



# **City of Morgan Hill**

## **Meeting Minutes**

### **City Council**

***Steve Tate ~ Mayor***

***Larry Carr ~ Mayor Pro Tem***

***Gordon Siebert ~ Council Member***

***Marilyn Librers ~ Council Member***

***Rich Constantine ~ Council Member***

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**Wednesday, September 2, 2015**

**7:00 PM**

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

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#### **CALL TO ORDER**

**Present:** 5 - Mayor Pro Tem Carr, Council Member Constantine, Council Member Librers,  
Council Member Siebert, Mayor Tate

**Absent:** 0

#### **ROLL CALL ATTENDANCE**

#### **DECLARATION OF POSTING OF AGENDA**

#### **SILENT INVOCATION**

#### **PLEDGE OF ALLEGIANCE**

#### **CITY COUNCIL REPORTS**

*Council Member Librers shared that she and Mayor Tate recently hosted a luncheon for our student visitors from our Sister City of Mizuho Town Japan. She also shared that she, Mayor Tate, and City Attorney Gurza attended a seminar about email privacy and learned that there is no such thing as a private email. She also represented the City at the 40th anniversary of Vietnam refugees who came to America right before the communist took over in Vietnam 40 years ago. She concluded by speaking about a luncheon and a proclamation given by the City of San Jose celebrating women's right to vote and also women in politics.*

**CITY MANAGER'S REPORT**

*City Manager Rymer recognized Elaine Collins for her outstanding customer service with the RDCS application process by assisting 15 applicants get their submittals in yesterday. He shared a couple opportunities for the community to get involved. On September 12th, CERT will hold a sandbag filling day at the Corporation Yard located on Edes Ct. Another opportunity for the community to get involved is the Coastal cleanup day which will be held on September 19th.*

*He continued by thanking our community, specifically our downtown business for working through the construction with all of us. The parking garage will have its final major-pour next week, the easterly section on 3rd street is complete and re-opened, and we are now starting work on the westerly section.*

*He concluded by speaking to the evenings supplements and presentations.*

**CITY ATTORNEY'S REPORT**

*City Attorney Gurza had no reports.*

**OTHER REPORTS**

*Mayor Tate clarified that the British Car show will be held on September 12th and 13th. He announced that the next Coffee with Mayor will be held on Saturday, October 3rd from 10:00 am to 11:30 am and will include the Assistant City Manager for Community Development, Leslie Little and Public Works Director, Karl Bjarke.*

**PUBLIC COMMENT**

*Mayor Tate opened public comment, hearing no request to speak, public comment was closed.*

**ADOPTION OF AGENDA**

**Action: On a motion by Council Member Constantine and seconded by Council Member Carr, adopting the agenda. The motion passed by the following vote:**

**Ayes:** 4 - Carr, Constantine, Librers, Tate

**Noes:** 0

**Absent:** 1 - Siebert

**CONSENT CALENDAR:****Approval of the Consent Calendar**

**Action: On a motion by Council Member Librers and seconded by Council Member Constantine approving the Consent Calendar. The motion passed by the following vote:**

**Ayes:** 4 - Carr, Constantine, Librers, Tate

**Noes:** 0

**Absent:** 1 - Siebert

- 1    [15-507](#)        ACCEPTANCE OF DOG PARK GATE AND FENCING PROJECT
- 2    [15-508](#)        ACCEPTANCE OF 2014-2015 PARKING LOT SEAL COAT PROJECT
- 3    [15-516](#)        ADOPT ORDINANCE 2159, NEW SERIES AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING SECTIONS, 13.04.330 (WASTING OF WATER) AND 13.04.390 (ENFORCEMENT) OF CHAPTER 13.04 (WATER SYSTEM) OF TITLE 13 (PUBLIC SERVICES), AMENDING REGULATIONS PROHIBITING NONESSENTIAL USE OF POTABLE WATER
- 4    [15-517](#)        ADOPT ORDINANCE 2160, NEW SERIES AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE ZONING DESIGNATION OF A 18.2 ACRE PARCEL LOCATED EAST OF HIGHWAY 101 AND ON THE NORTH SIDE OF SAN PEDRO AVENUE BETWEEN MURPHY AVENUE AND CONDIT ROAD (ASSESSOR PARCEL NUMBERS 817-12-006 AND 817-12-009) FROM CG GENERAL COMMERCIAL TO R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT
- 5    [15-518](#)        ADOPT ORDINANCE 2161, NEW SERIES AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE DEVELOPMENT AGREEMENT FOR APPLICATION DAA-09-05B: COCHRANE-BORELLO INCORPORATING 15, FISCAL YEAR 2016-17 ALLOCATIONS (APN 728-34-008)
- 6    [15-523](#)        ADOPTION OF RESOLUTION TO AMEND PROFESSIONAL SERVICES AGREEMENT TO PROVIDE TESTING SERVICES FOR PUBLIC WORKS PROJECTS
- 7    [15-542](#)        AGREEMENT WITH SAN FRANCISCO SUPER BOWL 50 HOST COMMITTEE
- 8    [15-531](#)        AWARD OF HARDING AVENUE SEWER TRUNK LINE PROJECT
- 9    [15-532](#)        CITY SPONSORSHIP OF MORGAN HILL COMMUNITY FOUNDATION'S PHILANTHROPY DAY EVENT AT THE COMMUNITY AND CULTURAL CENTER
- 10   [15-496](#)        CONTINUANCE AND THIRD AMENDMENT TO AGREEMENT WITH INNOVATIVE CLAIM SOLUTIONS, INC. TO PROVIDE THIRD PARTY CLAIMS ADMINISTRATION FOR WORKERS' COMPENSATION
- 11   [15-524](#)        FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT TO PROVIDE INSPECTION SERVICES FOR PUBLIC WORKS PROJECTS

- 12   [15-539](#)      PARCEL MAP APPROVAL FOR BUTTERFIELD RETIREMENT  
APARTMENTS
  
- 13   [15-553](#)      PROFESSIONAL SERVICES CONTRACT WITH KEYSER MARSTON  
ASSOCIATES FOR AFFORDABLE HOUSING IN-LIEU FEE AND NEW  
CONSTRUCTION CONSTRAINT ASSESSMENT
  
- 14   [15-533](#)      REPORT OF EMERGENCY PURCHASE OF UNINTERRUPTABLE  
POWER SUPPLY AND DOOR LATCH HARDWARE FOR THE POLICE  
FACILITY
  
- 15   [15-494](#)      RESCIND AWARD OF EL TORO FIRE STATION KITCHEN REMODEL  
PROJECT, REJECT ALL BIDS AND RE-BID PROJECT
  
- 16   [15-545](#)      RESOLUTION URGING THE STATE OF CALIFORNIA TO PROVIDE  
NEW SUSTAINABLE FUNDING FOR STATE AND LOCAL  
TRANSPORTATION INFRASTRUCTURE
  
- 17   [15-529](#)      REVISED COUNCIL POLICY NAMING OF CITY FACILITIES
  
- 18   [15-546](#)      SECOND AMENDMENT TO AGREEMENT FOR ADMINISTRATIVE  
SERVICES TO SANTA CLARA VALLEY HABITAT AGENCY (CLERK  
SERVICES AND INFORMATION SERVICES)
  
- 19   [15-434](#)      SETTLEMENT AND RELEASE OF FUTURE CLAIMS WITH SOUTH  
COUNTY HOUSING CORPORATION AND AFFILIATES FOR  
CERTAIN OUTSTANDING HOUSING MATTERS
  
- 20   [15-549](#)      UPDATE ON INCLUSIVE PLAYGROUND STATUS

*Item pulled from consent from the public  
Ronald Locicero was called to speak*

**Action: On a motion by Council Member Carr accepting update on the progress towards development of  
an inclusive playground at Community Park. The motion passed by the following vote:**

**Ayes:** 4 - Carr, Constantine, Librers, Tate

**Noes:** 0

**Absent:** 1 - Siebert

**OTHER BUSINESS:****21    [15-472](#)            DISPOSITION AND DEVELOPMENT AGREEMENT WITH MONTEREY & THIRD STREET ASSOCIATES, LLC**

*Principal Planner and Economic Development Manager Ramirez presented the staff report.*

*Ken Rodriguez continued the presentation.*

**Action: On a motion by Council Member Carr and seconded by Council Member Constantine, Adopting resolution 15-214 approving the Disposition and Development Agreement between the City of Morgan Hill and Monterey & Third Street Associates, LLC. and delegating authority to the City Manager to execute and administer the Agreement. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**22    [15-536](#)            JUNE 2015 FINANCIAL AND INVESTMENT REPORT**

*Assistant City Manager for Administrative Services Murphy presented the staff report.*

**Action: On a motion by Council Member Carr and seconded by Council Member Siebert, Accepting and filing report. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**23    [15-544](#)            EAH FIRST AMENDMENT TO LOAN AGREEMENT FOR DEVELOPMENT OF SCATTERED SITE HOUSING PROJECT**

*Housing Manager Garcia presented the staff report. Mayor*

*Tate opened public comment, hearing no request to speak, public comment was closed.*

**Action: On a motion by Council Member Carr and seconded by Council Member Constantine, adopting resolution 15-215 Authorizing the City Manager to execute a First Amendment to the EAH Affordable Housing Loan Agreement, and related financing documents to increase the loan from \$3,622,000 to \$4,500,000 for the purpose of constructing the Morgan Hill Family multi-site affordable housing development; and authorizing the City Manager to execute and administer a sale/transfer or financing agreement to facilitate the City's contribution of the third site, Villa Ciolino "Parcel B", to EAH Housing.**

**The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**24**   [15-550](#)**COUNCIL MEMBER MARILYN LIBRERS TRAVEL IN CONNECTION  
WITH THE SILICON VALLEY MAYORS' CHINA TRIP**

*Mayor Tate opened public comment. Hearing no request to speak, the public comment was closed.*

**Action: On a motion by Council Member Siebert and seconded by Council Member Carr, adopting resolution 15-216 authorizing Council Member Marilyn Libers to attend the Silicon Valley Mayors' China Trip from September 19, 2015 through September 27, 2015 and authorizing the reimbursement of related incidental expenses form the City Council budget in the General Fund in an amount not to exceed \$2,000 and in accordance with applicable City policies and procedures. The motion passed by the following**

**vote:**

**Ayes:** 4 - Carr, Constantine, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Recused:** 1 - Libers

**PUBLIC HEARINGS:**

- 25    [15-520](#)    URBAN SERVICE AREA ADJUSTMENT USA-05-02, ZONING AMENDMENT ZA-11-13 AND MEMORANDUM OF UNDERSTANDING: EDMUNDSON-OAK MEADOW PLAZA: A REQUEST TO EXPAND THE URBAN SERVICES AREA BOUNDARY TO INCLUDE APPROXIMATELY 20 ACRES AND TO ANNEX AND TO PRE-ZONE THE APPROXIMATELY 52-ACRE PROPERTY TO ALLOW THE FUTURE DEVELOPMENT OF SINGLE-FAMILY DWELLINGS ON THE 20 ACRE PORTION. THE PROJECT INCLUDES A MEMORANDUM OF UNDERSTANDING (MOU). THE PROJECT, IDENTIFIED BY ASSESSOR PARCEL NUMBERS 767-15-026, 767-19-028, 767-19-020, AND 767-19-024 IS LOCATED NORTH OF WEST EDMUNDSON AVENUE AND WEST OF SUNSET AVENUE

*Community Development Director Crabtree presented the staff report*

*Mayor Tate opened the public hearing*

*Barton Hechtman spoke in favor*

*Bill McClintock spoke in favor*

*Sean Parent spoke in opposition*

*Alex Dininno spoke in opposition*

*Angelo Starink spoke in opposition*

*Aleks Vranicis spoke in opposition*

*Wayne Perrier spoke in opposition*

*Vern Delgatty spoke in favor*

*Jeff Pedersen spoke in opposition*

*Kevin Pfeil spoke in opposition*

*Paul Sperry spoke in opposition*

*Joy Thompson spoke in opposition*

*Kristy Sermersheim spoke in opposition Hearing*

*no further request to speak, the public hearing was closed*

**Action: On a motion by Council Member Constantine and seconded by Council Member Librers, adopting resolution to approve the Memorandum of Understanding between the City and Applicant;**

**. The motion failed by the following vote:**

**Ayes:** 2 - Constantine, Librers

**Noes:** 3 - Carr, Siebert, Tate

**Absent:** 0

- 26    [15-526](#)    URBAN SERVICE AREA, USA 14-01/DEVELOPMENT AGREEMENT DA-15-11: WATSONVILLE-HORDNESS: REQUESTS FOR APPROVAL OF AN AMENDMENT TO THE CITY OF MORGAN HILL'S URBAN SERVICE AREA BOUNDARY TO INCLUDE TWO VACANT PARCELS TOTALING 11.06 ACRES, LOCATED ON THE SOUTH SIDE OF WATSONVILLE ROAD IMMEDIATELY ADJACENT TO THE WEST SIDE OF THE MUSHROOM FACILITY LOCATED AT 15440 WATSONVILLE RD. ALSO REQUESTED IS APPROVAL OF A DEVELOPMENT AGREEMENT TO SECURE PUBLIC BENEFIT COMMITMENT MADE WITH THE APPROVAL OF URBAN SERVICES AREA BOUNDARY APPLICATION USA-96-01 AND CONSIDERATION OF URBAN SERVICES AREA BOUNDARY APPLICATION USA-14-01. THE SPECIFIC COMMITMENT IS FULL HALF-STREET IMPROVEMENTS ALONG THE WATSONVILLE ROAD FRONTAGE OF ASSESSOR PARCEL NUMBERS 779-04-052, 067, 075 AND 076, WHICH ARE LOCATED IN THE SOUTHWEST QUADRANT OF THE INTERSECTION OF WATSONVILLE ROAD AND MONTEREY ROAD (ROYAL OAK ENTERPRISES, OWNER). CEQA: A MITIGATED NEGATIVE DECLARATION HAS BEEN ADOPTED ON DECEMBER 7, 2011, FOR THE PROJECT AS PART OF AN EARLIER RELATED APPLICATION REQUEST

*Senior Planner Linder presented the staff report.  
Mayor Tate opened the Public Hearing  
Barton Hechtman spoke in favor  
Hearing no further request to speak the  
Public Hearing was closed*

**Action: On a motion by Mayor Pro Tem Carr and seconded by Council Member Siebert, adopting resolution 15-217 approving Urban Service Area Amendment USA 14-01: Watsonville-Hordness;**

**. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Carr and seconded by Council Member Siebert, waiving first and second reading of ordinance 2162 approving project Development Agreement, DA 15-11:**

**Watsonville-Hordness**

**. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Carr and seconded by Council Member Siebert, introducing ordinance. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0



27 [15-538](#)

USA-15-01: MONTEREY-CITY OF MORGAN HILL: A REQUEST TO ADD 11 PARCELS (POSSIBLY 4 ADDITIONAL PARCELS DENOTED WITH AN "\*\*") INTO THE MORGAN HILL URBAN SERVICE AREA (USA) BOUNDARY. SEVEN (7) OF THE 15 PARCELS ARE CURRENTLY LOCATED WITHIN THE CITY LIMITS, BUT OUTSIDE OF THE USA. THE PROPERTIES, IDENTIFIED BY ASSESSOR PARCEL NUMBERS 779-04-005, -030, -072, -074, -073, -032, -033, -010, -011\*, -012\*, -013\*, -058\*, -015, -016, AND -061 WHICH INCLUDE THE OAKWOOD COUNTRY SCHOOL AND MORGAN HILL BIBLE CHURCH, ARE GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF MONTEREY AND WATSONVILLE ROADS; (JESSIE C. GARIBALDI TRUSTEE; JANIS ROSS TRUSTEE; KYUNG SUH TRUSTEE; ULRICH WINGENS TRUSTEE; NMHCS; LORETTA C. AND JAMES L. WILSON, TRUSTEE; PARVIZ EBADYPOUR TRUSTEE; FRANK HUNT TRUSTEE ET AL., WILLIAM C. SLAGLE JR., TORIBIO AND LUZ VALDIVIA, RODNEY L. BRAUGHTON TRUSTEE, BAY AREA CHRYSANTHEMUM GROWERS ASSOCIATION; MORAGAN HILL BIBLE CHURCH OF MORGAN HILL, OWNERS). CEQA: MITIGATED NEGATIVE DECLARATION ADOPTED DECEMBER 7, 2011.

*Community Development Director Crabtree presented the staff report  
Mayor Tate opened the public hearing*

*Rod Braughton was called to speak and shared that he would be strongly opposed to having his property annexed into the City*

*Marc Rauser was called to speak and spoke in favor*

*Public Hearing closed*

*Meeting went into Recess*

*Meeting Reconvened*

**Action: On a motion by Council Member Siebert and seconded by Council Member Constantine, adopting resolution 15-218 approving Urban Service Area Amendment USA-15-01 including the 4 residential parcels as recommended by the planning commission including language that the proposed cell tower height not exceed City standards. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

- 28    [15-537](#)    ZA-15-12: BUTTERFIELD-MWEST: A ZONING AMENDMENT APPLICATION REQUESTING APPROVAL TO REZONE THE PROPERTY FROM AN INDUSTRIAL PLANNED UNIT DEVELOPMENT TO THE R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT TO SUPPORT THE FUTURE DEVELOPMENT OF MULTI-FAMILY RESIDENTIAL UNITS. THE PROJECT SITE, IDENTIFIED BY ASSESSOR PARCEL NUMBERS 726-25-061; -066, -067, -078, AND -079 ARE LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF JARVIS DRIVE AND MONTEREY HIGHWAY; MWEST PROPCO XXIII, LLC; S.Z. AND MARY A. JAFRI, OWNERS. CEQA: AN ENVIRONMENTAL IMPACT REPORT (EIR) HAS BEEN PREVIOUSLY PREPARED.

*Community Development Director Crabtree presented the staff report.  
Public Hearing opened*

*Kerry Williams, applicant was called to speak and spoke in favor*

*Chantal Mailloux was called to speak and spoke in opposition*

*Rosemary Thompson was called to speak and spoke in opposition*

*Scott Unger was called to speak and spoke in opposition*

*Eugene Davis was called to speak and shared his concerns*

*Chad Froman, applicant was called to speak and spoke in favor*

*Tamsen Plume was called to speak and spoke in favor*

*hearing no further request to speak the public hearing was closed*

**Action: On a motion by Council Member Constantine and seconded by Council Member Carr, extending the meeting until midnight. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Mayor Pro Tem Carr and seconded by Council Member Constantine, Waiving the first and second reading of the Zoning Amendment Ordinance for ZA-15-12**

**. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Mayor Council Member Carr and seconded by Council Member Constantine, Introducing Zoning Amendment Ordinance 2163**

**. The motion passed by the following vote:**

**Ayes:** 4 - Carr, Constantine, Librers, Siebert

**Noes:** 1 - Tate

**Absent:** 0

- 29    [15-540](#)    CONSIDERATION OF AN ORDINANCE (ZA-15-10) OF THE CITY OF MORGAN HILL ADDING A NEW CHAPTER 18.29 (STANDARDS FOR MEDIUM DENSITY RESIDENTIAL DEVELOPMENT) TO TITLE 18 (ZONING) OF THE MORGAN HILL MUNICIPAL CODE, AND MAKING RELATED AMENDMENTS TO SECTION 18.12.070 OF CHAPTER 18.12, SECTION 18.14.050 OF CHAPTER 18.14, SECTION 18.16.050 OF CHAPTER 18.16, ALL OF TITLE 18, AND AMENDING SECTION 17.34.060 (PRIVATE STREETS) AND ADDING A NEW SECTION 17.34.070 (ALLEYS) TO CHAPTER 17.34 (STANDARDS FOR RESIDENTIAL AND PRIVATE STREETS) OF TITLE 17 (SUBDIVISIONS) OF THE MUNICIPAL CODE. CONSIDERATION OF GENERAL PLAN TEXT AMENDMENT (GPA-15-01) TO THE COMMUNITY DEVELOPMENT CHAPTER OF THE 2001 CITY OF MORGAN HILL GENERAL PLAN TO AMEND THE DEFINITION OF DENSITY AND AMEND TABLE 2 ON PAGE 16 OF THE GENERAL PLAN

*Senior Planner Paolini presented the report.*

*Mayor Tate opened the public hearing*

*Kerry Williams was called to speak and spoke in favor*

*Hearing no further request to speak the public hearing was closed*

**Action: On a motion by Council Member Constantine and seconded by Council Member Siebert, waiving the first and second reading of the ordinance. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Constantine and seconded by Council Member Siebert, introducing Ordinance 2164 approving Zoning Amendment ZA-15-10**

**. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Siebert and seconded by Council Member Constantine, adopting resolution 15-219 amending the General Plan text for GPA-15-01. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**OTHER BUSINESS:**

- 30    [15-522](#)        ORDINANCE CLARIFYING THAT THE PROVISIONS OF SECTION 10.40.210 OF THE MORGAN HILL MUNICIPAL CODE APPLY TO PUBLIC STREETS IN RESIDENTIAL AREAS

*Mayor Tate opened public comment. Hearing no request to speak, public comment was closed.*

**Action: On a motion by Council Member Siebert and seconded by Council Member Constantine, waiving the first and second reading of ordinance**

**amending Morgan Hill Municipal Code Section 10.40.210. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Siebert and seconded by Council Member Constantine, introducing Ordinance 2165 amending Morgan Hill Municipal Code Section 10.40.210 by title. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

- 31    [15-543](#)        MORGAN HILL 2035: RDGS UPDATE WORKING GROUP  
PROGRESS REPORT - MEETING #8

*Community Development Director Crabtree presented the staff report.*

*Mayor Tate opened public comment. Hearing no request to speak the public comment was closed.*

- 32    [15-483](#)        MORGAN HILL 2035: NEW GENERAL PLAN POLICIES

*Item was tabled to a future meeting*

**PUBLIC HEARINGS:**

- 33    [15-525](#)    DEVELOPMENT AGREEMENT APPLICATION DA 15-02:  
CHURCH-PRESIDIO: A REQUEST FOR THE APPROVAL OF A  
DEVELOPMENT AGREEMENT FOR A 12-UNIT SINGLE FAMILY  
ATTACHED PROJECT PROPOSED ON A 1.66-ACRE PARCEL  
LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION  
OF SAN PEDRO AVENUE AND CHURCH STREET IN THE R-2  
3,500/PD ZONING DISTRICT. THE PROJECT SITE IS IDENTIFIED BY  
ASSESSOR PARCEL NUMBER 871-01-001 (PRESIDIO MANA  
MONTEREY, OWNER). CEQA: A MITIGATED NEGATIVE  
DECLARATION PREVIOUSLY ADOPTED.

*Community Development Director Crabtree presented the staff report*

*Mayor Tate opened public comment*

*Bill McClintock was called to speak and made himself available to answer questions*

*Hearing no further request to speak, the public hearing closed*

**Action: On a motion by Council Member Siebert and seconded by Council Member Carr, waiving the first and second reading of ordinance 2166 approving project Development Agreement DA 15-02:**

**Church-Presidio. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Siebert and seconded by Council Member Carr, introducing ordinance 2166. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

- 34 [15-528](#) ZONING AMENDMENT, ZA-14-17, DEVELOPMENT AGREEMENT, DA-14-06: COCHRANE - STANDARD PACIFIC: A ZONING AMENDMENT, PRECISE DEVELOPMENT PLAN AND DEVELOPMENT AGREEMENT FOR TWO PARCELS TOTALING APPROXIMATELY 40 ACRES. THE ZONING WOULD BE AMENDED FROM R-1-7,000 AND R-1-9,000 TO R-1-7,000 PD PLANNED DEVELOPMENT AND R-1-9,000 PD PLANNED DEVELOPMENT CONSISTENT WITH THE ADOPTED GENERAL PLAN. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF COCHRANE ROAD AND MISSION VIEW BOULEVARD CEQA: MITIGATED NEGATIVE DECLARATION ADOPTED

*Senior Planner Paolini presented the staff report  
Mayor Tate opened the public hearing*

*Ross Doyle was called to speak  
Hearing no further request to speak, the  
public hearing was closed*

**Action: On a motion by Council Member Carr and seconded by Council Member Constantine, waiving the first and second reading of Zoning Amendment**

**Ordinance 2167. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Carr and seconded by Council Member Constantine, introducing Ordinance 2167 approving Zoning Amendment ZA-14-17. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Carr and seconded by Council Member Constantine, waiving the first and second reading for the Development Agreement Ordinance 2168 with the changes to the Housing needs and lot layout and orientation sections**

**. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Carr and seconded by Council Member Constantine, Introducing Ordinance 2168 approving Development Agreement DA-14-06. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

- 35    [15-530](#)    ZONING AMENDMENT, ZA-14-20, DEVELOPMENT AGREEMENT, DA-14-09: COCHRANE - MONTEREY - KB GIPPETTI: A ZONING AMENDMENT, PRECISE DEVELOPMENT PLAN AND DEVELOPMENT AGREEMENT FOR ONE PARCEL TOTALING APPROXIMATELY 4.37 ACRES. THE ZONING WOULD BE AMENDED FROM CL-R LIGHT COMMERCIAL/RESIDENTIAL DISTRICT TO R-3 PD MEDIUM DENSITY RESIDENTIAL PLANNED DEVELOPMENT CONSISTENT WITH THE ADOPTED GENERAL PLAN. THE PROPERTY IS LOCATED ON THE EAST SIDE OF MONTEREY ROAD BETWEEN 17960 MONTEREY ROAD AND 18060 MONTEREY ROAD. CEQA: AMENDMENT TO EIR PREPARED FOR THE FALL 2014 GENERAL PLAN AMENDMENT

*Senior Planner Paolini presented the staff report.*

*Mayor Tate opened the public hearing*

*Michelle Fisk was called to speak and made herself available to answer any questions*

*Hearing no further request to speak the*

*public hearing was closed*

**Action: On a motion by Council Member Constantine and seconded by Council Member Siebert, Waiving the first and second reading of the Zoning Amendment Ordinance 2169**

**. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Constantine and seconded by Council Member Siebert introducing Ordinance 2169 approving Zoning Amendment ZA-14-20. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Constantine and seconded by Council Member Siebert waiving the first and second reading of the Development Agreement ordinance 2170**

**. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**Action: On a motion by Council Member Constantine and seconded by Council Member Siebert, introducing Ordinance 2170 approving Development Agreement DA-14-09. The motion passed by the following vote:**

**Ayes:** 5 - Carr, Constantine, Librers, Siebert, Tate

**Noes:** 0

**Absent:** 0

**FUTURE COUNCIL INITIATED AGENDA ITEMS:**

*Mayor Tate requests and item on the naming of aquatics center*

*Council Member Carr asked about a time frame to begin discussing Monterey Road and traffic and speed control.*

**ADJOURNMENT**

*There being no further business, Mayor Tate adjourned the meeting.*

**MINUTES PREPARED BY:**

*Michelle Wilson, Deputy City Clerk*



## 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 by 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. 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 [michelle.wilson@morganhill.ca.gov](mailto:michelle.wilson@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 [michelle.wilson@morganhill.ca.gov](mailto:michelle.wilson@morganhill.ca.gov). Requests must be made as early as possible and at least two-full business days before the start of the meeting.*

## **City Council's Priorities, Goals, and Strategies**

### **2015**

#### **2015 Commitment**

*For 2015, the City Council is committed to remaining focused on existing planning efforts, projects, and initiatives with an eye towards completing what has already been started.*

#### **Ongoing Priorities**

*The City Council is committed to providing high quality and sustainable services to the entire Morgan Hill community. Fundamental to the City Council's success are the ongoing priorities of:*

- Enhancing public safety
- Protecting the environment
- Maintaining fiscal responsibility
- Supporting youth
- Fostering an organizational culture
- Preserving and cultivating public trust

#### **2015 Focus Areas**

*In addition to the City Council's priorities, eleven specific focus areas were recognized by the Council that require significant resources in 2015.*

- Stimulate economic development to increase jobs and expand the City's tax base
- Actively participate in regional issues for the benefit of Morgan Hill
- Develop an infrastructure funding and advocacy plan
- Evaluate, develop, and implement short and long term strategies to address the environmental and financial impacts of drought conditions
- Continue our General Plan Update, Morgan Hill 2035, including updating and incorporating the Residential Development Control System (RDCS)
- Advance revitalization of our downtown by completing our significant public investment
- Implement Southeast Quadrant agricultural preservation and land use plans that satisfy the Council's goals by working cooperatively with landowners, public agencies, and other stakeholders
- Develop a plan for ongoing and comprehensive support of senior services
- Advance regional transportation decisions that are consistent with the Council's position to best serve Morgan Hill by working with regional and state organizations
- Measure the effectiveness of community engagement efforts
- Facilitate maintaining and enhancing the provision of medical services in Morgan Hill