



**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*

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**Wednesday, June 18, 2025**

**Special meeting at 5:00 p.m. for a Closed Session at the address below:  
City Hall, Grand Conference Room 17575 Peak Avenue, Morgan Hill, CA 95037**

**Regular meeting at 6:00 p.m. at the address below:  
Council Chamber Building, West Conference Room 17555 Peak Avenue, Morgan  
Hill, CA 95037**

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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 website, Facebook page, and Channel 17.

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](mailto: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](mailto: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 LEGAL COUNSEL-ANTICIPATED LITIGATION**

Significant Exposure to Litigation § 54956.9(d)(2)

One case

One potential action involving significant exposure to litigation pursuant to Section 54956.9 (d)(2); facts and circumstances are known under Section 54956.9 (e) (2) - complaint of inappropriate conduct made by Mayor Pro Tem Yvonne Martinez Beltran

**OPPORTUNITY FOR PUBLIC COMMENT**

**ADJOURN TO CLOSED SESSION**

**REGULAR MEETING**

6:00 p.m.

**SILENT INVOCATION**

**PLEDGE OF ALLEGIANCE**

**RECOGNITIONS**

Malisha Kumar  
Sunday Minnich

**PROCLAMATIONS**

Juneteenth Proclamation

**CITY COUNCIL REPORTS**

Council Member Martinez Beltran

**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](mailto: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 RESOLUTION ESTABLISHING THE GANN (PROPOSITION 4) APPROPRIATIONS LIMIT FOR FISCAL YEAR 2025-26**

Recommendation:

Adopt Resolution establishing the Gann (Proposition 4) appropriations limit for Fiscal Year 2025-26

2. **ADOPT RESOLUTION TO SUPPORT GRANT FUNDING FOR DOWNTOWN ELECTRIC VEHICLE (EV) CHARGING FROM THE METROPOLITAN TRANSPORTATION COMMISSION**

Recommendation:

Adopt resolution of support for grant funding from the Metropolitan Transportation Commission for Downtown EV Charging in the amount of \$1,052,000.

3. **APPROVE AMENDMENT TO BURR PLUMBING AND PUMPING, INC. ON-CALL MAINTENANCE SERVICE AGREEMENT**

Recommendation:

Authorize the City Manager to execute a fifth amendment to the maintenance service agreement with Burr Plumbing and Pumping, Inc., extending the term of the agreement to June 30, 2026 and increasing the amount of the agreement to \$407,625.

4. **APPROVE CONSULTANT AGREEMENTS WITH ACHIEVEMENT ENGINEERING CORPORATION AND TWINING, INC., IN THE AMOUNT OF \$750,000 EACH FOR ON-CALL GENERAL COMPACTION TESTING AND SPECIAL INSPECTION SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM PROJECTS**

Recommendation:

Approve and authorize the City Manager to execute and administer agreements to provide on-call general compaction testing and special inspection services for various Capital Improvement Program Projects with Achievement Engineering Corporation and Twining, Inc. in the amount of \$750,000 each for three year terms.

5. **APPROVE THE JUNE 4, 2025, SPECIAL/REGULAR CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve the June 4, 2025, Special/Regular City Council Meeting Minutes.

6. **APPROVE THE PURCHASE OF A 150KW TRAILER-MOUNTED PORTABLE DIESEL GENERATOR IN THE AMOUNT OF \$169,150 FROM ECB SOLUTIONS, LLC**

Recommendation:

Approve and authorize the City Manager to execute a purchase order to ECB Solutions, LLC in the amount of \$169,150 for the purchase of a 150kw trailer-mounted portable diesel generator for the Utilities Division.

7. **AUTHORIZE THE CITY MANAGER TO EXECUTE AND ADMINISTER A CONSULTANT SERVICES AGREEMENT WITH BUREAU VERITAS FOR THE COMPLETION OF AN ADA TRANSITION PLAN UPDATE**

Recommendation:

Authorize the City Manager to execute and administer a consultant services agreement with Bureau Veritas for the completion of an ADA Transition Plan Update in the amount of \$96,687.

