



Meeting Minutes City Council

Rich Constantine - Mayor
Rene Spring - Mayor Pro Tem
Yvonne Martinez Beltran - Council Member
Larry Carr - Council Member
John McKay - Council Member

Wednesday, February 6, 2019 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

The City Council has adopted a policy that regular meetings shall not continue beyond 11:00 p.m. unless extended by a majority of the City Council.

CALL TO ORDER

Mayor Constantine called the meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow called the roll.

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Present	
Rene Spring	Mayor Pro Tem	Present	
Yvonne Martinez Beltran	Council Member	Present	
Larry Carr	Council Member	Present	
John McKay	Council Member	Present	

DECLARATION OF POSTING AGENDA

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

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Spring shared that he, along with his colleagues John McKay and Larry Carr, attended an alumni meeting of Leadership Morgan Hill last Thursday evening where they learned that former Mayor Steve Tate will be the recipient of this year's Leadership Excellence Award. This morning he attended the South County Regional Wastewater Authority (SCRWA) meeting, which is the authority that manages the sewer treatment systems for Morgan Hill and Gilroy. He shared that the treatment plant will need to be expanded in the near future to add capacity which will require a significant amount of money from both cities. There are also discussions about increased partnerships with the Santa Clara Valley Water District (SCVWD) and how that would be accomplished. Lastly, he shared that the City of Morgan Hill is working on a Sustainable Water Plan which would require recycling of water.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. She recognized and congratulated Deputy City Clerk Michelle Bigelow for earning the California Professional Municipal Clerk Certification. This is in addition to her certification of Master Municipal Clerk. She shared that following up on Council's request for a report back on the negotiations contract with Meyers Nave, the total spent on the contract was \$78,711. The contract had a not to exceed amount of \$100,000, which we are below that amount and the \$78,711 is the final amount.

She notified the community that the Santa Clara Valley Water District (SCVWD) has a new name and logo. Their new name is Valley Water. She shared that Leadership Morgan Hill's Local Government Day is coming up on Friday, February 15th. The City team is actively working to prepare for this day that we get excited about every year.

She mentioned that at the last Council meeting, Council Member Carr talked about the Valley Transportation Authority's (VTA) New Transit Service Plan and about how the service might change in our community and that overall the changes would be positive for Morgan Hill in that the most frequently used line, Bus 68, will see expanded service. As the VTA goes through the process of updating its Transit Service Plan, they will hold a variety of community meetings. On February 12th, they will hold an on-line virtual meeting that you can sign up for on their website. They will also be attending the February 20th Morgan Hill City Council meeting to present the new transit service plan and open the floor to public comment and questions from the community.

She announced that the High Speed Rail Authority (HSR) will hold its next community working group meeting on March 5th from 6:00 p.m. to 8:00 p.m. at the Community and Cultural Center. She shared that the City of Morgan Hill State of the City Address will take place on Wednesday, March 13th at 7:00 p.m. here in the Council Chamber Building.

She concluded by sharing that the County of Santa Clara Board of Supervisors (Board) just adopted an agricultural plan and mentioned a couple of the plan's key points. The Board pledged to spend at least \$20 million from the beginning and into future years, however, it could be as much as \$1 billion. They have talked about a parcel tax or dedicated sales tax measure to fund this program. The goal is to preserve agricultural land for farmers and workers and to strengthen the regional food supply and protect open space. The County is actively discussing new land use restrictions that might further limit the conversion of agricultural properties and this also adds to the momentum of making it difficult to expand beyond our boundaries. There will be more information to come in the near future.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

