



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 26, 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 Carr shared that he serves on the Valley Transportation Authority (VTA) board on behalf of the cities of Morgan Hill and Gilroy. He shared that the VTA has gone through some changes while putting together a new service model. As a result of those changes, one thing at risk in the new service model are the express buses which are an important part of the South County commute up into the job-rich North County. Currently VTA is talking with potential express bus employer partners in some of the private bus companies that we see moving through our community and exploring with them how they may be able to provide more service to the public rather than to just their own companies and about how such services might work. In August, VTA is going to bring some of those ideas back to the board and to the standing committees for feedback. At the request of the South County representatives, VTA is exploring improving South County connections to the core and the rest of the service network in the county. A principle part of that is figuring out how to improve Route 68 service, which is the backbone of transportation for South County. We have asked VTA how that service can be sped up. They are gathering information on rider travel patterns and looking at ways we may be able to speed that service up. We are hoping to hear back from them in late 2019 or early 2020 with ideas as to how to improve that service. He spoke regarding the labor negotiations at the VTA and the plan they have developed in the event that the employees do go out on a strike. The service would be very limited with not all routes being operated.

He announced that they have been working with CalTrain on improving schedules for South County riders, specifically the third southbound train (train 274) that comes into Morgan Hill in the evening. Currently, the latest train that comes into Morgan Hill comes in at 7:37 p.m. and very few people ride that train. Through polling they have learned that people would prefer an earlier train, as such CalTrain has agreed to make that service change. They will be changing the third train service to an earlier train that will arrive in Morgan Hill at 6:16 p.m. That schedule change will happen this fall.

He commented that he and his colleagues Council Members Spring and McKay attended the new South County Animal Services Center groundbreaking ceremony this morning in San Martin. It is scheduled to open in 2021 and have greatly expanded services for the entire county but of great benefit to those of us here in South County.

He shared that we recently had a City/School Liaison Committee meeting and at those meetings we talk a lot about traffic and transportation and one of the key things that the City has been talking with the School District about is how we can curb kids' access to vaping and e-cigarettes. We are working in partnership with them and our Police Department has obtained a grant to help with these efforts.

He concluded by stating that he would be remiss if he did not comment about the tragic events that have taken place in our community over the last 24 hours. Our community faced a terrible tragedy yesterday, one that other communities have faced, but rarely has there been gun violence in Morgan Hill and never on this scale. Today we grieve. We grieve for the families that lost loved ones, the co-workers, the customers, the family that is the Ford Store in Morgan Hill, and we grieve for the loss of our innocence as a community. Morgan Hill is a safe community. This was an isolated incident but tragic, nonetheless. Now we will begin the process of recovery. Perhaps because we are a small and tight knit community, that process might be a little bit more difficult for us, but perhaps it might also make us stronger. He asked that this week and next week as we prepare for the celebrations that are coming up to celebrate our county's independence, in a way that only Morgan Hill can do, let's remember our first responders who acted heroically and professionally last night and who continue to keep us safe every day. Let us also remember the families who lost loved ones, but perhaps just as important, let's remember who we are as a community. Let us remember our values, our spirit, the Morgan Hill feel that we all talk so much about and let us remember that violence has no place in our community. We will continue to be the safe, caring, and loving community that we call Morgan Hill.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements. She announced that the first Engage Morgan Hill Advisory Group meeting will take place Saturday, June 29th at 9:00 a.m. in the Council Chamber. This group of community leaders will spend one year learning more about City services, how they are funded, and what the financial projections are. They will meet regularly to help develop recommendations to the City Council about how we can remain fiscally sustainable. She invited any community members who may be interested in this initiative to attend. For more information you can contact Maureen Tobin.

She mentioned that Thursday evening, June 27th at 8:00 p.m. at the Community and Cultural Center Amphitheatre, there will be a vigil organized by our faith community in remembrance of those whose lives were lost in the tragic events on Tuesday.

