



**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, June 4, 2025

6:00 PM

**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**

Council Member Vega will be participating remotely as follows:

507 Palmer Street
Orlando, FL 32801

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 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; 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 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; 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

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant Exposure to Litigation § 54956.9(b)
(Unknown Number of Cases)
Potential Builders' Remedy Litigation

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

REGULAR MEETING

6:00 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATION

LGBTQ+ Pride Month

RECOGNITIONS

MH Pony Baseball - Toros 12U
Jeff Dixon

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. ACCEPTANCE OF 2024 PAVEMENT REHABILITATION PROJECT IN THE AMOUNT OF \$3,220,947

Recommendation:

1. Accept as complete the 2024 Pavement Rehabilitation Project;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file said Notice of Completion with the County Recorder's Office.

2. ADOPT ORDINANCE NO. 2364, NEW SERIES, UPDATING AND DESIGNATING FIRE HAZARD SEVERITY ZONES IN LOCAL RESPONSIBILITY AREAS

Recommendation:

Waive the reading, adopt Ordinance No. 2364, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

3. ADOPT ORDINANCE NO. 2365, NEW SERIES, 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:

Waive the reading, adopt Ordinance No. 2365, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

4. ADOPT ORDINANCE NO. 2366, NEW SERIES AMENDING CHAPTER 5.32 (MESSAGE ESTABLISHMENTS AND MESSAGE PROFESSIONALS PERMIT

REQUIREMENTS) OF TITLE 5 (BUSINESS LICENSES GENERALLY) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL MODIFYING THE PERMITTING PROCEDURE FOR MASSAGE THERAPY ESTABLISHMENTS AND SERVICES

Recommendation:

Waive the reading, adopt Ordinance No. 2366, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

5. APPROVE COUNTY OF SANTA CLARA FISCAL AGENT SERVICE AGREEMENT

Recommendation:

1. Approve the FY 25-26 Fiscal Agent Service Agreement with the County of Santa Clara in the amount of \$399,543; and
2. Authorize the City Manager to execute and administer the Fiscal Agent Service Agreement with the County of Santa Clara, with the option to extend the contract for up to four additional one-year terms in amounts to be approved by the County of Santa Clara Recycling and Waste Reduction Commission as part of their annual budget approval process.

6. APPROVE THE 2024 ANNUAL MILITARY EQUIPMENT USE REPORT

Recommendation:

1. Approve the 2024 Annual Military Equipment Use Report and the continued use of the controlled equipment contained in the report; and
2. Authorize the purchase of controlled equipment for approximately \$32,581.

7. APPROVE CITY COUNCIL ASSIGNMENT UPDATE TO SILICON VALLEY CLEAN ENERGY (SVCE) FOR 2025

Recommendation:

1. Approve the appointment of Mayor Mark Turner as the alternate representative to the Silicon Valley Clean Energy Authority (SVCE), replacing outgoing staff member Tanya Carothers; and
2. Direct the City Clerk to notify SVCE of the updated assignment and update the Form 806 as necessary.

8. APPROVE THE MAY 21, 2025 CITY COUNCIL MEETING MINUTES

Recommendation:

Approve minutes.

9. **AWARD OF 2025 MORGAN HILL WATER MAIN REPLACEMENT PROJECT TO DPI, INC.**

Recommendation:

1. Approve the 2025 Morgan Hill Water Main Replacement Project Plans and Specifications;
2. Award 2025 Morgan Hill Water Main Replacement Project to DPI, Inc. in the amount of \$537,800;
3. Authorize the expenditure of contingency in the amount of \$107,560; and
4. Authorize the City Manager to execute and administer the construction contract with DPI, Inc.

10. **RATIFY CITY POSITION ON PENDING LEGISLATION**

Recommendation:

Ratify the City's position opposing pending legislation, Senate Bill 16 (Blakespear) Homeless Housing, Assistance, and Prevention program: housing element.

11. **RECEIVE MONTHLY BUDGET UPDATE AND APRIL 2025 FINANCIAL AND INVESTMENT REPORTS**

Recommendation:

Receive and file reports

PUBLIC HEARINGS

12. **RECEIVE A REPORT ON CITY OF MORGAN HILL VACANCIES, AND RECRUITMENT AND RETENTION EFFORTS**

Recommendation:

Receive the informational report on City of Morgan Hill Vacancies, and Recruitment and Retention Efforts Pursuant to Government Code Section 3502.3 (AB 2561).

OTHER BUSINESS

13. **ADOPT OR DO NOT ADOPT A RESOLUTION AUTHORIZING THE DISPLAY OF THE JUNETEENTH FLAG**

Recommendation:

Adopt or do not adopt a resolution authorizing the display of the Juneteenth Flag for the week of June 16-20, 2025.

14. **ADOPT FISCAL YEARS (FY) 2024-25 AND 2025-26 MID-CYCLE BUDGET AMENDMENTS; APPROVE THE FY 2025-26 COMMUNITY FUNDING; AUTHORIZE THE CITY MANAGER TO ENTER INTO THE AGREEMENTS**

WITH THE COUNTY OF SANTA CLARA FOR ANIMAL SHELTERING SERVICES AND EMERGENCY MEDICAL DISPATCH SERVICES; AMEND THE FISCAL POLICY TO ELIMINATE THE ALLOCATION OF GENERAL FUND BUDGET SAVINGS TO THE OPEB SECTION 115 TRUST; DELEGATE THE AUTHORITY TO THE CITY MANAGER TO RENEW SOFTWARE LICENSES IF THEY ARE INCLUDED IN THE ADOPTED BUDGET; AND REVIEW POTENTIAL BUDGET ACTIONS AND DIRECT STAFF TO CONTINUE COMMUNITY ENGAGEMENT EFFORTS FOCUSED ON SERVICE PRIORITIZATION AND OR A REVENUE ENHANCEMENT MEASURE

Recommendation:

1. Adopt a resolution amending the Adopted Fiscal Year (FY) 2024-25 and 2025–26 budgets;
2. Approve the FY 2025-26 Community Funding;
3. Authorize the City Manager to enter into agreements with the County of Santa Clara for Animal Sheltering Services and Emergency Medical Dispatch Services;
4. Amend the Fiscal Policy to eliminate the allocation of General Fund Budget Savings to the OPEB Section 115 Trust;
5. Delegate the authority to the City Manager to renew software licenses if they are included in the Adopted Budget; and
6. Review potential Budget actions and direct staff to continue Community Engagement efforts focused on service prioritization and/or a Revenue Enhancement Measure.

15. PROVIDE DIRECTION TO STAFF ON PROPOSED FUTURE COUNCIL INITIATED AGENDA ITEM

Recommendation:

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

Create a policy on the regularity of City Council meetings.

FUTURE COUNCIL INITIATED AGENDA ITEMS

ADJOURNMENT

ITEMS PULLED FOR DISCUSSION

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