



City Council

Regular Meeting Agenda

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

Wednesday, August 19, 2026

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. Members of the public may attend in person or participate remotely through Zoom or by telephone. Information about how to observe and participate in the meeting is provided below.

MEETING PARTICIPATION

Language Interpretation / Interpretación de idiomas

Live digital language interpretation is available. To access the interpretation during the meeting, go to:

<https://live.pocketalk.com/guest/S71BBUiWwiqXh3sPBf9Bfs2Ey4OYY9zgv8vZB5>

or scan the QR code below:

Tenemos Interpretación digital en vivo. Para usar la interpretación durante la reunión, visite:

<https://live.pocketalk.com/guest/S71BBUiWwiqXh3sPBf9Bfs2Ey4OYY9zgv8vZB5>

o escanee el código QR a continuación:



You can use a headset on your phone for audio or read the transcript on your device. Tablets and disposable headphones will be provided in person during the meeting to those who do not have their own devices.

Puede usar audífonos en su celular para escuchar el audio o leer la transcripción. Durante la reunión, se prestarán tabletas y audífonos desechables para las personas que no tengan su propio aparato.

Members of the public who need interpretation services or plan to bring an interpreter may request assistance from the City. Assistance may include coordinating interpretation services, arranging space for an interpreter, allowing additional time for interpretation, or accommodating personal interpretation equipment or services. Contact the City Clerk's Office at (408) 779-7259 or by email at cityclerk@morganhill.ca.gov at least 72 hours before the meeting. Requests received with less than 72 hours' notice will be accommodated when reasonably possible, but assistance cannot be guaranteed.

Las personas que necesiten servicios de interpretación o que piensen traer a un intérprete pueden pedir ayuda a la Ciudad. La ayuda puede incluir coordinar servicios de interpretación, preparar un espacio para el intérprete, permitir más tiempo para la interpretación o permitir el uso de equipos o servicios personales de interpretación. Comuníquese con la Oficina de la Secretaria Municipal al (408) 779-7259 o a cityclerk@morganhill.ca.gov por lo menos 72 horas antes de la reunión. Las solicitudes recibidas con menos de 72 horas de anticipación se atenderán cuando sea posible, pero no se puede garantizar la ayuda.

Remote Participation

Members of the public may attend, observe, and participate in the meeting remotely through Zoom or by telephone. Meetings are also livestreamed on the City's YouTube page. Automatic captions will be enabled in Zoom.

If a disruption of the City-provided remote access service prevents members of the public from attending or observing the meeting remotely, the City will follow its adopted disruption policy and the Ralph M. Brown Act. The City is not responsible for technical difficulties caused by a participant's equipment, internet connection, telephone service, or other circumstances outside the City's control.

To participate through Zoom, use the following link:

<https://us02web.zoom.us/j/87332008380?pwd=50AakJDKhYYpUVhG4rQImPaa32vz1q.1>

Zoom participants should use the latest version of Zoom. Participants may be required to update Zoom before joining the meeting.

To participate by telephone, call (669) 900-9128 and enter webinar ID 873 3200 8380#. Dial *9 to raise your hand. When called upon, dial *6 to unmute. Speakers may have up to three minutes.

PUBLIC COMMENT

Members of the public may provide oral public comment in person or remotely during the meeting. Written comments may be submitted before the meeting. Remote participants will receive the same speaking time as in-person participants.

Each speaker may have up to three minutes per item. If many people wish to speak about an item, the Mayor may reduce the speaking time for each speaker to accommodate additional speakers and maintain the orderly flow of the meeting.

Public comment will first be heard from participants attending in person who submitted speaker cards. The City will then call on Zoom participants who have raised their hands. After all speakers have been heard, the public comment period for that item will close.

Remote participants may comment on all agenda items for which public comment is permitted. During regular meetings, remote participants may also comment during the general public comment period on matters within the City Council's jurisdiction that are not listed on the agenda.

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 comments no later than 3:00 p.m. the day before the meeting, so the City Council has time to review them. Comments may be submitted until noon on the day of the meeting, but Council Members may not have time to review them before the meeting. Comments received after noon on the day of the meeting will be provided to the City Council as time allows.

Written comments will not be read aloud during the meeting. They will be provided to the City Council, included in the meeting record, and posted on the City's website. Do not include personal information that you do not want published. Communications sent to the City Council are public records and may be disclosed under the California Public Records Act and the Ralph M. Brown Act unless exempt from disclosure under applicable law. Written comments will generally be posted as submitted.

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, a person with a disability may request a disability-related modification, accommodation, auxiliary aid, or service needed to participate in the meeting. Contact the City Clerk's Office at (408) 779-7259 or by email at cityclerk@morganhill.ca.gov as early as possible, preferably at least two

full business days before the meeting. Requests received with less notice will be accommodated when reasonably possible, but assistance cannot be guaranteed.

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 [Government Code § 54956.9(d)(2)]

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)

- Complaints of inappropriate conduct by a Council Member

OPPORTUNITY FOR PUBLIC COMMENT ON CLOSED SESSION

ADJOURN TO CLOSED SESSION

REGULAR MEETING

6:00 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS

Carlos Perez, Royal Clothiers

CITY COUNCIL REPORTS

Mayor Pro Tem Librers

OTHER REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

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 CENTENNIAL RECREATION CENTER (CRC) BATTERY STORAGE PROJECT

Recommendation:

1. Accept as complete the Centennial Recreation Center (CRC) Battery Storage Project;
2. Authorize the Public Services Director 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. **ACCEPT GRANT FUNDING OF \$798,000 FROM CAL FIRE AND ADOPT THE BUDGET AMENDMENT RESOLUTION TO APPROPRIATE \$998,000 IN THE AGRICULTURAL PRESERVATION AND OPEN SPACE FUND TO SUPPORT A FIRE PROTECTION PROJECT**

Recommendation:

1. Accept Grant Funding of \$798,000 from CAL FIRE for a fuel reduction project on City right of way and open space areas; and
2. Amend the Fiscal Year 2026-2027 Capital Improvement Budget, appropriating \$998,000 in expense and \$798,000 in grant revenue from the Agricultural Preservation and Open Space Fund for fire protection project.

3. **ACCEPT THE CALIFORNIA HIGHWAY PATROL CANNABIS TAX GRANT IN THE AMOUNT OF \$170,429**

Recommendation:

1. Adopt a resolution accepting the California Highway Patrol's Cannabis Tax Grant in the amount of \$170,429; and
2. Authorize the City Manager to execute the California Highway Patrol's Cannabis Tax Fund Grant Program agreement.

4. **ACCEPT THE CALIFORNIA OFFICE OF TRAFFIC SAFETY TRAFFIC ENFORCEMENT GRANT IN THE AMOUNT OF \$79,300**

Recommendation:

1. Adopt a resolution accepting the California Office of Traffic Safety's Selective Traffic Enforcement Grant in the amount of \$79,300; and
2. Authorize the City Manager to execute the California Office of Traffic Safety's Selective Traffic Enforcement Grant Program agreement.

5. **ADOPT ORDINANCE 2376, NEW SERIES, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MORGAN HILL AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

Recommendation:

Waive the reading, adopt Ordinance No. 2376, 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.

6. **APPROVE AN IMPACT FEE FREEZE AGREEMENT WITH REGENCY CENTERS, L.P., FOR A 55,314 SQUARE FOOT RETAIL DEVELOPMENT ON**

7.82 ACRES PARCEL IDENTIFIED BY ASSESSOR PARCEL NUMBER (APN) 728-31-020

Recommendation:

Approve and authorize the City Manager to execute an Impact Fee Freeze Agreement with Regency Centers, L.P. for an approximately 55,314 square foot retail development on 7.82 acres located at the southwest corner of Cochrane Road and DePaul Road on APN 728-31-020.

7. APPROVE COMMISSION WORK PLANS FOR FISCAL YEAR 2026-27

Recommendation:

Review and approve the FY 2026-27 Work Plans for the Library, Culture and Arts Commission and the Parks and Recreation Commission.

8. APPROVE CONSULTANT AGREEMENTS WITH TL ENGINEERING CORP. AND HEXAGON TRANSPORTATION CONSULTANTS, INC., FOR ON-CALL TRANSPORTATION/TRAFFIC ENGINEERING SERVICES

Recommendation:

1. Approve and authorize the City Manager to execute and administer an agreement with TL Engineering in the amount of \$300,000 to provide On-Call Transportation/Traffic Engineering Services for various Capital Improvement Program Projects and On-Call Engineering Plan Review and Technical Support Services for Land Development Engineering; and
2. Approve and authorize the City Manager to execute and administer an agreement with Hexagon Transportation Consultants, Inc. in the amount of \$300,000 to provide On-Call Transportation/Traffic Engineering Services for various Capital Improvement Program Projects and On-Call Engineering Plan Review and Technical Support Services for Land Development Engineering.

9. APPROVE CONSULTANT AGREEMENT WITH HYDROSCIENCE ENGINEERS, INC. FOR THE NOT TO EXCEED AMOUNT OF \$671,147 FOR CONDIT AND LLAGAS BOOSTER STATION DESIGN AND PROFESSIONAL SERVICES

Recommendation:

Award and authorize the City Manager to execute a Consultant Agreement for Design Professionals with HydroScience Engineers, Inc. for the not to exceed amount of \$671,147 for Condit and Llagas booster station design and professional services.

10. APPROVE FINAL MAP FOR SPRING VIEW – TRACT NO. 10589 AND RELATED SUBDIVISION IMPROVEMENTS AGREEMENT (335 SPRING AVENUE)

Recommendation:

1. Approve the Final Map;
2. Approve a Subdivision Improvements Agreement with 335 Spring LLC, a California limited liability company;
3. Authorize the City Manager to execute the Subdivision Improvements Agreement; and
4. Authorize the recordation of the Final Map and Subdivision Improvements Agreement.

11. APPROVE PURCHASE OF REPLACEMENT PUMPS FOR LIFT STATIONS C AND H FROM SHAPE INC. IN THE AMOUNT OF \$105,135

Recommendation:

Approve and authorize the City Manager to execute a purchase order to Shape Inc. in the amount of \$105,135 for Lift Station C and H replacement pumps.

12. APPROVE RESPONSES TO 2025-26 CIVIL GRAND JURY REPORTS, "POTHOLE DAMAGE: IMPROVING CLAIMS PROCESSES WITHIN SANTA CLARA COUNTY," AND "VTA'S MANAGEMENT AND OVERSIGHT OF BART SILICON VALLEY PHASE II"

Recommendation:

1. Approve response to 2025-26 Santa Clara County Civil Grand Jury Report "Pothole Damage: Improving claims processes within Santa Clara County,";
2. Approve response to 2025-26 Santa Clara County Civil Grand Jury Report "VTA's Management and Oversight of BART Silicon Valley Phase II,"; and
3. Authorize the Mayor to sign the responses.

13. APPROVE THE AMENDMENT TO GRANT OF MAINTENANCE AND ACCESS EASEMENT WITH SUNSWEET MORGAN HILL DEVELOPMENT LLC TO ABANDON CERTAIN PORTIONS OF AN EXISTING MAINTENANCE EASEMENT AND AN ACCESS EASEMENT BOTH RUNNING ALONG THE WESTERLY SIDE OF THE SUNSWEET MIXED-USE APARTMENT BUILDING LOCATED AT 90 E. 3RD STREET (DESIGNATED AS ASSESSOR'S PARCEL NUMBER 726-13-058) AND ACCEPT COMPENSATION IN THE AMOUNT OF \$5,216

Recommendation:

1. Approve the Amendment to Grant of Maintenance and Access Easement with Sunsweet Morgan Hill Development LLC that will reduce the square footages of an existing 3,600 sq. ft. Maintenance Easement Area and an existing 2,880 sq. ft. Access Easement Area, granted to the City on August 27, 2014 by Glenrock Builders, Inc. (original Sunsweet Property

Owner/Developer), with both easements running along the westerly side of the Sunsweet Mixed-Use Apartment Building located at 90 E. 3rd Street (designated as Assessor's Parcel Number: 726-13-058);

2. Accept a fair market value compensation in the amount of \$5,216 from Sunsweet Morgan Hill Development LLC (current Sunsweet Property Owner);
3. Authorize the City Manager to execute the Amendment to Grant of Maintenance and Access Easement; and
4. Authorize the recordation of the Amendment to Grant of Maintenance and Access Easement in the Official Records of the County contingent upon the receipt of the \$5,216 compensation from Sunsweet Morgan Hill Development LLC.

14. APPROVE THE JUNE 17, 2026 CITY COUNCIL MEETING AND JUNE 24, 2026 SPECIAL CITY COUNCIL MEETING MINUTES

Recommendation:

Approve the June 17, 2026 City Council Meeting and June 24, 2026 Special City Council Meeting Minutes.

15. RATIFY CITY POSITIONS ON PENDING LEGISLATION

Recommendation:

1. Ratify the City's position opposing pending legislation Senate Bill 1117 (Cervantes) Accessory dwelling units and junior accessory dwelling units;
2. Ratify the City's position opposing pending legislation Assembly Bill 1621 (Wilson) Planning and Zoning Law: Post-entitlement Phase Permits: Housing Accountability Act;
3. Ratify the City's position opposing pending legislation Assembly Bill 1751 (Quirk-Silva) Missing Middle Townhome Ownership Act;
4. Ratify the City's position supporting Assembly Bill 1436 (Avila Faris) State Air Resources Board: air pollution regulations: private fleets: exception; and
5. Ratify the City signing on to the League of California Cities coalition letter urging the Legislature to reject proposed wildfire liability reforms.

OTHER BUSINESS

16. APPOINT VOTING DELEGATES FOR THE 2026 CALCITIES (LEAGUE) ANNUAL CONFERENCE AND APPROVE CITY SUPPORT OF THE RESOLUTION TO BE CONSIDERED

Recommendation:

1. Appoint a voting delegate and up to two (2) alternate voting delegates to the CalCities Annual Conference;
2. Direct the Clerk team to complete and forward the voting delegate form to CalCities;
3. Confirm "support" for the resolution to be considered calling for a working group to consider a state constitutional amendment or other form of initiative to ensure final local authority over housing and land use decisions; and
4. Authorize the City's voting delegate(s) to vote on the resolution to be considered at the CalCities annual conference.

**17. RECEIVE MONTHLY BUDGET UPDATE; PRELIMINARY FY 2025-26
FINANCIAL AND INVESTMENT REPORTS; AND CITY MANAGER
AUTHORITY REPORT**

Recommendation:

Accept and file report.

**18. PROVIDE DIRECTION TO STAFF ON PROPOSED FUTURE COUNCIL
INITIATED AGENDA ITEMS**

Recommendation:

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

1. Review and update regulatory framework for utility-scale and specialized high-impact land uses; and
2. Funding for the Morgan Hill Gateway Vintage Sign Project.

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 2026-2027

- Fiscal Sustainability
- Public Safety
- Affordable Housing and Homelessness
- Economic Development and Tourism
- Transportation
- Economic Mobility

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
- Promoting a Healthy Community