



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, August 5, 2020 7:00 pm

Virtual Meeting

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	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.

PRESENTATIONS

YAC Presentation
<https://www.youtube.com/watch?v=PDMori2vfks>

PROCLAMATIONS

Centennial Celebration of Women's Right to Vote and Women's Equality Week

RECOGNITIONS

Learning and Loving Center

Chaplain David Whitaker

NEW, PROMOTED, AND RETIRED TEAMMATES PRESENTATION

CITY MANAGER'S REPORT

City Manager Christina Turner announced that the Council summer recess will begin after tonight's meeting. The next meeting of the City Council will be Wednesday September 16, 2020.

We will have a Town Hall on August 13, 2020 at 5:30 pm. The topic of this Town Hall will be Emergency Preparedness covering everything from wildfires to Public Safety Power Shut Offs and talking about emergency plans.

The City will be a location for COVID-19 testing; This is in partnership with the County. Testing will take place in the Council Chamber on August 11, August 25, September 8, and September 22, 2020 from 9:30 am to 4:00 pm by appointment only. The County will be sending sign-up instructions three days prior to the scheduled testing date. The City will post those sign-up instructions as they become available. Appointments will be open to everyone, there are no conditions such as having symptoms or having been exposed to someone who tested positive for COVID-19

The nomination period to run for Mayor, Council Member for Districts A and C, as well as the Treasurer seat closes this Friday. We will be hosting a virtual orientation for candidates on Wednesday, September 2, 2020 at 6:00 p.m.

As part of our budget reductions we are no longer in contract with Santa Clara County for certain services related to the shelter. Today, the County posted some information about the contract and what it means. What was posted is not consistent with the City's understanding, we are going to be working with the County to make sure that we are on the same page about what it means to not have the contract with the County. She assured listeners that the County is building a new animal shelter and residents will be able to use that shelter for certain services. We will be getting more information from the County. We are working with different organizations to see if there is another path to provide some of the services that will not be provided, we will have more to report on this soon. There are services that we will be continuing to provide through our Animal Services Officer and other contracts that we have. We will be sharing more information shortly to provide the community with an update.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin reported out on the closed session items from July 22nd and shared that there was no reportable action.

PUBLIC COMMENT

PUBLIC COMMENT SUPPLEMENT 1

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

Brian Faircloth

Noshaba Afzal

Perla Flores

Brittney Sherman

There being no further 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:	Larry Carr, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay, Spring

CONSENT CALENDAR

MOTION:

Approving the consent calendar.

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

1. AMEND CONFLICT OF INTEREST CODE REPORTING CATEGORIES

Recommendation:

Adopt resolution amending the list of positions subject to the City's Conflict of Interest Code.

2. ACCEPT SUBDIVISION PUBLIC IMPROVEMENTS - VALENCIA PHASE (PH) 1 TRACT 10312 & VALENCIA PH 2 TRACT 10433

Recommendation:

1. Accept the Subdivision Public Improvements for Valencia PH 1 – Tract 10312;
2. Accept the Subdivision Public Improvements for Valencia PH 2 – Tract 10433;
3. Authorize the City Engineer to sign the Notices of Completion; and
4. Direct the City Clerk to file the Notices of Completion with the County Recorder's Office.

3. APPROVE ENGINEERING RELATED SERVICE AGREEMENTS FOR DESIGN PROFESSIONALS FOR ON-CALL PROJECT MANAGEMENT & INSPECTION, ON-CALL ENGINEERING PLAN REVIEW & TECHNICAL SUPPORT SERVICES, AND ON-CALL MAP REVIEW & CITY SURVEYOR SERVICES

Recommendation:

Approve and authorize the City Manager to execute and administer four agreements with contingencies to be specifically authorized by the City Manager:

