



CITY OF MORGAN HILL

Special - Regular Meeting Agenda

City Council

Steve Tate - Mayor

Larry Carr - Mayor Pro Tem

Rich Constantine - Council Member

Caitlin Jachimowicz - Council Member

Rene Spring - Council Member

Wednesday, June 28, 2017 6:00 PM

Council Chamber

17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(6:00 P.M. Closed Session/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

6:00 P.M.

CALL TO ORDER

Mayor Tate

ROLL CALL ATTENDANCE

Deputy City Clerk Wilson

DECLARATION OF POSTING AGENDA

Deputy City Clerk Wilson

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority: Pursuant to CA Govt. Code Section 54956.9(d)(1)

Case Name: Caballero v. City of Morgan Hill

Compensation Claim Nos:

WCAB ADJ9188774, MHL1400010

WCAB ADJ8606660, MHL1300012

WCAB ADJ8606584, MHL1200006

Case Name: Nelsen v. City of Morgan Hill

Worker's Compensation Claim Nos:

WCAB ADJ9373607, MHL1400026

WCAB ADJ9383549, MHL1400024

WCAB ADJ9383541, MHL1400022

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to: Government Code Section 54956.9(d)(2)

Number of Cases: One (1)

RECONVENE

CLOSED SESSION ANNOUNCEMENT

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

CITY COUNCIL REPORTS

Council Member Spring

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

RECOGNITION

Tim Hennessey, Library Culture and Arts Commissioner

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)

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. COPS HIRING GRANT

Recommendation:

1. Accept report in support of application of the Community Oriented Policing Services Hiring Grant, and
2. Affirm the City's commitment to maintain the position once grant funding expires.

2. SERVER AND STORAGE REPLACEMENT

Recommendation:

Approve purchase of replacement server and storage solution from IT Management Corporation for a not to exceed amount of \$246,744.28.

3. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)/HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) JOINT POWERS AND COOPERATION AGREEMENT

Recommendation:

Adopt resolution authorizing the City Manager to execute or amend a Joint Powers and Cooperation Agreement ("Agreement") among the County of Santa Clara and a number of local jurisdictions for the term October 1, 2017, through September 30, 2020, with subsequent automatic three-year renewals unless the Agreement is terminated, for purposes of securing federal Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) Funding, following approval by the City Attorney as to form and legality.

4. APPROVAL OF AMENDMENT TO THE LEGAL SERVICES CONSULTANT AGREEMENT WITH LEONE & ALBERTS FOR LITIGATION SERVICES TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT TO \$95,000

Recommendation:

Approve the amendment to the legal services consultant agreement with Leone & Alberts for litigation services to increase the total not to exceed amount by \$20,000 to \$95,000.

5. ADOPT ORDINANCE 2250, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING TITLE 3 OF THE MORGAN HILL MUNICIPAL CODE TO ADD A NEW CHAPTER 3.21 TO CREATE A USE TAX INCENTIVE PROGRAM

Recommendation:

Waive the reading, adopt Ordinance No. 2250, 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.

6. ADOPT ORDINANCE 2251, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-06 (AAE 2017-0023): MONTEREY - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR 19 FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-03-055)

Recommendation:

Waive the reading, adopt Ordinance No. 2251, 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.

7. ADOPT ORDINANCE 2252, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-07 (AAE 2017-0024): CIOLINO - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR EIGHT FISCAL YEAR 2016-2017 ALLOTMENTS (APN 767-09-029)

Recommendation:

Waive the reading, adopt Ordinance No. 2252, 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.

8. ADOPT ORDINANCE 2253, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-08 (AAE 2017-0025): EAST DUNNE - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR 14 FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-01-080)

Recommendation:

Waive the reading, adopt Ordinance No. 2253, 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.

9. ADOPT ORDINANCE 2254, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDED DEVELOPMENT AGREEMENT TO DA-14-03 (AAE2017-0013): BUTTERFIELD – DIVIDEND INCORPORATING SIX FISCAL YEAR 2016-2017 ALLOTMENTS TO THE APPROVED 78-UNIT VALENCIA DEVELOPMENT AND EXTENDING THE EXERCISE OF ALLOTMENTS FOR 84 BUILDING ALLOTMENTS (APN 726-26-005 &008)

Recommendation:

Waive the reading, adopt Ordinance No. 2254, 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.

10. ADOPT ORDINANCE 2255, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE R-1 (4,500) (PD) AND R-2 (3,000) (PD) PLANNED DEVELOPMENT OVERLAY DISTRICT AND PRECISE DEVELOPMENT PLAN FOR AN 84-UNIT RESIDENTIAL DEVELOPMENT ON A 13.72-ACRE SITE LOCATED ON THE NORTHWEST AND NORTHEAST CORNERS OF THE INTERSECTION OF BUTTERFIELD BOULEVARD AND EAST CENTRAL AVENUE. (APN 726-26-005 &008)

Recommendation:

Waive the reading, adopt Ordinance No. 2255, 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.

11. ADOPT ORDINANCE 2256, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA 06-06 GRANTING A SIX-MONTH EXTENSION FOR 15, FISCAL YEAR 2014-2015 ALLOTMENTS FOR APPLICATION DA 06-06 (AAE2017-0016): MONTEREY - GUNTER (APN 726-23-008)

Recommendation:

Waive the reading, adopt Ordinance No. 2256, 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.

12. APPROVE THE JUNE 7, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

13. CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

Recommendation:

1. Receive report from National Demographics Corporation;
2. Open/close the public hearing; and
3. Direct staff to work with consultants and the community to identify and define four Council districts in compliance with the California Voting Rights Act and Elections Code section 10010.

Estimated Time: 45 Minutes

OTHER BUSINESS

14. UHC CONDITIONAL AFFORDABLE HOUSING FUNDING RECOMMENDATION

Recommendation:

Approve conditional funding for the UHC Affordable Housing Project \$750,000, contingent on UHC's ability to obtain the remaining gap funds, subject to an agreement negotiated by the City Attorney.

Estimated Time: 10 Minutes

15. ACCEPTANCE OF 2017 PAVEMENT MANAGEMENT SYSTEM REPORT

Recommendation:

1. Receive report on 2017 Pavement Management System Report; and
2. Accept the 2017 Pavement Management System Report.

Estimated Time: 45 minutes

16. ENVIRONMENTAL AGENDA REVIEW

Recommendation:

Accept report and provide direction to staff on future implementation priorities.

Estimated Time: 20 Minutes

17. PROVIDE DIRECTION REGARDING WAGE THEFT PREVENTION POLICY

Recommendation:

1. Provide direction on developing a policy to prohibit contracts with individuals or entities that engage in wage theft, and
2. Provide direction regarding other actions that may be taken to combat wage theft.

Estimated Time: 5 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 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 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 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. 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

Morgan Hill is a socially responsible, environmentally conscious, and economically sound community that embraces inclusiveness with participation by all.

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 Cultural Heritage

2017 STRATEGIC PRIORITIES

High Speed Rail

Inclusiveness

Infrastructure

Regional Initiatives

Telecommunications

2017 STRATEGIC PRIORITIES:



High Speed Rail

The City of Morgan Hill will directly advocate for our community's needs through our communications, discussions, and decisions. We will continue to engage the community, the High Speed Rail Authority, our state and federal legislators, and other regional agencies to mitigate negative impacts and convey our position that the High Speed Rail Authority should only use the existing Highway 101 right-of-way to avoid all impacts to residents, schools, and businesses. Should the Authority decide the 101 right-of-way is not feasible, we will strongly advocate for the route with the least impact on Morgan Hill.



Inclusiveness

We will celebrate the diversity, history, and culture of our community. Through City Council workshops, community meetings, and researching successes in other communities, the City will listen to and collaborate with the community to define how inclusiveness will be further woven into our community's fabric and to increase public participation. The City's communications, services, public spaces, and projects will embrace all community members as partners, advancing our vision of being a socially responsible community.



Infrastructure

The City will review its streets, parks, and public facilities infrastructure needs initially by updating its 2014 infrastructure study to quantify the funding gap. We will identify potential funding options as ongoing revenue is insufficient to fund our vital community assets at a sustainable level without significantly impacting existing service levels that our community has come to expect. Morgan Hill will actively work with the Valley Transportation Agency, the County, and the State to secure funding for the Santa Teresa extension and road maintenance. We will continue to work closely with our community to inform them of the needs and engage them to find an affordable and sustainable solution.



Regional Initiatives

City Council and staff will focus on influencing regional decisions that benefit Morgan Hill. This regional involvement will include, but not be limited to, partnering with the League of California Cities, Valley Transportation Authority, Santa Clara Valley Water District, Cities Association of Santa Clara County, the City of Gilroy, Santa Clara County, Morgan Hill Unified School District, the Local Agency Formation Commission, the Open Space Authority, and Silicon Valley Clean Energy to advance projects that further Sustainable Morgan Hill.



Telecommunications

The City will collaborate with the private sector to explore ways to provide fast, reliable access and wireless connectivity for residents and businesses. The 2016 Telecommunications Infrastructure and Economic Development Blueprint reports will be the foundation for continuing discussions with broadband providers, public utilities, and other infrastructure service providers in developing an implementation plan for growing our telecommunications infrastructure. The plan will be used to signal Morgan Hill's support for business expansion.



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: David Swing, Police Chief
APPROVED BY: City Manager

COPS HIRING GRANT

RECOMMENDATION(S)

1. Accept report in support of application of the Community Oriented Policing Services Hiring Grant, and
2. Affirm the City's commitment to maintain the position once grant funding expires.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Fiscal Responsibility
Supporting Our Youth
Seniors
and Entire Community

POLICY CONSIDERATIONS:

Should the City pursue a Federal Department of Justice Community Oriented Policing Hiring Grant to add a second School Resource Officer?

If awarded a Grant, should the hiring of a second School Resource Officer (SRO) be contingent on also receiving an ongoing contribution from MHUSD to support the position?

REPORT NARRATIVE:

The Police Department is seeking Council affirmation and direction on a grant application that, if awarded, will add one sworn police officer position to serve as a School Resource Officer (SRO). The grant funding is available through the Federal Department of Justice Community Oriented Policing Office Hiring Program (CHP). The grant application is due on July 10, 2017 and requires agencies to explain how CHP funding will be used to implement community policing approaches. The addition of the SRO is a specific grant request. The funding is capped at \$125,000 per officer over a three-year period or \$41,666 per year.

The Department was unsuccessful in a prior grant application in 2012 when we asked for two new sworn positions to augment our patrol staffing. The prior funding decision was scored on criteria related to crime rate and socio-economic factors.

If awarded, the Police Department intends to partner with the Morgan Hill Unified School District (MHUSD) to add a second dedicated School Resource Officer (SRO) to help to expand restorative justice and other law enforcement/youth based programs to all high schools in the MHUSD. The Department also envisions the new position to have a role in safety-net planning related to the recent Epi-Aid report on Youth Suicide. MHUSD has verbally committed to supplementing the funding by adding \$150,000 over a three-year period.

Staff anticipates notification of the grant award in October of 2017 and, if awarded, will return to Council with a final recommendation and formal acceptance.

COMMUNITY ENGAGEMENT: Inform

The staff report serves to inform the community of the proposed COPS hiring grant application.

ALTERNATIVE ACTIONS:

Council could decide not to pursue the COPS grant.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None

FISCAL AND RESOURCE IMPACT:

The hiring of a second SRO will require a long-term financial commitment by the City. The following chart demonstrates the estimated annual City expense for hiring a Public Employee Pension Reform Act (PEPRA) and as such the cost of salary and benefits below reflect a PEPRA officer at Steps A through E and a 5% salary increase for moving an existing officer assigned to Field Operations into Special Operations to serve as the new SRO. If the City hires a "Classic" employee as defined by CalPERS, the associated costs would be higher. Start-up costs include the estimated costs for a new vehicle and safety equipment which would be funded from the City's asset seizure fund and not the General Fund.

Preliminary Expenses and Revenues

	Start-Up Costs	Salary/Benefits Estimated Expense	COPS Grant Estimated Revenue	MHUSD Estimated Revenue	General Fund Estimated Expense
Year 1	\$70,000*	\$150,487	\$41,668	\$60,000	\$48,819
Year 2		\$165,640	\$41,666	\$60,000	\$63,974
Year 3		\$181,090	\$41,666	\$30,000	\$109,424
Year 4		\$199,199	\$0.00	TBD	\$199,199
Year 5		\$219,119	\$0.00	TBD	\$219,119
Total	\$70,000*	\$915,535	\$125,000	\$150,000	\$640,535

*Start-up costs recommended to be funded by asset seizure fund. Not included in estimated General Fund expense.

CEQA (California Environmental Quality Act):

Not a project: This is a purely fiscal action that will not cause direct or indirect impacts on the environment.

LINKS/ATTACHMENTS:



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Jeff Rosenberger, Information Services Manager

APPROVED BY: none

SERVER AND STORAGE REPLACEMENT

RECOMMENDATION(S)

Approve purchase of replacement server and storage solution from IT Management Corporation for a not to exceed amount of \$246,744.28.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

2017 Strategic Priorities

Infrastructure

REPORT NARRATIVE:

In accordance with the City Computer Purchasing Policy, Information Services (IS) is recommending the replacement and expansion of our existing virtual server and storage infrastructure consisting of four (4) host servers and a EMC Storage Area Network (SAN) that support core security, application, file storage and print services. The current server and storage environment was purchased in October 2009 and has reached the end of support and needs replacement. IS is recommending an easy to expand and manage redundant solution that will create a flexible server and storage infrastructure that meets the City's needs for supporting server-based applications, localized data, virtual desktops, and emergency continuity.

The IS Team extensively reviewed different technologies before deciding on a solution utilizing Datronics hardware and software modules to 1) meet the storage and server needs for maintaining the availability of our existing applications and information, 2) move IS time now used on setting up, expanding, and managing the data infrastructure to providing direct customer service, 3) reduce the overall cost and time spent testing and implementing new projects requiring virtual services, 4) provide a growth platform for new applications, digital documents, information reporting and virtual desktops, 5) increase availability and reduce potential recovery time for access to City applications and information during emergencies and disasters, and 6) be a stepping stone for moving virtual services, applications, and information to the cloud. This *hyperconverged* solution combines servers, network, and storage into an integrated hardware and software package with preconfigured 'plug and play' modules that support either more server capacity, more storage capacity, or both. This recommendation builds on our existing network and virtual server software investments, directly integrates with existing management tools and distributes the virtual environment between the Police Department and the Council Chamber buildings using self-contained units that are up to date copies of each other and are able to provide full access to applications, information

and virtual desktops during maintenance cycles and emergencies. In the case of a disaster one, or both, units can be physically relocated and provide the same full access at any place with power.

On May 5, 2017 bid specifications were announced on the web site and published in the Morgan Hill Times on May 5, 12, and 19, 2017. Four (4) bids for the purchase, installation, and support of the Datronics solution were received by the closing date of May 22, 2017. After review of all bids the top proposal was selected based on 1) price, 2) experience and capability to perform, 3) compliance with bid specifications, 4) compliance with service level agreements, 5) bid storage capacity, 6) expected performance of solution, 7) expandability and support options, 8) delivery time, 9) connectivity options, and 10) exceptions to bid specifications and standard consulting agreements. All bidders met the bid specifications and are considered equally qualified as partners. The firm IT Management Corporation provided the lowest cost solution and is the recommended vendor. This purchase includes 3 years of manufacture hardware and software support Attached is a cost comparison of the four proposals.

COMMUNITY ENGAGEMENT: Not Applicable

This report serves to inform the community of the recommended action of approving the purchase and consulting agreement.

ALTERNATIVE ACTIONS:

Should the Council decide to not approve the replacement of the existing server and storage equipment with IT Management Corporation, additional third-party support could be solicited and uptime and information availability expectations would need to be reevaluated as other solutions are evaluated.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

No prior actions on this item

FISCAL AND RESOURCE IMPACT:

Project funding of \$246,743.88 is budgeted in the Information Systems Fund (Fund 730) in FY 2016-17 and is included in the workplan for the Information Services Team.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Not a project: It is not reasonably foreseeable that the installation of servers will have a direct or indirect impact on the physical environment.

LINKS/ATTACHMENTS:

1. ServerReplacmentBids
2. ITManagementProposal

Attachment 1

Server and Storage Replacement Bid Results

	Lynbrook		Questivity		EPC		ITManagement	
Hardware \$	188,018.63	\$	191,431.44	\$	185,759.42	\$	179,532.00	
Software \$	11,368.42	\$	12,960.00	\$	11,232.00	\$	7,488.00	
Support \$	44,264.84	\$	44,894.88	\$	43,734.96	\$	41,616.00	
Total \$	243,651.89	\$	249,286.32	\$	240,726.38	\$	228,636.00	
Shipping \$	208.00	\$	-	\$	1,050.00	\$	1,950.00	
Tax (9%) \$	16,921.68	\$	17,228.83	\$	16,718.35	\$	16,157.88	
Grand Total \$	260,781.57	\$	266,515.15	\$	258,494.73	\$	246,743.88	

Attachment: ServerReplacementBids (1267 : Server and Storage Replacement)



IT Management Corporation
5201 Great America Parkway #320 Santa Clara, CA 95054
Phone: 888-970-2070 Fax: 888-506-0606
Email: Sled@itmgmt.com



SERVER STORAGE EXPANSION BID

Due 5/22/17 3PM

**City of Morgan Hill
17575 Peak Ave
Morgan Hill, CA 95037,**



Original

May 17, 2017

Attachment: ITManagementProposal (1267 : Server and Storage Replacement)

May 19th, 2017

The City of Morgan Hill
17575 Peak Ave.
Morgan Hill, CA 95037,

RFP Narrative

SERVER STORAGE EXPANSION BID

Dear Mr. Jeff Rosenberger and the Evaluation Committee,

IT Management Corporation is pleased to provide a comprehensive proposal for The City of Morgan Hill, Request for Proposal for "SERVER STORAGE EXPANSION"

For the last seven years, IT Management Corporation had the privilege to work with many local school districts in Northern California. With 90% of our customer base in the SLED market, we have come to learn so much about the challenges and shortcomings in this market, and how we can be a help to overcome them. We are looking forward to provide the same excellent service to The City of Morgan Hill.

Our team we has worked your local Datrium account team to confirm that accuracy of the BOM, and have included turnkey installation.

Key Contract Awarding Basis Criteria

Per Request our bid for Server Storage Expansion will award the contract on the following basis:

1. Price

- a. We are providing very aggressive pricing as you can see from the attached quotations that the pricing for The City of Morgan Hill for all the hardware and software with significant discount from the manufacturer.*

2. Experience and Qualifications

- a. IT Management has been extremely involved in the Enterprise Campus Network deployments in the SLED market.*

To name a few;

- i. The City of South San Francisco*
- ii. Cupertino Union School District*
- iii. The City of Los Altos*
- iv. San Mateo Foster City School District*
- v. Franklin McKinley School District*
- vi. Berryessa Union School District*
- vii. South San Francisco Unified School District*
- viii. The City of Fremont*
- ix. Oak Grove School District*
- x. Hayward Unified School District*
- xi. Alameda County Office of Education*
- xii. Evergreen School District*



- b. *IT Management is a technology company that pays attention to details and good customer service;*
- i. *Dun & Bradstreet conducted a third party survey and IT Management has been ranked 94 out of 100 for Past Performance Evaluation, positioning us among the top ranking system integrators in the country. Please see attachment.*
 - ii. *Please see attachment, a recommendation letter from Micaela Ochoa, CBO of Pleasanton Unified School District.*

3. Accuracy of Bid or Bid Response

- a. *We are providing the exact hardware and licenses noted in the RFP, in compliance with part list and the quantity.*

Company Background

Company Name: IT Management Corporation
 Type of Company: California Registered S Corporation
 Name of Principal: Arman Eghbali, MBA
 Phone: 408-837-7000
 Fax: 888-506-0606
 Email: aeghbali@ITMGMT.com or SLED@ITMGMT.com
 Website: <http://www.IT-Management.com>
 Years in Business: Since May 2009
 FCC Federal Registration (FRN): 0023221260
 Federal Tax Identification: 26-4508448
 SLD / E- Rate SPIN: 143033893
 USAC 499A Filer ID: 830054
 DUN & Bradstreet: 078804864
 California Entity Number: C3212045
 California Certified Small Business Supplier Number: 1758743
 California State License Board, C7 License Number: 944128

Company Profile

IT Management Corporation has been serving the technology needs of private businesses and public sector organizations since 2009. We specialize in providing network assessment, planning and design, implementation, project management, documentation, voice and data consulting and convergence, training and technical services for new projects and existing systems.

We have organized our business to accommodate the individual funding, procurement and specific technology needs of each of our customers. We make sure that we will provide to you the services and support to meet the current and future technology requirements for your business. Our customers include educational institutions, insurance, commercial, and health care companies, law firms, art galleries, non-profit organizations, small to medium as well as Fortune 1000 businesses.



IMPLEMENTATION Our certified engineers implement your network from beginning to end, including procurement, staging and pre-configuration, installation, and final acceptance testing.

PROJECT MANAGEMENT A single point of contact - one of our accredited Account Engineers - can organize, manage, and document each stage of a network implementation, relocation, or a variety of other networking-related projects. With a clear statement of work, detailed plans, timelines, and weekly status reports, you can be sure that your project will be implemented on time and within budget.

DOCUMENTATION A well-documented network protects your investment. IT Management can clearly define your ever-changing network with physical and logical layouts and customized Visio formats. Our unique documentation system provides inventory tracking and allows you to easily illustrate your network to senior management.

VOICE AND DATA CONSULTING Today's IT managers struggle to anticipate and manage carrier issues. We can determine which carrier best meets your usage requirements, or we can put together a telecommunications RFP, so you can efficiently evaluate carrier services yourself. We will mentor your IT staff on WAN technologies, carrier contracts and billing, and savings opportunities.

VOICE & DATA CONVERGENCE DEPLOYMENT We can help you realize the promises of network convergence - lower costs and simplified management - by turning voice into data packets and running them over efficient IP as a VoIP, ATM, SIP or frame relay networks.

REQUEST FOR BID – SERVER STORAGE EXPANSION
CITY OF MORGAN HILL

NOTICE IS HEREBY GIVEN that the City Clerk of the City of Morgan Hill will receive sealed bids or emailed submissions no later than 3:00 p.m. on May 22, 2017 at the City of Morgan Hill City Hall located at 17575 Peak Ave, Morgan Hill, CA 95037, for server and storage expansion hardware and support. The City reserves the right to adjust the final quantities prior to award of the Bid by the City Council.

Specifications and Bid Forms may be obtained online at www.morganhill.ca.gov/bids. Each submittal must conform and be responsive to this invitation. Bid submittals must meet or exceed the specifications.

Bids shall be completed and delivered in a sealed envelope marked "SERVER STORAGE EXPANSION BID" to the City Clerk of the City of Morgan Hill located at 17575 Peak Ave, Morgan Hill, CA 95037 or by email to jeff.rosenberger@morganhill.ca.gov no later than 3:00 p.m. on May22, 2017.

Any proposal submitted must include the Signature Sheet that has been signed by an individual authorized to bind the respondent. All proposals submitted without such signature may be deemed non-responsive.

Bids which are not signed and dated by respondent will be rejected and any submittals received after the time and date specified, cannot be considered. A POSTMARK OR DOCUMENTATION OF TIME EMAIL SENT WILL NOT BE ACCEPTED AS MEETING THE DELIVERY TIME, IF RECEIVED AFTER THE DEADLINE.

It is the sole responsibility of the respondent for ensuring that their proposals are stamped by City Clerk staff and received for the City of Morgan Email post office before the deadline. Proposals and/or any addenda pertaining thereto received after the announced time and date of receipt by mail or otherwise, will be returned.

No proposal may be withdrawn after the time announced for the opening or before the award and accepting of the contract; unless the award is delayed for a period exceeding FORTY-FIVE (45) days. However, nothing in this bid precludes the City of Morgan Hill from requesting additional information at any time during the procurement process.

The City of Morgan Hill hereby notifies all interested parties, that it will affirmatively ensure that minority business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award. The City of Morgan Hill reserves the right to reject any and all bids and waive any informalities or irregularities in the bids.

Each proposal must conform to and be responsible to the specifications identified in all documents. Copies of the Storage Expansion specifications are online open to public inspection at <https://www.morganhill.ca.gov/bids>

Introduction and Scope

The intent of this proposal is to obtain competitive pricing for the replacement of the existing virtualized server and storage area network configuration and to add additional capacity for virtual desktops and a co-located disaster recovery configuration using Datrium hyperconverged storage and compute nodes with installation and 3 years of support. These nodes must be from Datrium Equipment Manufacturers and/or their certified representatives. Detailed specifications are provided in Attachment '1' of the bid documents.

BID TERMS AND CONDITIONS

A. Bid Process:

Respondents are to submit written proposals, which present the respondent's qualifications and understanding of the work performed. The respondent's proposal should be prepared simply and economically and should provide all the information that it considers pertinent to its qualifications for the project and which respond to the Scope of Services and Evaluation Criteria listed herein. Emphasis should be placed on completeness of services offered and clarity of content.

B. Bid Timeline:

May 5, 2017	Bid Specifications Announced
May 5, 2017	Bid Specifications Published
May 16, 2017	Response to Bid Questions
May 22, 2017	Bid Opening at 3:00 PM
May 22 – June 9, 2017	Bid Review, Award Recommendations and Staff Report
June 21, 2017	City Council Approval
June 22 – 28, 2017	Final Signatures and Purchas Order submitted winner of bid
August 16, 2017	Latest date for delivery and installation of equipment

C. Bid Withdrawal:

Any bidder may withdraw their proposal, either personally or by written request, at any time prior to the scheduled opening time of receipt of bids.

D. Bid Rejection:

City of Morgan Hill reserves the right to reject any or all bids or parts thereof and to award the contract to the bidder or bidders, whose responses are most Advantageous to the City of Morgan Hill. False, incomplete or unresponsive statements in connection with a proposal may be sufficient cause for rejection. Vendors will thoroughly examine and be familiar with the specifications. The failure or omission of any vendor to receive or examine any form, instrument, addendum or other document or become acquainted with conditions existing shall in no way relieve any vendor from any obligation with respect to vendor's bid or to the contract. Any bid documents, letters and materials submitted by the bidder shall be binding and included as part of the final contract. Unauthorized conditions, limitations, or provisions attached to this bid may render it informal and may cause its rejection.

E. Evaluation:

All bids will be evaluated by Information Services using these criteria:

- a. Price analysis, including but not limited to lease price.
- b. The respondent's experience and capability to perform.
- c. Compliance with bid specifications.
- d. Compliance with service level agreements.
- e. Bid Storage Capacity.
- f. Bid Performance.
- g. Expandability. Support Options.
- h. Delivery Time.
- i. Connectivity Options.
- j. Exceptions to specifications.

F. Changes in Specifications:

City of Morgan Hill may, during the bid period, advise the bidder by bulletin or addenda of additions, omissions or alterations in the specifications. All such changes shall be included in the bid and become a part of the specifications as if originally submitted.

G. Quantities:

It is understood and agreed that City of Morgan Hill guarantees no minimum amount, and reserves the right to increase or decrease anticipated quantities.

H. Business License:

- a. A vendor located in the city shall possess or obtain a valid, current City of Morgan Hill Business License. A vendor located outside the city shall likewise possess or obtain a valid, current City of Morgan Hill Business License.
- b. Copies of business licenses, professional certifications or other credentials, together with evidence that bidder, if a corporation, is in good standing and qualified to conduct business in California.
- c. A City of Morgan Hill business license is not required for bid submittal but is a requirement of the selected bidder.

I. Insurance:

If Insurance is required the Respondent shall purchase and maintain in force, at their own expense, such insurance as specified in City of Morgan Hill's Standard Agreement for Professional Services. The Respondent shall furnish a copy of an original Certificate of Insurance, naming City of Morgan Hill as an additional insured. The City of Morgan Hill shall furnish insurance in satisfactory limits, and on forms and of companies, which are acceptable to City and shall require and show evidence of insurance coverage's on behalf of any subcontractor (if applicable, before entering into any agreement to sublet any part of the work to be done under this agreement).

J. References:

- a. All respondents shall include a list of a minimum of five references, from similar projects only, who could attest to the firm's knowledge, quality of work, timeliness, diligence,

flexibility, and ability to meet budget constraints, include names, contact persons, and phone numbers of all references.

- b. References may or may not be reviewed or contacted at the discretion of the City. Typically, only references of the top ranked shortlist of respondent or respondents are contacted. The City reserves the right to contact references other than, and/or in addition to, those furnished by a respondent.
- c. A brief description of the history and organization of the bidder's firm, and of any proposed subcontractor, including a description of why the firm is qualified to supply the Equipment.

K. Submission:

- a. Submission will include one paper copy and one electronic copy of submission in PDF format or one electronic copy if submitting by email.
- b. In addition to the above-referenced General Terms and Conditions, the Purchase Order shall also contain the following terms:

L. Warranties:

- a. To the extent that third party manufacturers have provided the bidder with any warranties or made other commitments regarding the equipment, products or goods that the bidder has included in its bid to the City of Morgan Hill, bidder will pass through and assign to the City of Morgan Hill any and all such manufacturers' warranties and other commitments, and/or take such action as may be necessary to ensure that the City of Morgan Hill is entitled in full to all such manufacturer's warranties and obligations.
- b. Unless otherwise specified by the bidder in its bid response, the warranties specified hereunder shall begin upon the City of Morgan Hill's acceptance, in writing, of the deliverable or service in question.
- c. Bidder warrants that the goods furnished under the Purchase Order shall conform to the requirements of the Purchase Order (including all descriptions, specifications and drawings made a part thereof) and such goods will be new, merchantable, fit for their intended purposes, and free from defects in material and workmanship.
- d. Bidder represents and warrants that it is a duly authorized value added reseller of the equipment, software and services specified by the City of Morgan Hill and that it has a value added reseller's agreement currently in force with each and every applicable company or manufacturer under which the bidder is authorized to make the commitments made in the Purchase Order.
- e. Bidder warrants that it will arrange with the manufacturers for a direct or sublicense for any operating systems software, general utilities, or applications software included with the goods.
- f. Bidder warrants that all deliverables (including software) furnished hereunder (i) have not been, or are scheduled to remove from manufacture support with-in the next 12 months

- g. Bidder warrants that all deliverables (including software) furnished hereunder (i) will be free, at the time of delivery, of harmful code (i.e. computer viruses, worms, trap doors, time bombs, disabling code, or any similar mechanism designed to interfere with the intended operation of, or cause damage to, computers, data, or software; and (ii) will not violate any U.S. intellectual property right.
- h. Bidder warrants that any and all software required hereunder will perform in accordance with its license and any accompanying documentation.

M. Service Warranties:

In connection with installation and configuration of the Equipment, the bidder warrants and represents that it and any and all of its authorized agent(s) possess such expertise, experience and resources to perform the installation services in a diligent, timely and professional manner consistent with the highest standards of the industry. The bidder also warrants that installation and configuration of the Equipment by the bidder and any authorized agent(s) and any related components will not alter or damage the City of Morgan Hill's existing computer network or systems.

N. Delivery and Insurance and Title:

- a. The Equipment will be delivered to the City of Morgan Hill's Office no later than the delivery date.
- b. Bidder will assume full responsibility for insuring the Equipment in transit and dealing with transportation carriers to ensure delivery of shipments, to locate missing or late shipments, to resolve billing for transportation charges, and to submit and to resolve all insurance claims arising from damage to its shipments.
- c. Bidder will furnish the City of Morgan Hill a bill of sale and other documents requested by the City of Morgan Hill to enable it to perfect unencumbered title to the Equipment.
- d. All transportation charges on Equipment will be prepaid by the bidder and will be added as a separate charge on bidder's invoice to the City of Morgan Hill to be paid by the City of Morgan Hill, except:
- e. Bidder will bear the cost of transportation of Equipment shipped for mechanical replacement purposes;
- f. Bidder will bear the cost of transportation for equipment removed as a result of Equipment failure, whether for convenience or at the City of Morgan Hill's demand;
- g. Bidder will bear the cost of transportation for equipment removed as a result of default by vendor of any of the terms and conditions of the Purchase Order.

BASIS FOR AWARD

A. Award:

Bid will be awarded on completeness of Information and/or factors gathered during interviews, negotiations and any reference checks, in addition to the evaluation criteria stated in the Bid, and any other information or factors deemed relevant by City of Morgan Hill, shall be utilized in the final award.

B. General:

Information and/or factors gathered during interviews, negotiations and any reference checks, in addition to the evaluation criteria stated in the Bid, and any other information or factors deemed relevant by City of Morgan Hill, shall be utilized in the final award.

C. No Contact Policy:

After the date and time established for receipt of proposals by City, any contact initiated by any respondent with any City representative, other than the Information Services Division representative listed herein, concerning this request for proposals is prohibited. Any such unauthorized contact may cause the disqualification of the respondent from this procurement transaction.

D. Further Information:

Questions, which may arise from this bid, may be directed to the Information Services Manager at (408) 310-4649.

GENERAL PROPOSAL INFORMATION

A. Contract Manager:

Please complete the following information concerning the person who is to be empowered to make decisions as stated in the Specifications:

Name: Scott Cornell

Office Phone Number: 408-721-1400

Cell Number: 408-892-0462

E-Mail Address: sled@itmgmt.com

EXCEPTIONS:

Please state below any and all exceptions that you are taking to any portion of this Request for Proposal. If not addressed below, The City then assumes that the vendor will adhere to all terms and conditions as contained in the proposal document.

IT Management is proposing the exact equipment and quantities specified within the BOM of this request.

REFERENCES

Please list below name of business, address, telephone number, and contact person.

1. Customer Name: Cupertino Union School District 408-252-3000
1309 South Mary Avenue #150 Sunnyvale, CA 94087
Customer Contact Name: Mahmoud Abed, IT Director abed_mahmoud@cusdk8.org

2. Customer Name: Franklin McKinley School District 408-263-8000
645 Wool Creek Drive, San Jose, CA 95112
Customer Contact Name: Hung Nguyen, IT Director hung.nguyen@fmsd.org

3. Customer Name: South San Francisco Unified School District 650-615-7927
398 B Street, South San Francisco, CA 94080
Customer Contact Name: Carl Fahle, IT Director cfahle@ssfusd.org

4. Customer Name: Mount Pleasant Elementary School District 408-223-3700
3434 Marten Avenue San Jose, CA 95148
Customer Contact Name: Kevin Waddy, IT Director KWaddy@mpesd.org /

5. Customer Name: Pleasanton Unified School District (925) 462-5500
4665 Bernal Ave., Pleasanton, CA 94566
Customer Contact Name: Amy Nichols , IT Director anichols@pleasantonusd.net

SIGNATURE SHEET

My signature certifies that the proposal as submitted complies with all Terms and conditions as set forth in this bid for Storage Expansion.

My signature also certifies that this firm has no business or personal relationships with any other companies or persons that could be considered a conflict of interest or potential conflict of interest to the City of Morgan Hill, pertaining to any and all work or services to be performed as a result of this request and any resulting contract with the City.

I hereby certify that I am authorized to sign as a Representative for the Firm:

Name of Firm: IT Management Corporation

Address: 5201 Great America Parkway, Suite 320 Santa Clara, Ca. 95054

Fed ID No.: 26-4508448

Name (type/print): Scott Cornell



Title: Vice President of Sales

Telephone (408) 721-1400

IT Management Corp.

Date: 5/17/2017

To receive consideration for award, this signature sheet must be returned to the Purchasing Section, as it shall be a part of your response.

Attachment: IT Management Proposal (1267 : Server and Storage Replacement)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/19/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Paperless Insurance Services, Inc. 625 46TH AVE SAN FRANCISCO CA 94121	CONTACT NAME: Dmitriy Glazer PHONE (A/C, No, Ext): (877) 239-0067 FAX (A/C, No): E-MAIL ADDRESS: dglazer@paperlessgroup.com														
INSURED IT Management Corp. 5201 Great America Pkwy Ste 320 Santa Clara CA 95054	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A: SENTINEL INSURANCE COMPANY, LI</td> <td>11000</td> </tr> <tr> <td>INSURER B: Hartford Accident and Indemnity</td> <td>22357</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: SENTINEL INSURANCE COMPANY, LI	11000	INSURER B: Hartford Accident and Indemnity	22357	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
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INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES **CERTIFICATE NUMBER:** Cert ID 591 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:	Y	57SBAID7585	10/20/2016	10/20/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY		57UECZC4802	03/21/2017	03/21/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED \$ RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	57WECDD4299	03/21/2017	03/21/2018	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 With regard to business liability, when required by a written agreement, City of Morgan Hill is additional insured per form SS 0008 attached to the policy.
 This insurance is primary and non-contributory.

CERTIFICATE HOLDER

City of Morgan Hill
 17575 Peak Ave
 Morgan Hill CA 95037

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Attachment 1 - Server Storage Bid

2.b

Part Number	Description	Number	Unit Price	Total
CN2000-SYS-1	Datrium DVX Compute Node 2000, 1U, 2S, 128GB, 2x E5-2680 v4, 28C, 2x1GbE, 2x10GbE SFP+, 1+1 750W, 2x480GB SSD (boot), 2x960GB SSD (cache)	6	\$ 12,595.00	\$ 75,570.00
OPT-CN-RAM-128GB-1	Option, DVX CN, Memory Upgrade, 32GB DIMMs (set of 4)	18	\$ 1,338.00	\$ 24,084.00
OPT-CN-SSD-1920GB-1	Option, DVX CN, Cache SSD 1.92TB w/ Sled	6	\$ 1,587.00	\$ 9,522.00
OPT-CN-10GNIC-S-1	Option, DVX CN, 2-port 10G SFP+ network interface card	12	\$ 482.00	\$ 5,784.00
OPT-CN-SFP-SR-1	Option, DVX CN, 10G SFP+ Transceiver Module (set of 2)	12	\$ 493.00	\$ 5,916.00
Netshelf D12X4	Datrium DVX Data Node, 12 Bays 4 TB	2	\$ 29,328.00	\$ 58,656.00
LIC-HOSTSW-1	Datrium DVX Host Software, single host license	6	\$ 1,248.00	\$ 7,488.00
SUP-CN2000-NBD-1MO	Support, NBD HW, 24x7 SW, CN2000, 1 Month	216	\$ 52.00	\$ 11,232.00
SUP-D12X4-NBD-1MO	Support, NBD HW, 24x7 SW, CN2000, 1 Month	72	\$ 422.00	\$ 30,384.00
ENGR_DURT_SVT	Installation	2	\$ 0.20	\$ 0.40
Subtotal			\$	\$ 228,636.40
Tax			9%	\$ 16,157.88
Shipping				\$ 1,950.00
Total				\$ 246,744.28

**LIC-HOST-1, SUP-CN2000-NBD-1MO, and SUP-D12X4-NBD-1MO Should not be charged Sales Tax.

**We calculated the applicable tax to be \$16,157.88 Final total;\$246,744.28



IT Management Corp.
5201 Great America Parkway
Suite 320
Santa Clara, California 95054
United States
<http://www.ITMGMT.com>
(P) (888) 970-2070
(F) (408) 739-1101



Quotation (Open)

Date May 10, 2017 10:34 AM PDT	Expiration Date 2017-05-31
---	--------------------------------------

Doc #
2977 - rev 1 of 1

Description
Servers Storage Expansion Bid

SalesRep
Cornell, Scott
(P) 408-721-1400
(F) 408-739-1101

Customer Contact
Rosenberger, Jeff
(P) (408) 779-7271

Customer

The City of Morgan Hill (City
Morgan Hill)
Rosenberger, Jeff
17555 Peak Ave
Morgan Hill, CA 95037-4128
United States
(P) 4087797271

Bill To

17555 Peak Ave
Morgan Hill, CA 95037-4128
United States
(P) 4087797271

Ship To

17555 Peak Ave
Morgan Hill, CA 95037-4128
United States
(P) 4087797271

Customer PO:

Special Instructions:

Terms:

Net 22 Days

Ship Via:

UPS Ground

Carrier Account #:

#	Description	Part #	Tax	List Price	% off	Qty	Unit Price	Total
Main Servers & Storage with Support								
1	Datrium DVX Compute Node 2000, 1U, 2S, 128GB, 2x E5-2680 v4, 28C, 2x1GbE, 2x10GbE SFP+, 1+1 750W, 2x	CN2000-SYS-1	Yes	\$14,521.00	13.26%	6	\$12,595.00	\$75,570.00
2	Datrium DVX Data Node, 12 Bays 4 TB	Netshelf D12X4	Yes	\$94,000.00	68.80%	2	\$29,328.00	\$58,656.00
3	Datrium DVX Host Software, single host license	LIC-HOSTSW-1	No	\$12,000.00	89.60%	6	\$1,248.00	\$7,488.00
4	Support, NBD HW, 24x7 SW, CN2000, 1 Month	SUP-CN2000-NBD-1MO	No	\$59.00	11.86%	216	\$52.00	\$11,232.00
5	Support, NBD HW, 24x7 SW, D12X4, 1 Month	SUP-D12X4-NBD-1MO	No	\$542.00	22.14%	72	\$422.00	\$30,384.00
Subtotal								\$183,330.00
Optional Items per RFP for Servers & Storage								
6	Option, DVX CN, Memory Upgrade, 32GB DIMMs (set of 4)	OPT-CNRAM-128GB-1	Yes	\$1,542.00	13.23%	18	\$1,338.00	\$24,084.00
7	Option, DVX CN, Cache SSD 1.92TB w/ Sled	OPT-CNSSD-1920GB-1	Yes	\$1,830.00	13.28%	6	\$1,587.00	\$9,522.00
8	Option, DVX CN, 2-port 10G SFP+ network interface card	OPT-CN-10GNIC-S-1	Yes	\$556.00	13.31%	12	\$482.00	\$5,784.00
9	Option, DVX CN, 10G SFP+ Transceiver Module (set of 2)	OPT-CN-SFPSR-1	Yes	\$569.00	13.36%	12	\$493.00	\$5,916.00
Subtotal								\$45,306.00
10	Installation Service by Datrium	ENGR_DURT_SVT	No	\$2,250.00	99.99%	2	\$0.20	\$0.40

QUOTE APPROVED & TERMS ACCEPTED BY:

NAME: _____

TITLE: _____

SIGNATURE: _____

DATE: _____

P.O. NUMBER: _____

FAX TO: (888) 506-0606

Subtotal:	\$228,636.40
Tax (9.000%):	\$16,157.88
Shipping:	\$1,950.00
Total:	\$246,744.28
(List Price:	\$455,630.00)

Sales Associates

Preparer: Cornell, Scott

Email: scornell@itmgmt.com

Phone: 408-721-1400

Account Manager: Sales Rep, IT Management Corp.

