



Special/Regular City Council

Meeting Minutes

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

Wednesday, May 4, 2022 5:00 PM

Virtual Meeting

Link to join the meeting can be found below

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 5:00 p.m. for the purpose of conducting Library, Culture, and Arts and Parks and Recreation Commission interviews.

SPECIAL MEETING

5:00 P.M. - Library, Culture, and Arts and Parks and Recreation Commission interviews

CALL TO ORDER

Mayor Constantine called the City Council meeting to order at 5:00 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

City Clerk Michelle Bigelow declared the posting of the agenda.

COMMISSION INTERVIEWS

1. INTERVIEW CANDIDATES TO FILL TWO (2) SEATS ON THE PARKS AND RECREATION COMMISSION AND ONE (1) SEAT ON THE LIBRARY, CULTURE, AND ARTS COMMISSION

Recommendation:

1. Mayor shares the characteristics/traits that a successful applicant(s) would possess;
2. Conduct Interviews;
3. Council Members identify the top applicant(s) and provide recommendations to the Mayor; and
4. Discuss and/or appoint applicant(s).

Estimated Time: 120 Minutes

Mayor Constantine shared the characteristics/traits that the successful applicant(s) possess.

The City Council interviewed the following applicants:

For Parks and Recreation:

Shweta Maniar

Anthony Bontempi

Harpreet Vittal

Michael Robertson

Peter Pacheco

Robert Benich

Zain Yahya

For Library, Culture, and Arts Commission:
Cindy Blanton
Shakeeb Ahmed

REGULAR MEETING

7:00 P.M.

PROCLAMATIONS

Proclaiming May 2022 as Affordable Housing Month

Proclaiming May 2022 as Aquatics Month

Proclaiming May 2022 as Mental Health Awareness Month

Proclaiming May 2022 as Wildfire Awareness Month

Proclaiming May 15, 2022 as Peace Officers Memorial Day and May 11-17, 2022 as National Police Week

CITY COUNCIL REPORTS

Mayor Constantine shared that recently he and Mayor Blankley from Gilroy co-wrote a letter asking Congressman Panetta to add an earmark of around \$2 million to provide funding to start an Environmental Impact Report (EIR) to continue the expansion of Hwy 101 from Dunne Avenue to Gilroy. An EIR is already completed to Dunne Avenue. They have also been having conversations with the Valley Transportation Authority (VTA) to make sure this is on their radar. Hopefully, we will get an express lane through Morgan Hill and Gilroy. VTA believes that we can get the funding for an Express Lane vs. a High Occupancy Vehicle (HOV) lane. The difference between an Express Lane and an HOV lane is that an HOV lane has the infrastructure that allows cars that don't have the required number of occupants to be in the commute lane by paying through using their Fast Trak to be in that lane.

He also mentioned that as a part of his work on the Water Commission, at the April 13 meeting, he shared the fact that Morgan Hill, not only has saved more water than any city in the county, but we've done that because of our water conservation ordinance. Valley Water has now asked other cities to limit the amount of watering that their residents do for their lawns to two times a week like what we do. Hopefully, that will be followed by other cities and we can all be leaders in saving water.

CITY MANAGER'S REPORT

City Manager Turner shared several updates. Last week, the California High-Speed Rail Authority (Authority) approved its 2022 Business Plan and Final EIR/EIS for the San Jose to Merced Project. The City issued comment letters for both documents continuing to ask the Authority to identify funding and specify mitigations that will adequately address impacts on public safety response times and encourage the incorporation of grade separations. The City continues to explore ways to work with the Authority on ways to further enhance the project that addresses the City's public safety concerns. Moving to local construction, she shared that several communications companies are currently working on upgrading and installing new communication cables and conduits throughout the City. Please remember to drive or walk cautiously through construction areas and follow signage for detours. Whenever possible, try to utilize alternate routes while the work is being completed. If you have questions or see anything that looks unsafe, please get in touch with the City right away.

