



Regular Meeting Agenda
City Council

Mark Turner - Mayor
Rene Spring - Mayor Pro Tem
Gino Borgioli - Council Member
Marilyn Librers - Council Member
Yvonne Martínez Beltrán - Council Member

Wednesday, May 3, 2023 6:00 PM

Council Chamber Building
17555 Peak Avenue, Morgan Hill, CA 95037

Morgan Hill City Council meetings are held in person with the option for the public to attend in-person or by teleconference/video conference. Information on how the public may observe and participate in the meeting is located below.

MEETING PARTICIPATION AND PUBLIC COMMENT

City Council meetings will be live-streamed on Channel 17, the City's website, and the City's Facebook page.

Those members of the community that would like to participate in the meetings remotely may do so by joining virtually at: <https://bit.ly/MHCityCouncilMeeting> or by calling (669) 900-9128, then enter the webinar id: 873 3200 8380#. Public comment may be provided in the following ways:

- Provide public comment in-person
- Join the City Council meeting virtually via the link above. When public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes (YOU MUST BE RUNNING THE MOST CURRENT VERSION OF ZOOM TO BE UNMUTED)
- Join virtually by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to 3 minutes
- Public comment in writing may be submitted via email to ccpubliccomment@morganhill.ca.gov or by mail to the City Clerk at 17575 Peak Avenue, Morgan Hill, CA 95037. Please email your comments to the City Clerk no later than 3:00 p.m. on Tuesday (the day before the City Council meeting) for your comments to be submitted to the members of the City Council with sufficient

time to review the comments. You may continue to provide written comments up to noon on Wednesday (the day of the meeting) although Council Members may not have sufficient time to review them before the meeting. Public comments submitted to the City Clerk after 12:00 p.m. the day of the meeting will be provided to the City Council as time allows.

Written comments WILL NOT be read aloud during the City Council Meeting. Please note that written comments are posted on the City's website, so do not include any personal information you do not want to be posted on the web.

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITION

Certificate of Recognition awarded to Michael Greymont for his outstanding volunteer services and his success in bringing prestigious swim meets for both youth and adults to the Morgan Hill Dennis Kennedy Aquatics Center which has enhanced our community's aquatics legacy

PROCLAMATIONS

The month of May as Affordable Housing Month
The month of May as Water Safety Month
The month of May as National Older Americans Month
The month of May as Wildfire Awareness Month
The week of May 21 - 27, 2023 as Public Works Week
May 15, 2023 as Peace Officers Memorial Day and the week of May 14 - 20, 2023 as National Police Week

PRESENTATIONS

YAC Presentation - Asset #18
YAC Graduation Recognitions
PG&E Presentation

CITY COUNCIL REPORTS

Council Member Borgioli

CITY MANAGER'S REPORT

PLEDGE OF ALLEGIANCE

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

This opportunity for public comment is for items that are not on the agenda. If you would like to make comments on an item that is on the agenda, please wait until we get to that item to offer your comments. Members of the public are entitled to address the City Council concerning any item within the Morgan Hill City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. Public comment is intended for comments. Questions posed during public comment are not generally answered. If you have questions, please send them to the City Clerk at ccpubliccomment@morganhill.ca.gov to receive a response. (See additional noticing at the end of this agenda)

ADOPTION OF AGENDA

CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Pursuant to City Council Policies and Procedures (CP 97-01), any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action.

1. **ADOPT A RESOLUTION DECLARING THE END OF LEVEL 4 WATER SUPPLY SHORTAGE**
Recommendation:
Adopt a resolution declaring the end of the Level 4 Water Supply Shortage.
2. **APPROVE CONSULTANT AGREEMENT WITH GRIFFIN STRUCTURES, INC. IN THE AMOUNT OF \$115,000 FOR MASTER PLANNING AND PHASING OF IMPROVEMENTS AT THE CORPORATION YARD**
Recommendation:
Authorize the City Manager to execute and administer a consultant agreement with Griffin Structures, Inc. for Master Planning and Phasing of improvements at the Corporation Yard.
3. **APPROVE SECOND AMENDMENT TO THE AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM**
Recommendation:
Authorize the City Manager to execute the Second Amendment to the Agreement for the Countywide Household Hazardous Waste Collection Program.
4. **APPROVE UPDATE TO THE CITY'S DONATION POLICY**
Recommendation:
Accept changes to the City's Donation Policy
5. **APPROVE THE APRIL 19, 2023 CITY COUNCIL MEETING MINUTES**
Recommendation:
Approve the April 19, 2023 City Council Meeting Minutes
6. **INITIATE ANNUAL ASSESSMENT PROCESS FOR LANDSCAPE ASSESSMENT DISTRICT NUMBER 1**
Recommendation:
Adopt resolutions approving the following actions:
 1. Initiate the proceedings for the levy of assessments for Fiscal Year 2023-24;
 2. Approve the Engineer's Annual Report and the proposed assessment levy; and
 3. Declare the City Council's intention to levy the assessments in the District and to set the Public Hearing date for June 7, 2023.
7. **REAPPOINT FOUR (4) COMMISSIONERS TO THE PLANNING COMMISSION**

Recommendation:

Reappoint Commissioners Joseph Mueller, Liam Downey, Wanye Tanda, and Paul Lake to the Planning Commission with terms ending June 1, 2027.

PUBLIC HEARINGS

8. APPROVE SOLID WASTE MANAGEMENT RATE ADJUSTMENT FOR 2023

Recommendation:

Adopt resolution approving an adjustment in the maximum allowable solid waste charges effective July 1, 2023.

OTHER BUSINESS

9. ACCEPT THE MORGAN HILL POLICE DEPARTMENT'S ANNUAL MILITARY EQUIPMENT USE REPORT

Recommendation:

Accept the Morgan Hill Police Department's Annual Military Equipment Use Report.

10. ADOPT ORDINANCE PROHIBITING POSSESSION OF FIREARMS IN SENSITIVE PLACES

Recommendation:

1. Open/Close the Public Hearing; and
2. Waive the First and Second Reading; and
3. Introduce ordinance prohibiting the carrying of firearms in sensitive places

11. RECEIVE MONTHLY BUDGET UPDATE AND CITY MANAGER AUTHORITY REPORT; ADOPT FISCAL YEAR 2022-23 AND 2023-2024 MID-CYCLE BUDGET AMENDMENTS, INCLUDING COMMUNITY FUNDING RECOMMENDATIONS; APPROVE A FIVE-YEAR AGREEMENT WITH CAL FIRE; DELEGATE THE AUTHORITY TO THE CITY MANAGER TO MAKE ALL FUTURE EQUIPMENT REPLACEMENT PURCHASES AS APPROVED IN THE BUDGET; AND APPROVE AN UPDATE TO ELECTRIC VEHICLE CHARGING STATION USER FEES

Recommendation:

1. Accept and file the monthly financial and investment report;
2. Adopt resolution authorizing changes to the adopted Fiscal Year (FY) 2022-23 and 2023-24 budgets;
3. Approve the FY 2023-24 Community Funding recommendations;
4. Authorize the City Manager to enter into a five-year agreement with the California Department of Forestry and Fire Protection (CAL FIRE) to

provide fire and emergency medical response services effective July 1, 2023 through June 30, 2028;

5. Delegate the authority to the City Manager to make all future vehicle and equipment purchases as approved in the adopted budget; and
6. Approve an update to the City's electric vehicle (EV) charging station user fees and delegate the authority to the City Manager to update all future EV user fee schedules.

12. PROVIDE DIRECTION TO STAFF ON PROPOSED FUTURE COUNCIL INITIATED AGENDA ITEMS

Recommendation:

Determine if the majority of the City Council wants the following items agendaized at a future meeting for discussion:

1. Managing and counting 'abstain' votes by City Council Members;
2. Considering a noise ordinance to address rooster noises in urban neighborhoods;
3. Charging credit card fees on all City services; and
4. Considering an ordinance prohibiting smoking in multi-unit properties.

FUTURE COUNCIL INITIATED AGENDA ITEMS

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT

NOTICE

Any documents produced by the City and distributed to the majority of the City Council less than 72 hours prior to an open meeting, will be made available for public inspection at the City Clerk's Counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Council, but it is very helpful. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the City Council.

Persons interested in proposing an item for the City Council agenda should contact a member of the City Council who may plan an item on the agenda for a future City Council meeting. Should your comments require Council action, your request may be placed on the next appropriate agenda. Council discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the City Council, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of City Council Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email cityclerk@morganhill.ca.gov.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

SUSTAINABLE MORGAN HILL



Vision

To sustain a safe, inclusive, socially responsible, environmentally conscious, and economically sound community.



Choose Morgan Hill

The City of Morgan Hill is the best community for people to live, work, visit, and operate their businesses.



City Council Ongoing Priorities

- Enhancing Public Safety and Quality of Life
- Protecting the Environment and Preserving Open Space and Agricultural Land
- Maintaining and Enhancing Infrastructure
- Supporting our Youth, Seniors, and Entire Community
- Fostering a Positive Organizational Culture
- Preserving and Cultivating Public Trust
- Preserving our Community History
- Enhancing Diversity and Inclusiveness
- Advocating for Local, Regional, and State Legislative Initiatives



2022-2023 Strategic Priorities

- Fiscal Sustainability
- Affordable Housing and Homelessness
- Community Outreach, Engagement, and Messaging
- Economic Development
- Transportation



These strategic priorities were established prior to the COVID-19 pandemic. In light of recent events, we recognize that all of these goals and priorities will be viewed through the lens of recovering from the global pandemic, and we will continue to have equity, public health, and financial responsibility in mind.