City Council Member Martinez Beltran shared that she and Council Member McKay attended the League of California Cities Peninsula Division meeting last Wednesday. They had a presentation by the Committee to House the Bay Area (CASA) which included their draft of the legislative and regulatory recommendations that they are coming up with. Eventually, a regional housing implementation strategy will be developed and taken to Sacramento. She shared that many small cities like and including Morgan Hill, would like to ensure that their perspective is included in the regional housing implementation strategy. She commented that this past Saturday, she attended the Women's Leadership Summit which was hosted by Santa Clara County Supervisor Cindy Chavez. The event included a host of workshops on housing, transportation, policy, wage and equity, and leadership. She met many other women leaders within the community. She concluded by sharing that there was also a presentation on the first-time home buyer program that will be using 2016 Measure A funds to provide down-payment assistance. The program is administered by Housing Trust Silicon Valley. If you are interested, you can email them at empowerhomebuyersscc@housingtrustsv.org.

PROCLAMATIONS

Proclaiming the week of February 3rd through 9th as Future Business Leaders of America Week
Karrine Leong and Gillian McCaw

RECOGNITIONS

Recognition for Downtown Flower Box Coordinators
Irene Mort and Susan Houghton

Recognition for Supreme Donations for the Downtown Flower Boxes
Dave Vincent, Cal Color Growers

PRESENTATIONS

Morgan Hill Aquatic Foundation \$3K scholarship donation
Tim Thornton

PUBLIC COMMENT

The public comment was opened at 7:22 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:	John McKay, Council Member
SECONDER:	Larry Carr, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1 through 9.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rene Spring, Mayor Pro Tem
SECONDER:	Yvonne Martinez Beltran, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

1. ACCEPT NOVEMBER 2018 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

2. ACCEPT FOURTH STREET & MONTEREY ROAD SIGNALIZATION PROJECT

Recommendation:

1. Accept the Fourth Street & Monterey Road Signalization Project, in the final amount of \$293,582;
2. Authorize the City Engineer to sign the attached Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

3. ADOPT ORDINANCE 2295 AMENDING THE MADRONE VILLAGE SHOPPING CENTER PRECISE DEVELOPMENT MASTER PLAN TO ALLOW HOTEL DEVELOPMENT

Recommendation:

Waive the reading, adopt Ordinance No. 2295, 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. ADOPT ORDINANCE 2296 ESTABLISHING PROCESS FOR CONTINUITY OF GOVERNMENT IN THE EVENT OF A DISASTER

Recommendation:

Waive the reading, adopt Ordinance No. 2296, 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.

5. ADOPT RESOLUTION OF INTENT TO HOLD SPECIAL BALLOT PROCEEDING FOR PARSONS CORNER SUBAREA OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

1. Adopt resolution of intent authorizing a special ballot proceeding to detach the Parsons Corner Subarea from the Morgan Hill Landscape Assessment District Number 1 (District); and
2. Approve and authorize the City Manager to execute a Maintenance Agreement with the Parson's Corner Homeowners Association, subject to successful detachment of the Parsons Corner Subarea from the Morgan Hill Landscape Assessment District Number 1 (District).

6. CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Recommendation:

1. Review and approve the City Council Appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

7. APPROVE THE JANUARY 23, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

8. APPROVE THE JANUARY 25, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

9. APPROVE THE JANUARY 26, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

10. ADOPT GENERAL PLAN AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION ON AN 8.34 ACRE SITE LOCATED NORTH OF EAST DUNNE AVENUE AND SADDLEBACK DRIVE (APN NO. 728-02-002) FROM RESIDENTIAL ESTATE TO RESIDENTIAL DETACHED LOW AND ADOPT ZONING AMENDMENT ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FOR THE PARCEL FROM RESIDENTIAL ESTATE ONE-ACRE TO RESIDENTIAL DETACHED LOW DENSITY (RDL-20,000)

Recommendation:

1. Open and close public hearing;
2. Adopt resolution approving the General Plan Amendment and approving a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project;
3. Waive first and second reading of Zoning Amendment Ordinance; and
4. Introduce Zoning Amendment Ordinance.

Associate Planner Tiffany Brown and Community Development Director Jennifer Carman presented the report.

The public hearing was opened at 7:36 p.m. The following people were called to speak:

Vince Burgos

Anthony Colaprete

Kelly Funk

Allen Hines

John Telfer

David Puliafico

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

The meeting was recessed at 8:04 p.m.

The meeting was reconvened at 8:13 p.m.

The public hearing was re-opened at 8:15 p.m. The following people were called to speak:

David Puliafico

Vince Burgos

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

MOTION:

Denying the General Plan Amendment and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Rene Spring, Mayor Pro Tem
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

11. ADOPT ZONING AMENDMENT FOR APPROXIMATELY 8.55 ACRES OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF MONTEREY ROAD AND BURNETT AVENUE (APN NO. 725-01-018, -032, AND -033) FROM THE PLANNED UNIT DEVELOPMENT (PUD) AND SERVICE COMMERCIAL (CS) ZONING DISTRICTS TO THE MIXED USE FLEX/PLANNED DEVELOPMENT (PD) COMBINING DISTRICT TO ESTABLISH A BLOCK-LEVEL MASTER PLAN (BLMP) FOR MONTEREY ROAD CORRIDOR BLOCK ONE.

Recommendation:

1. Open/close public hearing;
2. Waive first and second reading of Zoning Amendment ZA2019-0001: Monterey Corridor Block One; and
3. Introduce Zoning Amendment ZA2019-0001: Monterey Corridor Block One

Principal Planner John Baty and Community Development Director Jennifer Carman presented the report.

The public hearing was opened at 9:21 p.m. The following people were called to speak:

Dick Oliver

John Telfer

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

MOTION:

Waiving the first and second reading of the ordinance.

RESULT:	WAIVED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Larry Carr, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

MOTION:

Introducing the ordinance.

RESULT:	INTRODUCED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor
SECONDER:	Larry Carr, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

12. ADOPT ZONING AMENDMENT FOR APPROXIMATELY 7.58 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF MONTEREY ROAD OPPOSITE OLD MONTEREY ROAD (APN NOS. 726-25-006 AND -005) FROM THE PLANNED UNIT DEVELOPMENT (PUD) AND SERVICE COMMERCIAL (CS) ZONING DISTRICTS TO THE MIXED USE FLEX/PLANNED DEVELOPMENT (PD) COMBINING DISTRICT TO ESTABLISH A BLOCK-LEVEL MASTER PLAN (BLMP) FOR MONTEREY ROAD CORRIDOR BLOCK FOUR

Recommendation:

1. Open/close public hearing;
2. Waive first and second reading of Zoning Amendment ZA2019-0002: Monterey Corridor Block Four; and
3. Introduce Zoning Amendment ZA2019-0002: Monterey Corridor Block Four

Principal Planner John Baty and Community Development Director Jennifer Carman presented the report.

The public hearing was opened at 9:58 p.m.

Jason Bernstein was called to speak.

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

MOTION:

Waiving the first and second reading of the ordinance.

RESULT:	WAIVED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Rene Spring, Mayor Pro Tem
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

MOTION:

Introducing the ordinance.

RESULT:	INTRODUCED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Yvonne Martinez Beltran, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

13. ADOPT RESOLUTION AUTHORIZING THE COUNTY TO COMMENCE 2019 HAZARDOUS VEGETATION ABATEMENT PROGRAM

Recommendation:

1. Open/Close public hearing;
2. Adopt Resolution A authorizing Santa Clara County to commence hazardous vegetation abatement activities on the attached list; and
3. Adopt Resolution B authorizing Santa Clara County to commence hazardous vegetation abatement activities for the remaining parcel.

Program Administrator Anthony Eulo presented the report.

Council Member McKay excused himself from the dais.

The public hearing was opened at 10:18 p.m.

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

MOTION:

Adopting resolution B authorizing Santa Clara County to commence hazardous vegetation abatement activities for the remaining parcel.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Rich Constantine, Mayor
SECONDER:	Larry Carr, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr
RECUSED:	McKay

The public hearing was opened at 10:20 p.m.
There being no requests to speak, the public hearing was closed.

