



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 15, 2022 6:30 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 6:30 p.m. for the purpose of conducting a closed session.

SPECIAL MEETING

6:30 p.m. Closed Session

CALL TO ORDER

Mayor Constantine called the City Council meeting to order at 6:30 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

PRESENT

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

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 6:31 p.m. There being no requests to speak, public comment closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:31 p.m.

Conference with Legal Counsel - Existing Litigation

Authority: Pursuant to CA Govt. Code Section 54656.9(a).

Case Name: Rios v. City of Morgan Hill

Case Numbers: Workers' Compensation Claim No: MHL2100014

REGULAR MEETING

City Attorney Donald Larkin announced that there was no reportable action from the closed session.

PROCLAMATIONS

Mayor Constantine announced the proclamations.

Proclaiming June 19, 2022, as Juneteenth

Proclaiming Thursday, June 23, 2022 as the 50th Anniversary of Title IX of the Education Amendments of 1972

Proclaiming the week of June 12-18, 2022 as Flag Week

PRESENTATIONS

City Manager Christina Turner announced that there would be no YAC Presentation tonight, as they are on summer break. She read the three different assets, #7, 25, and 33 - Community Values Youth, Reading for Pleasure, and Interpersonal Competence.

CITY COUNCIL REPORTS

Council Member Spring announced that he was back from vacation visiting his family in Switzerland. He highlighted a couple of items. June is Pride Month. Every year we celebrate Pride Month in Morgan Hill and raise the flag. It sends a signal to our LGBTQ+ community that everyone is welcome in our City and that we are an open and inclusive City. He mentioned that the suicide and homelessness rate within our young LGBTQ+ people is among the highest in that segment of our youth. It is important to provide safe spaces for our young people and remind them that they are loved for who they are.

He announced that he will have his last meeting tomorrow as Commissioner of the Veterans Commission of Santa Clara County, and will not be seeking another term.

Over the last few years, he has been able to get more services for our veterans in South County. He wished a great recovery to Renee at GVA Coffee who had an accident. They are huge supporters of our community and the LGBTQ+ community.

CITY MANAGER'S REPORT

City Manager Christina Turner provided a few updates:

Chamber of Commerce Podcasts

The City has partnered with the Chamber of Commerce in their series of podcasts called Quick 5. The first podcast was with herself sharing about the budget. The second was with Housing Director Rebecca Garcia and City Clerk/Public Information Officer Michelle Bigelow where they discussed the current and future state of housing in Morgan Hill. Go to the Chamber's Facebook page and subscribe to hear them all. Their goal is to do them weekly.

Upcoming Meetings

Valley Water is hosting a meeting on June 22nd at the Community and Cultural Center. This is a public meeting on the Anderson Dam Seismic Retrofit Project. They will be able to provide project updates and information on how the construction is going. This can also be watched virtually. The link to the meeting is on the City's website.

There is a Town Hall meeting next Thursday, June 23rd at 5:30 p.m. The topic is our Housing Element. We are in the process of updating our Housing Element. We have released a draft for public review and comment on our Housing Element page. We are accepting comments through July 5th.

City Teammate Recognitions

Turner introduced and welcomed our new teammates, congratulated our promoted teammates, and recognized and thanked our retiring teammates for their outstanding service to the City of Morgan Hill.

Teammate Recognitions Presentation

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

None.

PUBLIC COMMENT

Public comment opened at 7:21 p.m. The following people were called to speak:

Michael Burchfield

Monica Guynn

Marian Sacco

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

ADOPTION OF AGENDA

MOTION:

Adopt the agenda removing item 10 from the consent calendar to be brought back at a later date.

RESULT:	Passed
MOVER:	Council Member Spring
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

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 and 11 through 16.

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

1. APPROVE LEADERSHIP MORGAN HILL GATEWAY SIGN ART PROPOSAL

Recommendation:

Approve the proposed art for newly proposed gateway signs in Morgan Hill.

2. **APPROVE ARTISTS FOR MORGAN HILL MAGICAL BRIDGE**

Recommendation:

1. Approve the selection of artist Taylor Gallegos for development and installation of artwork on the restroom at the Morgan Hill Magical Bridge Playground;
2. Approve the selection of artist Lina Velasquez for development and installation of artwork on the utility boxes at the Morgan Hill Magical Bridge Playground;
3. Authorize the City Manager to execute and administer artist agreements for the artwork; and
4. Authorize the sub-committee of the Library, Culture and Arts Commission to work with the artists to finalize the proposed artwork to be installed.

3. **APPROVE A REIMBURSEMENT AGREEMENT WITH RAHMATOLLAH AHMADI FOR THE UNDERGROUNDING OF OVERHEAD UTILITIES ALONG CORY LANE**

Recommendation:

1. Approve a Reimbursement Agreement with Rahmatollah Ahmadi; and
2. Authorize the City Manager to execute the Reimbursement Agreement.

4. **APPROVE CONSULTANT AGREEMENT WITH HOUSEKEYS, INC FOR BELOW MARKET RATE (BMR) ADMINISTRATION SERVICES**

Recommendation:

1. Approve Consultant Agreement for BMR services through June 30, 2024, for an additional \$550,000 each year, totaling \$1,100,000 from July 1, 2022– June 30, 2024; and
2. Authorize the City Manager to execute and administer the contract.

5. **APPROVE AGREEMENT WITH SECURE SOLUTIONS INC. FOR BACKGROUND INVESTIGATION SERVICES**

Recommendation:

Approve agreement and authorize City Manager to execute and administer the agreement with Secure Solutions Inc. for an amount not to exceed \$200,000 to conduct hiring background investigations of Police Department and Information Technology personnel.

6. **APPROVE A THREE-YEAR SMALL GOVERNMENT ENTERPRISE AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC (ESRI) FOR GIS SOFTWARE LICENSING FOR A TOTAL AMOUNT OF \$115,500**

Recommendation:

Approve and authorize the City Manager to execute a three-year Small Government Enterprise Agreement with Environmental Systems Research Institute, Inc. (Esri) for GIS software licensing for a total amount of \$115,500.

7. **APPROVE A THREE-YEAR COLLISION REPAIR SERVICE AGREEMENT WITH ADVANCED AUTO BODY FOR AN AMOUNT NOT TO EXCEED \$173,400**

Recommendation:

Authorize the City Manager to execute and administer the Service Agreement with Advanced Auto Body for an amount not to exceed \$173,400 for a period of three years. Advanced Auto Body will furnish collision repair services for the Police Department, Engineering, Utilities, and Community Services' vehicle fleets.

8. **APPROVE A THREE-YEAR AGREEMENT WITH THE COUNTY OF SANTA CLARA (SAN MARTIN ANIMAL SHELTER) FOR ANIMAL SERVICES**

Recommendation:

Approve agreement and authorize the City Manager to execute and administer the agreement with the County of Santa Clara (San Martin Animal Shelter) for animal services in the amount of \$104,365.65.

9. **APPROVE A TEN-YEAR AGREEMENT WITH AXON FOR VARIOUS POLICE DEPARTMENT EQUIPMENT AND RELATED SERVICES IN THE AMOUNT OF \$1,710,607**

Recommendation:

1. Approve a 10-year agreement with Axon for the Officer Safety Plan 7 (OSP7) and Fleet 3; and
2. Authorize the City Manager to execute and amend, when necessary, a 10-year agreement with Axon for the Officer Safety Plan 7 and Fleet 3.

11. **APPROVE SOLID WASTE FRANCHISE EXTENSION**

Recommendation:

Authorize the City Manager to execute a two-month extension of the franchise agreement with Recology South Valley.

12. APPROVE CHANGE ORDER FOR \$561,050 FOR INCREASED BATTERY STORAGE FOR CENTENNIAL RECREATION CENTER (CRC) BATTERY STORAGE PROJECT

Recommendation:

Authorize a change order to increase funding for the CRC Battery storage project by \$561,050, for a total of \$1,061,050, to increase the battery storage capacity above what was previously awarded.

13. APPROVE THE JUNE 1, 2022 CITY COUNCIL MEETING MINUTES

Recommendation:

Approve the June 1, 2022, City Council Meeting Minutes.

14. AUTHORIZE THE CITY MANAGER TO EXECUTE AND AMEND, WHEN NECESSARY, A NETWORK ARCHITECTURE AND REFRESH PROJECT WITH CADENCE TEAM SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY IN THE AMOUNT OF \$482,294, INCLUDING A CONTINGENCY OF \$43,845

Recommendation:

Authorize the City Manager to execute and amend, when necessary, a network architecture and refresh project with Cadence Team subject to approval as to form by the City Attorney in the amount of \$482,294, including a contingency of \$43,845.

15. AWARD OUTDOOR PEST CONTROL SERVICE AGREEMENT TO ANIMAL DAMAGE MANAGEMENT, INC. FOR A TOTAL OF \$90,960

Recommendation:

1. Award a two-year agreement to Animal Damage Management, Inc. in the amount of \$90,960; and
2. Authorize the City Manager to execute and administer the Service Agreement with Animal Damage Management, Inc.

16. RECEIVE MONTHLY BUDGET UPDATE, AND APRIL 2022 FINANCIAL AND INVESTMENT REPORTS

Recommendation:

Accept and file report.

ITEMS PULLED FROM THE AGENDA

10. APPROVE AGREEMENT FOR EXCLUSIVE RIGHT TO NEGOTIATE FOR CITY OWNED AGRICULTURAL LAND

Recommendation:

Authorize the City Manager to develop, execute, and administer an exclusive right to negotiate with ABC Tree Farms, LLC. for the potential lease of City-owned agricultural land and work with ABC Tree Farms to include LBJ Farms as a potential operator of a farm stand on the site.

Item 10 was pulled from the agenda and will be brought back at a future meeting.

PUBLIC HEARINGS

Budget Manager Monica Delgado provided the report and presentation.

The public hearing opened at 7:47 p.m. The following people were called to speak:

Nick Gaich

Joe Baranowski

There being no further requests to speak, the public hearing closed.

17. ADOPT THE FISCAL YEAR (FY) 2022-23 AND 2023-24 OPERATING BUDGET, FY 2022-23 AND 2027-28 CAPITAL IMPROVEMENT PROGRAM BUDGET, FY 2022-23 APPROPRIATIONS LIMIT, ADOPT THE REVISED SALARY SCHEDULES FOR POLICE OFFICERS ASSOCIATION (POA), COMMUNITY SERVICE OFFICERS ASSOCIATION (CSOA), AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME), AND MANAGEMENT, PROFESSIONAL, AND CONFIDENTIAL EMPLOYEES EFFECTIVE JUNE 26, 2022, AND ADOPT THE ELECTED AND COUNCIL APPOINTED SALARY SCHEDULE EFFECTIVE JULY 1, 2021

Recommendation:

1. Open/Close Public Hearing;
2. Adopt resolution to:
 - a. Adopt the FY 2022-23 and 2023-24 Operating Budget;
 - b. Adopt the FY 2022-23 through 2027-28 Capital Improvement Program Budget; and
 - c. Adopt the 2022-23 Appropriations Limit and Appropriations Limit Adjustment Factors;
3. Approve the FY 2022-23 Community Funding recommendations;
4. Adopt the revised salary schedules for POA, CSOA, AFSCME, and Management, Professional, and Confidential Employees effective June 26, 2022; and
5. Adopt the Elected and Council Appointed Salary Schedule effective July 1, 2021.

MOTION:

Approve staff recommendation to adopt the FY 2022-23 and 2023-24 Operating Budget, FY 2022-23 through 2027-28 Capital Improvement Program Budget, FY 2022-23 Appropriations Limit and Adjustment Factors, Community Funding Recommendations and the revised salary schedules.

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

OTHER BUSINESS

18. PROVIDE DIRECTION REGARDING DOWNTOWN LANE REDUCTION IMPLEMENTATION

Recommendation:

Receive update on Downtown Lane Reduction project and Butterfield Lane optimization and provide direction.

Public Services Director Chris Ghione provided a presentation and report.

The meeting recessed at 8:18 p.m. and reconvened at 8:30 p.m.

Public comment opened at 9:00 p.m. The following people were called to speak:

Armando Benavides

Nick Gaich

Bob Benevento

Steve Tate

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

Original motion by Council Member Spring directing staff to continue to investigate implementing other traffic calming measures to improve vehicle-pedestrian and bicycle safety through Downtown and not to move forward with the lane reduction.

Substitute motion by Council Member McKay directing staff to come back with proposed language and put a measure on the ballot in two years to finalize this discussion with our community. Motion dies due to a lack of second.

MOTION:

Approving the recommended action and directing staff to continue to investigate implementing other traffic calming measures to improve vehicle-pedestrian and bicycle safety through Downtown and not to move forward with the lane reduction.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member McKay requested a speed study to reduce the speed limit through Downtown to 15 MPH.

Mayor Pro Tem Borgioli requested wordsmithing of Vision Zero.

Council Member Martinez Beltran requested a workshop on civility and behavior.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the meeting at 9:35 p.m.

MINUTES PREPARED BY:

Kim Mancera, Deputy City Clerk