



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, June 1, 2022 7:00 PM

Virtual Meeting

Link to join the meeting can be found below

CALL TO ORDER

Mayor Constantine called the City Council meeting to order at 7:01 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Angie Gonzalez called the roll.

PRESENT	Rich Constantine, Gino Borgioli, John McKay, Yvonne Martinez Beltran
ABSENT	Rene Spring

DECLARATION OF POSTING AGENDA

Deputy City Clerk Angie Gonzalez declared the posting of the agenda.

PROCLAMATIONS

Mayor Constantine Proclaimed June 2022 as LGBTQ+ Pride Month.

CITY COUNCIL REPORTS

Council Member Martinez Beltran thanked the community members who attended the vigil to honor the victims of Uvedale Texas and violence throughout our nation. She shared that in April, Silicon Valley Clean Energy (SVCE) celebrated five years of clean

power. They have been providing carbon-free electricity to residents and businesses. In the past five years, SVCE communities have reduced community-wide energy-related greenhouse gas emissions by 35%, saved \$77 million on energy bill costs for all customers, avoided 575 million pounds of greenhouse gas emissions, invested \$45 million in local customer programs, and signed contracts for 11 new renewable power projects in California. Customers will continue to have free, secure, and authorized access to their energy data through a program with UtilityAPI. In May, SCVE also talked about communities taking strides for a better building code. Communities being served by SCVE are making a coordinated effort to adopt reach codes and amendments to the State building or energy code that requires or encourages electrification in new construction for buildings or EV charging infrastructure. She reported that the Latino Caucus for the League of Cities met for the City Summit and was able to meet with a few legislators to speak about many items like housing and affordable housing. She highlighted that the Latino Caucus discussed alternative ways to homeownership including sweat equity programs and lease to own.

CITY MANAGER'S REPORT

City Manager Christina Turner gave a few updates:

Emergency Operations

On May 19, 2022, the Office of Emergency Services as well as Morgan Hill Fire, and other jurisdictional partners participated in the Bay Area Urban Area Security Initiative Annual Golden Eagle Exercise. This was done in conjunction with the County's Emergency Operations Center (EOC) . In Morgan Hill, we activated our amateur radio capabilities out of our primary EOC and tested packet communications with the operational area and Gilroy's EOC. The following day, Morgan Hill's EOC and leadership team visited the backup EOC, which is at West Hills Church, for an overview of capabilities in the event that our primary EOC is unsafe due to damage, security, or other unforeseen emergency events. Teammates reported that the Golden Eagle exercises were very informative and valuable for emergency planning, mitigation, response, and recovery efforts.

Magical Bridge Playground

The grand opening of the Magical Bridge playground will be this Saturday, June 4, 2022, at Community Park. We will start at 10:00 a.m. with activities and performances that will continue into the afternoon. This will be a celebration of the many residents, businesses, and organizations that have come together to make this project a reality.

Pride Flag Raising Ceremony

The flag-raising ceremony was well attended. Starting June 1, 2022, you will see the progress pride flag is displayed at three different locations across the City, which include City Hall, the Community and Cultural Center, as well as the Centennial Recreation Center, demonstrating our inclusive community.

Recreation

Turner encouraged families to go out and enjoy our recreation programs. We are showcasing our Summer Access Passes that provide a three-month membership from

June 6 through September 5, 2022, that gives access to the Centennial Recreation Center as well as the Aquatics Center. Please visit our website for more information.

She concluded by sharing that at the June 15, 2022, City Council meeting we will have a presentation recognizing all of our new teammates as well as the announcement of promotions and retirements.

CITY ATTORNEY'S REPORT

City Attorney Don Larkin had no report.

OTHER REPORTS

None.

PUBLIC COMMENT

Public comment opened at 7:11 p.m. There being no requests to speak, public comment closed.

Public Comment Supplement

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

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

MOTION:

Approving consent calendar items 1 through 9.

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

1. **APPROVE FIRST AMENDMENT TO THE JOINT VENTURE SILICON VALLEY CONSULTANT AGREEMENT FOR THE COUNTYWIDE SOLID WASTE PROGRAM**

Recommendation:

1. Approve the first amendment to the consultant agreement with Joint Venture Silicon Valley to add Inspection Program services for \$100,000 and remove \$50,000 in extra services for a revised total contract amount of \$350,000; and
2. Authorize the City Manager to execute and administer the first amendment to the consultant agreement with Joint Venture Silicon Valley.

2. **APPROVE AMENDMENTS TO IMPACT FEE FREEZE POLICY**

Recommendation:

Accept Impact Fee Freeze Program update and amend the Impact Fee Freeze Policy to use the current fiscal year fee schedule at the time the agreement is executed.

3. **APPROVE THE FOURTH AMENDMENT TO THE LEASE AGREEMENT OF EL TORO BUILDING WITH COMMUNITY CHRISTIAN**

Recommendation:

Authorize the City Manager to execute a lease amendment with Community Christian for the use of the El Toro Building.

4. **APPROVE THE MAY 18, 2022 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve the May 18, 2022 City Council Meeting Minutes.