MOTION:

Adopting resolution A authorizing Santa Clara County to commence hazardous vegetation abatement activities on the attached list.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Rich Constantine, Mayor
SECONDER:	Larry Carr, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr
RECUSED:	McKay

Council Member McKay resumed his seat at dais.

The meeting was recessed at 10:21 p.m.
The meeting was reconvened at 10:25 p.m.

OTHER BUSINESS

14. RECEIVE CAPITAL IMPROVEMENT PROJECT UPDATE

Recommendation:

Receive an update on City Capital Improvement Projects.

Public Services Director Chris Ghione presented the report.

The public comment was opened at 10:35 p.m.
There being no requests to speak, the public comment was closed.

RESULT:	ACCEPT REPORT
----------------	----------------------

15. PROVIDE DIRECTION REGARDING THE ADOPTION OF A LOBBYIST REGISTRATION ORDINANCE

Recommendation:

Direct the City Attorney to prepare an ordinance requiring registration of paid lobbyists.

City Attorney Donald Larkin presented the report.

The public comment was opened at 10:46 p.m.
Doug Muirhead was called to speak.
There being no further requests to speak, the public comment was closed.

Council provided direction to the City Attorney.

RESULT: NO ACTION TAKEN

16. UPDATES TO SUSTAINABLE MORGAN HILL AND ONGOING PRIORITIES AND ESTABLISHMENT OF 2019-2020 STRATEGIC PRIORITIES

Recommendation:

Adopt updates to Sustainable Morgan Hill and ongoing priorities and establish the City Council's 2019-2020 Strategic Priorities.

City Manager Christina Turner presented the report.

The public comment was opened at 10:58 p.m.

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

Council provided feedback and direction to the City Manager.

RESULT: NO ACTION TAKEN

MOTION:

Extending the meeting to 12:00 a.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Rene Spring, Mayor Pro Tem
SECONDER:	Rich Constantine, Mayor
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

17. ACCEPT REPORT REGARDING WASTEWATER SYSTEM NEEDS AND RATE STUDY SCHEDULE

Recommendation:

Receive an update on wastewater system needs and schedule for the upcoming rate study.

Public Services Director Chris Ghione and Deputy Director for Utilities Dan Repp presented the report.

The public comment was opened at 11:21 p.m.

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

RESULT: ACCEPT REPORT

18. PROVIDE DIRECTION ON SPORTS FACILITY DEVELOPMENT PROCESS

Recommendation:

Provide staff direction on development of sports facilities on City owned properties.

Public Services Director Chris Ghione and Program Administrator Anthony Eulo presented the report.

The public comment was opened at 11:42 p.m.

Doug Muirhead was called to speak.

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

Council provided feedback and direction to staff.

RESULT: NO ACTION TAKEN

MOTION:

Extending the meeting to 12:30 a.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Rene Spring, Mayor Pro Tem
SECONDER:	Rich Constantine, Mayor
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session items.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 12:04 a.m.

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

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 12:04 a.m.

Conference with Legal Counsel - Existing Litigation

Authority:	Pursuant to CA Govt. Code Section 54656.9(a).
Case Name:	Neumayer v. City of Morgan Hill and Innovative Claim Solutions, Inc.
Case Numbers:	Workers' Compensation Claim No: MHL1400004, WCAB No: ADJ10003677; ADJ10804856

Conference with Legal Counsel - Existing Litigation

Authority:	Pursuant to CA Govt. Code Section 54656.9(a).
Case Name:	Munoz v. City of Morgan Hill
Case Numbers:	Workers' Compensation Claim No: MHL1800013, WCAB No: n/a

RECONVENE

The meeting reconvened at 12:12 a.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Donald Larkin announced that there was no reportable action.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:12 a.m.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk