



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, August 4, 2021 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 7:01 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Angie Gonzalez 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

Deputy City Clerk Angie Gonzalez declared the posting of the agenda.

CITY COUNCIL REPORTS

Mayor Constantine spoke regarding the drought. He stated that on April 21, 2021, Governor Newsom declared a drought in Mendocino and Sonoma Counties. On May 10, 2021, he expanded that to 41 counties which includes Santa Clara County. On June 22, 2021, the County of Santa Clara declared an extreme drought. On June 16, 2021, Morgan Hill declared a level 2 water emergency. At the July 28,

2021 Valley Water Commission meeting they went over the percentages of the amount of water we receive to fill our aquifers. 50% comes from imported sources like the Delta Hetch Hetchy, about 15% of the water is conserved, and only 5% is recycled water. At that meeting, he made a motion to "move to request of the Valley Water Board to take up the issue of increasing the production/use of recycled water with defined goals and benchmarks." That motion passed unanimously, the Board will now have to come back and provide defined goals. We really need to use our recycled water a lot better than we are doing now.

CITY MANAGER'S REPORT

City Manager Christina Turner thanked the Police Department and all of the teammates that helped support another successful National Night Out. She announced the launch of Cafecito con Edith. It is an invitation to our Spanish speaking neighbors and everyone to have a casual conversation about city programs, projects, services, or anything else. Our Assistant City Manager, Edith Ramirez, will be launching this event. The first event will be Saturday August 14, 2021 at 9:00 a.m. at La Soledad Bakery. In addition to doing on-site events, Edith will also be alternating with Zoom events. She shared that we are ramping up efforts to combat climate change and a recent budget has been established to develop a limited climate action plan. The plan will focus on the decarbonization of buildings and the accessibility of electric vehicles. The Environmental Services Climate Action Plan Community Meeting will be on August 5, 2021 at 7:00 p.m. We are looking to create a group of dedicated community members to participate in this working group. She invited community members to attend the City Council's Mid-Year Goal Review Workshop on Friday, August 6, 2021 at 9:00 a.m. She shared that the County announced a mask mandate which means masks are required indoors now. She provided an update on City Hall's soft opening, we have our doors open for four hours a day four days a week, we have started passport services, we have available teammates to help take in utility payments, and help navigate for those who need additional assistance on how to access different services that we offer. Currently we anticipate the team coming back at the end of August, with a full re-opening right after Labor Day. However, we are watching the updates with Covid-19, the Delta Variant, and other variants to validate that that is the right timing. She concluded by introducing and welcoming Matt Mahood who is the City's new Economic Development Director.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that there was no reportable action from the June 23, 2021 City Council closed session.

OTHER REPORTS

Mayor Pro Tem John McKay shared that he attended a Joint Water Resources Meeting today. One of the items that came up was the use of recycled water and how to work on water strategies. He looks forward to hearing and talking more about this at the August 23, 2021 Joint Meeting.

PUBLIC COMMENT

Public comment opened at 7:13 p.m. The following people were called to speak:

Carl Guardino

Michael Elliot

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

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, 4 and 5.

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

1. ITEM PULLED FROM CONSENT

2. APPROVE FISCAL YEAR 2021-22 WORK PLANS FOR PARKS AND RECREATION AND LIBRARY, CULTURE AND ARTS COMMISSIONS

Recommendation:

1. Approve the proposed Parks and Recreation Commission FY 2021-22 Work Plan; and
2. Approve the proposed Library, Culture and Arts Commission FY 2021-22 Work Plan.

3. ITEM PULLED FROM CONSENT

4. APPROVE AN EXTENSION OF THE TRAFFIC AND SEWER IMPACT FEES CREDIT PROGRAM

Recommendation:

Adopt resolution amending the Reduction of Traffic and Sewer Impact Fees program resolution (Resolution No. 6080) to extend the Sewer Impact Fees Credit Program until December 31, 2025.

5. APPROVE THE JUNE 23, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FROM CONSENT

1. ACCEPTANCE OF MADRONE CHANNEL TRAIL IMPROVEMENTS PHASE I PROJECT

Recommendation:

1. Accept as complete the Madrone Channel Trail Improvements Phase I Project;
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.

Mayor Pro Tem McKay congratulated and thanked the members of the Bicycle-Pedestrian Advisory Group for being consistent, persistent, and ultimately successful with this project.

MOTION:

Approving the recommended action.

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

3. APPROVE PARK AND RECREATION LAND PURCHASE AND TRANSFER OF EXISTING PARKS AND RECREATION PROPERTY TO THE AGRICULTURE AND OPEN SPACE FUND

Recommendation:

1. Authorize the City Manager to enter into a purchase and sale agreement for the purchase of a 19.58-acre site (APN 817-06-001) located on Monterey Road south of Butterfield Boulevard for use for future park and recreation purposes for a total price of \$3 million;
2. Approve the transfer of \$5,383,018 from the Agriculture and Open Space Preservation Fund to the Park Impact Fund to transfer existing City owned property on Tennant Avenue (APNs 817-14-004, 817-14-009 and 817-14-005) from future use for parks and recreation purposes to future use for agriculture and open space preservation purposes; and
3. Adopt resolution appropriating funds for the purchase and transfer of the properties.

Public comment opened at 7:22 p.m.

Joe Baranowski was called to speak.

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

MOTION:

Approving the recommended action.

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

PUBLIC HEARING

6. INTRODUCE ORDINANCE TO APPROVE A DEVELOPMENT AGREEMENT AMENDMENT FOR PROPERTY IDENTIFIED BY ASSESSOR PARCEL NUMBER 764-24-061 LOCATED AT 18755 OLD MONTEREY ROAD AT THE SOUTHWEST CORNER OF OLD MONTEREY ROAD AND MUSTARD AVENUE (AAE2021-0002: OLD MONTEREY - APPLETREE (KELLY VO))

Recommendation:

1. Open and close public hearing;
2. Waive first and second reading of Development Agreement Ordinance; and
3. Introduce Development Agreement Ordinance.

Associate Planner Joey Dinh and Development Services Director Jennifer Carman gave a presentation and answered questions.

Applicant Reyad Katwan gave a presentation and answered questions.

The public hearing opened at 8:06 p.m.

David Stites was called to speak.
There being no further requests to speak, the public hearing closed.

MOTION:

Waiving the first and second reading of the Development Agreement Ordinance.

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

MOTION:

Introducing the Development Agreement Ordinance.

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

OTHER BUSINESS

7. APPROVE CONDITIONAL FUNDING FOR ROYAL OAKS VILLAGE AFFORDABLE HOUSING PROJECT BY URBAN HOUSING COMMUNITIES/IKAIKA OHANA (UHC) FROM DESIGNATED HOUSING FUNDS

Recommendation:

Approve conditional funding for the UHC Housing Project, "Royal Oaks Village," in the amount of \$400,000, contingent on UHC's ability to obtain the remaining gap funds, subject to an agreement negotiated by the City Attorney.

The meeting recessed at 8:26 p.m. and reconvened at 8:30 p.m.

Housing Director Rebecca Garcia gave a presentation and answered questions.

Public comment opened at 8:57 p.m.

Joe Baranowski was called to speak.

There being no further requests to speak, public comment closed

MOTION:

Approving the recommended action.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Mayor Pro Tem McKay asked for a discussion on a noise/sound ordinance regarding traffic.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:13 p.m.

MINUTES PREPARED BY:

Angie Gonzalez, Deputy City Clerk