8. **AUTHORIZE THE CITY MANAGER TO ENTER INTO A SERVICE AGREEMENT WITH THE COUNTY OF SANTA CLARA FOR SOUTH COUNTY YOUTH TASK FORCE FUNDING**

Recommendation:

Authorize the City Manager to further negotiate, execute, and administer a service agreement with the Santa Clara County District Attorney's Office to receive and administer grant funding in support of the South County Youth Task Force.

9. **AUTHORIZE THE CITY MANAGER TO EXECUTE GRANT AGREEMENTS WITH SILICON VALLEY CLEAN ENERGY**

Recommendation:

Authorize the City Manager to further negotiate, execute, and administer a \$1 million decarbonation grant and \$100,000 education grant from Silicon Valley Clean Energy.

10. **AWARD COUNCIL CHAMBER BUILDING ROOF REPLACEMENT PROJECT**

Recommendation:

1. Award contract to Diablo Roofing, Inc. in the amount of \$392,200; and
2. Authorize the expenditure of contingency funds in an amount not to exceed \$78,440; and
3. Authorize the City Manager to execute and administer the construction contract with Diablo Roofing, Inc.

11. **CONSIDER CITY POSITION ON PENDING STATE LEGISLATION**

Recommendation:

1. Consider supporting AB 650 (Papan) Planning and zoning: housing element: regional housing needs allocation;
2. Consider opposing SB 79 (Wiener) Housing development: transit-oriented development: California Environmental Quality Act: public transit agency land; and
3. Direct staff to submit letters in support of AB 650 and in opposition of SB 79 to the appropriate representatives.

**OTHER BUSINESS**

**12. ADOPTION OF A RESOLUTION APPROVING AN EXCEPTION TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS) 180-DAY WAITING PERIOD TO HIRE DONALD LARKIN AS A RETIRED ANNUITANT CITY ATTORNEY, APPROVAL OF CONTRACT WITH BURKE WILLIAMS & SORENSEN, LLP FOR CITY ATTORNEY CONTRACT SERVICES AND ELECTED OFFICIALS AND COUNCIL APPOINTED SALARY SCHEDULE**

Recommendation:

1. Adopt resolution approving an exception to the 180-day waiting period, set forth by CalPERS, to hire Donald Larkin as a retired annuitant City Attorney;
2. Approve contract with Burke Williams & Sorensen, LLP for Donald Larkin to perform City Attorney contract services; and
3. Approve Elected Officials and Council Appointed salary schedule.

**13. APPROVE COMMUNITY FUNDING LEVELS FOR FISCAL YEAR 2025-26 FOR THE REMAINING APPLICATIONS AND RECEIVE COUNCIL DIRECTION TO REVIEW SERVICE PRIORITIES, EVALUATE POTENTIAL REVENUE MEASURES, AND CONDUCT COMMUNITY ENGAGEMENT**

Recommendation:

1. Approve funding levels for FY2025-26 Community Funding for the remaining Applications;
2. Provide direction on timing for future Community Funding Application Review;
3. Provide direction on any policy updates to the Community Funding Policy as desired by the City Council; and
4. Receive Council direction to review service priorities, evaluate potential revenue measures, and conduct Community Engagement.

**PUBLIC HEARINGS**

**14. 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) 2025-26 annual assessments and ordering the levy of assessments for the District.

**15. AUTHORIZE A CHANGE ORDER FOR THE ENERGY SERVICES CONTRACT WITH SYSERCO ENERGY SOLUTIONS, INC. TO THE CITYWIDE SOLAR SYSTEMS PROJECT FOR THE REPAIR OF THE CENTENNIAL RECREATION CENTER (CRC) SOLAR SYSTEM IN THE AMOUNT OF \$243,600**

Recommendation:

1. Open and close the Public Hearing;
2. Authorize a Change Order for the repair of the CRC at a cost of \$243,600;
3. Adopt a resolution appropriating \$243,600 from the Building Replacement Fund (741); and
4. Adopt a resolution making findings in compliance with California Government Code Section 4217.12 on Energy Conservation Contracts.

**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](mailto: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