



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, June 1, 2022 7:00 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.

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

PROCLAMATIONS

Proclaiming the month of June 2022 as Pride Month

CITY COUNCIL REPORTS

Council Member Martinez Beltran

CITY MANAGER'S REPORT

Introduction of new Teammates

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 Supplement

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

1. **APPROVE FIRST AMENDMENT TO THE JOINT VENTURE SILICON VALLEY CONSULTANT AGREEMENT FOR THE COUNTYWIDE SOLID WASTE PROGRAM**

Recommendation:

1. Approve the first amendment to the consultant agreement with Joint Venture Silicon Valley to add Inspection Program services for \$100,000 and remove \$50,000 in extra services for a revised total contract amount of \$350,000; and
2. Authorize the City Manager to execute and administer the first amendment to the consultant agreement with Joint Venture Silicon Valley.

2. **APPROVE AMENDMENTS TO IMPACT FEE FREEZE POLICY**

Recommendation:

Accept Impact Fee Freeze Program update and amend the Impact Fee Freeze Policy to use the current fiscal year fee schedule at the time the agreement is executed.

3. **APPROVE THE FOURTH AMENDMENT TO THE LEASE AGREEMENT OF EL TORO BUILDING WITH COMMUNITY CHRISTIAN**

Recommendation:

Authorize the City Manager to execute a lease amendment with Community Christian for the use of the El Toro Building.

4. **APPROVE THE MAY 18, 2022 CITY COUNCIL MEETING MINUTES**

Recommendation:

Approve the May 18, 2022 City Council Meeting Minutes.

5. **AUTHORIZE THE CITY MANAGER TO EXECUTE MAINTENANCE AGREEMENTS WITH THE COUNTY OF SANTA CLARA FOR TRAFFIC SAFETY IMPROVEMENTS AT MIDDLE AVENUE AT THE WEST LITTLE LLAGAS CREEK TRAIL, WATSONVILLE ROAD AT THE WEST LITTLE LLAGAS CREEK TRAIL, AND DEWITT AVENUE/SPRING AVENUE INTERSECTION**

Recommendation:

Authorize the City Manager to execute Maintenance Agreements with the County of Santa Clara, following approval by the City Attorney, for traffic safety improvements at Middle Avenue at the West Little Llagas Creek Trail, Watsonville Road at the West Little Llagas Creek Trail, and DeWitt Avenue/Spring Avenue Intersection.

6. **AUTHORIZE THE PURCHASE OF VARIOUS FIRE DEPARTMENT EQUIPMENT INCLUDING ONGOING MAINTENANCE IN THE AMOUNT OF \$325,229**

Recommendation:

1. Approve the purchase of 25 Self Contained Breathing Apparatus (SCBA) systems, 33 additional SCBA cylinders, and 5 Rapid Intervention Team (RIT) packs, from AllStar Fire Equipment for \$201,553;
2. Approve the purchase of three LIFEPAK 15 V4 Monitor/Defibrillators with accessories and nine spare batteries from Stryker for \$104,031;
3. Approve a four-year service agreement with Stryker for the ongoing maintenance of three new LIFEPAK 15 V4 Monitor/Defibrillators for \$19,645; and
4. Authorize the City Manager to execute associated purchase documents.

7. **AWARD 2022 PAVEMENT REHABILITATION PROJECT TO A.TEICHERT & SON, INC. DBA TEICHERT CONSTRUCTION**

Recommendation:

1. Approve 2022 Pavement Rehabilitation Project plans and specifications;
2. Award contract to A. Teichert & Son, Inc. dba Teichert Construction for the 2022 Pavement Rehabilitation Project in the amount of \$3,879,053;
3. Authorize expenditure of construction contingency not to exceed \$387,906; and
4. Authorize the City Manager to execute and administer the construction contract with A. Teichert & Son, Inc. dba Teichert Construction contingent on the adoption of the Fiscal Year 2022-23 Budget.

8. **AWARD A TWO-YEAR TRAFFIC STRIPING, SIGNING, AND PAVEMENT MARKINGS MAINTENANCE AGREEMENT TO CHRISP COMPANY IN THE AMOUNT OF \$200,000**

Recommendation:

1. Award a two-year contract to Chrisp Company in the amount of \$200,000; and
2. Authorize the City Manager to execute and administer the Maintenance Service Agreement with Chrisp Company.

9. **RATIFY CITY POSITION ON PENDING LEGISLATION, ASSEMBLY BILL 2181 (BERMAN) SANTA CLARA VALLEY TRANSPORTATION AUTHORITY: BOARD OF DIRECTORS**

Recommendation:

Ratify the City's position on pending legislation, Assembly Bill 2181.

OTHER BUSINESS

10. **APPROVE THE HOTEL STRATEGY AND INCENTIVE POLICY TO SUPPORT NEW HOTEL DEVELOPMENT AND REHABILITATION OF EXISTING HOTELS**

Recommendation:

Approve the Hotel Strategy and Incentive Policy to support New Hotel Development and rehabilitation of Existing Hotels.

Estimated Time: 30 Minutes

PUBLIC HEARINGS

11. **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) 2022-23 annual assessments and ordering the levy of assessments for the District.

Estimated Time: 5 Minutes

12. **HOLD PUBLIC HEARING REGARDING REVISIONS TO WATER RATE ADJUSTMENTS**

Recommendation:

1. Receive and adopt final 2022 Water Rate Study Report prepared by NBS;
2. Open public hearing and receive public comment;
3. Request submission or withdrawal of proposition 218 protest letters from the public/audience;
4. Suspend public hearing and allow City Clerk, or designee, to tabulate final Proposition 218 protest letter count;
5. Reconvene meeting and reopen public hearing;
6. Receive and accept verbal report from City Clerk, or designee, on ballot tabulation results;

7. Close public hearing; and
8. Adopt resolution approving water rate adjustments.

Estimated Time: 30 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.

June 1, 2022