



**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, August 20, 2025

5:00 p.m. Closed Session

6:00 p.m. Regular Session

**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

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 and 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 on 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 who have their hand raised. Following public comment from Zoom, we will close the public comment period for that item.

Remote public comment on 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 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 #23-051

PUBLIC EMPLOYMENT (§ 54957)

Title: City Attorney

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (§ 54956.9)

Perry v. City of Morgan Hill, et al. (Santa Clara County Case No. 25-CV-464704

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (§ 54956.9)

Berns v. City of Morgan Hill, et al. (Santa Clara County Case No. 25-CV-472644

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

REGULAR MEETING

6:00 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Miriam Vega

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)

PUBLIC COMMENT SUPPLEMENTS

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. **ACCEPT THE CALIFORNIA HIGHWAY PATROL CANNABIS TAX GRANT IN THE AMOUNT OF \$227,388.**

Recommendation:

1. Adopt a Resolution Accepting the California Highway Patrol Cannabis Tax Grant in the amount of \$227,388;
2. Authorize the City Manager to execute the California Highway Patrol Cannabis Tax Fund Grant Program agreement; and
3. Adopt a budget amendment resolution for FY 2025-26 to appropriate \$227,388 and recognize the corresponding grant revenue.

2. **ACCEPT ANNUAL EVALUATION REPORT FOR THE SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI) FOR FY 2024-25 (YEAR 4) RELATING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM'S COMMUNITY RATING SYSTEM PROGRAM**

Recommendation:

Accept the Annual Evaluation Report for FY 2024-25 (Year 4) for the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI).

3. **ACCEPT MONTEREY ROAD UNDERPASS CONCRETE SPALL AND CRACK REPAIR PROJECT**

Recommendation:

1. Accept as complete, the Monterey Road Underpass Concrete Spall and Crack Repair Project in the final amount of \$298,730;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

4. **ACCEPT GRANT FUNDING IN THE AMOUNT OF \$416,500 FROM THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA) TO SUPPORT STAFFING AND PROGRAM EFFORTS RELATED TO ECONOMIC MOBILITY**

Recommendation:

1. Authorize the City Manager to execute an Agreement with the International City/County Management Association (ICMA) accepting grant funds in the amount of \$416,500; and

2. Adopt a resolution to amend the City's Fiscal Year (FY) 2025-2026 Adopted Budget, to appropriate \$416,500 to the Housing Division to hire an Administrative Analyst and provide program funds for the implementation of the City's Economic Mobility initiatives.

5. **AMEND AFFORDABLE HOUSING AGREEMENT FOR BROOKFIELD-ROSEWOOD**

Recommendation:

Approve a Second Amendment to the Affordable Housing Agreement between the City of Morgan Hill and BFH CM Residential LLC authorizing a Housing in Lieu payment of \$2,114,510 for the remaining eight Below Market Rate units in the project.

6. **APPROVE CONSULTANT AGREEMENT WITH ENGEO, INC. IN THE AMOUNT OF \$750,000 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 an agreement to provide on-call general compaction testing and special inspection services for various Capital Improvement Program Projects with Engeo, Inc. in the amount of \$750,000 for a three year term.

7. **APPROVE THE FY 2025-26 WORK PLANS FOR THE LIBRARY, CULTURE AND ARTS COMMISSION AND THE PARKS AND RECREATION COMMISSION**

Recommendation:

Review and approve the FY 2025-26 Work Plans for the Library, Culture and Arts Commission and the Parks and Recreation Commission.

8. **APPROVE SECOND AMENDMENT TO THE MAINTENANCE SERVICE AGREEMENT WITH ENVIRONMENTAL SYSTEMS, INC. TO INCREASE THE NOT TO EXCEED AMOUNT BY \$2,500,000 FOR A TOTAL AGREEMENT AMOUNT OF \$3,762,944 FOR THE REPAIR AND REPLACEMENT OF SIGNIFICANT CITY HEATING VENTILATION AND COOLING COMPONENTS WITHIN THE CITY'S BUILDINGS**

Recommendation:

1. Approve the Second Amendment to the Maintenance Service Agreement with Environmental Systems, Inc. for \$2,500,000, for a total agreement amount of \$3,762,944;
2. Authorize the City Manager to execute and administer the Second Amendment to the Maintenance Service Agreement with Environmental Systems, Inc.;

3. Authorize the City Manager to extend the term of the Agreement with Environmental Systems, Inc. for up to an additional one-year term; and
4. Adopt a resolution appropriating \$1.4 million in Building Replacement Fund (741).

9. APPROVE THE JUNE 18, 2025, JUNE 25, 2025, JULY 7, 2025, and JULY 22, 2025 CITY COUNCIL MEETING MINUTES.

Recommendation:

Approve the June 18, 2025, June 25, 2025, July 7, 2025, and July 22, 2025 City Council meeting minutes.

10. AUTHORIZE AMENDMENT TO JOINT USE AGREEMENT AND ACCEPT DONATIONS TO ALLOW FOR THE INSTALLATION OF TREES ALONG THE WEST LITTLE LLAGAS CREEK TRAIL SOUTH OF WATSONVILLE ROAD

Recommendation:

1. Authorize the City Manager to execute an amendment to the West Little Llagas Creek Trail Joint Use Agreement with Valley Water to allow for the planting of trees along the trail;
2. Accept a donation of trees from Google valued at \$10,000; and
3. Accept a donation from the Rotary Club of Morgan Hill of \$25,000 to be used towards irrigation for the new trees.

11. RATIFY CITY POSITIONS ON PENDING LEGISLATION

Recommendation:

1. Ratify the City's position opposing pending legislation Senate Bill 445 (Wiener) Transportation Projects: Permitting; and
2. Ratify the City's position supporting pending legislation Senate Bill 346 (Durazo) Local agencies: transient occupancy taxes: and short-term rental facilitator.

PUBLIC HEARINGS

12. CONDUCT TAX AND EQUITY FISCAL RESPONSIBILITY ACT (TEFRA) HEARING APPROVING ISSUANCE OF REVENUE BONDS FOR MAGNOLIAS APARTMENT PROJECT LOCATED AT 17965 MONTEREY ROAD WITHIN THE CITY OF MORGAN HILL

Recommendation:

1. Open and close public hearing consistent with the requirements of the Federal Tax and Equity Fiscal Responsibility Act ("TEFRA") and Section

147 (f) of the Internal Revenue Code of 1986, as amended (the “Code”);
and

2. Adopt the resolution approving the issuance and re-issuance of bonds by the California Municipal Finance Authority (CMFA), for the acquisition, construction, improvement and equipping of a 66-unit multifamily housing project located on a 1.53-acre parcel situated at 17965 Monterey Road, in the City of Morgan Hill, California (the “City”).

OTHER BUSINESS

13. REMOVE AND REPLACE CURRENT MAYOR PRO TEMPORE

Recommendation:

1. City Council consideration of the Mayor's recommendation to remove Yvonne Martínez Beltrán from her appointed position of Mayor Pro Tempore, pursuant to Council Policy CP-99-01; and
2. Should the motion to remove be approved by a majority vote, the Council shall open the floor to nomination(s) for a new Mayor Pro Tempore; and
3. Select a new Council Member to serve as Mayor Pro Tempore through December 3, 2025.

14. RECEIVE MONTHLY BUDGET UPDATE; PRELIMINARY FY 2024-25 FINANCIAL AND INVESTMENT REPORTS; CITY MANAGER AUTHORITY REPORT; AND ADOPT RESOLUTION AMENDING FY 2024-25 BUDGET

Recommendation:

1. Accept and file report; and
2. Adopt resolution amending FY 2024-25 Budget.

15. HOLD MID-YEAR GOAL CHECK-IN

Recommendation:

Receive and review departmental updates, strategic priority workplan status updates, and Sustainable Morgan Hill priorities; and provide any desired changes to the workplan and Sustainable Morgan Hill priorities.

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

August 20, 2025

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