She mentioned that the City's recreation facilities continue to move back to full operation. As of this week, the Kids Club is now open to children from 6 months to 9 years old. All of the group exercise classes have been moved back indoors and the Centennial Recreation Center (CRC) parking lot is back to full capacity. The CRC does continue to offer an outdoor fitness center option with treadmills and other equipment. Please help spread the word about the excellent family fitness and recreation options at the CRC and Aquatics Center. Other exciting news for our older adults is that the Senior Nutrition Program will resume indoor dining starting tomorrow/Thursday-kicking off with a Cinco de Mayo party! May is Bike Month. Today, the City of Morgan Hill and the Morgan Hill Unified School District partnered to host Bike and Walk to School Day. The event took place at El Toro Elementary School, Los Paseos Elementary School, and Ann Sobrato High School. There was great participation from the students and administration, and we're excited to partner on this event again in the future.

'Bike to Wherever Day' is on Friday, May 20, 2022, so please stop by the City's Energizer Station between 11:30 a.m. and 4 p.m., located at the bike sculpture at the Community and Cultural Center Downtown. Visit our website at www.morganhill.ca.gov/bikeped for more information and resources. She also mentioned that Michelle Bigelow, Captain Ramirez, Corporal Zen, PERT Clinician Wood, and herself participated in a Community Mental Health and Suicide Prevention Awareness Presentation put on by Living Above the Influence (LATI). Several years ago, our Council adopted a policy on suicide prevention and things we can do as a community. She announced that the Cadet Ambassador program is in full operation generally Thursday – Saturday, 5 p.m. to 10 p.m. She also announced that the City will have its monthly booth at Sidewalk Saturday's/Farmers Market on Saturday, May 14th, from 9:00 a.m. -12:00 p.m. City teammates will be available to answer questions and provide information specific to summer recreation programs, water conservation, and the recommended budget.

Additionally, we will be hosting a community open house on the budget on Wednesday, May 18th, at the Downtown Amphitheatre from 4:30-6:00 p.m., followed by the City Council Budget Workshop at 7:00 p.m. She concluded by sharing that our annual Pride

Flag raising ceremony will be coming up later this month. The City of Morgan Hill prides itself on being an inclusive community. It encourages the celebration of LGBTQ+ Pride Month to recognize that all people deserve to be treated respectfully, fairly, and equally, regardless of sexual orientation or gender identity. Please join us for a flag-raising ceremony and celebration on Saturday, May 21st, at 9:00 am at City Hall.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

Mayor Constantine announced that he is appointing Shweta Maniar and Harpreet Vittal to serve on the Parks and Recreation Commission, and Cindy Blanton to serve on the Library, Culture, and Arts Commission. He thanked all the applicants that applied. It was a tough decision, and we had many outstanding, well-qualified applicants. He reminded the applicants to apply again as positions open and to stay engaged.

PUBLIC COMMENT

Public comment opened at 7:15 p.m.

Joe Baranowski 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 McKay
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

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CONSENT CALENDAR

MOTION:

Approving the consent calendar.

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 Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

2. **ADOPT ORDINANCE 2332, NEW SERIES, ADDING A NEW CHAPTER 9.18 (“SIDESHOWS”) TO TITLE 9 (“PUBLIC PEACE, MORALS AND WELFARE) OF THE MORGAN HILL MUNICIPAL CODE TO PROHIBIT SPECTATORS AT ILLEGAL SPEED CONTESTS, EXHIBITIONS OF SPEED OR RECKLESS DRIVING EXHIBITIONS**

Recommendation:

Waive the reading, adopt Ordinance No. 2332, 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.

3. **ADOPT ORDINANCE 2333, NEW SERIES, AMENDING SECTIONS, 13.04.330 (WASTING OF WATER AND DROUGHT EMERGENCIES) AND 13.04.390 (ENFORCEMENT) AND 13.04.400 (VIOLATION-PENALTY) OF CHAPTER 13.04 (WATER SYSTEM) OF TITLE 13 (PUBLIC SERVICES), AMENDING REGULATIONS PROHIBITING NONESSENTIAL USE OF POTABLE WATER**

Recommendation:

Waive the reading, adopt Ordinance No. 2333, 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.

