



Special/Regular Meeting Agenda
City Council

Mark Turner - Mayor
Rene Spring - Mayor Pro Tem
Gino Borgioli - Council Member
Marilyn Librers - Council Member
Yvonne Martínez Beltrán - Council Member

Wednesday, February 15, 2023 5:00 PM

Council Chamber Building
17555 Peak Avenue, Morgan Hill, CA 95037

Morgan Hill City Council meetings are held in person with the option for the public to attend by teleconference/video conference. Information on how the public may observe and participate in the meeting is located below.

MEETING GUIDELINES AND PUBLIC COMMENT

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:

- Provide public comment in-person
- 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 PM for the purpose of conducting Parks and Recreation Commission interviews.

SPECIAL MEETING

5:00 PM - Parks and Recreation Commission interviews

CALL TO ORDER

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

COMMISSION INTERVIEWS

1. INTERVIEW CANDIDATES TO FILL ONE (1) SEAT ON THE PARKS AND RECREATION COMMISSION

Recommendation:

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

REGULAR MEETING

7:00 PM

PRESENTATIONS

YAC Presentation- Asset # 8- Youth as Resources

California Department of Insurance Presentation

RECOGNITIONS

2022 STEM Winners

PROCLAMATIONS

Black History Month

CITY COUNCIL REPORTS

Council Member Gino Borgioli

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 NO. 2341, NEW SERIES, AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS, INCONSISTENCIES, AND UPDATES TO**

ACCESSORY DWELLING UNIT PROVISIONS TO COMPLY WITH STATE LAW

Recommendation:

Waive the reading, adopt Ordinance No. 2341, 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 NO. 2342, NEW SERIES, AMENDING SECTION 13.04.010 (DEFINITIONS) AND SECTION 13.04.330 (WASTING OF WATER AND DROUGHT EMERGENCIES) OF CHAPTER 13.04 (WATER SYSTEM) OF TITLE 13 (PUBLIC SERVICES), TO ADD REGULATIONS PROHIBITING THE USE OF POTABLE WATER ON NON-FUNCTIONAL TURF AND PROHIBITING NEW PRIVATE WATER WELLS**

Recommendation:

Waive the reading, adopt Ordinance No. 2342, 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 THE JANUARY 11, 2023 AND JANUARY 25, 2023 CITY COUNCIL MEETING MINUTES AND THE JANUARY 27, 2023 GOAL SETTING WORKSHOP MINUTES**

Recommendation:

Approve Minutes.

PUBLIC HEARINGS

5. **MONTEREY - CITY VENTURES (THE GATES): ADOPT MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; APPROVE GENERAL PLAN AMENDMENT FROM COMMERCIAL TO MIXED USE FLEX; AND INTRODUCE ZONING AMENDMENT TO ALLOW FOR THE FUTURE DEVELOPMENT OF A MIXED-USE PROJECT. THE 3.82-ACRE SITE IS LOCATED ON THE SOUTHWEST QUADRANT OF MONTEREY ROAD AND COCHRANE ROAD WITH ACCESS OFF SOUTHBOUND MONTEREY ROAD AND INTERSECTION OF MONTEREY ROAD AND COCHRANE ROAD (ZA2021-0006/GPA2021-0005/EA2021-0015)**

Recommendation:

1. Open/close the public hearing;
2. Adopt a Resolution approving the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project;
3. Adopt a Resolution approving an amendment to the General Plan land use designation;
4. Waive the first and second reading of the Zoning Amendment Ordinance; and

5. Introduce the Zoning Amendment Ordinance.

**6. ADOPT RESOLUTION APPROVING COMMENCEMENT OF 2023
HAZARDOUS VEGETATION ABATEMENT PROGRAM**

Recommendation:

1. Open/Close public hearing; and
2. Adopt Resolution A authorizing Santa Clara County to commence hazardous vegetation abatement activities on the attached list; and
3. Adopt Resolution B authorizing Santa Clara County to commence hazardous vegetation abatement activities for the remaining parcel.

OTHER BUSINESS

**7. INTRODUCE AMENDMENT TO TITLE 2, SECTION 2.04.010 OF THE
MORGAN HILL MUNICIPAL CODE ESTABLISHING REGULAR MEETING
DATES FOR THE CITY COUNCIL AND TO CITY COUNCIL POLICIES (CP)
06-02 AND 98-02 CHANGING THE DATE OF THE GOAL SETTING
WORKSHOP**

Recommendation:

1. Waive the first and second readings of the Ordinance;
2. Introduce the Ordinance; and
3. Approve amended City Council Policies 06-02 City Council Meeting Schedule and 98-02 Time Established for Public Hearings.

**8. REVIEW THE PROCESS FOR FUTURE COUNCIL INITIATED AGENDA
ITEMS INCLUDED IN CITY COUNCIL POLICY (CP) 97-01 AND REVIEW AND
PROVIDE DIRECTION ON FIVE PREVIOUSLY REQUESTED FUTURE
AGENDA ITEMS; 1. LOCAL LAW ENFORCEMENT AGENCIES SUMMIT ON
CUT-THROUGH TRAFFIC, 2. UNCLAIMED FUNDS GOING INTO
COMMUNITY FUND RATHER THAN GENERAL FUND, 3. CITY COUNCIL
HAVING A VOICE IN THE RECRUITMENT OF BOARD OF DIRECTORS FOR
THE CITY'S PARTNER COMMUNITY GROUPS, 4. LANDSCAPE
REQUIREMENTS FOR DEVELOPMENTS ALONG THE FREEWAY AND
MAJOR ARTERIES TO INCLUDE MORE TREES, AND 5. LOCAL
WORKFORCE PROJECT LABOR AGREEMENTS**

Recommendation:

1. Review the process for addressing Future Council Initiated Agenda Items included in Council Policy CP 97-01; and
2. Continue the discussion on five Future Council Initiated Agenda Items discussed at the Goal Setting Workshop to determine if the majority of the

City Council wants the following items agendaized at a future meeting for discussion:

1. Holding a summit of law enforcement agencies regarding cut-through traffic;
2. Exploring if unclaimed funds can go into a community fund rather than the City's General Fund;
3. Discussion regarding the recruitment of Board of Directors for the City's partner community groups;
4. Review of landscaping requirements on developments along the freeway and major arteries to include more trees; and
5. Discussion on Local Workforce Project Labor Agreements.

9. **RECEIVE MONTHLY BUDGET UPDATE; DECEMBER 2022 FINANCIAL AND INVESTMENT REPORTS; AND THE CITY MANAGER AUTHORITY REPORT**

Recommendation:

Accept and file report.

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.



February 15, 2023