



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, December 4, 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

Council Member Martinez Beltran participated remotely in accordance with AB 2449. She was out of town to attend the Cal Cities Board Meeting. She announced that no one was in the room with her, other than employees of venue.

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS

Recognizing our Police and Fire Teammates for their Successful Lifesaving Efforts

PRESENTATIONS

YAC Presentation

CITY COUNCIL REPORTS

Council Member Spring mentioned that he attended his last Santa Clara Valley Habitat Agency meeting. He is on the Implementation Board and the Chair of the Governing Board and encourages the community to check out what they are doing to preserve and protect the City's open space areas. He also noted that he would be attending the holiday parade on Saturday, December 7th for the last time as a Council Member.

CITY MANAGER'S REPORT

City Manager Christina Turner mentioned that the City of Morgan Hill will host a Special City Council Meeting on Wednesday, December 11th at 6:00 p.m., to farewell departing elected officials and welcome our newly elected and re-elected officials. She announced that there are many upcoming events this holiday season. For more information about these events, make sure you are subscribed to the City's 411 weekly newsletter. In addition, the last Sidewalk Saturday event of the season will be on Saturday, December 14th, from 10:00 a.m. - 3:00 p.m. She concluded by sharing that City offices will be closed for furlough from December 23rd through January 3rd and that emergency services will be available during that time.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

Council Member Martinez Beltran shared that she attended the Silicon Valley Clean Energy Executive Board meeting last week as well as an ABAG meeting. She mentioned that she attended the Interfaith Thanksgiving service that was held at Advent Lutheran.

PUBLIC COMMENT

Public comment opened at 6:19 p.m.

Krista Rupp from Visit Morgan Hill 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
MOVER:	Council Member 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

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, 3, and 5 through 10.

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

Items 2 and 4 were heard after item 11.

1. **ACCEPT THE ANNUAL SENATE BILL (SB) 165 REPORT FOR COMMUNITY FACILITIES DISTRICT NO. 2014-1 (FISHER CREEK)**

Recommendation:

Accept and file report.

3. **ADOPT RESOLUTION APPROVING AND MAKING FINDINGS RELATED TO THE ASSEMBLY BILL (AB) 1600 DEVELOPMENT IMPACT FEE ANNUAL REPORT FOR FISCAL YEAR 2023-24**

Recommendation:

1. Adopt resolution making findings for unexpended development impact

- fees; and
2. Accept the annual development impact fee report.

5. **ADOPT ORDINANCE NO. 2359, NEW SERIES, ESTABLISHING CHAPTER 18.78 (STANDARDS FOR PUBLIC ARTS) WITHIN TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING THE REQUIREMENT OF PUBLIC ART IN NEW LAND DEVELOPMENT PROJECTS**

Recommendation:

Waive the reading, adopt Ordinance No. 2359, 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.

6. **APPROVE ACQUISITION OF SEWER EASEMENT (NGUYEN) APN 841-03-062 FOR THE SEWER RELIEF TRUNK LINE PROJECT**

Recommendation:

1. Authorize the City Manager to acquire the sewer easement (3,306 square feet), APN 841-03-062, for \$17,000 plus escrow and closing costs from Hung Nguyen, Hong Le, Van Nguyen, and Long Nguyen for the Sewer Relief Trunk Line Project; and
2. Authorize the City Manager to execute all documents and make minor modifications, with the approval of the City Attorney, as necessary in order to consummate the transaction.

7. **APPROVE THE FIRST AMENDMENT TO THE IMPROVEMENT AGREEMENT FOR THE BLUEWAVE EXPRESS CAR WASH PROJECT LOCATED AT 18625 MONTEREY ROAD (APN: 764-10-008)**

Recommendation:

1. Approve the First Amendment to the Improvement Agreement for the BlueWave Express Car Wash Project;
2. Authorize the City Manager to execute the First Amendment to the Project's Improvement Agreement with BW Morgan Hill, LLC; and
3. Authorize the recordation of the First Amendment to the Improvement Agreement.

8. **APPROVE THE NOVEMBER 20, 2024 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve minutes.

9. **APPROVE CHANGE ORDER WITH LARRY S. KENT, INC. DBA KENT CONSTRUCTION TO INSTALL A HAWK SIGNAL FOR BUTTERFIELD FIRE STATION PROJECT IN THE AMOUNT OF \$322,205**

Recommendation:

1. Approve and authorize the City Manager to execute a Change Order with Larry S. Kent, Inc. DBA Kent Construction in the amount of \$322,205 for a HAWK signal at the Butterfield Fire Station Project; and
2. Approve and authorize the City Manager to add 10% contingency to the HAWK signal project in the amount of \$32,221.

10. **RECEIVE MONTHLY BUDGET UPDATE AND OCTOBER 2024 FINANCIAL AND INVESTMENT REPORTS**

Recommendation:

Accept and file report.

OTHER BUSINESS

11. **REVIEW AND APPROVE TRANSPORTATION MASTER PLAN**

Recommendation:

1. Review and provide comments on Transportation Master Plan; and
2. Approve Transportation Master Plan.

Assistant City Manager/Public Services Director Chris Ghione and Robert Del Rio, with Hexagon Transportation Consultants, provided a presentation and report.

Public comment opened at 7:13 p.m. The following people were called to speak:

Doug Muirhead

Nick Gaich

Armando Benavides (Zoom)

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

MOTION:

Approving the recommended action.

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

The meeting recessed at 7:38 p.m. and reconvened at 7:43 p.m.

ITEMS PULLED FOR DISCUSSION

4. **ADOPT ORDINANCE NO. 2358, NEW SERIES, APPROVING A ZONING AMENDMENT FOR A PLANNED DEVELOPMENT AND ASSOCIATED MASTER PLAN (ZA2021-0001) FOR A 69.4-ACRE SITE LOCATED AT THE NORTHEAST QUADRANT OF HILL ROAD AND BARRETT AVENUE (APN: 817-20-031)**

Recommendation:

Waive the reading, adopt Ordinance No. 2358, 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.

Senior Planner Tiffany Brown and Development Services Director Jennifer Carman provided a report.

Public comment opened at 8:02 p.m. The following people were called to speak:

Matt Igel

Darcy Foster

Liz Panetta Melone

Armando Benavides (Zoom)

Joe Baranowski (Zoom)

Marc Trouad-Riolle (Zoom)

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

MOTION:

Approving the recommended action.

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

2. **ACCEPT THE CITY'S ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2024**

Recommendation:

Accept the City's Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2024.

Public comment opened at 8:36 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

RESULT:	Passed
MOVER:	Council Member 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

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, Mayor Turner adjourned the meeting at 8:38 p.m.

Minutes Prepared by:

Michelle Bigelow, City Clerk