



Meeting Minutes City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Mayor Pro Tem
Larry Carr - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, March 4, 2020 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 pm.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow called the roll.

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Present	
Yvonne Martinez Beltran	Mayor Pro Tem	Present	
Larry Carr	Council Member	Present	
John McKay	Council Member	Present	
Rene Spring	Council Member	Present	

DECLARATION OF POSTING AGENDA

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

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

Aquatics Foundation Donation

Tim Thornton, Brian Kennedy, Denean Smith and Matt Kennedy

RECOGNITIONS

Edward Boss Prado Foundation- Magical Bridge Inclusive Playground Donation

Cecelia Ponzini

CITY COUNCIL REPORTS

Council Member McKay shared that he sits on the Board of Directors for the Peninsula Division of the League of California Cities. The division was very effective this year in getting climate change included as one of the Board of Directors for the League of California Cities (League) Goals. Morgan Hill is very well represented at the League level with Morgan Hill City Council Members occupying two of the fourteen League policy seats. In addition to those seats, we have a Council Member appointed through the League Women's Caucus and a staff member that is appointed to a policy committee by the President of the League.

He shared that a couple weeks ago, most of the Council attended the State of the Valley Address where they heard a shift in the message that has been delivered the last couple years. The dialogue has shifted from how great and innovative we are to we are starting to lose our edge because the talent cannot afford to live here, and we do not have adequate transportation.

He concluded by announcing that Rotary has postponed its Harvey Bear Senior Dinner that was scheduled on March 14th as a precautionary measure due to the Coronavirus.

CITY MANAGER'S REPORT

City Manager Christina Turner provided an update regarding the Coronavirus. She announced that the Mayor's State of the City Address will take place on Wednesday, March 11th at 7:00 pm at the Community and Cultural Center. New this year, representatives from the City and local partners will be available to answer questions and provide information on a variety of local services and programs. She announced that the interviews for the Library, Culture, and Arts Commission and Parks and Recreation Commission will be held at the City Council meeting on Wednesday, March 18th and encouraged those that are interested to apply. She mentioned that Earth day is coming up on Saturday, April 18th and announced that there will be a free event at the Community and Cultural Center starting at 9:00 am with local cuisine provided by the local chapter of the American Association of University Women (AAUW). In conjunction with the Earth Day event, the Young Women Leaders Conference will also take place that day. She shared that the Community Garden Grand Opening will take place on Saturday, April 25th with more details to come.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin spoke regarding the PLAN JPA which the City is a part of. At the PLAN's Strategic Planning Session in February, he learned that the City can expect its costs to go up in the next fiscal year, primarily due to global factors such as climate change, specifically the wildfires we have been having and cybercrime.

OTHER REPORTS

Mayor Pro Tem Martinez Beltran congratulated those that were elected to serve us in Santa Clara County. She shared her hope that the community will take the energy they used to defeat Measure A in a

path forward.

She shared that March is Women's History Month and March 8th is International Women's Day. To celebrate, she is holding a Paint and Nibble on the 8th at noon at Opa on the patio and costs \$45. The event will host local artist Ignacio (Nacho) Moya who will lead the group in painting eight different female icons from history.

PUBLIC COMMENT

The public comment opened at 7:20 pm. The following people were called to speak:

Joe Baranowski

Riyani Patel

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving Consent Calendar Items 2 through 4, 6, 7, and 9 through 11.

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

1. ITEM PULLED FOR DISCUSSION

2. ACCEPT DONATION FROM EDWARD BOSS PRADO FOUNDATION FOR MORGAN HILL MAGICAL BRIDGE INCLUSIVE PLAYGROUND

Recommendation:

1. Accept a donation of \$70,000 from the Edward Boss Prado Foundation for construction and maintenance of an inclusive playground at Community Park; and
2. Authorize the City Manager to execute and administer a donation agreement.

3. APPROVE COMMUNITY GARDEN LICENSE AGREEMENT WITH MORGAN HILL COMMUNITY GARDEN (MHCG)

Recommendation:

Authorize the City Manager to execute and administer the license agreement establishing an initial five-year agreement and to extend the agreement in the future if desired by both the City and Morgan Hill Community Garden.

4. APPROVAL OF A CONSULTANT AGREEMENT WITH LISA WISE CONSULTING, INC. (LWC) FOR PREPARATION OF THE MONTEREY CORRIDOR FORM-BASED CODE

Recommendation:

1. Adopt resolution amending the City's Fiscal Year 2019-20 budget to recognize \$160,000 as Senate Bill 2 – Building Homes and Jobs Act planning grant revenue and appropriate \$170,720 as expenditure in the Long-Range Planning Fund (207) for preparation of the Monterey Corridor Form-Based Code; and
2. Approve and authorize the City Manager to execute and administer a Consultant Agreement with Lisa Wise Consulting, Inc. (LWC) for a not to exceed amount of \$170,720.

5. ITEM PULLED FOR DISCUSSION

6. APPROVE BUTTERFIELD VILLAGE - SUTTER BOULEVARD EXTENSION IMPROVEMENT AGREEMENT

Recommendation:

Approve and authorize the City Manager to execute and administer the Butterfield Village – Sutter Boulevard Extension Improvement Agreement with JTJ Morgan Hill RE LLC.

7. PURCHASE OF TWELVE CITY TRUCKS

Recommendation:

1. Approve the purchase of twelve (12) City trucks in the amount of \$587,634;
2. Authorize City Manager to approve purchase order in the amount of \$587,634 with National Auto Fleet Group;
3. Declare vehicles W06165, W10167, W07129, S07158, E08153, E08156, R08102, R11120, R08118, R07150, D08121, and D08100 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.

8. ITEM PULLED FOR DISCUSSION

9. ADOPT ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MORGAN HILL AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Recommendation:

Waive the reading, adopt Ordinance No. 2316, 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.

10. APPROVE THE FEBRUARY 5, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

11. APPROVE THE FEBRUARY 19, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FOR DISCUSSION

1. ACCEPT JANUARY 2020 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

Finance Director Dat Nguyen answered questions.

RESULT:	ACCEPT REPORT
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5. APPROVAL OF A CONSULTANT AGREEMENT WITH DAVID J. POWERS & ASSOCIATES, INC. (DJPA) FOR PREPARATION OF THE ANNEXATION ENVIRONMENTAL IMPACT REPORT (ANNEXATION EIR)

Recommendation:

Approve and authorize the City Manager to execute and administer a Consultant Agreement with David J. Powers & Associates, Inc. for preparation of the Annexation Environmental Impact Report.

The public comment opened at 7:32 pm.

Joe Baranowski was called to speak.

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

MOTION:

Continuing the item to a future meeting.

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

8. AWARD MADRONE CHANNEL TRAIL IMPROVEMENTS PHASE I PROJECT

Recommendation:

1. Adopt resolution amending the Fiscal Year 2019-20 Budget to recognize \$338,260 as grant revenue and appropriate an additional \$376,959 in the Park Impact Fund (301), for the Madrone Channel Trail Improvements Project;
2. Approve the Madrone Channel Trail Improvements Phase I Project Plans and Specifications;
3. Award contract to Terramark General Engineering Contractors, Inc. for the Madrone Channel Trail Improvements Phase I Project in the amount of \$254,400;
4. Authorize expenditure of construction contingency funds not to exceed \$25,440; and

5. Authorize the City Manager to execute and administer the construction contract with Terramark General Engineering Contractors, Inc.

Yat Cho provided the report and answered questions.

MOTION:

Approving the recommended actions.

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

The meeting recessed at 7:54 pm.

The meeting reconvened at 7:59 pm.

OTHER BUSINESS

12. RECEIVE REPORT FROM VALLEY WATER ON ANDERSON DAM AND CONSIDER CITY POSITION ON AB 3005 EXPEDITED DAM SAFETY FOR SILICON VALLEY ACT

Recommendation:

1. Receive verbal report from Valley Water on Anderson Dam;
2. Consider supporting AB 3005 (R. Rivas) Expedited Dam Safety for Silicon Valley Act; and
3. Direct staff to submit letter in support of AB 3005 to the appropriate representatives.

City Manager Christina Turner introduced the item and Valley Water Board of Directors representative for District 1, John Varela. Director Varela introduced Chris Hakes and Rachel Gibson with Valley Water who provided reports.

The public comment opened at 8:49 pm.

Doug Muirhead was called to speak.

There being no further requests, the public comment closed.

MOTION:

Directing staff to submit letter in support of AB 3005 to the appropriate representatives and add the following language: Work with Valley Water to ensure that once the pipe is completed, we are allowed to have downstream flows again, and allow some water into the reservoir, that we work to rebuild the habitat that we are afraid we are going to be losing.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Mayor Pro Tem Martinez Beltran asked that staff look into recycled water.

Council Member McKay asked for a Council Policy and/or discussion regarding announcements.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:55 pm.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk