



Meeting Minutes City Council

Rich Constantine - Mayor
John McKay - Mayor Pro Tem
Gino Borgioli - Council Member
Yvonne Martinez Beltran - Council Member
Rene Spring - Council Member

Wednesday, April 7, 2021 5:00 pm

Virtual Meeting

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 5:00 p.m. for the purpose of conducting a workshop.

5:00 p.m. Workshop

7:00 p.m. Regular Meeting

SPECIAL MEETING

5:00 p.m. Workshop

CALL TO ORDER

Mayor Constantine called the meeting to order at 5:00 pm.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

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

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

WORKSHOP

WORKSHOP PRESENTATION

WORKSHOP SUPPLEMENT 1

City Council Workshop to discuss the Morgan Hill Responsible Growth Coalition's (MHRGC) Initiative Petition, which was certified for sufficiency on March 3, 2021 by the City Council, review Initiative's impact report and a new collaborative ordinance that could replace the MHRGC Initiative and further protect Morgan Hill from potential large truck/high traffic uses. The collaborative ordinance could eventually substitute for the MHRGC Initiative on the November 2022 ballot.

City Manager Christina Turner introduced the workshop and turned the presentation over to Development Services Director Jennifer Carman, Economic Development Manager John Lang, and City Attorney Donald Larkin.

Public comment opened at 6:02 pm. The following people were called to speak:

Scott Unger spoke on behalf of Toray

Eric Wallace

Carig Erb

Miguel Jimenez (Linda Nowlen and John Williams ceded their time)

Joe Baranowski (Bryan Espiritu and Terry Williams ceded their time)

Tadon Christopher

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

The meeting recessed at 6:57 pm and reconvened at 7:00 pm.

REGULAR MEETING

7:00 p.m.

CITY COUNCIL REPORTS

Council Member Martinez Beltran spoke regarding her efforts regarding COVID. She has focused her time doing the press conferences, getting the word out that when it is your turn, please get vaccinated. We have had a shortage in vaccines and the County and City have been working continuously on that effort. We recently had over 1,000 farm workers vaccinated at Monterey Mushrooms. This was a first of its kind vaccination event in the County and it was right here in Morgan Hill. Volunteers are eager to come and help at these events. So many people are thankful for these events. There will be one more vaccine event Thursday April 8th, if anyone is an agricultural worker or lives with an agricultural worker you are eligible for the vaccine at Monterey Mushrooms. She concluded by recognizing Albertson's and the School District for providing the vaccines for the events at Sobrato High School.

CITY MANAGER'S REPORT

TEAMMATE RECOGNITIONS

City Manager Christina Turner announced that today, April 7th, CalFire started providing vaccines to home bound residents. Residents can email covidvaxhome@phd.sccgov.org <<mailto:covidvaxhome@phd.sccgov.org>> or call 408-971-2818 for more information or to register.

Town Hall Thursday, April 8, 2021 at 5:30 pm -

Silicon Valley Clean Energy Authority will be coming to talk about the time of use rate changes.

She concluded by recognizing new, promoted, and retired teammates.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin provided an update on PLAN JPA. The insurance market is not financially good for the City right now. On the liability side, our City and Risk pool is doing very well but because we are part of the larger insurance market, there have been some huge payouts by other agencies that have affected the insurance companies that would insure us at those upper levels. It is at the point now that we are looking at potentially joining other public pools in order to insure at a higher level. This means that once again, our budget for insurance liability is going to be significantly higher than it would be in normal years. There was a billion-dollar payout by USC that impacts the overall insurance market.

Similarly, on the property damage side, climate change and extreme weather events have led to huge property losses. Not just in California where we have had some large fires, but also more intense and more frequent hurricanes, tornados, and other weather events in other parts of the country have led to significant impacts on property insurance. Our smallest impact, because we pay a very small premium, is for cyber liability insurance. In this last year, nationwide, the claims paid out of cyber liability insurance have been 150% of the premiums which means that the insurers have lost about half of what they took in. We are looking at about a 100% increase in our cyber liability premium. Fortunately, our share of that premium is about \$15,000. This will be presented to the City Council in more detail when we go over the budget.

OTHER REPORTS

Mayor Pro Tem John McKay recognized former City Council Member Larry Carr for his efforts to bring COVID Vaccines to our community. The vaccine series at Sobrato High School and at our Community and Cultural Center were sponsored by Safeway/Albertsons Co. They are in our community because former City Council Member Larry Carr was able to bring those doses to Morgan Hill. We may have lost Mr. Carr from the Council, but he is still working diligently for our community. We can thank him for bringing about 6,000 doses in the last month to Morgan Hill.

PUBLIC COMMENT

Public comment opened at 7:14 pm.

Craig Erb was called to speak

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

PUBLIC COMMENT SUPPLEMENT 1

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1, 2, and 4 through 8.

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

1. ACCEPT 2020 PAVEMENT RESURFACING PROJECT

Recommendation:

1. Accept as complete, the 2020 Pavement Resurfacing Project, in the final amount of \$1,955,908;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

2. ACCEPT UPDATE REGARDING PAVEMENT REHABILITATION PLANNING

Recommendation:

Receive update on pavement rehabilitation planning.

3. ITEM PULLED FOR DISCUSSION

4. APPROVE PURCHASE OF UTILITIES REPLACEMENT VEHICLES AND EQUIPMENT

Recommendation:

1. Approve the purchase of four (4) Utility Division trucks from National Auto Fleet Group in the amount of \$218,411 through a Sourcewell cooperative bid contract;
2. Approve the purchase of a trash pump from Thompson Pump in the amount of \$46,027 through a Sourcewell cooperative bid contract;
3. Authorize City Manager to approve a purchase order in the amount of \$218,411 with National Auto Fleet Group and a separate purchase order in the amount of \$46,027 to Thompson Pump;
4. Declare vehicles U07114, U07137, W07115, W08115, and equipment W97335 to be surplus; and
5. Authorize the disposal of the surplus vehicles and equipment in accordance with Section 3.04.400 of the City of Morgan Hill Municipal Code.

5. APPROVE THE MARCH 17, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

6. APPROVE THE MARCH 24, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

7. AWARD AQUATICS CENTER POOL DECK RESURFACING AND REPAIR PROJECT TO FLEXGROUND SURFACES, INC.

Recommendation:

1. Award contract to Flexground Surfaces, Inc. in the amount of \$69,360; and authorize the expenditure of contingency funds not to exceed \$6,936 for a total authorization of \$76,296; and
2. Authorize the City Manager to approve the sole source selection of Flexground Surfaces, Inc., and execute and administer that certain contract with Flexground Surfaces, Inc.

8. RATIFY COMMUNITY POWER RESILIENCY GRANT ACCEPTANCE IN THE AMOUNT OF \$300,000 FROM STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES FOR THE CENTENNIAL RECREATION CENTER BATTERY BACKUP PROJECT

Recommendation:

1. Ratify acceptance of Community Power Resiliency Grant from the State of California Office of Emergency Services (CalOES) in the amount of \$300,000; and
2. Authorize the City Manager to execute and administer all related documents.

ITEMS PULLED FOR DISCUSSION

3. APPROVE URBAN FOREST MANAGEMENT PLAN

Recommendation:

Approve the Urban Forest Management Plan.

Public Comment opened at 7:24 pm. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

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

PUBLIC HEARING

9. APPROVE SOLID WASTE MANAGEMENT RATE ADJUSTMENT FOR 2021

Recommendation:

Adopt resolution approving an adjustment in the maximum allowable solid waste charges effective July 1, 2021.

Program Administrator Anthony Eulo provided the report.

The public hearing opened at 7:30 pm. There being no request to speak, the public hearing closed.

The public hearing was re-opened at 7:34 pm

Terry Williams was called to speak.

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

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

10. ADOPT RESOLUTION PLACING THE MORGAN HILL RESPONSIBLE GROWTH COALITION INITIATIVE PETITION ON THE NOVEMBER 2022 BALLOT AND ADOPT URGENCY ORDINANCE REGULATING DOCK-HIGH-DOORS ON BUILDINGS WITH OVER 75,000 SQUARE FEET OF FLOOR AREA AND CEILING HEIGHT GREATER THAN 34 FEET

Recommendation:

1. Adopt resolution placing Initiative Petition Titled: Citizens' initiative changing zoning regulations throughout the city of Morgan Hill to prohibit certain new storage and distribution uses in all areas of the City and amending the review process for large-scale development projects on the November 2022 ballot;
2. Adopt the alternative ordinance as an urgency ordinance; and
3. Direct the Planning Commission to make recommendations for permanent ordinance regulating large building design, including maximum dock-door-ratios for certain buildings, and consider placement of the alternative ordinance on the November 2022 ballot.

Development Services Director Jennifer Carman provided a presentation and report.

Public comment opened at 7:40 pm.

Bryan Espitiru

Joe Baranowski

Brittney Sherman

John Williams

Carol Coursey

Miguel Jimenez

Terry Williams

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

MOTION:

Adopting resolution placing Initiative Petition Titled: Citizens' initiative changing zoning regulations throughout the City of Morgan Hill to prohibit certain new storage and distribution uses in all areas of the City and amending the review process for large-scale development projects on the November 2022 ballot

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

MOTION:

Adopting the alternative ordinance as an urgency ordinance, directing the Planning Commission to make recommendations for permanent ordinance regulating large building design, including maximum dock-door-ratios for certain buildings, and consider placement of the alternative ordinance on the November 2022 ballot and Directing City staff to engage with the business community including working with the Chamber of Commerce moving forward.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gino Borgioli, Council Member
SECONDER:	John McKay, Mayor Pro Tem
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Martinez Beltran requested a City campaign to buy online at local retailers to create sales tax revenue.

Mayor Pro Tem McKay requested that staff review Assembly Bill (AB) 125.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session item.

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 8:06 pm. There being no requests to speak, public comment closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 8:06 pm.

REAL PROPERTY NEGOTIATIONS

Pursuant to:	Government Code Section 54956.8
Property:	APN 726-13-052
Agency Negotiators:	Christina Turner, Chris Ghione, and John Lang
Negotiating Parties:	Compass Management
Under Negotiation:	Price and Terms of Sale or Lease

ADJOURNMENT

The meeting adjourned at 8:57 pm.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk