



Regular Meeting Agenda
City Council

<i>Mark Turner</i>	-	<i>Mayor</i>
<i>Yvonne Martínez Beltrán</i>	-	<i>Mayor Pro Tem</i>
<i>Miriam Vega</i>	-	<i>Council Member</i>
<i>Marilyn Librers</i>	-	<i>Council Member</i>
<i>Soraida Iwanaga</i>	-	<i>Council Member</i>

Wednesday, June 5, 2024

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 participate by teleconference/video conference. Information on how the public may observe and participate in the meeting is below.

MEETING PARTICIPATION

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

Members of the Community wishing to participate in the meeting remotely must register in advance at: <https://bit.ly/MHCityCouncilMeeting>. After registering, the registrant will receive a confirmation email containing information about joining the meeting. The meeting can then be joined virtually at: <https://bit.ly/MHCityCouncilMeeting> or by calling (669) 900-9128, and entering webinar id: 873 3200 8380#.

PUBLIC COMMENT

Public comment for items **NOT** on the agenda may only be provided in the following ways:

- In-person at the City Council Meeting;
- In writing
 - o Via email to ccpubliccomment@morganhill.ca.gov; or
 - o Hard copy comments by mail or hand-delivered to the City Clerk at 17575 Peak Avenue, Morgan Hill, CA 95037.

****Please note that public comment for items not on the agenda is not accepted virtually.**

Public comment for items **ON** the Consent calendar, Public Hearings, and Other Business items, may be provided in the following ways:

- In-person at the City Council Meeting;
- Participating virtually via the Zoom link above. When the meeting gets to the item you wish to speak on, raise your virtual hand to be called upon to speak for up to 3 minutes (YOU MUST BE RUNNING THE MOST CURRENT VERSION OF ZOOM TO BE UNMUTED)
- Participating virtually by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to 3 minutes
- In writing
 - o Via email to ccpubliccomment@morganhill.ca.gov; or
 - o Hard copy comments by mail or hand-delivered 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.

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Proclaiming the month of June as LGBTQ+ Pride Month

CITY COUNCIL REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

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. **APPROVE A CONSULTANT AGREEMENT WITH INNOVATIVE CLAIM SOLUTIONS, INC. FOR THIRD PARTY CLAIMS ADMINISTRATION FOR WORKERS' COMPENSATION**

Recommendation:

Approve a five-year agreement with Innovative Claim Solutions, Inc. to provide third party claims administration for workers' compensation in an amount not to exceed \$193,662.

2. **APPROVE COUNTYWIDE AB 939 AND HOUSEHOLD HAZARDOUS WASTE COLLECTION AGREEMENTS**

Recommendation:

Authorize the City Manager to Execute the Countywide AB 939 and Household Hazardous Waste Collection Agreements.

3. **APPROVE MEMORANDUM OF UNDERSTANDING FOR PARTICIPATION IN THE COUNTYWIDE FOOD RECOVERY PROGRAM**

Recommendation:

Authorize the City Manager to enter into a Memorandum of Understanding that will allow the City to participate in the Countywide Food Recovery Program for SB 1383 compliance, and also to administer and oversee the program in the City's capacity as Countywide Solid Waste Services Administrator and Contracting Agent.

4. **APPROVE SECOND AMENDMENT TO THE FISCAL YEAR (FY) 2023/24 COUNTYWIDE SOLID WASTE SERVICES FOOD RECOVERY PROGRAM AND THE NEW FY 2024/25 CONTRACT WITH JOINT VENTURE SILICON VALLEY**

Recommendation:

1. Approve the second amendment to the FY 2023/24 Joint Venture Silicon Valley consultant agreement to extend the effective date of services from July 4, 2023, until June 30, 2025;
2. Approve a new consultant agreement with Joint Venture Silicon Valley for FY 2024/25 Edible Food Recovery Program services in the amount of \$636,563; and
3. Authorize the City Manager to execute and administer the second amendment to the 2023/24 consultant agreement and the new 2024/25 consultant agreement with Joint Venture Silicon Valley.

5. **APPROVE THE MAY 15, 2024 CITY COUNCIL MEETING MINUTES AND THE MAY 22, 2024 BUDGET WORKSHOP MINUTES**

Recommendation:

Approve minutes.

6. **AWARD CONTRACTS FOR EMERGENCY ON-CALL SPILL RESPONSE CLEANUP SERVICES**

Recommendation:

1. Award service agreements to GrayMar Environmental Services, Inc. ("GrayMar"), HCI Environmental & Engineering Service ("HCI"), and Clean Harbors Environmental Services, Inc. ("Clean Harbors") for emergency on-call spill response cleanup services for up to \$100,000 each; and
2. Authorize the City Manager to execute and administer the Agreements.

PUBLIC HEARINGS

7. ADOPT RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year (FY) 2024-25 annual assessments and ordering the levy of assessments for the District.

OTHER BUSINESS

8. DISCUSS WHETHER TO CHANGE THE CITY TREASURER POSITION FROM ELECTIVE TO APPOINTIVE, AND IF THE COUNCIL WISHES TO PROCEED, ADOPT A RESOLUTION SUBMITTING THE QUESTION TO THE VOTERS

Recommendation:

1. Provide direction to staff regarding changing the City Treasurer position from elective to appointive; and
2. If approved, adopt resolution that would submit to the voters a ballot measure to change the City Treasurer position from elected to appointed.

FUTURE COUNCIL INITIATED AGENDA ITEMS

CLOSED SESSION

Conference with Legal Counsel – Existing Litigation (\$ 54956.9)

City of Morgan Hill v. Rocke and Glenda Garcia et al. (Santa Clara County Case No. 21CV385524)

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

ITEM PULLED FOR DISCUSSION

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