



Meeting Minutes

City Council

Rich Constantine - Mayor
Gino Borgioli - Mayor Pro Tem
John McKay - Council Member
Yvonne Martinez Beltran - Council Member
Rene Spring - Council Member

Wednesday, February 16, 2022 5:30 PM

Virtual Meeting

Link to join the meeting can be found below

SPECIAL/REGULAR MEETING

A special meeting of the City Council is called at 5:30 p.m. for the purpose of conducting a workshop.

SPECIAL MEETING

5:30 p.m. Workshop

CALL TO ORDER

Mayor Constantine called the meeting to order at 5:30 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

PRESENT	Rich Constantine, Rene Spring, Gino Borgioli, John McKay, Yvonne Martinez Beltran
ABSENT	None

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2- City Clerk Michelle Bigelow declared the posting of the agenda.

WORKSHOP

1. CITY COUNCIL REDISTRICTING WORKSHOP

Recommendation:

1. Review and discuss draft maps; and
2. Provide direction to staff on which maps and/or changes to bring forward at the March 2, 2022, public hearing for review and adoption.

City Clerk Michelle Bigelow and Dr. Justin Levitt of National Demographics Corporation provided the report and presentation.

Public comment opened at 5:54 p.m. The following people were called to speak:

Armando Benavides

Kathy Napoli

Roberto Aguirrez

Doug Muirhead

Yolanda

Delia Gomez

Joe Baranowski

Patricia Darling

Sally Casas

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

Council directed staff to bring maps 103, 104, 106, 108, and NDC green to the next City Council meeting for review and discussion.

The meeting recessed at 7:09 p.m. and reconvened at 7:15 p.m.

REGULAR MEETING

7:00 p.m.

The regular meeting convened at 7:15 p.m.

CITY COUNCIL REPORTS

Council Member McKay spoke about his outside community engagements. He attended the South County Youth Task Force meeting. It was focused on the Youth Diversion Program. He said that it is a really good program that involves the communities of Gilroy, Morgan Hill, and the County working to make sure our youth

have a chance to redirect from some bad habits and a bad future. He is also on the City/School Liaison Committee. Last week's meeting was focused on how we are going to unite and try to make sure that we are treated fairly with Reid Hillview airport closing in San Jose and the redirection of traffic through Morgan Hill over our schools and City. They also talk continuously about how we are all handling the COVID pandemic as far as testing and students back in person. He said that at the South County Regional Wastewater Authority (SCRWA) meeting Council Member Spring was elected as Chair and now represents us in the Chair position. They have reports on the expansion of the sewage treatment plant and we discussed the budget which they are doing quite well with. They had a Joint Water resource committee meeting and a report on a Technical working group where the Cities of Gilroy and Morgan Hill work together with the Valley Water District to make sure that we are getting the best out of our water usage. He is also on the League of California Cities Board of Directors Peninsula Divisioning the meeting they established this year's goals which are very much in line with our local community. Those are to increase the supply of affordable housing and increase the local control to get there, increase funding to help prevent homelessness, improve preparedness and resiliency for climate change, and start to work on tax increment tools, which means they may get some additional funding in the way of tax increment.

CITY MANAGER'S REPORT

City Manager Christina Turner shared that on January 28 and 29, 2022, the City Council held its annual Goal Setting Workshop virtually via Zoom. The City Council reaffirmed the current vision, ongoing priorities, and strategic priorities with a few amendments. The Council updated one of the ongoing priorities to "Maintaining and enhancing infrastructure". During the workshop, the Council also spent time reviewing, discussing, validating, and committing to the City Council Norms, Policies, Procedures, and Protocols. The Council also received updates on the budget, significant development projects, and discussed topics on the horizon.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

None.

RECOGNITIONS

PROCLAMATIONS

Proclaiming the month of February 2022 as Black History Month.

PRESENTATIONS

YAC Presentation

Developmental Asset #26 - Caring

PUBLIC COMMENT

Members of the public are entitled to address the City Council concerning any item within the Morgan Hill City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

Public comment opened at 7:36 p.m.

Jose DeCastro 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:	Mayor Pro Tem Borgioli
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli, Council Member McKay, Council Member Martinez
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

Public comment opened at 7:43 p.m.

Joe Baranowski was called to speak.

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

MOTION:

Approving consent calendar items 2 through 6.

