CITY OF MORGAN HILL

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 20, 2019 6:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 6:00 p.m. for the purpose of conducting Planning Commission interviews.

SPECIAL MEETING

The Special meeting was called to order at 6:01 P.M.

COMMISSION INTERVIEWS

1. INTERVIEWS TO FILL TWO (2) VACANCIES ON THE PLANNING COMMISSION

Recommendation:

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

The Council discussed additional recruitment opportunities to try to get a more diverse pool of applicants. The Council directed the City Clerk's Office to re-open the recruitment with additional interviews to be held on Wednesday, March 20th. The additional interviews were scheduled for April 17th in order to allow enough time for the interviews.

The public comment was opened at 6:14 p.m.
Brian Sullivan was called to speak.

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

Council interviewed the following candidates:
Chip Williams
Andrew Froumis
Chris Wood
Ken Murray

The special meeting was adjourned at 7:08 p.m.

RESULT: **NO ACTION TAKEN**

REGULAR MEETING

7:00 P.M.

CALL TO ORDER

Mayor Constantine called the regular meeting to order at 7:13 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk 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 Bigelow declared the posting of the agenda.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member McKay shared that he has been involved with the Bicycle Pedestrian Advisory Committee. He shared that they have done some of the background work on the Bikeways, Trails, and Parks Masterplan and have been working to establish bike routes throughout the community. This is so important as we want to be known as a bicycle friendly community.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. She shared that the City has fared well after the recent storms and recognized the City crews that worked tirelessly to ensure the safety of our residents, as well as, our infrastructure. She mentioned that the South County Regional Wastewater Authority (SCRWA), which is a Joint Powers Authority between Morgan Hill and Gilroy for our sewer treatment plant, was just recognized by the California Water Environment Association for winning the prestigious "Overall Plant of the Year" in the Monterrey Bay section. This includes training and safety, benchmarking, facility accomplishments, permit compliance, reporting, and so forth. In addition to that, SCRWA is shortlisted with two other facilities for the top state award. A panel of judges will be heading to Gilroy next week. The state level winners will be announced in April. She provided an update on topics from the Council Goal Setting that will be coming forward for additional discussion. For housing, two items are on tonight's agenda, the Regional Housing Needs Assessment (RHNA) update and the Inclusionary Housing Ordinance amendment. We will also have a larger conversation about housing as a workshop on March 6th before the regular City Council meeting. Additionally, on March 20th, the Housing Element Annual Progress Report will come back to Council. She shared that next Wednesday, February 27th, we will hold a workshop regarding cannabis policy and on March 6th during the regular Council meeting, we will have a discussion about homelessness.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin shared that the latest from the outgoing CEO of the High Speed Rail Authority is that they intend to deliver the California High Speed Rail Program, including all Phase 1 environmental documents, for the San Francisco to Los Angeles/Anaheim system and are focusing on advancing the Merced to Bakersfield line as outlined by Governor Newsom in his State of the State Address. They are continuing their efforts to deliver this transformational program and to expand the economic and environmental benefits to thousands of hard working families in the Central Valley. He concluded by sharing that nothing was mentioned about the leg of the rail that would encompass San Francisco to Gilroy or Pacheco Pass.

OTHER REPORTS

None.

PRESENTATIONS

YAC PRESENTATION ASSET #1 - FAMILY SUPPORT

REGIONAL AGENCY REPORTS

SANTA CLARA COUNTY ROADS AND AIRPORTS PRESENTATION

SANTA CLARA COUNTY ROADS AND AIRPORTS - AIRPORTS BUSINESS PLAN UPDATE

Santa Clara County Roads and Airports - San Martin Airport

Harry Freitas

The public comment was opened at 8:04 p.m.

Kimberly Delgado was called to speak.

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

VALLEY TRANSPORTATION AUTHORITY'S 2019 NEW TRANSIT SERVICE PLAN PRESENTATION

Valley Transportation Authority - 2019 New Transit Services Plan

Jay Tyree

The public comment was opened at 8:26 p.m.

Tom Tanner was called to speak.

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

PUBLIC COMMENT

The public comment was opened at 8:29 p.m. The following people were called to speak:

Brad Krouskup

Randy Toch

Gary Apte

Kiran Vittal

Scott Gregg

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

EMAIL SUBMITTED FOR PUBLIC COMMENT

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 2 through 8.

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

2. APPROVE PURCHASE OF PROPERTY (BETPOLICE) APN 767-03-036 FOR THE HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Adopt resolution approving the purchase of a portion of APN 767-03-036 for $310,500 plus escrow and closing costs from Farideh Betpolice for the Hale Avenue Extension Project; and
2. Authorize the City Manager to execute all documents and make minor modifications as necessary in order to consummate the transaction.

3. APPROVE SERVICE AGREEMENT FOR DESIGN PROFESSIONALS WITH LUHDORFF & SCALMANINI CONSULTING ENGINEERS FOR WELL REMEDIATION AND FIELD OVERSIGHT SERVICES

Recommendation:

1. Approve Service Agreement for Design Professionals with Luhdorff & Scalmanini Consulting Engineers for a total not to exceed contract amount of $45,000; and
2. Authorize the City Manager to execute and administer the Service Agreement for Design Professionals with Luhdorff & Scalmanini Consulting Engineers.

4. APPROVE PURCHASE OF 150KW TRAILER-MOUNTED PORTABLE GENERATOR

Recommendation:

1. Approve the purchase of one 150kW trailer-mounted diesel generator from Leete Generators, in the amount of $84,776.15;
2. Authorize City Manager to approve purchase order in the amount of $84,776.15 with Leete Generators;
3. Declare generator W99014 to be surplus; and
4. Authorize the disposal of equipment in accordance with Section 3.04.400 of the City of Morgan Hill Municipal Code.

5. AWARD CORPORATION YARD SPACE NEEDS STUDY

Recommendation:

1. Approve and authorize the City Manager to execute an agreement with Griffin Structures in the amount of $141,480 for a space needs analysis of the City's Corporation Yard and the Morgan Hill Unified School District's (MHUSD) transportation yard;
2. Approve and authorize the City Manager to execute a Cost Sharing Agreement with the MHUSD for the Space Needs Project; and
3. Adopt resolution amending the Capital Improvement Program Budget for Fiscal Year 2018-19, and appropriating an additional expenditure of $61,480, and reimbursement revenue of $70,740 in the Public Facilities Fund (347).

6. ADOPT ORDINANCE 2297 APPROVING A 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:

Waive the reading, adopt Ordinance No. 2297, 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.

7. <u>ADOPT ORDINANCE 2298 APPROVING A 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</u>

Recommendation:

Waive the reading, adopt Ordinance No. 2298, 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. <u>APPROVE THE FEBRUARY 6, 2019 MEETING MINUTES</u>

Recommendation:

Approve Minutes.

PUBLIC HEARING

9. <u>ORDINANCE APPROVING DEPOT-LATALA- DEVELOPMENT AGREEMENT TO CONFIRM RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) PUBLIC BENEFIT COMMITMENTS FOR 49 DOWNTOWN RDCS BUILDING ALLOTMENTS. THE PROPERTY, IDENTIFIED BY ASSESSOR PARCEL NUMBER 726-13-049, IS LOCATED ON THE EAST SIDE OF DEPOT STREET, NORTH OF EAST DUNNE AVENUE</u>

Recommendation:

1. Open and close public hearing;
2. Waive first and second reading of Development Agreement Ordinance; and
3. Introduce Development Agreement Ordinance.

Principal Planner Gina Paolini, Community Development Director Jennifer Carman, and Associate Planner Tiffany Brown presented the report.

The public hearing was opened at 8:49 p.m.
There being no requests to speak, the public hearing was closed.

The public hearing was re-opened at 8:52 p.m.
Paul Latala was called to speak.
There being no further requests to speak, the public hearing was closed.

<u>MOTION:</u>
Waiving the first and second reading of the ordinance.

RESULT:	**MOTION FAILED [2 TO 3]**
MOVER:	John McKay, Council Member
SECONDER:	Rich Constantine, Mayor
AYES:	Constantine, McKay
NAYS:	Spring, Martinez Beltran, Carr

The public hearing was re-opened at 9:19 p.m. The following people were called to speak:
Paul Latala
Sara Nicolson
There being no further requests to speak, the public hearing was closed.

MOTION:
Continuing the item to the March 20th City Council meeting, directing staff to bring back a draft replacement plan for the trees; information to allow for a discussion on circulation and clarity on the connection and how it improves circulation in the area and Downtown; a discussion about housing in Downtown with the total housing units including this project, if it were to be built and all other allotments in Downtown and how the infrastructure we have today accommodates all of that; and how this project adheres to and furthers the Downtown and the Station Area Specific Plans, specifically including any impacts on grade separation and quiet crossings.

RESULT:	**CONTINUED TO A FUTURE MEETING [4 TO 1]**
MOVER:	John McKay, Council Member
SECONDER:	Yvonne Martinez Beltran, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay
NAYS:	Spring

The meeting was recessed at 9:36 p.m.
The meeting was reconvened at 9:43 p.m.

Items 11 and 12 were continued to a future meeting.

OTHER BUSINESS

10. FIRE DISASTER PREPAREDNESS

Recommendation:

Receive report.

Fire Chief Jake Hess presented the report.

The public comment was opened at 10:28 p.m.
There being no requests to speak, the public comment was closed.

RESULT:	**ACCEPT REPORT**

11. REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) UPDATE

Recommendation:

Receive Report.

RESULT:	**CONTINUED TO A FUTURE MEETING**

12. ORDINANCE AMENDING SECTION 14.04.070 ALTERNATIVES OF CHAPTER 14.04, INCLUSIONARY HOUSING

Recommendation:

1. Waive the first and second reading of the ordinance; and
2. Introduce ordinance.

RESULT:	**CONTINUED TO A FUTURE MEETING**

13. ACCEPT DECEMBER 2018 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

Finance Director Dat Nguyen presented the report.

The public comment was opened at 10:34 p.m.
There being no requests to speak, the public comment was closed.

RESULT:	**ACCEPT REPORT**

The meeting was recessed at 10:36 p.m
The meeting was reconvened at 10:40 p.m.

14. INTRODUCE WASTEWATER RATE STUDY, RECEIVE POLICY DIRECTION, AND SET PUBLIC HEARING TO ADOPT RATE INCREASES

Recommendation:

1. Introduce the 2019 Wastewater Rate Study; and
2. Discuss and provide policy direction to staff on wastewater rate implementation.

Accounting Manager Harjot Sangha, Finance Director Dat Nguyen, Deputy Director of Utilites Dan Repp, and Kim Boehler with NBS presented the report.

The public comment was opened at 11:27 p.m.
There being no requests to speak, the public comment was closed.

Council provided direction to staff.

RESULT:	**NO ACTION TAKEN**

MOTION:
Extending the meeting to 11:45 p.m.

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

15. INTRODUCE DEVELOPMENT IMPACT FEE UPDATE STUDY AND RECEIVE POLICY DIRECTION

Recommendation:

1. Introduce 2019 Development Impact Fee Update Study;
2. Discuss and provide policy direction to staff on Development Impact Fee Update implementation.

Finance Director Dat Nguyen, Public Services Director Chris Ghione, and Carlos Villarreal with Willdan presented the report.

The public comment was opened at 12:01 a.m.

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

Council provided direction to staff.

MOTION:
Extending the meeting to 12:15 a.m.

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

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

RESULT:	**NO ACTION TAKEN**

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Spring asked staff to bring back a policy or best practices on commission recruitment.

CLOSED SESSION

The following closed session item was continued to the February 27th Council meeting.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to:	Government Code Section 54956.9(d)(2)
Number of Cases:	One (1)

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:22 a.m.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk