



## **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*

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**Wednesday, May 19, 2021 5:30 pm**

**Virtual Meeting**

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### **SPECIAL/REGULAR MEETING**

**A special meeting of the City Council was called at 5:30 p.m. for the purpose of conducting a workshop.**

5:30 p.m. Housing Workshop

7:00 p.m. Regular Meeting

### **SPECIAL MEETING**

**5:30 p.m. Housing Workshop**

### **CALL TO ORDER**

Mayor Constantine called the meeting to order at 5:30 p.m.

### **ROLL CALL ATTENDANCE**

City Clerk Michelle Bigelow

| <b>Attendee Name</b>    | <b>Title</b>   | <b>Status</b> | <b>Arrived</b> |
|-------------------------|----------------|---------------|----------------|
| 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**

This workshop is the first in a series of Housing Workshops (<<https://www.morgan-hill.ca.gov/2162/2021-Housing-Conversation>>) that will look at the current and future state of housing in Morgan Hill. This first workshop is called "All Things Housing". Staff will present and discuss the following:

1. What regulates Housing in Morgan Hill
2. Housing Facts - What types of housing exist in Morgan Hill - inventory, tenure and affordability
3. Housing Projects in the works

City Manager Christina Turner introduced the workshop and turned the presentation over to Development Services Director Jennifer Carman and Housing Manager Rebecca Garcia.

Public comment opened at 6:45 p.m. The following people were called to speak:

Alissa Crispin

Joe Baranowski

Rick Kent

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

The meeting recessed at 6:54 p.m.

### **WORKSHOP SUPPLEMENT 1**

### **WORKSHOP PRESENTATION**

## **REGULAR MEETING**

The regular meeting convened at 7:00 p.m.

### **RECOGNITIONS**

Recognizing YAC President Hassti Tirgardoorn for her years of service

Recognizing YAC Volunteer Les Taylor for her years of service

## **PRESENTATIONS**

YAC PRESENTATION- ASSET #35- RESISTANCE SKILLS

## **PROCLAMATIONS**

Proclaiming May 15, 2021 as National Peace Officers Memorial Day and the week of May 9-15, 2021 as National Police Week

Proclaiming the week of May 16-22, 2021 as Emergency Medical Services Week

Proclaiming the week of May 16-22, 2021 as National Public Works Week

## **CITY COUNCIL REPORTS**

Mayor Pro Tem McKay announced that the South County Regional Wastewater Authority (SCRWA) Board approved the sewage treatment plant expansion which has been long-awaited and represents an \$81,730,000 investment of which Morgan Hill is responsible for roughly 42%. He then gave an update on

the Housing and Community Development Advisory Committee and shared that they just approved \$4,430,000 in community development block grants and home investment partnership funds to be distributed throughout the County. He shared that he asked the Transportation, Communication, and Public Works Policy Committee for the Cal Cities to look into helping us create what would possibly be a public utility entity which would mean having our public access to broadband internet regulated so that we all get good service. He spoke regarding the Cal Cities' Policy Committee, Housing, Economic, and Community Development stating that there are more bills marching through the legislature that we aren't going to like and we have already started writing letters. He thanked Council Member Spring, who asked to write something about SB9, which we don't want to deal with, and we are looking at SB6 too. We are looking at a lot of bills and we are going to continue fighting for local control doing the best we can. He concluded by speaking about the local COVID clinics sharing that former Council Member Larry Carr introduced the Safeway/Albertsons Company Vaccine Clinics to the Morgan Hill Community. They started with just 4 clinics, and that has expanded to a total of 45 clinics. We are complete now and we have vaccinated somewhere between 16-18 thousand people and if we look at the statistics Morgan Hill now has 82.9 percent of those 12 and over vaccinated with at least one dose of the COVID 19 vaccine.

## **CITY MANAGER'S REPORT**

City Manager Christina Turner spoke to the evening's supplements and presentations. She announced that effective today, May 19, the County reached a huge milestone and moved to the state's least restrictive yellow tier. The tier system is the state's blueprint for a safer economy. Case rates in our county have declined to some of the lowest levels at any point in the pandemic. Test positivity rates have hit an all-time low. With the county in a much better place than it was even a month ago, our health officer Dr. Sara Cody announced that she would be lifting most of the local restrictions and rules that are in place including requirements that businesses maximize the number of staff that are teleworking and replacing prior rules with a limited and local health order. That new order requires the continued reporting of COVID 19 cases in workplaces and schools and it requires employers to determine which staff are fully vaccinated in advance of changes to state masking and social distancing requirements for fully vaccinated people in the workplace. We have put out some information in our e-blast and an executive summary of the May 18<sup>th</sup> order. She outlined what the yellow tier involves.

What this means for City operations and services is that, although some of the requirements may be removed or phased out for the general public, the California workplace continues to be regulated by Cal OSHA and they have a standards board that is meeting tomorrow May 20<sup>th</sup>. They are going to vote to re-adopt their emergency regulations which contain some of the changes from our current standard. If approved, we will update some of our regulations accordingly. In the coming weeks, we will be announcing when we will start to re-open service to the community.

She mentioned that today May 19<sup>th</sup>, was the last of the series of clinics with the Pfizer vaccine at the Morgan Hill Community and Cultural Center. At this point, no other vaccination sites are scheduled. Second vaccination appointments will either go to the pharmacy or to another location.

Sobrato High School completed its first dose clinic which included the 12 to 15-year-old age group. No other clinics at Sobrato High School are scheduled at this time but that could change.

She concluded by sharing that the Morgan Hill Unified School District Board of Trustees announced the appointment of Dr. Carmen Garcia as the District's new Superintendent. This will be effective July 1 of this year. From the press release that went out, she is passionate about ensuring quality public education for all students. She is bilingual, bicultural, and over the course of 22 years has worked in multiple positions in public education including serving as a teacher, middle and high school administrator, researcher, central office administrator as well as superintendent.

## **CITY ATTORNEY'S REPORT**

None.

## **OTHER REPORTS**

None.

## **PUBLIC COMMENT**

Public comment opened at 7:42 p.m. The following people were called to speak:

Diya Kandhra

Diane Shroon

Linda Hutchins Knowles

Dashiell Leads

Armando Benavides

Jared Lebovitz

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

## **ADOPTION OF AGENDA**

### **MOTION:**

Adopting the agenda as posted.

|                  |                                                        |
|------------------|--------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                             |
| <b>MOVER:</b>    | Rene Spring, Council Member                            |
| <b>SECONDER:</b> | John McKay, Mayor Pro Tem                              |
| <b>AYES:</b>     | Constantine, McKay, Borgioli, Martinez Beltran, Spring |

## **CONSENT CALENDAR**

### **MOTION:**

Approving consent calendar items 1 through 5.

|                  |                                                        |
|------------------|--------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | John McKay, Mayor Pro Tem                              |
| <b>SECONDER:</b> | Rene Spring, Council Member                            |
| <b>AYES:</b>     | Constantine, McKay, Borgioli, Martinez Beltran, Spring |

### **1. ACCEPT EAST MAIN AVENUE BIKE LANES AND SIDEWALK PROJECT**

Recommendation:

1. Accept as complete the East Main Avenue Bike Lanes and Sidewalk Project in the final amount of \$1,210,089;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file said Notice of Completion with the County Recorder's Office.

### **2. ADOPT ORDINANCE 2321, NEW SERIES, ADDING SECTION 3.04.145 TO CHAPTER 3.04 ("PURCHASING") TO TITLE 3 ("REVENUE AND FINANCE") OF THE MORGAN HILL MUNICIPAL CODE INCREASING THE CITY MANAGER'S AUTHORITY TO PROCURE GOODS AND SERVICES THAT ARE EXCLUSIVELY RELATED TO THE CITY'S ROLE AS CONTRACTING AGENT USING COUNTYWIDE SOLID WASTE PLANNING FEE PROCEEDS**

Recommendation:

Waive the reading, adopt Ordinance No. 2321, 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.

**3. APPROVE LICENSE AGREEMENT WITH TOGLIATTI FARMS FOR CITY PROPERTY AT CONDIT ROAD AND TENNANT AVENUE**

Recommendation:

Approve the License Agreement with Togliatti Farms for \$5,000 in annual rent and authorize the City Manager to execute the agreement.

**4. APPROVE THE APRIL 28, 2021 MEETING MINUTES**

Recommendation:

Approve Minutes.

**5. AWARD 2021 SIDEWALK REPAIR CONTRACT TO DURAN CONSTRUCTION GROUP, INC.**

Recommendation:

1. Award a contract to Duran Construction Group, Inc. in the amount of \$171,691.65;
2. Authorize the expenditure of construction contingency funds not to exceed \$42,908.35; and
3. Authorize the City Manager to execute and administer that certain construction contract with Duran Construction Group, Inc.

The meeting recessed at 7:59 p.m and reconvened at 8:10 p.m.

**OTHER BUSINESS**

**6. DOWNTOWN TRAFFIC CALMING AND MONTEREY ROAD LANE REDUCTION**

Recommendation:

1. Receive report on traffic calming activities in the Downtown;
2. Direct staff to include the funding of \$50,000 for the engineering and design consultants to support the design of an Improved Lane Reduction Program and associated Place Branding Design for the Downtown in the mid cycle budget adjustments;
3. Direct City staff to form a working committee made up of Downtown and community representatives;
4. Direct City staff to formally discuss public private partnership opportunities with the Downtown Businesses to support the lane reduction and place branding efforts; and
5. Direct City staff to begin the application process for Transit Development Act Funds for the Lane Reduction Program.

City Manager Christina Turner introduced the item. She then turned the presentation and report over to Public Services Director Chris Ghione and Assistant City Manager Edith Ramirez.

Public comment opened at 9:48 p.m. The following people were called to speak:

Michael van Avery  
Paul Latala  
Eric Wallace  
Marby Lee  
Dan McCranie  
Brittney Sherman  
Roberto Aguirrez  
Suman Ganapthy  
Ernesto Gomez

Kim Panos  
Larry Carr  
Joe Baranowski  
Nick Gaich  
Karl Bjarke  
Armando Benavides  
Ryan Treffers  
Alex Vo  
Andrew Leon  
Jorge Sanchez  
There being no further requests to speak, public comment closed.

**MOTION:**

Extending the meeting to 11:20 p.m.

|                  |                                                        |
|------------------|--------------------------------------------------------|
| <b>RESULT:</b>   | <b>EXTENDED [UNANIMOUS]</b>                            |
| <b>MOVER:</b>    | Yvonne Martinez Beltran, Council Member                |
| <b>SECONDER:</b> | Gino Borgioli, Council Member                          |
| <b>AYES:</b>     | Constantine, McKay, Borgioli, Martinez Beltran, Spring |

**MOTION:**

Approving the recommended actions.

|                  |                               |
|------------------|-------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [3 TO 2]</b>      |
| <b>MOVER:</b>    | John McKay, Mayor Pro Tem     |
| <b>SECONDER:</b> | Gino Borgioli, Council Member |
| <b>AYES:</b>     | Constantine, McKay, Borgioli  |
| <b>NAYS:</b>     | Martinez Beltran, Spring      |

**MOTION:**

Continuing items 7 and 8 to a future meeting.

|                  |                                                        |
|------------------|--------------------------------------------------------|
| <b>RESULT:</b>   | <b>CONTINUED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Yvonne Martinez Beltran, Council Member                |
| <b>SECONDER:</b> | Rene Spring, Council Member                            |
| <b>AYES:</b>     | Constantine, McKay, Borgioli, Martinez Beltran, Spring |

**7. USE OF GLYPHOSATE IN CITY MAINTENANCE ACTIVITIES**

Recommendation:

1. Receive report on herbicide/Glyphosate use in City parks; and
2. Provide staff with direction on future use of herbicides/Glyphosate by the City.

Item 7 was continued to a future meeting.

|                |                                      |
|----------------|--------------------------------------|
| <b>RESULT:</b> | <b>CONTINUED TO A FUTURE MEETING</b> |
|----------------|--------------------------------------|

**8. DEVELOPMENT OF A TEMPORARY DOWNTOWN DOG PARK AT FORMER COMMUNITY GARDEN SITE**

Recommendation:

Provide direction to City Staff on Parks and Recreation Commission proposed temporary Downtown Dog Park.

Item 8 was continued to a future meeting.

|                                                     |
|-----------------------------------------------------|
| <b>RESULT:</b> <b>CONTINUED TO A FUTURE MEETING</b> |
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## **FUTURE COUNCIL INITIATED AGENDA ITEMS**

Council Member Martinez Beltran requested that the climate action resolution be brought back to the May 26, 2021 mid-cycle budget meeting. She also would like a discussion regarding the working group that will be formed for Downtown traffic calming.

Council Member Borgioli requested that we ask one or both of the senators for SB 330, SB35, and SB9 to attend a town hall to answer questions and provide information to our community.

Council Member Spring supports the request for the climate action resolution to come back. He would also like a discussion on what the American Rescue Plan Act monies can be spent on. He asked for a discussion on the plan for the al fresco program once we get back to normal.

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 11:18 p.m.

## **MINUTES PREPARED BY:**

Michelle Bigelow, City Clerk