



City Council

Meeting Minutes

Mark Turner - Mayor
Rene Spring - Mayor Pro Tem
Gino Borgioli - Council Member
Marilyn Librers - Council Member
Yvonne Martinez Beltran - Council Member

Wednesday, April 5, 2023 7:00 PM

Council Chamber Building
17555 Peak Avenue, Morgan Hill, CA 95037

CALL TO ORDER

Mayor Turner called the City Council meeting to order at 7:00 pm.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

PRESENT	Rene Spring, Gino Borgioli, Yvonne Martinez Beltran, Mark Turner, Marilyn Librers
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DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

The week of April 9 - 15, 2023 as Public Safety Telecommunicators Week/Dispatcher Appreciation Week

The month of April as Parkinson's Awareness Month

The month of April as American Red Cross Month

CITY COUNCIL REPORTS

Council Member Yvonne Martinez Beltran reported that Cal Cities will be holding a Cities Leader Summit from April 12, 2023, to April 14, 2023, with Legislative Day taking place on the 13th. The Annual Conference will be from September 7, 2023, through September 9, 2023. She shared that she attended the AAUW conference for young leaders and was the keynote speaker. She concluded by reporting on an ABAG meeting she attended on March 16, 2023, where they decided to support AB 84 and SB 225.

CITY MANAGER'S REPORT

City Manager Christina Turner provided an update on the drought. She announced that Sidewalk Saturdays are back and invited the community to come and support local businesses. Sidewalk Saturdays will run through June 20, 2023, from 9:00 a.m. to 1:00 p.m. on Third Street, Downtown. The City will have an information booth there this Saturday, April 7, 2023, to inform the community about Mogo. She concluded by sharing information about the Bay Area Panthers, who have decided to make Morgan Hill their home—the Panthers practice at the City's outdoor sports center. The City is excited to have a new team.

CITY ATTORNEY'S REPORT

City Attorney Don Larkin reported that at the end of the City Council meeting on March 15, 2023, the Council met in closed session on one matter regarding real estate negotiations, and there was no reportable action.

OTHER REPORTS

None.

PUBLIC COMMENT

Public comment opened at 7:18 pm.

Michael Burchfield was called to speak.

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

RESULT:	Passed
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MOVER:	Council Member Borgioli
SECONDER:	Mayor Pro Tem Spring
AYES:	Mayor Pro Tem Spring, Council Member Borgioli, Council Member Martinez Beltran, Mayor Turner, Council Member Librers
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.

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

MOTION:

Approving items 3 through 5.

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

1. **ADOPT ORDINANCE NO. 2344, NEW SERIES, APPROVING A ZONING MAP AMENDMENT FROM PLANNED DEVELOPMENT/GENERAL COMMERCIAL TO MIXED-USE FLEX FOR A MIXED-USE DEVELOPMENT ON A 3.82-ACRE SITE LOCATED ON THE SOUTHWEST QUADRANT OF COCHRANE ROAD AND MONTEREY ROAD (MONTEREY – CITY VENTURES (THE GATES)) (APNS 764-10-013 AND 764-10-015)**

Recommendation:

Waive the reading, adopt Ordinance No. 2344, 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.

City Manager Christina Turner provided a report. City Attorney Donald Larkin answered questions.

Public comment opened at 7:31 pm. There being no requests to speak, public comment closed.

MOTION:

Adopting the ordinance.

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

2. ADOPT RESOLUTION MAKING FINDINGS IN SUPPORT OF FINANCING FOR THE PREVIOUSLY APPROVED REHABILITATION OF SKEELS AND VILLA CIOLINO APARTMENTS

Recommendation:

Adopt a resolution to support Eden Housing's ability to apply for new Low Income Housing Tax Credit financing and tax-exempt bonds to support the re-capitalization and rehabilitation of Skeels and Villa Ciolino Affordable Apartment Communities.

Housing Director Rebecca Garcia provided a report.

Public comment opened at 7:38 pm.

Sally Casas was called to speak. (zoom)

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

MOTION:

Approving the recommended action.

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

ABSTAIN:	None
ABSENT:	None

3. APPROVE CONTRACT FOR BANKING SERVICES WITH WELLS FARGO BANK

Recommendation:

1. Approve contract for banking services with Wells Fargo Bank; and
2. Authorize the City Manager to execute and administer a banking services contract with Wells Fargo Bank through 2028 with subsequent renewal subject to budget appropriation.

4. APPROVE FIFTH AMENDMENT TO AGREEMENT WITH INNOVATIVE CLAIMS SOLUTIONS, INC.

Recommendation:

Authorize the City Manager to execute and administer a Fifth Amendment to Agreement with Innovative Claims Solutions, Inc. to provide third party claims administration for workers' compensation extending the agreement for one additional year of service at annual amount of \$35,755, for a new total contract amount of \$276,735 over 8 years.

5. APPROVE THE MARCH 15, 2023 CITY COUNCIL MEETING MINUTES

Recommendation:

Approve the March 15, 2023 City Council minutes.

PUBLIC HEARINGS

6. ADOPT RESOLUTION ESTABLISHING CARRY CONCEALED WEAPON (CCW) LICENSE FEE, BUSINESS LICENSE RENEWAL FEE, AND UPDATING CREDIT CARD PAYMENT SERVICE FEE

Recommendation:

1. Open/Close public hearing; and
2. Adopt resolution establishing carry concealed weapon license fee, business license renewal fee, and updating credit card service fee for development fees and transient occupancy tax payments by credit card.

Finance Director Dat Nguyen provided a report and presentation.

The public hearing opened at 8:17 pm. The following people were called to speak:

Matt Griffoul

Joel Nielsen
 Sean O
 Steve Chapell
 Michael Murphy
 Russ K (zoom)
 Sally Casas (zoom)
 There being no further requests to speak, the public hearing closed.

MOTION:

Adopting resolution approving the CCW permit fee, revisiting with a target of September to re-evaluate the fee and consider a program for low-income, making the fee structure retroactive to permittees.

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

MOTION:

Adopting resolution for business license and credit card payment fees.

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

The meeting recessed at 8:58 pm and reconvened at 9:07 pm.

OTHER BUSINESS

7. PROVIDE DIRECTION ON NEXT STEPS FOR DOWNTOWN COMMUNITY PARKLET AND/OR ALTERNATIVE DOWNTOWN ACTIVATION OPTION

Recommendation:

Provide direction on next steps for Downtown Community Parklet and/or Alternative Downtown Activation Option.

Economic Development Coordinator Brittney Sherman provided a report and presentation.

Public comment opened at 9:57 pm. The following people were called to speak:

Doug Muirhead

Armando Benavides (zoom)

Sally Casas (zoom)

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

The City Council provided direction to staff to pursue the alternative Downtown Activation Option.

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Borgioli requested a discussion on second-hand smoke bans in multi-family housing units.

Council Member Spring requested a review of the noise ordinance for roosters and chickens.

Council Member Spring requested a policy on abstaining from votes.

Council Member Spring requested a review of the waiving of credit card fees.

ADJOURNMENT

There being no further business, Mayor Turner adjourned the meeting at 10:25 pm.

Minutes Prepared by:

Michelle Bigelow, City Clerk

ITEMS PULLED FOR DISCUSSION