



City Council

Meeting Minutes

Mark Turner - Mayor
Yvonne Martínez Beltrán - Mayor Pro Tem
Soraida Iwanaga - Council Member
Marilyn Librers - Council Member
Miriam Vega - Council Member

Wednesday, February 19, 2025 5:00 PM

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

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 5:00 p.m. for the purpose of conducting a closed session.

SPECIAL MEETING

5:00 p.m. Closed Session

CALL TO ORDER

Mayor Turner called the City Council meeting to order at 5:01 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

PRESENT	Mark Turner, Yvonne Martinez Beltran, Soraida Iwanaga, Marilyn Librers, Miriam Vega
ABSENT	None

Mayor Pro Tem Martinez Beltran arrived at 6:00 p.m.

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session items.

Conference with Legal Counsel—Existing Litigation (§54956.9)

Mary Volz v. RJ Cassiba, et al.

Santa Clara County Case No. 23-CV-413053

Esmerelda Johl v. City of Morgan Hill, et al.

Santa Clara County Case No. 23-CV-428058

Conference with Legal Counsel—Anticipated Litigation

Initiation of litigation pursuant to § 54956.9(c):

(One Case)

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 5:01 p.m. There being no requests to speak, public comment closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 5:01 p.m.

REGULAR MEETING

The regular meeting convened at 6:00 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS

Aquatics Foundation donation

Dairy Delight

PRESENTATIONS

CITY COUNCIL REPORTS

Mayor Pro Tem Martinez Beltran shared that she attended the Silicon Valley Clean Energy Leadership in Sacramento last week. The main topics were on affordability, rising costs of energy and how Sacramento can support. She attended a United Against Hate vigil on February 8th in Gilroy. She has been re-elected as the chair of the VTA PAC board. She was also elected as the Vice President of the Executive Committee for

Silicon Valley Clean Energy. Was able to help with another Know Your Rights workshop. She announced that she will be nominated for Senate District 15 Woman of the Year.

CITY MANAGER'S REPORT

City Manager Christina Turner recognized Doug Muirhead and his dedication of over four years to roadside trash cleanup. She asked that everyone join her in giving Doug a heartfelt thank you for his dedication, hard work, and commitment to keeping our community clean. She announced that the Panthers will have their first home game on March 30 at 5:30 p.m. at the SAP Center. She announced that Coffee with the Mayor is back. Join Mayor Mark Turner and guest, Jennifer Carman, Development Services Director, for a cup of coffee and an informal conversation about housing development in Morgan Hill this Saturday, February 22nd, 9 - 11 a.m. at the Centennial Recreation Center Multipurpose Room. In addition, the State of the City will be held on Wednesday, March 12th. Doors open at 5:30 p.m., and the event starts at 6 p.m. at the Granada theatre in downtown Morgan Hill.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that there was no reportable action from the closed session that took place earlier in the meeting.

OTHER REPORTS

None.

PUBLIC COMMENT

Public comment opened at 6:10 p.m., there being no requests to speak, public comment closed.

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

RESULT:	Passed
MOVER:	Council Member Librers
SECONDER:	Council Member Iwanaga
AYES:	Mayor Turner, Mayor Pro Tem Martinez Beltran, Council Member Iwanaga, Council Member Librers, Council Member Vega
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 4, 5 through 8, and 10 through 12.

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

1. **ACCEPT \$30,000 DONATION FROM THE FRIENDS OF MORGAN HILL SENIOR CENTER**

Recommendation:

1. Accept a \$30,000 donation from the Friends of the Morgan Hill Senior Center to support services at the Centennial Recreation Senior Center; and
2. Authorize the City Manager to execute any agreements necessary for donation acceptance.

2. **ACCEPT DONATION OF NEW POOL LANE LINES VALUED AT \$17,089 FROM THE MORGAN HILL AQUATIC FOUNDATION**

Recommendation:

Accept donation of lane lines from the the Morgan Hill Aquatic Foundation valued at \$17,089.

3. **ACCEPT THE POLICE DEPARTMENT BUILDING EXPANSION PROJECT IN THE AMOUNT OF \$245,771**

Recommendation:

1. Accept the Police Department Building Expansion Project by Jahn Plumbing, Inc. as complete;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file said Notice of Completion with the County

4. **ADOPT ORDINANCE NO. 2362, NEW SERIES, AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING UPDATES TO ACCESSORY DWELLING UNIT PROVISIONS TO COMPLY WITH SENATE BILL 477 AND SENATE BILL 1211; IMPLEMENTING REPRODUCTIVE HEALTH COMMUNITY CLINICS BY-RIGHT TO COMPLY WITH ASSEMBLY BILL 2085; UPDATES TO PARKING PROVISIONS TO COMPLY WITH ASSEMBLY BILL 2097; AND IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES**

Recommendation:

Waive the reading, adopt Ordinance No. 2362, 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.

5. **APPROVE FINAL MAP FOR THE GATES - TRACT NO. 10627 AND RELATED SUBDIVISION IMPROVEMENTS AGREEMENT**

Recommendation:

1. Approve the Final Map;
2. Approve a Subdivision Improvements Agreement with CITY VENTURES HOMEBUILDING LLC, a Delaware Limited Liability Company;
3. Authorize the City Manager to execute the Subdivision Improvements Agreement; and

MOTION:

Approving the recommended action.

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

6. **APPROVE PROFESSIONAL SERVICES AGREEMENT WITH HYDROSCIENCE ENGINEERS FOR THE GLEN AYRE RESERVIOR PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$417,019**

Recommendation:

1. Approve Service Agreement for Design Professionals with HydroScience Engineers, Inc. for a total not to exceed contract amount of \$417,019 to design the Glen Ayre Reservoir Project; and
2. Authorize the City Manager to execute and administer the Service Agreement for Design Professionals with HydroScience Engineers, Inc. for the Glen Ayre Reservoir Project.

7. **APPROVE THE FIRST AMENDMENT TO THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR THE DAKOTA DUNNE RESIDENTIAL SUBDIVISION (APN 726-09-104, -105, AND -106)**

Recommendation:

1. Approve the First Amendment to the Subdivision Improvements Agreement for the Dakota Dunne Residential Subdivision;
2. Authorize the City Manager to execute the First Amendment to the Project's Subdivision Improvements Agreement with Michael F. Dunne, Jr. and Jonna M. Dunne; and
3. Authorize the recordation of the First Amendment to the Subdivision Improvements Agreement.

8. **APPROVE THE FIRST AMENDMENT TO THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR THE SABINI COURT RESIDENTIAL SUBDIVISION (APN: 773-32-017, -018, -019, AND -020)**

Recommendation:

1. Approve the First Amendment to the Subdivision Improvements Agreement for the Sabini Court Subdivision;
2. Authorize the City Manager to execute the First Amendment to the Project's Subdivision Improvements Agreement with Strolata Properties, LLC; and
3. Authorize the recordation of the First Amendment to the Subdivision Improvements Agreement.

10. **APPROVE THE JANUARY 15, 2025 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve minutes.

11. **AWARD MORGAN HILL MAGICAL BRIDGE SHADE STRUCTURE PROJECT TO G&G BUILDERS INC. IN THE AMOUNT OF \$392,933**

Recommendation:

1. Approve the Morgan Hill Magical Bridge Shade Structure Project Plans and Specifications;
2. Award contract to G&G Builders Inc. in the amount of \$392,933;
3. Authorize the expenditure of construction contingency funds not to exceed \$100,000;
4. Authorize the City Manager to execute and administer the construction contract with G&G Builders Inc.

12. RECEIVE ANNUAL REPORT ON 2024 CITY ENGINEER ACCEPTANCES OF PUBLIC IMPROVEMENTS COMPLETED BY PRIVATE DEVELOPMENT PROJECTS

Recommendation:

Accept and file Annual Report on 2024 City Engineer acceptances of public improvements completed by private development projects.

ITEM PULLED FOR DISCUSSION

9. APPROVE CITY COUNCIL ASSIGNMENTS TO OUTSIDE AGENCIES FOR 2025

Recommendation:

1. Approve the City Council assignments to Outside Agencies; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

City Manager Christina Turner provided the report.

Public comment opened at 6:23 p.m. There were no requests to speak, so public comment was closed.

MOTION:

Approving the recommended actions.

RESULT:	Passed
MOVER:	Council Member Iwanaga
SECONDER:	Council Member Vega
AYES:	Mayor Turner, Council Member Iwanaga, Council Member Librers, Council Member Vega
NAYS:	Mayor Pro Tem Martinez Beltran

ABSTAIN:	None
ABSENT:	None

PUBLIC HEARINGS

13. **ADOPT RESOLUTION AMENDING THE TEXT OF THE MORGAN HILL 2035 GENERAL PLAN TO ELIMINATE THE FLOOR AREA RATIO FOR THE MIXED USE FLEX LAND USE DESIGNATION AND INTRODUCE ORDINANCE (ZA2024-0002) AMENDING CHAPTER 12.32 (RESTRICTIONS ON REMOVAL OF SIGNIFICANT TREES); AMENDING SECTIONS 17.20.040 (FORM AND CONTENTS) AND 17.24.030 (FORM AND CONTENTS) RELATING TO TENTATIVE MAPS WITHIN TITLE 17 (SUBDIVISIONS) IMPLEMENTING MINOR AMENDMENTS DUE TO INCONSISTENCIES WITH CHAPTER 12.32 PROPOSED AMENDMENTS; AND AMENDING TABLE 18.22-2 (DEVELOPMENT STANDARDS IN MIXED USE ZONING DISTRICTS) WITHIN SECTION 18.22.040 (DEVELOPMENT STANDARDS) TO REMOVE THE MAXIMUM FLOOR AREA RATIO (FAR) AND BUILDING COVERAGE WITHIN THE (MIXED USE FLEX) MU-F ZONING DISTRICT**

Recommendation:

1. Open/close the public hearing;
2. Adopt a Resolution approving an amendment to the text of the Morgan Hill 2035 General Plan to eliminate the Floor Area Ratio for the Mixed Use Flex land use designation;
3. Waive first and second reading of the Ordinance Amendment; and
4. Introduce Ordinance Amendment.

Principal Planner Adam Paszkowski and Development Services Director Jennifer Carman provided a presentation and report.

The meeting recessed at 6:44 p.m. The meeting reconvened at 6:56 p.m.

Public comment opened at 7:29 p.m.

Armando Benavides was called to speak.

There were no further requests to speak, so the public comment was closed.

MOTION:

Adopting the resolution.

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

	Iwanaga, Council Member Librers, Council Member Vega
NAYS:	None
ABSTAIN:	None
ABSENT:	None

MOTION:

Waiving the first and second reading of the ordinance.

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

MOTION:

Introducing the ordinance.

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

OTHER BUSINESS

14. PROVIDE DIRECTION TO STAFF ON PROPOSED FUTURE COUNCIL INITIATED AGENDA ITEM

Recommendation:

Determine if the majority of the City Council wants the following item agendized at a future meeting for discussion:

Adopt a resolution protecting the rights and safety of immigrant communities.

City Manager Christina Turner provided the report.

Public comment opened at 7:54 p.m. The following people were called to speak:

Robyn Carrillo

Sarah Millar

Julee Klein

Mary Garrett

Kathy Chavez Napoli

Teresa Hernandez

Sally Casas

Robert Aquirre

Armando Benavides

Noshaba Afzal (Zoom)

Wendy Greenfield (Zoom)

Suman Ganapathy (Zoom)

There were no further requests to speak, so the public comment was closed.

MOTION:

Approving the recommended action.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Martinez Beltran requested a review of Council Policy 97-01.

Council Member Librers requested that cell phone use by Council Members not be allowed during City Council meetings.

ADJOURNMENT

There being no further business, Mayor Turner adjourned the meeting at 8:27 p.m.

Minutes Prepared by:

Michelle Bigelow, City Clerk