CITY ATTORNEY'S REPORT

Assistant City Attorney Cynthia Hasson shared that the City Attorney's office continues to monitor SB 330 as it moves through the Assembly. There have been two amendments to it so far. On June 12th there were some technical amendments and yesterday there was a slightly more substantive amendment that did delete the code enforcement restrictions on the substandard housing. The rest of the content remains relatively unchanged at this time.

OTHER REPORTS

Council Member McKay shared that he along with Mayor Constantine, Council Members Carr and Spring, and City Manager Christina Turner attended a three day executive training session with the League of California Cities at which they had the opportunity to meet with their peers and gain new insights. One insight he gleaned from the conference was just how well this Council works together, how highly functioning and respectful they are to each other, and how well they work with the City Manager.

Mayor Pro Tem Spring shared that during the month of June we celebrate Pride Month for the LGBTQ community. He shared that for years he has been working diligently to bring more services, specifically "Safe Places" to South County for members of the LGBTQ community especially the youth. Our LGBTQ youth are at very high risk of committing suicide or becoming homeless if their families no longer accept them. Safe Places are places that the LGBTQ youth are welcomed and can feel safe. He happily announced that there are finally a couple opening. Our Morgan Hill Library now has Safe Places in place twice per month and just today in Gilroy, at the Willey Cultural Center they opened a Safe Place run by a wonderful group. We need to keep working on it but we are making progress. As a huge animal lover he was very happy to see the start of a reasonable animal shelter for South County. He apologized if he is a little bit off this evening. He did not sleep well due to the tragic events that took place on Tuesday. He concluded by reading the following quote by Elisabeth Kübler-Ross and David Kessler: "The reality is that you will grieve forever. You will not "get over" the loss of a loved one; you will learn to live with it. You will heal and you will rebuild yourself around the loss you have suffered. You will be whole again, but you will never be the same. Nor should you be the same. Nor would want to." Morgan Hill will never be the same but we will always be a Morgan Hill that stands together, that is strong, that is caring, and that we all love. We don't always agree with each other but now is the time to stick together and he thanked everyone who has reached out to the families and wants to help. He shared that there is a Go Fund Me Page setup and you can access it via the Ford Store Morgan Hill's web page.

Council Member Martinez Beltran shared that she is sorry she missed the conference. Her twins were graduating from pre-school and she could not miss it. She then spoke regarding the tragic event that took place at the Ford Store Morgan Hill last night. She commented that this could have been more horrific, but it was our police department and all of the agencies that work with them that showed tremendous bravery and we are indebted to them for all that they do. She is saddened by these horrible events and it has rattled us as we have seen this happen throughout the country. What is the scariest is that it has reached home. She stated that she still believes that Morgan Hill is truly a very safe place to be and this is a one off, this is not the new norm. She is committed to work with local law enforcement and her colleagues to make sure that safety is always a priority for us. Our hearts and our thoughts go out to the

families and everyone that is touched by this.

PROCLAMATIONS

PROCLAIMING JULY 2019 AS PARKS AND RECREATION MONTH

Recreation Manager Jennie Tucker and Parks and Recreation Commissioner Craig van Keulen received the proclamation.

PRESENTATIONS

YAC PRESENTATION - ASSET #15 - POSITIVE PEER INFLUENCE

PUBLIC COMMENT

The public comment was opened at 7:34 p.m. The following people were called to speak:

Michael Burchfield

Rocke Garcia

Joe Baranowski

Sara Nicolson

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

PUBLIC COMMENT SUPPLEMENT 1

PUBLIC COMMENT- MEETING HANDOUTS

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, McKay

CONSENT CALENDAR

MOTION:

Approving consent calendar items 3, 4, 6 through 9, and 11 through 14.

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

1. ITEM PULLED FOR DISCUSSION

2. ITEM PULLED FOR DISCUSSION

3. APPROVE AMENDMENT TO AGREEMENT WITH THE COUNTY OFFICE OF SUPPORTIVE HOUSING FOR THE RAPID REHOUSING AND HOMELESS PREVENTION PROGRAM

Recommendation:

1. Authorize the City Manager to execute and administer the first amendment to the agreement with the County Office of Supportive Housing for the Rapid Rehousing and Homeless Prevention Program; and
2. Adopt resolution amending the Fiscal Year (FY) 2019-20 adopted budget to appropriate \$50,000 from the Housing Mitigation Fund (236) for the related expenditures.

