleaning restroom at Galvan Park.

Public comment opened at 7:23 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

RESULT:	Passed
MOVER:	Mayor Pro Tem Borgioli
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

PUBLIC HEARING

6. **ADOPT ORDINANCE 2337, NEW SERIES, 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. Open/close the public hearing;
2. Waive the second reading of the ordinance; and
3. Adopt the ordinance.

Building Official Eric Blomquist gave a report.

The public hearing opened at 7:25 p.m. There being no requests to speak, public comment closed.

MOTION:

Waiving the second reading of the ordinance.

RESULT:	Passed
MOVER:	Council Member Spring
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

MOTION:

Adopting the ordinance.

RESULT:	Passed
MOVER:	Council Member Spring
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

OTHER BUSINESS

7. APPROVE CONCEPTUAL DESIGN FOR THE BUTTERFIELD FIRE STATION PROJECT

Recommendation:

1. Approve Conceptual Design for the Butterfield Fire Station Project; and
2. Adopt resolution approving and making the required findings as outlined in the staff report.

Senior Project Manager Yat Cho and Jeff Katz of COAR Design Group gave a presentation and answered questions.

Public comment opened at 7:50 p.m. The following people were called to speak:

Joe Baranowski

Sean Reese

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

MOTION:

Approving the recommended action.

RESULT:	Passed
MOVER:	Council Member McKay
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 HEARING

8. APPROVE AMENDMENTS TO THE GENERAL PLAN AND CERTIFY A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR), ADOPT FINDINGS OF SIGNIFICANCE AND A STATEMENT OF OVERRIDING CONSIDERATIONS AND APPROVE MITIGATION MONITORING REPORTING PLAN FOR THE COCHRANE COMMONS RETAIL CENTER AND ASSOCIATED LAND. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBERS: 728-37-056, -069, AND -041, ARE LOCATED ON THE NORTHEAST CORNER OF HIGHWAY 101, COCHRANE ROAD, AND MISSION VIEW DRIVE, (MORGAN HILL RETAIL VENTURE LP, OWNER)

Recommendation:

1. Open/Close public hearing;

2. Adopt resolution certifying the SEIR, adopt Findings of Significance and Statement of Overriding Considerations and approve the Mitigation Monitoring and Reporting Program prepared for the project;
3. Adopt resolution approving an amendment to the General Plan land use designation;
4. Waive the first and second reading of Zoning Amendment Ordinance; and
5. Introduce Zoning Amendment Ordinance

Development Services Director Jennifer Carman gave a presentation and answered questions.

The public hearing opened at 8:42 p.m.
Applicant Darryl Browman of Browman Development Co. gave a presentation and answered questions.

The meeting recessed at 9:21 pm and reconvened at 9:31 pm.

The following public speakers were called to speak:

Rick Kent

Gene Guglielmo

Joe Baranowski with ceded time from Rob Guynn

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

MOTION:

Adopting resolution certifying the SEIR.

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

MOTION:

Adopting the resolution approving an amendment to the General Plan land use designation.

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

MOTION:

Waiving the first and second reading of the ordinance with the addition of the 55' height restriction.

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

MOTION:

Introducing the ordinance.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Mayor Pro Tem Borgioli requested a discussion on electric bicycles on walking paths.

Council Member Spring requested further discussion and clarification of the terms boutique and full service hotel.

Council Member Martinez Beltran requested to address and discuss the comment from the Carpenters Union on the project.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the meeting at 9:54 p.m.

Minutes Prepared by:

Kim Mancera, Deputy City Clerk