



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, June 5, 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	Absent	

DECLARATION OF POSTING AGENDA

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

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Mayor Constantine asked the audience, both in the chamber and those watching at home, to please talk to their elected officials in Sacramento regarding SB330 which is a housing bill geared towards cities like Morgan Hill, with the intent to eliminate their growth control measures. Many cities have used their growth control measures to avoid providing affordable housing, which is the opposite of what Morgan Hill has done with our growth control measure. If this bill passes, we would not be allowed to regulate how many homes are built per year. We would lose the ability, for example, to impose minimum parking requirements on a housing development. He again encouraged the community to let the State elected officials know that SB330 is not what Morgan Hill is about and does not solve the affordable housing issue for Morgan Hill. We have more affordable housing per capita than any city in the county. We use our growth control measure to help build affordable housing.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. She congratulated the City of Morgan Hill and the programs and services that we provide. We were voted number one by the readers of the Morgan Hill Times in several different categories. The Morgan Hill Dennis Kennedy Aquatics Center was recognized, as well as the Centennial Recreation Center, the Dog Park, and the Railroad Park.

She mentioned that on Thursday, June 6th, the City will hold a joint press conference open house with the Yuhu Builders Corporation. They are a Morgan Hill based start-up company with a mission focused on saving homes, lives, and the environment. They have demonstrated their ability to make steel framed homes affordable which may change how homes are built in the future by incorporating new approaches to design and construction. The open house will take place at a prototype home located at 15390 Armsby Lane in Morgan Hill from 9:00 am to noon with a presentation at 10:30 am.

She shared that in regard to SB330, staff will be disseminating a template letter that community members can use to send to the State legislators that will embody some of the points that the Mayor mentioned, as well as other information about how SB330 might impact our city and other smaller communities.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin shared that the current status of SB330 is that it has passed out of the Senate and is now with the Assembly awaiting assignment to committees. It is not clear which committees it will be assigned to, but one is almost certain to be the local government committee where our own representative serves. It has been slightly amended since we first took our opposed position which is on this agenda for ratification this evening. One of the most significant things he wanted to share is that some of the impact fee restrictions have been lifted. Although others still remain, we would be able to collect the safety impact fees and we would still be able to increase those fees as our costs increase. The other piece of legislation that is noteworthy is AB56, which is a bill that the City has also taken an opposed position on. That bill is now out of the Assembly and is currently making its way through the Senate.

He then provided an update regarding High Speed Rail (HSR). He shared that they are in the process of finalizing the alignments they plan to study in their Environmental Impact Report (EIR) for the portion coming through Morgan Hill. They will be holding a community meeting to discuss their preferred alignment on July 10th, and they will be presenting to the City Council on July 17th. They will not make the final decision on the alignment until September of this year.

OTHER REPORTS

Mayor Pro Tem Spring shared that on Saturday the City held a nice ceremony to raise the Pride Flag outside City Hall. For the third year in a row, the rainbow flag is flying in three different locations throughout the City. He thanked the City teammates and his colleagues on the Council for their support and efforts to make it happen. It is a wonderful way to honor and celebrate our LGBTQ+ community in Morgan Hill. He shared that last week, the City held a diversity and inclusivity training for all employees, commissioners, and elected officials where a lot of important topics like unconscious bias were addressed. He concluded by reading a quote from Verna Myers that was shared with the group at the training, "Diversity is being invited to the party; inclusion is being asked to dance".

RECOGNITIONS

Police Chief Ron Lawrence, current President of the California Police Chiefs Association, presented Morgan Hill Police Chief David Swing with a recognition for his service as the immediate Past President of the California Police Chiefs Association.

PUBLIC COMMENT

The public comment was opened at 7:22 p.m.

Joe Baranowski was called to speak.

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

The public comment was re-opened at 7:26 p.m.

Terry Williams was called to speak.

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

PUBLIC COMMENT RECEIVED

PUBLIC COMMENT RECEIVED 02

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1, 3 through 5, 7, and 9 through 11.

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

1. DECLARE SURPLUS VEHICLE FOR AUCTION

Recommendation:

1. Declare a 2007 Chevrolet Silverado truck to be surplus; and
2. Authorize the purchasing officer to dispose of the vehicle in accordance with the City of Morgan Hill Municipal Code Section 3.04.400.

2. ITEM PULLED FOR DISCUSSION

3. APPROVE FOURTH AMENDMENT TO WEST COAST ARBORIST, INC. AGREEMENT FOR CITYWIDE TREE SERVICES

Recommendation:

Approve the fourth amendment to the maintenance service agreement with West Coast Arborist, Inc. for an additional year of services for \$250,000, for a total contract amount of \$1,115,000.

4. ADOPT RESOLUTION AUTHORIZING DEVELOPMENT SERVICES DEPARTMENT TO HAVE ACCESS TO CALIFORNIA STATE EMPLOYMENT DEVELOPMENT DEPARTMENT (EDD) QUARTERLY CENSUS AND EMPLOYMENT WAGES (QCEW/ES202) INDUSTRY & EMPLOYMENT DATA

Recommendation:

Adopt resolution authorizing:

1. The City's Development Services Department to examine Quarterly Census and Employment Wages (QCEW) data for the City of Morgan Hill from the California State Employment Development Department (EDD) for economic development purposes related to the Economic Blueprint; and
2. The City Manager to negotiate, execute, and administer an agreement with the EDD for economic development purposes related to the Economic Blueprint.

5. APPROVE PAYMENT FOR PURCHASE OF EQUIPMENT FOR RESERVE FIRE ENGINE

Recommendation:

Authorize the City Manager to approve payment to L.N. Curtis, in a not to exceed amount of \$98,300, for the outfitting of a Fire Reserve engine.

6. ITEM PULLED FOR DISCUSSION

7. ACCEPT 2018 INFLOW AND INFILTRATION PROJECT

Recommendation:

1. Accept as complete, the 2018 Inflow and Infiltration Project in the amount of \$907,888.
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.

8. ITEM PULLED FOR DISCUSSION

9. RATIFY CITY POSITION ON PENDING LEGISLATION SB 330: HOUSING CRISIS ACT OF 2019 AND AB 56: ELECTRICITY PROCUREMENT BY THE CALIFORNIA ALTERNATIVE ENERGY AND ADVANCED TRANSPORTATION FINANCING AUTHORITY

Recommendation:

1. Receive legislative correspondence in opposition of SB 330: Housing Crisis Act of 2019;
2. Receive legislative correspondence in opposition of AB 56: Electricity procurement by the California Alternative Energy and Advanced Transportation Financing Authority; and
3. Ratify City's position.

10. APPROVE THE MAY 15, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

11. APPROVE THE MAY 22, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FOR DISCUSSION

2. APPROVE FIRST AMENDMENT TO THE AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION

Recommendation:

Authorize the City Manager to execute the First Amendment for Countywide Household Hazardous Waste Collection.

Program Administrator Anthony Eulo answered questions.

MOTION:

Approving the recommended action.

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

6. ACCEPT PUBLIC IMPROVEMENTS FOR BELLE NOCI, BELLE SALICI, AND BELLE ALLORI DEVELOPMENTS

Recommendation:

1. Accept the public improvements for Belle Noci, Belle Salici, and Belle Allori projects;
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.

The public comment was opened at 7:33 p.m.

Shreya Shah was called to speak.

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

MOTION:

Approving the recommended actions.

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

8. ACCEPT UPDATE ON THE CITY'S PILOT RODENTICIDES USE REDUCTION PROJECT

Recommendation:

Accept Report.

Program Administrator Anthony Eulo provided the report and answered questions.

The public comment was opened at 7:38 p.m.

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

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

12. APPROVE MEMORANDUM OF UNDERSTANDING WITH THE SANTA CLARA COUNTY OFFICE OF EDUCATION FOR THE MAGICAL BRIDGE INCLUSIVE PLAYGROUND FUNDING

Recommendation:

Authorize the City Manager to execute and administer a memorandum of understanding with the Santa Clara County Office of Education for \$200,000 in capital funding for the Morgan Hill Magical Bridge Playground.

Public Services Director Chris Ghione provided the report.

The public comment was opened at 7:39 p.m. The following people were called to speak:

Dr. Mary Ann Dewan

Claudia Rossi

Ron Locicero

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

MOTION:

Approving the recommended action.

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

Mayor Rich Constantine presented Board Member Claudia Rossi and Superintendent Dr. Mary Ann Dewan with a certificate of recognition.

The meeting recessed at 7:53 p.m.

The meeting reconvened at 7:58 p.m.

13. ADOPT FISCAL YEAR 2019-20 MID-CYCLE BUDGET AMENDMENTS AND RESOLUTION AND THE MANAGEMENT, PROFESSIONAL, AND CONFIDENTIAL EMPLOYEES RESOLUTION

Recommendation:

1. Adopt resolution to:
 - a. Authorize changes to the adopted Fiscal Year (FY) 2019-20 City of Morgan Hill Operating and Capital Improvement Budget;
 - b. Adopt the FY 2019-20 Appropriations Limit and Appropriations Limit Adjustment Factors;
2. Adopt the Management, Professional, and Confidential Employees Resolution and corresponding salary schedule effective June 30, 2019;
3. Approve the increase in customer water rates as a result of the increased wholesale groundwater production charge from Valley Water; and
4. Approve deposit of \$253,000 net proceeds received from the County by the sale of Successor Agency's jointly owned parking and transit facility, to the Housing Fund.

Budget Manager Monica Delgado, along with Finance Director Dat Nguyen, Accounting Manager Harjot Sangha, and Assistant City Manager Cindy Murphy, provided the report and presentation.

The public comment was opened at 8:13 p.m.

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

MOTION:

Approving the recommend actions.

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

PUBLIC HEARING

14. APPROVE RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1 (DISTRICT)

Recommendation:

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year (FY) 2019-20 annual assessments and ordering the levy of assessments for the District.

Public Services Director Chris Ghione presented the report.

The public hearing was opened at 8:16 p.m.

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

MOTION:

Approving the recommended action.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:17 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk