



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, June 16, 2021 5:30 pm

Virtual Meeting

SPECIAL/REGULAR MEETING

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

5:30 p.m. Housing Affordability Workshop

7:00 p.m. Regular Meeting

SPECIAL MEETING

5:30 p.m. Housing Affordability Workshop

CALL TO ORDER

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

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

This workshop is the third in a series of Housing Workshops that will look at the current and future state of housing in Morgan Hill. This workshop is called "Housing Affordability." Staff will present and discuss the following:

- What is considered affordable housing?
- What are the different ways these units are built and by who?
- Who is the housing for?
- What agencies work on affordable housing?
- City's history of affordable housing production.
- Current City efforts.

Assistant City Manager Edith Ramirez introduced the workshop and the housing team. She then turned the presentation over to Housing Manager Rebecca Garcia who provided a presentation.

Public comment opened at 6:44 p.m.

Rocke Garcia was called to speak.

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

The workshop adjourned at 6:58 p.m.

WORKSHOP PRESENTATION

REGULAR MEETING

7:00 p.m.

The regular meeting was called to order at 7:06 p.m.

PRESENTATIONS

YAC PRESENTATION- ASSET #33- INTERPERSONAL COMPETENCE

PROCLAMATIONS

Proclaiming June 19, 2021 as Juneteenth

RECOGNITIONS

Recognizing the many volunteers who staffed the Morgan Hill Safeway/Albertsons Companies COVID-19 vaccination clinics

CITY COUNCIL REPORTS

Council Member Yvonne Martinez Beltran reported that Sister Cities has been meeting less frequently because of COVID but they hope to start their programs again once everything starts to open up again. She stated that Cal Cities had their Housing, Economic Development, and Transportation Committee meetings where they reviewed various pieces of legislations before going through committees at the state level. Senate Bill 9 (SB 9) did advance at the State Assembly even though Cal Cities opposed it. Cal Cities sent a letter urging the legislature to take action on the Governor's proposed \$7 billion dollar, over three years, plan as it's in line with Cal Cities current budget which asks for \$3 billion next fiscal year to

modernize broadband infrastructure and expand broadband to underserved and communities in need to close the digital divide. Silicon Valley Clean Energy (SVCE) they approved a 15-year renewable energy contract and will start delivering power in 2023 for a total of 239 megawatts of new energy and 40 megawatts of battery storage. They are implementing efforts to inform customers about possible summer flex alerts and energy emergencies. In response to the ASIO and PG&E notifications, SVCE will activate notices and messaging to call customers to conserve or let them know how they can prepare. They have also extended the timeline for customers to sign up for the Community Resiliency funding. Morgan Hill is eligible for a total of \$243,000. She provided an update on VTA, sharing that at their June meeting the Board approved an employment contract for the new General Manager/CEO and approved the 2022/2023 biannual budget. There is a special meeting being held on June 18th, to adopt resolutions of necessity for properties that are needed to complete the Bart Phase 2 and to consider approval of the implementation plan including 9.7 million for improvements along Cochrane Rd, Madrone Channel Trail, and Tennant Ave. and some improvements and feasibility studies along Monterey Rd.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. Due to the intense heat that we have been experiencing that will be intensifying over the next two days, there are two cooling centers set up in Morgan Hill. The Centennial Recreation Center (CRC) lobby is available as a cooling center Wednesday through Friday, June 18th from 8:00 a.m. to 9:00 p.m. The Morgan Hill Library is also set up as a cooling center today through Thursday, June 17th from 1:00 p.m. to 6:00 p.m.

A Flex Alert has been issued. The California Independent System Operator (ISO) put out an extreme heat forecast for much of California and the Southwest. What the statewide flex alert does is it encourages electricity conservation during a specific timeframe. For now they are asking for conservation between 5:00 p.m. and 10:00 p.m. This reduces stress on the grid and avoids power outages. In the past, when flex alerts happened, consumers have answered the call and cut back on electricity usage. It has helped California avoid power outages. It can, if conditions persist or worsen, become necessary when demand for electricity outstrips capacity.

She spoke regarding the dangers of fireworks. Fireworks are illegal in certain areas of California because of serious injury and millions of dollars of property loss that occur every year from wildfires sparked by fireworks. Large grass crops and dry vegetation increase the threat for devastating wildfires throughout our state. California has zero tolerance for the sale and use of illegal fireworks. Illegal fireworks include skyrockets, bottle rockets, roman candles, arial shells, firecrackers, and other fireworks that explode, go into the air, or move on the ground in an uncontrollable manner. It is illegal to sell, transport, or use fireworks that do not carry the safe and sane seal as well as possess or use fireworks in Morgan Hill. Safe and Sane fireworks can be purchased in Gilroy, but they are not to be used in Morgan Hill. If convicted, a violator can be fined up to \$50,000 as well as be sent to jail for up to one year. Parents are liable for any damage or injuries caused by their children using fireworks. Fireworks started an estimated 19,500 fires in 2018. This was 1,900 structure fires, 500 vehicle fires, and 17,100 other fires. They caused five deaths, 46 civilian injuries, and 105 million in direct property damage.

She concluded by recognizing individuals from the Police Department who participated in the Special Olympics Torch Run today. Individuals walked, ran, or rode their bikes. They started at our Cal Fire Headquarter station and ended at Monterey and Cochrane near the Arco station.

CITY ATTORNEY'S REPORT

No report.

OTHER REPORTS

Council Member Borgioli shared that the route 568 Express Bus will resume services in August of 2021 .

