



**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, March 6, 2019 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 Housing Workshop.

SPECIAL MEETING

5:00 P.M.

CALL TO ORDER

Mayor Constantine called the meeting to order at 5:01 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.

HOUSING WORKSHOP

1. 2019 HOUSING PROGRAM UPDATE

Recommendation:

Receive Report.

City Manager Christina Turner introduced the item. Leslie Little, Assistant City Manager and Rebecca Garcia, Housing Manager presented the report.

The public comment was opened at 5:58 p.m. The following people were called to speak:

Rocke Garcia

Liam Downey

Joe Guerra

John Telfer

Trevor Bacolini

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

RESULT:	NO ACTION TAKEN
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The special meeting adjourned at 6:46 p.m.

REGULAR MEETING

7:00 P.M.

The regular meeting was called to order at 7:01 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY MANAGER'S REPORT

City Manager Christina Turner announced the evening's supplements and presentations. She mentioned that Valley Water has a display setup in the lobby regarding groundwater and that they will be providing a presentation to Council this evening. She shared that March 10th through March 16th is Groundwater Awareness Week and explained that the City's water is provided by the groundwater from the aquifers below Morgan Hill.

She announced that the State of the City will take place next Wednesday, March 13th at 7:00 p.m. here in the Council Chamber. She encouraged the community to attend and shared that there will be childcare available on a first come first serve basis.

She announced that the spring Community Emergency Response Team (CERT) training is coming up in April. Following an emergency, you and your family will need to be self-sufficient for a minimum of three days. This training helps our community better prepare, respond, and recover from a variety of local disasters. It is free to South Santa Clara County residents and high school students are encouraged to participate and are eligible for community service hours. The training takes place on Wednesday and Thursday evenings from 7:00 p.m. to 9:30 p.m. from April 10th to May 4th. You can register on the City's website on the emergency services page.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin shared that he is Morgan Hill's representative on the Board of Directors for the Pooled Liability Assurance Network Joint Powers Authority our Plan JPA. It is a joint powers insurance authority consisting of 28 Bay Area cities. The members of the JPA collectively share the risk of self-insured liability losses, tort claims, and tort losses, as well as, services such as insurance, risk management, and other claims related services. Last week was the Plan JPA's Annual Strategic Planning two-day workshop. He shared that he attended the workshop and one thing that we do as part of the JPA is purchase insurance on the insurance market for losses that are over a certain amount, usually \$2.5 or \$5 million, which is above and beyond what we self-insure for. One big driver of our cost is the cost of that insurance. One thing that is making an impact on the insurance cost, is the extreme weather events and we have seen a number of them nationally. Not just the fires here in California, but the extreme cold weather in the Midwest, hurricanes and tornados, and other things that are causing huge losses to the insurance industry. Those costs get passed on to us, so we are looking at some substantial increases in our costs for insurance next fiscal year.

CITY COUNCIL REPORTS

Council Member Martinez Beltran shared that she participated in the National Read Aloud day at Charter School. She reminded parents that if they are enrolling kids in school for the next school year, they should do so soon as the window for enrollment is closing. On February 12th she attended a cannabis workshop at the Morgan Hill Playhouse. On February 21st she attended the Silicon Valley at Home workshop where she learned more about affordable housing, some of the challenges around it, as well as, some creative ideas to create more housing. She shared that 135,000 people in California are homeless, that is roughly the amount of people in Morgan Hill, Gilroy, and Hollister combined. On February 23rd she attended the Silicon Valley Clean Energy Authority orientation with City teammate Anthony Eulo. They are now the official electricity provider of clean, renewable, and carbon free electricity to 13 cities in the Bay Area including Morgan Hill. She attended the 25th anniversary for the Learning and LovingCenter at St. Catherine's Church on March 2nd along with Council Member Rene Spring, Police Chief David Swing, and City Manager Christina Turner. She mentioned that she also attended the Celebrate Morgan Hill Awards dinner and recognized all of the award winners.

OTHER REPORTS

None.

PROCLAMATION

Proclaiming the month of March as Youth Art Month
Sharon Dahnert

PRESENTATIONS

VALLEY WATER
UPPER LLAGAS CREEK FLOOD CONTROL PROJECT
STEPHEN FERRANTI, PROJECT MANAGER

PUBLIC COMMENT

The public comment was opened at 7:38 p.m. The following people were called to speak:

Dick Oliver

Lesley Miles

There being no further 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:	Rene Spring, Mayor Pro Tem
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1, 3, 4, 6, 8, 9, and 11 through 13.

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

2. ITEM PULLED FOR DISCUSSION

3. ADOPT RESOLUTION APPROVING EMERGENCY MANAGEMENT PERFORMANCE GRANT AGREEMENT - 2018

Recommendation:

Adopt resolution:

1. Authorizing the City Manager to execute and administer the Memorandum of Understanding with the County of Santa Clara for the 2018 Emergency Management Performance Grant; and
2. Amending the City's Fiscal Year 2018-19 adopted budget to recognize revenue and appropriating related expenditure, in the amount of \$1,450, from the General Fund (010).

4. IMPACT FEE FINANCING AGREEMENT-BRIDGE GROUP INVESTMENTS, LLC

Recommendation:

Adopt resolution authorizing the City Manager to execute a Sewer and Traffic Impact Fee Financing Agreement, consistent with the Sewer and Traffic Impact Fee Deferral Program and Government Code section 53083, with Bridge Group Investments, LLC, Inc. for the development of a new Warehouse and Distribution Facility for Shoe Palace Corporation.

5. ITEM PULLED FOR DISCUSSION

6. ADOPT RESOLUTION AUTHORIZING THE DISPLAY OF THE NATIONAL FLAG OF INDIA AT THE COMMUNITY AND CULTURAL CENTER IN RECOGNITION OF THE ANNUAL CELEBRATION OF INDIA'S INDEPENDENCE DAY

Recommendation:

Adopt resolution authorizing the display of the national flag of India at the Community and Cultural Center annually during the month of August to commemorate India's Independence Day.

7. ITEM PULLED FOR DISCUSSION

8. 2018-19 PAVEMENT REHABILITATION PROJECT UPDATE

Recommendation:

Receive an update on the Pavement Rehabilitation Project for Fiscal Year (FY) 2018-19.

9. ADOPT RESOLUTION APPROVING FY2019-20 LIST OF STREET REHABILITATION PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT

Recommendation:

Adopt resolution approving a list of street rehabilitation Projects Funded by SB 1, the Road and Repair Accountability Act of 2017.

10. ITEM PULLED FOR DISCUSSION

11. RATIFY CITY POSITION ON PENDING LEGISLATION HR 530 "ACCELERATING BROADBAND DEVELOPMENT BY EMPOWERING LOCAL COMMUNITIES ACT OF 2019"

Recommendation:

Receive legislative correspondence in support of HR 530 "Accelerating Broadband Development by Empowering Local Communities Act of 2019."

12. APPROVE THE FEBRUARY 20, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

13. APPROVE THE FEBRUARY 27, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FOR DISCUSSION

2. APPROVE MEMORANDUM OF UNDERSTANDING ACCEPTING LAW ENFORCEMENT TOBACCO GRANT FROM STATE OF CALIFORNIA DEPARTMENT OF JUSTICE

Recommendation:

Adopt resolution:

1. Authorizing the City Manager to execute and administer the Memorandum of Understanding with the California Department of Justice to accept grant funds for the Law Enforcement Tobacco Grant for a total amount of \$561,649 over three fiscal years; and
2. Amending the City's FY 2018-19 and Fiscal Year (FY) 2019-20 adopted budget to appropriate expenditure of the grant funding of \$137,874 in FY 2018-19 and \$207,061 in FY 2019-20, in the General Fund (010).

Police Analyst Margarita Balagso presented the report.

MOTION:

Approving the recommended action.

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

5. UPDATE ON DOWNTOWN STREET CLOSURES

Recommendation:

Receive update on Downtown Special Events and Street Closures.

Community Services Supervisor Nichole Martin answered questions.

The public comment was opened at 8:00 p.m.

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

RESULT:	ACCEPT REPORT
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The meeting was recessed at 8:01 p.m.

The meeting was reconvened at 8:07 p.m.

7. APPROVE CITY SPONSORSHIP OF PHILANTHROPY NIGHT, INDIAN FLAG RAISING, AND FUTURE WOMEN LEADERS CONFERENCE EVENTS AT THE COMMUNITY AND CULTURAL CENTER

Recommendation:

1. Authorize the City Manager to waive facility rental fees of \$3,000 for Morgan Hill Community Foundation's November 2019 Philanthropy Night Celebration.
2. Authorize the City Manager to waive facility rental fees of \$726 for Indian Association of South Santa Clara County's August 2019 Flag Raising ceremony.
3. Authorize the City Manager to waive facility rental fees of \$651 for American Association of University Women's April 2019 Future Women Leaders Conference.
4. Authorize the City Manager to waive facility rental fees of \$3,000 for American Association of University Women's April 2020 Future Women Leaders Conference.

Community Services Supervisor Mariah Dabel answered questions.

The public comment was opened at 8:12 p.m.

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

MOTION:

Approving the recommended actions.

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

10. APPROVE MASTER STREET TREE PLAN

Recommendation:

Approve Master Street Tree Plan.

Urban Forestry Project Manager Christina Raby answered questions.

The public comment was opened at 8:00 p.m.
There being no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

14. ADOPT RESOLUTION DECLARING INTENT TO IMPLEMENT NEW WASTEWATER RATES, COMMENCING PROPOSITION 218 NOTICES, AND SETTING MAY 1, 2019 AS DATE FOR A PUBLIC HEARING

Recommendation:

Adopt resolution:

1. Declaring intent to adjust wastewater rates;
2. Authorizing the commencement of Proposition 218 noticing; and
3. Setting May 1, 2019 as the date for Public Hearing and new wastewater rates adoption.

Accounting Manager Harjot Sangha presented the report.

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

MOTION:

Approving the recommended action.

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

15. ORDINANCE AMENDING SECTIONS 14.04.020 PURPOSE AND 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.

Housing Manager Rebecca Garcia presented the report.

The public comment was opened at 9:10 p.m.
Dick Oliver was called to speak.
There being no further requests to speak, the public comment was closed.

MOTION:

Waiving the first and second reading of the ordinance.

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

The meeting was recessed 9:14 p.m.

The meeting was reconvened at 9:19 p.m.

16. REPORT REGARDING HOMELESSNESS IN MORGAN HILL

Recommendation:

Receive Report and provide direction.

Housing Manager Rebecca Garcia presented the report.

The public comment was opened at 10:11 p.m.

Trevor Bacolini was called to speak.

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

RESULT:	ACCEPT REPORT
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FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session item.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 10:28 p.m.

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

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 10:29 p.m.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Panwala v. City of Morgan Hill, Santa Clara County

Case No. 18-CV-333795

RECONVENE

The meeting reconvened at 10.34 p.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 10:35 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk