



Special - Regular Meeting Agenda

City Council

Rich Constantine - Mayor
Rene Spring - Mayor Pro Tem
Yvonne Martinez Beltran - Council Member
Larry Carr - Council Member
John McKay - Council Member

Wednesday, October 2, 2019 6:00 p.m.

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

PUBLIC NOTICE

The public hearing regarding **Out of Agency & Environmental Assessment - OA2019-0001/EA2019-0011: Fisher- Buddhist Temple**, that was publicly noticed for consideration by the City Council at this meeting has been continued to a date uncertain.

The item **Approve Impact Fee Freeze Agreement with Morgan Hill Retail Venture, L.P. for the Development of Retail Spaces in the Shopping Center Known as Cochrane Commons** that was continued from the September 18, 2019 City Council meeting to this meeting has been continued to a date uncertain.

SPECIAL/REGULAR MEETING

A special meeting of the City Council is called at 6:00 pm for the purpose of conducting a closed session.

6:00 p.m. Closed Session

7:00 p.m. Regular Meeting

STUDENTS - THE CLOSED SESSION THAT STARTS AT 6:00 PM IS NOT OPEN TO THE PUBLIC. THE REGULAR MEETINGS STARTS AT 7:00 PM

SPECIAL MEETING

6:00 p.m. Closed Session

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
Deputy City Clerk Michelle Bigelow

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to: Government Code Section 54956.9(d)(4)

Number of Cases: One (1)

RECONVENE

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.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITION

New City Website and recognition of the Website Team
Maureen Tobin and Website Team

Kiwanis Morgan Hill Youth Fund
Craig Kennedy, Morgan Hill Kiwanis President and John Horner, Board Chair

PROCLAMATIONS

Proclaiming the Month of October 2019 as Dysautonomia Awareness Month
Deborah Vick, M.Ed.

Proclaiming October 5, 2019 as Arbor Day
Anthony Eulo

Proclaiming the Week of October 6 - 12, 2019 as Fire Prevention Week
Dwight Good

October 2, 2019

CITY COUNCIL REPORTS

Council Member Carr

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. CONTINUE PUBLIC HEARING REGARDING CITY'S SELECT DEVELOPMENT IMPACT FEES TO OCTOBER 23, 2019 REGULAR MEETING

Recommendation:

Continue the public hearing to the regular City Council meeting of October 23, 2019.

2. APPROVE THE SEPTEMBER 4, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

3. APPROVE THE SEPTEMBER 18, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

4. PROVIDE DIRECTION TO STAFF REGARDING REGULATION OF FLAVORED TOBACCO PRODUCTS

Recommendation:

1. Direct the City Attorney to prepare an ordinance regulating flavored tobacco products, including vape products; and
2. Direct City staff to engage in appropriate outreach efforts regarding the proposed regulations.

Estimated Time: 15 Minutes

PUBLIC HEARING

5. APPROVE DESIGN REVIEW PERMIT TO CONSTRUCT A MIXED-USE PROJECT IN CONJUNCTION WITH THE REALIGNMENT OF DEPOT STREET AT E. DUNNE AVENUE (HALE LUMBER SITE)

Recommendation:

1. Open and close the public hearing; and
2. Adopt resolution approving a Design Review Permit for the mixed-use development.

Estimated Time: 30 Minutes

OTHER BUSINESS

6. ADOPT ORDINANCE AMENDING CHAPTER 17.28 OF THE MORGAN HILL MUNICIPAL CODE REGARDING PARKLAND DEDICATION AND/OR IN LIEU FEES FOR NEW SUBDIVISIONS

Recommendation:

1. Waive first and second reading of the Ordinance amending Chapter 17.28 "Land Dedications and Reservations" to update the City's Park Dedication Ordinance; and
2. Introduce Ordinance amending Chapter 17.28 "Land Dedications and Reservations" to update park dedication requirements.

Estimated Time: 10 Minutes

7. APPROVE EXTENSION OF GROUND LEASE WITH EDEN HOUSING FOR REHABILITATION OF DEPOT COMMONS AT 17145 DEPOT STREET

Recommendation:

Authorize the City Manager to negotiate, approve, and execute an assignment, modification, and extension of the ground lease for Depot Commons Apartment Complex, subject to the final review and approval of the City Attorney.

Estimated Time: 10 Minutes

8. PROVIDE PRELIMINARY FEEDBACK REGARDING POTENTIAL REDESIGN OF THE INTERSECTION AT THE NORTH-EAST CORNER OF MONTEREY ROAD AND COCHRANE ROAD

Recommendation:

1. Receive presentation on intersection alignment and safety improvements proposed for the northeast corner of Monterey Road and Cochrane Road in conjunction with development of the southwest corner of the Sutter Industrial Park; and
2. Provide direction regarding realignment plan timing or provide comments regarding project deferral.

Estimated Time: 10 Minutes

9. UPDATE REGARDING 2019 STATE HOUSING LEGISLATION/IMPACTS

Recommendation:

Receive information regarding 2019 State Housing Legislation and Impacts to Morgan Hill Housing Development Guidelines and Enforcement, Residential Development Control System, Development Processing and Work Program.

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, 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
- Maintaining Fiscal Responsibility
- 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

2019-2020 Strategic Priorities

- Agricultural Preservation
- Cannabis Policy
- Community Engagement and Messaging
- Economic Development
- Financial Stewardship
- High Speed Rail
- Homelessness
- Housing
- Infrastructure
- Telecommunications
- Traffic/Transportation