Mayor Pro Tem John McKay recognized School Superintendent Steve Betando for his work with the vaccination clinics and thanked him for his dedication, hard work, and for setting the tone. He thanked former City Council Member Larry Carr for bringing the resources to our community and making sure

those resources were used effectively. He also recognized Emergency Services Coordinator Jennifer Ponce for the great work that she did. It was an incredible team effort, 141 volunteers manned 49 clinics and gave out 18,000 vaccines over the period of two and a half months.

PUBLIC COMMENT

Public comment opened at 7:46 p.m. The following people were called to speak:

Roseryn Bhudsabourg spoke on behalf of Valley Water

Joe Baranowski (Susie and Miguel Jimenez ceded their time)

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

PUBLIC COMMENT SUPPLEMENT 1

PUBLIC COMMENT SUPPLEMENT 2

PUBLIC COMMENT SUPPLEMENT 3

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 2 through 10.

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

1. ITEM PULLED FOR DISCUSSION

2. ADOPT THE 2021 SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI), A PROGRAM UNDER THE COMMUNITY RATING SYSTEM OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM

Recommendation:

1. Adopt the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI), a program under the Community Rating System of the Federal Emergency Management Agency's National Flood Insurance Program; and
2. Approve the implementation of the 5-Year PPI Plan for the Community Rating System Program.

3. ADOPT RESOLUTION AMENDING FY 2021-2022 BUDGET TO SUPPORT A PILOT PRIVATE SEWER LATERAL GRANT PROGRAM

Recommendation:

1. Direct staff to implement a Pilot Private Sewer Lateral Grant Program; and
2. Adopt resolution amending the FY 2021-2022 Adopted Budget by \$100,000 to support the Program.

4. APPROVE THIRD AMENDMENT TO SUBDIVISION IMPROVEMENTS AGREEMENT FOR DUNNE MURPHY - TRACT NO. 10387

Recommendation:

1. Approve Third Amendment to Subdivision Improvements Agreement;
2. Authorize the City Manager to execute the Third Amendment to the Subdivision Improvements Agreement with Nordstrom Cal Homes, LLC; and
3. Authorize the recordation of the Third Amendment to the Subdivision Improvements Agreement.

5. APPROVE PURCHASE OF THREE POLICE VEHICLES AND TWO POLICE MOTORCYCLES

Recommendation:

1. Approve the purchase and build out of three vehicles from Priority 1 Public Safety Equipment and two motorcycles from BMW of Long Beach for a total amount not to exceed \$395,502;
2. Authorize the City Manager to approve the purchases with Priority 1 Public Safety Equipment Installation, Inc. and Long Beach BMW; and
3. Authorize the auction of 2006 Ford Van F350-Transport Van #122 and 2003 Ford F250 Truck ASO truck #147 as necessary following their temporary use assignments.

6. APPROVE SEVENTH AMENDMENT TO CENTENNIAL RECREATION CENTER PARTNERSHIP AGREEMENT WITH THE YMCA OF SILICON VALLEY

Recommendation:

Authorize the City Manager to execute a seventh amendment to the Centennial Recreation Center Operating Agreement with the YMCA of Silicon Valley.

7. APPROVE THE MAY 5, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

8. APPROVE THE MAY 19, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

9. APPROVE THE MAY 26, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

10. APPROVE THE JUNE 2, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

Item pulled for Discussion

1. RECEIVE REPORT REGARDING USE OF PROPOSITION 68 PARK GRANT FUNDING

Recommendation:

Receive report on potential use of Proposition 68 Per Capita Grant Funding and anticipated use for Community Park improvements.

Public comment opened at 7:55 p.m.

Armando Benavides was called to speak.

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

Public Services Director Chris Ghione provided a report.

MOTION:

Receiving the report and directing staff to bring an item back to appropriate funding for the restrooms at Galvan Park.

The meeting recessed at 8:16 p.m. and reconvened at 8:25 p.m.

PUBLIC HEARING

11. ADOPT RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1 (DISTRICT)

Recommendation:

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year (FY) 2021-22 annual assessments and ordering the levy of assessments for the District.

Maintenance Services Coordinator Keri Russell provided the report.

The public hearing opened at 8:26 p.m.
There being no requests to speak, the public hearing closed.

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

12. RECEIVE MONTHLY BUDGET UPDATE AND APRIL 2021 FINANCIAL AND INVESTMENT REPORTS

Recommendation:

Accept and file report.

Finance Director Dat Nguyen provided a presentation and report.

Public comment opened at 8:31 p.m.
There being no requests to speak, public comment closed.

RESULT:	ACCEPT REPORT
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13. ADOPT RESOLUTION DECLARING LEVEL 2 WATER SUPPLY SHORTAGE

Recommendation:

Adopt resolution declaring a Level 2 Water Supply Shortage and amending adopted budget.

Program Administrator Anthony Eulo provided a presentation and report.

Public comment opened at 9:40 p.m.
Armando Benavides was called to speak.
There being no further requests to speak, public comment closed.

MOTION:

Approving the recommended action.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Spring requested that the Council send letters of opposition to Senate Bills (SB) 8, 9, 10, and SB478. He requested that the City Attorney ask the court for permission to file a brief amicus curiae (friend of the court) to oppose the YIMBY lawsuit and to protect the City from having its RHNA increased.

Council Member Martinez Beltran requested a community workshop on where they would like to see the additional American Rescue Plan Act funds to be spent.

Mayor Pro Tem McKay requested a Council discussion about what can be done to have a greater impact in Sacramento. He also requested periodic updates on water conservation.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:53 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk