



**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 20, 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 Library, Culture, and Arts Commission Interviews.

SPECIAL MEETING

5:00 P.M.

CALL TO ORDER

Mayor Constantine called the meeting to order at 5:36 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	Absent	
Yvonne Martinez Beltran	Council Member	Late	
Larry Carr	Council Member	Late	
John McKay	Council Member	Present	

DECLARATION OF POSTING AGENDA

Deputy City Clerk Bigelow declared the posting of the agenda.

COMMISSION INTERVIEWS

1. INTERVIEWS TO FILL FOUR (4) VACANCIES ON THE LIBRARY, CULTURE, AND ARTS COMMISSION

Recommendation:

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

The City Council shared what qualities they are looking for in Library, Culture, and Arts Commissioners and started the interviews.

The following people were interviewed:

Eric West
Gabrielle Bates
Jake Thompson
Karen McNulty
Katie Khera
Poonam Chabra
Suman Ganapathy

The City Council re-appointed Katie Khera and Poonam Chabra and appointed Jake Thompson and Suman Ganapathy. All seats have a term expiring April 1, 2021.

The special meeting was adjourned at 7:04 p.m.

REGULAR MEETING

7:00 P.M.

The regular meeting was called to order at 7:10 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Mayor Constantine shared that he serves on the Policy Advisory Committee (PAC) for the Valley Transportation Authority (VTA), which advises policies up to the Board. At a recent meeting a member of the public brought up that our Measure B funds may be misappropriated. We are in the process of finding out what is going on with those funds. Measure B, which was a transportation measure that was voted on in 2016, raises tax dollars to complete specific transportation projects throughout the county, as well as, provides us with approximately \$800,000 for road improvements in Morgan Hill. A portion of the funds will also be used to provide a fourth train through CalTrain. CalTrain has stated that they will not be able to provide the fourth train until they overhaul their trains. The \$4.3 million being used for the overhaul comes from Measure B. The gentlemen who stated that the Measure B funds were being misappropriated, stated that the CalTrain overhaul was scheduled prior to the availability of the Measure B funds and therefore should not be used for the overhaul and/or maintenance. The PAC has approved the

appropriations of the Measure B dollars and the various projects being completed throughout the county, however, the PAC will be asking for an explanation as to why the Measure B funds are being used for maintenance. The PAC is and will continue to keep a close on eye on how the Measure B funds are being used.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. She shared that she, Council Member Martinez Beltran, and Human Resources Director Michelle Katsuyoshi attended an event on Monday at Linked In which was sponsored by the League of California Cities and the International City Managers Association talent initiative. The audience was made up of both elected and appointed officials with a goal of bringing together people, primarily in Santa Clara County, to talk about how to attract, retain, and grow talent in local government. They learned that 10,000 baby boomers are leaving the workforce every day. As a service organization, our biggest and most important asset, is our team. This topic is very important to all of us. Linked In shared some interesting facts and advice about how to go about maintaining and growing talent, such as branding the organization and creating a culture of appreciation and recognition. This has spurred us to think about how we can continue to be a great organization to work for. She shared that she is proud to say that we have a great culture that is very family friendly, however, there is always room to improve and so we are looking at ways to continue investing in our team, such as offering more professional development opportunities and flexibility. She reminded the community to mark their calendars for the upcoming AMGEN race on May 14th. Morgan Hill will be hosting the stage 3 finish.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

None.

PROCLAMATION

PROCLAIMING THE MONTH OF MARCH AS AMERICAN RED CROSS MONTH

PRESENTATION

YOUTH ACTION COUNCIL - ASSET #14 ADULT ROLE MODELS

PUBLIC COMMENT

The public comment was opened at 7:34 p.m.

Brian Faircloth was called to speak.

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:	Larry Carr, Council Member
SECONDER:	John McKay, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay
ABSENT:	Spring

CONSENT CALENDAR

MOTION:

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

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

2. ITEM PULLED FOR DISCUSSION

3. APPROVE GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORT 2018

Recommendation:

Adopt resolution accepting the 2018 General Plan and Housing Element Annual Progress Report (APR) and directing staff to file the report with the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

4. ACCEPT JANUARY 2019 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

5. ITEM PULLED FOR SEPARATE VOTE

6. ACCEPT SUBDIVISION PUBLIC IMPROVEMENTS - SHADOW PINES – TRACT NO. 10258

Recommendation:

1. Accept the subdivision public improvements for Shadow Pines – Tract No. 10258;
2. Authorize the City Engineer to sign a Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

7. ITEM PULLED FOR DISCUSSION

8. APPROVE PURCHASE OF FIVE WATER AND SEWER VEHICLES

Recommendation:

1. Approve the purchase of five (5) water and sewer utility trucks in the amount of \$342,252.14;
2. Authorize City Manager to approve purchase order in the amount of \$342,252.14 with National Auto Fleet Group;
3. Declare vehicles W08170, W03167, W07104, W06169 and S07103 to be surplus; and
4. Authorize the disposal of the surplus vehicles in accordance with Section 3.04.400 of the City of Morgan Hill Municipal Code.

9. APPROVE LICENSE AGREEMENT WITH TOGLIATTI FARMS, INC.

Recommendation:

Authorize the City Manager to Execute a License Agreement with Togliatti Farms for 1469 Maple Ave.

10. ADOPT ORDINANCE 2299 AMENDING SECTIONS 14.04.020 PURPOSE AND 14.04.070 ALTERNATIVES OF CHAPTER 14.04, INCLUSIONARY HOUSING

Recommendation:

Waive the reading, adopt Ordinance No. 2299, 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.

11. APPROVE THE MARCH 6, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEM PULLED FOR SEPARATE VOTE

5. ACCEPT SUBDIVISION PUBLIC IMPROVEMENTS - BARLEY PLACE – TRACT NO. 10239

Recommendation:

1. Accept the subdivision public improvements for Barley Place – Tract No. 10239;
2. Authorize the City Engineer to sign a Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [3 TO 0]
MOVER:	John McKay, Council Member
SECONDER:	Yvonne Martinez Beltran, Council Member
AYES:	Constantine, Martinez Beltran, McKay
ABSTAIN:	Carr
ABSENT:	Spring

ITEMS PULLED FOR DISCUSSION

2. CITY POSITION ON PENDING LEGISLATION AB 276 FIREARMS: STORAGE AND AB 1255 SURPLUS PUBLIC LAND: DATABASE

Recommendation:

1. Receive legislative correspondence in support of AB 276 (Friedman) Firearms: storage;
2. Consider supporting AB 1255 (Rivas) Surplus public land: database; and
3. Direct staff to submit letters in support of AB 1255 to the appropriate representatives.

The public comment was opened at 7:37 p.m.

Brian Faircloth was called to speak.

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

MOTION:

Approving the recommended actions.

RESULT:	DIRECTED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	John McKay, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay
ABSENT:	Spring

7. UPDATE ON THE CITY'S PILOT RODENTICIDE USE REDUCTION PROJECT

Recommendation:

Accept Report.

Council accepted the report.

RESULT:	ACCEPT REPORT
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OTHER BUSINESS

12. APPROVE PEACE POLE ART PROPOSAL

Recommendation:

Approve the updated design for the Peace Pole Project for installation at the civic center with specific City input to be included for the different and appropriate languages.

Communications and Engagement Manager Maureen Tobin presented the report.

The public comment was opened at 7:53 p.m.

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

MOTION:

Approving the recommended action.

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

13. PROVIDE DIRECTION REGARDING ADOPTION OF A RESOLUTION OR ORDINANCE SUPPORTING THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

Recommendation:

1. Receive report; and
2. Provide direction.

City Manager Christina Turner presented the report.

The public comment was opened at 7:59 p.m.

Brian Faircloth was called to speak.

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

MOTION:

Directing staff to bring a resolution to Council to adopt the principles of CEDAW.

RESULT:	DIRECTED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor
SECONDER:	Yvonne Martinez Beltran, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay
ABSENT:	Spring

The meeting was recessed at 8:11 p.m.
The meeting was reconvened at 8:17 p.m.

PUBLIC HEARING

14. ADOPT 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

Recommendation:

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

Community Development Director Jennifer Carman, along with City Engineer Scott Creer, Associate Planner Tiffany Brown, Economic Development Director Edith Ramirez, and Community Services Supervisor Mariah Dabel presented the report and answered questions.

The public hearing was opened at 8:42 p.m. The following people were called to speak:

Paul Latala
Julia Wolfsmith
Lesley Miles
Suman Ganapathy
Rosy Bergin
David Dindak
Brian Faircloth

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

A motion made by Council Member Martinez Beltran to deny the Development Agreement to confirm RDCS commitments, failed due to lack of a second.

Council provided direction to staff.

MOTION:

Waiving the first and second reading of the ordinance.

RESULT:	WAIVED [3 TO 1]
MOVER:	Larry Carr, Council Member
SECONDER:	John McKay, Council Member
AYES:	Constantine, Carr, McKay
NAYS:	Martinez Beltran
ABSENT:	Spring

MOTION:

Introducing the ordinance.

RESULT:	INTRODUCED [3 TO 1]
MOVER:	Larry Carr, Council Member
SECONDER:	John McKay, Council Member
AYES:	Constantine, Carr, McKay
NAYS:	Martinez Beltran
ABSENT:	Spring

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:39 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk