



**Meeting Minutes
City Council**

Steve Tate - Mayor
Rich Constantine - Mayor Pro Tem
Larry Carr - Council Member
Caitlin Jachimowicz - Council Member
Rene Spring - Council Member

Wednesday, November 7, 2018 5:00 pm

Council Chamber
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 and commission interviews.

SPECIAL MEETING

5:00 P.M.

CALL TO ORDER

Mayor Tate called the special meeting to order at 5:00 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow called the roll.

Attendee Name	Title	Status	Arrived
Steve Tate	Mayor	Present	
Rich Constantine	Mayor Pro Tem	Present	
Larry Carr	Council Member	Present	
Caitlin Jachimowicz	Council Member	Present	
Rene Spring	Council Member	Present	

DECLARATION OF POSTING AGENDA

Deputy City Clerk Michelle Bigelow declared the posting of the agenda.

CLOSED SESSION

City Attorney Donald Larkin announced the evening's closed session items.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 5:01 p.m.

There being no requests to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 5:02 p.m.

CONFERENCE WITH LABOR NEGOTIATOR:

Authority:	Pursuant to Government Code Section 54957.6
City Negotiators:	Christina Turner City Manager; Cindy Murphy Assistant City Manager for Administrative Services; Michelle Katsuyoshi Human Resources Director; Edward Kreisberg, Meyers Nave; Jesse Lad, Meyers Nave
Employee Organization:	Morgan Hill Police Officers Association AFSCME Local 101 Morgan Hill Community Service Officers Association

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to:	Government Code Section 54956.9(d)(2)
Number of Cases:	Two (2)

RECONVENE

The special meeting reconvened at 6:21 p.m.

Mayor Tate announced that there was no reportable action from the closed session items.

COMMISSION INTERVIEWS

INTERVIEWS TO FILL ONE (1) VACANCY ON THE PARKS AND RECREATION COMMISSION

Recommendation:

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

The Mayor and Council shared what they are looking for in a Parks and Recreation Commissioner.

The following people were interviewed:
Enrique Navarro-Donnellan
David Jefferson
Neil Berman

April Failing was not able to attend and withdrew her application from the appointment process.

Mayor Tate announced that an appointment will be made at the November 28, 2018 City Council Meeting.

The special meeting adjourned at 6:54 p.m.

RESULT:	NO ACTION TAKEN
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REGULAR MEETING

7:00 P.M.

The regular meeting convened at 7:03 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Mayor Tate announced that starting on Sunday, December 9th, the Morgan Hill Library will have afternoon hours on Sundays. He reported that at the South County Youth Task Force meeting this morning, they learned that there has been virtually no gang activity taking place at the schools, however, they are seeing an increase in mental health issues. He announced that New Mayor, Richard Constantine, will be his guest at the next coffee with the Mayor which will take place on Saturday, November 10th, at 10:00 a.m. at Booksmart.

CITY MANAGER'S REPORT

City Manager Christina Turner announced the evening's supplements and presentations. She announced that on Wednesday, December 12th, we will say farewell to our outgoing Mayor and Council Members and seat the new Mayor and Council Members. She encouraged the community to attend.

CITY ATTORNEY'S REPORT

Assistant City Attorney Cynthia Hasson had no reports.

OTHER REPORTS

None.

PRESENTATIONS

SILICON VALLEY CLEAN ENERGY
GIRISH BALACHANDRAN, CHIEF EXECUTIVE OFFICER

PUBLIC COMMENT

The public comment was opened at 7:20 p.m.

There being no requests to speak, the public comment was closed.

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Larry Carr, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

CONSENT CALENDAR

MOTION:

Approving consent calendar items 2 through 9.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

1. ITEM PULLED FOR DISCUSSION

2. FIRST AMENDMENT TO THE MAINTENANCE SERVICES AGREEMENT WITH SALINAS PUMP COMPANY

Recommendation:

Approve and authorize the City Manager to execute an amendment for \$268,467 to increase the not to exceed amount to \$543,467, for the current service maintenance agreement with Salinas Pump for on-call routine and emergency repair, maintenance, and rehabilitation of the City's water wells and pump stations.

3. ADOPT BELOW MARKET RATE OWNERSHIP PROGRAM PARTICIPATION GUIDE AND A BELOW MARKET RATE PROGRAM APPLICATION GUIDE

Recommendation:

Adopt Below Market Rate Ownership Program Participation Guide and a Below Market Rate Program Application Guide.

4. ANNUAL REPORT ON CENTENNIAL RECREATION CENTER MEMBERSHIP

Recommendation:

Receive annual report on Centennial Recreation Center Membership and YMCA Partnership.

5. AUGUST 2018 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

6. UPCOMING 2019 COMMISSION VACANCIES - PER MADDY ACT

Recommendation:

Accept report.

7. ADOPT ORDINANCE AMENDING TITLE 18, DIVISION I ZONING CODE, PART 2 ZONING DISTRICTS, CHAPTER 18.28 - OPEN SPACE, PUBLIC, AND RECREATION ZONING DISTRICTS TO MODIFY THE USES ALLOWED IN THE SRL-B - SPORTS RECREATION AND LEISURE SUB-ZONE B ZONING DISTRICT, OF THE MORGAN HILL MUNICIPAL CODE

Recommendation:

Waive the reading, adopt Ordinance No. 2290, 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.

8. APPROVE THE OCTOBER 17, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

9. APPROVE THE OCTOBER 24, 2018 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEM PULLED FOR DISCUSSION

1. APPROVE CITY SPONSORSHIP OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN'S "FUTURE WOMEN LEADERS CONFERENCE" AT THE COMMUNITY AND CULTURAL CENTER

Recommendation:

Authorize the City Manager to waive facility rental fees of \$1,890 for use of the Community and Cultural Center for the Morgan Hill Branch of the American Association of University Women's Future Women Leaders Conference on April 6, 2019.

The public comment was opened at 7:21 p.m.

Margaret McCane was called to speak.

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

MOTION:

Approving the recommended action.

RESULT:	AUTHORIZED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

OTHER BUSINESS

10. AUTHORIZE CITY MANAGER TO NEGOTIATE AN AGREEMENT TO HOST THE AMGEN TOUR OF CALIFORNIA 2019

Recommendation:

1. Approve the City acting as a host of the Amgen Tour of California Stage 3 Finish on May 14, 2019, provided special event plan is approved by the City Manager;
2. Direct the City Manager to negotiate and execute an agreement with AEG Cycling, LLC, to provide services and support for the Tour in an amount not to exceed \$55,000 to be funded by the General Fund; and
3. Adopt resolution to amend the City's Fiscal Year 2018-19 adopted budget, to appropriate \$55,000 from the General Fund (010) for this event.

Economic Development Director Edith Ramirez, Economic Development Manager John Lang, and Public Services Director Chris Ghione provided the presentation.

The public comment was opened at 7:41 p.m. The following people were called to speak:

Seth Rand

John Horner

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

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

11. APPROVE MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT MANAGEMENT PLAN

Recommendation:

1. Approve the Morgan Hill Tourism Business Improvement District (MHTBID) Management Plan; and
2. Direct staff to begin a MHTBID petition drive and return with a Resolution of Intention at the November 28, 2018 City Council meeting.

Economic Development Director Edith Ramirez, Economic Development Manager John Lang, and Nicole Farley with Civitas provided the presentation.

A recess was called at 8:06 p.m.

The meeting reconvened at 8:14 p.m.

The public comment was opened at 8:14 p.m. The following people were called to speak:

John Horner

David Dworkin
Asit Panwala
Samina Sharp
Amit Panchal

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

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Rich Constantine, Mayor Pro Tem
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

12. APPROVE AN IMPACT FEE FREEZE AGREEMENT WITH MORGAN HILL REAL ESTATE, LLC. FOR A NEW VEHICLE DEALERSHIP ON 6 ACRES LOCATED ON CONDIT ROAD IDENTIFIED BY ASSESSOR PARCEL NUMBER 728-17-034

Recommendation:

1. Approve an Impact Fee Freeze Agreement with Morgan Hill Real Estate, LLC. for the development of a 36,662 square foot new vehicle dealership located on Condit Road; and
2. Authorize the City Manager to execute the Impact Fee Freeze Agreement.

Economic Development Manager John Lang presented the report.

The public comment was opened at 8:53 p.m.

John Horner was called to speak.

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

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor Pro Tem
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

13. ADOPT COUNCIL POLICY ON PERIODIC REPORTING OF CITY MANAGER CONTRACT AUTHORITY

Recommendation:

Adopt Council Policy requiring periodic reporting of City Manager contract authority.

Accounting Manager Harjot Sangha provided the report.

The public comment was opened at 8:59 p.m.

There being no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rene Spring, Council Member
SECONDER:	Rich Constantine, Mayor Pro Tem
AYES:	Tate, Constantine, Carr, Jachimowicz, Spring

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:59 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk