



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, April 15, 2020 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CONTINUED PUBLIC HEARING

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 22, 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 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	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

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

CITY MANAGER'S REPORT

City Manager Christina Turner recognized the Morgan Hill Dispatchers for Telecommunications Week. She spoke to the supplement that includes the City's estimated fiscal impacts, COVID-19 actions, and two letters to our legislators regarding the CARES Act and a housing funding request.

She spoke regarding the recent town hall meeting; it was very well received. They have decided to hold these weekly during the Shelter in Place Order and the next one will be tomorrow April 16th at 5:30 p.m.

She shared a link to the video for the first Economic Development Roundtable that was held April 10th. The focus for this webinar was Financial Resources. The next webinar will be on Friday and its focus will be Tourism.

She announced that we have sent out our second newsletter, its focus was primarily for the businesses.

She stated that as of April 8th, Morgan Hill's response rate to the Census was 58.2%. For reference she shared that California's response rate is at 35.5%, the County is at 55%, Gilroy is at 48%, and San Jose is at 53%. Our Census outreach includes Facebook, Instagram, Twitter, our 411, and website.

The County has a dashboard where they are providing information regarding COVID-19 cases.

The County put out a new order asking all businesses and agencies to respond to a survey regarding Personal Protective Equipment (PPE). The Survey is due today. The City has responded and also reached out to businesses to make sure they were aware of that order.

As a result of our restaurants that are doing take out, we now have the ability for restaurants to set up curbside parking. They are allowed to put out signs and those picking up food are able to park as close to the restaurant as possible.

Silicon Valley Clean Energy Authority came out with three different items during COVID-19. One is that they are maintaining their 4% discount. The next is that they have a \$10 million COVID-19 relief fund and lastly, they have a new solar storage project.

CITY MANAGER'S REPORT SUPPLEMENT

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin had no report.

RECOGNITIONS

Recognizing and honoring Dolores Huerta

PUBLIC COMMENT

Mayor Constantine opened the public comment at 7:19 p.m.

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

ADOPTION OF AGENDA

MOTION:

Adopting the amended agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving the Consent Calendar.

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

1. FEBRUARY 2020 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

2. ADOPT RESOLUTION APPROVING FY2020-21 LIST OF STREET REHABILITATION PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT

Recommendation:

Adopt resolution approving a list of street rehabilitation projects to be funded by SB 1, The Road Repair and Accountability Act of 2017.

3. APPROVE AGREEMENTS FOR ON-CALL GENERAL CONTRACTORS

Recommendation:

1. Award two-year On-Call General Contractor Services contracts to the following general contractors in the amount of \$200,000: DRP Builders, Inc., Weston Construction, Inc., Valenti Builders, Inc., Castlewood Construction Company, Inc. and Tucker Construction, Inc.; and
2. Authorize the City Manager to execute and administer the On-Call General Contractor Services contracts with DRP Builders, Inc., Weston Construction, Inc., Valenti Builders, Inc., Castlewood Construction Company, Inc. and Tucker Construction Inc.

4. APPROVE FIRST AMENDMENT TO GENERATOR MAINTENANCE SERVICES AGREEMENT

Recommendation:

Approve and authorize the City Manager to execute and administer an amendment to increase the not to exceed amount by \$25,000 for the current service maintenance agreement with Got Power, Inc. dba CD & Power for a total contract amount of \$144,475 for generator maintenance and repair services.

5. APPROVE THE APRIL 1, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

6. ADOPT HOUSING CRISIS ACT OF 2019: SB 330 IMPLEMENTATION ORDINANCE

Recommendation:

1. Open/close the public hearing;
2. Waive the first and second reading of the ordinance Implementing SB 330, Suspending Certain Growth Management Provisions of Residential Development Control System (RDCS) until January 1, 2025; and
3. Introduce ordinance.

Assistant City Manager Leslie Little presented the report.

Mayor Constantine opened the public comment at 7:27 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Continuing this item to a date uncertain.

RESULT:	CONTINUED [4 TO 1]
MOVER:	Larry Carr, Council Member
SECONDER:	John McKay, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay
NAYS:	Spring

7. APPROVE SOLID WASTE MANAGEMENT RATE ADJUSTMENT FOR 2020

Recommendation:

Adopt resolution approving an adjustment in the maximum allowable solid waste charges effective July 1, 2020.

Program Administrator Anthony Eulo presented the report.

Mayor Constantine opened the public comment at 7:46 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

8. APPROVE CONSULTANT AGREEMENT WITH DAVID J. POWERS AND 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 and Associates, Inc. for the not to exceed amount of \$219,000 for preparation of the Annexation Environmental Impact Report.

Principal Planner Adam Paszkowski presented the report.

Mayor Constantine opened the public comment at 7:53 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:	APPROVED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay, Spring

9. APPROVE CONTRACT WITH DAVID J. POWERS AND ASSOCIATES FOR ASSISTANCE IN REVIEWING THE CALIFORNIA HIGH SPEED RAIL AUTHORITY DRAFT ENVIRONMENTAL IMPACT REPORT AND INITIAL STUDY (EIR/EIS)

Recommendation:

Approve and authorize the City Manager to execute and administer a Consultant Agreement with David J. Powers and Associates for the not to exceed amount of \$104,772 to review and provide technical support services for the Draft Environmental Impact Report (EIR) and Initial Study (EIS) for the San Jose to Merced segment of High Speed Rail through Morgan Hill.

Council Member Carr recused himself from this item.

Economic Development Director Edith Ramirez presented the report.

Mayor Constantine opened the public comment at 8:12 p.m. The following people were called to speak:

Brian Sullivan

Roland Lebrun

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

MOTION:

Approving the recommended action.

RESULT:	APPROVED [4 TO 0]
MOVER:	John McKay, Council Member
SECONDER:	Yvonne Martinez Beltran, Mayor Pro Tem
AYES:	Constantine, Martinez Beltran, McKay, Spring
RECUSED:	Carr

10. RATIFY EMERGENCY RENT FREEZE ORDER

Recommendation:

Ratify the rent freeze order executed on April 8, 2020.

City Attorney Donald Larkin presented the report.

Mayor Constantine opened the public comment at 8:29 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

11. DISCUSS REQUEST FOR FUTURE AGENDA ITEMS RELATED TO COVID-19

Recommendation:

Discuss whether to consider moving forward with any of the following:

1. Local rent eviction ordinance;
2. Local rent control ordinance;
3. General Fund support of businesses; and
4. Creation of an economic development taskforce.

City Manager Christina Turner presented the report.

Mayor Constantine opened the public comment at 8:43 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Directing staff to research the possibility to fund a recovery strategy, the possibility of a small business fund, and how we can add some capacity to the economic task force.

RESULT:	LACK OF SECONDER
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FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Spring asked the City to reach out to local non-profits to see if they are covered or if they need additional help that the City may need to ask for.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the meeting at 9:05 p.m.

MINUTES PREPARED BY:

Angie Gonzalez, Minutes Clerk