4. APPROVE SECOND AMENDMENT TO AGREEMENT WITH INNOVATIVE CLAIMS SOLUTIONS, INC.

Recommendation:

Authorize the City Manager to execute and administer a Second Amendment to Agreement with Innovative Claims Solutions, Inc. to provide third party claims administration for workers' compensation for 5 years and a not to exceed amount of \$172,220.

5. ITEM PULLED FOR DISCUSSION

6. APPROVE FINAL MAP OF EVERGREEN VILLAGE (BUTTERFIELD & COCHRANE DEVELOPMENT), SUBDIVISION IMPROVEMENT AGREEMENT, AND STORMWATER BEST-MANAGEMENT-PRACTICES (BMP) OPERATIONS AND MAINTENANCE AGREEMENT

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvements Agreement with Evergreen–Butterfield & Cochrane, L.L.C., an Arizona limited liability company;
3. Authorize the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorize the recordation of the Final Map, the Subdivision Improvements Agreement, and the Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement.

7. AWARD ANNUAL ON-CALL ELECTRICAL MAINTENANCE SERVICES AGREEMENTS

Recommendation:

1. Award Maintenance Service Agreements to Morgan Hill JET Electric, Inc., JT Electric, Inc. and Bear Electrical Solutions, Inc. for up to \$100,000 each for on-call electrical maintenance and repair services; and
2. Authorize the City Manager to execute and administer the Agreements.

8. AWARD ANNUAL ON-CALL PLUMBING MAINTENANCE SERVICE AGREEMENTS

Recommendation:

1. Award Maintenance Service Agreements to Burr Plumbing and Pumping Co, Inc., Ernie's Plumbing, and Century Commercial Service for \$100,000 each for on-call plumbing maintenance and repair services; and
2. Authorize the City Manager to execute and administer the Agreements.

9. AWARD OF JOINT TRUNK PIPELINE CONDITION ASSESSMENT CONTRACT AND APPROVAL OF RELATED COST SHARING AGREEMENT WITH THE CITY OF GILROY

Recommendation:

1. Approve and authorize the City Manager to execute and administer a Cost Sharing Agreement with the City of Gilroy for the Condition Assessment Project. This authorization is conditioned on the City of Gilroy approving the Cost Sharing Agreement prior to execution; and
2. Approve and authorize the City Manager to execute and administer an agreement with Water Works Engineers, LLC in the amount of \$602,567 for a Joint Trunk Pipeline Condition Assessment. This authorization is conditioned on the City of Gilroy approving the Cost Share Agreement prior to execution.

10. ITEM PULLED FOR DISCUSSION

11. ACCEPT AND APPROVE GALVIN PARK PAR COURSE GRANT MEMORANDUM OF UNDERSTANDING AND RELATED BUDGET AMENDMENT

Recommendation:

1. Accept the *Meet Me at the Park* grant from the National Recreation and Park Association (NRPA);
2. Approve and authorize the City Manager to execute the Memorandum of Understanding; and
3. Adopt resolution amending the City's Adopted FY 2019-20 Budget to appropriate \$30,000 as grant revenue and \$60,000 as expenditures in the Park Impact Fund (301) for the Galvin Park Inclusive Par Course project.

12. ACCEPT PARKING STRUCTURE SAFETY ENHANCEMENT PROJECT

Recommendation:

1. Accept as complete, the Parking Structure Safety Enhancement Project in the amount of \$322,733;
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.

13. ACCEPT APRIL 2019 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

14. APPROVE THE JUNE 5, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FOR DISCUSSION

1. APPROVE PROPERTY EXCHANGE AGREEMENT AND MAINTENANCE AND OPERATIONS AGREEMENT WITH VALLEY WATER

Recommendation:

Authorize the City Manager to execute and administer a property exchange agreement and a maintenance and operations agreement with Valley Water.

Public Services Director Chris Ghione provided the report and answered questions for items 1 and 2.

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

There being no 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, McKay

2. APPROVE AGREEMENT WITH WOODARD AND CURRAN, INC. FOR DESIGN OF CITY IMPROVEMENTS ASSOCIATED WITH VALLEY WATER'S FLOOD CONTROL PROJECT

Recommendation:

Authorize the City Manager to execute and administer a consultant agreement with Woodard and Curran, Inc. for a not to exceed amount of \$457,271 for the design of City improvements associated with Valley Water's upcoming flood protection project.

Public Services Director Chris Ghione provided the report and answered questions for items 1 and 2.

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

There being no 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, McKay

5. APPROVE SMALL GOVERNMENT ENTERPRISE AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI) FOR GIS SOFTWARE LICENSING

Recommendation:

Approve and authorize the City Manager to execute a three-year Small Government Enterprise Agreement with Environmental Systems Research Institute, Inc. (Esri) for GIS software licensing for a total amount of \$105,000.

GIS Manager Pam van der Leeden and Assistant City Manager Cindy Murphy provided the report and answered questions.

The public comment was opened at 8:15 p.m.

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

MOTION:

Approving the recommended action.

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

10. AWARD 2019 PAVEMENT RESURFACING PROJECT TO GRANITE ROCK COMPANY

Recommendation:

1. Approve the 2019 Pavement Resurfacing Project plans and specifications;
2. Award contract to Granite Rock Company for the 2019 Pavement Resurfacing Project in the amount of \$3,943,226;
3. Authorize expenditure of construction contingency funds not to exceed \$394,323; and
4. Authorize the City Manager to execute and administer the construction contract with Granite Rock Company pending review and approval by the City Attorney.

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

Doug Muirhead was called to speak.

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

MOTION:

Approving the recommended actions.

RESULT:	AWARDED [4 TO 0]
MOVER:	Rene Spring, Mayor Pro Tem
SECONDER:	John McKay, Council Member
AYES:	Constantine, Spring, Martinez Beltran, McKay
ABSTAIN:	Carr

OTHER BUSINESS

15. APPROVE FISCAL YEAR 2019-20 WORK PLANS FOR PARKS AND RECREATION AND LIBRARY, CULTURE AND ARTS COMMISSIONS

Recommendation:

1. Approve the proposed Parks and Recreation Commission FY 2019-20 Work Plan; and
2. Approve the proposed Library, Culture and Arts Commission FY 2019-20 Work Plan.

Public Services Director Chris Ghione provided the report.

The public comment was opened at 8:36 p.m.

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

MOTION:

Approving the recommended actions, directing staff to talk with Parks and Recreation Commission about an emphasis on sand volleyball and the idea of more youth engagement when it comes to bicycles, bicycle infrastructure, and the bicycle advisory group.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member McKay asked staff to explore creating a social media page and/or web page called "Rumors" to have a place where people can go to find out what the truth is.

Council Member Carr asked that the City Attorney come back with a discussion and perhaps a recommendation on an ordinance restricting and banning the sale of flavored tobacco products including e-cigarettes, not covered by federal and state law.

ADJOURNMENT

Mayor Constantine reminded everyone about the candlelight vigil tomorrow night at the Downtown amphitheater at 8:00 p.m. for the victims of the Ford Store shooting. He shared that he will not be able to attend as he will be traveling back from a meeting in San Carlos. He reiterated, how proud he is to be the titular head of this organization and unfortunately it takes instances like what happened last night to remind us of our friends, colleagues, and teammates. Tonight's presentation by the YAC was very appropriate for the times that we are in. He is so appreciative of all of the teammates that came together and is so proud of the community and what it has done in the face of adversity.

There being no further business the meeting was adjourned at 8:42 p.m. in honor and on behalf of the families and co-workers of the Ford Store shooting victims.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk