



City Council

Meeting Minutes

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

Wednesday, January 17, 2024 6:00 PM

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

CALL TO ORDER

Mayor Turner called the City Council meeting to order at 6:00 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

PRESENT	Rene Spring, Gino Borgioli, Yvonne Martinez Beltran, Mark Turner, Marilyn Librers
ABSENT	None

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

YAC Presentation

Trusted Response Urgent Support Team (TRUST) Presentation

CITY COUNCIL REPORTS

Mayor Mark Turner spoke about the Library District and shared that they will be creating spaces that will be thematically designed to help young readers at an early age. Each of the seven libraries in the district will have a different theme. The South County Youth Taskforce (SCYTF) Policy Committee meeting took place this morning. He shared that the restorative justice program for South County youth is showing good success. He mentioned that he has been appointed to the Cal Cities public safety policy committee. The public safety committee will be looking at making recommendations to changes to Prop 47, addressing retail theft and the fentanyl crisis, along with other concerns. He will be attending the Cal Cities 2024 Legislators Address on Friday, January 26th, in Palo Alto. He announced that on Wednesday, March 13th, he will hold the State of the City Address at 6:30 p.m. at the Morgan Hill Community Playhouse. He concluded by reading a commendation for Team D of the Morgan Hill Police Department for their outstanding work.

CITY MANAGER'S REPORT

City Manager Christina Turner announced the upcoming Community Police Academy. She shared that the next scheduled Council meeting will be our Annual goal-setting workshop on Friday, February 2nd, and Saturday, February 3rd, starting at 9:00 a.m. each day in the council chamber. She concluded by introducing the City's newly hired and promoted teammates, as well as announcing the recently retired teammates.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

Council Member Martinez Beltran shared that the VTA PAC Committee was canceled this week. She will be attending the Latino Caucus board retreat for the League of Cities, where she sits on the Executive Board, through this weekend. She also sits on the Executive Board for the League of Cities Peninsula Division and announced the legislative address in Palo Alto.

PUBLIC COMMENT

Public comment opened at 6:38 p.m. The following people were called to speak:

Joe Baranowski

Kathy Chavez Napoli

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

MOTION:

Approving consent calendar items 1 through 3, 5 through 7, and 13.

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

1. **ADOPT ORDINANCE 2351, NEW SERIES, AMENDING SECTIONS 2.04.020 SALARY OF COUNCIL MEMBERS AND 2.04.030 SALARY OF THE MAYOR OF THE CHAPTER 2.04 CITY COUNCIL OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL**

Recommendation:

Waive the reading, adopt Ordinance No. 2351, 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.

2. **APPROVE ARTIST AND ARTWORK FOR GALVAN PARK RESTROOM**

Recommendation:

1. Approve the selection of artist Abigail Dunnivan and artwork on the Galvan Park Restroom; and
2. Authorize the City Manager to execute and administer artist agreement for the artwork.

3. **APPROVE SECOND AMENDMENT TO ON-CALL REPAIR CONTRACT WITH GOLDEN BAY CONSTRUCTION FOR A NEW TOTAL COMPENSATION UP TO \$950,000**

Recommendation:

Authorize the City Manager to execute a second amendment to the on-call water and sewer repair contract with Golden Bay Construction with compensation up to \$950,000.

4. **APPROVE THE FINAL MAP FOR THE LUMBER YARD PHASE 2 PROJECT – TRACT NO. 10621 (DEPOT STREET AND EAST DUNNE AVENUE), AND THE FIRST AMENDMENT TO THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR THE LUMBER YARD PHASE 1 – TRACT NO. 10541**

Recommendation:

1. Approve the Final Map for the Lumber Yard Phase 2 Project (Tract No. 10621);
2. Authorize the recordation of the Lumber Yard Phase 2 Final Map;
3. Approve the First Amendment to the Subdivision Improvements Agreement for the Lumber Yard Phase 1 Project (Tract No. 10541);
4. Authorize the City Manager to execute the First Amendment to the Lumber Yard Phase 1 Subdivision Improvements Agreement with MH LUMBERYARD 49, LLC; and
5. Authorize the recordation of the First Amendment to the Subdivision Improvements Agreement.

Senior Engineer Maria Angeles answered questions.

Public comment opened at 6:48 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended actions.

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

5. **APPROVE THE FINAL MAP FOR THE KERLEY RESIDENTIAL PROJECT - TRACT NO. 10609 (19380 MONTEREY ROAD WITH ASSESSOR PARCEL NUMBERS 726-42-001 AND 726-42-002) AND RELATED SUBDIVISION IMPROVEMENTS AGREEMENT**

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvements Agreement with CIVIC MONTEREY ROAD, LLC; and
3. Authorize the recordation of the Final Map and Subdivision Improvements Agreement.

6. **APPROVE THE DECEMBER 6, 2023 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve Minutes.

7. **AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENT WITH ACT PRIVATE SECURITY & INVESTIGATIONS INC. FOR SECURITY SERVICES**

Recommendation:

Authorize the City Manager to execute and administer a two and a half year agreement with ACT Private Security & Investigations Inc, in the amount of \$155,000 for security services.