4. **APPROVE SECOND AMENDMENT TO THE NEW CINGULAR WIRELESS PCS PROPERTY USE AGREEMENT**

Recommendation:

Authorize the City Manager to Execute the Second Amendment to the new Cingular Wireless PCS Property Use Agreement.

5. **APPROVE CONTRACT AGREEMENT WITH INFOSEND FOR UTILITY BILLING PRINTING, MAILING, ELECTRONIC BILL PRESENTMENT AND PAYMENT SERVICES, AND PAYMENT PROCESSING SERVICES**

Recommendation:

Authorize the City Manager to execute an agreement with Infosend for an amount not-to-exceed \$199,516 for a three-year term for utility bill printing, mailing, electronic bill presentment and payment services, and payment processing services.

6. **APPROVE ARTIST AGREEMENT WITH EVELYN DAVIS FOR THE WEST LITTLE LLAGAS CREEK TRAIL PROJECT**

Recommendation:

Authorize the City Manager to execute and administer an artist agreement with Evelyn Davis for an amount not-to-exceed \$17,500 for a Steelhead Trout Sculpture.

7. **APPROVE THE APRIL 6, 2022 AND THE APRIL 20, 2022 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve the April 6, 2022 and the April 20, 2022 City Council Meeting Minutes.

OTHER BUSINESS

8. **APPROVE MORGAN HILL OUTDOOR DINING PROGRAM AND PARKLET GRANT FUNDING PROGRAM**

Recommendation:

1. Approve the Morgan Hill Outdoor Dining Program, Manual, and Implementation Timeline; and
2. Approve the Parklet Grant Funding Program.

Economic Development Coordinator Brittney Sherman provided a presentation and report. Economic Development Director Matt Mahood, Assistant City Manager for Development Services Edith Ramirez, and Police Chief Shane

Palsgrove answered questions.

Public comment opened at 8:25 p.m. The following people were called to speak:

Joe Baranowski

Nick Gaich

Ray

Sally Casas

Tiffany

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

MOTION:

Substitute motion:

Directing staff to conduct a community meeting to get feedback on the parklet program and come back to the council.

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

MOTION:

Approving the recommended actions.

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

The meeting recessed at 9:15 p.m. and reconvened at 9:25 p.m.

9. **INTRODUCE THE RECOMMENDED FISCAL YEAR (FY) 2022-23 AND FY 2023-24 BIENNIAL OPERATING AND FY 2022-23 THROUGH FY 2027-28 CAPITAL IMPROVEMENT PROGRAM BUDGETS**

Recommendation:

Receive the Introduction to the Recommended Budget Presentation

Item 10 was heard before item 9.

City Manager Christina Turner provided a presentation and report.

Public comment opened at 10:22 p.m. The following people were called to speak:

Joe Baranowski

Sally Casas

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

Report Received.

10. **ADOPT RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND ISSUANCE AGREEMENT TO REFINANCE AT LOWER INTEREST RATES CERTAIN OUTSTANDING 2014 WATER REVENUE BONDS AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO**

Recommendation:

Adopt a resolution approving the execution and delivery of a Bond Issuance Agreement and authorizing certain other matters relating thereto.

Item 10 was heard before item 9.

Finance Director Dat Nguyen provided a presentation and report.

Public comment opened at 9:32 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 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

PUBLIC HEARINGS

11. INITIATE ANNUAL ASSESSMENT PROCESS FOR LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

Adopt resolutions approving the following actions:

1. Initiate the proceedings for the levy of assessments for Fiscal Year 2022-23;
2. Approve the Engineer's Annual Report and the proposed assessment levy; and
3. Declare the City Council's intention to levy the assessments in the District and to set the Public Hearing date for June 1, 2022.

Maintenance Manager Keri Russell provided the report.

The public hearing opened at 10:29 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended actions.

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 Beltran
NAYS:	None
ABSTAIN:	None
ABSENT:	None

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member McKay asked for a way to monitor outside committee assignments to

identify when an alternate is needed and to share how we voted at those committees.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the meeting at 10:31 p.m.

Minutes Prepared by:

Michelle Bigelow, City Clerk