



**Special/Regular Meeting Agenda
City Council**

Mark Turner - *Mayor*
Yvonne Martínez Beltrán - *Mayor Pro Tem*
Miriam Vega - *Council Member*
Marilyn Librers - *Council Member*
Soraida Iwanaga - *Council Member*

Wednesday, May 21, 2025 5:00 PM

Special meeting to be held at 5:00 p.m. at the address below:

**City Hall, Grand Conference Room
17575 Peak Avenue, Morgan Hill, CA 95037**

Regular meeting to resume at 6:00 p.m. at the address below:

**Council Chamber Building, West Conference Room
17555 Peak Avenue, Morgan Hill, CA 95037**

AMENDED AGENDA - This agenda has been amended to include an additional item to the Consent Calender - Item 19 - APPROVE PACIFIC GAS AND ELECTRIC COMPANY AGREEMENT TO PROVIDE ELECTRIC SERVICE TO THE BUTTERFIELD PARK PHASE 1 PROJECT

Council Member Librers will be participating remotely as follows:

6651 Velletri Street
North Las Vegas, NV 89084

Public comment shall be allowed from this location.

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

MEETING PARTICIPATION

Morgan Hill City Council meetings are held in person. The community may attend in person or via Zoom (video/teleconference). The meetings are also live-streamed on the City's Facebook page.

As a courtesy, and technology permitting, members of the public may attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

Those wishing to participate in the meetings remotely must register in advance at <https://bit.ly/CityCouncilZoomRegistration>. Additionally, Zoom participants must be running the latest version or will be required to update to the latest version before being able to join the meeting remotely.

Remote participation is also available by calling (669) 900-9128 and entering webinar id: 873 3200 8380#. Dial *9 to raise your hand, and be called upon to speak for up to 3 minutes. Dial *6 to unmute.

PUBLIC COMMENT

Public comment may be offered verbally at the meeting or in writing before the meeting. Public comment is limited to three minutes, but the Mayor may adjust time limits for individual or total comments while ensuring all viewpoints are heard, encouraging speakers to avoid repetition, and allowing a designated spokesperson for organized support or opposition to present longer if needed.

Those attending remotely may only offer public comment for items on the agenda in one of four categories:

- Consent Calendar
- Other Business
- Public Hearings
- Closed Session

Public comment will be heard from those attending in person first with the submission of a speaker card. Once that is complete, we will move to those on Zoom that have their hand raised. Following public comment from Zoom, we will close the public comment period for that item.

Remote public comment for items not on the agenda will not be accepted.

Written public comment may be submitted to the City Clerk:

- In person at the City Council Meeting;
- Via email to ccpubliccomment@morganhill.ca.gov; or
- Hand delivered or mailed 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) so that your comments can be submitted to the members of the City Council with sufficient time to review them. 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 noon (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. It is recommended that you do not include any personal information that you do not want to be posted on the web. Please be advised that communications directed to the City Council are public records and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law. Communications will NOT be edited for redactions and will be printed/posted as submitted.

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 or by email at 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.

SPECIAL/REGULAR MEETING

A special meeting of the City Council is called at 5:00 p.m. for the purpose of conducting a closed session.

SPECIAL MEETING

5:00 p.m. Closed Session

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

CLOSED SESSION

Conference with Labor Negotiators

Authority: Pursuant Government Code Section 54957.6

City Negotiators: Christina Turner, City Manager; Donald Larkin, City Attorney; Michael Horta, Human Resources Director; Dat Nguyen, Finance Director; Chris Ghione, Assistant City Manager, Public Services
Employee Organization: Morgan Hill Police Officers Association; AFSCME Local 101 Morgan Hill; Community Service Officers Association; Employees Covered under Management Resolution #21-050

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

REGULAR MEETING

6:00 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS

Eagle Scout - Sean Wilmot
Ellie Weston

PROCLAMATIONS

Affordable Housing Month
American Red Cross Month
Foster Care/Resource Parent Month
Public Works Week

PRESENTATIONS

YAC Presentation and Recognitions

CITY COUNCIL REPORTS

Mayor Turner

CITY MANAGER'S REPORT

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

OTHER BUSINESS

1. **PROVIDE RECOMMENDATIONS TO THE MAYOR FOR THE REAPPOINTMENT OF TWO (2) COMMISSIONERS ON THE PLANNING COMMISSION AND INTERVIEW CANDIDATES TO FILL THE REMAINING ONE (1) SEAT ON THE PLANNING COMMISSION**

Recommendation:

1. Recommend Reappointment of Commissioners James Wilson and Mohammad Habib with terms ending June 1, 2029;
2. Mayor shares the characteristics/traits that a successful applicant(s) would possess;
3. Conduct Interviews;
4. Council Members identify top applicant(s) and provide recommendations to the Mayor.

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.

2. **AUTHORIZE THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT FOR COMPUTER EQUIPMENT WITH SAVANT SOLUTIONS**

Recommendation:

Authorize the City Manager to execute a purchase agreement for computer equipment with Savant Solutions with an amount not to exceed \$150,000.

3. **ADOPT RESOLUTION ACCEPTING METROPOLITAN TRANSPORTATION COMMISSION'S (MTC'S) TRANSIT ORIENTED COMMUNITIES (TOC) PLANNING AND IMPLEMENTATION PROJECTS GRANTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE GRANT RELATED AGREEMENTS AND DOCUMENTS**

Recommendation:

Adopt resolution:

1. Accepting a grant award from MTC for \$650,000 for Morgan Hill Zoning Densities and Floor Area Ratio TOC Policy Compliance; \$200,000 for Morgan Hill Housing TOC Policy Development; \$125,000 for Morgan Hill Parking Management TOC Policy Compliance; and \$175,000 for Morgan Hill Station Access and Circulation TOC Policy Compliance in response to the MTC's Call for TOC Planning and Implementation Projects; and
2. Authorizing the City Manager to negotiate and execute the City of Morgan Hill MTC TOC Planning and Implementation Grants application, the MTC TOC Planning and Implementation Grants documents, and any amendments thereto on behalf of the City as required by MTC for receipt of the MTC TOC Planning and Implementation Grants.

4. **ADOPT A RESOLUTION APPROVING FY 2025-26 LIST OF STREET REHABILITATION PROJECTS FUNDED BY SENATE BILL (SB) 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT**

Recommendation:

Adopt a resolution approving a list of street rehabilitation projects for Fiscal Year 2025-26 funded by SB1, the Road Repair and Accountability Act of 2017.

5. **ADOPT A RESOLUTION TO REQUEST THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2025-2026 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING**

Recommendation:

1. Authorize staff to prepare and submit a Transportation Development Act Article 3 Pedestrian Improvement Project grant application to the Santa

Clara Valley Transportation Authority for implementation of the Monterey Road High-Intensity Activated Crosswalk Beacon Project; and

2. Adopt a resolution to request the Metropolitan Transportation Commission for the allocation of fiscal year 2025-2026 Transportation Development Act Article 3 Pedestrian/Bicycle project funding.

6. **ADOPT A RESOLUTION DECLARING THE SUMMARY VACATION OF A PORTION OF A PUBLIC SERVICE AND LANDSCAPE EASEMENT AT 250 JARVIS DRIVE (APN 726-25-095)**

Recommendation:

1. Adopt a Resolution declaring the Summary Vacation of a portion of a Public Service and Landscape Easement at 250 Jarvis Drive (APN 726-25-095); and
2. Direct the City Clerk to file a certified copy of the Resolution in the Office of the Recorder of Santa Clara County.

7. **APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE AND ADMINISTER A CONSULTANT AGREEMENT FOR DESIGN PROFESSIONALS WITH KIMLEY-HORN & ASSOCIATES TO PROVIDE CONCEPTUAL DESIGN OF ROUNDABOUT INTERSECTION IMPROVEMENTS AT WATSONVILLE ROAD AND SUNNYSIDE AVENUE/SANTA TERESA BOULEVARD**

Recommendation:

Approve and authorize the City Manager to execute and administer a Consultant Agreement for Design Professionals with Kimley-Horn & Associates for the conceptual design of Roundabout Intersection Improvements at the intersection of Watsonville Road and Sunnyside Avenue/Santa Teresa Boulevard in the amount of \$175,096.

8. **APPROVE FINAL MAP FOR CROSSWINDS PHASE 2 - TRACT NO. 10652**

Recommendation:

1. Approve the Final Map; and
2. Authorize the recordation of the Final Map.

9. **APPROVE FIRST AMENDMENT TO THE AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM**

Recommendation:

Authorize the City Manager to execute the first amendment to the Agreement for the Countywide Household Hazardous Waste Collection Program.

10. **APPROVE GEOGRAPHIC INFORMATION SYSTEM (GIS) ENTERPRISE SOFTWARE AGREEMENT WITH ESRI**

Recommendation:

Authorize the City Manager to execute a three-year small government enterprise agreement with Esri for GIS software licensing for a total amount of \$126,600.

11. **APPROVE OBJECTIVE DEVELOPMENT STANDARD WAIVER REQUEST FOR THE DIANA - VALLEY OAK RESIDENTIAL PROJECT**

Recommendation:

Adopt a resolution approving the request for one waiver to the City's objective Residential Development Design and Development Standards for residential development.

12. **APPROVE SANTA CLARA VALLEY HABITAT AGENCY (SCVHA) HABITAT PLAN AMENDMENT AND AUTHORIZE GOVERNING BOARD TO APPROVE FINAL AMENDMENT**

Recommendation:

1. Receive information on proposed amendments to the Santa Clara Valley Habitat Plan;
2. Authorize the Santa Clara Valley Habitat Agency to proceed with the Habitat Plan amendment; and
3. Authorize the Santa Clara Valley Habitat Agency Governing Board to approve the final Habitat Plan amendment.

13. **APPROVE THE APRIL 2, 2025 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve minutes.

14. **AWARD 2025 SIDEWALK REPAIRS PROJECT TO ESTATE DESIGN AND CONSTRUCTION, INC.**

Recommendation:

1. Award contract to Estate Design and Construction, Inc. in the amount of \$160,000; and authorize the expenditure of construction contingency funds not to exceed \$16,000 for a total authorization of \$176,000; and
2. Authorize the City Manager to execute and administer the construction contract with Estate Design and Construction, Inc.

15. **AWARD 2025 PAVEMENT REHABILITATION PROJECT TO JV LUCAS PAVING**

Recommendation:

1. Approve 2025 Pavement Rehabilitation plans and specifications;
2. Award contract to JV Lucas Paving for the 2025 Pavement Rehabilitation Project in the amount of \$2,010,148;
3. Authorize the expenditure of construction contingency not to exceed \$301,522; and
4. Authorize the City Manager to execute and administer the construction contract with JV Lucas Paving.

16. AWARD EAST DUNNE SEWER UPSIZE PROJECT TO WESTROCK ENGINEERING

Recommendation:

1. Approve the East Dunne Sewer Upsize Project Plans and Specifications;
2. Award contract to WestRock Engineering for the East Dunne Sewer Upsize Project in the amount of \$1,177,409;
3. Authorize expenditure of construction contingency funds not to exceed \$117,741;
4. Authorize the City Manager to execute and administer the construction contract with WestRock Engineering.

17. INITIATE ANNUAL ASSESSMENT PROCESS FOR LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

Approval of the resolutions to:

1. Initiate the proceedings for the levy of assessments for Fiscal Year 2025-26;
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 18, 2025.

18. RATIFY CITY POSITION ON PENDING LEGISLATION

Recommendation:

Ratify the City's position supporting pending legislation, Senate Bill 496 (Hurtado) Advanced Clean Fleets.

19. APPROVE PACIFIC GAS AND ELECTRIC COMPANY AGREEMENT TO PROVIDE ELECTRIC SERVICE TO THE BUTTERFIELD PARK PHASE 1 PROJECT

Recommendation:

1. Approve the Pacific Gas and Electric Agreement to provide electric service to the Butterfield Park Phase 1 Project.; and
2. Authorize the City Manager to administer and execute the Pacific Gas and Electric Company Agreement in the amount of \$236,456.

PUBLIC HEARINGS

20. APPROVE SOLID WASTE MANAGEMENT RATE ADJUSTMENT FOR 2025

Recommendation:

Adopt resolution approving an adjustment to the maximum allowable solid waste charges effective July 1, 2025.

21. INTRODUCE ORDINANCE TO UPDATE AND DESIGNATE FIRE HAZARD SEVERITY ZONES

Recommendation:

1. Open/close public hearing;
2. Waive first and second reading of the Ordinance; and
3. Introduce Ordinance adopting updated fire hazard severity zones.

OTHER BUSINESS

22. INTRODUCE AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING SECTIONS 3.04.240 (CONSULTANT CONTRACTS) AND 3.04.250 (REQUEST FOR PROPOSALS) OF CHAPTER 3.04 (PURCHASING) OF TITLE 3 (REVENUE AND FINANCE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL REGARDING PROCUREMENT OF ARCHITECTURAL, LANDSCAPE ARCHITECTURAL, ENGINEERING, ENVIRONMENTAL, LAND SURVEYING, AND CONSTRUCTION PROJECT MANAGEMENT SERVICES PURSUANT TO ARTICLE XXII OF THE CALIFORNIA CONSTITUTION AND GOVERNMENT CODE § 4529.10 ET SEQ.

Recommendation:

1. Waive first and second reading of the Ordinance; and
2. Introduce Ordinance amending Chapter 3.04 (Purchasing).

23. INTRODUCE ORDINANCE AMENDING CHAPTER 5.32 (MASSAGE ESTABLISHMENTS AND MASSAGE PROFESSIONALS PERMIT REQUIREMENTS) OF TITLE 5 (BUSINESS LICENSES GENERALLY)

MODIFYING THE PERMITTING PROCEDURE FOR MASSAGE THERAPY ESTABLISHMENTS AND SERVICES

Recommendation:

1. Waive first and second reading of the Ordinance; and
2. Introduce Ordinance amending Chapter 5.32 (Massage Establishments and Massage Professionals Permit Requirements).

24. RECEIVE MONTHLY BUDGET UPDATE; MARCH 2025 FINANCIAL AND INVESTMENT REPORTS; AND CITY MANAGER AUTHORITY REPORT

Recommendation:

Receive and file reports.

25. APPROVE REQUEST TO RENAME NOB HILL TRAIL PARK AFTER COMMUNITY MEMBER MARTY CHEEK OR PROVIDE ALTERNATIVE DIRECTION

Recommendation:

Approve or do not approve the renaming of the Nob Hill Trail Park in recognition of Marty Cheek.

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 described in the notice of this meeting during consideration of that item. If you wish to address the Council on any item on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk before the City Council discussion on the item. You are not required to give your name on the speaker card 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 request an item on the agenda for a future City Council meeting. 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.

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.

Strategic Priorities 2024-2025

- Fiscal Sustainability
- Affordable Housing and Homelessness
- Community Engagement
- Economic Development and Tourism
- Transportation
- Healthy Community

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