8. **AWARD AQUATICS CENTER RECREATION POOL REPLASTERING PROJECT**

Recommendation:

1. Award contract to Earl Adams Tile - Coving & Plastering, Inc. dba Adams Pool Solutions in the amount of \$137,262 and contingency funds not to exceed \$27,452; and
2. Authorize the City Manager to execute and administer that certain construction contract with Earl Adams Tile - Coving & Plastering, Inc. dba Adams Pool Solutions.

Maintenance Manager Keri Russell and Public Services Director Chris Ghione answered questions.

Public comment opened at 6:51 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended actions.

RESULT:	Passed
MOVER:	Council Member Martinez Beltran

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

9. AWARD COMMUNITY PARK DG PATHWAYS PROJECT

Recommendation:

1. Award Decomposed Granite (DG) Pathways Project to Angkor Engineering, Inc. in the amount of \$51,825 and contingency funds not to exceed \$25,913; and
2. Authorize the City Manager to execute and administer that certain construction contract with Angkor Engineering, Inc.

Maintenance Manager Keri Russell and Public Services Director Chris Ghione answered questions.

MOTION:

Approving the recommended actions.

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

Public comment opened at 6:55 p.m. There being no requests to speak, public comment closed.

10. PAVEMENT CONDITION UPDATE AND PAVEMENT REHABILITATION PLANNING UPDATE

Recommendation:

Receive updates.

Public Services Director Chris Ghione and City Engineer Scott Creer answered questions.

Public comment opened at 7:29 p.m.
Joe Baranowski was called to speak.
There being no further requests to speak, public comment closed.

Report received.

11. PURCHASE OF MOBILE OFFICE SPACE FOR AQUATICS CENTER AND OUTDOOR SPORTS CENTER USE

Recommendation:

1. Approve the purchase of mobile office space for \$100,000; and
2. Authorize the City Manager to execute necessary agreements to complete the purchase with approval of the City Attorney.

Public Services Director Chris Ghione and Deputy Director for Engineering Scott Creer answered questions.

Public comment opened at 7:03 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended actions.

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

The meeting recessed at 7:03 p.m. and reconvened at 7:10 p.m.

12. RECEIVE MONTHLY BUDGET UPDATE AND NOVEMBER 2023 FINANCIAL AND INVESTMENT REPORTS

Recommendation:

Accept and file report.

Finance Director Dat Nguyen provided a report and answered questions.

Public comment opened at 7:29 p.m. There being no requests to speak, public comment closed.

Report received.

13. APPROVE STATE OF CALIFORNIA, OFFICE OF EMERGENCY SERVICES' UNIVERSAL RESOLUTION DESIGNATING APPLICANT'S AGENT FOR DISASTER ASSISTANCE

Recommendation:

1. Designate City Manager, Finance Director, or Senior Accountant to submit for Disaster Assistance to the State of California, Office of Emergency Services, for the purpose of obtaining certain federal financial assistance; and
2. Direct the City Clerk to certify the Designation of Applicant's Agency Resolution to the State of California, Office of Emergency Services.

OTHER BUSINESS

14. ADOPT RESOLUTION FOR AN EXCEPTION TO THE 180-DAY WAITING PERIOD TO APPOINT RETIRED ANNUITANT, ANDREW CRABTREE, TO SERVE AS TEMPORARY EXTRA HELP (GOVERNMENT CODE SECTIONS 7522.56 AND 21224) IN THE DEVELOPMENT SERVICES DEPARTMENT TO PERFORM WORK AS A RETIRED ANNUITANT

Recommendation:

Adopt Resolution for an exception to the 180-day waiting period to appoint Andrew Crabtree, a retired annuitant, to serve as temporary extra help (Government Code Sections 7522.56 and 21224) in the Development Services Department to perform work as a Retired Annuitant.

City Manager Christina Turner provided the report.

Public comment opened at 7:46 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 Borgioli
AYES:	Council Member Spring, Council Member Borgioli, Council Member Martinez Beltran, Mayor Turner, Mayor Pro Tem Librers
NAYS:	None

ABSTAIN:	None
ABSENT:	None

The meeting recessed at 7:46 p.m. and reconvened at 7:52 p.m.

15. PROVIDE DIRECTION REGARDING CITY COUNCIL TERM LIMITS AND MAYORAL TERM

Recommendation:

1. Provide direction to staff regarding the drafting of an ordinance creating term limits that would be submitted to the voters in November 2024; and
2. Provide direction to staff regarding the mayoral term.

City Clerk Michelle Bigelow provided the report and presentation.

Public comment opened at 8:21 p.m. The following people were called to speak:

Kathy Chavez Napoli

Joe Baranowski

Armando Benavides

Bryan Espiritu

Scott Stotler

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

MOTION:

Direct staff to continue the item to a meeting in February or March.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Martinez Beltran would like to review the YMCA partnership. She would also like to hear about the \$1 million shortfall in Development Services.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session item.

THREAT TO PUBLIC SERVICES OR FACILITIES (§ 54957)

Consultation with: Morgan Hill Police Department, Chief of Police

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 9:15 p.m. There being no requests to speak, public comment closed.

The meeting adjourned to closed session at 9:15 p.m.

ADJOURNMENT

There being no further business, Mayor Turner adjourned the meeting at 10:24 p.m.

Minutes Prepared by:

Michelle Bigelow, City Clerk

ITEMS PULLED FOR DISCUSSION