



Special - Regular Meeting Agenda

City Council

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

Wednesday, April 7, 2021 5:00 p.m.

Virtual Meeting

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 in to: (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
 - In order to speak, please be sure that your version of Zoom is up to date.
- Join the virtual meeting by calling in to 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 [<mailto:ccpubliccomment@morganhill.ca.gov>](mailto: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 a workshop.

5:00 p.m. Workshop
7:00 p.m. Regular Meeting

SPECIAL MEETING

5:00 p.m. Workshop

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
City Clerk Michelle Bigelow

WORKSHOP

City Council Workshop to discuss the Morgan Hill Responsible Growth Coalition's (MHRGC) Initiative Petition, which was certified for sufficiency on March 3, 2021 by the City Council, review Initiative's impact report and a new collaborative ordinance that could replace the MHRGC Initiative and further protect Morgan Hill from potential large truck/high traffic uses. The collaborative ordinance could eventually substitute for the MHRGC Initiative on the November 2022 ballot.

WORKSHOP PRESENTATION

WORKSHOP SUPPLEMENT 1

REGULAR MEETING

7:00 p.m.

The City Council has adopted a policy that regular meetings shall not continue beyond 11:00 p.m. unless extended by a majority of the City Council.

CITY COUNCIL REPORTS

Council Member Martinez Beltran

CITY MANAGER'S REPORT

City Manager Christina Turner

TEAMMATE RECOGNITIONS

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

PUBLIC COMMENT

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.

April 7, 2021

Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

PUBLIC COMMENT SUPPLEMENT 1

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. ACCEPT 2020 PAVEMENT RESURFACING PROJECT

Recommendation:

1. Accept as complete, the 2020 Pavement Resurfacing Project, in the final amount of \$1,955,908;
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.

2. ACCEPT UPDATE REGARDING PAVEMENT REHABILITATION PLANNING

Recommendation:

Receive update on pavement rehabilitation planning.

3. APPROVE URBAN FOREST MANAGEMENT PLAN

Recommendation:

Approve the Urban Forest Management Plan.

4. APPROVE PURCHASE OF UTILITIES REPLACEMENT VEHICLES AND EQUIPMENT

Recommendation:

1. Approve the purchase of four (4) Utility Division trucks from National Auto Fleet Group in the amount of \$218,411 through a Sourcwell cooperative bid contract;
2. Approve the purchase of a trash pump from Thompson Pump in the amount of \$46,027 through a Sourcwell cooperative bid contract;
3. Authorize City Manager to approve a purchase order in the amount of \$218,411 with National Auto Fleet Group and a separate purchase order in the amount of \$46,027 to Thompson Pump;
4. Declare vehicles U07114, U07137, W07115, W08115, and equipment W97335 to be surplus; and
5. Authorize the disposal of the surplus vehicles and equipment in accordance with Section 3.04.400 of the City of Morgan Hill Municipal Code.

5. APPROVE THE MARCH 17, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

6. APPROVE THE MARCH 24, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

7. AWARD AQUATICS CENTER POOL DECK RESURFACING AND REPAIR PROJECT TO FLEXGROUND SURFACES, INC.

Recommendation:

1. Award contract to Flexground Surfaces, Inc. in the amount of \$69,360; and authorize the expenditure of contingency funds not to exceed \$6,936 for a total authorization of \$76,296; and
2. Authorize the City Manager to approve the sole source selection of Flexground Surfaces, Inc., and execute and administer that certain contract with Flexground Surfaces, Inc.

8. RATIFY COMMUNITY POWER RESILIENCY GRANT ACCEPTANCE IN THE AMOUNT OF \$300,000 FROM STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES FOR THE CENTENNIAL RECREATION CENTER BATTERY BACKUP PROJECT

Recommendation:

1. Ratify acceptance of Community Power Resiliency Grant from the State of California Office of Emergency Services (CalOES) in the amount of \$300,000; and
2. Authorize the City Manager to execute and administer all related documents.

PUBLIC HEARING

9. APPROVE SOLID WASTE MANAGEMENT RATE ADJUSTMENT FOR 2021

Recommendation:

Adopt resolution approving an adjustment in the maximum allowable solid waste charges effective July 1, 2021.

Estimated Time: 10 Minutes

OTHER BUSINESS

10. ADOPT RESOLUTION PLACING THE MORGAN HILL RESPONSIBLE GROWTH COALITION INITIATIVE PETITION ON THE NOVEMBER 2022 BALLOT AND ADOPT URGENCY ORDINANCE REGULATING DOCK-HIGH-DOORS ON BUILDINGS WITH OVER 75,000 SQUARE FEET OF FLOOR AREA AND CEILING HEIGHT GREATER THAN 34 FEET

Recommendation:

1. Adopt resolution placing Initiative Petition Titled: Citizens' initiative changing zoning regulations throughout the city of Morgan Hill to prohibit certain new storage and distribution uses in all areas of the City and amending the review process for large-scale development projects on the November 2022 ballot;
2. Adopt the alternative ordinance as an urgency ordinance; and
3. Direct the Planning Commission to make recommendations for permanent ordinance regulating large building design, including maximum dock-door-ratios for certain buildings, and consider placement of the alternative ordinance on the November 2022 ballot.

Estimated Time: 90 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.

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

REAL PROPERTY NEGOTIATIONS

Pursuant to:	Government Code Section 54956.8
Property:	APN 726-13-052
Agency Negotiators:	Christina Turner, Chris Ghione, and John Lang
Negotiating Parties:	Compass Management
Under Negotiation:	Price and Terms of Sale or Lease

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, equitable, 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 Infrastructure
- Supporting our Youth, Seniors, and Entire Community
- Fostering a Positive Organizational Culture
- Preserving and Cultivating Public Trust
- Preserving our Community History
- Enhancing Equity, Diversity, and Inclusiveness
- Advancing Regional Initiatives
- Advocating for Local Control

2020-2021 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.