1. CSG Consultants, Inc. in the amount of \$784,000, with a \$235,200 contingency, for a total contract amount not to exceed \$1,019,200 to provide On-Call Project Management & Inspection Services for various Capital Improvement Program Projects; On-Call Engineering Plan Review & Technical Support Services, and On-Call Map Review & City Surveyor Services for Land Development Engineering;
2. Mott MacDonald Group, Inc. in the amount of \$200,000, with a \$60,000 contingency, for a total contract amount not to exceed \$260,000 to provide On-Call Project Management & Inspection Services for various Capital Improvement Program Projects;
3. Harris & Associates, Inc. in the amount of \$220,000, with a \$66,000 contingency, for a total contract amount not to exceed \$286,000 to provide On-Call Engineering Plan Review & Technical Support Services for Land Development Engineering; and
4. Associated Engineering Surveying Services, Inc. DBA Hanna-Brunetti, in the amount of \$58,000, with a \$17,400 contingency, for a total contract amount not to exceed \$75,400 to provide On-Call Map Review & City Surveyor Services for Land Development Engineering.

4. APPROVE A FIVE-YEAR CONTRACT WITH CENTRALSQUARE FOR TRAKIT PERMITTING SYSTEM

Recommendation:

Approve and authorize the City Manager to execute and administer a five-year contract with CentralSquare Solutions for the purchase of maintenance service, technical support, and software updates for the City's permit tracking software system (TRAKiT) for a not to exceed amount of \$525,197.

5. APPROVE THE JULY 22, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

6. APPROVE THE JULY 24, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

7. APPROVE UPDATE TO SUSTAINABLE MORGAN HILL DOCUMENT

Recommendation:

Review and approve the COVID-19 and equity statement added to the City Council's Sustainable Morgan Hill document.

PUBLIC HEARING

8. CONSIDER REQUEST TO IMPLEMENT GOVERNMENT CODE SECTION 65915(D)(2)(A) FOR ONE CONCESSION UNDER 14.04.090 TO WAIVE PROVISIONS OF CHAPTER 14.04 FOR A MARKET RATE HOUSING DEVELOPMENT PROJECT (SR2020-0020 HALF-DIVIDEND (CROSSWINDS))

Recommendation:

Adopt resolution denying the request for a concession under Government Code Section 65915(d)(2)(A) to waive the requirement to distribute Below Market Rate (BMR) units throughout the project.

Mayor Constantine and Council Members Spring, Martinez Beltran, and Carr shared the ex-parte contacts and what they learned as a result of those contacts.

Community Development Director Jennifer Carman and Assistant City Manager Leslie Little provided the report and presentation.

Applicant Dick Oliver, along with Erik Ramakrishnan provided a presentation and answered questions.

The public hearing opened at 8:41 pm. The following people were called to speak:

Joe Baranowski

Rick Kent

Harry Singla

Miguel Jimenez

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

MOTION:

Denying the applicant's request for a density concession and encourage applicant to work with the Planning Department.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Mayor Pro Tem
SECONDER:	Rich Constantine, Mayor
AYES:	Constantine, Martinez Beltran, Carr, McKay, Spring

The meeting recessed at 9:45 pm.

The meeting reconvened at 9:55 pm.

OTHER BUSINESS

9. APPROVAL OF SECOND EMPLOYMENT AGREEMENTS FOR THE CITY MANAGER AND THE CITY ATTORNEY

Recommendation:

1. Approve the Second Employment Agreement with City Attorney Donald Larkin;
2. Approve the Second Employment Agreement with City Manager Christina Turner; and
3. Authorize the Mayor to execute the agreements and any related agreements.

City Manager Christina Turner and City Attorney Donald Larkin recused themselves.

Mayor Rich Constantine provided the report.

The public comment opened at 10:05 pm. The following people were called to speak:

Joe Baranowski

Cecelia Ponzini

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

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [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

Council Member Spring asked for a Council discussion regarding animal services.

Council Member McKay asked that information regarding animal services be shared with the public as the situation evolves.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:12 pm.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk