



**Meeting Minutes
Joint City Council and Successor Agency**

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

Wednesday, April 1, 2020 7:00 pm

**Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037**

PUBLIC MEETINGS DURING THE COVID-19 VIRUS EMERGENCY

Public Participation:

In accordance with Executive Orders N-25-20, N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. The Order will be addressed in the following ways:

Members of the public may not physically attend meetings at the Morgan Hill City Council Chamber.

The City Council meeting will be live-streamed on Channel 17 and on the City's website. Members of the public may participate in the meeting remotely through an electronic meeting in the following ways; by either joining the electronic meeting at bit.ly/040120CCMTG and enter ID: 663 791 422 or by calling in (669) 900-9128 enter Meeting ID: 663 791 422#.

Public comment for City Council meetings will be accepted via email to ccpubliccomment@morganhill.ca.gov <<mailto:ccpubliccomment@morganhill.ca.gov>>. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

CONTINUED PUBLIC HEARINGS

The public hearing regarding **The amendment of title 18 (Zoning), Division III (Residential Development Control System(RDCS)), of the Morgan Hill Municipal Code, by adding a section 18.156.180 (enforcement) to establish procedures for the limited enforcement or non-enforcement of the Residential Development Control System (RDCS) while the Housing Crisis Act is in effect,** that was publicly noticed for consideration by the City Council at this meeting has been continued to a

date certain of April 15, 2020.

The item **Environmental Assessment application EA2019-0017 and Improvement Agreement: Cochrane-Monument Land Company (TechCon Project)** that was publicly noticed for consideration by the City Council at this meeting has been continued to a date certain of April 15, 2020.

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 joint meeting to order at 7:02 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Gonzalez called the roll.

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

DECLARATION OF POSTING AGENDA

Minutes Clerk Gonzalez declared the posting of the agenda.

PUBLIC COMMENT

Mayor Constantine opened the public comment at 7:03 p.m.

Hearing no requests to speak, the public comment was closed.

ADOPTION OF AGENDA

ADOPTING THE AGENDA AS POSTED

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

CITY COUNCIL ACTIONS

CONSENT CALENDAR

MOTION:

Approving Consent Calendar items five through seven.

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

1. **ITEM PULLED FROM CONSENT**

2. **ITEM PULLED FROM CONSENT**

3. **ITEM PULLED FROM CONSENT**

4. **RECEIVE REPORT REGARDING THE EXTENSION OF TERMS OF TWO (2) MEMBERS ON THE LIBRARY, CULTURE & ARTS COMMISSION; AND THREE (3) MEMBERS ON THE PARKS AND RECREATION COMMISSION**

Recommendation:

1. Receive report; and
2. If desired, the Council can reappoint the two commissioners who have applied for reappointment.

5. **APPROVE THE MARCH 18, 2020 MEETING MINUTES**

Recommendation:

Approve Minutes.

6. **APPROVE THE MARCH 23, 2020 MEETING MINUTES**

Recommendation:

Approve Minutes.

7. **ITEM PULLED FROM CONSENT**

ITEMS PULLED FROM CONSENT

1. DIRECT THE CITY MANAGER TO NEGOTIATE A BROADBAND AGREEMENT WITH WAVE BROADBAND

Recommendation:

Direct the City Manager to Negotiate a Dark Fiber Agreement with Wave Broadband for City internet and intranet connectivity.

Economic Development Manager John Lang presented the report.

Mayor Constantine opened the public comment at 7:47 p.m.

Joe Baranowski was called to speak

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

MOTION:

Approving the recommended action.

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

2. FUNDING FOR MORGAN HILL MAGICAL BRIDGE PLAYGROUND

Recommendation:

Adopt resolution approving and authorizing the City Manager to execute and administer an agreement with the County of Santa Clara for the approval and transfer of \$150,000 from the County of Santa Clara Park Charter Fund for improvements associated with the Morgan Hill Magical Bridge Playground Project.

City Manager Christina Turner presented the report.

Mayor Constantine opened the public comment at 8:29 p.m.

Joe Baranowski was called to speak

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

The meeting recessed at 8:40 p.m.

The meeting reconvened at 8:45 p.m.

MOTION:

Approving the recommended action.

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

3. PURCHASE OF AN ASPHALT TRUCK AND TRACK LOADER

Recommendation:

1. Approve purchase of an Asphalt Truck from Municipal Maintenance Equipment in the amount of \$238,911 through a Sourcewell cooperative bid contract;
2. Approve purchase of a Track Loader from Bobcat of Fremont in the amount of \$82,081 through a Sourcewell cooperative bid contract;
3. Adopt resolution amending the Fiscal Year 2019-20 budget to appropriate \$235,000 as expenditures, and \$37,200 as revenue, in the Equipment Replacement Fund (790);
4. Authorize the City Manager to approve both purchase orders totaling \$320,992;
5. Declare the current asphalt truck and woodchipper as surplus equipment; and
6. Authorize the disposal of the surplus equipment in accordance with Section 3.04.400 of the City of Morgan Hill Municipal Code.

City Manager Christina Turner answered questions.

Mayor Constantine opened the public comment at 8:50 p.m.

Hearing no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

4. PURCHASE OF A NEW VACTOR COMBO TRUCK

Recommendation:

1. Approve purchase of a Vactor Combo Truck from Owen Equipment Company in the amount of \$511,590 through a Sourcewell cooperative bid contract;
2. Adopt resolution amending the Fiscal Year 2019-20 budget to appropriate \$350,000 from the Equipment Replacement Fund (790) to fully fund the purchase of the Vactor Combo Truck;
3. Authorize the City Manager to approve a purchase order for \$511,590 with Owen Equipment Company;
4. Declare the current combo truck, City vehicle S09166, as surplus; and
5. Authorize the disposal of the surplus truck in accordance with Section 3.04.400 of the City of Morgan Hill Municipal Code.

City Manager Christina Turner answered questions.

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

8. REVIEW RESOLUTION RATIFYING EMERGENCY PROCLAMATION

Recommendation:

Reaffirm Council's ratification of the Director of Emergency Services proclamation of a local emergency on March 13, 2020.

City Manager Christina Turner and Economic Development Director Edith Ramirez presented the report.

Brittney Sherman with the Morgan Hill Chamber of Commerce, and Krista Rupp with Visit Morgan Hill, participated in the presentation.

MOTION:

Approving the recommended action.

RESULT:	ACCEPT REPORT
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MOTION:

Extending the meeting to 11:30 p.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor
SECONDER:	Larry Carr, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay, Spring

SUCCESSOR AGENCY ACTIONS

OTHER BUSINESS

1. **ADOPT RESOLUTION AUTHORIZING THE SALE AND ISSUANCE OF TAXABLE REFUNDING BONDS TO REFINANCE AT LOWER INTEREST RATES CERTAIN OUTSTANDING BONDS PREVIOUSLY ISSUED BY THE SUCCESSOR AGENCY**

Recommendation:

Adopt resolution authorizing the sale and issuance of Tax Allocation Refunding Bonds to refinance at lower interest rates certain outstanding bonds previously issued by the Successor Agency.

Finance Director Dat Nguyen presented the report.

Mayor Constantine opened public comment at 11:12 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

FUTURE CITY COUNCIL INITIATED AGENDA ITEMS

Mayor Pro Tem Martínez Beltrán asked for an item providing financial assistance to small businesses. She also asked the City Attorney to look at doing an eviction and a rent ordinance.

Council Member McKay asked that staff look into what ordinances can be loosened up to help businesses recover by reducing fees or by eliminating or reducing some regulations.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the joint meeting at 11:19 p.m.

MINUTES PREPARED BY:

Angie Gonzalez, Minutes Clerk