RESULT:	Passed
MOVER:	Mayor Pro Tem Borgioli
SECONDER:	Council Member McKay
AYES:	Mayor Constantine, Council Member Spring, Mayor Pro Tem Borgioli, Council Member McKay, Council Member Martinez
NAYS:	None
ABSTAIN:	None
ABSENT:	None

2. **RECEIVE ANNUAL REPORT ON 2021 CITY ENGINEER ACCEPTANCES OF PUBLIC IMPROVEMENTS COMPLETED BY PRIVATE DEVELOPMENT PROJECTS**

Recommendation:

Accept and file Annual Report on 2021 City Engineer acceptances of public improvements completed by private development projects.

3. **APPROVE CITY OF MORGAN HILL'S EMERGENCY OPERATIONS PLAN UPDATE 2022**

Recommendation:

Authorize the approval, distribution, and use of the updated Emergency Operations Plan.

4. **APPROVE GOVERNMENT CODE 65915 DENSITY BONUS CONCESSION FOR A MARKET RATE HOUSING DEVELOPMENT PROJECT (SR2021-0014/SD2021-0004/EA2021-0012 MONTEREY-KERLEY (DENOVA HOMES))**

Recommendation:

Adopt resolution approving the request for the following density bonus concession, pursuant to Government Code: Increase in floor area ratio.

5. **APPROVE THE DECEMBER 1, 2021, DECEMBER 15, 2021, AND JANUARY 19, 2022 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve the December 1, 2021, December 15, 2021, and January 19, 2022 City Council Meeting Minutes.

6. **ADOPT RESOLUTION DETERMINING THAT CONDUCTION OF IN-PERSON MEETINGS WOULD PRESENT A PUBLIC HEALTH RISK AND CONTINUING TELECONFERENCE MEETINGS**

Recommendation:

Adopt resolution to continue holding City Council and commission meetings by teleconference.

PUBLIC HEARINGS

7. ADOPT RESOLUTION APPROVING COMMENCEMENT OF 2022 HAZARDOUS VEGETATION ABATEMENT PROGRAM

Recommendation:

1. Open/Close public hearing; and
2. Adopt resolution authorizing Santa Clara County to commence hazardous vegetation abatement activities on the attached list.

Program Administrator Anthony Eulo provided the report.

The public hearing opened at 7:56 p.m. There being no request to speak, the public hearing closed.

MOTION:

Approving the recommended action.

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

8. CONDUCT TAX AND EQUITY FISCAL RESPONSIBILITY ACT (TEFRA) HEARING APPROVING ISSUANCE OF BONDS FOR ROYAL OAK VILLAGE APARTMENTS AT 15440 MONTEREY ROAD WITHIN THE CITY OF MORGAN HILL

Recommendation:

1. Open/close public hearing consistent with the requirements of the Federal

- Tax and Equity Fiscal Responsibility Act ("TEFRA") and Section 147 (f) of the Internal Revenue Code of 1986, as amended (the "Code"); and
2. Adopt resolution approving the issuance of bonds by the California Statewide Communities Development Authority (CSCDA), for the acquisition, construction, improvement and equipping of a multifamily rental housing facility known as Royal Oak Village, located at 15440 Monterey Road (the "Project").

Housing Director Rebecca Garcia provided the report and presentation.

The public hearing opened at 8:03 p.m. There being no request to speak, the public hearing closed.

MOTION:

Approving the recommended action.

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

9. **APPROVE EDEN HOUSING'S (EHI) REQUEST TO WAIVE THE 2020 ANNUAL SURPLUS PAYMENT FOR VILLA CIOLINO AFFORDABLE APARTMENTS TO MAKE NECESSARY REPAIRS**

Recommendation:

Authorize the approval of a waiver for the receipt of the 2020 annual payment from Villa Ciolino's surplus cash in the amount of \$44,777 due to the City to support the property's more immediate urgent rehabilitation needs.

Housing Director Rebecca Garcia provided the report.

Public comment opened at 8:07 p.m. There being no requests to speak, public comment closed.

MOTION:

Approve the recommended action.

RESULT:	Passed
MOVER:	Mayor Pro Tem Borgioli
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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

Mayor Pro Tem Borgioli requested a noise ordinance in Downtown Morgan Hill.

Council Member McKay requested an update regarding noise in the parking garage.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the meeting at 8:12 p.m.

Minutes Prepared by:

Michelle Bigelow, City Clerk