



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, October 6, 2021 6:00 pm

Virtual Meeting

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 6:00 p.m. for the purpose of conducting a Closed Session.

6:00 p.m. Closed Session

7:00 p.m. Regular Meeting

SPECIAL MEETING

6:00 p.m. Closed Session

CALL TO ORDER

Mayor Constantine called the meeting to order at 6:01 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	Late	
Rene Spring	Council Member	Remote	

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session item.

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 6:03 p.m. There being no requests to speak, public comment closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session 6:04 p.m.

CONFERENCE WITH LABOR NEGOTIATORS

Authority:	Pursuant to Government Code Section 54957.6
City Negotiators:	Christina Turner, City Manager; Donald Larkin, City Attorney; Michael Horta, Human Resources Director; Dat Nguyen, Finance Director
Employee Organization:	Morgan Hill Police Officers Association Employees Covered under Management Resolution #21-025 AFSCME Local 101 Morgan Hill Community Service Officers Association

REGULAR MEETING

7:00 p.m.

The regular meeting was convened at 7:10 p.m.

RECOGNITIONS

Morgan Hill Hospitality and Tourism Industry

Madrone Channel Trail Completion

PROCLAMATIONS

Proclaiming October 6, 2021 as Clean Air Day

Proclaiming September 15, 2021-October 15, 2021 as Latinx Heritage Month

CITY COUNCIL REPORTS

Council Member Martinez Beltran reported that the Silicon Valley Clean Energy (SVCE) Board met in August and September. They approved their annual budget, strategic focus areas, a 2020 green energy attestation, and a two-year employment contract for the CEO. She shared that the Latino Caucus celebrated 30 years at the League Conference. She announced that Sister Cities has planned a trip to Turkey next October. She concluded by sharing the local events and celebrations she has attended.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. She introduced and acknowledged the City's new, promoted, and retired teammates. She announced that effective Monday, October 4th, City Hall fully reopened and is open to the public Monday through Friday, 8:00 a.m. to 5:00 p.m. She shared that staff is recommending Council adopt a resolution to continue holding City Council and Commission meetings by teleconference as to not encourage indoor gatherings and limit the risk of COVID-19 exposure. Assembly Bill (AB) 361, which became operative on October 1, 2021, allows for this arrangement. In the meantime, we are working on technology to allow for hybrid meetings that would allow in-person and Zoom participation. This way, members of the public who are at high risk for COVID-19 could still participate even when we return to in-person meetings. She shared that on Saturday, September 25, the Rotary Club continued their work improving Galvan Park. At this cleanup day Rotary partnered with youth from the Boys and Girls Club to increase the impact. The group repainted tables, waste receptacles, and BBQ pits, spread mulch and picked up litter throughout the park. The Rotary Club formally adopted Galvan Park earlier this year and has held multiple workdays and funded tens of thousands of dollars in park improvements. She announced that Redistricting is happening now, there are multiple meetings in October and November, and we want the engagement of our community to help redraw the maps. She concluded by announcing the Morgan Hill Steve Tate Library Dedication and Children's Area Expansion Celebration is happening on Saturday, October 9th at 10:30 a.m.

CITY MANAGER'S TEAMMATE RECOGNITION PRESENTATION

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that there was no reportable action from the two closed session items from the September 1, 2021 City Council meeting. Prior to this evening's meeting, Council met in closed session and there is no reportable action from that closed session.

OTHER REPORTS

None.

PUBLIC COMMENT

Public comment opened at 7:34 p.m. The following people were called to speak:

Marisol Palomares

Dave Matthews

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 1, 2, and 6.

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

1. ADOPT RESOLUTION DETERMINING THAT CONDUCTION OF IN-PERSON MEETINGS WOULD PRESENT A PUBLIC HEALTH RISK AND CONTINUING TELECONFERENCE MEETINGS

Recommendation:

Adopt a resolution to continue holding City Council and commission meetings by teleconference.

Public comment opened at 7:45 p.m.

Joe Baranowski

Dave Matthews

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

2. ADOPT RESOLUTION AUTHORIZING PARTICIPATION IN THE CALPERS CALIFORNIA EMPLOYER'S RETIREE BENEFIT SECTION 115 TRUST (CERBT) PROGRAM FOR FUNDING OTHER POST-EMPLOYMENT BENEFIT (OPEB) AS AN ALTERNATIVE TO THE PUBLIC AGENCY RETIREMENT SERVICES (PARS) SECTION 115 TRUST FUND

Recommendation:

1. Authorize participation in the CalPERS CERBT program;
2. Adopt resolution delegating authority to request disbursements from the CERBT program; and
3. Terminate the PARS agreement for OPEB Section 115 Trust Fund.

3. ITEM PULLED FOR DISCUSSION

4. ITEM PULLED FOR DISCUSSION

5. ITEM PULLED FOR DISCUSSION

6. APPROVE THE AUGUST 18, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FOR DISCUSSION

3. APPROVE LEASE AGREEMENT FOR COMMUNITY AND CULTURAL CENTER BUILDING 2 TO UPLIFT FAMILY SERVICES

Recommendation:

Authorize the City Manager to execute and administer a lease agreement with Uplift Family Services for Building 2 (17060 Monterey Road) at the Community and Cultural Center.

Public Services Director Chris Ghione provided a report. He introduced Don Taylor with Uplift who provided a presentation. Police Chief Shane Palsgrove wrapped up the presentation.

Public comment opened at 8:08 p.m.

Armando Benavides was called to speak.

There being no further request 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

4. ACCEPT ANNUAL REPORTS OF ACTIVITIES BY NONPROFIT PARTNER ORGANIZATIONS

Recommendation:

Accept annual reports from City partner organizations.

Public Services Director Chris Ghione provided a report.

Public comment opened at 8:23 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended actions.

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

5. APPROVE MURAL AT GALVAN PARK FRIENDLY INN BUILDING

Recommendation:

Approve Galvan Park Mural.

Public Services Director Chris Ghione provide a report.

Public comment opened at 8:49 p.m. The following people were called the speak:

Jessica Arciga

Armando Benavides

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

MOTION:

Approving the recommended action for the most updated version of the mural until another proposal is accepted.

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

The meeting recessed at 9:11 p.m. and reconvened at 9:21 p.m.

PUBLIC HEARING

7. CONDUCT TAX AND EQUITY FISCAL RESPONSIBILITY ACT (TEFRA) HEARING APPROVING ISSUANCE OF BONDS FOR DEPOT COMMONS AFFORDABLE HOUSING APARTMENTS AT 17145 DEPOT STREET AND THE WILLOWS AFFORDABLE

HOUSING APARTMENTS AT 50 W. EDMUNDSON AVENUE WITHIN THE CITY OF MORGAN HILL

Recommendation:

1. Open/close public hearing consistent with the requirements of the Federal Tax and Equity Fiscal Responsibility Act ("TEFRA") and Section 147 (f) of the Internal Revenue Code of 1986, as amended (the "Code"); and
2. Adopt resolution approving the issuance of bonds by the California Municipal Finance Authority (CMFA), for the acquisition, rehabilitation, expansion, and improvement of two multifamily rental housing facilities: Depot Commons, located at 17145 Depot Street and The Willows, located at 50 W. Edmundson Avenue.

Housing Director Rebecca Garcia provided a report and presentation.

The public hearing opened at 9:25 p.m. There being no requests to speak, the public hearing closed.

MOTION:

Approving the recommended actions.

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

OTHER BUSINESS

8. APPROVE AGREEMENT WITH FLOCK SAFETY CAMERAS FOR AUTOMATED LICENSE PLATE READERS

Recommendation:

Authorize the City Manager to execute and administer the lease agreement with Flock Safety for 25 Automated License Plate Readers for the initial term of 24 months with a cost of \$68,7500 for the first year and \$62,500 for the second year.

Police Captain Mario Ramirez provided a report and presentation. Captain Ramirez and John Anderson with Flock Safety answered questions.

Public comment opened at 10:09 p.m.

Brian Sullivan 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:	Gino Borgioli, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

9. ACCEPT MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT (MHTBID) OWNER'S ASSOCIATION ANNUAL REPORT (DBA VISIT MORGAN HILL)

Recommendation:

Accept and file the Visit Morgan Hill Annual Report.

Assistant City Manager for Development Services Edith Ramirez introduced Krista Rupp, Executive Director of Visit Morgan Hill who provided a report and presentation.

Public comment opened at 10:40 p.m. There being no requests to speak, public comment closed.

RESULT:	REPORT RECEIVED
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10. ADOPT THE 2020 URBAN WATER MANAGEMENT AND WATER SHORTAGE CONTINGENCY PLANS

Recommendation:

Adopt the 2020 Urban Water Management Plan and 2020 Water Shortage Contingency Plan.

Deputy Director for Utility Services James Sylvain provided a report and presentation.

Public comment opened at 10:55 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Martinez Beltran requested 1) a policy process for camera requests from public, 2) that art at Galvan Park be included in the LCAC work plan, and 3) requested a review of art installation policy.

Mayor Pro Tem McKay requested that staff elevate discussion around how we complete bicycle path connections in our community.

Council Member Spring asked the Chief to come back with a report with the state of the Police Department, sharing data regarding how it's going with staff, and an update on Flock cameras.

Council Member Borgioli would like to follow up on his request to look into making the Downtown a district.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:59 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk