



Special/Regular Meeting Agenda
City Council

Rich Constantine - Mayor
Gino Borgioli - Mayor Pro Tem
John McKay - Council Member
Yvonne Martinez Beltran - Council Member
Rene Spring - Council Member

Wednesday, May 4, 2022 5:00 PM

Virtual Meeting
Link to join the meeting can be found below

VIRTUAL MEETING GUIDELINES AND PUBLIC COMMENT

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. Physical meetings will not be in the City Council Chamber until further notice. City Council meetings will be live-streamed on Channel 17, on the City's website, and on the City's Facebook page. Those members of the community that would like to participate in the meetings remotely may do so by joining the virtual meeting at: <https://bit.ly/MHCityCouncilMeeting> or by calling (669) 900-9128, then enter the webinar id: 873 3200 8380#.

Public comment may be provided in the following ways:

- Join the virtual City Council meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes (YOU MUST BE RUNNING THE MOST CURRENT VERSION OF ZOOM TO BE UNMUTED)
- Join the virtual meeting by calling the number above, dial *9 to raise your hand, and be called upon to speak for up to 3 minutes
- Send public comments in writing to the City Clerk at ccpubliccomment@morganhill.ca.gov

* Please note that comments made on Facebook are not considered public comment.

SPECIAL/REGULAR MEETING

A special meeting of the City Council is called at 5:00 p.m. for the purpose of conducting Library, Culture, and Arts and Parks and Recreation Commission interviews.

SPECIAL MEETING

5:00 P.M. - Library, Culture, and Arts and Parks and Recreation Commission interviews

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

COMMISSION INTERVIEWS

1. INTERVIEW CANDIDATES TO FILL TWO (2) SEATS ON THE PARKS AND RECREATION COMMISSION AND ONE (1) SEAT ON THE LIBRARY, CULTURE, AND ARTS COMMISSION

Recommendation:

1. Mayor shares the characteristics/traits that a successful applicant(s) would possess;
2. Conduct Interviews;
3. Council Members identify the top applicant(s) and provide recommendations to the Mayor; and
4. Discuss and/or appoint applicant(s).

Estimated Time: 120 Minutes

REGULAR MEETING

7:00 P.M.

PROCLAMATIONS

Proclaiming May 2022 as Affordable Housing Month

Proclaiming May 2022 as Aquatics Month

Proclaiming May 2022 as Mental Health Awareness Month

Proclaiming May 2022 as Wildfire Awareness Month

Proclaiming May 15, 2022 as Peace Officers Memorial Day and May 11-17, 2022 as National Police Week

CITY COUNCIL REPORTS

Mayor Constantine

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)

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.

Time Estimate for Consent Calendar: 1 - 10 Minutes

2. **ADOPT ORDINANCE 2332, NEW SERIES, ADDING A NEW CHAPTER 9.18 ("SIDESHOWS") TO TITLE 9 ("PUBLIC PEACE, MORALS AND WELFARE) OF THE MORGAN HILL MUNICIPAL CODE TO PROHIBIT SPECTATORS AT ILLEGAL SPEED CONTESTS, EXHIBITIONS OF SPEED OR RECKLESS**

DRIVING EXHIBITIONS

Recommendation:

Waive the reading, adopt Ordinance No. 2332, 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 2333, NEW SERIES, AMENDING SECTIONS, 13.04.330 (WASTING OF WATER AND DROUGHT EMERGENCIES) AND 13.04.390 (ENFORCEMENT) AND 13.04.400 (VIOLATION-PENALTY) OF CHAPTER 13.04 (WATER SYSTEM) OF TITLE 13 (PUBLIC SERVICES), AMENDING REGULATIONS PROHIBITING NONESSENTIAL USE OF POTABLE WATER**

Recommendation:

Waive the reading, adopt Ordinance No. 2333, 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. **APPROVE SECOND AMENDMENT TO THE NEW CINGULAR WIRELESS PCS PROPERTY USE AGREEMENT**

Recommendation:

Authorize the City Manager to Execute the Second Amendment to the new Cingular Wireless PCS Property Use Agreement.

5. **APPROVE CONTRACT AGREEMENT WITH INFOSEND FOR UTILITY BILLING PRINTING, MAILING, ELECTRONIC BILL PRESENTMENT AND PAYMENT SERVICES, AND PAYMENT PROCESSING SERVICES**

Recommendation:

Authorize the City Manager to execute an agreement with Infosend for an amount not-to-exceed \$199,516 for a three-year term for utility bill printing, mailing, electronic bill presentment and payment services, and payment processing services.

6. **APPROVE ARTIST AGREEMENT WITH EVELYN DAVIS FOR THE WEST LITTLE LLAGAS CREEK TRAIL PROJECT**

Recommendation:

Authorize the City Manager to execute and administer an artist agreement with Evelyn Davis for an amount not-to-exceed \$17,500 for a Steelhead Trout Sculpture.

7. **APPROVE THE APRIL 6, 2022 AND THE APRIL 20, 2022 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve the April 6, 2022 and the April 20, 2022 City Council Meeting Minutes.

OTHER BUSINESS

8. APPROVE MORGAN HILL OUTDOOR DINING PROGRAM AND PARKLET GRANT FUNDING PROGRAM

Recommendation:

1. Approve the Morgan Hill Outdoor Dining Program, Manual, and Implementation Timeline; and
2. Approve the Parklet Grant Funding Program.

Estimated Time: 60 Minutes

9. INTRODUCE THE RECOMMENDED FISCAL YEAR (FY) 2022-23 AND FY 2023-24 BIENNIAL OPERATING AND FY 2022-23 THROUGH FY 2027-28 CAPITAL IMPROVEMENT PROGRAM BUDGETS

Recommendation:

Receive the Introduction to the Recommended Budget Presentation

Estimated Time: 45 Minutes

10. ADOPT RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND ISSUANCE AGREEMENT TO REFINANCE AT LOWER INTEREST RATES CERTAIN OUTSTANDING 2014 WATER REVENUE BONDS AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO

Recommendation:

Adopt a resolution approving the execution and delivery of a Bond Issuance Agreement and authorizing certain other matters relating thereto.

Estimated Time: 10 Minutes

PUBLIC HEARINGS

11. INITIATE ANNUAL ASSESSMENT PROCESS FOR LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

Adopt resolutions approving the following actions:

1. Initiate the proceedings for the levy of assessments for Fiscal Year 2022-23;
2. Approve the Engineer's Annual Report and the proposed assessment levy; and
3. Declare the City Council's intention to levy the assessments in the District and to set the Public Hearing date for June 1, 2022.

Estimated Time: 5 Minutes

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 that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order 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 plan an item on the agenda for a future City Council meeting. Should your comments require Council action, your request may be placed on the next appropriate agenda. 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.

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, (408)779-3117 (fax) or by email 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.

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.



City Council Ongoing Priorities

- Enhancing Public Safety
- 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
- Advancing Regional Initiatives



2022-2023 Strategic Priorities

- Fiscal Sustainability
- Affordable Housing and Homelessness
- Community Outreach, Engagement, and Messaging
- Economic Development
- Transportation



These strategic priorities were established prior to the COVID-19 pandemic. In light of recent events, we recognize that all of these goals and priorities will be viewed through the lens of the global pandemic, and we will continue to have equity, public health, and financial responsibility in mind.

May 4, 2022