



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, May 5, 2021 7:00 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.

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.

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

PROCLAMATIONS

Proclaiming the month of May 2021 as Affordable Housing Month

Proclaiming the month of May 2021 as Aquatics Month

Proclaiming the month of May 2021 as Older Americans Month

Proclaiming the month of May 2021 as Wildfire Awareness Month

CITY COUNCIL REPORTS

Mayor Constantine

CITY MANAGER'S REPORT

City Manager Christina Turner

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. 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. ADOPT RESOLUTION APPROVING FY2021-22 LIST OF STREET REHABILITATION PROJECTS FUNDED BY SENATE BILL (SB) 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT

Recommendation:

Adopt resolution approving a list of street rehabilitation projects funded by SB 1, The Road Repair and Accountability Act of 2017.

2. APPROVE AN IMPACT FEE FREEZE AGREEMENT WITH LEVEL 10 CONSTRUCTION LP FOR A NEW 79,000 SQUARE FOOT INDUSTRIAL BUILDING ON 3.67 ACRES LOCATED ON RAILROAD AVENUE

Recommendation:

Direct the City Manager to execute an Impact Fee Freeze Agreement with Level 10 Construction, LP for the development of a new 79,000 square foot industrial building located on Railroad Avenue.

3. APPROVE CALIFORNIA CLIMATE INVESTMENTS - DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE) FIRE PREVENTION GRANT APPLICATION

Recommendation:

Adopt resolution authorizing the City Manager to apply for and accept a grant application to the California Climate Investments-Department of Forestry and Fire Protection (CAL FIRE) Fire Prevention Grant Program.

4. APPROVE RE-FUNDING OF AN ACCOUNTING ASSISTANT POSITION

Recommendation:

Approve re-funding of an Accounting Assistant position.

5. APPROVE THE APRIL 21, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

6. AWARD STREET LIGHTING AND TRAFFIC SIGNAL MAINTENANCE SERVICE AGREEMENT

Recommendation:

1. Award a two-year contract with three one-year extensions to Cal-West Lighting and Signal Maintenance, Inc. in the amount of \$387,600; and
2. Authorize the City Manager to execute and administer the Maintenance Service Agreement with Cal-West Lighting and Signal Maintenance, Inc.

7. RATIFY CITY POSITION ON PENDING LEGISLATION SB 612 ELECTRICAL CORPORATIONS AND OTHER LOAD-SERVING ENTITIES: ALLOCATION OF LEGACY RESOURCES AND AB 125 EQUITABLE ECONOMIC RECOVERY, HEALTHY FOOD ACCESS, CLIMATE RESILIENT FARMS, AND WORKER PROTECTION BOND ACT OF 2022

Recommendation:

1. Receive legislative correspondence in support of SB 612 Electrical corporations and other load-serving entities: allocation of legacy resources and AB 125 Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2022; and
2. Ratify City's position.

PUBLIC HEARING

8. RATIFY URGENCY ORDINANCE 2320 AND EXTEND THE TERM OF THE INTERIM MEASURES FOR A FULL YEAR

Recommendation:

Ratify Interim Urgency Ordinance 2320 and extend its term for an additional 22 months and 15 days.

Estimated Time: 5 Minutes

OTHER BUSINESS

9. ADOPT URGENCY ORDINANCE REQUIRING HAZARD PAY OR VACCINE INCENTIVES FOR GROCERY WORKERS

Recommendation:

1. Adopt urgency ordinance; OR
2. Waive first and second reading; AND
3. Introduce ordinance requiring hazard pay or vaccine incentives for grocery store employees.

Estimated Time: 45 Minutes

10. PROVIDE DIRECTION REGARDING REDISTRICTING PROCESS FOR COUNCILMEMBER DISTRICT BOUNDARIES

Recommendation:

Determine the process for redistricting boundary lines for district-based elections of four Council seats, with the following options:

1. Use a City staff-led process without a redistricting commission, with a community outreach plan to encourage substantial public participation;
2. Establish an Advisory Redistricting Commission; or
3. Establish a Hybrid or Independent Redistricting Commission.

Estimated Time: 30 Minutes

11. INTRODUCE ORDINANCE REQUIRING WATER EFFICIENT FIXTURES TO BE INSTALLED ON SALE OF PROPERTY AND INTRODUCE ORDINANCE REQUIRING INSPECTION AND MAINTENANCE OF PRIVATE SEWER LATERALS

Recommendation:

1. Waive first and second reading of the Private Sewer Ordinance;
2. Introduce the Private Sewer Ordinance;
3. Waive first and second reading of the Water Conservation Ordinance;
4. Introduce the Water Conservation Ordinance; and
5. Direct staff to include funding for ordinance implementation in the midcycle budget update.

Estimated Time: 30 Minutes

12. 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 2021-22;
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 2, 2021.

Estimated Time: 15 Minutes

13. INTRODUCE ORDINANCE REVISING CITY PROCUREMENT LIMITS FOR COUNTYWIDE PURCHASES

Recommendation:

1. Waive the first and second reading of the ordinance; and
2. Introduce the ordinance.

Estimated Time: 15 Minutes

14. RECEIVE UPDATE ON SIGNIFICANT DEVELOPMENT PROJECTS

Recommendation:

Receive update.

Estimated Time: 45 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, 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.