5. **AUTHORIZE THE CITY MANAGER TO EXECUTE MAINTENANCE AGREEMENTS WITH THE COUNTY OF SANTA CLARA FOR TRAFFIC SAFETY IMPROVEMENTS AT MIDDLE AVENUE AT THE WEST LITTLE LLAGAS CREEK TRAIL, WATSONVILLE ROAD AT THE WEST LITTLE LLAGAS CREEK TRAIL, AND DEWITT AVENUE/SPRING AVENUE INTERSECTION**

Recommendation:

Authorize the City Manager to execute Maintenance Agreements with the County of Santa Clara, following approval by the City Attorney, for traffic safety improvements at Middle Avenue at the West Little Llagas Creek Trail, Watsonville Road at the West Little Llagas Creek Trail, and DeWitt Avenue/Spring Avenue Intersection.

6. **AUTHORIZE THE PURCHASE OF VARIOUS FIRE DEPARTMENT EQUIPMENT INCLUDING ONGOING MAINTENANCE IN THE AMOUNT OF \$325,229**

Recommendation:

1. Approve the purchase of 25 Self Contained Breathing Apparatus (SCBA) systems, 33 additional SCBA cylinders, and 5 Rapid Intervention Team (RIT) packs, from AllStar Fire Equipment for \$201,553;
2. Approve the purchase of three LIFEPAK 15 V4 Monitor/Defibrillators with accessories and nine spare batteries from Stryker for \$104,031;
3. Approve a four-year service agreement with Stryker for the ongoing maintenance of three new LIFEPAK 15 V4 Monitor/Defibrillators for \$19,645; and
4. Authorize the City Manager to execute associated purchase documents.

7. **AWARD 2022 PAVEMENT REHABILITATION PROJECT TO A.TEICHERT & SON, INC. DBA TEICHERT CONSTRUCTION**

Recommendation:

1. Approve 2022 Pavement Rehabilitation Project plans and specifications;
2. Award contract to A. Teichert & Son, Inc. dba Teichert Construction for the 2022 Pavement Rehabilitation Project in the amount of \$3,879,053;
3. Authorize expenditure of construction contingency not to exceed \$387,906; and
4. Authorize the City Manager to execute and administer the construction contract with A. Teichert & Son, Inc. dba Teichert Construction contingent

on the adoption of the Fiscal Year 2022-23 Budget.

8. **AWARD A TWO-YEAR TRAFFIC STRIPING, SIGNING, AND PAVEMENT MARKINGS MAINTENANCE AGREEMENT TO CHRISP COMPANY IN THE AMOUNT OF \$200,000**

Recommendation:

1. Award a two-year contract to Chrisp Company in the amount of \$200,000; and
2. Authorize the City Manager to execute and administer the Maintenance Service Agreement with Chrisp Company.

9. **RATIFY CITY POSITION ON PENDING LEGISLATION, ASSEMBLY BILL 2181 (BERMAN) SANTA CLARA VALLEY TRANSPORTATION AUTHORITY: BOARD OF DIRECTORS**

Recommendation:

Ratify the City's position on pending legislation, Assembly Bill 2181.

OTHER BUSINESS

10. **APPROVE THE HOTEL STRATEGY AND INCENTIVE POLICY TO SUPPORT NEW HOTEL DEVELOPMENT AND REHABILITATION OF EXISTING HOTELS**

Recommendation:

Approve the Hotel Strategy and Incentive Policy to support New Hotel Development and rehabilitation of Existing Hotels.

Economic Development Director Matt Mahood gave a presentation and answered questions along with Assistant City Manager Edith Ramirez and Consultant Hans Detlefsen.

Public comment opened at 8:12 p.m. The following people were called to speak:

Nick Gaich

David Ramirez

Michael Meredith

Joe Baranowski

Hearing no further requests to speak, public comment closed.

Motion by Council Member Martinez Beltran to review the incentive policy, reach out to hoteliers, and return to council. Motion dies due to lack of a second.

MOTION:

Approving the recommended action and directing staff to return to Council in two

months with a report on refining the policy.

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

PUBLIC HEARINGS

11. ADOPT RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year (FY) 2022-23 annual assessments and ordering the levy of assessments for the District.

Maintenance Coordinator Keri Russell presented the report.

The public hearing opened at 8:54 p.m. There being no requests to speak, the public hearing closed.

MOTION:

Approving the recommended action

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

12. HOLD PUBLIC HEARING REGARDING REVISIONS TO WATER RATE ADJUSTMENTS

Recommendation:

1. Receive and adopt final 2022 Water Rate Study Report prepared by NBS;
2. Open public hearing and receive public comment;
3. Request submission or withdrawal of proposition 218 protest letters from the public/audience;
4. Suspend public hearing and allow City Clerk, or designee, to tabulate final Proposition 218 protest letter count;
5. Reconvene meeting and reopen public hearing;
6. Receive and accept verbal report from City Clerk, or designee, on ballot tabulation results;
7. Close public hearing; and
8. Adopt resolution approving water rate adjustments.

Finance Director Dat Nguyen gave a presentation and answered questions.

The public hearing opened at 9:03 p.m. There being no requests to speak, the public hearing closed.

The meeting recessed to tabulate the protest letters at 9:04 p.m. and reconvened at 9:10 p.m.

13 letters were received which did not quantify a majority of the protest.

MOTION:

Approving the recommended action.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Mayor Pro Tem Borgioli requests that the City Council meeting be adjourned in honor of the victims of Uvedale Texas. He would like a stronger discussion about school safety at Morgan Hill schools.

Council Member McKay would like a BBQ for City teammates in July.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the meeting at 9:14 p.m. in honor of the victims in Uvedale Texas.

Minutes Prepared by:

Angie Gonzalez, Deputy City Clerk