Email: tmurguia@itmgmt.com**IT Management Corp. Standard Terms & Conditions****Payments:**

- One hundred percent (100%) of hardware/software/support/maintenance/training is invoiced upon shipment of order.
- Applicable Sales Taxes, shipping and handling fees are invoiced upon shipment of order.

Delivery:

- Hardware/Software will be shipped ground unless otherwise specified by Customer.
- Freight On Board (FOB) Origin- IT Management Corp. (IT MGMT) shall, in its best efforts, deliver products and services in a timely manner to Customer.

For third-party vendor orders, IT MGMT is limited to the delivery schedule and inventory availability by the vendor, and as such, IT MGMT shall not be held responsible for delays in shipping to customer.

No-Hire Provision:

During the Project and for a period of one year after the completion or termination of the Project, Client will not directly or indirectly solicit, employ or retain in any capacity, or directly or indirectly offer to employ or retain in any capacity, any personnel of Consultant who are working or have worked on the Project.

Confidentiality:

- Customer agrees to treat all Confidential Information as confidential information of IT MGMT, both during and after the term of this engagement.

◆Confidential Information◆ means all information and material to which Customer has access in connection with this purchase order including, but not limited to, IT MGMT documentation, financials, marketing, sales, estimates of work, and quotations. Customer agrees to use the Confidential Information received under this quotation solely for the purposes of performing its obligations under this quotation. Customer will not disclose or make Confidential Information available to any third party, except as specifically authorized by IT MGMT in writing.

Ascentium Capital LLC

May 22, 2017



FORMAL PROPOSAL

OBLIGOR: THE CITY OF MORGAN HILL, CA

- ✓ This is a finance/ownership contract. No residual value.
- ✓ Fixed interest rate for the three (3) year, and five (5) year terms.

EQUIPMENT: NEW TECHNOLOGY

OPTION 1

Acquisition Cost:	\$246,744.28	Term:	Three (3) years	First Payment Due:	One Month from Close
Down Payment:	\$0.00	Payment Mode:	Monthly in Arrears	Payment Amount:	\$7,317.30
Trade In:	\$0.00	Interest Rate:	4.295%		
Principal Balance:	\$246,744.28	Rate Factor:	0.029655		

OPTION 2

Acquisition Cost:	\$246,744.28	Term:	Five (5) years	First Payment Due:	One Month from Close
Down Payment:	\$0.00	Payment Mode:	Monthly in Arrears	Payment Amount:	\$4,559.78
Trade In:	\$0.00	Interest Rate:	4.140%		
Principal Balance:	\$246,744.28	Rate Factor:	0.018480		

OPTION 3

Acquisition Cost:	\$246,744.28	Term:	Three (3) years	First Payment Due:	One Year from Close
Down Payment:	\$24,674.43	Payment Mode:	Annual in Arrears	Payment Amount:	\$80,128.88
Trade In:	\$0.00	Interest Rate:	4.070%		
Principal Balance:	\$222,069.85	Rate Factor:	0.360827		

OPTION 4

Acquisition Cost:	\$246,744.28	Term:	Five (5) years	First Payment Due:	One Year from Close
Down Payment:	\$24,674.43	Payment Mode:	Annual in Arrears	Payment Amount:	\$49,988.06
Trade In:	\$0.00	Interest Rate:	4.075%		
Principal Balance:	\$222,069.85	Rate Factor:	0.225101		

- * This is a proposal only and is not a commitment to finance. This proposal is subject to credit review and approval and proper execution of mutually acceptable documentation.
- * Failure to consummate this transaction once credit approval is granted and the documents are drafted and delivered to Obligor will result in a documentation fee being assessed to the Obligor.
- * This transaction must be credit approved, all documents properly executed and returned to Ascentium Capital LLC and the transaction funded on ALL proposals on or before June 5, 2017. If funding does not occur within that time-frame, or there is a change of circumstance which adversely affects the expectations, rights, or security of Obligor or its assignees, then Obligor or its assignees reserve the right to adjust and determine a new interest rate factor and payment amount, or withdraw this proposal in its entirety.
- * This transaction must be designated as tax-exempt under Section 103 of the Internal Revenue Code of 1986 as amended.
- * **OBLIGOR'S TOTAL AMOUNT OF TAX-EXEMPT DEBT TO BE ISSUED IN THIS CALENDAR YEAR WILL NOT EXCEED THE \$10,000,000 LIMIT, OR THE INTEREST RATE IS SUBJECT TO CHANGE.**

Ascentium Capital LLC	THE CITY OF MORGAN HILL, CA
	Signature:
	Typed Name & Title
	Date:

Attachment: ITManagementProposal (1267 : Server and Storage Replacement)

Pleasanton Unified School District



December 9, 2016

To Whom it May Concern:

This letter is a recommendation for the Ruckus/Brocade installation and implementation services of IT Management, a California VAR and systems integrator located in Santa Clara, CA. The Pleasanton Unified School District recently completed a district-wide eRate Category 2 project to install and configure district-wide wireless and supporting layer 2 and 3 switching infrastructure. IT Management was the winning vendor in our competitive bidding for this work. The project began in July 2015, and work at all sites was completed by April 2016 -- an extremely short timeline to install more than 900 access points and 150 switches in 15 school sites and our District Office location.

IT Management engaged with our district in a professional manner, and adhered to all terms and conditions as spelled out in the contract. They worked collaboratively with our district IT staff -- despite a leadership transition in the district administration and IT department that occurred during the key initial phases of the implementation. Their work was completed at budget, with a minimal amount of change orders -- most of which were the result of surprises in our conduit and existing infrastructure that necessitated additional work that was initially undefined in our project scope.

When the project was completed -- on time -- IT Management prepared high quality transition documentation that has allowed us to maintain greater knowledge of our network than we had prior to the project being undertaken. IT Management has also supported the district after the filing of the Notice of Completion, in order to ensure a stable project transition and smooth network operations. They have continued to provide excellent customer service, and we would not hesitate to recommend them to install and configure Brocade and Ruckus equipment in another mid-sized district. We will also consider working with them for future projects that we may pursue.

Please do not hesitate to contact us with any questions you may have about IT Management for your network projects.

Best,

Micaela Ochoa
Deputy Superintendent / Chief Business Official

Amy Nichols
Director of Technology Services

Attachment: IT Management Proposal (1267 : Server and Storage Replacement)

Open Ratings

Past Performance Evaluation

1. COMPANY OVERVIEW

Primary Name : IT Management Corporation
Alternate Name : 101 VOICE
D-U-N-S® : 07-880-4864
Address : 5201 Great America Pkwy Ste 320
 Santa Clara, CA 95054
Telephone Number : +1 (408) 739-1000

Past Performance Evaluation

Report Date : 11-29-2016
Order Number 3174715

Company Information

Year Started: 2006
Year of Current Control: 2006
Annual Sales: \$ 8,500,000
Total Employees: 14
SIC/Line of Business: 4899/Communication services, nec

2. SUPPLIER PERFORMANCE RATINGS

The supplier's overall performance rating is an assessment of predicted performance. Ratings are on a scale from 0 to 100, where 100 represents the highest level of customer satisfaction. The SIC-level benchmark indicates how the supplier's overall performance rating ranks in comparison against peers.

Overall Performance Rating

94



Bottom

SIC/Quintile

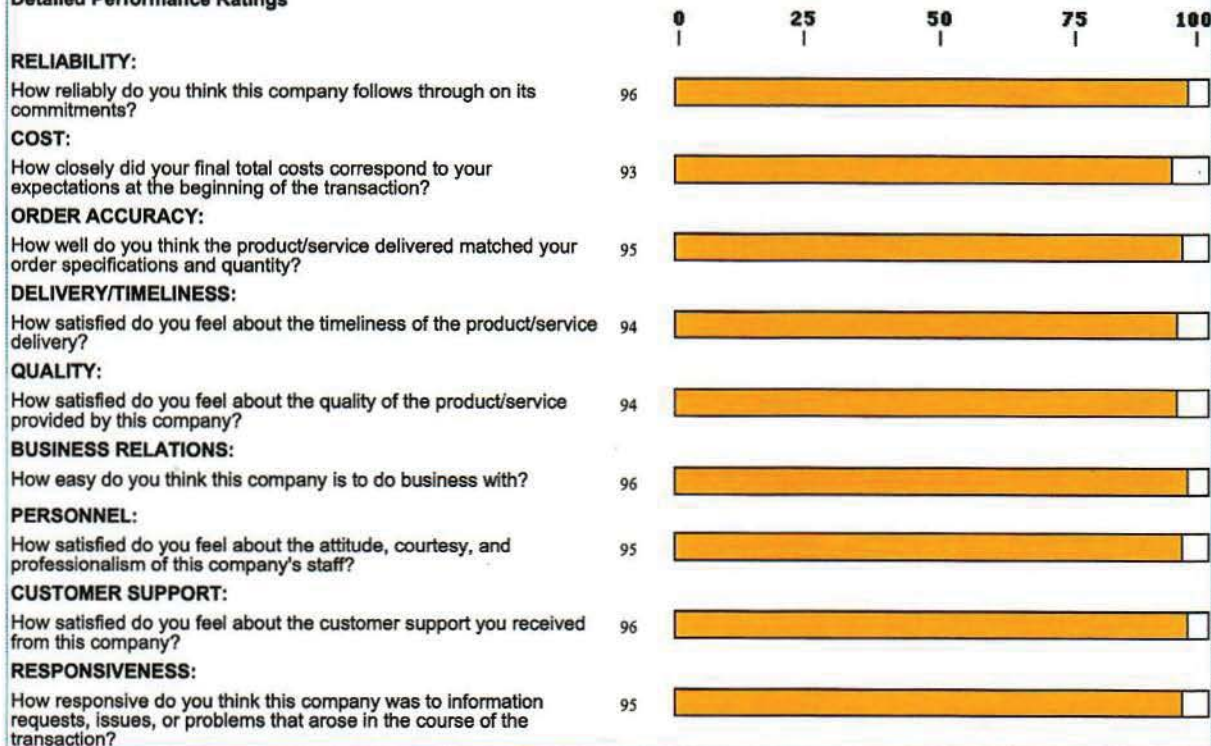


Top

Overall, how satisfied do you feel about the performance of this company during this transaction?

SIC: 4899/Communication services, nec

Detailed Performance Ratings



Past Performance Evaluation

© Dun & Bradstreet, Inc.

Page: 1 of 2

Attachment: ITManagementProposal (1267 : Server and Storage Replacement)

Open Ratings

Past Performance Evaluation

Business Name : IT Management Corporation

D-U-N-S® : 07-880-4864

Report Date : 11-29-2016

3. DISTRIBUTION OF FEEDBACK

This supplier's ratings were based in part on survey feedback from past customers. This chart provides a breakdown of the survey responses received from customers in the last 12 months. For each of the survey questions, the responses, which were provided on a 0 to 10 scale, are categorized as "positive" (9 to 10), "neutral" (5 to 8), or "negative" (0 to 4). All Customer feedback is provided confidentially; individual reference responses are not disclosed.

The percentages of responses falling into each category are shown below.



4. CUSTOMER REFERENCES SURVEYED

The most recent feedback obtained on this supplier came from companies in the following industries.

SIC/Line of Business:

Total number of surveys completed : 9.

Note: The supplier ratings set forth above incorporate the responses and performance opinions of the surveyed customer references and not those of Dun & Bradstreet. Some references may not have provided ratings for all performance aspects.

The report may not be reproduced in whole or part in any manner whatsoever.

Datrium **DVX****Da**trium**Datrium NetShelf D12X4**

SYSTEM	Capacity, useable	29TB (RAID6)
	Capacity, effective, if 2 – 6x reduction	58 – 175TB
	Storage	Disks, 12 x 4TB 7.2k RPM
	Connectivity	Redundant 10Gb Ethernet per controller; optional 1Gb management port
	Controllers	Redundant and hot swappable; mirrored NVRAM
DIMENSIONS	H x W x D	2U chassis, 19" IEC rack compliant 3.46 x 19 x 17.44 in (88 x 483 x 443 mm)
	Weight	70 lbs (31.75 kg) ¹
POWER & COOLING	Power	355 VA (nominal) / 611 VA (max); 100-240 VAC; 50- 60 Hz
	Watts	348 W (nominal) / 581 W (max)
	Thermal	1188 BTU (nominal) /1982 BTU (max)
	Redundancy	Hot swappable, redundant power and cooling
ENVIRONMENTAL	Operating temperature	10 – 40°C (50 – 104°F) ²
	Operating humidity	20 – 80% non condensing
	Non-operating ³ temperature	-40 – 60°C (-40 – 140°F)
	Non-operating ³ humidity	5 – 100% condensing but not precipitating

Supported Servers, DiESL v 1.0

VMWARE VSPHERE VERSIONS SUPPORTED	5.5 update 2 and above
SERVER PLATFORMS	Any server platform on VMware HCL ⁴
SERVER NETWORK ADAPTERS	Any 10GbE adapter on VMware HCL ⁴ including Cisco, Dell, HP and IBM OEM adapters
SSD TYPE	Any flash device (PCIe, SAS, SATA) on VMware HCLs ⁴ for VSAN or vFlash, or offered for x86 by Cisco, Dell, HP or IBM as well as a select list of MLC/TLC drives

Supported Server Minimum Requirements

X86 CPU CORES	Minimum 2, suggested 15% of available
RAM	5GB, plus 2.5GB per 1TB of local host SSD
SSD CAPACITY SUPPORTED PER SERVER	Minimum 800GB, maximum 8TB
# SSD'S SUPPORTED PER SERVER	Minimum 1, maximum 8

1. Does not include shipping package or accessories.

2. Derate to 35C maximum above 7,000 ft, and 10,000 ft is maximum operating altitude.

3. In original shipping package

4. VMware Hardware Compatibility: <http://www.vmware.com/resources/compatibility/search.php>

Datrium DVX

Server Flash Storage System

Datrium

MANAGE YOUR STORAGE LIKE VMs

The Datrium™ DVX system is a new Enterprise storage alternative to inflexible and expensive Arrays or Hyperconverged servers. The DVX has two co-operative elements. ESX servers provide local storage compute and caching using DVX software and **Bring Your Own (BYO) flash**. A central HA appliance provides simple off-host shared durable capacity. The result is much easier storage scaling, with incredible price/performance, for dynamic datacenters.

Lower-Cost Fast VDI Storage

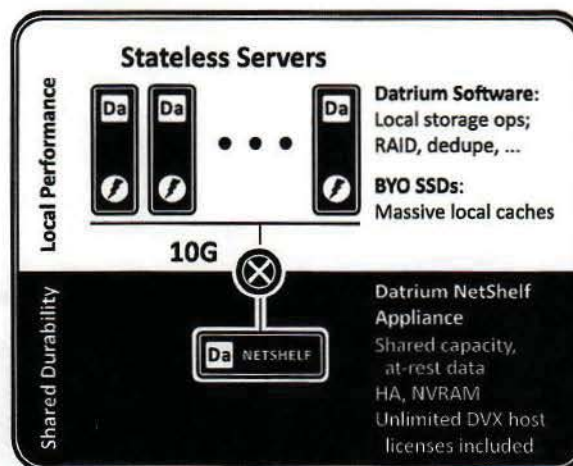
- Enable virtual desktops faster than physical
- Instant, zero-copy desktop cloning
- Zero traditional array elements to setup

Faster Software Development and Test

- Massive server-local flash for all in-use data
- Dedupe, compression enables more versions/TB
- Netshelf optimized for sequential IO

Simpler VM Consolidation

- No SAN, LUN, or tier admin, just VM admin
- Simple SLA optimization via VM mobility



STORAGE TO SIMPLIFY CHANGE

Simple to Scale

- Adding servers adds performance
- Only choice, cache: massive, or bigger

Neighbor Noise Isolation

- Server-local data services; compute locality
- Server-local massive cache, unpooled
- Strong fault isolation between elements

Just Manage VM Attributes

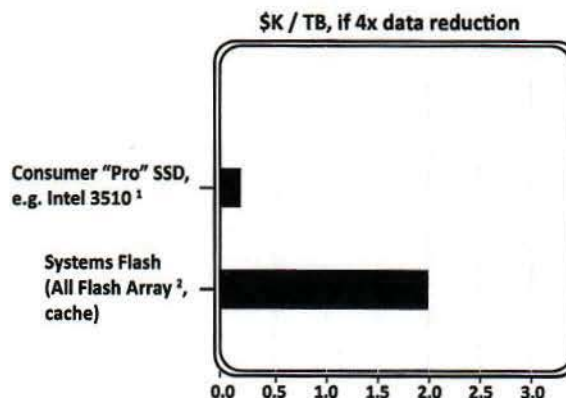
- To adjust SLA, vMotion to a host with flash headroom
- Per-VM admin, vVol-ready; no LUNs

Any x86 Server, Even Blades

- Maximize flash use in limited drives/host
- Hosts are stateless for simpler serviceability

10x More Flash / \$

- BYO SSDs, designed for cMLC
- Dedupe x compression, 2x – 6x typical
- Data durability copies off-host



¹ Intel SSD pricing 6/15, Amazon.com

² Gartner, Unsworth 12/14, SSA street price median, raw.

Graph assumes no overhead space e.g. RAID, HFA, HCI correlation Datrium, from PEPPM.org.

www.datrium.com

©2015 Datrium, Inc. All Rights Reserved. Note: The Datrium DVX is currently in limited test release and is not yet for sale.

Attachment: ITManagementProposal (1267 : Server and Storage Replacement)



IT MANAGEMENT
PLAN | DEPLOY | MANAGE

Save Time and Money by Utilizing State Approved Contracts!



Attachment: ITManagementProposal (1267 : Server and Storage Replacement)



www.ITMGMT.com



Serving the technology needs of government and educational institutions for over the past decades, IT Management Corporation provides network assessment, planning and design, implementation, documentation, voice and data consulting and convergence, training, and technical services for new projects and existing systems. Our team of certified engineers establishes a vigorous bond with each of our clients to fully understand their needs to better serve as a guide through the lifecycle of their IT projects. We offer a comprehensive range of network integration services touching on all aspects of networking—from maintaining existing infrastructure to beginning-to-end implementation of a new network.

IT Management Corporation is pleased to help public agencies procure goods and services through trusted contract vehicles such as CMAS, For NASPO ValuePoint (formerly WSC NASPO), and IT MSA.

Our Credentials

FCC Federal Registration (FRN): 0023221260
Federal Tax Identification: 26-4508448
SLD / E- Rate SPIN: 143033893

USAC 499A Filer ID: 831
DUN & Bradstreet: 0788
CA, Entity Number: C32

CA, Contractors State License Board C7 License Number: 944128
CA, Certified Small Business Supplier Number: 1758743
DIR, Public Work Contractor Registration Number: 1000005491
Board of Equalization Seller's Permit Account Number: 101684160
California Certified Small Business Supplier Number: 1758743

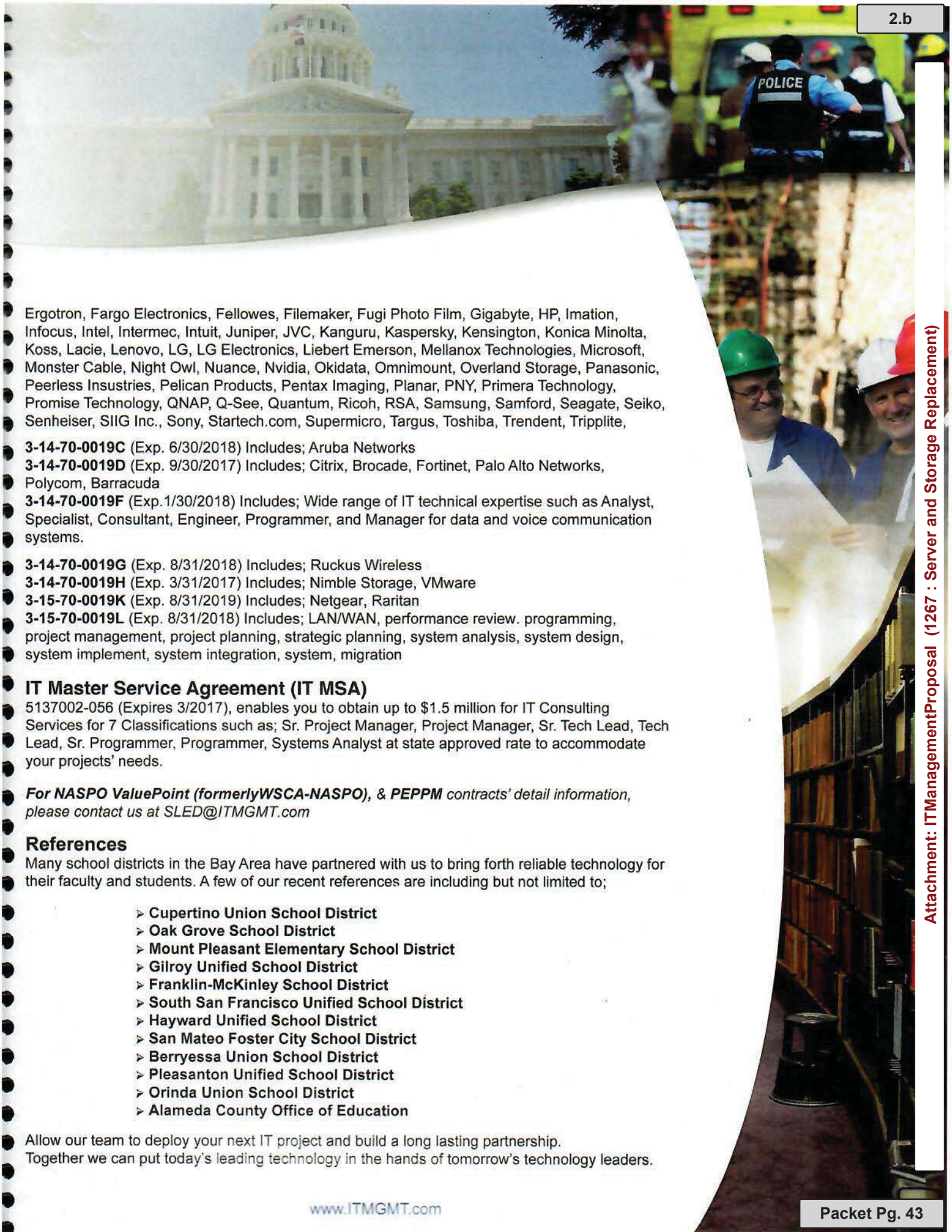
California Multiple Award Schedules (CMAS)

A CMAS Contractor is a vendor that has been awarded a specific type of government contract called California Multiple Award Schedule (CMAS). The CMAS program is administered by the State of California Department of General Services Procurement Division. You can purchase almost any product and some services. This is especially true for Information Technology products and services. If the product or service is on CMAS, it can be procured through a CMAS contract.

CMAS is easy to use and the pricing has already been vetted. A CMAS contract has already been approved by the State of California Department of General Services from the pricing perspective. The pricing has already been approved by the Federal GSA. A CMAS procurement is much easier to conduct than other procurement vehicles that local governments may have. It is no wonder that CMAS is by far the most popular method of procurement for State of California departments and agencies. CMAS contracts for Information Technology products and services are limited to \$500,000 per contract.

3-13-70-0019A (Exp. 7/31/2018) Infrastructure cabling material includes; Panduit, ADC, Brek-Tek, Chatsworth, Commscope, Corning, Gai-Tronics, Geist, Great Lakes, Hellermann-Holocom, Hubbell Premise Wiring, Kitcho Fiber Optics, Leviton, Lynn Electronics, Mohawk OCC, Ortronics, Preformed Line Products, Quiktron, Siemon, Superior Modular, System, and many other manufacturers,

3-14-70-0019B (Exp. 8/31/2017) Computer components and equipment includes; 3D Systems, 3M, Addon, Adobe, Adtran, Alec, American Power Conversion (APC), ASUS, Avocent, Avteq, Avtek, Technology, Belkin, Benq, BIC, Brother, Buffalo Technology, Canon, Corsair, CP Technology, CRU, Data Locker, Digi International, D-Link, Doublesight Displays, Eaton, Edge Memo



Ergotron, Fargo Electronics, Fellowes, Filemaker, Fuji Photo Film, Gigabyte, HP, Imation, Infocus, Intel, Intermec, Intuit, Juniper, JVC, Kanguru, Kaspersky, Kensington, Konica Minolta, Koss, Lacie, Lenovo, LG, LG Electronics, Liebert Emerson, Mellanox Technologies, Microsoft, Monster Cable, Night Owl, Nuance, Nvidia, Okidata, Omnimount, Overland Storage, Panasonic, Peerless Industries, Pelican Products, Pentax Imaging, Planar, PNY, Primera Technology, Promise Technology, QNAP, Q-See, Quantum, Ricoh, RSA, Samsung, Samford, Seagate, Seiko, Senheiser, SIIG Inc., Sony, Startech.com, Supramicro, Targus, Toshiba, Trendent, Triplite,

3-14-70-0019C (Exp. 6/30/2018) Includes; Aruba Networks

3-14-70-0019D (Exp. 9/30/2017) Includes; Citrix, Brocade, Fortinet, Palo Alto Networks, Polycom, Barracuda

3-14-70-0019F (Exp. 1/30/2018) Includes; Wide range of IT technical expertise such as Analyst, Specialist, Consultant, Engineer, Programmer, and Manager for data and voice communication systems.

3-14-70-0019G (Exp. 8/31/2018) Includes; Ruckus Wireless

3-14-70-0019H (Exp. 3/31/2017) Includes; Nimble Storage, VMware

3-15-70-0019K (Exp. 8/31/2019) Includes; Netgear, Raritan

3-15-70-0019L (Exp. 8/31/2018) Includes; LAN/WAN, performance review, programming, project management, project planning, strategic planning, system analysis, system design, system implement, system integration, system, migration

IT Master Service Agreement (IT MSA)

5137002-056 (Expires 3/2017), enables you to obtain up to \$1.5 million for IT Consulting Services for 7 Classifications such as; Sr. Project Manager, Project Manager, Sr. Tech Lead, Tech Lead, Sr. Programmer, Programmer, Systems Analyst at state approved rate to accommodate your projects' needs.

For NASPO ValuePoint (formerly WSCA-NASPO), & PEPPM contracts' detail information, please contact us at SLED@ITMGMT.com

References

Many school districts in the Bay Area have partnered with us to bring forth reliable technology for their faculty and students. A few of our recent references are including but not limited to;

- Cupertino Union School District
- Oak Grove School District
- Mount Pleasant Elementary School District
- Gilroy Unified School District
- Franklin-McKinley School District
- South San Francisco Unified School District
- Hayward Unified School District
- San Mateo Foster City School District
- Berryessa Union School District
- Pleasanton Unified School District
- Orinda Union School District
- Alameda County Office of Education

Allow our team to deploy your next IT project and build a long lasting partnership. Together we can put today's leading technology in the hands of tomorrow's technology leaders.



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Contact Us

5201 Great America Parkway, Suite 320
Santa Clara, California 95054

☎ 888.970.2070

🌐 www.ITMGMT.com



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Rebecca Garcia, Housing Manager

APPROVED BY: City Manager

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)/HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) JOINT POWERS AND COOPERATION AGREEMENT

RECOMMENDATION(S)

Adopt resolution authorizing the City Manager to execute or amend a Joint Powers and Cooperation Agreement ("Agreement") among the County of Santa Clara and a number of local jurisdictions for the term October 1, 2017, through September 30, 2020, with subsequent automatic three-year renewals unless the Agreement is terminated, for purposes of securing federal Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) Funding, following approval by the City Attorney as to form and legality.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility
Supporting Our Youth
Seniors
and Entire Community
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness
Regional Initiatives

REPORT NARRATIVE:

The recommended action authorizes the City Manager to execute a Joint Powers and Cooperation Agreement (Agreement) that is required by the U.S. Department of Housing and Urban Development (HUD) for the County to qualify as an Urban County. Collectively, Santa Clara County (unincorporated areas only), the cities and towns of Campbell, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill, and Saratoga form the Urban County. The CDBG and HOME programs are administered by the County Office of Supportive Housing (OSH).

The City has, since 1975, entered into a Joint Powers and Cooperation Agreement with the County of Santa Clara and local jurisdictions that do not qualify to receive funding directly from HUD, based on population. The existing agreement is set to expire on September 20, 2017. The term of the Agreement would be for fiscal years 2017-18, 2018-19, and 2019-20, would commence as of July 1, 2017, and would subsequently renew automatically when the County requalifies as an Urban County for the next three-year qualification period. A new three-year term would begin at that time unless the

County or one or more participating jurisdictions elected not to participate in a new qualification period.

In order to receive Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funds as an Urban County, the County must meet certain population thresholds. The County qualifies because it has a total combined population of at least 200,000 in unincorporated areas and participating jurisdictions. For 38 years, the City has joined with the County and other smaller cities and towns to qualify as an Urban County. During that time, the County has received more than \$122 million to assist affordable housing development, provide a variety of housing-related services, and construct public infrastructure projects to benefit low-income households and disabled individuals. The funds have been allocated by the County through a public process with guidance and recommendations by the Housing and Community Development Advisory Committee (HCDAC), and final approval by the County Board of Supervisors.

The recommended action will enable the County to continue directly receiving CDBG and HOME funds as a qualified Urban County; thus, allowing the City to benefit from funding opportunities. The proposed renewal language authorizes an automatic renewal of the agreement without having to draft new agreements every three years, reducing the overall administrative burden on the participating jurisdictions. CDBG and HOME funds will continue to be used to address housing and community development needs benefiting low, very low, and extremely low-income persons.

COMMUNITY ENGAGEMENT: Inform

This staff report serves to inform the community of the proposed Joint Powers and Cooperative Agreement with the County of Santa Clara and local jurisdictions.

ALTERNATIVE ACTIONS:

The Council can choose not to enter into the Joint Powers and Cooperation Agreement.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council approved the CDBG/HOME Joint Powers Cooperation Agreement on June 24, 2014, with a term of October 1, 2014 through September 30, 2017.

FISCAL AND RESOURCE IMPACT:

The recommended action would not impact the General Fund. Assuming that the Federal government does not eliminate the CDBG and HOME programs as part of their budget process for Federal Fiscal Year 2018, the County would receive approximately \$3,600,000 in CDBG funds and \$2,040,000 in HOME funding from HUD over the first three years of the Agreement (FY 2017-18, 2018-19, and 2019-20). The County anticipates program income of approximately \$400,000 during the three-year period. Program income is generated by loan repayments from affordable housing developers or low-income homeowners who had received assistance from the County's CDBG or HOME programs.

CEQA (California Environmental Quality Act):

Not a project.

LINKS/ATTACHMENTS:

1. Resolution
2. Joint Powers and Cooperation Agreement SCC

RESOLUTION NO: _____

RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF MORGAN HILL TO ENTER INTO A JOINT EXERCISE OF POWERS AGREEMENT AND COOPERATION AGREEMENT TO UNDERTAKE OR TO ASSIST IN THE UNDERTAKING OF ESSENTIAL ACTIVITIES PURSUANT TO TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED FOR THE PERIOD OF OCTOBER 1, 2017 - SEPTEMBER 30, 2020

WHEREAS, Congress has enacted the Housing and Community Development Act of 1974, as amended;

WHEREAS, Title I of the Act provides for a program of Community Development Block Grants;

WHEREAS, Title I of the Act makes entitlement grants available to cities with a population of 50,000 or more persons and to counties that qualify as an urban county;

WHEREAS, the City of Morgan Hill is not eligible to apply directly for entitlement funds under the Act but may, by entering into a cooperation agreement with County, qualify County as an urban county applicant and may thereby receive such funds;

WHEREAS, the parties hereto wish to enter into an agreement to enable the County of Santa Clara to apply for and receive entitlement funds as an urban county and to establish the respective rights and obligations of the contracting parties to such funds;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize the City Manager to enter into a Joint Exercise of Powers Agreement and Cooperation Agreement with the County of Santa Clara To Undertake or to Assist in the Undertaking of Essential Activities Pursuant to Title I of the Housing and Community Act of 1974, as Amended for the Period of October 1, 2017 – September 30, 2020.

PASSED AND ADOPTED at a regular meeting of the City of Morgan Hill this 28th day of June 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR Steve Tate
City of Morgan Hill

ATTEST:

CITY/TOWN CLERK

Attachment: Resolution (1292 : CDBG/HOME Joint Powers and Cooperation Agreement)

**JOINT EXERCISE OF POWERS AGREEMENT AND
COOPERATION AGREEMENT TO UNDERTAKE
OR TO ASSIST IN THE UNDERTAKING OF
ESSENTIAL ACTIVITIES PURSUANT TO
TITLE I OF THE HOUSING AND COMMUNITY
DEVELOPMENT ACT OF 1974, AS AMENDED,
FOR THE PERIOD OF OCTOBER 1, 2017 TO SEPTEMBER 30, 2020, AND
SUBSEQUENT AUTOMATIC RENEWALS UNLESS TERMINATED**

This Agreement (“Agreement”) is entered into by and between the County of Santa Clara (“County”) and the City of Morgan Hill (“City”) relating to essential community development and housing assistance activities funded by the Federal government for the Community Development Block Grant and HOME Program.

RECITALS

WHEREAS, Congress has enacted the Housing and Community Development Act of 1974, as amended, hereinafter referred to as the “Act”, and Title I of the Act provides for a program of Community Development Block Grants, hereinafter referred to as “CDBG” for funds that may be used for the support of activities that provide decent housing and suitable living environments and expanded economic opportunities principally for persons of low- and moderate income; and

WHEREAS, the Congress of the United States has enacted the Cranston-Gonzalez National Affordable Housing Act, Title II of this Act created the HOME Investment Partnership Program, hereinafter called “HOME” that provides funds to states and local governments for the purpose of increasing the number of affordable housing opportunities for low- and moderate income families; and

WHEREAS, grants are available to cities with a population of 50,000 or more persons as an entitlement grantees and to counties that have a population of 200,000 or more within its unincorporated areas and cities within the county as an urban county; and

WHEREAS, the City does not meet the population thresholds as an entitlement grantee and the County is a qualified Urban County; and

WHEREAS, the City and County wish to enter into this Agreement to enable the County of Santa Clara to apply for an receive entitlement funds as an Urban County and to establish the respective rights and obligations of the contracting parties to such funds; and

WHEREAS, the County and City are public agencies under the provisions of Section 6500 of the Government Code and the State of California, and each is authorized by law to enter into a cooperative agreements; and

WHEREAS, the execution of this Cooperative Agreement, hereinafter referred to as Agreement, is necessary in order to meet the desires of both County and City of having the City be part of the Urban County Program.

WHEREAS, the City and the County agree to "cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities;"

NOW, THEREFORE, in consideration of the mutual covenants herein set forth and the mutual benefits to be derived therefrom, the parties agree as follows:

1. General.

This Agreement gives the County authority to undertake or assist in undertaking activities starting on October 1, 2017 for Fiscal Years 2017-2018, 2018-2019 and 2019-2020, which will be funded from Urban County Program funds and from any program income generated from the expenditures of such funds. County and City agree to cooperate to undertake, or assist in undertaking community development and affordable housing activities. This Agreement shall automatically renew for a new three (3) year period every time County re-qualifies as an Urban County, (which is every three (3) years), until such time as the City Council or Santa Clara County Board of Supervisors elects to terminate this Agreement at the conclusion of the preceding three-year term. This Agreement covers all Urban County Program funds.

By executing this Agreement, City understands that it may not apply for grants under the Small Cities or State CDBG Programs from appropriations for fiscal years during the term of this Agreement, and City may not participate in a HOME consortium other than County HOME Program regardless of whether County receives a HOME formula allocation. That the County and City may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

2. Authorities.

This Agreement is made pursuant to Section 6500 et. seq. of the California Government Code and constitutes an exercise of powers common to both City and County, each being empowered to carry out the purposes of the grant in their own jurisdictions.

This Agreement is further made pursuant to the Housing and Community Development Act of 1974, as amended.

All provisions contained in this Agreement that refer to the Housing and Community Development Act of 1974, as amended, which provides for the distribution of CDBG funds, shall also refer to the HOME Program under Title II (the Home Investment Partnerships Act) of the National Affordable Housing Act of 1990, as amended.

3. Definitions.

For purposes of simplicity and clearer understanding, some of the definitions below have been shortened or rephrased from those set forth in the Act and Regulations thereunder. In the event of any conflict between the definitions in this Agreement and those set forth in the Act and Regulations, the latter shall govern.

- a. “Board of Supervisors”: the County’s legislative body which is the legal recipient of the grant funds from HUD and is legally responsible for the administration of the Urban County Program.
- b. “CDBG”: Community Development Block Grant, a federal program administered by HUD which provides funding to address housing and community development needs of lower income persons.
- c. “Citizen Participation Plan”: the plan adopted by the Board of Supervisors of the County which outlines the opportunities and process for citizen input on matters pertaining to planning, monitoring, and evaluation of the Urban County HCD projects.
- d. “City”: is the city or town that is a party to this Agreement; such city or town may be referred to as a “Non-Entitlement City,” that is, a city which cannot directly apply for or receive funds through cooperation agreements with the HUD.
- e. “City Project”: is a proposal that will be
- f. “Consolidated Plan”: describes the housing conditions and goals to address the housing needs of lower income persons, and identifies specific housing actions to be taken by the Urban County to address its housing needs. The Consolidated Plan also serves as a guide for HUD in the distribution of assisted housing resources to communities.
- g. “County”: the County of Santa Clara through action by its Board of Supervisors.
- h. “Grant”: the CDBG and HOME funds allocated by HUD to the County of Santa Clara as the legal recipient of the funds for the Urban County.
- i. “HOME”: the HOME Investment Partnership Program, a federal program administered by HUD to assist in addressing the affordable housing needs of lower income persons through such means as new housing development and construction; acquisition and rehabilitation of existing housing units; and provision of emergency rental subsidies.
- j. “Housing and Community Development Advisory Committee”: an advisory committee established by the Board of Supervisors of the County to be the policy recommending body to the Board of Supervisors for the Urban County Program.

- k. “HUD”: the United States Department of Housing and Urban Development.
- l. “OSH”: Office of Supportive Housing, formerly known as the Office of Affordable Housing, responsible for the day to day administration of the Urban County Program.
- m. “Project Proposals”: requests for an allocation of CDBG or HOME funds submitted by eligible applicants to implement specific eligible CDBG or HOME activities, as defined by HUD.
- n. “Regulations”: the rules and regulations of the U.S. Department of Housing and Urban Development; particular reference is made to those regulations stated in 24 Code of Federal Regulations Part 570 (containing the general regulations of Community Development Block Grants) and Part 58 (containing the regulations on the Federal Environmental Review Procedures).
- o. “Urban County”: a county that is (1) in a metropolitan area; (2) authorized by state law to undertake essential community development and housing assistance activities within its unincorporated areas, and (3) has a population of 200,000 or more within its unincorporated areas and units of general local government (cities) within the county with which it entered into cooperation agreements to undertake or to assist in the undertaking of eligible activities.

4. Term.

The term of this Agreement shall begin on October 1, 2017 and covers three successive program years. This Agreement will subsequently automatically renew when the County re-qualifies as an urban county for the next three (3) year period and therefore a new three (3) year term of this Agreement will begin at that time. The first of these automatic three (3) year term renewals will occur at the beginning of fiscal year 2020-201 (October 1, 2020) and every three (3) years thereafter. This Agreement shall remain in effect until all Urban County Program funds covered under the terms of this Agreement, and any program income generated from the expenditure of such funds, are expended, and the funded activities completed, and that the County and participating units of general local government may not terminate or withdraw from this Agreement while this Agreement remains in effect. This Agreement may not be terminated or withdrawn by the parties for any circumstance or reason during the term of the agreement.

- a. Termination. This Agreement can only be terminated if an earlier date of termination is fixed by HUD pursuant to Urban County Program or until such times the City and County elects to terminate this Agreement at the conclusion of a three-year term.
- b. Renewal process. As required by HUD, the City and County agree to adopt any amendment(s) to this Agreement necessary to meet the requirements set forth in the Urban County Qualification Notice. Such failure to comply will void the automatic renewal for such qualification period. The County will notify City, via a letter, that City has the ability to terminate the Agreement and not be included as part of the

submission by County to HUD for re-qualification as an Urban County for the subsequent three (3) year qualification period. City agrees to send a timely response to County stating its intentions to either continue to be a part of the Urban County Program or to elect to terminate this Agreement and not be a part of the County's upcoming submission to HUD to re-qualify as an Urban County for the subsequent three (3) year period.

The County will submit to HUD the letter notifying the City of its ability to terminate this Agreement as well as the City's response letter. County will also submit to HUD a written legal opinion provided by County Counsel stating that the terms and provisions continue to be authorized under state and local law and that the Agreement continues to provide full legal authority for County.

The County and the City have both adopted a resolution approving the City being a part of the Urban County Program; the resolution will be sent to HUD along with this Agreement immediately after Agreement has been approved as well as whenever the County re-qualifies as an Urban County.

5. Purpose of Agreement.

This Agreement is formed to meet the requirements and purposes of the Act and Regulations with respect to the application for an entitlement grant pursuant to Title I of the Act and to establish the respective rights of the parties to such grant.

6. Administration of Agreement.

- a. The officers and agents of both parties will cooperate in furnishing information and assistance necessary for the preparation, completion, and filing of the County's application with HUD in accordance with the requirements of the Act and the Regulations. The City shall provide opportunities for public participation as described in the Urban County Citizen Participation Plan.
- b. The City shall submit to the County all necessary information required for the completion of a Consolidated Plan in the form required by HUD. This information will detail the City's commitments to providing housing assistance to low and very low income persons within the City. The local commitments to housing assistance by the cities will be incorporated into the Urban County's Consolidated Plan, which will be reviewed by HUD to determine the local commitments to address housing needs of low to very low income persons.
- c. The County shall not alter or amend the information furnished to County by cities in compliance with the Act and Regulations and consistent with identified Urban County needs and priorities, the County shall have full authority and necessary control of the preparation and filing of its Application for Federal Assistance to HUD and of other papers and documents in support thereof.

7. Project Proposals.

Any and all Project Proposals for eligible activities, including those of the City, shall be submitted directly to the County during its three-year funding cycle by eligible applicants. The three-year Notice of Funding Availability (NOFA) will outline the eligibility criteria and local priorities. Project Proposals must meet the HUD eligibility criteria within one of the funding categories contained in the NOFA. All Proposals for Public Service must be submitted directly to the County.

Funding for Capital Improvement Projects will be pooled for a minimum of one eligible capital improvement project in each of the participating jurisdictions, pending funding availability. The City will submit a proposal to the County for consideration for a shelf-ready project or a project that can be phased over a two year period with demonstrable programmatic and financial actions (i.e. design, architectural, construction costs). County and City staff will work together to determine each project's level of readiness and establish an implementation schedule. Jurisdictional reserves will not be carried over from year to year to ensure funds are spent in a timely manner. When such capital funds are not expended they will be used to supplement the Housing Development Category of funding, if they are not expended in the agreed upon project's contract term between the City and the County. The County will evaluate the City's timely expenditure of funds to ensure the County is in compliance with HUD before recommending funding for a capital project. Review and comment on City proposed projects shall be to determine HUD eligibility and timely expenditure of funds.

8. Disbursement of Funds.

- a. City understands and agrees that CDBG and HOME funds disbursed under this Agreement are the obligation of County and that such obligation of the County is dependent upon the qualification of the County as an Urban County applicant and upon the availability of federal funds to implement Title I of the Act.
- b. Funds disbursed to the City and other subrecipients will be expended on eligible activities as described in the Consolidated Plan. The 2015-2020 Consolidated Plan includes goals and strategies to address housing and community development needs in the Urban County and identifies the following Goals in its Strategic Plan:
 1. Assist in the creation and preservation of Affordable housing for lower income and special needs households.
 2. Support activities to end homelessness
 3. Support activities that provide basic services, eliminate blight, and/or strengthen neighborhoods
 4. Promote environmental sustainability
- c. Prior to final approval and submittal to HUD a public hearing before the Board of Supervisors will be held. The Board of Supervisors will make final decisions regarding all applications.
- d. Upon approval of the Urban County Program application and the release of funds by HUD, the City and other subrecipients may begin implementation of approved

activities. Information on the progress of approved activities will be submitted to the County on a quarterly basis during the program year the activities are being carried out. This information will be included in the Urban County's monitoring reports which are reviewed by HUD during the program year. Projects which fail to meet schedules according to the approved time schedule will be evaluated for compliance.

- e. County and City both agree that the County has the authority to transfer CDBG funds to another CDBG-eligible project/program at County's sole discretion if City is not spending its CDBG funds in a timely manner. Prior to transferring the CDBG funds, the County will notify the City in writing that the City is at risk of not meeting this timeliness requirement and therefore County will transfer CDBG funds if timeliness is not met.

9. Compliance with Final Programs and Plans.

County and City shall comply in all respects with final Community Development plans and programs and the Consolidated Plan which are developed through mutual cooperation pursuant to the application requirements of Urban County Program and their regulations and approved by HUD.

10. Compliance with Legislation and Regulations

City and County agree, pursuant to 24 CFR 570.501(b) that cities are subject to the same requirements applicable to subrecipients, including the requirement of a written agreement as set forth in 24 CFR 570.503. City understands and agrees that should it fail to comply with such requirements or with the terms of this Agreement, that funds which may be allocated to City during the effective dates of this Agreement may be terminated, or reduced or otherwise limited in accordance with the Act and Regulations.

County and City shall comply with all applicable requirements of the Urban County Program and associated regulations, in utilizing grant funds under legislation that created and govern these grants, and shall take all actions necessary to assure compliance with County certifications required by Section 104(b) of Title I of Act, as amended regarding the provisions of the National Environmental Policy Act of 1969, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1968, Executive Order 11988, Section 109 of Title I of the Act which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, the Fair Housing Act, and affirmatively furthering fair housing and other applicable federal laws.

The City agrees that CDBG and HOME funding for activities in or in support of City are prohibited if City does not affirmatively further fair housing within its own jurisdiction or impedes County actions to comply with its fair housing certification. The City may be required to demonstrate how it complies with the fair housing requirement.

Furthermore, City hereby covenants by and for itself, its successors and assigns, and all persons claiming under or through it that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, religion, sex, marital status, familial status, disability, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of any project funded by HOME or CDBG

funds, nor shall City itself or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in any project funded as a result of this Agreement.

The City hereby covenants has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations. Furthermore, the City has adopted and is enforcing a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.

11. Conflict of Interest.

City shall comply with all applicable federal and state laws, regulations and policies governing conflict of interest, including State conflict of interest regulations found in California Government Code Sections 1090, 1126, 87100 et seq., Federal conflict of interest regulations found in 24 CFR 570.611, 85.36 ad 84.42, and any other applicable policies, rules and regulations related to conflict of interest.

Any person who is an employee, agent, consultant, officer, elected or appointed official of the City, who exercises any functions or responsibilities with respect to Urban County Program funded activities identified in this Agreement and who is in a position to participate in the decision-making process or gain inside information with regard to activities identified in this Agreement, may not obtain a financial interest or benefit from the Urban County Program assisted activities identified in this Agreement or any related agreement, subcontract, or contract, either for themselves, an immediate family member or business partner, during his/her tenure. City shall maintain written standards of conduct governing performance of its employees engaged in the award and administration of contracts.

12. Areas of Housing Authority Operation.

Nothing herein shall affect the rights and obligations of the parties with respect to any agreement which the City may have with the Housing Authority of the County of Santa Clara (HACSC).

13. Services, Equipment and Property Reimbursement.

County shall provide or be primarily responsible for providing the services, equipment and other property necessary for the planning, preparation and filing of the CDBG application and for the administration of the grant funds subject to the right of the County to seek reimbursement for actual expenses and costs of furnishing such services, equipment and property. Subject to the provisions of the application or of the grant award made thereon, all property furnished by County as herein-above described shall belong to County during the term of this Agreement and after its termination.

At the termination of the CDBG program, all property and equipment acquired with CDBG funds will be subject to the requirements and conditions of OMB Circular A-102 Attachment N, Property Management Standards.

14. Program Income.

Any revenue directly generated from the use of CDBG funds shall be included as available funds for the following funding cycle and thus shall be subject to regulations and reported to HUD. The County has the responsibility for monitoring and reporting to HUD on the use of any such program income, thereby requiring appropriate record keeping.

15. Revolving Loan Fund.

- a. The County is allowed to retain a separate fund in conjunction with a single family home rehabilitation program for eligible activities in accordance with all CDBG requirements as may apply. The Revolving Loan Fund must be held in an interest bearing account and the interest must be remitted to HUD annually.
- b. Eligible activities for single family home rehabilitation may be funded through loans. The loans, in turn, generate payments to the Revolving Loan Fund for use in carrying out the same activities.

16. Records.

City and County shall maintain appropriate books, records, files, and accounts relating to the receipt and disbursement of the grant funds, including records in accordance with 24 CFR Sec 570.503 as they relate to the application, acceptance, and use of federal funds for this federally assisted program and any other records imposed by County's contract with HUD. All such books, records, files and accounts shall be made available for inspection at reasonable times and places by authorized representatives of City, County, and HUD or any other person authorized by the Act or the Regulations.

17. Contractual Obligations.

It is expressly understood and agreed that, as the applicant to HUD, County must take the full responsibility and assume all obligations of an applicant under the Act and that HUD will look only to the County in this regard. However, County assumes no responsibility nor liability towards City for any failure to include City in the application as a result of City's failure to supply County with information necessary to prepare and file the application, or as a result of City's failure to supply County with such information, upon designated dates, or as a result of City's failure to comply with the Act and the Regulations.

18. Indemnification.

In lieu of and notwithstanding the pro rata risk allocation which might otherwise be imposed between the Parties pursuant to Government code Section 895.6, the Parties agree that all losses or liabilities incurred by a party shall not be shared pro rata but instead the County and City agree that pursuant to Government Code Section 895.4, each of the parties hereto shall fully indemnify and hold each of the other parties, their officers, board members, employees and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined by Government code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, employees or agents, under or in connection with or arising out of any performance of obligations required by this

Agreement, the Act, Application, Regulations or other applicable laws relating to this Agreement delegated to such party under this Agreement. No party, nor any officer, board member, employee or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other parties hereto, their officer, board members, employees or agents, under or in connection with or arising out of any performance of obligations required by this Agreement, the Act, Application, Regulations or other applicable laws relating to this Agreement delegated to such other parties under this Agreement.

19. Self-Insurance.

The City and County are authorized self-insured public entities for purposes of general liability, automobile liability, professional liability and worker's compensation. City and County warrant that through their respective programs of self-insurance, they have adequate coverage or resources to protect against any liabilities arising out of their performance regarding the terms and conditions of this Agreement.

20. Discretionary Actions.

Nothing herein contained shall be construed to prohibit the City from exercising its discretion on any legislative quasi-judicial and/or administrative matter (including but not limited to any action involving zoning of General Plan amendments). Nothing herein shall compel the City to take any action on any matter save and except as expressly required in this Agreement. It is understood and agreed that the City does not by this Agreement commit itself or delegate the exercise of any of its police powers in any matter whatsoever save and except as expressly set forth in this Agreement.

21. Timeliness.

When any action is required hereunder upon request for action on a document or material furnished by the County to the City said request for action on a document or material shall be furnished at least 30 days prior to the date said action is required in order to allow sufficient time for the City to review and act on said document or material.

22. Severability.

Should any part, term, provision of this Agreement be judicially determined to be illegal or in conflict with any law of the State of California or any law of the United States, or should any part, term, or provision of this Agreement be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.

23. Section Headings.

All section headings contained herein are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

24. Notices.

Any notice, tender, or delivery to be given hereunder by either party to the other may be effected by personal delivery in writing or by certified mail, return receipt requested. Each party may change its address by written notice in accordance with this Section.

IN WITNESS WHEREOF, parties hereto have executed this Agreement on the dates set forth below.

CITY OF MORGAN HILL _____

COUNTY OF SANTA CLARA

By: _____

By: _____

Mayor Steve Tate
City of Morgan Hill

Jeffrey V. Smith
County Executive

Attest:

By: _____
City Clerk

Approved as to form and legality:

Approved as to form and legality:

By: _____
Donald A. Larkin, City Attorney

By: _____
Christopher R. Cheleden
Lead Deputy County Counsel

Date: _____

Date: _____



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Donald Larkin, City Attorney
APPROVED BY: City Manager

APPROVAL OF AMENDMENT TO THE LEGAL SERVICES CONSULTANT AGREEMENT WITH LEONE & ALBERTS FOR LITIGATION SERVICES TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT TO \$95,000

RECOMMENDATION(S)

Approve the amendment to the legal services consultant agreement with Leone & Alberts for litigation services to increase the total not to exceed amount by \$20,000 to \$95,000.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

REPORT NARRATIVE:

On January 25, 2016, the City of Morgan Hill was served with Petition for Writ of Mandamus brought by the Morgan Hill Hotel Coalition. This Writ attempted to compel the City to hold a Referendum on Ordinance No. 2131 which amended the zoning of the property located at 850 Lightpost Way from ML-Light Industrial to General Commercial. On February 17, 2016, the City Council directed the City Clerk to place the Referendum on the ballot of the June 7, 2016 election, and authorized the City Attorney to utilize outside counsel to file a lawsuit seeking to remove the Referendum from the ballot based on the fact that it would result in invalid zoning.

The City hired the law firm of Leone & Alberts to represent the City's interests in these matters. In the City's Writ action to remove the Referendum from the ballot, the Superior Court issued an order on March 28, 2016 directing the City Clerk and County Registrar of Voters to cease from preparing the Referendum, to remove the Referendum from the June 7, 2016 ballot, and to cancel the Special Municipal Election for June 7, 2016.

The Hotel Coalition appealed the Superior Court Order, and on June 19, 2017 the 6th District Court of Appeal issued an Opinion reversing the Superior Court.

The original contract with Leone & Alberts was entered into under the City Manager's authority with the compensation amount not to exceed \$45,000. In April 2016, the contract was amended to add an additional \$30,000, and in November 2016 to extend the term of the agreement to June 30, 2017. This third amendment will increase the not

to exceed amount by \$20,000, for a new total not to exceed amount of \$95,000 and extend the term by a year to June 30, 2018.

COMMUNITY ENGAGEMENT: Inform

Consideration of this action by City Council has been duly noticed and posted as required by applicable law in order to inform the public of this matter.

ALTERNATIVE ACTIONS:

The City Council could deny the contract amendment and direct staff to defend the lawsuit using existing resources.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The contract was amended on April 20, 2016 to increase the not to exceed amount to \$75,000. The contract was amended again on November 29, 2016 to increase the term to June 30, 2017.

FISCAL AND RESOURCE IMPACT:

There are sufficient funds in the City Attorney's budget for outside counsel to pay the additional \$20,000.

CEQA (California Environmental Quality Act):

Not a Project: Approval of this contract amendment will not result in direct or indirect physical changes in the environment.

LINKS/ATTACHMENTS:

1. Third Amendment to Agreement.6.21.17

THIRD AMENDMENT TO AGREEMENT LEONE & ALBERTS

This THIRD AMENDMENT TO AGREEMENT is entered into and becomes effective on _____ (Effective Date), by THE CITY OF MORGAN HILL, a municipal corporation, ("CITY") and LEONE & ALBERTS, a California professional corporation ("CONSULTANT").

RECITALS

The following recitals are a substantive part of this Agreement:

1. This Third Amendment to Agreement is entered into based upon the action of the Morgan Hill City Council taken on _____, 2017.
2. The CITY and CONSULTANT entered into that "Consultant Agreement" made as of February 3, 2016, for consultant services for a maximum compensation of FORTY-FIVE THOUSAND AND NO/100 DOLLARS (\$45,000.00) ("CONSULTANT AGREEMENT").
3. The CITY and CONSULTANT entered into a "First Amendment to Agreement" made as of April 27, 2016, under which the maximum compensation under the CONSULTANT AGREEMENT, as amended, was increased to SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$75,000.00).
4. The CITY and CONSULTANT entered into a "Second Amendment to Agreement" made as of November 29, 2016, under which the term was extended to June 30, 2017. The CONSULTANT AGREEMENT, and the First and Second Amendments thereto are attached as Exhibit "A" to this Agreement.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Amendments:** All terms and conditions of the CONSULTANT AGREEMENT, as amended, as attached as Exhibit "A," shall remain in full force and effect; except that the following amendments shall be made as set forth below:

A. Paragraph 1 shall be amended and replaced in its entirety by the following:

"1. **Term of Agreement.** This Agreement shall cover services rendered from January 21, 2016, until June 30, 2018. The City Manager is authorized to extend the term of this Agreement for a maximum period of one year. Any such extension shall be in writing and signed by both parties to this Agreement."

B. Paragraph 4.1 shall be amended and replaced in its entirety by the following:

"4.1) **Amount.** Compensation under this Agreement shall not exceed NINETY-

FIVE THOUSAND AND NO/100 DOLLARS (\$95,000.00). Compensation shall be on an hourly billing rate, which rates are set forth in Exhibit "B," attached hereto and incorporated herein by reference. No rate changes shall be made during the term of this agreement without prior written approval from the CITY. Services or work performed in excess of the total compensation set forth above shall be at no cost to CITY.

If the City Manager extends the term of this Agreement for up to one year pursuant to the provisions of Section 1 Term of Agreement, the City Manager shall have the authority to increase the maximum compensation allowed to be paid to CONSULTANT during that extended term period, so long as City Council has appropriated sufficient funds therefor, the Parties mutually agree to such amount in a writing signed by both Parties to this Agreement and provided further that in no event shall such maximum compensation allowed during the extended term period exceed an additional five percent (5%) above the compensation allowed to be paid to CONSULTANT during the initial term of this Agreement.

2. **Conflicts.** In the event of a conflict between the terms and provisions of this Third Amendment to Agreement, or any earlier amendment, and the terms and provisions of the CONSULTANT AGREEMENT, the terms of this Third Amendment to Agreement shall govern and control.

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS:

(1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; **AND**
(2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER.

ATTEST:

THE CITY OF MORGAN HILL

City Clerk

Date: _____

City Manager

Date: _____

APPROVED AS TO FORM:

LEONE & ALBERTS

City Attorney

Date: _____

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

126-04-16-019

SECOND AMENDMENT TO AGREEMENT LEONE & ALBERTS

This SECOND AMENDMENT TO AGREEMENT is entered into and becomes effective on NOVEMBER 29 2016 (Effective Date), by THE CITY OF MORGAN HILL, a municipal corporation, ("CITY") and LEONE & ALBERTS, a California professional corporation ("CONSULTANT").

RECITALS

The following recitals are a substantive part of this Agreement:

1. This Second Amendment to Agreement is entered into based upon the action of the Morgan Hill City Council taken on April 20, 2016.
2. The CITY and CONSULTANT entered into that "Consultant Agreement" made as of February 3, 2016, for consultant services for a maximum compensation of FORTY FIVE THOUSAND AND NO/100 DOLLARS (\$45,000.00) ("CONSULTANT AGREEMENT").
3. The CITY and CONSULTANT entered into a "First Amendment to Agreement" made as of April 27, 2016, under which the maximum compensation under the CONSULTANT AGREEMENT, as amended, was increased to SEVENTY FIVE THOUSAND AND NO/100 DOLLARS (\$75,000.00). The CONSULTANT AGREEMENT and the First Amendment thereto are attached as Exhibit "A" to this Agreement.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Amendments:** All terms and conditions of the CONSULTANT AGREEMENT, as amended, as attached as Exhibit "A," shall remain in full force and effect; except that the following amendments shall be made as set forth below:

Paragraph 1 shall be amended and replaced in its entirety by the following:

"1. **Term of Agreement.** This Agreement shall cover services rendered from January 21, 2016, until June 30, 2017. The City Manager is authorized to extend the term of this Agreement for a maximum period of one year. Any such extension shall be in writing and signed by both parties to this Agreement."

1
EXHIBIT "A"

2. Conflicts. In the event of a conflict between the terms and provisions of this Second Amendment to Agreement and the terms and provisions of the CONSULTANT AGREEMENT, the terms of this Second Amendment to Agreement shall govern and control.

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS:

(1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; AND
(2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER.

ATTEST:

City Clerk

Date:

11/30/16

APPROVED AS TO FORM:

City Attorney

Date:

11/28/16

THE CITY OF MORGAN HILL

City Manager

Date:

11/29/16

LEONE & ALBERTS

By:

Title:

Date:

Katherine A. Alberts
Secretary / Vice President
11/17/2016

By:

Title:

Date:

126-04-16-019

FIRST AMENDMENT TO AGREEMENT LEONE & ALBERTS

This FIRST AMENDMENT TO AGREEMENT is entered into and becomes effective on 4/21/16 (Effective Date), by THE CITY OF MORGAN HILL, a municipal corporation, ("CITY") and LEONE & ALBERTS, a California professional corporation ("CONSULTANT").

RECITALS

The following recitals are a substantive part of this Agreement:

1. This First Amendment to Agreement is entered into based upon the action of the Morgan Hill City Council taken on April 21, 2016.
2. The CITY and CONSULTANT entered into that "Consultant Agreement" made as of February 3, 2016, for consultant services for a maximum compensation of FORTY FIVE THOUSAND AND NO/100 DOLLARS (\$45,000.00) ("CONSULTANT AGREEMENT"). The CONSULTANT AGREEMENT is attached as Exhibit "A" to this Agreement.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. Amendments: All terms and conditions of the CONSULTANT AGREEMENT, as amended, as attached as Exhibit "A," shall remain in full force and effect; except that the following amendments shall be made as set forth below:

Paragraph 4.1 shall be amended and replaced in its entirety by the following:

"4.1. Amount. Compensation under this Agreement shall not exceed SEVENTY FIVE THOUSAND AND NO/100 DOLLARS (\$75,000.00). Compensation shall be on an hourly billing rate, which rates are set forth in Exhibit "B," attached hereto and incorporated herein by reference. No rate changes shall be made during the term of this agreement without prior written approval from the CITY. Services or work performed in excess of the total compensation set forth above shall be at no cost to CITY.

If the City Manager extends the term of this Agreement for up to one year pursuant to the provisions of Section 1 Term of Agreement, the City Manager shall have the authority to increase the maximum compensation allowed to be paid to CONSULTANT during that extended term period, so long as City Council has appropriated sufficient funds therefor, the Parties mutually agree to such amount in a writing signed by both Parties to this Agreement and provided further that in no event shall such maximum compensation allowed during the extended term period exceed an additional five percent (5%) above the compensation allowed to be paid to CONSULTANT during the initial term of this Agreement.

Exhibit "A"

1

2. Conflicts. In the event of a conflict between the terms and provisions of this First Amendment to Agreement and the terms and provisions of the CONSULTANT AGREEMENT, the terms of this First Amendment to Agreement shall govern and control.

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS:

- (1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; AND
 (2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER.

ATTEST:

Deputy [Signature]
 City Clerk
 Date: 4/28/16

APPROVED AS TO FORM:

fzv [Signature]
 City Attorney
 Date: 4/25/16

THE CITY OF MORGAN HILL

[Signature]
 City Manager

Date: 4/28/16

LEONE & ALBERTS

By: [Signature]

Title: Vice President

Date: 4/19/16

By: [Signature]

Title: Power of Attorney

Date: 4/19/16

CONSULTANT AGREEMENT LEONE & ALBERTS

THIS AGREEMENT is made this 3rd day of February, 2016, by the CITY OF MORGAN HILL, a municipal corporation, ("CITY"), and LEONE & ALBERTS, a professional corporation ("CONSULTANT").

RECITALS

The following recitals are a substantive part of this Agreement:

1. This Agreement is entered into pursuant to City of Morgan Hill City Manager's authority.
2. CONSULTANT is qualified by virtue of experience, training, education, and expertise to accomplish these services.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. Term of Agreement. This Agreement shall cover services rendered from January 21, 2016, until December 31, 2016. The City Manager is authorized to extend the term of this Agreement for a maximum period of one year. Any such extension shall be in writing and signed by both parties to this Agreement.
2. Services to be Provided. The services to be performed by CONSULTANT shall consist of the following: litigation services.
3. Compliance with Outside Counsel Retention and Billing Policy. CONSULTANT agrees that it will abide by the Outside Counsel Retention and Billing Policy attached hereto and incorporated herein as Exhibit "A."
4. Compensation. CONSULTANT shall be compensated as follows:
 - 4.1. Amount. Compensation for all services, fees and expenses under this Agreement shall not exceed FORTY FIVE THOUSAND AND NO/100 DOLLARS (\$45,000.00). Compensation shall be on an hourly billing rate, which rates are set forth in Exhibit "B," attached hereto and incorporated herein by reference. No rate changes shall be made during the term of this agreement without prior written approval from the CITY. Services or work performed in excess of the total compensation set forth above shall be at no cost to CITY.

If the City Manager extends the term of this Agreement for up to one year pursuant to the provisions of Section 1 above, the City Manager shall have the authority to increase the maximum compensation allowed to be paid to CONSULTANT during the extended term period, so long as City Council has appropriated sufficient funds therefor, the Parties mutually agreed to such amount in a writing signed by both

Fallies to this Agreement and provided further that in no event shall such maximum compensation allowed during the extended term period exceed an additional five percent (5%) above the compensation allowed to be paid to CONSULTANT during the initial term of this Agreement.

- 4.2. Payment. For work under this Agreement, payment shall be made per monthly invoice. For extra work not a part of this Agreement, written authorization by CITY will be required, payment shall be based on hourly rates in Exhibit "B."
- 4.3. Records of Expenses. CONSULTANT shall keep accurate records of payroll, travel, and expenses. These records will be made available to CITY.
- 4.4. Termination. CITY or CONSULTANT shall have the right to terminate this Agreement, without cause, by giving thirty (30) days' written notice or less under urgent circumstances. Upon such termination, CONSULTANT shall submit to CITY an itemized statement of services performed for which compensation has not been paid. CITY may require CONSULTANT to complete certain work product or documents and CONSULTANT shall deliver to CITY all documents in its possession without additional compensation to CONSULTANT. The CITY Manager of CITY is authorized to terminate this AGREEMENT on behalf of CITY.

5. Insurance Requirements.

5.1. Commencement of Work. CONSULTANT shall not commence work under this Agreement until it has obtained CITY approved insurance. For general liability insurance policies, CONSULTANT shall provide CITY, prior to commencement of work, with a separate endorsement which states that the policy contains the following language:

- The CITY, its elected officials, officers, employees, agents and representatives are named as additional insured's; and,
- the insurer waives the right of subrogation against CITY and CITY'S elected officials, officers, employees, agents, and representatives; and,
- insurance shall be primary non-contributing.

CONSULTANT shall furnish CITY with copies of all policies or certificates subject to this Agreement, whether new or modified, promptly upon receipt. No policy subject to this Agreement shall be canceled or materially changed except after thirty (30) days' notice to the insurer to CITY by certified mail.

5.2. Workers Compensation Insurance. CONSULTANT and all subcontractors shall maintain Worker's Compensation Insurance, if applicable.

5.3. Insurance Types and Amounts. CONSULTANT shall maintain general commercial liability and automobile insurance against claims and liabilities for personal injury, death, or property damage, providing protection of at least \$1,000,000 for bodily injury or death to any one person for any one accident or occurrence and at least \$1,000,000 for property damage. CONSULTANT shall also maintain a claims-made professional liability insurance in an amount of \$1,000,000 per claim.

5.4. Acceptability of Insurers. All insurance required by this Agreement shall be carried only by responsible insurance companies licensed to do business in California. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

5.5. Provision of Agreement to Insurers. CONSULTANT represents and warrants that they have provided a copy of this Agreement to their respective insurers, and the insurers are aware of all obligations pertaining to CONSULTANT as stated in this Agreement.

6. Non-Liability of Officials and Employees of the CITY. No official or employee of CITY shall be personally liable for any default or liability under this Agreement.

7. Non-Discrimination. CONSULTANT covenants there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, sexual orientation, national origin, mental disability, physical disability, medical condition, or ancestry, in any activity pursuant to this Agreement.

8. Independent Contractor. It is agreed to that CONSULTANT shall act and be an independent contractor and not an agent or employee of CITY. CONSULTANT shall be solely responsible for the performance of its employees, agents or subcontractors under this agreement.

9. Compliance with Law. CONSULTANT shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government.

10. Ownership of Work Product. All documents or other information developed or received by CONSULTANT shall be the property of CITY. CONSULTANT shall provide CITY with copies of these items upon demand or upon termination of this Agreement.

11. Conflict of Interest and Reporting. CONSULTANT states that it does not represent clients with adverse interests to the CITY.

12. Notices. All notices shall be personally delivered or mailed, via first class mail, to the below listed addresses. These addresses shall be used for delivery of service of process.

Address of CONSULTANT is as follows:

Leone & Albors
2175 N. California Blvd., Suite 900
Walnut Creek, CA 94596

Address of CITY is as follows:

City Attorney	with a copy to:
City of Morgan Hill	City Clerk
17575 Peak Avenue	17575 Peak Avenue
Morgan Hill, CA 95037	Morgan Hill, CA 95037

13. CONSULTANT'S Proposal. This Agreement shall include CONSULTANT'S proposal or bid which is incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.

14. Licenses, Permits and Fees. CONSULTANT shall obtain all permits, and licenses as may be required by this Agreement.

15. Familiarity with Work. By executing this Agreement, CONSULTANT warrants that: (1) it has investigated the work to be performed; (2) it has the skills, knowledge and experience to perform this work competently and fulfill all professional and ethical obligation of attorneys at law in the State of California; and (3) it understands the difficulties, and restrictions of the work under this Agreement. Should CONSULTANT discover any conditions materially differing from those inherent in the work or as represented by CITY, it shall immediately inform CITY and shall not proceed, except at CONSULTANT'S risk, until written instructions are received from CITY.

16. Time of Essence. Time is of the essence in the performance of this Agreement.

17. Limitations Upon Subcontracting and Assignment. Neither this Agreement nor any portion shall be assigned by CONSULTANT without prior written consent of CITY.

18. Authority to Execute. The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement.

19. Indemnification. CONSULTANT agrees to protect, and hold harmless CITY and its elective or appointive boards, officers, agents, and employees from any and all claims, liabilities, expenses, or damages of any nature, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, arising out of, or in any way connected with performance of the Agreement by CONSULTANT, CONSULTANT'S agents, officers, employees, subcontractors, or independent contractors hired by CONSULTANT. The only exception to CONSULTANT'S responsibility to protect, defend, and hold harmless CITY, is due to the sole negligence of CITY. This hold harmless agreement shall apply to all liability regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by CONSULTANT.

20. Modification. This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written. This Agreement may be modified or provisions waived only by subsequent mutual written agreement executed by CITY and CONSULTANT.

21. California Law. This Agreement shall be construed in accordance with the laws of the State of California. Any action commenced about this Agreement shall be filed in the Santa Clara County Superior Court.

22. Interpretation. This Agreement shall be interpreted as though prepared by both parties.

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23. Preservation of Agreement Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision interpreted, and all remaining provisions shall remain enforceable.

IN WITNESS THEREOF, these parties have executed this Agreement on the day and year shown below.

[TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS: (1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; AND (2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER.]

ATTEST:


City Clerk
Date: 2/3/16

APPROVED AS TO FORM:

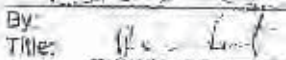

City Attorney
Date: 2/3/16

THE CITY OF MORGAN HILL


City Manager
Date: 2/3/16

LEONE & ALBERTS


By: Raymond A. Alberts
Title: Vice President / Secretary
Date: 2/3/16


By: City Manager
Title: City Manager
Date: 2/3/16

\\s:\gov\mhill\6112613-Deed\Attorney\Leone & Alberts - L1000001 - Plat 216 - 2016.Doc

CITY OF MORGAN HILL
OUTSIDE COUNSEL BILLING AND RETENTION POLICY

A. Retention

The role of retained counsel will be that of co-counsel with the retaining attorney (City Attorney). All legal services provided will be pursuant to a written analysis (including strategy and budget) developed by retained counsel in cooperation with the retaining attorney, and approved by the retaining attorney before work on the specified project begins. Retained counsel will also:

1. Obtain authorization from the retaining attorney before beginning work on any pleading, discovery, motion, or other legal paper, and before securing the services of any expert;
2. Review the above with the retaining attorney prior to use;
3. Provide written status reports on the progress of the litigation to the retaining attorney on the progress of the project as necessary, logical, or requested, but no less frequently than every 60 days;
4. Provide summaries of each deposition taken to the retaining attorney;
5. Coordinate with the retaining attorney to use the legal and paralegal services of the City Attorney's office to keep costs down;
6. Maintain a complete file and provide a copy of all documents generated to the retaining attorney;
7. Make a continuous and diligent attempt to resolve any litigation at the lowest possible cost, with the least expensive professional effort consistent with quality legal representation. To this end, the City will be billed for the time of only one attorney at depositions, hearings, trial, and interoffice conferences. Services performed without prior approval of the retaining attorney are not authorized and may not be approved for payment.

From time to time the retaining attorney may detect a departure from the requirements listed above, or may disapprove certain efforts proposed by retained counsel, or may direct efforts with which retained counsel disagrees. The retaining attorney is responsible for these decisions and will consult with the client as appropriate about such matters.

B. Billing Requirements

Retained counsel's services must be itemized individually and billed monthly. Each monthly statement must include 1) the name and billing rate of each attorney and paralegal who worked on the matter; 2) the date each service was performed; 3) a brief description of each service performed; 4) the time spent by each attorney and paralegal on each service performed, to the nearest tenth of one hour; 5) itemized costs; and 6) subtotal of fees and costs billed for the month and total for the matter to date.

Retained counsel will be reimbursed customary costs. When authorized, telephone, photocopy, electronic research and expedited delivery charges may be billed at the actual net cost to retained counsel or a rate approved in advance by the retaining attorney. Charges for approved travel will be at coach rates and automobile mileage will be reimbursed at the City's current rate (reflects IRS).

Costs for the following items will not be reimbursed unless approved in advance by the retaining attorney:

- Electronic research (Lexis, Westlaw, etc.)
- Word processing and photocopying
- Secretarial time
- Secretarial and paralegal overtime
- Express mail and messenger delivery
- Travel time in excess of 3 hours per trip

Bills must be submitted to the attention of the retaining attorney, 17575 Peak Avenue, Morgan Hill, California, 95037, in the form discussed above.

C. Contract

Each retained counsel will be required to execute a consultant agreement in a form acceptable to the City.

Retained counsel may not bill in excess of the contracted amount without prior written approval from the City Attorney.

LEONE & ALBERTS

Billing Rates for City of Morgan Hill Consultant Agreement

Shareholders: \$250.00/hr

Louis A. Leone and Katherine A. Alberts

Associate Attorneys: \$185.00/hr

Paralegals: \$100.00/hr

EXHIBIT B TO CITY OF MORGAN HILL CONSULTANT AGREEMENT WITH LEONE & ALBERTS

9/11/21/16



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/26/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed, if SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lawyers Pacific Insurance Brokerage, Inc. 18643 Devonshire Street, # 454 Northridge, CA 91324	CONTACT NAME: Al Hernandez PHONE (A/C No. Ext.): (818) 576-9205 FAX (A/C No.): (818) 576-9205 E-MAIL ADDRESS: Al@LawyersPacific.com														
INSURED Leone & Alberts, APC 2175 North California Boulevard, Suite 900 Walnut Creek, CA 94596	<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th></tr> <tr> <td>INSURER A: AXIS Insurance Company</td><td>37273</td></tr> <tr> <td>INSURER B:</td><td></td></tr> <tr> <td>INSURER C:</td><td></td></tr> <tr> <td>INSURER D:</td><td></td></tr> <tr> <td>INSURER E:</td><td></td></tr> <tr> <td>INSURER F:</td><td></td></tr> </table>	INSURER(S) AFFORDING COVERAGE		INSURER A: AXIS Insurance Company	37273	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER A: AXIS Insurance Company	37273														
INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSTR. NO.	TYPE OF INSURANCE	ADD. POLY. INSR. NO.	POLICY NUMBER	POLICY PER. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)	LIMITS
176	GENERAL LIABILITY					EACH OCCURRENCE
	COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED
	CLAIMS MADE ☐ OCCUR					MEMBERS (E&O/INSURANCE)
						ADD. EXP. (Any one policy)
	GEN'L AGGREGATE LIMIT APPLIES PER:					PERSONAL & ADV. (If any)
	POLICY ☐ PRO. ☐ TEST ☐ LOC ☐					GENERAL AGGREGATE
						PRODUCTS - COMMODITY
	AUTOMOBILE LIABILITY					COMB. MED. SINGLE LIMIT (E&O/INSURANCE)
	ANY AUTO					BODILY INJURY (Per person)
	ALL OWNED AUTOS					BODILY INJURY (Per accident)
	HIRED AUTOS					PROPERTY DAMAGE (Per person)
	UMBRELLA/LIAB.					EACH OCCURRENCE
	EXCESS/LIAB.					AGGREGATE
	DEF. ☐ RETENTION					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATE ☐ OTHER ☐
	ANY EMPLOYER'S JAWHARTER/EXECUTIVE OFFICER/INSURANCE EXCLUDED?					E.I. EACH ACCIDENT
	If yes, describe each					E.I. DISEASE - EA EMPLOYEE
	DESCRIPTION OF OPERATIONS BELOW					E.I. DISEASE - POLICY LIMIT
A	Lawyers Professional Liability		001054-0116	09/21/15	09/21/17	\$1,000,000 Per Claim \$5,000,000 Aggregate \$50,000 Deductible

DESCRIPTION OF OPERATIONS (LOCATION(S) (VEHICLES (A/C NO. 10), Additional Remarks Schedule, if more space is required)

Law Firm

CERTIFICATE HOLDER

City of Morgan Hill
 17575 Peak Avenue
 Morgan Hill, CA 95037

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE:

Al Hernandez



CERTIFICATE OF LIABILITY INSURANCE

LEONE-3

CP ID: DK

 DATE (MM/DD/YYYY)
 10/21/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
 CAL Insurance & Associates Inc
 2311 Taraval Street
 San Francisco, CA 94115

CONTACT NAME: CAL Insurance & Associates

PHONE (415) No. Ext. 415-661-6500

FAX (415) No. 415-661-2254

EMAIL: info@calinsure.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Fireman's Fund Ins. Co.

21873

INSURER B: Preferred Employers Ins. Co Inc

10900

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED: Leone & Alberts
 A Professional Corporation
 2175 California Blvd Ste 800
 Walnut Creek, CA 94595

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COV LTR	TYPE OF INSURANCE	INSURER	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMSMADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PER OCC ☐ LOC ☐ OTHER:	X	AZC00867514	11/01/2016	11/01/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Excluded) \$ 100,000 MED'EXP (Any occ. person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPOUND AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ALLOWED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS		AZC80067514	11/01/2016	11/01/2017	COMBINED SINGLE LIMIT (Ex. accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB EXCESS LIAB ☒ RETENTION \$ 0	X	AZC80067514	11/01/2016	11/01/2017	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/OWNER/EXECUTIVE OFFICER/MEMBER EXCLUDED (Mandatory in HI) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	WKN115292-14	04/15/2016	04/15/2017	☒ PER STATUTE ☐ OTHER EL EACH ACCIDENT \$ 1,000,000 EL DISEASE - EA EMPLOYEE \$ 1,000,000 EL DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

THE CITY OF MORGAN HILL, ITS ELECTED OFFICIALS, OFFICERS, EMPLOYEES, AGENTS AND REPRESENTATIVES ARE INCLUDED AS AN ADDITIONAL INSURED PER ENDORSEMENT ABB1060307, ATTACHED. THIS INSURANCE IS PRIMARY AND NON-CONTRIBUTORY.

CERTIFICATE HOLDER:

CANCELLATION

CITY OF MORGAN HILL
 17575 PEAK AVENUE
 MORGAN HILL, CA 95037

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

ABC MultiCover - AB 91 89 08 07

This endorsement modifies insurance provided under the following:

American Business Coverage

Your policy is broadened and clarified as follows:

I. Non-Employment Discrimination Liability

Unless **Personal Injury** or **Advertising Injury** is excluded from this policy:

A. Section III - Definitions, Item 1: **Personal Injury** is amended to include:

f. Discrimination

B. Section III - Definitions, Item 2: **Advertising Injury** is amended to include:

e. Discrimination

C. Section III - Definitions is amended to include:

30. **Discrimination** means the unlawful treatment of individuals based on race, color, ethnic origin, gender, religion, age, or sexual preference.

D. Section II - Liability Coverage, Part H, Exclusions, Item 1: **Personal Injury** or **Advertising Injury** is amended to include:

(11) Arising out of **discrimination** directly or indirectly related to the past employment, employment or prospective employment of any person or class of persons by any insured; or

(12) Arising out of **discrimination** directly or indirectly related to the sale, rental, lease or sub-lease or prospective sale, rental, lease or sub-lease of any dwelling,

permanent lodging, or premises by or at the direction of any insured; or

(13) Arising out of **discrimination** if insured thereof is prohibited by law; or

(14) Fines, penalties, specific performance, or injunctions levied or imposed by a governmental entity, or governmental code, law, or statute because of **discrimination**

2. Blanket Additional Insured

Section II - Liability Coverage, Part I, Who Is An Insured, Item 2, is amended to include:

f. Any person or organization that you are required by a written insured contract to include as an insured, subject to all of the following provisions:

(i) Coverage is limited to their liability arising out of:

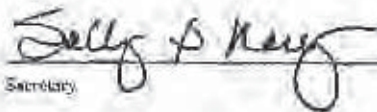
(a) the ownership, maintenance, or use of that part of the premises, or land owned by, rented to, or leased to you; or

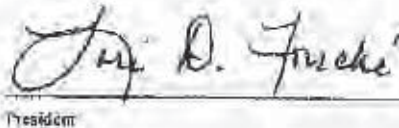
(b) your ongoing operations performed for that insured; or

(c) that insured's financial control of you; or

(d) the maintenance, operation or use by you of equipment leased to you by such person(s) or organization(s), or

This Form must be attached to Change Endorsement when issued after the policy is written.
One of the Fireman's Fund Insurance Companies is named on the policy.


Secretary


President

- (2) a state or political subdivision permit issued to you.
- (2) Coverage does not apply to any occurrence or offense:
 - (a) which took place before the execution of, or subsequent to the completion or expiration of, the written insured contract, or
 - (b) which takes place after you cease to be a tenant in that premises.
- (3) With respect to architects, engineers, or surveyors, coverage does not apply to **Bodily Injury, Property Damage, Personal Injury or Advertising Injury** arising out of the rendering or the failure to render any professional services by or for you including:
 - (a) the preparing, approving, or failing to prepare or approve maps, drawings, opinions, reports, surveys, change orders, designs or specifications; and
 - (b) Supervisory, inspection, or engineering services.

If an Additional Insured endorsement is attached to this policy that specifically names a person or organization as an insured, then this coverage does not apply to that person or organization.

5. Blanket Additional Insured for Vendors

Unless the **Products-Completed Operations Hazard** is excluded from this policy, **Section II - Liability Coverage, Part A. Who Is an Insured**, Item 2, is amended to include:

- g. Any vendor but only with respect to **Bodily Injury or Property Damage** arising out of your products which are distributed or sold in the regular course of the vendor's business, subject to the following additional exclusions:
 - 1. The insurance afforded the vendor does not apply to:
 - a. **Bodily Injury or Property Damage** for which the vendor is obligated to pay damages by reason of the

assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement.

- b. Any express warranty unauthorized by you;
 - c. Any physical or chemical change in the product made intentionally by the vendor;
 - d. Repackaging, unless unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;
 - e. Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products;
 - f. Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of the product;
 - g. Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor.
7. This insurance does not apply to any insured person or organization, from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying, or containing such products.

If an Additional Insured - Vendors endorsement is attached to this policy that specifically names a person or organization as an insured, then this coverage does not apply to that person or organization.

Blanket Waiver of Subrogation

Section II - Liability Coverage, Part K. Liability and Medical Payments General Conditions, is amended to include:

6. Transfer of Rights of Recovery Against Others to us and Blanket Waiver of Subrogation

- a. If the insured has rights to recover all or part of any payment we have made under this Coverage Part, those rights are transferred to us. The insured must do nothing after loss to impair those rights. At our request, the insured will bring suit or transfer those rights to us and help us enforce them.
- b. If required by a written insured contract, we waive any right of recovery we may have against any person or organization because of payments we make for injury or damage arising out of your operations or your work for that person or organization.

7. Broadened Named Insured

Section II - Liability Coverage, Part I. Who Is An Insured, Item 4, is replaced with:

4. All of your subsidiaries, companies, corporations, firms, or organizations, as now or hereafter constituted, qualify as Named Insured under this policy if:

- (a) you have the responsibility of placing insurance for each such entity; and
- (b) coverage for the entity is not otherwise more specifically provided; and
- (c) the entity is incorporated or organized under the laws of the United States of America.

But each entity is insured only while you own, during the policy period, a controlling interest in such entity of greater than 50% of the stock or assets. However:

- (a) Coverage under this provision is afforded only until the end of the policy period, or the 12 month anniversary of the policy inception date, whichever is earlier.
- (b) Coverage C does not apply to bodily injury or property damage that occurred

before you acquired or formed the organization;

- (c) Coverage C does not apply to ~~personal injury or advertising injury~~ arising out of an offense committed before you acquired or formed the organization.

8. Medical Payments

Unless Coverage D, Medical Payments is excluded from this policy:

A. Section II - Liability Coverage, Part H. Exclusions, Item 2.f. is replaced with:

- f. Included within the products-completed operations hazard. However, this exclusion does not apply to expenses for dental services.

B. Section II - Liability Coverage, Part G. Coverage, Item 2., is amended to include:

- c. Coverage D, Medical Payments is primary and not contributing with any other insurance, even if that other insurance is primary also.

9. Tenant's Legal Liability

A. Section III - Liability Coverage, Part J, Liability and Medical Payments Limits of Insurance, Item 3, is replaced with:

- 3. The most we will pay under Coverage C - Liability for damages because of property damage to premises while rented to you, temporarily occupied by you with the permission of the owner, or managed by you under a written agreement with the owner:

- a. arising out of any Covered Cause of Loss shall be the greater of:

- (1) \$1,000,000; or
- (2) The Tenant's Legal Liability limit shown in the Declaration.

10. Chartered Aircraft

Section II - Liability Coverage, Coverage C, Part H. Exclusions, Item 1.g. is amended to include:

- (5) An aircraft in which you have no ownership interest and that you have chartered with crew.

V. Coverage Territory Broadened

Section III - Definitions, Item 3.a. is replaced with:

- a. The United States of America (including its territories and possessions), Puerto Rico, Canada, Bermuda, the Bahamas, the Cayman Islands and the British Virgin Islands.

VI. Broadened Advertising Injury

Unless Advertising Injury is excluded from this policy:

- A. Section III - Definitions, Item 2. is replaced with:

2. Advertising Injury means injury arising out of one or more of the following offenses:

- a. Oral, written, televised or videotaped publication of material that slanders or libels a person or organization or disparages a person's or organization's goods, products or services;
- b. Oral, written, televised or videotaped publication of material that violates a person's right of privacy;
- c. Misappropriation of advertising ideas or style of doing business; or
- d. Infringement of trademark, copyright, title or slogan.

- B. Section II - Liability Coverage, Coverage C, Part H, Exclusions, Items 1.p.(1) and (2) are replaced with:

- (1) Arising out of oral, written, televised or videotaped publication of material, if done by or at the direction of the insured with knowledge of its falsity;
- (2) Arising out of oral, written, televised or videotaped publication of material whose first publication took place before the beginning of the policy period;

VI. Broadened Personal Injury

Unless Personal Injury is excluded from this policy, Section III - Property, Liability and Medical

Payments Definitions, Items 17.b., d. and e. are replaced with:

- b. Malicious prosecution or abuse of process;
- d. Oral, written, televised or videotaped publication of material that slanders or libels a person or organization or disparages a person's or organization's goods, products or services;
- e. Oral, written, televised or videotaped publication of material that violates a person's right of privacy;

12. Broadened Personal or Advertising Injury

Unless Personal Injury or Advertising Injury is excluded from this policy, Section II - Liability Coverage, Coverage C, Part H, Exclusions, Item 1.p.(4) Exclusions is deleted in its entirety.

13. Fellow Employees Coverage

Section II - Liability Coverage, Part I. Who Is an Insured, Item 2.a.(1) is amended as follows:

- (1) Personal Injury to you or to a co-employee while in the course of his or her employment, or the spouse, child, fetus, embryo, parent, brother, sister or any member of the household of that employee or co-employee as a consequence of such Personal Injury, or for any obligation to share damages with or repay someone else who must pay damages because of the injury; or

14. Mental Anguish Is Included in Bodily Injury

Section III - Definitions, Item 4. is replaced with:

4. Bodily injury means bodily injury; sickness or disease sustained by a person. It includes death or mental anguish which result at any time from such physical harm, physical sickness or physical disease. Mental anguish means any type of mental or emotional illness or disease.

15. Unintentional Failure to Disclose Hazards

Section II - Liability Coverage, Part K. Liability and Medical Payments General Conditions, is amended to include:

6. **Unintentional Failure to Disclose Hazards**

If you unintentionally fail to disclose any hazards existing at the inception date of your policy, we will not deny coverage under this Coverage Form because of such failure. However, this provision does not affect our right to collect additional premium or exercise our right of cancellation or non-renewal.

16. **Supplementary Payments, Increase Limits**

Section II - Liability Coverage, Part G, Coverage, Items 1.e. (2) and (3) are replaced with:

- (2) The cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which the Bodily Injury Liability Coverage applies. We do not have to furnish these bonds.
- (4) All reasonable expenses incurred by the insured at our request to assist us in the investigation or defense of the claim or suit including substantiated loss of earnings up to \$500 a day because of time off work.

17. **Per Location Aggregate**

- A. **Section II - Liability Coverage, Part J, Limits of Insurance, Item 4, is amended to include:**

The Aggregate Limit of Insurance applies separately to each location owned by you, rented to you, or occupied by you with the permission of the owner.

- B. **Section III - Property, Liability and Medical Payments Definitions, is amended to include:**

31. **Location** means premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway, waterway or right-of-way of railroad.

18. **Amended Duties in the Event of an Occurrence, Offense, Claim or Suit**

Section II - Liability Coverage, Part K, Liability and Medical Payments General Conditions, Items 2.a. and b. are replaced with:

- a. In the event of an occurrence, offense, claim, or suit, you must promptly notify us. Your duty to promptly notify us is effective when your executive officers, partners, members, or

legal representatives are aware of the General Liability occurrence, offense, claim, or suit. Knowledge of an occurrence, offense, claim, or suit by other employee(s) does not imply you also have such knowledge.

- b. To the extent possible, notice to us should include:

- (1) How, when and where the occurrence or offense took place;
- (2) The names, addresses, and telephone numbers of any injured persons and witnesses; and
- (3) The nature and location of any injury or damage arising out of the occurrence, offense, claim, or suit.

19. **Common Policy Conditions (AB 00 09 A 01 87), Part H, Other Insurance, Item 2, is replaced with:**

2. **Coverage C - Liability**

If other valid and collectible insurance is available to any insured for a loss we cover under Coverage C of this Coverage Part our obligations are limited as follows:

- a. The insurance provided under this policy is primary if you are required by a written insured contract to include any person or organization as an insured, but only with respect to that insured's liability arising out of the ownership, maintenance, or use of that part of the premises owned by or rented to you, or your work for that insured by or for you. Any other insurance available to that person or organization is excess and noncontributory with this insurance, or.
- b. Except for the circumstance described in 2.a. above, the insurance provided under this policy is excess over any other liability insurance available to any insured whether such other insurance is written as primary, excess, contingent or any other basis. An exception applies when any insured specifically has purchased excess insurance to apply in excess of the limits of insurance shown in the Declarations of this Coverage Part for Coverage C.

20. **Damage to Invitees' Automobiles from Falling Trees or Tree Limbs - Limited Coverage**

The policy applies to direct physical damage to automobiles owned by invitees subject to all of the following:

1. Provided such damage originates from premises owned, managed, leased or rented by an insured;
2. Coverage applies only to invitees of an insured or an insured's tenant;
3. Such damage is directly caused by wind-driven falling trees or tree limbs;
4. The most we will pay for any one loss is the lesser of the actual cash value of the damaged automobile as of the time of the loss; or the cost of repairing or replacing the damaged automobile with another automobile of like

kind and quality; subject to a limit of \$25,000 in any one policy period; and

5. This coverage is not subject to the General Liability General Aggregate Limit.

21. **Expected or Intended Injury - Amendment to Exclusion**

SECTION 1. - 2. EXCLUSIONS a. Expected or Intended Injury; is replaced by the following:

a. **Expected or Intended Injury**

Bodily injury or property damage expected or intended from the standpoint of the insured. This exclusion does not apply to bodily injury or property damage resulting from the use of reasonable force to protect persons or property.

All other terms and conditions of the policy apply.



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Angie Gonzalez, Council Services Assistant
APPROVED BY: City Manager

ADOPT ORDINANCE 2250, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING TITLE 3 OF THE MORGAN HILL MUNICIPAL CODE TO ADD A NEW CHAPTER 3.21 TO CREATE A USE TAX INCENTIVE PROGRAM

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2250, 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.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

2017 Strategic Priorities

Inclusiveness

Infrastructure

REPORT NARRATIVE:

On June 21, 2017, the City Council Introduced Ordinance No. 2250 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Spring, Robinett Jachimowicz, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

The complexity of sales and use tax reporting provisions by the State of California often results in cities not being able to receive the full portion of local sales and use tax revenues. With the adoption of this ordinance, the City will be establishing a use tax incentive program focused on capturing the City of Morgan Hill's full portion of use tax revenue. The ordinance establishes clear rebate thresholds for firms willing to participate in the program.

The use tax incentive program is an innovative tool for the City to better capture sales and use tax revenue into Morgan Hill from investments which are continuously occurring in the community. With the adoption of the use tax incentive program, the City will be in a better position to grow sales and use tax revenue. The program creates a win-win solution for both the City and participating companies to allocate sales and use tax revenue to the City.

COMMUNITY ENGAGEMENT: Inform,

This report serves to inform the community of the proposed Use Tax Incentive Program.

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None

FISCAL AND RESOURCE IMPACT:

With the adoption of an ordinance, a portion of the City's net new revenue associated with the Use Tax Incentive Program would be reimbursed to participating firms in the Program. The magnitude of how much the City will need to reimburse would be positively correlated with how much new revenue the program can generate.

CEQA (California Environmental Quality Act):

Not a Project

The creation of governmental funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project that may result in physical environmental impacts is not a project under CEQA.

LINKS/ATTACHMENTS:

1. 2250 Use Tax Incentive Program Ordinance

ORDINANCE NO. 2250, NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING TITLE 3 OF THE MORGAN HILL MUNICIPAL CODE TO ADD A NEW CHAPTER 3.21 TO CREATE A USE TAX INCENTIVE PROGRAM

WHEREAS, pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (California Revenue and Taxation Code Section 7200 et. seq.), the City of Morgan Hill receives 1% of all sales taxes collected from transactions occurring in the City. However, unless a taxpayer obtains certain permits from the State Board of Equalization specifying the location of the first use of a taxed purchase, the use tax collected on a transaction will be allocated to a County-wide pool; and

WHEREAS, the City Council of the City of Morgan Hill seeks to establish a Use Tax Incentive Program designed to provide incentives for anyone conducting business in Morgan Hill to obtain a Use Tax Direct Payment Permit from the State of California Board of Equalization pursuant to the State Sales and Use Tax Regulation 1699.6; and

WHEREAS, the Use Tax Incentive Program would provide incentives for anyone constructing or building in Morgan Hill to obtain a Sub Seller's Permit for their job site in Morgan Hill from the State of California Board of Equalization pursuant to the State Sales and Use Tax Regulation 1806 and State Board of Equalization Operations Memo No. 1023; and

WHEREAS, the benefit derived by the City of Morgan Hill from having businesses obtain Use Tax Direct Pay or Sub Seller's Permits is that the business reports the local use tax component to the jurisdiction in which the property is located at the time the state use tax is reported, thus ensuring that the City receives the entire local component of the use tax and it is not allocated to the Countywide Pool;

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 3.21 (Use Incentive Tax Program) is hereby added to Title 3 (Revenue and Finance) of the Morgan Hill Municipal Code to read as follows:

CHAPTER 3.21. USE TAX INCENTIVE PROGRAM

3.21.010 Eligibility for Use Tax Rebate

Any person or entity doing business in the City of Morgan Hill is eligible for the Use Tax rebate described herein if all of the following conditions have been satisfied:

- A. The person or business is enrolled in the City's Use Tax Incentive Program.
- B. The person or entity has obtained a State of California Use Tax Direct Payment Permit pursuant to California Revenue and Taxation Code Section 7051.3, or a Sub Sellers Permit pursuant to State Board of Equalization Operations Memo No. 1023 ("Permit").
- C. The City of Morgan Hill is properly identified in the Permit as the jurisdiction in which the property acquired under the permit is first functionally used, stored or consumed, or sold from Morgan Hill in business to business transactions.

3.21.020 Rebate Claim Procedure

- A. Within forty-five (45) days after the close of the State's tax reporting quarter, an eligible person or entity doing business in Morgan Hill may file a rebate claim with the City's Finance Director, on a form provided by the Finance Director.
- B. The claim must contain evidence of the amount of the Use Tax paid to the State. The Director may request from the claimant any other information necessary to substantiate the rebate claim.

3.21.030 Calculation and Issuance of Use Tax Rebate

- A. The Finance Director shall issue the rebate within ninety (90) days of verification that the City received the correct amount of funds from the State. The use tax rebate shall be based upon the following schedule:

Net New Use Tax Received by the City of Morgan Hill (4 consecutive quarters)	Rebate Percentage
0-\$100,000	20%
\$100,001-\$200,000	25%
\$200,001 and greater	30%

- B. The rebate shall be paid by check directly to the claimant but shall be increased or decreased in accordance with any adjustment made by the State to a prior use tax payment by the claimant.
- C. Upon enrollment in the Use Tax Incentive Program, the City will determine the baseline use tax received by the City from the taxpayer as follows:
 - (1) For Direct Payment Permittees, by averaging the amount of tax received by the City from that taxpayer over the twelve (12) quarters prior to enrollment;
 - (2) For Sub Sellers Permittees, by averaging the amount of tax received from that construction site over the twelve (12) quarters prior to enrollment.

- D. “Net New Use Tax”, for the purposes of this Chapter, shall mean the difference between the amount of taxes actually received by the City resulting from the taxpayer’s Permit and the baseline amount as calculated for the taxpayer upon enrollment in the Use Tax Incentive Program.
- E. The rebate will be paid quarterly based on twenty percent (20%) of the Net New Use Tax received in each quarter. After four (4) consecutive quarters, the City will adjust the percentage if warranted, based on the total Net New Use Tax received over the prior four (4) quarters. The rebate amount for the fourth consecutive quarter will reflect the amount attributed to the adjusted percentage, if applicable.
- F. For the purposes of this calculation, the quarters are based on the taxpayer’s tax reporting calendar, but the calculation is based on the four (4) consecutive quarters immediately following enrollment in the Use Tax Incentive Program.
- G. Once the rebate has been provided for the fourth consecutive quarter, the calculation of the rebate for the next four (4) quarters will begin again.

3.21.040 Amendment or Discontinuance

The City reserves the right to amend or discontinue any provision of this Use Tax Incentive Program without voter approval. Any amendment shall be made by ordinance and shall be applicable to any transaction made subsequent to the effective date of any ordinance.

Section 2. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

Section 3. Effective Date; Publication. This Ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to Section 36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 21ST DAY OF JUNE 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 28TH DAY OF JUNE 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

DATE:

STEVE TATE, Mayor

ATTEST:

DATE:

IRMA TORREZ, City Clerk

Effective Date: July 28, 2017

⌘ CERTIFICATE OF THE CITY CLERK ⌘

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2250, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 28th day of June 2017.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Angie Gonzalez, Council Services Assistant
APPROVED BY: City Manager

ADOPT ORDINANCE 2251, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-06 (AAE 2017-0023): MONTEREY - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR 19 FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-03-055)

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2251, 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.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment
Maintaining Fiscal Responsibility

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

On June 21, 2017, the City Council Introduced Ordinance No. 2251 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Spring, Robinett Jachimowicz, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

Ordinance No. 2188 dated February 17, 2016 approved a Development Agreement for Belle Salaci located at 16170-16180 Monterey Road. The DA included a commencement of construction deadline of June 30, 2017. The applicant filed a request on April 18, 2017 requesting an amendment to the Development Agreement to approve a six-month extension of the 19 allotments to December 31, 2017.

COMMUNITY ENGAGEMENT: Inform,

The required public hearing notice was published in the Morgan Hill Times for the minimum 10-day public noticing period. Property owners within 300 feet of the subject property were notified of the Development Agreement Amendment hearing 10-days prior to the public hearing.

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On February 17, 2016, the Council adopted Ordinance Nos. 2188, 2190 and 2192 approving Development Agreements for the three EAH affordable housing sites, which included 41 allotments to commence construction June 30, 2017.

The Planning Commission considered an Extension and Development Agreement Amendment request for each application at their May 23, 2017 meeting. Based on the information presented, the Planning Commission determined that delays have been caused by a severe act of nature (significant rain delays) outside of the applicant's control. Under the provisions outlined in Section 18.78.170 (Extensions) of the Municipal Code, the Commission approved a six-month extension to the building allotment as shown in Exhibit A of Ordinances A, B and C. The motion passed (5-2).

FISCAL AND RESOURCE IMPACT:

Application processing fees were collected for each of the amendment requests.

CEQA (California Environmental Quality Act):

The proposed development agreement amendment requests do not alter the previous environmental determinations made for the respective project sites. Environmental determination for each project site described in this report have been made as part of the previous application approvals. Record of each project's CEQA determination is on file with Development Services Department.

LINKS/ATTACHMENTS:

1. 2251 Monterey- EAH

ORDINANCE NO. 2251, NEW SERIES**AN ORDINANCE OF THE CITY OF MORGAN HILL
APPROVING AN AMENDMENT TO DEVELOPMENT
AGREEMENT DA-15-06 (AAE 2017-0023): MONTEREY -
EAH EXTENDING THE COMMENCEMENT OF
CONSTRUCTION DATE FOR SIX-MONTHS FOR 19
FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-03-055)****THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY
ORDAIN AS FOLLOWS:**

SECTION 1. The City Council has adopted Resolution No. 4028 establishing a procedure for processing Development Agreements for projects receiving allotments through the Residential Development Control System, Title 18, Chapter 18.78 of the Municipal Code.

SECTION 2. The California Government Code Sections 65864 thru 65869.5 authorizes the City of Morgan Hill to enter into binding Development Agreements with persons having legal or equitable interests in real property for the development of such property.

SECTION 3. on February 17, 2016, the City Council adopted Ordinance No. 2188, N.S. which approved a Development Agreement for application DA-15-06: Monterey – EAH. Reference is hereby made to that certain Agreement on file in the office of the City Clerk of the City of Morgan Hill. The agreement signed by the City of Morgan Hill and the property owner(s) set forth in detail the development schedule, the types of homes, and the specific restrictions on the development of the subject property. Said Agreement herein above referred to shall be binding on all future owners and developers as well as the present owners of the lands, and any substantial change can be made only after further public hearings before the Planning Commission and the City Council of this City.

SECTION 5. The City Council of the City of Morgan Hill found that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis, and that the Mitigated Negative Declaration was adopted prior to action taken to adopt the original project proposal. The custodian of the documents or other material which constitute the record shall be the Community Development Agency.

SECTION 6. A six-month extension is currently requested for 19 of the allocations awarded for Fiscal Year 2016-2017; and

SECTION 7. On May 23, 2017, pursuant to Section 18.78.170.F of the Municipal Code, the Planning Commission approved a six-month extension finding the applicant has been diligent in pursuing all necessary approvals, has a recorded final map, has pulled a grading permit and has pulled building permits for 19 units but the extraordinary amount of rainfall has delayed the project site work resulting in delays in utility installation and creation building pads therefore it does meet the criteria for extension to the date by which these allotments must be exercised.

SECTION 8. ADOPTION OF AMENDED DEVELOPMENT SCHEDULE, EXHIBIT C. The City Council hereby approves the Development Agreement Amendment attached to this Ordinance as Exhibit A.

SECTION 9. The amended development schedule attached to this Ordinance hereby supersedes and replaces the amended development schedule approved under Ordinance No. 2188.

SECTION 10. The City Council hereby finds that the development agreement amendment approved by this ordinance is compatible with the goals, objectives, policies, and land uses designated by the General Plan of the City of Morgan Hill.

SECTION 11. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 12. Effective Date; Publication. This ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 21ST DAY OF JUNE 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 28TH DAY OF JUNE 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

DATE:

STEVE TATE, Mayor

ATTEST:

DATE:

IRMA TORREZ, City Clerk

Effective Date: July 28, 2017

∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2251, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 28th day of June 2017.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk

Attachment: 2251 Monterey- EAH (1304 : Adopt Ordinance 2251- Monterey-EAH)

EXHIBIT A

Exhibit C shall be amended as follows:

EXHIBIT C **DEVELOPMENT SCHEDULE**

MC-14-06: Monterey - EAH **FY 2016-2017, 19 allocations**

I.	ZONING APPLICATION Application Approved:	02-03-16
II.	SITE REVIEW APPLICATION Application Approved:	01-19-16
III.	BUILDING PERMIT SUBMITTAL Submit plans to Building Division for plan check: FY 2016-17, 19 units	01-05-17
IV.	BUILDING PERMITS Obtain Building Permits: FY 2016-17, 19 units	03-31-17
V.	COMMENCE CONSTRUCTION: FY 2016-17, 19 units	12-31-17

Failure to obtain building permits by the dates listed above shall result in the loss of building allotments. Submitting a Final Map Application or a Building Permit one (1) or more months beyond the filing dates listed above shall result in the applicant being charged a processing fee equal to double the building permit plan check fee and/or double the map checking fee to recoup the additional costs incurred in processing the applications within the required time limits. Additionally, failure to meet the Final Map Submittal and Building Permit Submittal deadlines listed above may result in loss of building allocations. In such event, the property owner must re-apply under the development allotment process outlined in Section 18.78.090 of the Municipal Code if development is still desired.

If a portion of the project has been completed (physical commencement on at least one dwelling unit and lot improvements have been installed according to the plans and specifications), the property owner may apply for reallocation of allotments. Distribution of new building allocations for partially completed project shall be subject to the policies and procedures in place at the time the reallocation is requested.



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Angie Gonzalez, Council Services Assistant

APPROVED BY: City Manager

ADOPT ORDINANCE 2252, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-07 (AAE 2017-0024): CIOLINO - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR EIGHT FISCAL YEAR 2016-2017 ALLOTMENTS (APN 767-09-029)

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2252, 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.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment

Maintaining Fiscal Responsibility

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

On June 21, 2017, the City Council Introduced Ordinance No. 2252 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Spring, Robinett Jachimowicz, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

Ordinance No. 2190 dated February 17, 2016 approved a Development Agreement for Belle Noci located at 16873 Monterey Road. The DA included a commencement of construction deadline of June 30, 2017. The applicant filed a request on April 18, 2017 requesting an amendment to the Development Agreement to approve a six-month extension of the 8 allotments to December 31, 2017.

COMMUNITY ENGAGEMENT: Inform,

The required public hearing notice was published in the Morgan Hill Times for the minimum 10-day public noticing period. Property owners within 300 feet of the subject property were notified of the Development Agreement Amendment hearing 10-days prior to the public hearing.

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On February 17, 2016, the Council adopted Ordinance Nos. 2188, 2190 and 2192 approving Development Agreements for the three EAH affordable housing sites, which included 41 allotments to commence construction June 30, 2017.

The Planning Commission considered an Extension and Development Agreement Amendment request for each application at their May 23, 2017 meeting. Based on the information presented, the Planning Commission determined that delays have been caused by a severe act of nature (significant rain delays) outside of the applicant's control. Under the provisions outlined in Section 18.78.170 (Extensions) of the Municipal Code, the Commission approved a six-month extension to the building allotment as shown in Exhibit A of Ordinances A, B and C. The motion passed (5-2).

FISCAL AND RESOURCE IMPACT:

Application processing fees were collected for each of the amendment requests.

CEQA (California Environmental Quality Act):

The proposed development agreement amendment requests do not alter the previous environmental determinations made for the respective project sites. Environmental determination for each project site described in this report have been made as part of the previous application approvals. Record of each project's CEQA determination is on file with Development Services Department.

LINKS/ATTACHMENTS:

1. 2252 Ciolino-EAH

ORDINANCE NO. 2252, NEW SERIES

**AN ORDINANCE OF THE CITY OF MORGAN HILL
APPROVING AN AMENDMENT TO DEVELOPMENT
AGREEMENT DA-15-07 (AAE 2017-0024): CIOLINO - EAH
EXTENDING THE COMMENCEMENT OF
CONSTRUCTION DATE FOR SIX-MONTHS FOR EIGHT
FISCAL YEAR 2016-2017 ALLOTMENTS (APN 767-09-029)**

**THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY
ORDAIN AS FOLLOWS:**

SECTION 1. The City Council has adopted Resolution No. 4028 establishing a procedure for processing Development Agreements for projects receiving allotments through the Residential Development Control System, Title 18, Chapter 18.78 of the Municipal Code.

SECTION 2. The California Government Code Sections 65864 thru 65869.5 authorizes the City of Morgan Hill to enter into binding Development Agreements with persons having legal or equitable interests in real property for the development of such property.

SECTION 3. on February 17, 2016, the City Council adopted Ordinance No. 2190, N.S. which approved a Development Agreement for application DA-15-07: Ciolino – EAH. Reference is hereby made to that certain Agreement on file in the office of the City Clerk of the City of Morgan Hill. The agreement signed by the City of Morgan Hill and the property owner(s) set forth in detail the development schedule, the types of homes, and the specific restrictions on the development of the subject property. Said Agreement herein above referred to shall be binding on all future owners and developers as well as the present owners of the lands, and any substantial change can be made only after further public hearings before the Planning Commission and the City Council of this City.

SECTION 5. The City Council of the City of Morgan Hill found that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council’s independent judgment and analysis, and that the Mitigated Negative Declaration was adopted prior to action taken to adopt the original project proposal. The custodian of the documents or other material which constitute the record shall be the Community Development Agency.

SECTION 6. A six-month extension is currently requested for eight of the allocations awarded for Fiscal Year 2016-2017; and

SECTION 7. On May 23, 2017, pursuant to Section 18.78.170.F of the Municipal Code, the Planning Commission approved a six-month extension finding the applicant has been diligent in pursuing all necessary approvals, has a recorded final map, has pulled a grading permit and has pulled building permits for eight units but the extraordinary amount of rainfall has delayed the project site work resulting in delays in utility installation and creation building pads therefore it does meet the criteria for extension to the date by which these allotments must be exercised.

SECTION 8. ADOPTION OF AMENDED DEVELOPMENT SCHEDULE, EXHIBIT C. The City Council hereby approves the Development Agreement Amendment attached to this Ordinance as Exhibit A.

SECTION 9. The amended development schedule attached to this Ordinance hereby supersedes and replaces the amended development schedule approved under Ordinance No. 2190.

SECTION 10. The City Council hereby finds that the development agreement amendment approved by this ordinance is compatible with the goals, objectives, policies, and land uses designated by the General Plan of the City of Morgan Hill.

SECTION 11. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 12. Effective Date; Publication. This ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 21ST DAY OF JUNE 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 28TH DAY OF JUNE 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

DATE:

STEVE TATE, Mayor

ATTEST:

DATE:

IRMA TORREZ, City Clerk

Effective Date: July 28, 2017

∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2252, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 28th day of June 2017.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk

Attachment: 2252 Ciolino-EAH (1305 : Adopt Ordinance 2252- Ciolino-EAH)

EXHIBIT A

Exhibit C shall be amended as follows:

EXHIBIT C **DEVELOPMENT SCHEDULE**

MC-14-07: Ciolino - EAH **FY 2016-2017, eight allocations**

I.	ZONING APPLICATION Application Approved:	02-03-16
II.	SITE REVIEW APPLICATION Application Approved:	01-19-16
III.	BUILDING PERMIT SUBMITTAL Submit plans to Building Division for plan check: FY 2016-17, 8 units	01-05-17
IV.	BUILDING PERMITS Obtain Building Permits: FY 2016-17, 8 units	03-31-17
V.	COMMENCE CONSTRUCTION: FY 2016-17, 8 units	12-31-17

Failure to obtain building permits by the dates listed above shall result in the loss of building allotments. Submitting a Final Map Application or a Building Permit one (1) or more months beyond the filing dates listed above shall result in the applicant being charged a processing fee equal to double the building permit plan check fee and/or double the map checking fee to recoup the additional costs incurred in processing the applications within the required time limits. Additionally, failure to meet the Final Map Submittal and Building Permit Submittal deadlines listed above may result in loss of building allocations. In such event, the property owner must re-apply under the development allotment process outlined in Section 18.78.090 of the Municipal Code if development is still desired.

If a portion of the project has been completed (physical commencement on at least one dwelling unit and lot improvements have been installed according to the plans and specifications), the property owner may apply for reallocation of allotments. Distribution of new building allocations for partially completed project shall be subject to the policies and procedures in place at the time the reallocation is requested.

Attachment: 2252 Ciolino-EAH (1305 : Adopt Ordinance 2252- Ciolino-EAH)



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Angie Gonzalez, Council Services Assistant

APPROVED BY: City Manager

ADOPT ORDINANCE 2253, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-08 (AAE 2017-0025): EAST DUNNE - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR 14 FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-01-080)

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2253, 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.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment

Maintaining Fiscal Responsibility

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

On June 21, 2017, the City Council Introduced Ordinance No. 2253 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Spring, Robinett Jachimowicz, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

Ordinance No. 2192 dated February 17, 2016 approved a Development Agreement for Belle Noci located at 40 East Dunne Avenue. The DA included a commencement of construction deadline of June 30, 2017. The applicant filed a request on April 18, 2017 requesting an amendment to the Development Agreement to approve a six-month extension of the 14 allotments to December 31, 2017.

COMMUNITY ENGAGEMENT: Inform,

The required public hearing notice was published in the Morgan Hill Times for the minimum 10-day public noticing period. Property owners within 300 feet of the subject property were notified of the Development Agreement Amendment hearing 10-days prior to the public hearing.

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On February 17, 2016, the Council adopted Ordinance Nos. 2188, 2190 and 2192 approving Development Agreements for the three EAH affordable housing sites, which included 41 allotments to commence construction June 30, 2017.

The Planning Commission considered an Extension and Development Agreement Amendment request for each application at their May 23, 2017 meeting. Based on the information presented, the Planning Commission determined that delays have been caused by a severe act of nature (significant rain delays) outside of the applicant's control. Under the provisions outlined in Section 18.78.170 (Extensions) of the Municipal Code, the Commission approved a six-month extension to the building allotment as shown in Exhibit A of Ordinances A, B and C. The motion passed (5-2).

FISCAL AND RESOURCE IMPACT:

Application processing fees were collected for each of the amendment requests.

CEQA (California Environmental Quality Act):

The proposed development agreement amendment requests do not alter the previous environmental determinations made for the respective project sites. Environmental determination for each project site described in this report have been made as part of the previous application approvals. Record of each project's CEQA determination is on file with Development Services Department.

LINKS/ATTACHMENTS:

1. 2253 East Dunne-EAH

ORDINANCE NO. 2253, NEW SERIES

**AN ORDINANCE OF THE CITY OF MORGAN HILL
APPROVING AN AMENDMENT TO DEVELOPMENT
AGREEMENT DA-15-08 (AAE 2017-0025): EAST DUNNE -
EAH EXTENDING THE COMMENCEMENT OF
CONSTRUCTION DATE FOR SIX-MONTHS FOR 14
FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-01-080)**

**THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY
ORDAIN AS FOLLOWS:**

SECTION 1. The City Council has adopted Resolution No. 4028 establishing a procedure for processing Development Agreements for projects receiving allotments through the Residential Development Control System, Title 18, Chapter 18.78 of the Municipal Code.

SECTION 2. The California Government Code Sections 65864 thru 65869.5 authorizes the City of Morgan Hill to enter into binding Development Agreements with persons having legal or equitable interests in real property for the development of such property.

SECTION 3. on February 17, 2016, the City Council adopted Ordinance No. 2192, N.S. which approved a Development Agreement for application DA-15-08: East Dunne – EAH. Reference is hereby made to that certain Agreement on file in the office of the City Clerk of the City of Morgan Hill. The agreement signed by the City of Morgan Hill and the property owner(s) set forth in detail the development schedule, the types of homes, and the specific restrictions on the development of the subject property. Said Agreement herein above referred to shall be binding on all future owners and developers as well as the present owners of the lands, and any substantial change can be made only after further public hearings before the Planning Commission and the City Council of this City.

SECTION 5. The City Council of the City of Morgan Hill found that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis, and that the Mitigated Negative Declaration was adopted prior to action taken to adopt the original project proposal. The custodian of the documents or other material which constitute the record shall be the Community Development Agency.

SECTION 6. A six-month extension is currently requested for 14 of the allocations awarded for Fiscal Year 2016-2017; and

Attachment: 2253 East Dunne-EAH (1306 : Adopt Ordinance 2253- East Dunne-EAH)

SECTION 7. On May 23, 2017, pursuant to Section 18.78.170.F of the Municipal Code, the Planning Commission approved a six-month extension finding the applicant has been diligent in pursuing all necessary approvals, has a recorded final map, has pulled a grading permit and has pulled building permits for 14 units but the extraordinary amount of rainfall has delayed the project site work resulting in delays in utility installation and creation building pads therefore it does meet the criteria for extension to the date by which these allotments must be exercised.

SECTION 8. ADOPTION OF AMENDED DEVELOPMENT SCHEDULE, EXHIBIT C. The City Council hereby approves the Development Agreement Amendment attached to this Ordinance as Exhibit A.

SECTION 9. The amended development schedule attached to this Ordinance hereby supersedes and replaces the amended development schedule approved under Ordinance No. 2192.

SECTION 10. The City Council hereby finds that the development agreement amendment approved by this ordinance is compatible with the goals, objectives, policies, and land uses designated by the General Plan of the City of Morgan Hill.

SECTION 11. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 12. Effective Date; Publication. This ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 21ST DAY OF JUNE 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 28TH DAY OF JUNE 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

APPROVED:

DATE:

STEVE TATE, Mayor

ATTEST:

DATE:

IRMA TORREZ, City Clerk

Effective Date: July 28, 2017

∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2253, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 28th day of June 2017.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk

EXHIBIT A

Attachment: 2253 East Dunne-EAH (1306 : Adopt Ordinance 2253- East Dunne-EAH)

Exhibit C shall be amended as follows:

EXHIBIT C
DEVELOPMENT SCHEDULE

MC-14-05: Dunne - EAH
FY 2016-2017, fourteen allocations

I. ZONING APPLICATION	
Application Approved:	02-03-16
II. SITE REVIEW APPLICATION	
Application Approved:	01-19-16
III. BUILDING PERMIT SUBMITTAL	
Submit plans to Building Division for plan check: FY 2016-17, 14 units	01-05-17
IV. BUILDING PERMITS	
Obtain Building Permits: FY 2016-17, 14 units	03-31-17
V. COMMENCE CONSTRUCTION:	
FY 2016-17, 14 units	12-31-17

Failure to obtain building permits by the dates listed above shall result in the loss of building allotments. Submitting a Final Map Application or a Building Permit one (1) or more months beyond the filing dates listed above shall result in the applicant being charged a processing fee equal to double the building permit plan check fee and/or double the map checking fee to recoup the additional costs incurred in processing the applications within the required time limits. Additionally, failure to meet the Final Map Submittal and Building Permit Submittal deadlines listed above may result in loss of building allocations. In such event, the property owner must re-apply under the development allotment process outlined in Section 18.78.090 of the Municipal Code if development is still desired.

If a portion of the project has been completed (physical commencement on at least one dwelling unit and lot improvements have been installed according to the plans and specifications), the property owner may apply for reallocation of allotments. Distribution of new building allocations for partially completed project shall be subject to the policies and procedures in place at the time the reallocation is requested.



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Angie Gonzalez, Council Services Assistant
APPROVED BY: City Manager

ADOPT ORDINANCE 2254, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDED DEVELOPMENT AGREEMENT TO DA-14-03 (AAE2017-0013): BUTTERFIELD – DIVIDEND INCORPORATING SIX FISCAL YEAR 2016-2017 ALLOTMENTS TO THE APPROVED 78-UNIT VALENCIA DEVELOPMENT AND EXTENDING THE EXERCISE OF ALLOTMENTS FOR 84 BUILDING ALLOTMENTS (APN 726-26-005 &008)

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2254, 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.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment
Maintaining Fiscal Responsibility

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

On June 21, 2017, the City Council Introduced Ordinance No. 2254 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Spring, Robinett Jachimowicz, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

The applicant filed a request on March 21, 2017 requesting an amendment to a Development Agreement to incorporate six building allotments from an adjacent project (Application MMC-14-09: Butterfield-DPC) for Fiscal Year 2016-2017. On March 28, 2017, the Community Development Director approved a six-month extension of time on those six Fiscal Year 2016-2017 building allotments to December 31, 2017. The extension was granted to allow the Developer time to revise the Final Map and Improvement Plans for Phase 2 to incorporate the six lots and add open space and other associated improvements. The property is located on the northwest corner of the intersection of Butterfield Boulevard and East Central Avenue.

In addition to the merger of the six lots, the applicant is requesting the amendment to the Development Agreement to include a six-month extension of the 41 Phase 1 allotments to December 31, 2017. The Final Map for Valencia Phase 1 was recorded October 19, 2016. School Fees for the 41 lots of Phase 1 have been paid. Building

permits for six lots on the east side of Butterfield Boulevard have been issued. Building permits for the remaining homes on the west side of Butterfield Boulevard are ready to issue, pending completion of the building pads. Improvements on the west side of Butterfield Boulevard have been stalled by significant amounts of rainfall preventing completion of the building pads. The applicant also requested that Phase 2 be extended for six months to December 31, 2018.

COMMUNITY ENGAGEMENT: Inform,

The required public hearing notice was published in the Morgan Hill Times for the minimum 10-day public noticing period. Property owners within 300 feet of the subject property were notified of the Development Agreement Amendment and Zoning Amendment hearing 10-days prior to the public hearing.

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On October 15, 2014, the Council adopted Ordinance No. 2124 approving a Development Agreement for the Valencia development, which included 41 allotments to commence construction June 30, 2016. On June 1, 2016, the City Council adopted Ordinance No. 2202 which approved an amended Development Agreement, adding 37 Fiscal Year 2017-2018 allotments to the project (MC-15-15: Butterfield-MH Butterfield) and approved a one-year extension of time to the commence of construction deadline for 41 Fiscal Year 2015-2016 allotments.

The Planning Commission considered an Extension, Development Agreement Amendment and Zoning Amendment request at their May 9 and May 23, 2017 meetings. Based on the information presented, the Planning Commission determined that delays have been caused by a severe act of nature (significant rain delays) outside of the applicant's control. Under the provisions outlined in Section 18.78.170 (Extensions) of the Municipal Code, the Commission approved extensions to the building allotment as shown in Exhibit A of the Development Agreement Ordinance (Attachment 3). The motion passed (4-0-1-1) Commissioner Orosco was absent and Commissioner Martinez Beltran abstained from the vote. In separate motions the Commission voted to recommend adoption of the Zoning Amendment Ordinance and approved the Vesting Tentative Map. The motions passed (4-0-1-1).

FISCAL AND RESOURCE IMPACT:

Application processing fees were collected for each of the amendment requests.

CEQA (California Environmental Quality Act):

The proposed development agreement amendment and zoning amendment requests do not alter the previous environmental determinations made for the project. Environmental determination for the project as described in this report have been made as part of the previous application approvals. Record of the project's CEQA determination is on file with Development Services Department.

LINKS/ATTACHMENTS:

1. 2254 Butterfield Dividend Development Agreement Ordinance

ORDINANCE NO. 2254, NEW SERIES

**AN ORDINANCE OF THE CITY OF MORGAN HILL
APPROVING AN AMENDED DEVELOPMENT
AGREEMENT TO DA-14-03 (AAE2017-0013)
BUTTERFIELD – DIVIDEND INCORPORATING SIX
FISCAL YEAR 2016-2017 ALLOTMENTS TO THE
APPROVED 78-UNIT VALENCIA DEVELOPMENT AND
EXTENDING THE EXERCISE OF ALLOTMENTS FOR 84
BUILDING ALLOTMENTS (APN 726-26-005 &008)**

**THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY
ORDAIN AS FOLLOWS:**

SECTION 1. The City Council has adopted Resolution No. 4028 establishing a procedure for processing Development Agreements for projects receiving allotments through the Residential Development Control System, Title 18, Chapter 18.78 of the Municipal Code.

SECTION 2. The California Government Code Sections 65864 thru 65869.5 authorizes the City of Morgan Hill to enter binding Development Agreements with persons having legal or equitable interests in real property for the development of such property.

SECTION 3. On October 14, 2014, the City Council adopted Ordinance No. 2124, N.S. which approved a Development Agreement for application MC-13-18: Butterfield-MH Butterfield.

SECTION 4. On February `10, 2015, the Planning Commission, pursuant to Title 18, Chapter 18.78.125 of the Morgan Hill Municipal Code and Resolution No. 15-06, awarded allotments to a certain project herein after described as follows:

<u>Project</u>	<u>Total Dwelling Units</u>
MMC-14-09: Butterfield-DPC	Six, Fiscal Year 2016-17 allotments

SECTION 5. On June 1, 2016, the City Council adopted Ordinance No. 2202, N.S. which approved an amended Development Agreement, adding 37 Fiscal Year 2017-2018 building allotments to the project awarded pursuant to application MC-15-15: Butterfield-MH Butterfield and approved a one-year extension of time to the commencement of construction deadline for 41 Fiscal Year 2015-16 building allotments.

SECTION 6. References are hereby made to certain Agreements on file in the office of the City Clerk of the City of Morgan Hill. These documents to be signed by the City of Morgan Hill and the property owner(s) set forth in detail the development schedule, the types of homes, and the specific restrictions on the development of the subject property. Said Agreement herein above referred to shall be binding on all future owners and developers as well as the present owners of the lands, and any substantial change can be made only after further public hearings before the Planning Commission and the City Council of this City.

SECTION 7. On October 14, 2014, the City Council of the City of Morgan Hill found that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis, and that the Mitigated Negative Declaration was adopted prior to action taken to adopt the original project proposal. The custodian of the documents or other material which constitute the record shall be the Development Services Department.

SECTION 8. On May 23, 2017, pursuant to Section 18.78.170.F of the Municipal Code, the Planning Commission approved a six-month extension to the exercise of 41 building allotments (Fiscal Year 2016-2017) and six month extension to Phase 2 (43 allotments) due to rain delays finding the applicant has been diligent in pursuing all necessary approvals, has a recorded final map, has pulled a grading permit and has pulled building permits for 41 units but the extraordinary amount of rainfall has delayed the project site work resulting in delays in utility installation and creation building pads therefore it does meet the criteria for extension to the date by which these allotments must be exercised.

SECTION 8. ADOPTION OF AMENDED EXHIBIT "B" TO DEVELOPMENT AGREEMENT. The City Council hereby approves the Development Agreement Amendment for AAE2017-0013 (DA-14-03): Butterfield - Dividend (APN 726-26-005 and 008) attached to this Ordinance as Exhibit A.

SECTION 9. The amended Exhibit "A" attached to this Ordinance hereby supersedes and replaces the Exhibit "A" to the Amended Development Agreement adopted under Ordinance No. 2202, N.S.

SECTION 10. The City Council hereby finds that the development proposal and agreement approved by this ordinance is compatible with the goals, objectives, policies, and land uses designated by the General Plan of the City of Morgan Hill.

SECTION 11. Authority is hereby granted for the City Manager to execute all development agreements approved by the City Council during the Public Hearing Process.

SECTION 12. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 13. Effective Date; Publication. This ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 21ST DAY OF JUNE 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 28TH DAY OF JUNE 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rich Constantine, Rene Spring, Caitlin Robinett Jachimowicz, Steve Tate
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:

DATE:

STEVE TATE, Mayor

ATTEST:

DATE:

IRMA TORREZ, City Clerk

Effective Date: July 28, 2017

∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2254, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 28th day of June 2017.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk

Exhibit A

Exhibit B shall be amended as follows:

EXHIBIT B

DEVELOPMENT SCHEDULE
MC-13-18: Butterfield-Dividend 41, FY 2015-2016
MMC-14-09: Butterfield-DPC, 6 FY 2016-2017
MC 15-15: Butterfield MH Butterfield 37, FY 2017-2018

I.	SUBDIVISION AND ZONING APPLICATIONS	
	Applications Filed:	03-21-2014
II.	SITE REVIEW APPLICATION	
	Application Filed:	12-30-2014
III.	FINAL MAP SUBMITTAL	
	Map, Improvements Agreement and Bonds:	
	FY 2015-2016 (41 allocations)	03-30-2015
	Map, Improvements Agreement and Bond for Phase 2 six (6) and 37 allocations:	03-30-2018
IV.	BUILDING PERMIT SUBMITTAL	
	Submit plans to Building Division for plan check:	
	FY 2015-2016 (41 units)	12-30-2015
	Phase 2 six (6) and 37 allocations:	12-30-2017
V.	BUILDING PERMITS	
	Obtain Building Permits:	
	FY 2015-2016 (41 units)	03-30-2017
	FY 2016-2017 (6 units)	06-30-2019
	FY 2017-2018 (37 units)	06-30-2019
VI.	EXERCISE OF ALLOTMENT (Section 18.78.160.A):	
	FY 2015-2016 (41 units)	12-31-2017
	FY 2016-2017 (6 units)	12-31-2018
	FY 2017-2018 (37 units)	12-31-2018

Failure to obtain building permits by the dates listed above shall result in the loss of building allotments. Submitting a Final Map Application or a Building Permit one (1) or more months beyond the filing dates listed above shall result in the applicant being charged a processing fee equal to double the building permit plan check fee and/or double the map checking fee to recoup the additional costs incurred in processing the applications within the required time limits. Additionally, failure to meet the Final Map Submittal and Building Permit Submittal deadlines listed above may result in loss of building allotments. In such event, the property owner must re-apply under the development allotment process outlined in Section 18.78.120 of the Municipal Code if development is still desired.

Exhibit C Shall be amended as follows:

EXHIBIT C

SPECIFIC RESTRICTIONS AND REQUIREMENTS

The following restrictions and requirements apply to all 41 allotments awarded to RDCS application MC 13-18; Butterfield-Dividend, six allotments awarded to MCC-14-09; Butterfield-DPC and all 37 allotments awarded to MC 15-15; Butterfield-MH Butterfield unless noted below. The following chart describes the applicable reference in the Morgan Hill Municipal Code to the requirement, a description of the commitments specific to the Project, the requirement timing of the implementation and the total estimated costs of improvement or applicable fee commitment. These commitments are IN ADDITION to any mitigation requirements under CEQA, impact fee, in-lieu fees or other requirements under federal or state laws, or the Morgan Hill Municipal Code (See Section 2.03 of the Agreement)

*Estimated costs are estimates and may require augmentation for the completion of improvements. Impact fees are subject to the provisions of Section 2.03 (b) of this Agreement.

Municipal Code Reference	Description of Requirement	<u>Time of Implementation</u> (specify date or phase #)	<u>Estimated Cost or Fee Amount*</u>
18.78.210 Schools			
B 1 Developer fees	Payment of district adopted developer fees as provided by the Leroy F. Green School Facilities Act of 1998.	Prior to the issuance of each building permit.	Fee at time of Building Permit
B 4 Off-site pedestrian safety improvements	Project to spend \$4950/unit for pedestrian and school pedestrian improvements designated by the MHUSD and approved by the City.	Prior to issuance of Certificate of Occupancy	\$4,950 per unit.
18.78.220 Open Space			

B 2b Common open space area to be maintained by HOA	Project provides private open space which will be maintained by the HOA.	Prior to development plan approval	NA		
B 1c Provides convenient access to amenities	The Project will have internal pathways through the common area to provide convenient access to the common area park amenities, per the stated requirements.	Prior to development plan approval	NA		
B1f Provides private usable open space	Provides private usable open space areas for 100 percent of the homes	Prior to development plan approval	NA		
B 1g Provides public or private common useable open space	Provides public or private common useable open space which may be used for a dual purpose to include underground storm water detention, as determined by the Department of Public Works.	Prior to development plan approval	NA		
B 2a Provides a high ratio of total open space area.	Project commits to a building coverage of no more than 28%	Prior to development plan approval	NA		
B 4c Transfer Development Credit (TDC)	Applicant commits to purchase double TDCs.	Prior to issuance of Certificate of Occupancy	Applicable TDC fee at time of C of O		

B2a Grids water mains to existing system	The Project will grid the water mains at three points: Butterfield (project north corner), Butterfield (Main project entrance) & at Central entrance road.	Prior to improvement plan approval	NA
B 2b Drainage	Drainage concept must be consistent with City's storm drain system (e.g., the City Storm Drainage Master Plan, local area storm drain system)	Prior to improvement plan approval	NA
B 2c Drainage Design consistent with city storm drain system	Project storm drain lines that are to be maintained by the City will be constructed entirely within the paved area of the street, or in a location acceptable to the Director of Public Works. No storm drains within the project (on-site) will be maintained by the City.	Prior to improvement plan approval	NA
B 2d Design of on-site detention/retention on pond	Project will still be required to provide RETENTION as part of the City's storm water management plans for water quality purposes and NOT for flood control.	Prior to improvement plan approval	NA
B 2f Off site public Improvements	The project will provide public improvements at cost of \$4400 per unit. Public improvements shall be determined and approved by Public Works.	Prior to issuance of Certificate of Occupancy	\$4400 per unit

18.78.250 Parks and Paths			
B 1 Park in-lieu	The project shall pay an in-lieu fee consistent with the requirements contained in Chapter 17.28 of the Municipal Code.	Prior to Certificate of Occupancy	Fee at time of Certificate of Occupancy
B 2 Amenities	Project shall provide the following separate amenities: Two shade trellis areas, three separate barbeque/picnic areas, swimming pool, spa, community building and tot lot and passive recreational area adjacent to Calle Del Rey Court, sufficient to qualify for four points.	Prior to development plan approval	Fee at time of Certificate of Occupancy on last 20 units
B 3 Bicycle Lanes and Pathways	Provides Class I bicycle lanes and pathways along the project frontage and the project provides necessary street improvements and striping for Class II bike lanes. The project must provide at least one quarter mile of Class II bike lane improvements for each 10 dwelling units within the project.	Prior to development plan approval	NA
B 6 Double Park in-lieu	In addition to standard park fees, project shall pay the lesser of either double the in-lieu park fees or \$1,100 per unit. MMC-14-09: Butterfield – DPC FY 2016-2017: In addition to standard park fees, project shall pay the lesser of either six times the in-lieu park fees or \$3,300 per units for six units.	Prior to issuance of Certificate of Occupancy	NA
B 7 Park space	The project shall provide 4.52 acres of land dedicated to private parks.	Prior to recordation of the final map	NA
18.78.260 Housing Needs			
B3 BMR units	Project shall provide 6.24 BMR's, 3 low, 3 median income and .24 of the housing in-lieu fee. Project shall provide a total of 8% BMR units: 4% Low Income (3 units); and 4% Median Income (3 units). Any fraction of .5 or greater is deemed a	Prior to issuance of Certificate of Occupancy	1 per every 10 Certificate of Occupancies

	requirement for one additional below market rate unit. Any fraction .4 or less shall be paid as a fraction of the housing in-lieu fee prior to the occupancy of the final unit. Low Income is defined as 73% Area Median Income (AMI) and Median Income is defined as 100% AMI (as determined and updated annually by the State HCD). Individual unit prices are dependent on unit sizes/bedroom counts and subject to the prices shown in the City of Morgan Hill's "New BMR Sales Pricing Index" table. The Project shall provide at least 6 units for participation in a Below Market Rate (BMR) for sale program approved by the Community Development Department. The BMR unit(s) shall be approved by the City of Morgan Hill Planning Commission and Site and Architectural Review process. BMRs are also subject to the requirements listed under "Additional Requirements" and as referenced per the Affordable Housing Agreement (AHA). Additional Requirements: (i) Below Market Rate (BMR) purchasers shall be treated in the same manner as purchasers of non-BMR units. Developer, including Developer's company, employees, and/or agents) agrees to cooperate with the Below Market Rate (BMR) Program Administrator and follow the guidelines and procedures as outlined in the Affordable Housing Agreement (AHA). (i) Project will provide the buyer(s) of the BMR unit(s) the same option to upgrade the materials in the BMR home as a market rate buyers would in the market rate homes. (iii) Project will provide the same level of customer service to the BMR buyer as the market rate buyer. (iv) The Below Market Rate (BMR) Program Guidelines are hereby incorporated herein in full by this reference.		
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	(v) All BMRs will be processed using the guidelines, requirements, and pricing in effect at the time they are released for “sale.” (vi) Exterior trim entry door hardware, and finish to the same standard as the Market Rate. (vii) Minimum standards for equipment, fixtures, appliances and finishes have been established for the BMR units. All items installed by the developer shall be of good quality and in new condition. Good quality shall be deemed as entry level but generally not the lowest level of product offered for that application. All products shall offer durability, reliability and maintain a quality appearance and function that is standard to most other median priced homes in the area. The below listed items must be installed as a basic feature of each BMR home. Minimum Interior standard finishes will be as follows: • All closets shall have doors • Interior doors to be raised panel type or same as market rate • Door hardware to be brass finish or the equivalent • Appliances shall be major brand name • Microwave with an exhaust vent shall be installed over the range. • Kitchen counters shall be white ceramic tile • Kitchen cabinets shall be stained wood with white melamine interiors • Units will be roughed in for AC including electrical and line set. • Basic alarm system to secure all accessible openings to the home • Carpet in bedrooms, hallways, family rooms • Linoleum or tile in entry, bathrooms kitchens • Laminate flooring may be substituted for carpet or linoleum • Electric garage door opener MMC-14-09: Butterfield–DPC FY 2016-2017:		
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	Project will pay double the standard housing fee computed at 8% of the of the six units added to the overall project. [8% of the six units times the standard housing fee amount equals the total fee amount]		
18.78.270 Housing Types			
B1a Diversity of types	6, Single-family detached homes in the project area zoned R-1 4,500. 18 Single-family detached, 18 Triplex and 36 Single-family attached homes within the project area zoned R-2 3,000.	Prior to development plan approval	NA
B 3a Variation of sizes	There are ix different floor plans, the smallest being 1488 sf and the largest 2685 sf. Four of the floor plans are 200 sf larger than the next smaller plan	Prior to development plan approval	NA
B 1a R-1 4,500 units	R1-4,500 zone units shall be four bedroom units.	Prior to development plan approval	NA
18.78.280 Quality of Construction			
B1 Over and above commitments made in the Natural and Environmental category, the proposed development will install the following:	MC-13-18: Butterfield-Dividend 41, FY 2015-2016 • Full exterior OSB/Plywood wrap with window door flashing. • 220 Volt electric car charging station, inside of the garage. • All plumbing waste lines from 2nd story are installed with approved noise dampening system. • Recycle center built in to cabinet layout with pullouts for bins. • Noncombustible siding and roofing materials except for window, fascia and door trim on all homes. • R-13 sound attenuated insulation in all bathroom interior walls • Energy star rated fresh air exhausts system in home	Incorporate in to construction plans prior to the issuance of a building permit.	NA

	MMC-14-09: Butterfield-DPC, six units, FY 2016-2017 and MC 15-15: Butterfield MH Butterfield 37, FY 2017-2018 • Foundations: 20% reduction of cement in the concrete mix design by use of fly ash, slag, silica fume or rice hull ash. • Installation of 90% high efficiency fan forced heating. • Installation of one dedicated ¾ inch electrical raceway for a future circuit to accommodate two 220 Volt electric car charging stations inside the garage. • Zoned heating and air condition for all one and two-story homes. • The proposed development will provide all the following: 1. Listed sound attenuation materials in walls that adjoin a bathroom and/or bedroom walls; 2. Installation of high efficiency energy star water heater with energy factor of 0.70; 3. Installation of ultra-high efficiency or dual flush toilet; and 4. Installation of rain sensor monitor on irrigation system.		
18.78.290 Lot Layout and Orientation			
B 1a Avoids deep or narrow lots	Project avoids excessively deep or narrow lots AND provides side yards at least 20% in excess of the minimum setback.	Prior to development plan approval	NA
B1h Repeat factor	Project commits to a repeat factor of 3.5 or less	Prior to development plan approval	NA
B 1d Minimize sound walls	There are increased set-backs along Butterfield to allow opens space areas along the larger open space areas with wrought iron fencing. All homes that side toward the railroad tracks will have sound board and sound reducing windows. A/C units where possible will be in rear of lots	Prior to development plan approval	NA

B 1f Transition of lot sizes	Project commits to provide appropriate transition to adjoining residential development	Prior to development plan approval	NA
B 2a Visibility of entrances	A minimum of 75 percent of the units have entrances that are visible from public streets.	Prior to development plan approval	NA
B 3a & b Setback variation	A minimum five-foot front and rear setback variation is provided between adjoining units	Prior to development plan approval	NA
B 3c Variation of lot widths	The proposed project provides at least a four-foot variation in standard lot widths (excluding cul-de-sac lots) and each lot width represents at least 10 percent of the total lots. For purposes of making the above determination, there must be at least three different standard lot widths and at least a four-foot difference in the width of each standard lot.	Prior to development plan approval	NA
B 3d Garage Alternative	Project will provide a garage door that is setback a minimum of three feet beyond the front building footprint and includes architectural treatment of the face of garage (e.g. trellis, balcony, archway, 2ft recess of door, etc. (up to two points) on all single-family detached homes within the development.	Prior to development plan approval	NA
18.78.300 Circulation Efficiency			
B1a Future street extension	Project will stub connection to Parcel 2 that is not a part of the current project. The project provides an EVA or temporary turn-around on Parcel 2 for fire and police safety.		

B 4 Provides for dedication and improvement of extensions to existing streets	The project agrees to spend \$2,200/unit toward the construction of roadway improvements near or adjacent to the proposed development. Applicant agrees to construct out of tract public improvements at a cost of \$2,200 per unit. This commitment is in addition, and not duplicative, to the similar commitment in the Public Facilities Section.	Prior to issuance of Certificate of Occupancy	NA
B 1f Minimum 20 ft. clear view back-out distance	Provides a minimum 20-foot clear view back-out distance between enclosed garage space and the adjacent public street.	Prior to development plan approval	NA
B 3a Convert existing City street lights to LED	Converts existing city street lights to energy efficient LED lights at a ratio of one street light conversion per dwelling unit. This commitment shall apply to the conversion of existing street lights on or adjacent to the project frontage, or in an earlier phase of the current project.	Prior to acceptance of the public improvements.	NA
18.78.310 Safety and Security			
B 1b Provide first aid kit	Project commits to providing a first aid kit with poison control document. Kit to be installed in kitchen area of each unit	Prior to issuance of Certificate of Occupancy	NA
B 1d Provide outdoor lighting	Project commits to providing outdoor lighting that meets all police department specifications	Prior to development plan approval	NA
B 1f Illuminated address numbers and curb numbers	Project commits to installation of illuminated address numbers on each unit and to paint reflective curb numbers at each unit.	Prior to development plan approval	NA

B 1g Other intrusion protection device or approved construction technique	Project will be meeting with MHPD to obtain approval on an additional intrusion protection device.	Prior to development plan approval	NA
B 1h Bike storage	All units provided with enclosed garages for bike protection and storage.	Prior to issuance of Certificate of Occupancy	NA
B 1h All large common areas and parks will be provided with on-site (or modified electrolier) lighting to a minimum 1.5 foot candles.	Project commits to providing on-site lighting to a minimum of 1.5 foot candles.	Prior to development plan approval	NA
B 6 Neighborhood emergency preparedness program through HOA	Project commits to providing a Neighborhood Emergency Preparedness program to be administered by the Homeowners Association	Prior to the issuance of first Certificate of Occupancy	NA
Neighborhood "Watch	Project commits to including in Covenants, Conditions and Restrictions provisions that will direct a Board representative to the police department to	Prior to the issuance of first	NA

Program" in CC&R's	enact a Neighborhood Watch Program to be established as part of the first phase of the development	Certificate of Occupancy	
18.78.320 Landscaping, Screening and Color			
B 1c Varied front yard landscaping	Varied front yard landscaping will be installed by the developer.	Prior to development plan approval	NA
B 2d Adheres to Street Tree Master Plan and preserves existing trees	The developer will plant street trees that will conform to the street tree master plan. There are at least three larger oak trees on the project that will be able to be saved within the larger central common area and several along the RR right of way. An arborist's report will be provided to verify the health of the trees that can be saved.	Prior to development plan approval	NA
B 2b Drought tolerant grasses	Drought tolerant hybrid tall fescue grasses will be used for lawn areas. The lawn areas will not exceed 25% of the landscape area. This is exclusive of park/open space landscape area.	Prior to development plan approval	NA
B 1b Automatic irrigation systems	Automatic irrigation system will utilize separate valve and circuits; Minimum of three separate valves required. Water conserving irrigation system will also be used.	Prior to development plan approval	NA
B 2b Use of water conserving plants	All other planting in non-turf areas shall be composed of low to moderate water use plants identified in Water Use Classification of Landscape Species Guide or East Bay Municipal District's Plants and Landscape for Summer-Dry Climates of the San Francisco Bay Region or other species, including native plants, that are well adapted to the climate of the region and require minimum water once established.	Prior to development plan approval	NA
B 2c Separate water source for	Project will provide a well to provide irrigation water for the common area and front yards that are maintained by the HOA	Prior to development plan approval	NA

irrigation of common area			
B 3 Visible landscaping to public	Landscaping is installed by the developer on all areas visible from public and private rights-of-way	Prior to development plan approval	NA
B 4 Site drainage reduction.	Project site drainage will be reduced by first-flush underground retention system, with testing results demonstrating sufficient percolation which is greater than 0.6 inches per minute. The desired reduction will be accomplished with soil amendment or other means verified by the Project Soil Consultant.	Prior to approval of the project improvement plans	NA
18.78.330 Natural and Environmental			
B 1 Minimize grading	Foundation types will be designed to minimize grading of the site and road alignment follows and maintains existing ground elevation to the greatest extent possible. Minimal grading is considered a fill or excavation of less than two feet in depth (four feet is acceptable for detention ponds and three feet is acceptable as required fill for flood protection), and restricts the amount of runoff caused by impervious surfaces and the covering of land area suitable for percolation or bio-swales where applicable.	Prior to development plan approval	NA
B 2 Alt. energy features	MC-13-18: Butterfield-Dividend 41, FY 2015-2016 Install solar photovoltaic panels to offset 60% of anticipated electrical energy demand of residential unit Pre-plumb for solar water heating. Twenty-one (21) additional Build It Green (BIG) Points beyond a 70-point minimum	Prior to issuance of building permit	NA

MC 15-15: Butterfield MH Butterfield 37, FY 2017-2018			
Install solar photovoltaic panels to offset 50% of anticipated electrical energy demand of residential unit			
Building performance exceeds Title 24 by 30%			
Any community pool utilizing solar water heating.			
18.78.335 Livable Communities			
B 2 Bus stop installation	Project commits to the installation of bus shelters, benches, reinforced street sections or bus pullout areas as reviewed and approved by the Valley Transportation Agency (VTA). The VTA must accept the bus stop improvements.	Must be included in project improvement plans	
B 6b Roof lines	Project will use at least two different roof lines and two different pitches	Prior to development plan approval	NA
B 6c Profiles and massing	Project will retain architecture, profiles, and massing that conforms to the existing surrounding neighborhoods.	Prior to development plan approval	NA
B 6 a & d Relief and details	Project provides a consistent level of architectural relief and detailing on all four building elevations and conforms to other criteria, such as porches/balconies, standard trim, and base colors represent no more than 15% of the project. Where two-story rear and/or side-yard building elevations occur, architectural relief shall include some third dimensional design element such as bay windows, balconies, covered porches, decorative trellis, etc.	Prior to development plan approval	NA
B 7 Provides privacy for residents	Uses design and layout techniques that give individuals maximum privacy within and outside the homes. Such techniques include the off set of windows between units, alternating outdoor patio areas, and interior atrium type patios.	Prior to development plan approval	NA



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Angie Gonzalez, Council Services Assistant
APPROVED BY: City Manager

ADOPT ORDINANCE 2255, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE R-1 (4,500) (PD) AND R-2 (3,000) (PD) PLANNED DEVELOPMENT OVERLAY DISTRICT AND PRECISE DEVELOPMENT PLAN FOR AN 84-UNIT RESIDENTIAL DEVELOPMENT ON A 13.72-ACRE SITE LOCATED ON THE NORTHWEST AND NORTHEAST CORNERS OF THE INTERSECTION OF BUTTERFIELD BOULEVARD AND EAST CENTRAL AVENUE. (APN 726-26-005 &008)

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2255, 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.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment
Maintaining Fiscal Responsibility

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

On June 21, 2017, the City Council Introduced Ordinance No. 2255 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Spring, Robinett Jachimowicz, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

The applicant filed a request on March 21, 2017 requesting an amendment to the Precise Development Plan and Planned Development Overlay to incorporate six allotments and site area from an adjacent project (Application MMC-14- 09: Butterfield-DPC) for Fiscal Year 2016-2017 into Phase 2 of the Butterfield-Dividend project. The property is located on the northwest corner of the intersection of Butterfield Boulevard and East Central Avenue.

COMMUNITY ENGAGEMENT: Inform,

The required public hearing notice was published in the Morgan Hill Times for the minimum 10-day public noticing period. Property owners within 300 feet of the subject property were notified of the Development Agreement Amendment and Zoning Amendment hearing 10-days prior to the public hearing.

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On October 15, 2014, the Council adopted Ordinance No. 2124 approving a Development Agreement for the Valencia development, which included 41 allotments to commence construction June 30, 2016. On June 1, 2016, the City Council adopted Ordinance No. 2202 which approved an amended Development Agreement, adding 37 Fiscal Year 2017-2018 allotments to the project (MC-15-15: Butterfield-MH Butterfield) and approved a one-year extension of time to the commence of construction deadline for 41 Fiscal Year 2015-2016 allotments.

The Planning Commission considered an Extension, Development Agreement Amendment and Zoning Amendment request at their May 9 and May 23, 2017 meetings. Based on the information presented, the Planning Commission determined that delays have been caused by a severe act of nature (significant rain delays) outside of the applicant's control. Under the provisions outlined in Section 18.78.170 (Extensions) of the Municipal Code, the Commission approved extensions to the building allotment as shown in Exhibit A of the Development Agreement Ordinance (Attachment 3). The motion passed (4-0-1-1) Commissioner Orosco was absent and Commissioner Martinez Beltran abstained from the vote. In separate motions the Commission voted to recommend adoption of the Zoning Amendment Ordinance and approved the Vesting Tentative Map. The motions passed (4-0-1-1).

FISCAL AND RESOURCE IMPACT:

Application processing fees were collected for each of the amendment requests.

CEQA (California Environmental Quality Act):

The proposed development agreement amendment and zoning amendment requests do not alter the previous environmental determinations made for the project. Environmental determination for the project as described in this report have been made as part of the previous application approvals. Record of the project's CEQA determination is on file with Development Services Department.

LINKS/ATTACHMENTS:

1. 2255 Butterfield Dividend Zoning Amendment Ordinance

ORDINANCE NO. 2255, NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE R-1 (4,500) (PD) AND R-2 (3,000) (PD) PLANNED DEVELOPMENT OVERLAY DISTRICT AND PRECISE DEVELOPMENT PLAN FOR AN 84-UNIT RESIDENTIAL DEVELOPMENT ON A 13.72-ACRE SITE LOCATED ON THE NORTHWEST AND NORTHEAST CORNERS OF THE INTERSECTION OF BUTTERFIELD BOULEVARD AND EAST CENTRAL AVENUE (APN 726-26-005 &008)

THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY ORDAIN AS FOLLOWS:

- SECTION 1.** On November 5, 2014 the City Council adopted Ordinance No. 2123, N.S. establishing an R2-3,000 PD zoning district on a 12.5-acre portion and an R-1 4,500 PD zoning designation on a 1.3-acre portion of a 13.5-acre parcel located on northwest and northeast quadrants of the Butterfield Blvd. and E. Central Ave. intersection (APN 726-26-005).
- SECTION 2.** On May 23, 2017, the Planning Commission recommended approval of an amendment to the Precise Development Plan adopted under Ordinance No. 2123 as contained in that certain series of documents date stamped August 1, 2014 and April 27, 2017 on file at the Development Services Department, entitled "Valencia" prepared by MH Engineering. The amendment adds six lots to the R2-3,000 PD zoning district and expands the project area at the northeasterly corner of the site and expands the total project area to 13.72 acres. These documents, as amended by site and architectural review, show the location and sizes of all lots in this development and the location and dimensions of all proposed buildings, vehicle and pedestrian circulation ways, recreational amenities, parking areas, landscape areas and any other purposeful uses of the project.
- SECTION 3. DESCRIPTION OF LAND IN REZONING.** There hereby is attached hereto as Exhibit "A" and made a part of this ordinance a legal description which gives the boundaries of the described parcel of land.
- SECTION 4. FINDING OF CONSISTENCY WITH THE GENERAL PLAN.** The City Council hereby finds that the amendment(s) established by this ordinance as herein described is compatible with the goals, objectives, policies and land use designation of the General Plan of the City of Morgan Hill. The Council further finds that the proposed amendment is required in order to serve the public health, convenience and general welfare as provided by Section 18.62.070 of the Morgan Hill Municipal Code.

- SECTION 5. INCORPORATING THE PRECISE DEVELOPMENT PLAN BY REFERENCE.** Reference is made to that certain series of documents dated September 16, 2014 and April 27, 2017, attached hereto as Exhibit “B” and on file in the Development Services Department, entitled “Valencia Development Plan”, prepared by MH Engineering. These documents show the location and sizes of all lots in this development and the location and dimensions of all proposed units on the lots. Said plans hereinafter referred to shall be binding on all future owners and developers as well as the present owners and any substantial changes can only be made after further public hearings before the Planning Commission and City Council.
- SECTION 6.** The City Council hereby finds that, on the basis of the whole record before it (including the addendum to the initial study), that there is no substantial evidence that the project as currently proposed will have a significant effect on the environment beyond what was anticipated in the Mitigated Negative Declaration adopted by the City Council in on August 28, 2013 reflects the Planning Commission’s independent judgment and analysis. The custodian of the documents or other material which constitute the record shall be the Community Development Department.
- SECTION 7.** The City Council finds that the proposed Planned Development (PD) Overlay District is consistent with the criteria specified in Chapter 18.30 of the Morgan Hill Municipal Code provided adjustments are made to the precise development plan to minimize (within 25% of base standard and frequency of occurrence) the variations from the base development standards for the floor area ratios for the single-family detached homes and adjustment to lot sizes and lot width. Architectural and landscape treatments shall be incorporated as part of the Design Review approval process to minimize the appearance of the garage doors.
- SECTION 8.** The City Council hereby approves the precise development plan which allows exceptions to the base development standards of the R-2 3,000 zoning district for all attached units and the development standards of the R-1 4,500 as shown on the precise development plan. Any development not shown on the precise development plan shall be consistent with the underlying zoning standards with the exception of the single family detached homes in the R-2 3,000/PD area will be subject to the zoning standards of the R-1 4,500 zoning designation as amended.
- SECTION 9.** Notice is hereby given that, pursuant to the Mitigation Fee Act, the City of Morgan Hill charges certain fees (as such term is defined in Government Code Section 66000) in connection with approval of your development project for the purpose of defraying all or a portion of the cost of public facilities related to your development project (Mitigation Fee Act Fees). These fees do not include fees for processing applications for governmental regulatory actions or approvals, or fees collected (a) under development agreements, (b) pursuant to agreements with the Morgan Hill Redevelopment Agency or (c) as a part of your application for

development allocations under the City's Residential Development Control System. The Mitigation Fee Act Fees applying to your project are listed in the schedule of fees provide. Notice is also hereby given that you have the opportunity to protest the imposition of the Mitigation Fee Act Fees within 90 days of the approval of the approval or conditional approval of your development project and that the 90-day approval period in which you may protest has begun. This right to protest does not apply to voluntary Residential Development Control System fees.

SECTION 10. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 11. Effective Date; Publication. This Ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 21ST DAY OF JUNE 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 28TH DAY OF JUNE 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

APPROVED:

DATE:

STEVE TATE, Mayor

ATTEST:

DATE:

IRMA TORREZ, City Clerk

Effective Date: July 28, 2017

∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2255, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 28th day of June 2017.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

 IRMA TORREZ, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF MORGAN HILL, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOTS 15 AND 18, AS DELINEATED UPON THAT CERTAIN MAP ENTITLED "MAP OF THE OLD HOMESTEAD TRACT, BEING HIGGINS AND STERRETT'S RE-SUBDIVISION OF LOT 127 AND THE SOUTHWESTERLY 60 FEET OF LOT 1, MORGAN HILL RANCH NO. 1M", FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON JUNE 16TH, 1913 IN BOOK 0 OF MAPS AT PAGE 39.

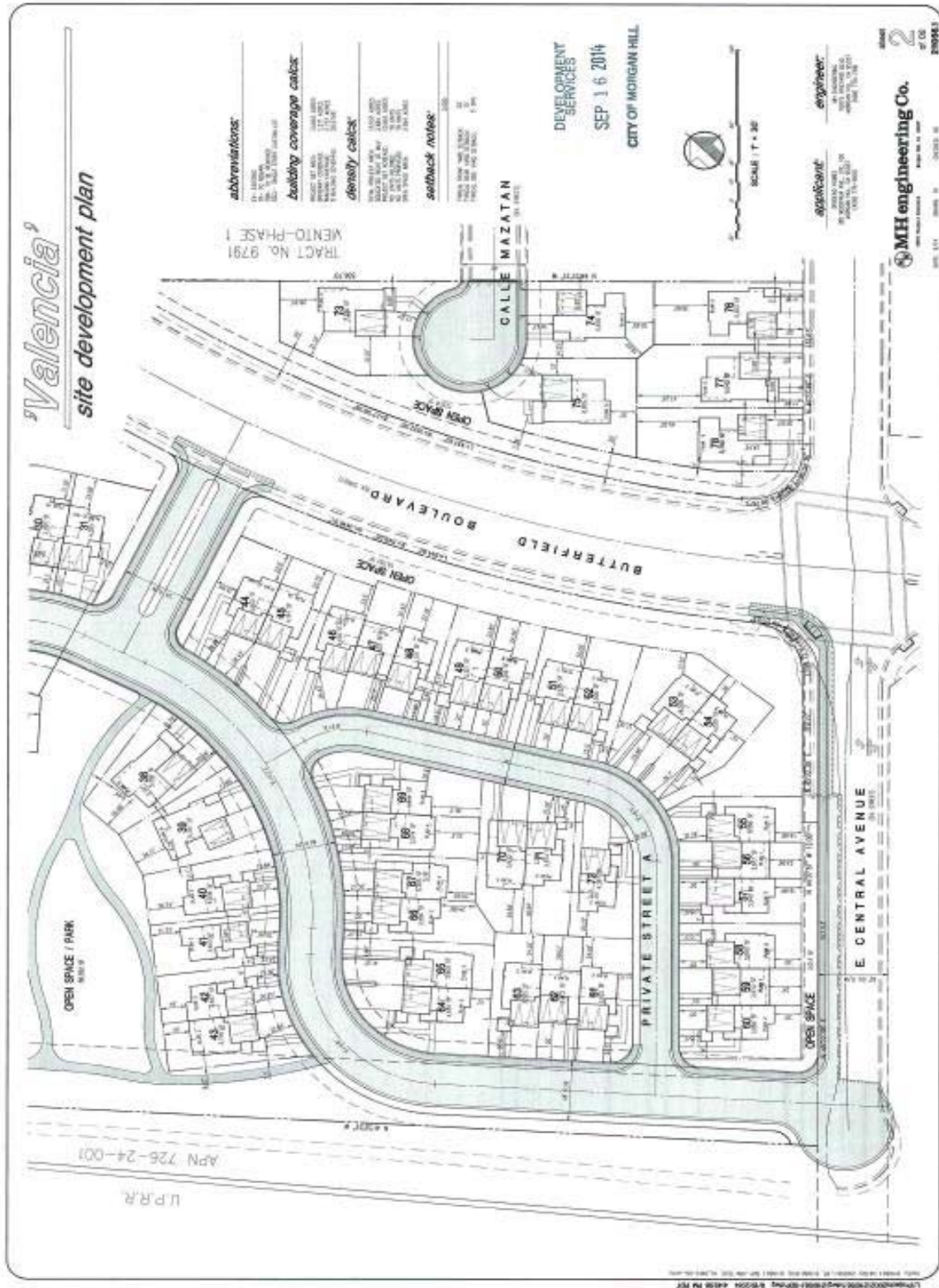
EXCEPTING THEREFROM PORTION OF LOT 15 CONVEYED TO THE CITY OF MORGAN HILL FOR PURPOSE OF EMINENT DOMAIN BY FINAL ORDER OF CONDEMNATION RECORDED ON DECEMER 07, 2000 AS INSTRUMENT NO. 15488081 IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA.

APN: 726-26-005

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MORGAN HILL, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Parcel 3, as shown on that certain Parcel Map filed in the office of the Recorder of the County of Santa Clara State of California on April 19, 2006 in Book 799 of Maps, pages 26 and 27 and amended by Map recorded July 26, 2006 in book 804 of Maps, pages 16 and 17.

APN: 726-26-008





CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Angie Gonzalez, Council Services Assistant
APPROVED BY: City Manager

ADOPT ORDINANCE 2256, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA 06-06 GRANTING A SIX-MONTH EXTENSION FOR 15, FISCAL YEAR 2014-2015 ALLOTMENTS FOR APPLICATION DA 06-06 (AAE2017-0016): MONTEREY - GUNTER (APN 726-23-008)

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2256, 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.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment
Maintaining Fiscal Responsibility

2017 Strategic Priorities

Infrastructure

REPORT NARRATIVE:

On June 21, 2017, the City Council Introduced Ordinance No. 2256 New Series, by the Following Roll Call Vote: AYES: Carr, Constantine, Spring, Robinett Jachimowicz, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

This ordinance amends the development agreement to modify the housing commitments for the project from a requirement to provide 15 unrestricted units to a requirement to provide one restricted BMR unit. The amendment also extends the time for the project to commence construction, and makes minor modifications to other RDCS commitments.

COMMUNITY ENGAGEMENT: Inform,

The required public hearing notice was published in the Morgan Hill Times for the minimum 10-day public noticing period. Property owners within 300 feet of the subject property were notified of the Development Agreement Amendment 10-days prior to the public hearing.

ALTERNATIVE ACTIONS:

Council could continue this matter for further consideration and/or changes to the Development Agreement Amendment.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

January 24, 2007, the City Council adopted Ordinance No. 1817, N.S which approved a Development Agreement for application MC-05-03: Monterey-Gunter.

June 27, 2007, the City Council adopted Ordinance No. 1842, N.S. which approved an amended Development Agreement and 12-month extension of time to commence construction for the four, FY 2006-2007 allotments.

June 18, 2008, the City Council adopted Ordinance No. 1879, N.S. which approved an amended Development Agreement and 12-month extension of time to commence construction for the four, FY 2006-2007 and 11, FY 2009-2010 allotments.

June 17, 2009, the City Council adopted Ordinance No. 1938, N.S. which approved an amended Development Agreement and 15-month extension of time to commence construction for the four, FY 2006-2007 and 11, FY 2009-2010 allotments.

November 3, 2010, the City Council adopted Ordinance No. 1994, N.S. which approved an amended development agreement and 24-month extension of time to commence construction for the four, FY 2006-2007 and 11, FY 2009-2010 allotments.

June 20, 2012, the City Council adopted Ordinance No. 2049, N.S. which approved an amended Development Agreement and traded four FY 2006-2007 and 11 FY 2009-2010 Monterey-Gunter allotments and 15 FY 2014-2015 Condit-Milano allotments, resulting in a 30-month extension of time to commence construction.

June 3rd, 2015, the City Council adopted Ordinance No. 2148, N.S. which approved an amended Development Agreement and 24-month extension of time to commence construction for 15, FY 2014-2015 allotments.

FISCAL AND RESOURCE IMPACT:

Application processing fee was collected at the amendment request.

CEQA (California Environmental Quality Act):

The proposed development agreement amendment request does not alter the previous environmental determinations made for the project. Record of the project's CEQA determination is on file with Development Services Department.

LINKS/ATTACHMENTS:

1. Ordinance 2256 Monterey-Gunter
2. Ordinance 2256 Exhibit A

ORDINANCE NO. 2256, NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA 06-06 GRANTING A SIX-MONTH EXTENSION FOR 15, FISCAL YEAR 2014-2015 ALLOTMENTS FOR APPLICATION DA 06-06 (AAE2017- 0016): MONTEREY - GUNTER (APN 726-23-008)

THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council has adopted Resolution No. 4028 establishing a procedure for processing Development Agreements for projects receiving allotments through the Residential Development Control System, Title 18, Chapter 18.78 of the Municipal Code.

SECTION 2. The California Government Code Sections 65864 thru 65869.5 authorizes the City of Morgan Hill to enter into binding Development Agreements with persons having legal or equitable interests in real property for the development of such property.

SECTION 3. On January 24, 2007, the City Council adopted Ordinance No. 1817, N.S. which approved a Development Agreement for application MC-05-03: Monterey-Gunter for FY 2015-2016; and

SECTION 4. On June 27, 2007, the City Council adopted Ordinance No. 1842, N.S. which approved an amended Development Agreement and 12-month extension of time to commence construction for the four, FY 2006-2007 allotments; and

SECTION 5. On June 18, 2008, the City Council adopted Ordinance No. 1879, N.S. which approved an amended Development Agreement and 12-month extension of time to commence construction for the four, FY 2006-2007 and 11, FY 2009-2010 allotments; and

SECTION 6. On June 17, 2009, the City Council adopted Ordinance No. 1938, N.S. which approved an amended Development Agreement and 15-month extension of time to commence construction for the four, FY 2006-2007 and 11, FY 2009-2010 allotments; and

SECTION 7. On November 3, 2010, the City Council adopted Ordinance No. 1994, N.S. which approved an amended Development Agreement and 24-month extension of time to commence construction for the four, FY 2006-2007 and 11, FY 2009-2010 allotments; and

SECTION 8. On June 20, 2012, the City Council adopted Ordinance No. 2049, N.S. which approved an amended Development Agreement and traded four, FY 2006-07 and 11 FY 2009-2010 Monterey-Gunter allotments and 15, FY 2014-2015 Condit-Milano allotments, resulting in a 30-month extension of time to commence construction; and

SECTION 9. On June 3, 2015, the City Council adopted Ordinance No. 2148, N.S. which approved an amended Development Agreement and 24-month extension of time to commence construction for 15, FY 2014-2015 allotments; and

SECTION 10: The City Council of the City of Morgan Hill found that, on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis, and that the Mitigated Negative Declaration was adopted prior to action taken to adopt the original project proposal. The custodian of the documents or other material which constitute the record shall be the Community Development Agency.

SECTION 11. A six-month extension is currently requested for the fifteen (15), FY 2015-2016 allotments;

SECTION 12. ADOPTION OF A DEVELOPMENT AGREEMENT AMENDMENT. The City Council hereby approves the Development Agreement Amendment attached to this Ordinance as Exhibit A.

SECTION 13. The amended development schedule attached to this Ordinance hereby supersedes and replaces the amended development schedule approved under Ordinance No. 2195.

SECTION 14. The City Council hereby finds that the development agreement amendment approved by this ordinance is compatible with the goals, objectives, policies, and land uses designated by the General Plan of the City of Morgan Hill.

SECTION 15. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 13. Effective Date; Publication. This ordinance shall take effect thirty (30) days after the date of its adoption. The City Clerk is hereby directed to publish this ordinance pursuant to §36933 of the Government Code.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 21ST DAY OF JUNE 2017, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 28TH DAY OF JUNE 2017, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 NOES: COUNCIL MEMBERS:
 ABSTAIN: COUNCIL MEMBERS:
 ABSENT: COUNCIL MEMBERS:

APPROVED:

DATE:

 STEVE TATE, Mayor

ATTEST:

DATE:

 IRMA TORREZ, City Clerk

Effective Date: July 28, 2017

∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2256, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 28th day of June 2017.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

 IRMA TORREZ, City Clerk

Attachment: Ordinance 2256 Monterey-Gunter (1309 : Adopt Ordinance 2256- Monterey-Gunter)

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City of Morgan Hill
Community Development Agency
17575 Peak Avenue
Morgan Hill, CA 95037

RECORDING FEES EXEMPT
PURSUANT TO GOVERNMENT
CODE SECTION 27383

AMENDMENT TO RESIDENTIAL DEVELOPMENT AGREEMENT

This AMENDMENT TO RESIDENTIAL DEVELOPMENT AGREEMENT (the "**Amendment**") is entered into as of the _____ day of _____, 2017, by and between the City of Morgan Hill, a California municipal corporation (hereinafter "**City**"), and Gunter Building LLC, a California limited liability company, and its successors and assigns (hereinafter, collectively, "**Developer**") regarding Developer's 15-unit Vista Del Toro Residential Development Project located at 17620 Monterey Road (hereinafter "**Project**"). City and Developer are, from time to time, also hereinafter referred to collectively as the "**Parties**."

RECITALS

A. On June 3, 2015, the Morgan Hill City Council adopted Ordinance No. 2148, approving an amended residential development agreement for the Project (hereinafter "**Residential Development Agreement**") that superseded and replaced an original development agreement approved on January 24, 2007, and related amendments to the original development agreement approved by the City Council's adoption of Ordinance Nos. 1817, 1842, 1879, 1938, 1994, and 2049. The Residential Development Agreement reflects the Morgan Hill Planning Commission's prior approval of 15 residential development allotments on February 14, 2006, which were granted pursuant to the City's Residential Development Control System ("**RDCS**") as approved by the voters by Measure C in 2004 and implemented in Morgan Hill Municipal Code Chapter 18.78.

B. Section 5.1(n) of the Residential Development Agreement incorporates by reference certain exhibits attached to thereto, including Exhibit B, "Development Schedule MC-05-03: Monterey – Gunter FY 2014-15 Allotments Traded From Milano Project (15 allocations)", and Exhibit D, "Specific Restrictions and Requirements (Including RDCS Requirements)".

C. City and Developer wish to amend the Residential Development Agreement in certain respects.

D. Among other amendments, the Parties wish to extend the construction commencement date set forth in Exhibit B from June 30, 2017 to December 31, 2017, and to require the Project to provide one deed-restricted affordable housing unit, and 14 market-rate, unrestricted units.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein and other consideration, the value and adequacy of which are hereby acknowledged, the Parties hereby agree as follows:

Attachment: Ordinance 2256 Exhibit A (1309 : Adopt Ordinance 2256- Monterey-Gunter)

1. The Residential Development Agreement is hereby amended by deleting the Commence Construction date, stated as "June 30, 2017", from Section VI of Exhibit B and replacing it with the following Commence Construction date: "December 31, 2017."

2. The Residential Development Agreement is further amended by deleting on page 5 of Exhibit D the Housing Needs requirement description that states, "all 15 units shall be condominiums affordable to less than moderate-income households. The final sales price (at close of escrow) for the less than moderate rate units will be based on HUD income limits for a family of 4 at the closing date," and replacing the description with the following requirement:

"One two-bedroom unit (located on the third floor of the mixed-use building) will be deed-restricted so that it will remain a moderate-rate rental for a period of fifty-five (55) years. The rental rate will be affordable to a family of three (3) making one hundred and twenty percent (120%) of Santa Clara County Area Median Income as determined annually by the City's Housing Office. Developer will allow annual monitoring for income eligibility."

3. The Residential Development Agreement is further amended by deleting and replacing the definition of "Subsequent Approvals" contained in existing Section 1.2(13) with the following definition:

"(13) "Subsequent Approvals" and "Subsequent Approval" mean those City permits, entitlements, approvals or other grants of authority (including, but not limited to, improvement plan(s) and construction drawings), and all text, terms and conditions of approval related thereto, that may be necessary or desirable for the development of the Project, that are sought by Developer, and that are granted by City after the City Council adopts the Approving Ordinance (defined below), including without limitation, a City Resolution of Application for Annexation and subdivision maps and any Subdivision Document."

4. Section 3.1(b) of the Residential Development Agreement is further amended by deleting and replacing the existing Section 3.01(b) with the following:

"(b) Upon submission by Developer of any and all necessary and required applications for Subsequent Approvals and payment of any and all appropriate processing and other fees as provided in this Agreement, City shall process in good faith and use its best efforts to diligently complete all steps necessary to acting on the requested Subsequent Approvals and pending site approval, minor setback adjustment and parcel map, including, but not limited to, (i) the holding of any and all required public hearings and notice for such public hearings, and (ii) the granting of the requested approval to the extent that it is consistent with Applicable Law. The phrase, "process in good faith" shall mean that City's building and public works departments shall process all initial plan check submittals within eight (8) weeks of the date of submittal, and all plan check resubmittals within two (2) weeks of the date of submittal."

5. Section 2.6(b) of the Residential Development Agreement is further amended by deleting and replacing the existing Section 2.6(b) with the following:

"(a) Securing Building Permits and Beginning Construction. Developer agrees to apply for building permits no later than August 30, 2017. In the event Developer fails to exercise the allotments in accordance with Section 18.78.160(A) of the Morgan Hill Municipal Code, the RDCS allotments shall expire pursuant to Section 18.78.160(B) of the Morgan Hill Municipal Code. City and Developers agree that recordation of the tract map for condominium purposes required in connection with the Project shall satisfy the requirements of 18.78.160(A) regarding final map recordation.

6. Except to the extent expressly amended hereby, the Residential Development Agreement shall remain in full force and effect without impairment or modification.

7. The Parties agree that nothing in this Amendment shall be construed to adversely impact the point score previously assigned to the Project pursuant to the RDCS.

8. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

Executed as of the day and year first above written.

CITY OF MORGAN HILL:

City Attorney

s/ _____

Date: _____

Steve Rymer
City Manager

Date: _____

Attest:

DEVELOPER:

s/ _____

GUNTER BUILDING LLC

Deputy City Clerk

s/ 

Approved as to Form:

s/ _____

Donald Larkin

Attachment: Ordinance 2256 Exhibit A (1309 : Adopt Ordinance 2256- Monterey-Gunter)

5. Section 2.6(b) of the Residential Development Agreement is further amended by deleting and replacing the existing Section 2.6(b) with the following:

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Developer agrees to apply for building permits no later than August 30, 2017. In the event Developer fails to exercise the allotments in accordance with Section 18.78.160(A) of the Morgan Hill Municipal Code, the RDCS allotments shall expire pursuant to Section 18.78.160(B) of the Morgan Hill Municipal Code. City and Developers agree that recordation of the tract map for condominium purposes required in connection with the Project shall satisfy the requirements of 18.78.160(A) regarding final map recordation.

6. Except to the extent expressly amended hereby, the Residential Development Agreement shall remain in full force and effect without impairment or modification.

7. The Parties agree that nothing in this Amendment shall be construed to adversely impact the point score previously assigned to the Project pursuant to the RDCS.

8. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

Executed as of the day and year first above written.

CITY OF MORGAN HILL:

City Attorney

s/ _____

Date: _____

Steve Rymer
City Manager

Date: _____

Attest:

DEVELOPER:

s/ _____

GUNTER BUILDING LLC

Deputy City Clerk

s/ 

Approved as to Form:

s/ _____

Donald Larkin

13544085.1

Attachment: Ordinance 2256 Exhibit A (1309 : Adopt Ordinance 2256- Monterey-Gunter)

DRAFT



Meeting Minutes Joint City Council and Morgan Hill Financing Authority Meeting

Steve Tate - Mayor
 Rich Constantine - Council Member
 Larry Carr - Mayor Pro Tem
 Rene Spring - Council Member
 Caitlin Jachimowicz - Council Member

Wednesday, June 7, 2017 7:00 PM

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

CALL TO ORDER

Mayor Pro Tem Carr called the Joint City Council and Morgan Hill Financing Authority Meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Angie Gonzalez called the roll.

Attendee Name	Title	Status	Arrived
Steve Tate	Mayor	Absent	
Rich Constantine	Council Member	Present	
Larry Carr	Mayor Pro Tem	Present	
Rene Spring	Council Member	Present	
Caitlin Jachimowicz	Council Member	Present	

DECLARATION OF POSTING AGENDA

Minutes Clerk Angie Gonzalez declared the posting of the agenda.

Minutes Acceptance: Minutes of Jun 7, 2017 7:00 PM (CONSENT CALENDAR)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Mayor Pro Tem Carr announced that the Mayor will be hosting Coffee with the Mayor on June 24th from 10:00-11:30 a.m. at Grinds Vines and Automobiles (GVA) down town Morgan Hill with special guest City Attorney Donald Larkin.

He announcedus that the Valley Transportation Authority (VTA) Board adopted their budget. Included in the budget, is a two-year fare increase. Fares to ride public transit in Santa Clara County will be slightly increased.

He spoke regarding the Paris Climate Accord and what environmental efforts Morgan Hill has made. He stated that we as an organization recognize that as a city we have an important role for both our local and global environment and the role that plays in protecting the health and vitality of our community and supporting a sustaining economy. With that in mind, the Council adopted the first ever Environmental Agenda in 2007 and got actively engaged in doing things were important for preserving our local environment and lessening our carbon footprint. Since then, we have implemented a long list of environmental initiatives including; replacing all the street lights with LED lights to reduce energy use and save costs, upgraded lighting and building controls at all city buildings to save energy and reduce costs, installed solar energy at the Centennial Recreation Center, Police Department, and City Hall, planting new trees in parks and open spaces as a way of cooling the environment in those areas, and we are constructing demonstration gardens to show and model what water wise gardening and landscaping can be like in Morgan Hill.

There are two recent initiatives that really demonstrate the City's commitment and dedication to the environment and leadership on environmental issues. First, tonight, we have an item on our agenda to adopt a new ordinance that will make Morgan Hill The first community in the region to adopt a permanent water conserving irrigation schedule in a way that will ensure that water will remain available for future generations here in Morgan Hill. Second, the City has been a leader in producing an energy system that is developing clean carbon free electricity to all participating customers and as an added measure, the City is buying power for city operations that is 100% from renewable sources. We recognize the environment is part of a regional, national, and even a global issue but here we are doing our part to be responsible global citizens. We are trying to protect our environment and remain committed to those ideals and moving forward.

For people who are interested in what Morgan Hill could be doing to perhaps join other cities and continuing the efforts of the Paris Climate accords, the council is committed to moving forward and on June 21st, our next council meeting, we are going to have an update on the environmental agenda and it will be a great opportunity for us all to talk about those issues and some of the things that have been coming before us.

He concluded by congratulating all of the Live Oak, Sobrato and Central High School graduates and especially his son Patrick.

CITY MANAGER'S REPORT

City Manager Steve Rymer recognized a team for really living our core values of teamwork and customer services. He thanked members of our police department that spent Sunday afternoon at St. Catherine's after the last mass for Coffee with a Cop. It is one of our efforts as an organization and as a department to connect and engage with our Spanish speaking community. This is a priority not only this year for the Council but moving forward and our police department was there to engage with approximately 100 residents that were there. He recognized and thanked Chief Swing, Shane, Carlos, Ray, Fidel, Sergio,

Fernando, Victor, Isabel, Adelia, Vanessa, Margarita, and Maureen who were all there that day.

He gave an update on the traffic signal at 4th and Monterey. We just completed one of the most difficult parts which was installing the conduit across 4th and Monterey as well as installing some of the pole foundations. The next thing is setting the main boxes as well as fixing the pavers and then for the most part we will be in a waiting period. The poles have been ordered, we are still waiting to hear from the manufacturer as to when they will be in but it is a several week lead time. Once we have that we will be able to have another update. Right now, we are targeting the month of August to have them installed and operational.

He shared a call for volunteers for a tree planting with Our City Forest on June 17 from 7:45-11:00 a.m. at Paradise Park. If anyone is interested in that they can go directly to Plantingvolunteers@ourcityforest.org to register.

He reminded our community that we are entering fire season and encouraged them to take the time to look at their homes and to have conversations with their families about fire safety.

The City Attorney and City Manager recommend that the Council continue item 28 which is the second reading of the development agreement for the Dunne-Busk Project to a date specific of to June 21st.

He concluded by speaking to the evenings supplements and presentations.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin had no report.

OTHER REPORTS

None.

NOTICES

On May 17, 2017, the City Council declared its intention to conduct a public hearing on June 7, 2017 concerning the levy and collection of assessments for the City of Morgan Hill Landscape Assessment District No. 1 for Fiscal Year 2017/18. This public hearing has been continued to the June 21, 2017 City Council Meeting and will be duly noticed.

PUBLIC COMMENT

Mayor Pro Tem Carr opened the public comment at 7:12 p.m.

Hearing no requests to speak, the public comment was closed.

ADOPTION OF AGENDA

MOTION

Adopting the agenda with the continuation of item 28 to June 21, 2017 City Council meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rich Constantine, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

ADOPT ORDINANCE 2247, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA 14-10 (AAE2017-0018): DUNNE-BUSK GRANTING A SIX-MONTH EXTENSION FOR SEVEN (7) FISCAL YEAR 2015-2016 AND FIVE (5) FISCAL YEAR 2016-2017 BUILDING ALLOTMENTS (APN 817-19-044)

Recommendation:

Waive the reading, adopt Ordinance No. 2247, 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.

MOTION

Continuing item to the June 21, 2017 Regular City Council Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rich Constantine, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

MORGAN HILL FINANCING AUTHORITY ITEMS:

CONSENT CALENDAR

MOTION

Approving the Morgan Hill Financing Authority Consent Calendar.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rich Constantine, Council Member
SECONDER:	Larry Carr, Mayor Pro Tem
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

1. NOVEMBER 18, 2015 MORGAN HILL FINANCING AUTHORITY MEETING MINUTES

Recommendation:

Approve meeting minutes.

2. REVISED CAPITAL FINANCING AND DEBT MANAGEMENT POLICY

Recommendation:

Adopt resolution approving revisions to City Council Policy 07-03, the Authority's Capital Financing and Debt Management Policy.

CITY COUNCIL ITEMS:

CONSENT CALENDAR

MOTION

Minutes Acceptance: Minutes of Jun 7, 2017 7:00 PM (CONSENT CALENDAR)

Approving the City Council Consent Calendar.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rich Constantine, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

3. ACCEPTANCE OF AQUATICS CENTER DECK RENOVATION AND RESURFACING PROJECT

Recommendation:

1. Accept as complete the Aquatics Center Deck Renovation and Resurfacing Project in the final amount of \$305,410; and
2. Authorize the Community Services Director to sign the attached Notice of Completion; and
3. Direct the City Clerk to file said Notice of Completion with the County Recorder's Office.

4. FINAL MAP APPROVAL FOR LANTANA-WISTERIA II - TRACT NO. 10410

Recommendation:

Adopt Resolution approving the following actions:

1. Approve Final Map; and
2. Authorize the recordation of the Final Map.

5. MEMORANDUM OF UNDERSTANDING WITH THE SANTA CLARA VALLEY WATER DISTRICT FOR FISCAL YEAR 2017/18

Recommendation:

Authorize the City Manager to execute a Memorandum of Understanding for water conservation services with the Santa Clara Valley Water District for Fiscal Year 2017/18.

6. PURCHASE OF NEW BACKHOE LOADER UTILIZING NATIONAL JOINT POWERS ALLIANCE (NJPA)

Recommendation:

1. Approve purchase of a new John Deere 310 SL backhoe loader from Pape Machinery in the amount of \$117,278.14 through the National Joint Powers Alliance bid contract; and
2. Authorize the City Manager to approve a purchase order for \$117,278.14 with Pape Machinery.

7. APPROVE FIRST AMENDMENT TO WESTON MILES ARCHITECTS FOR THE LIBRARY EXPANSION PROJECT

Recommendation:

1. Approve First Amendment for Design Professionals with Weston Miles Architects for design and construction support services for the Library Expansion Project increasing the fee by \$45,500 for a total not to exceed amount of \$428,000; and
2. Authorize the City Manager to execute the First Amendment to the Service Agreement for Design Professionals with Weston Miles Architects for design and construction support services for the Library Expansion Project.

8. SECOND AMENDMENT TO NBS CONSULTANT AGREEMENT FOR REVIEW OF FEES ASSOCIATED WITH DEVELOPMENT SERVICES ACTIVITIES

Recommendation:

Approve the contract amendment with NBS Government Finance Group.

9. SECOND AMENDMENT TO THE AGREEMENT FOR COUNTYWIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION

Recommendation:

Authorize the City Manager to execute the Second Amendment for Countywide Household Hazardous Waste Collection.

10. APPROVAL OF COMPARATOR AGENCIES FOR THE CLASSIFICATION AND COMPENSATION STUDY

Recommendation:

Approve twelve comparator agencies for the City of Morgan Hill to use for compensation and benefit surveys.

11. MANAGEMENT, PROFESSIONAL, AND CONFIDENTIAL EMPLOYEES RESOLUTION

Recommendation:

Adopt the Management, Professional, and Confidential Employees Resolution and corresponding salary schedules effective July 2017.

12. RESOLUTION AUTHORIZING A CALIFORNIA NATURAL RESOURCES AGENCY ENVIRONMENTAL ENHANCEMENT MITIGATION GRANT PROGRAM APPLICATION

Recommendation:

Adopt resolution approving the following actions:

1. Authorizing staff to prepare and submit an Environmental Enhancement and Mitigation Program Grant Application to the California Natural Resources Agency for the development of a biking and walking path along Watsonville Road from La Jolla Drive to Santa Teresa Boulevard, and
2. Authorizing the City Manager to negotiate and execute the Environmental Enhancement and Mitigation Program grant agreement.

13. APPROVAL OF INTERFUND LOAN POLICY

Recommendation:

Approve the Interfund Loan Policy.

14. REVISED CAPITAL FINANCING AND DEBT MANAGEMENT POLICY

Recommendation:

Adopt resolution approving revisions to City Council Policy 07-03, the City's Capital Financing and Debt Management Policy.

15. AMEND FISCAL POLICIES TO PROVIDE AUTHORITY TO FINANCE DIRECTOR AND CITY MANAGER FOR WRITE-OFF REQUESTS

Recommendation:

Amend the Fiscal Policies to add Finance Director and City Manager approval authority for write-off requests.

16. REVIEW OF RAILROAD CROSSING "QUIET ZONE" STUDY AND CROSSING ENHANCEMENTS

Recommendation:

1. Receive the Quiet Zone Study update; and
2. Direct staff to return to the City Council for further direction on next steps once the California High Speed Rail Authority decides on the alignment through Morgan Hill.

17. ADOPT ORDINANCE 2236, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING SECTIONS, 13.04.330 (WASTING OF WATER AND DROUGHT EMERGENCIES) AND 13.04.390 (ENFORCEMENT) AND 13.04.400 (VIOLATION-PENALTY) OF CHAPTER 13.04 (WATER SYSTEM) OF TITLE 13 (PUBLIC SERVICES), AMENDING REGULATIONS PROHIBITING NONESSENTIAL USE OF POTABLE WATER

Recommendation:

Waive the reading, adopt Ordinance No. 2236, 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.

18. ADOPT ORDINANCE 2237, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING TITLE 17 (SUBDIVISIONS), CHAPTER 17.34 (STANDARDS FOR RESIDENTIAL AND PRIVATE STREETS), PARAGRAPH 17.34.060 (PRIVATE STREETS) TO ADD A SUBPARAGRAPH DIRECTING THAT PRIVATE STREETS BE CONSTRUCTED TO PUBLIC STREETS STANDARDS

Recommendation:

Waive the reading, adopt Ordinance No. 2237, 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.

19. ADOPT ORDINANCE 2238, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL ADDING A NEW CHAPTER 15.22 (AFFORDABLE HOUSING FEE) TO TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE MORGAN HILL MUNICIPAL CODE, ADDING SECTIONS 15.22.10 PURPOSE, 15.22.20 DEFINITIONS, AND 15.22.30 APPLICABILITY

Recommendation:

Waive the reading, adopt Ordinance No. 2238, 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.

20. ADOPT ORDINANCE 2239, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-14-06 (AAE

2017-0004): COCHRANE - CAL ATLANTIC INCORPORATING 12 FY 2017-2018 AND 52 FY 2018-2019 ALLOTMENTS AWARDED TO MC 16-13. (APN 728-59-001, 728-59-002, 728-59-013, 728-56-013, AND 728-56-045)

Recommendation:

Waive the reading, adopt Ordinance No. 2239, 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.

21. ADOPT ORDINANCE 2240, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA2016-005 (AAE 2017-0009): CONDIT – MANA (FOR SALE) INCORPORATING 44 ALLOTMENTS FOR FY 2018-2019 AWARDED TO RDSCS 2016-0017 MURPHY-PRESIDIO EVERGREEN (APN 817-12-009)

Recommendation:

Waive the reading, adopt Ordinance No. 2240, 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.

22. ADOPT ORDINANCE 2241, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA 15-05: LAUREL-DEROSE INCORPORATING 13 FISCAL YEAR 2016-2017 ALLOTMENTS, ONE FISCAL YEAR 2017-2018 ALLOTMENT, AND 11 FISCAL YEAR 2018-2019, ALLOTMENTS AWARDED TO RDSCS2016-0014 AND EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX -MONTHS FOR 18 FISCAL YEAR 2016-2017 ALLOTMENTS. (APN 726-01-008)

Recommendation:

Waive the reading, adopt Ordinance No. 2241, 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.

23. ADOPT ORDINANCE 2242, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING OF AN AMENDED DEVELOPMENT AGREEMENT TO DA-15-10 (AAE 2017-0014): ALTIMIRA-DIVIDEND EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR 12-MONTHS FOR TWO (2) FISCAL YEAR 2016-2017 AND INCORPORATING FIVE (5) FY 2017-2018 ALLOTMENTS AWARDED TO MC 14-15: ALTIMIRA-VENTURA/ALICANTE. (APN 728-55-017)

Recommendation:

Waive the reading, adopt Ordinance No. 2242, 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.

24. ADOPT ORDINANCE 2243, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDED DEVELOPMENT AGREEMENT TO DA-09-05: COCHRANE – TOLL BROTHERS (AAE2017-0017) EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR 15, FISCAL YEAR 2016-2017 ALLOTMENTS AND INCORPORATING 16, FY 2018-2019 ALLOTMENTS AWARDED TO RDSCS2016-0015: COCHRANE-BORELLO. (APN 728-34-008)

Recommendation:

Waive the reading, adopt Ordinance No. 2243, 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.

25. ADOPT ORDINANCE 2244, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-14-09 (AAE 2017-0006): MONTEREY - KB EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR 26 FISCAL YEAR 2015-2016 AND 32 FISCAL YEAR 2016-2017 ALLOTMENTS (APN 726-53-001 THRU 726-53-058)

Recommendation:

Waive the reading, adopt Ordinance No. 2244, 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.

26. ADOPT ORDINANCE 2245, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA 15-02 (AAE 2017-0012): SAN PEDRO-PRESIDIO EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR EIGHT FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-01-001)

Recommendation:

Waive the reading, adopt Ordinance No. 2245, 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.

27. ADOPT ORDINANCE 2246, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA 12-03 (AAE 2017-0015): WATSONVILLE-DIVIDEND EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR EIGHT FISCAL YEAR 2016-2017 ALLOTMENTS (APN 779-57-027)

Recommendation:

Waive the reading, adopt Ordinance No. 2246, 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.

28. ITEM 28 HAS BEEN CONTINUED TO THE 6/21/17 MEETING

29. ADOPT ORDINANCE 2248, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING SECTION III - COMPETITION CRITERIA, STANDARDS, AND POINTS OF A COMPETITION MANUAL (FILE NO. ZA2017-0003) FOR THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS)

Recommendation:

Waive the reading, adopt Ordinance No. 2248, 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.

OTHER BUSINESS

30. CITY COUNCIL CONSIDERATION TO MOVE TO DISTRICT ELECTIONS

Recommendation:

1. Adopt resolution:
 - a. Authorizing staff to commence the transition process of moving to by-district elections;
 - b. Establishing a process for determining the district boundaries; and
 - c. Hiring a demographic consultant.
2. Provide direction on creating an advisory committee on electoral districts to assist the City in the transition process.

City Attorney Donald Larkin presented the report.

Mayor Pro Tem Carr opened the public comment at 7:26 p.m.

Anonymous was called to speak.

Hearing no further requests to speak, the public comment was closed.

Mayor Pro Tem Carr re-opened the public comment at 7:54 p.m.

David Gerard was called to speak.

Hearing no further requests to speak, the public comment was closed.

The City Council gave direction to not create the advisory committee, that we spend our efforts in working on how we do outreach for public hearings for workshops, and on the 21st that we bring back what the communications plan may look like for Council so they can understand what the outreach will be like.

MOTION

Adopting resolution 17-045.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rich Constantine, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

31. AMENDMENT OF THE CITY'S AGREEMENT FOR CONSULTANT SERVICES WITH PLACEWORKS TO SUPPORT THE MORGAN HILL 2035 PROJECT

Recommendation:

1. Adopt resolution authorizing the City Manager to execute and administer an amendment to the City's Agreement with PlaceWorks (formerly The Planning Center/DC&E) to increase the Agreement's term, scope, and compensation; and
2. Provide direction to staff and Planning Commission on the work plan for the Zoning Code Update.

Community Development Director Jennifer Carman presented the report.

Mayor Pro Tem Carr opened the public comment at 8:14 p.m.

Hearing no requests to speak, the public comment was closed.

Mayor Pro Tem Carr called a recess.

The Meeting was reconvened.

MOTION

Approving the recommended action.

RESULT: APPROVED [UNANIMOUS]
MOVER: Rich Constantine, Council Member
SECONDER: Caitlin Jachimowicz, Council Member
AYES: Constantine, Carr, Spring, Jachimowicz
ABSENT: Tate

32. FISCAL YEAR 2016-17 AND 2017-18 MID CYCLE BUDGET AMENDMENTS

Recommendation:

1. Adopt resolution to:
 - a. Authorize changes to the adopted Fiscal Year (FY) 2016-17 and 2017-18 City of Morgan Hill Operating Budget;
 - b. Adopt the FY 2017-18 Appropriations Limit;
 - c. Authorize any unused capital project appropriations to be re-appropriated to a subsequent fiscal year for continued use, subject to the approval of the City Manager; and
 - d. Authorize any outstanding contract and/or purchase order obligations (encumbrances) remaining at the end of a fiscal year to be subject to carry-over into the next fiscal year, subject to the approval of the City Manager.
2. Revise fiscal policies to allow the City Manager to transfer budgeted appropriations within a fund;
3. Approve the increase in customer water rates as a result of the increased wholesale groundwater production charges from Santa Clara Valley Water District;
4. Authorize the elimination of the out-of-city surcharge for water customers; and
5. Direct City Manager to provide additional funding to PARS Pension Rate Stabilization Fund with savings from prepayment of Miscellaneous Plan's FY 2016-17 employer contribution to CalPERS.

Budget Manager Monica Delgado presented the report.

Mayor Pro Tem Carr opened public comment at 8:38 p.m.

Kathy Sullivan was called to speak.

Ava Geddes was called to speak.

Peter Mandel was called to speak.

Hearing no further requests to speak, the public comment was closed.

MOTION

Adopting resolution 17-047.

RESULT: APPROVED [UNANIMOUS]
MOVER: Rich Constantine, Council Member
SECONDER: Larry Carr, Mayor Pro Tem
AYES: Constantine, Carr, Spring, Jachimowicz
ABSENT: Tate

MOTION

Approving recommended action items two through five.

RESULT: APPROVED [UNANIMOUS]
MOVER: Larry Carr, Mayor Pro Tem
SECONDER: Rich Constantine, Council Member
AYES: Constantine, Carr, Spring, Jachimowicz
ABSENT: Tate

33. VOTING DELEGATES FOR THE 2017 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Recommendation:

1. Appoint voting delegate and up to two (2) alternate voting delegates to the League of California Cities' Annual Conference; and
2. Direct the Clerk's team to complete and forward the voting delegate form to the League of California Cities.

MOTION

Appointing the Mayor Pro Tem as the voting delegate to the League of California Cities' Annual Conference and any other Council Members who will be attending will be alternates.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Rich Constantine, Council Member
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

PUBLIC HEARING

MOTION

Extending the meeting to 11:15 p.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Larry Carr, Mayor Pro Tem
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

34. DEVELOPMENT AGREEMENT, DA2017-0002: BUTTERFIELD-MWEST: REQUEST FOR AN INDUSTRIAL DEVELOPMENT AGREEMENT FOR APPROXIMATELY 39 ACRES IN THE MORGAN HILL RANCH BUSINESS PARK. THE PROPERTIES, IDENTIFIED BY ASSESSOR'S PARCEL NUMBERS 726-25-046, -047, -059, -066, -067, -070, -073, -078 AND -079 ARE LOCATED ON THE WEST SIDE OF BUTTERFIELD BOULEVARD BETWEEN JARVIS DRIVE AND DIGITAL DRIVE (DIVCO WEST SVI, OWNER). CEQA: CERTIFIED EIR FOR THE MORGAN HILL RANCH BUSINESS PARK

Recommendation:

1. Open and close public hearing;
2. Waive first and second reading of Development Agreement Ordinance; and,
3. Introduce Development Agreement Amendment Ordinance.

Economic Development Manager Edith Ramirez presented the report.

Mayor Pro Tem Carr opened the public hearing at 10:03 p.m.

Kerry Williams was called to speak.

Ryan McDaniel was called to speak.

Jeff Barnes was called to speak.

Eric McLean was called to speak.

Steven Shonk was called to speak.

Hearing no further requests to speak, the public hearing was closed.

MOTION

Waiving the first and second reading Development Agreement Ordinance including a clause that states that the City can terminate the development agreement after 36 months if no industrial building has been commenced.

RESULT:	WAIVED [UNANIMOUS]
MOVER:	Rich Constantine, Council Member
SECONDER:	Larry Carr, Mayor Pro Tem
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

MOTION

Introducing ordinance including the added clause.

RESULT:	INTRODUCED [UNANIMOUS]
MOVER:	Rich Constantine, Council Member
SECONDER:	Larry Carr, Mayor Pro Tem
AYES:	Constantine, Carr, Spring, Jachimowicz
ABSENT:	Tate

FUTURE INITIATED AGENDA ITEMS:

None.

ADJOURNMENT

There being no further business, Mayor Pro Tem Carr adjourned the meeting at 11:10 p.m.

Minutes Prepared By:

Angie Gonzalez, Minutes Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Michelle Wilson, Deputy City Clerk

APPROVED BY: City Manager

CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

RECOMMENDATION(S)

1. Receive report from National Demographics Corporation;
2. Open/close the public hearing; and
3. Direct staff to work with consultants and the community to identify and define four Council districts in compliance with the California Voting Rights Act and Elections Code section 10010.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility
Supporting Our Youth
Seniors
and Entire Community
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

On May 5, 2017, the City of Morgan Hill received a letter from Goldstein, Borgen, Dardarian & Ho demanding that the City change its election process from at-large elections to district-based elections. On June 7, 2017, The City Council adopted a resolution of intent to transition to district-based elections.

The purpose of this public hearing is to receive a report from National Demographic Corporation (NDC) and to receive input on the process from the community. The report from NDC will provide the following information:

- Brief introduction to the California Voting Rights Act
- Project Timeline
- Discussion of traditional line-drawing criteria, with discussion on what is a "community of interest"
- Demonstration of the public input tools, including the interactive review map and the online mapping tools.

Staff recommends that the City Council create four electoral voting districts in which each Council Member must live within the district they wish to represent and voters may only vote for candidates within their voting district. Any changes to the procedures for electing the Mayor would need to be approved by the voters. Staff is not recommending placing a measure on the ballot at this time. Under staff's recommendation, the Mayor

would continue to be directly elected. through an at-large election allowing all residents in the City to vote for Mayor.

COMMUNITY ENGAGEMENT: Involve

We are planning for an extensive engagement effort with a goal of both informing the community about this process and involving the community in the mapping of the new districts. As the City Council directed, we will have a focused effort on outreaching to our Spanish speaking community. All information will be provided in both English and Spanish. Translators and translation equipment will be available at all public meetings.

As previously indicated, we will be working with NDC to support and provide expertise. They will provide and manage a website that will be the repository for all information related to the transition to district elections including an interactive tool that allows for online creation of district maps. Additionally, every version of a map submitted from community members will be uploaded and available for viewing on this site. The site will be directly linked to our website for ease of access

We will utilize all our communication channels providing all information in both English and Spanish: Website newsflashes, Eblasts, Nextdoor, Facebook, Twitter, and print. Additionally, we have reached out to several individuals and churches that have connections to our Spanish speaking community to have them share our communications both electronically and in print.

A detailed community engagement plan is attached.

ALTERNATIVE ACTIONS:

The City Council could take no action to change the City Council election system and direct staff to defend against any CVRA lawsuits that may be filed; this option could be very expensive to defend and would likely expose the City to costly attorneys' fees.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- May 17, 2017 City Council directed the team to bring this matter back to the City Council for consideration in open session
- June 7, 2107 City Council adopted a resolution of intent to transition to by-district elections
- June 21, 2017 City Council public hearing to receive input from the community

FISCAL AND RESOURCE IMPACT:

There will be significant resource impacts to teammates throughout the organization due to the amount of time needed to ensure thorough community engagement and to meet the legal requirements of transitioning to by-district elections. Additionally, the City is processing a contract with NDC in the amount of \$43,000 to provide demographic and mapping expertise.

CEQA (California Environmental Quality Act):

Not a project.

The forming of electoral districts is not a project as defined in Section 15378 of the State CEQA guidelines.

LINKS/ATTACHMENTS:

1. District Based Election Timeline
2. NDC Districting Proposal for Morgan Hill 20170614
3. June 21st and June 7th City Council Staff Report



17575 Peak Avenue
Morgan Hill, CA 95037-4128
TEL: (408) 779-7271
FAX: (408) 779-3117
www.morganhill.ca.gov

City of Morgan Hill 2017 Transition to City Council District Elections Tentative Public Meeting Schedule

Calendario de reuniones en español están en la mesa por la entrada

Date	Public Meeting	Description
June 21, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting/ Public Hearing #1	Initial Council discussion of process and outreach. First public hearing to gather public input regarding the design of potential draft maps.
June 28, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting/ Public Hearing #2	Additional discussion of process and outreach. Second public hearing to gather public input regarding the design of potential draft maps
July 10, 2017 7:00PM City Council Chamber 17555 Peak Avenue	Community Workshop	Public forum discussion of process and map-drawing criteria. Demonstration of, and Q&A regarding, map-drawing tools.
July 26, 2017 5:30 p.m. City Council Chamber 17555 Peak Avenue	Community Workshop	Public forum discussion of process and map-drawing criteria. Demonstration of, and Q&A regarding, map-drawing tools.
July 26, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting/ Public Hearing #3	Presentation of Draft Maps. Public hearing to gather public input regarding the draft maps and election sequencing.
August 23, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting/ Public Hearing #4	Public hearing and Council vote to introduce ordinance (including selection of a map and election sequence).
September 6, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting	Second reading of and final adoption of ordinance.



A Proposal to the City of Morgan Hill for Demographic Services

By National Demographics Corporation
Douglas Johnson, President

June 14, 2017



National Demographics Corporation

June 14, 2017

Ms. Michelle Williams
Manager/Deputy City Clerk
City of Morgan Hill
17575 Peak Ave.
Morgan Hill, CA 95037

Dear Ms. Williams,

Thank you for the opportunity to provide this proposal to the City of Morgan Hill. NDC has 38 years of experience districting and redistricting local jurisdictions, together with unmatched experience working with jurisdictions facing California Voting Rights Act (CVRA) concerns. Based in Glendale, NDC has worked on CVRA analysis and districting efforts for over 50 cities, 250 school districts, and a variety of other local California jurisdictions. We know the Morgan Hill area well, as we have twice redistricting the Santa Clara Valley Water District and we did the districting work for Morgan Hill Unified School District. We welcome the opportunity to bring the firm's expertise and skills to assist the City.

For each project, there are certain required basic elements, and there are several options that the City can include or leave out at its option. NDC carefully tailors each project to the needs and goals of the individual client partner. NDC welcomes the opportunity to work with the City to encourage public participation in the districting process, and NDC offers a number of tools developed specifically for public engagement in this effort. And we offer templates and samples for every step of the project: analysis and staff reports; outreach materials; web pages and even resolution and ordinance templates.

The attached proposal consists of a brief introduction; specific proposed project elements and options; timeline and cost information; conclusion; and signature section. An appendix provides additional information on NDC, including company history; methodology; technical approach; and references.

NDC looks forward to working with you on this effort. Please call or email if you have any questions, concerns, or requests regarding this proposal.

Sincerely,

Douglas Johnson
President

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National Demographics Corporation

Executive Summary of Proposal

Includes all of the services listed below:\$43,000

- Project Setup and coordination:
 - Development of redistricting database including Census and California Statewide Database data;
 - Incorporation of any Geographic Information System (GIS) data that the City wishes to include and provides (often including school locations; school attendance areas; important local landmarks; or local neighborhood boundaries);
 - Initial discussion with key staff and/or Council members about demographics, communities of interest, schedule and criteria;
 - Any phone- or web-conference calls to discussion the project's progress or answer any Council, staff or media questions that may arise;
 - An NDC-designed and managed project website;
- Plan Development:
 - Creation of and user help for “public participation kits” with Microsoft Excel and interactive online supplements;
 - Creation of and user help for an online map-drawing tool that allows members of the public to draw and submit redistricting proposals online;
 - Creating of 2 to 4 initial draft maps for Council and public consideration;
 - Analysis and preparation for Council consideration of all whole or partial plans submitted by the public;
 - Conversion of all maps and reports to web-friendly versions for online posting;
 - Online posting of all maps to an interactive website for detailed Council and public review;
 - Any requested additional maps and/or map revisions requested;
- Plan Presentation:
 - Up to four in-person presentations at Council meetings and/or public forums (additional in-person meetings add \$2,000 per meeting; no cost for NDC participation in meetings by phone- or web-conference);
- Work with the County Registrar of Voters to implement the final adopted plan.

National Demographics Corporation

About National Demographics Corporation:

Brief Company History

NDC has served hundreds of local governments over the past 36 years. Founded in 1979, NDC has performed work in all regions of the country, serving clients as varied as the States of Mississippi, Arizona, Florida and Illinois, Clark County Nevada, American Waterworks, California's Franchise Tax Board, the San Diego Unified School District, the Foundation for California, and the Arizona cities of Glendale, Mesa, Peoria, Phoenix, Mesa and Surprise. In the Central Valley, NDC has worked with clients in and around Hanford, Dinuba, Tulare, Kings County, Coalinga, Corcoran, Reedley, Lemoore, and Fresno, among others.

The company is especially well known for its work in local and state government. Since 2002, NDC has established a reputation as the state's leading demographic expert on the California Voting Rights Act (CVRA), having performed demographic assessments of potential CVRA liability for over 250 jurisdictions.

No company has been responsible for addressing the electoral demographic needs of more local governments, as NDC has districted and/or redistricted well over 150 local school districts, cities, water districts, county boards, and other local districts. Nationally recognized as a pioneer in good government districting and redistricting, NDC is especially experienced in working with local jurisdictions in California, Arizona and Nevada.

This background gives us unmatched expertise in the issues, questions, and decisions jurisdictions face in any discussion regarding the California and Federal Voting Rights Act and related election system choices.

NDC and the California Voting Rights Act

NDC has performed analysis of potential demographic liability under the California Voting Rights Act (CVRA) for over 250 jurisdictions in California. For those jurisdictions sued under CVRA (none of which were NDC clients prior to the filing of the lawsuit), NDC has assisted in evaluating their demographics, voting history, legal situation, and options for, among others, Madera Unified, Modesto, the City of Madera, Visalia, Compton, the City of Escondido, Palmdale, Santa Clarita Community College District, Glendale Community College District, ABC Unified, and Anaheim.

No other firm even comes close to NDC's experience with this still-new law, and many of the jurisdictions listed above came to NDC after discovering the demographers they initially hired either did not sufficiently understand California and Federal Voting Rights law and the related demographics to help, or the demographers so badly handled the project that their own demographers' work directly resulted in the jurisdiction being sued.

NDC's expertise in both Voting Rights demographics and in the drawing of election districts is widely recognized. NDC's personnel are responsible for numerous books and articles on the subject, and President Douglas Johnson has been a speaker on the CVRA at conferences of the California School Board Association, the California Latino School Board Member Association, the California League of Cities, and other state and national conferences.

NDC's Districting Process

The following information is provided for information and for use if a jurisdiction decides to move to by-district elections. If the client decides not to move to by-district elections, the work would end with the demographic analysis described above.

Technical Expertise

NDC's personnel are nationally recognized as leaders in the districting field, and are responsible for numerous books and articles on the subject. NDC possesses all the hardware and software necessary to the districting and redistricting needs of any jurisdiction, and its personnel have extensive experience in performing graphics districting and redistricting work as well as in developing databases for districting use.

The technical demands of a districting effort are high, and NDC is the undisputed leader in this area. But far more important than technical expertise are the interpersonal understanding and experience working with all parties in the process, including the public.

Public Involvement

NDC pioneered the "transparent districting" approach which involves the public at every stage of the process. The company invented the "public participation kit" for public participation in districting efforts, which many of the firm's competitors now attempt to duplicate. Perhaps NDC's most valuable service is the firm's experience transforming often-contentious and passionate debates on this difficult subject into thoughtful, constructive discussions focused on the options and outcomes rather than individual personalities or positions. NDC also has considerable experience working with translators in public forums and providing materials in English and Spanish.

Minority Group Outreach/Partnerships

U.S. Supreme Court decisions are constantly changing the rules regarding districting, "race-based districting," and the establishment of districts focused on the electoral power of "protected classes." It is crucial that the consultant work with the racial, ethnic, and other community groups at the beginning of the process to welcome their ideas and develop the appropriate expectations regarding minority representation prospects. No NDC local districting or redistricting plans has ever been challenged in Court or by the Department of Justice.

Openness

Any change in election systems can have momentous implications for the distribution of political power in a jurisdiction and for access by groups and individuals to the governance process. Not surprisingly, such changes often attract much public attention, sometimes generate intense controversy, and may draw charges of manipulation and abuse of power. Indeed, disputes over the form and substance of the process may often result in stalemate or legal challenge. It is crucial, therefore, that the jurisdiction establish, at the beginning, a process that is not only fair, but that is seen to be fair, to all contending groups and individuals.

National Demographics Corporation

Media Outreach

The firm's work has been widely praised in the media, and NDC has worked extensively on background, off the record, and on the record with all types of press including radio, television, newspaper, and new media.

Local Leadership

NDC views its role as an advisor and technical resource. The firm advises its clients, but every project remains the client's project. NDC offers guidance based on its experience and expertise, but ultimately the decisions are made by the jurisdiction itself. NDC welcomes the chance to assist this project under the guidance and direction of the jurisdiction's elected leadership, key staff members, and the entire community.

Impeccable References

All of NDC's former clients – without exception – can be contacted for references. The firm has no embarrassing projects. All NDC's local districting and redistricting plans have been accepted into law with a minimum of controversy.

Mr. Rick Haydon, City Manager, City of Santa Maria, 110 E. Cook Street, Santa Maria, CA 93454-5190. Phone: (805) 925-0951 ext. 2200. Email: rhaydon@cityofsantamaria.org

Ms. Pam Abel, Superintendent, Modesto City Schools, 426 Locust Street, Modesto, CA 95351-2631. Phone: (209) 574-1616. Email: able.p@mcs4kids.com

Mr. Darrell Talbert, City Manager, City of Corona, 400 S Vicentia Avenue, Corona, CA 92882-2187. Phone: 951.279.3670. Email: Darrell.Talbert@ci.corona.ca.us

Mr. Steve Carrigan, City Manager, City of Merced, 678 West 18th Street, Merced, CA 95340. Phone: 209- 385-6834 Email: citymanager@cityofmerced.org

Mr. Devin Reif, Strategic Planning, City of Oakland, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612. Phone: 510-238-3550 Email: DReiff@oaklandnet.com

Mr. David Silberman, Deputy County Counsel, San Mateo County, 400 County Center, 6th Floor, Redwood City, CA 94063. Phone: 650-363-4749 Email: dsilberman@smcgov.org

Judge Hugh Rose (retired), Chairman, City of Modesto Districting Commission. 508 King Richard Lane, Modesto, CA 95350. Phone (209) 522-0719. Email: hhrose@hotmail.com.

Ms. Lucinda Aja. City Clerk, City of Buckeye, Arizona. 100 N Apache Rd, Suite A, Buckeye, AZ 85326. Phone (623) 349-6007. Fax (623) 349-6098. Email: laja@buckeyeaz.gov.

Mr. Michael E. Smith, Partner, Lozano Smith, 7404 North Spalding Ave., Fresno, CA 93720, (559)431-5600, MSmith@lozanosmith.com.

Ms. Marguerite Leoni, Partner, Nielsen, Merksamer, Parrinello, Gross & Leoni, 2350 Kerner Boulevard, Suite 250, San Rafael, CA 94901, (415)634-6840, mleoni@nmgovlaw.com (or ask for Mr. Chris Skinnell)

Proposed Scope of Work

Each level of work is a discrete and separate part of this proposal. As each level is complete, NDC will consult with the client on the decision whether to proceed with the next level, skip to a later stage or review, or to decide the review is complete. NDC will only proceed from one level to the next on direction from the client. The client can end the project after any level is complete, or the client can choose to skip levels as it wishes.

To provide the flexibility to meet the needs of the client if it decides to move to by-district elections, NDC offers a full menu of districting options:

Includes all of the services listed below:.....\$43,000

- Project Setup and coordination:
 - Development of redistricting database including Census and California Statewide Database data;
 - Incorporation of any Geographic Information System (GIS) data that the City wishes to include and provides (often including school locations; school attendance areas; important local landmarks; or local neighborhood boundaries);
 - Initial discussion with key staff and/or Council members about demographics, communities of interest, schedule and criteria;
 - Any phone- or web-conference calls to discussion the project's progress or answer any Council, staff or media questions that may arise;
 - An NDC-designed and managed project website;
- Plan Development:
 - Creation of and user help for “public participation kits” with Microsoft Excel and interactive online supplements;
 - Creation of and user help for an online map-drawing tool that allows members of the public to draw and submit redistricting proposals online;
 - Creating of 2 to 4 initial draft maps for Council and public consideration;
 - Analysis and preparation for Council consideration of all whole or partial plans submitted by the public;
 - Conversion of all maps and reports to web-friendly versions for online posting;
 - Online posting of all maps to an interactive website for detailed Council and public review;
 - Any requested additional maps and/or map revisions requested;
- Plan Presentation:
 - Up to four in-person presentations at Council meetings and/or public forums (additional in-person meetings add \$2,000 per meeting; no cost for NDC participation in meetings by phone- or web-conference);
- Work with the County Registrar of Voters to implement the final adopted plan.

Stated prices include all travel, printing (except public participation kits and any large-plot maps), and other anticipated expenses.



National Demographics Corporation

Timeline

A detailed project timeline will be established in consultation with the client and depends heavily on the client's specific needs and goals.

Other Potential Project-Related Expenses:

The only anticipated additional districting expenses would be any site or staff costs for conducting the community forums; and the cost of printing or copying paper copies of the "Public Participation Kit." In NDC's experience, most public participants will download and print the Kits in their own homes or offices.

Additional Analysis

NDC is happy to assist with any additional analysis that the client requests at our standard hourly rates:

Principal (Dr. Douglas Johnson)	\$200 per hour
Vice President (Justin Levitt).....	\$125 per hour
Senior Analyst.....	\$75 per hour
Analyst / Clerical.....	\$50 per hour

Dr. Johnson is also available for deposition and/or testimony work if needed, at \$250 per hour.

Requested Payment terms:

NDC requests that one-half payment be made at project start and one-half at the conclusion.

Conclusion

Since its founding NDC has been the preeminent company in the nation devoted to local election systems. To summarize:

- NDC, founded in 1979, has a demonstrated record of financial solvency.
- NDC's hardware and software resources were specially designed and acquired for districting and redistricting purposes.
- NDC's highly respected personnel have impeccable credentials in each aspect of the districting and redistricting processes.
- NDC's suggested approach has been tested in many jurisdictions.
- Any NDC client can be contacted for testimonials and reference.
- NDC has more experience in the field of municipal political election systems than any other company of which NDC is aware.
- NDC has demonstrated experience over many years in working with the press and media on local election system issues.
- NDC possesses fully up-to-date and highly effective geographic retrieval systems with applications specifically designed for districting and redistricting.
- Neither the Justice Department nor any Court has ever rejected any local government districting or redistricting plan submitted by NDC.

It should be clear that NDC has all of the resources of experience, technical expertise, and legal/political know-how to assist the City in its current effort. NDC looks forward to the opportunity to work with the City on this project.

National Demographics Corporation

Clients moved or moving from at-large to by-district elections

Counties

San Mateo

Cities

Apple Valley
Anaheim
Banning
Bellflower
Buckeye
Buena Park
Ceres
Chino
Compton
Corona
Eastvale
El Cajon
Escondido
Firebaugh
Fowler
Fullerton

Glendale (AZ)
Hemet
Hesperia
Highland
King City
Los Banos
Madera
Menifee
Merced
Mesa (AZ)
Modesto
Moreno Valley
Palmdale
Parlier
Pasadena
Peoria (AZ)

Rancho Cucamonga
Redlands
Reedley
Riverbank
San Marcos
Sanger
Santa Barbara
Surprise
Tulare
Turlock
Victorville
Visalia
Whittier
Wildomar
Yucaipa

Community College Districts

Antelope Valley
Cuesta
Glendale
Grossmont-Cuyamaca
MiraCosta

Rancho Santiago
San Diego
Santa Clarita
Sierra
Southwestern

Water, Irrigation & Conservation Districts

Fresno Irrigation
Imperial Irrigation District
Mojave Water Agency
Palmdale Water
Rowland Water

Alta Irrigation
San Bernardino Water
Santa Clara Valley Water
Upper San Gabriel Valley
Western Municipal Water
Winton Water

Other Special Districts

Jurupa Community Service District
Kings River Conservation District

Tulare Health Care District
Westside Community Health Care District

School Districts

Alpine Union
Alpine Union Elementary
Alta Vista
Bakersfield City Schools
Bonsall Union
Elementary
Borrego Springs Unified
Buena Park Elementary

Burton Elementary
Cajon Valley Union
Cajon Valley Union
Elementary
Calistoga Joint Unified
Capistrano Unified
Capistrano Unified
School District

Cardiff Elementary
Carlsbad Unified
Caruthers
Cayucas
Centinela Valley
Central Unified
Centralia Elementary
Chula Vista Elementary

National Demographics Corporation

Clients moved or moving from at-large to by-district elections

Clay Elementary
 Clovis Unified
 Coalinga-Huron
 Coronado Unified
 Dehesa Elementary
 Del Mar Union
 Elementary
 Dinuba Unified
 Eastern Sierra Unified
 Eastside Union
 Elementary
 Encinitas Union
 Elementary
 Escalon Unified
 Escondido Union
 Elementary
 Escondido Union High
 Exeter Elementary
 Exeter High
 Exeter Unified
 Fallbrook Union
 Elementary
 Fallbrook Union High
 Firebaugh-Las Deltas
 Unified
 Fresno Unified
 Fullerton Union High
 Glendale Unified
 Greenfield
 Grossmont Union High
 Hughson Unified
 Jamul-Dulzura Union
 Elementary
 Julian Union Elementary
 Julian Union High
 Kerman Unified
 Kern High
 Keyes Union
 Kings Canyon Unified
 School District

Kings River
 Kingsburg Elementary
 Kingsburg High
 La Mesa-Spring Valley
 Lake Elsinore
 Lakeside Union
 Elementary
 Lakeside Union School
 Lancaster Elementary
 Lawndale Elementary
 Lemon Grove
 Elementary
 Lindsay Unified
 Lucia Mar
 Madera Unified
 Magnolia Elementary
 Merced Union High
 School District
 Modesto City Schools
 Modoc Unified
 Monson Soltana
 Morgan Hill Unified
 Mountain Empire
 Unified
 Napa Valley Unified
 National Elementary
 Newhall Elementary
 Newman Crows Landing
 Oak Grove Elementary
 School District
 Oceanside Unified
 Pacific Union
 Panama Buena Vista
 Pasadena Unified
 Pixley Union
 Pleasant View
 Pomona Unified
 Porterville
 Poway Unified
 Ramona Unified

Rancho Santa Fe
 Elementary
 Richland School District
 Riverbank
 Riverdale Unified
 Salida Union
 San Dieguito Union High
 San Marcos Unified
 San Pasqual Union
 Elementary
 San Ysidro Elementary
 Santee Elementary
 Selma Unified
 Solana Beach Elementary
 South Bay Union
 Spencer Valley
 Elementary
 Strathmore Elementary
 Sundale Union
 Elementary
 Sweetwater Union High
 Tulare City Elementary
 Tulare City High
 Tulelake
 Turlock Unified
 Twin Rivers Unified
 Vallecitos Elementary
 Valley Center Pauma
 Unified
 Visalia Unified
 Vista Unified
 Walnut Valley Water
 Warner Unified
 Washington Union
 Waterford Union
 Whittier Union High
 Woodlake Union

Douglas Mark Johnson

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Employment

President, National Demographics Corporation, 2006 – present.
Senior Analyst, National Demographics Corporation, 2001 – 2006.
Fellow, Rose Institute of State and Local Government, 2001 – present.
Project Manager and Senior Manager at three internet startup companies, 1999 - 2001.
U.S. Representative Stephen Horn, Legislative Director and System Manager. 1993 – 1997.
Coro Foundation, Fellowship in Public Affairs. 1992 – 1993.
Rose Institute for State and Local Government, Student Manager. 1989 – 1992.

Education

Claremont Graduate University, Ph.D. in Political Science, 2015. Dissertation: “Independent Redistricting Commissions: Hopes and Lessons Learned.”
UCLA Anderson Graduate School of Management, MBA, 1999.
Claremont McKenna College, BA in Government (Political Science), 1992.

Academic Honors

Graduated Cum Laude from Claremont McKenna College.
Phi Beta Kappa. Philip Roland Prize for Excellence in Public Policy.

Publications and Articles

Christian Science Monitor “Let the public help draw voting districts,” October 25, 2013.
New York Times, “The Case for Open Primaries,” February 19, 2009.
Los Angeles Times Opinion Articles:
“A neighbor’s help on redistricting” June 24, 2007.
“A Trojan horse primary for the GOP” February 25, 2007.
“Where a porn palace stood” (article on redevelopment), July 30, 2006.
Fresno Bee Opinion Article: “The Poison Handshake” June 15, 2004.
Redistricting in America. Rose Institute of State and Local Government, 2010.
Restoring the Competitive Edge: California's Need for Redistricting Reform and the Likely Impact of Proposition 77. Rose Institute of State and Local Government, 2005.
“Competitive Districts in California” Rose Institute of State and Local Government, 2005.
Latinos and Redistricting: “Californios For Fair Representation” and California Redistricting in the 1980s. Rose Institute of State and Local Government, 1991.

Speaker or Panelist

California School Board Association Annual Education Conference panelist: “The California Voting Rights Act: What Board Members Must Know.” December 4, 2015.
Associated Cities of California – Orange County, Keynote Speaker, Newly Elected Officials’ Reception and Dinner, “The California Voting Rights Act,” January 29, 2015.
California League of Cities, City Manager Department, 2015 Department Meeting: “Opportunity to Engage Residents: The California Voting Rights Act.” January 29, 2015.
California League of Cities, City Clerk Department, 2014 Annual Meeting: “Whose Line Is It Anyway: Making the transition from at-large to by-district elections.” September 3, 2014.
National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2007 Spring Forum, “The Arizona Independent Redistricting Commissions' experiences with the first-ever independent redistricting.”
National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2008 Spring Forum, “Communities of Interest In Redistricting: A Practical Guide.”

Douglas Mark Johnson

National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2009 Fall Forum, "The Key to Successful Redistricting."

National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2010 Spring Forum, "Communities of Interest in Redistricting: A key to drawing 2011 plans (and for their defense)."

National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2011 Winter Forum, "Citizen Voting Age Data from a line-drawer's viewpoint."

Luncheon Keynote Speaker, Santa Barbara's Channel Cities Club, "California's next experiment: independent, public redistricting," January 18, 2011.

Annual Conference, Arizona League of Cities and Towns, Presenter at "Redistricting Law and the Voting Rights Act: What It Means for Your City or Town in 2011," August 25, 2010.

Redistricting, The 2010 Census, and Your Budget, Sponsored by the Rose Institute of State and Local Government, California League of Cities, October 15, 2009.

Arizona Election Law 2010 Continuing Legal Education Conference, "Communities of interest and technology in redistricting," sponsored by the Arizona State Bar Association, March 2010

California's New Independent Redistricting Commission, sponsored by the Irvine Foundation and the California Redistricting Collaborative, December 15, 2009

Tribal Association of Sovereign Indian Nations (TASIN) Legislative Day 2009, "The 2010 Census and 2011 Redistricting in California," December 2, 2009.

California School Board Association, "Litigation Issues and the California Voting Rights Act," December 4, 2009.

California Latino School Boards Association, "Introduction to the California Voting Rights Act," August 20, 2009.

Building a National Reform Movement, Salt Lake City, Utah, 2006, conference on redistricting reform hosted by the League of Women Voters, Campaign Legal Center, and The Council for Excellence in Government

Texas Tech University, "A Symposium on Redistricting," May, 2006

California League of Cities, "Introduction to the California Voting Rights Act."

Voices of Reform, a project of the Commonwealth Club of San Francisco: multiple forums on redistricting and / or term limits, 2006 – 2007

Classroom speaker at Pepperdine University, the University of La Verne, Pomona College and Claremont McKenna College

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Employment

Vice-President, National Demographics Corporation, 2012 – present.
Senior Analyst, National Demographics Corporation, 2003 – 2011.
Instructor in Political Science, University of California, San Diego, 2012 – present.
Graduate Research Fellow, Center for US-Mexico Studies, 2010 – present.
Graduate Research Fellow, University of California, San Diego, 2008 – 2010 and 2013 – 2014.
Jesse M. Unruh California Assembly Fellow. 2006 – 2007.
Rose Institute for State and Local Government, Student Manager. 2005 – 2006.

Education

University of California, San Diego, Ph.D. Political Science, 2016. Dissertation title: “The Impact of Geographic Patterns on Tradeoffs in Redistricting.”
Claremont McKenna College, BA in Philosophy, Politics and Economics (PPE), 2006.

Academic Honors

California Studies Fellow, University of California, San Diego, 2007 – 2009
Graduated Cum Laude from Claremont McKenna College.

Publications and Conference Presentations

Settle, Jamie, Robert Bond, and Justin Levitt. 2011. “The Social Origins of Adult Political Behavior.” *American Politics Research*. 39 (2). 239-263

Miller, Kenneth and Justin Levitt. 2007. “The San Joaquin Valley.” In The New Political Geography of California. Eds. Frederick Douzet, Thad Kousser, and Kenneth Miller. Berkeley: Institute of Government Studies.

“The Political Geography of Tradeoffs in Redistricting” Paper presented at the State Politics and Policy Conference, Iowa City, IA, 2013

Getting What You Want: A Bargaining Approach to Fair Division in Redistricting. Paper presented at the “Challenging Urban Borders : the geopolitics of immigration and segregation” workshop, Berkeley, CA, 2013 and the State Politics and Policy Conference, Houston, TX, 2012

“An Atlas of Public Health in Mexico” (with Alberto Diaz Cayeros). Paper presented at the Hewlett Foundation Conference on Public Health, Mexico City, DF. 2012

“Remoteness and the Territoriality of Public Health” (with Alberto Diaz Cayeros). Paper presented at the American Political Science Association conference, Seattle, WA. 2011

“Initiatives as revealed preferences” Paper presented at the American Political Science Association conference, Seattle, WA. 2011

“No Se Puede: Latino Political Incorporation in Phoenix.”. Paper Presented at the New Political Geography of California conference, Berkeley, CA., 2009

Justin Mark Levitt

“Political Change in the Central Valley”. Paper Presented at the Western Political Science Association conference, Las Vegas, NV.,2007

Working Papers

Hill, Seth, Thad Kousser, Alex Hughes, and Justin Levitt. ND. *“How Competitiveness Shapes Infrequent Primary Voters Response to Receiving a GOTV Mailer.”*

Diaz-Cayeros, Alberto and Justin Levitt. ND. *“Remoteness and the Territoriality of Public Health.”*

Levitt, Justin. ND. *“Getting What You Want: A Bargaining Approach to Fair Division in Commission-led Redistricting.”*

Teaching Experience

California State University, Long Beach, Department of Political Science

Adjunct Professor—POSC 327 (Urban Politics)	Spring 2016-Present
Adjunct Professor—POSC 229 (Cases in Policy Analysis)	Present
Adjunct Professor—POSC 412 (Law and Social Change)	Spring 2016-Present
Adjunct Professor—POSC 399 (California Politics Short Course)	Present

University of California, San Diego, Department of Political Science

Co-Instructor—UPS 170 (Regional Governance Reconsidered)	Spring 2015
Instructor—Poli 100A (The Presidency)	Fall 2014
Instructor—Poli 160AA (Introduction to Public Policy Analysis)	Fall 2013
Instructor—Poli 10 (Introduction to American Politics)	Summer 2013



CITY COUNCIL STAFF REPORT

MEETING DATE: June 21, 2017

PREPARED BY: Michelle Wilson, Deputy City Clerk
APPROVED BY: City Manager

CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

RECOMMENDATION(S)

Open/close the public hearing.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

At the June 7, 2107 City Council meeting, the City Council adopted a resolution of intent to move to district-based elections after receiving a Demand for Compliance with the California Voting Rights Act (CVRA) letter alleging that the City's at-large election system violates the CVRA and demanding that the City move to by-district elections. The Resolution was adopted in accordance with Elections Code section 10100, which limits the City's liability for costs and fees for voluntarily making the change to district elections.

Staff recommends that the City Council create four electoral voting districts in which each Council Member must live within the district they wish to represent and voters may only vote for candidates within their voting district. Any changes to the procedures for electing the Mayor would need to be approved by the voters. Staff is not recommending placing measure on the ballot at this time. Under staff's recommendation, the Mayor will continue to be directly elected. through an at-large election allowing all residents with the City to vote for Mayor.

The City is processing a contract with National Demographics Corporation (NDC), whose proposal is attached, to provide the resources of; experience, technical expertise, and legal/political know-how to assist the City with a successful and inclusive transition to by-district elections. Along with NDC, the City will hold community outreach meetings to involve the community in the electoral district map drawing process.

COMMUNITY ENGAGEMENT: Involve

We are planning for an extensive engagement effort with a goal of both informing the community about this process and involving the community in the mapping of the new

districts. As the City Council directed, we will have a focused effort on outreaching to our Spanish speaking community. All information will be provided in both English and Spanish. Translators and translation equipment will be available at all public meetings.

As previously indicated, we will be working with NDC to support and provide expertise. They will provide and manage a website that will be the repository for all information related to the transition to district elections including an interactive tool that allows for online creation of district maps. Additionally, every version of a map submitted from community members will be uploaded and available for viewing on this site. The site will be directly linked to our website for ease of access

We will utilize all our communication channels providing all information in both English and Spanish: Website newsflashes, Eblasts, Nextdoor, Facebook, Twitter, and print. Additionally, we have reached out to several individuals and churches that have connections to our Spanish speaking community to have them share our communications both electronically and in print.

A detailed community engagement plan is attached.

ALTERNATIVE ACTIONS:

The City Council could take no action to change the City Council election system and direct staff to defend against any CVRA lawsuits that may be filed; this option could be very expensive to defend and would likely expose the City to costly attorneys' fees.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- May 17, 2017 City Council directed the team to bring this matter back to the City Council for consideration in open session
- June 7, 2107 City council adopted a resolution of intent to transition to by-district elections

FISCAL AND RESOURCE IMPACT:

There will be significant resource impacts to teammates throughout the organization due to the amount of time needed to ensure thorough community engagement and to meet the legal requirements of transitioning to by-district elections. Additionally, the City is processing a contract with NDC in the amount of \$43,000 to provide demographic and mapping expertise.

CEQA (California Environmental Quality Act):

Not a project.

The forming of electoral districts is not a project as defined in Section 15378 of the State CEQA guidelines.

LINKS/ATTACHMENTS:

1. June 7, 2017 City Council Staff Report
2. District Based Election Timeline
3. NDC Districting Proposal for Morgan Hill 20170614



CITY COUNCIL STAFF REPORT

MEETING DATE: June 7, 2017

PREPARED BY: Michelle Wilson, Deputy City Clerk

APPROVED BY: City Manager

CITY COUNCIL CONSIDERATION TO MOVE TO DISTRICT ELECTIONS

RECOMMENDATION(S)

1. Adopt resolution:
 - a. Authorizing staff to commence the transition process of moving to by-district elections;
 - b. Establishing a process for determining the district boundaries; and
 - c. Hiring a demographic consultant.
2. Provide direction on creating an advisory committee on electoral districts to assist the City in the transition process.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

Staff recommends that the City Council take steps towards district-based elections to replace the current at-large election system for City Council elections which has been in place since the City's incorporation in 1906. In a district-based election system, a candidate must live within the district they wish to represent and voters may only vote for candidates within their voting district.

Staff's recommendation is due to the receipt of a Demand for Compliance with the California Voting Rights Act (CVRA) letter received on May 5, 2017 containing unsubstantiated allegations that the City's at-large election system violates the CVRA. The letter was written by Oakland-based law firm Goldstein, Borgen, Dardarian, & Ho (GBDH) on behalf of unidentified clients. The letter alleges that there is evidence of "polarized voting" in the City of Morgan Hill electorate. The CVRA creates a strong preference for district elections for local offices. Under the CVRA, any evidence of racially polarized voting is sufficient to require a court to order a change from at-large voting to district-based voting, even without actual evidence of an electoral injury such as the inability of a protected class to elect a candidate of its choice. Racially polarized voting occurs when there is a difference between the choice of candidates preferred by voters in a protected class and the choice of candidates preferred by voters in the rest of the electorate.

Elections Code section 10010 (effective on January 1, 2017) provides a “safe harbor” from CVRA litigation for cities. If a city receives a demand letter, such as in this case, the city is given 45 days of protection from litigation to determine its options. If within that 45 days, a city adopts a resolution declaring the Council’s intent to transition from at-large to district-based elections, outlining specific steps to be undertaken to facilitate the transition, and estimating a time frame for action, then a potential plaintiff is prohibited from filing a CVRA action for an additional 90-day period. This provides time for the city to voluntarily transition to a district-based election system without having to litigate the district election system. The legislation sets forth a number of steps a city must take in the effort to assess and transition to a district-based election system, including five (5) public hearings. Under section 10010, a city’s liability is capped at \$30,000 if it follows this process after receiving a threat. The \$30,000 in liability is not automatic. A prospective plaintiff must prove that the alleged costs were actually incurred.

Staff recommends that the City Council adopt the proposed resolution authorizing the staff to commence the process of transitioning the Council election process to by-district elections, including the establishment of a process for determining the district boundaries, and hiring a demographic consultant to assist the City in the transition process.

Additionally, staff is recommending the City Council provide direction on creating an advisory committee on electoral districts to assist in the development of district maps and to receive public input on the mapping process. The committee along with the demographic consultant would make a recommendation to the City Council, the body which would make the final decision regarding the district maps.

The team believes the public interest is best served by avoiding a costly lawsuit and spending significant amounts of tax payer dollars, which would likely result if the Council did not adopt the resolution. Such a lawsuit would be very costly, whether the City could successfully defend against it or not. Even cities that have settled (without conceding the merits) lawsuits brought under the CVRA have incurred significant expenses, not only to pay their own attorneys’ fees, but to pay the attorneys’ fees for the plaintiffs. For example, in February 2015, the City of Santa Barbara reportedly paid \$80,000 in attorneys’ fees and expert costs to settle its CVRA lawsuit. However, the costs are much higher for those cities that have litigated cases to judgment. For example, the City of Palmdale incurred expenses in excess of \$4.5 million in its unsuccessful attempt to defend against a lawsuit brought under the CVRA. Moreover, according to the League of California Cities, no city has successfully defended an “at-large” system of election under a claim filed by any individual or group under the CVRA.

COMMUNITY ENGAGEMENT: Involve

It is recommended that the City Council consider creating an advisory committee on electoral districts which would be comprised of members of the community. Residents are encouraged to attend and participate in the process by attending community meetings and providing valuable input. Residents will have the opportunity to present

their ideas to the committee and demographic consultant, including submitting maps with suggestions for district boundaries. We welcome our community members in taking part in shaping Morgan Hill's future.

ALTERNATIVE ACTIONS:

The City Council could take no action to change the City Council election system and direct staff to defend against any CVRA lawsuits that may be filed; this option could be very expensive to defend and would likely expose the City to costly attorneys' fees.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council, City Manager, and City Attorney discussed the demand letter in closed session at the May 17, 2017 City Council meeting and the City Council directed the team to bring this matter back to the City Council for consideration in open session.

FISCAL AND RESOURCE IMPACT:

There will be significant resource impacts to teammates throughout the organization due to the amount of time needed to ensure thorough community engagement and to meet the legal requirements of transitioning to district-based elections. Additionally, the City will need to hire a demographics consultant. The team is in the process of requesting quotes. Based on information from other cities, the estimated cost for the consultant will be between \$25,000 and \$60,000. A portion of this cost would be covered by approximately \$20,000 remaining in the FY 2016-17 elections budget. The team will provide recommendations as to where the remaining funds should come from at a later date. The City may also be required to reimburse the plaintiff for its attorneys' fees and costs up to \$30,000.

CEQA (California Environmental Quality Act):

Not a Project

The forming of electoral districts is not a project as defined in Section 15378 of the State CEQA guidelines.

LINKS/ATTACHMENTS:

1. Demand Letter 5-5-17
2. District Election Resolution
3. Draft District Based Election Timeline

Shareholders
Linda M. Dardarian
Laura L. Ho



Goldstein, Borgen,
Dardarian & Ho

Received
City of Morgan Hill

Of Counsel
Barry Goldstein
David Borgen
Morris J. Baller

MAY - 5 2017

May 2, 2017

City Clerk

Steve Rymer
City Manager
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Via Registered Mail

Re: Demand for Compliance with California Voting Rights Act

Dear Mr. Rymer:

We have received complaints from, and now represent, Latino citizens and voters of the City of Morgan Hill, as well as other members of your community, who believe that the use of an at-large election system for the election of candidates to the City Council results in vote dilution and prevents Latino voters from electing candidates of their choice or influencing the results of elections. Upon those complaints, we have investigated demographic and electoral information for your jurisdiction with particular attention to the prohibitions of the California Voting Rights Act of 2001 ("CVRA"). Based on that investigation, we believe that Morgan Hill's at-large election system violates the CVRA and must be changed to a district election system. This letter is sent pursuant to section 10010(e)(1) of the California Elections Code, as amended by AB 350 (enacted September 28, 2016).

The CVRA, which is a part of the California Elections Code, states in relevant part:

§ 14027. [A]n at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or abridgement of the rights and privileges of members of a protected class.

Latino residents of Morgan Hill are of course such a "protected class," and we believe that the at-large election system does result in dilution of their voting rights. Our analysis of population data from census figures shows that approximately 34% of the total population of the city is Latino. Of the citizen voting age population, those eligible to vote, approximately 26% is Latino. (Both figures are based on the 2011-2015 American Community Survey 5-Year Estimates.) Based on our review of election returns and demographic information, as well as on information provided by our clients and other local residents, it is clear that disproportionately few Latinos, and other candidates favored by Latino voters but not by non-Latino voters, have been successful in winning election to the Morgan Hill City Council. For instance, none of the five current members of the City Council (including the Mayor) is a Latino. Our review of

Attachment: June 21st and June 7th City Council Staff Report (1314 : District Elections - Public Hearing No. 2)

election results since the year 2000 reveals that not a single Latino has been elected since at least that date although there have been several Latinos who ran for City Council over that period.

We believe that the lack of success of Latinos in gaining election and of Latino voters in selecting candidates of their choice results from racially polarized voting by the Morgan Hill electorate. The CVRA defines racially polarized voting as “voting in which there is a difference ... in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate.” Elections Code § 14026(e). The CVRA further specifies that racially polarized voting is determined by examining the results of elections in which “one candidate is a member of a protected class or elections involving ballot measures, or other electoral choices that affect the rights and privileges of a protected class.” *Id.* § 14208(a)-(b). Demonstration of minority vote dilution due to racially polarized voting under an at-large election system is sufficient to prove a violation of the CVRA.

We have studied voting patterns both in Morgan Hill City Council elections, and other elections for County and State offices in which we analyzed the votes of residents of precincts within the boundaries of the City of Morgan Hill. In most elections the candidate(s) of choice of Latino voters have not been the candidate(s) chosen by most non-Latino voters. For example, in the 2010 election for two council positions, the two Latino candidates, Moreno and Castelan, were the top two choices of Latino voters, but they both lost, while non-Latino voters supported the two successful candidates, Constantine and Siebert, at 1.5 to four times the rate they gained support from Latino voters. In the race for mayor that same year, non-Latino voters supported the winning candidate, Tate, by a 58% majority, while Latinos supported the runner-up, College, by a 55% majority; but due to non-Latino voters not supporting that Latino-choice runner-up candidate, he lost the election by a wide margin. In the 2014 city council election, two non-Latinos won, and one Spanish-surnamed candidate finished a distant last among the four candidates. In 2016, the two Latino candidates finished last among the five candidates for the two seats, and the Spanish-surnamed candidate for mayor finished last among the three candidates for that position.

Pronounced patterns of racially polarized voting are also evident in elections other than those for City Council, when voting results in Morgan Hill precincts are analyzed. For example, in the 2014 Water District election, the Latino candidate, Cruz, lost although he received 78% of the Latino vote because the winning non-Latino candidate, Kennedy, received 67% of the non-Latino vote. In the 2014 election for Morgan Hill Unified School District, the Latino candidate, Benavides, was the top vote-getter among Latino voters but received the smallest percentage of votes from non-Latino voters, and therefore lost by a wide margin. Voting in City of Morgan Hill precincts for statewide offices in the 2010 statewide elections was highly polarized. The Latino-favored candidate for Insurance Commissioner, De la Torre, had the support of 77% of Latino voters but only 30% of non-Latino voters, and lost overall in those precincts. For Superintendent of Schools, Latino voters favored the Latino-choice and Latina candidate, Gutierrez, by a 59% majority, while non-Latino voters cast only 21% of their ballots for her; in contrast, the winning non-Latino candidate, Torlakson, outpolled Gutierrez among non-Latino voters by over a 2-to-1 ratio. For Controller, the Latino and Latino-choice candidate, Perez

Steve Rymer

-3-

May 2, 2017

received only 12% of the Anglo vote, while the first-choice candidate of non-Latino voters received 28% support; but Perez was able to win in the Morgan Hill precincts because he had a huge 6-1 margin among Latino voters (72% of their votes). We are confident that close analysis of last year's statewide elections in Morgan Hill precincts, which we have not yet conducted, would yield similar results.

In light of the facts summarized above, we are confident that a violation of the CVRA can be shown. The constitutionality of the CVRA has been upheld by the California Court of Appeal, and both the California Supreme Court and the United States Supreme refused to disturb that decision. *Sanchez v. City of Modesto*, 145 Cal. App. 4th 660 (2006), *review denied*, 2007 Cal. LEXIS 2772 (Cal. March 21, 2007) (No. S149500), *cert. denied* 552 U.S. 974 (2007). A number of jurisdictions, including the Cities of Modesto, Bellflower, Tulare, Compton, Escondido, San Juan Capistrano, and Whittier, have converted their election systems from at-large to by-district systems after being sued by their minority citizens under the CVRA. In the most prominent lawsuits, the City of Palmdale has been ordered by a court to change its election system from at-large to by-district and the City of Anaheim settled by agreeing to put a charter amendment measure for conversion of its election system to the voters, who passed it by an overwhelming margin in November 2014. In all of those cases, in which lawsuits were necessary to obtain compliance with the CVRA, the cities wound up paying substantial attorneys' fees to the plaintiffs' attorneys, as well as their own attorneys – in the Modesto, Anaheim and Palmdale cases, in amounts of several million dollars for both sides' attorneys, and in the Palmdale case the court awarded several million dollars to plaintiffs' attorneys alone. A large number of other cities, including Los Banos and, just this past year, Corona and Eastvale, have recently abandoned at-large systems and adopted district election plans when they were required to review their election systems in light of demands similar to this one. Within Santa Clara County, the undersigned attorneys filed a CVRA action against the City of Santa Clara just this month after that City chose to ignore a similar demand letter, and the Morgan Hill Unified School District changed its system of electing trustees from at-large to by-district in 2015, after it received a demand letter from one of the undersigned attorneys. Many of those jurisdictions also were required to spend substantial amounts of attorneys' fees before they came brought into compliance with the CVRA even without the need for litigation.

In light of the lack of Latino representation and the inability of Latino voters to select candidates of their choice and to influence the outcome of elections, in violation of the California Voting Rights Act, and in the context of racially polarized voting as occurs in Corona elections, we demand that the City of Morgan Hill change its election system from at-large to district elections. In the absence of a satisfactory response, we and our clients will be forced to consider seeking judicial relief in the form of an action to obtain an order changing the election system from at-large to district elections, together with other relief provided for in the CVRA, including awards of litigation and expert witness costs.

Steve Rymer

-4-

May 2, 2017

We would be pleased to discuss the subject of this letter with you should you believe such discussion would be productive toward the goal of bringing your city's election system into compliance with the CVRA.

Sincerely yours,

Goldstein, Borgen, Dardarian & Ho



By: Morris J. Baller
Of Counsel

Law Office of Robert Rubin



By: Robert Rubin

MJB/ct

cc:

(by US Mail)

Steve Tate, Mayor
Rich Constantine, Council Member
Larry Carr, Member, City Council
Rene Spring, Member, City Council
Caitlin Robinett Jachimowicz, Member, City Council

Attachment: June 21st and June 7th City Council Staff Report (1314 : District Elections - Public Hearing No. 2)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL DECLARING ITS INTENT TO TRANSITION FROM AT-LARGE TO DISTRICT-BASED ELECTIONS FOR CITY COUNCIL ELECTIONS

WHEREAS, the City of Morgan Hill, is a municipal corporation and general law city duly organized and existing under and pursuant to the Constitution and laws of the State of California ("City"); and

WHEREAS, members of the City Council of the City of Morgan Hill ("City") are currently elected in "at-large" elections, in which each City Councilmember is elected by the registered voters of the entire City; and

WHEREAS, California Government Code Section 34886 authorizes the legislative body of a city to adopt an ordinance to change its method of election from an "at-large" system to a "district-based" system in which each council member is elected only by the voters in the district in which the candidate resides; and

WHEREAS, the City received a certified letter on May 5, 2017, from Morris J. Baller of the law firm of Goldstein, Borgen, Dardarian & Ho, asserting that the City's at-large council member electoral system violates the California Voting Rights Act ("CVRA").

WHEREAS, a violation of the CVRA is established if it can be proven that racially polarized voting occurs in elections (Elections Code Section 14028(a)). "Racially polarized voting" means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate (Elections Code Section 14026(e)); and

WHEREAS, although the letter was not accompanied by any credible evidence to support the claim of a CVRA violation, the City Council has directed staff to initiate the process to establish by-district elections to avoid costs and attorneys' fees associated with defending a lawsuit based on the CVRA, even if that lawsuit settles; and

WHEREAS, Elections Code Section 10010 provides a process for expeditiously changing to a by-district election system, which provides a "safe harbor" to avoid the high cost of litigation under the CVRA; and

WHEREAS, the public interest would be better served by Council consideration of a proposal to transition to a district-based electoral system because of: 1) the extraordinary cost to defend against a CVRA lawsuit, 2) the risk of losing such a lawsuit which would require the City to pay the prevailing plaintiffs' attorneys' fees, and 3) the City's liability would be capped at a maximum of \$30,000 by following the procedures set forth in Elections Code Section 10010; and

WHEREAS, prior to the City Council's consideration of an ordinance to establish district boundaries for a district-based electoral system, California Elections Code Section 10010 requires all of the following:

1. Prior to drawing a draft map or maps of the proposed boundaries of the districts, the City shall hold at least two (2) public hearings over a period of no more than thirty (30) days, at which the public will be invited to provide input regarding the composition of the districts;
2. After all draft maps are drawn, City shall publish and make available for release at least one draft map and, if members of the City Council will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections shall also be published. The City Council shall also hold at least two (2) additional hearings over a period of no more than forty-five (45) days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. The first version of a draft map shall be published at least seven (7) days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven (7) days before being adopted; and

WHEREAS, the adoption of a district-based elections system will not affect the current terms of any sitting Council Member.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. The City Council hereby resolves to consider adoption of an ordinance to transition to a district-based election system as authorized by Government Code Section 34886 for use in the City's General Municipal Election for City Council Members beginning in November 2018.

Section 2. The City Council directs staff to engage a demographer and any other appropriate consultants as needed, to provide a detailed analysis of the City's current demographics and any other information or data necessary to prepare a draft map that divides the City into voting districts in a manner consistent with the intent and purpose of the California Voting Rights Act and the Federal Voting Rights Act.

Section 3 The City Council authorizes the Mayor to appoint an Advisory Board of not more than seven Morgan Hill electors. Appointments will be made based on the recommendations of the City Council. The Commission will be charged with taking public input on the proposed districts and making recommendations to the City Council regarding the proposed districts.

Section 4. The City Council hereby approves the tentative timeline as set forth in Exhibit A, attached to and made a part of this resolution, for conducting a public process to solicit public input and testimony on proposed district-based electoral maps before adopting any such map.

Section 5. The timeline contained in Exhibit A may be adjusted by the City Manager, provided that such adjustments shall not prevent the City from complying with the time frames specified by Elections Code Section 10010.

Section 6. This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 7th day of June, 2017.

AYES: COUNCIL MEMBERS:
 NOES: COUNCIL MEMBERS:
 ABSTAIN: COUNCIL MEMBERS:
 ABSENT: COUNCIL MEMBERS:

APPROVED:

ATTEST:

 STEVE TATE, Mayor

 IRMA TORREZ, City Clerk

∞ CERTIFICATION ∞

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. ____, adopted by the City Council at a regular meeting held on June 7, 2017.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

 IRMA TORREZ, City Clerk

EXHIBIT A
DRAFT
TIMELINE / CHECKLIST

Letter Received by City Clerk's Office: May 5, 2017
 45-Day Deadline [AB 350(e)(3)(A)]: June 19, 2017
 90-Day Deadline [AB 350(e)(3)(B)]: September 17, 2017

No.	Task	Date / Timeline	Notes
1	Closed Session	May 17 th	
2	Council Meeting – Initial Consideration of Topic – Item to Introduce Topic, Seek Council Direction on How to Proceed, Subcommittee Assignment/Adopt Resolution	June 7 th	
3	Council Meeting/Public Hearing #1	June 21 st	Before Map(s) Drawn – E.C. 10010(a)(1)
4	Council Meeting/Public Hearing #2	June 28th (4 th Wednesday of the month)	Before Map(s) Drawn – E.C. 10010(a)(1), within 30 days of Public Hearing #1
5	Draft Map(s) Drawn (Subcommittee Review)	June 29 th – July 7 th	
6	Publish Draft Map(s) and Sequencing	July 14 th	E.C. 10010(a)(2), Published Once at Least 7 Days Prior to Public Hearing #3
7	Council Meeting / Public Hearing #3	July 26th (4 th Wednesday of the month)	After Map(s) and Sequencing Published E.C. 10010(a)(2), More than 7 Days After Draft Map(s) and Sequencing Publication
8	Council Meeting / Public Hearing #4 – Introduction / First Reading of Ordinance	August 23rd (4 th Wednesday of the month)	After Map(s) and Sequencing Published E.C. 10010(a)(2), within 45 days of Public Hearing #3
9	Council Meeting – Second Reading of Ordinance	September 6 th	Publish Entire Adopted Ordinance
10	Ordinance Effective 30 Days After Adoption (If Required)	October 7 th	Government Code 36937 (Election Ordinance Effective Immediately) Unless Charter Requires Otherwise
11	Council Members Transition to Representing Their Respective Districts via Ordinance	November 2018 November 2020	

Attachment: June 21st and June 7th City Council Staff Report (1314 : District Elections - Public Hearing No. 2)



17575 Peak Avenue
Morgan Hill, CA 95037-4128
TEL: (408) 779-7271
FAX: (408) 779-3117
www.morganhill.ca.gov

City of Morgan Hill 2017 Transition to City Council District Elections Tentative Public Meeting Schedule

(Translation equipment and a Spanish language interpreter will be present at all meetings)

Date	Public Meeting	Description
June 21, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting/ Public Hearing #1	Initial Council discussion of process and outreach. First public hearing to gather public input regarding the design of potential draft maps.
June 28, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting/ Public Hearing #2	Additional discussion of process and outreach. Second public hearing to gather public input regarding the design of potential draft maps
July 10, 2017 7:00PM City Council Chamber 17555 Peak Avenue	Community Workshop	Public forum discussion of process and map-drawing criteria. Demonstration of, and Q&A regarding, map-drawing tools.
July 26, 2017 5:30 p.m. City Council Chamber 17555 Peak Avenue	Community Workshop	Public forum discussion of process and map-drawing criteria. Demonstration of, and Q&A regarding, map-drawing tools.
July 26, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting/ Public Hearing #3	Presentation of Draft Maps. Public hearing to gather public input regarding the draft maps and election sequencing.
August 23, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting/ Public Hearing #4	Public hearing and Council vote to introduce ordinance (including selection of a map and election sequence).
September 6, 2017 7:00PM City Council Chamber 17555 Peak Avenue	City Council Meeting	Second reading of and final adoption of ordinance.



A Proposal to the City of Morgan Hill for Demographic Services

By National Demographics Corporation
Douglas Johnson, President

June 14, 2017



National Demographics Corporation

June 14, 2017

Ms. Michelle Williams
Manager/Deputy City Clerk
City of Morgan Hill
17575 Peak Ave.
Morgan Hill, CA 95037

Dear Ms. Williams,

Thank you for the opportunity to provide this proposal to the City of Morgan Hill. NDC has 38 years of experience districting and redistricting local jurisdictions, together with unmatched experience working with jurisdictions facing California Voting Rights Act (CVRA) concerns. Based in Glendale, NDC has worked on CVRA analysis and districting efforts for over 50 cities, 250 school districts, and a variety of other local California jurisdictions. We know the Morgan Hill area well, as we have twice redistricting the Santa Clara Valley Water District and we did the districting work for Morgan Hill Unified School District. We welcome the opportunity to bring the firm's expertise and skills to assist the City.

For each project, there are certain required basic elements, and there are several options that the City can include or leave out at its option. NDC carefully tailors each project to the needs and goals of the individual client partner. NDC welcomes the opportunity to work with the City to encourage public participation in the districting process, and NDC offers a number of tools developed specifically for public engagement in this effort. And we offer templates and samples for every step of the project: analysis and staff reports; outreach materials; web pages and even resolution and ordinance templates.

The attached proposal consists of a brief introduction; specific proposed project elements and options; timeline and cost information; conclusion; and signature section. An appendix provides additional information on NDC, including company history; methodology; technical approach; and references.

NDC looks forward to working with you on this effort. Please call or email if you have any questions, concerns, or requests regarding this proposal.

Sincerely,

Douglas Johnson
President

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National Demographics Corporation

Executive Summary of Proposal

Includes all of the services listed below:.....\$43,000

- Project Setup and coordination:
 - Development of redistricting database including Census and California Statewide Database data;
 - Incorporation of any Geographic Information System (GIS) data that the City wishes to include and provides (often including school locations; school attendance areas; important local landmarks; or local neighborhood boundaries);
 - Initial discussion with key staff and/or Council members about demographics, communities of interest, schedule and criteria;
 - Any phone- or web-conference calls to discussion the project's progress or answer any Council, staff or media questions that may arise;
 - An NDC-designed and managed project website;
- Plan Development:
 - Creation of and user help for “public participation kits” with Microsoft Excel and interactive online supplements;
 - Creation of and user help for an online map-drawing tool that allows members of the public to draw and submit redistricting proposals online;
 - Creating of 2 to 4 initial draft maps for Council and public consideration;
 - Analysis and preparation for Council consideration of all whole or partial plans submitted by the public;
 - Conversion of all maps and reports to web-friendly versions for online posting;
 - Online posting of all maps to an interactive website for detailed Council and public review;
 - Any requested additional maps and/or map revisions requested;
- Plan Presentation:
 - Up to four in-person presentations at Council meetings and/or public forums (additional in-person meetings add \$2,000 per meeting; no cost for NDC participation in meetings by phone- or web-conference);
- Work with the County Registrar of Voters to implement the final adopted plan.

National Demographics Corporation

About National Demographics Corporation:

Brief Company History

NDC has served hundreds of local governments over the past 36 years. Founded in 1979, NDC has performed work in all regions of the country, serving clients as varied as the States of Mississippi, Arizona, Florida and Illinois, Clark County Nevada, American Waterworks, California's Franchise Tax Board, the San Diego Unified School District, the Foundation for California, and the Arizona cities of Glendale, Mesa, Peoria, Phoenix, Mesa and Surprise. In the Central Valley, NDC has worked with clients in and around Hanford, Dinuba, Tulare, Kings County, Coalinga, Corcoran, Reedley, Lemoore, and Fresno, among others.

The company is especially well known for its work in local and state government. Since 2002, NDC has established a reputation as the state's leading demographic expert on the California Voting Rights Act (CVRA), having performed demographic assessments of potential CVRA liability for over 250 jurisdictions.

No company has been responsible for addressing the electoral demographic needs of more local governments, as NDC has districted and/or redistricted well over 150 local school districts, cities, water districts, county boards, and other local districts. Nationally recognized as a pioneer in good government districting and redistricting, NDC is especially experienced in working with local jurisdictions in California, Arizona and Nevada.

This background gives us unmatched expertise in the issues, questions, and decisions jurisdictions face in any discussion regarding the California and Federal Voting Rights Act and related election system choices.

NDC and the California Voting Rights Act

NDC has performed analysis of potential demographic liability under the California Voting Rights Act (CVRA) for over 250 jurisdictions in California. For those jurisdictions sued under CVRA (none of which were NDC clients prior to the filing of the lawsuit), NDC has assisted in evaluating their demographics, voting history, legal situation, and options for, among others, Madera Unified, Modesto, the City of Madera, Visalia, Compton, the City of Escondido, Palmdale, Santa Clarita Community College District, Glendale Community College District, ABC Unified, and Anaheim.

No other firm even comes close to NDC's experience with this still-new law, and many of the jurisdictions listed above came to NDC after discovering the demographers they initially hired either did not sufficiently understand California and Federal Voting Rights law and the related demographics to help, or the demographers so badly handled the project that their own demographers' work directly resulted in the jurisdiction being sued.

NDC's expertise in both Voting Rights demographics and in the drawing of election districts is widely recognized. NDC's personnel are responsible for numerous books and articles on the subject, and President Douglas Johnson has been a speaker on the CVRA at conferences of the California School Board Association, the California Latino School Board Member Association, the California League of Cities, and other state and national conferences.

National Demographics Corporation

NDC's Districting Process

The following information is provided for information and for use if a jurisdiction decides to move to by-district elections. If the client decides not to move to by-district elections, the work would end with the demographic analysis described above.

Technical Expertise

NDC's personnel are nationally recognized as leaders in the districting field, and are responsible for numerous books and articles on the subject. NDC possesses all the hardware and software necessary to the districting and redistricting needs of any jurisdiction, and its personnel have extensive experience in performing graphics districting and redistricting work as well as in developing databases for districting use.

The technical demands of a districting effort are high, and NDC is the undisputed leader in this area. But far more important than technical expertise are the interpersonal understanding and experience working with all parties in the process, including the public.

Public Involvement

NDC pioneered the "transparent districting" approach which involves the public at every stage of the process. The company invented the "public participation kit" for public participation in districting efforts, which many of the firm's competitors now attempt to duplicate. Perhaps NDC's most valuable service is the firm's experience transforming often-contentious and passionate debates on this difficult subject into thoughtful, constructive discussions focused on the options and outcomes rather than individual personalities or positions. NDC also has considerable experience working with translators in public forums and providing materials in English and Spanish.

Minority Group Outreach/Partnerships

U.S. Supreme Court decisions are constantly changing the rules regarding districting, "race-based districting," and the establishment of districts focused on the electoral power of "protected classes." It is crucial that the consultant work with the racial, ethnic, and other community groups at the beginning of the process to welcome their ideas and develop the appropriate expectations regarding minority representation prospects. No NDC local districting or redistricting plans has ever been challenged in Court or by the Department of Justice.

Openness

Any change in election systems can have momentous implications for the distribution of political power in a jurisdiction and for access by groups and individuals to the governance process. Not surprisingly, such changes often attract much public attention, sometimes generate intense controversy, and may draw charges of manipulation and abuse of power. Indeed, disputes over the form and substance of the process may often result in stalemate or legal challenge. It is crucial, therefore, that the jurisdiction establish, at the beginning, a process that is not only fair, but that is seen to be fair, to all contending groups and individuals.

National Demographics Corporation

Media Outreach

The firm's work has been widely praised in the media, and NDC has worked extensively on background, off the record, and on the record with all types of press including radio, television, newspaper, and new media.

Local Leadership

NDC views its role as an advisor and technical resource. The firm advises its clients, but every project remains the client's project. NDC offers guidance based on its experience and expertise, but ultimately the decisions are made by the jurisdiction itself. NDC welcomes the chance to assist this project under the guidance and direction of the jurisdiction's elected leadership, key staff members, and the entire community.

Impeccable References

All of NDC's former clients – without exception – can be contacted for references. The firm has no embarrassing projects. All NDC's local districting and redistricting plans have been accepted into law with a minimum of controversy.

Mr. Rick Haydon, City Manager, City of Santa Maria, 110 E. Cook Street, Santa Maria, CA 93454-5190. Phone: (805) 925-0951 ext. 2200. Email: rhaydon@cityofsantamaria.org

Ms. Pam Abel, Superintendent, Modesto City Schools, 426 Locust Street, Modesto, CA 95351-2631. Phone: (209) 574-1616. Email: able.p@mcs4kids.com

Mr. Darrell Talbert, City Manager, City of Corona, 400 S Vicentia Avenue, Corona, CA 92882-2187. Phone: 951.279.3670. Email: Darrell.Talbert@ci.corona.ca.us

Mr. Steve Carrigan, City Manager, City of Merced, 678 West 18th Street, Merced, CA 95340. Phone: 209- 385-6834 Email: citymanager@cityofmerced.org

Mr. Devin Reif, Strategic Planning, City of Oakland, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612. Phone: 510-238-3550 Email: DReiff@oaklandnet.com

Mr. David Silberman, Deputy County Counsel, San Mateo County, 400 County Center, 6th Floor, Redwood City, CA 94063. Phone: 650-363-4749 Email: dsilberman@smcgov.org

Judge Hugh Rose (retired), Chairman, City of Modesto Districting Commission. 508 King Richard Lane, Modesto, CA 95350. Phone (209) 522-0719. Email: hhrose@hotmail.com.

Ms. Lucinda Aja. City Clerk, City of Buckeye, Arizona. 100 N Apache Rd, Suite A, Buckeye, AZ 85326. Phone (623) 349-6007. Fax (623) 349-6098. Email: laja@buckeyeaz.gov.

Mr. Michael E. Smith, Partner, Lozano Smith, 7404 North Spalding Ave., Fresno, CA 93720, (559)431-5600, MSmith@lozanosmith.com.

Ms. Marguerite Leoni, Partner, Nielsen, Merksamer, Parrinello, Gross & Leoni, 2350 Kerner Boulevard, Suite 250, San Rafael, CA 94901, (415)634-6840, mleoni@nmgovlaw.com (or ask for Mr. Chris Skinnell)

Proposed Scope of Work

Each level of work is a discrete and separate part of this proposal. As each level is complete, NDC will consult with the client on the decision whether to proceed with the next level, skip to a later stage o review, or to decide the review is complete. NDC will only proceed from one level to the next on direction from the client. The client can end the project after any level is complete, or the client can choose to skip levels as it wishes.

To provide the flexibility to meet the needs of the client if it decides to move to by-district elections, NDC offers a full menu of districting options:

Includes all of the services listed below:.....\$43,000

- Project Setup and coordination:
 - Development of redistricting database including Census and California Statewide Database data;
 - Incorporation of any Geographic Information System (GIS) data that the City wishes to include and provides (often including school locations; school attendance areas; important local landmarks; or local neighborhood boundaries);
 - Initial discussion with key staff and/or Council members about demographics, communities of interest, schedule and criteria;
 - Any phone- or web-conference calls to discussion the project's progress or answer any Council, staff or media questions that may arise;
 - An NDC-designed and managed project website;
- Plan Development:
 - Creation of and user help for “public participation kits” with Microsoft Excel and interactive online supplements;
 - Creation of and user help for an online map-drawing tool that allows members of the public to draw and submit redistricting proposals online;
 - Creating of 2 to 4 initial draft maps for Council and public consideration;
 - Analysis and preparation for Council consideration of all whole or partial plans submitted by the public;
 - Conversion of all maps and reports to web-friendly versions for online posting;
 - Online posting of all maps to an interactive website for detailed Council and public review;
 - Any requested additional maps and/or map revisions requested;
- Plan Presentation:
 - Up to four in-person presentations at Council meetings and/or public forums (additional in-person meetings add \$2,000 per meeting; no cost for NDC participation in meetings by phone- or web-conference);
- Work with the County Registrar of Voters to implement the final adopted plan.

Stated prices include all travel, printing (except public participation kits and any large-plot maps), and other anticipated expenses.



National Demographics Corporation

Timeline

A detailed project timeline will be established in consultation with the client and depends heavily on the client's specific needs and goals.

Other Potential Project-Related Expenses:

The only anticipated additional districting expenses would be any site or staff costs for conducting the community forums; and the cost of printing or copying paper copies of the "Public Participation Kit." In NDC's experience, most public participants will download and print the Kits in their own homes or offices.

Additional Analysis

NDC is happy to assist with any additional analysis that the client requests at our standard hourly rates:

Principal (Dr. Douglas Johnson)	\$200 per hour
Vice President (Justin Levitt).....	\$125 per hour
Senior Analyst.....	\$75 per hour
Analyst / Clerical.....	\$50 per hour

Dr. Johnson is also available for deposition and/or testimony work if needed, at \$250 per hour.

Requested Payment terms:

NDC requests that one-half payment be made at project start and one-half at the conclusion.

Conclusion

Since its founding NDC has been the preeminent company in the nation devoted to local election systems. To summarize:

- NDC, founded in 1979, has a demonstrated record of financial solvency.
- NDC's hardware and software resources were specially designed and acquired for districting and redistricting purposes.
- NDC's highly respected personnel have impeccable credentials in each aspect of the districting and redistricting processes.
- NDC's suggested approach has been tested in many jurisdictions.
- Any NDC client can be contacted for testimonials and reference.
- NDC has more experience in the field of municipal political election systems than any other company of which NDC is aware.
- NDC has demonstrated experience over many years in working with the press and media on local election system issues.
- NDC possesses fully up-to-date and highly effective geographic retrieval systems with applications specifically designed for districting and redistricting.
- Neither the Justice Department nor any Court has ever rejected any local government districting or redistricting plan submitted by NDC.

It should be clear that NDC has all of the resources of experience, technical expertise, and legal/political know-how to assist the City in its current effort. NDC looks forward to the opportunity to work with the City on this project.

National Demographics Corporation

Clients moved or moving from at-large to by-district elections

Counties

San Mateo

Cities

Apple Valley
Anaheim
Banning
Bellflower
Buckeye
Buena Park
Ceres
Chino
Compton
Corona
Eastvale
El Cajon
Escondido
Firebaugh
Fowler
Fullerton

Glendale (AZ)
Hemet
Hesperia
Highland
King City
Los Banos
Madera
Menifee
Merced
Mesa (AZ)
Modesto
Moreno Valley
Palmdale
Parlier
Pasadena
Peoria (AZ)

Rancho Cucamonga
Redlands
Reedley
Riverbank
San Marcos
Sanger
Santa Barbara
Surprise
Tulare
Turlock
Victorville
Visalia
Whittier
Wildomar
Yucaipa

Community College Districts

Antelope Valley
Cuesta
Glendale
Grossmont-Cuyamaca
MiraCosta

Rancho Santiago
San Diego
Santa Clarita
Sierra
Southwestern

Water, Irrigation & Conservation Districts

Fresno Irrigation
Imperial Irrigation District
Mojave Water Agency
Palmdale Water
Rowland Water

Alta Irrigation
San Bernardino Water
Santa Clara Valley Water
Upper San Gabriel Valley
Western Municipal Water
Winton Water

Other Special Districts

Jurupa Community Service District
Kings River Conservation District

Tulare Health Care District
Westside Community Health Care District

School Districts

Alpine Union
Alpine Union Elementary
Alta Vista
Bakersfield City Schools
Bonsall Union
Elementary
Borrego Springs Unified
Buena Park Elementary

Burton Elementary
Cajon Valley Union
Cajon Valley Union
Elementary
Calistoga Joint Unified
Capistrano Unified
Capistrano Unified
School District

Cardiff Elementary
Carlsbad Unified
Caruthers
Cayucas
Centinela Valley
Central Unified
Centralia Elementary
Chula Vista Elementary

National Demographics Corporation

Clients moved or moving from at-large to by-district elections

Clay Elementary
 Clovis Unified
 Coalinga-Huron
 Coronado Unified
 Dehesa Elementary
 Del Mar Union
 Elementary
 Dinuba Unified
 Eastern Sierra Unified
 Eastside Union
 Elementary
 Encinitas Union
 Elementary
 Escalon Unified
 Escondido Union
 Elementary
 Escondido Union High
 Exeter Elementary
 Exeter High
 Exeter Unified
 Fallbrook Union
 Elementary
 Fallbrook Union High
 Firebaugh-Las Deltas
 Unified
 Fresno Unified
 Fullerton Union High
 Glendale Unified
 Greenfield
 Grossmont Union High
 Hughson Unified
 Jamul-Dulzura Union
 Elementary
 Julian Union Elementary
 Julian Union High
 Kerman Unified
 Kern High
 Keyes Union
 Kings Canyon Unified
 School District

Kings River
 Kingsburg Elementary
 Kingsburg High
 La Mesa-Spring Valley
 Lake Elsinore
 Lakeside Union
 Elementary
 Lakeside Union School
 Lancaster Elementary
 Lawndale Elementary
 Lemon Grove
 Elementary
 Lindsay Unified
 Lucia Mar
 Madera Unified
 Magnolia Elementary
 Merced Union High
 School District
 Modesto City Schools
 Modoc Unified
 Monson Soltana
 Morgan Hill Unified
 Mountain Empire
 Unified
 Napa Valley Unified
 National Elementary
 Newhall Elementary
 Newman Crows Landing
 Oak Grove Elementary
 School District
 Oceanside Unified
 Pacific Union
 Panama Buena Vista
 Pasadena Unified
 Pixley Union
 Pleasant View
 Pomona Unified
 Porterville
 Poway Unified
 Ramona Unified

Rancho Santa Fe
 Elementary
 Richland School District
 Riverbank
 Riverdale Unified
 Salida Union
 San Dieguito Union High
 San Marcos Unified
 San Pasqual Union
 Elementary
 San Ysidro Elementary
 Santee Elementary
 Selma Unified
 Solana Beach Elementary
 South Bay Union
 Spencer Valley
 Elementary
 Strathmore Elementary
 Sundale Union
 Elementary
 Sweetwater Union High
 Tulare City Elementary
 Tulare City High
 Tulelake
 Turlock Unified
 Twin Rivers Unified
 Vallecitos Elementary
 Valley Center Pauma
 Unified
 Visalia Unified
 Vista Unified
 Walnut Valley Water
 Warner Unified
 Washington Union
 Waterford Union
 Whittier Union High
 Woodlake Union

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Employment

President, National Demographics Corporation, 2006 – present.
Senior Analyst, National Demographics Corporation, 2001 – 2006.
Fellow, Rose Institute of State and Local Government, 2001 – present.
Project Manager and Senior Manager at three internet startup companies, 1999 - 2001.
U.S. Representative Stephen Horn, Legislative Director and System Manager. 1993 – 1997.
Coro Foundation, Fellowship in Public Affairs. 1992 – 1993.
Rose Institute for State and Local Government, Student Manager. 1989 – 1992.

Education

Claremont Graduate University, Ph.D. in Political Science, 2015. Dissertation: “Independent Redistricting Commissions: Hopes and Lessons Learned.”
UCLA Anderson Graduate School of Management, MBA, 1999.
Claremont McKenna College, BA in Government (Political Science), 1992.

Academic Honors

Graduated Cum Laude from Claremont McKenna College.
Phi Beta Kappa. Philip Roland Prize for Excellence in Public Policy.

Publications and Articles

Christian Science Monitor “Let the public help draw voting districts,” October 25, 2013.
New York Times, “The Case for Open Primaries,” February 19, 2009.
Los Angeles Times Opinion Articles:
 “A neighbor’s help on redistricting” June 24, 2007.
 “A Trojan horse primary for the GOP” February 25, 2007.
 “Where a porn palace stood” (article on redevelopment), July 30, 2006.
Fresno Bee Opinion Article: “The Poison Handshake” June 15, 2004.
Redistricting in America. Rose Institute of State and Local Government, 2010.
Restoring the Competitive Edge: California's Need for Redistricting Reform and the Likely Impact of Proposition 77. Rose Institute of State and Local Government, 2005.
“Competitive Districts in California” Rose Institute of State and Local Government, 2005.
Latinos and Redistricting: “Californios For Fair Representation” and California Redistricting in the 1980s. Rose Institute of State and Local Government, 1991.

Speaker or Panelist

California School Board Association Annual Education Conference panelist: “The California Voting Rights Act: What Board Members Must Know.” December 4, 2015.
Associated Cities of California – Orange County, Keynote Speaker, Newly Elected Officials’ Reception and Dinner, “The California Voting Rights Act,” January 29, 2015.
California League of Cities, City Manager Department, 2015 Department Meeting: “Opportunity to Engage Residents: The California Voting Rights Act.” January 29, 2015.
California League of Cities, City Clerk Department, 2014 Annual Meeting: “Whose Line Is It Anyway: Making the transition from at-large to by-district elections.” September 3, 2014.
National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2007 Spring Forum, “The Arizona Independent Redistricting Commissions' experiences with the first-ever independent redistricting.”
National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2008 Spring Forum, “Communities of Interest In Redistricting: A Practical Guide.”

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National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2009 Fall Forum, "The Key to Successful Redistricting."

National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2010 Spring Forum, "Communities of Interest in Redistricting: A key to drawing 2011 plans (and for their defense)."

National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2011 Winter Forum, "Citizen Voting Age Data from a line-drawer's viewpoint."

Luncheon Keynote Speaker, Santa Barbara's Channel Cities Club, "California's next experiment: independent, public redistricting," January 18, 2011.

Annual Conference, Arizona League of Cities and Towns, Presenter at "Redistricting Law and the Voting Rights Act: What It Means for Your City or Town in 2011," August 25, 2010.

Redistricting, The 2010 Census, and Your Budget, Sponsored by the Rose Institute of State and Local Government, California League of Cities, October 15, 2009.

Arizona Election Law 2010 Continuing Legal Education Conference, "Communities of interest and technology in redistricting," sponsored by the Arizona State Bar Association, March 2010

California's New Independent Redistricting Commission, sponsored by the Irvine Foundation and the California Redistricting Collaborative, December 15, 2009

Tribal Association of Sovereign Indian Nations (TASIN) Legislative Day 2009, "The 2010 Census and 2011 Redistricting in California," December 2, 2009.

California School Board Association, "Litigation Issues and the California Voting Rights Act," December 4, 2009.

California Latino School Boards Association, "Introduction to the California Voting Rights Act," August 20, 2009.

Building a National Reform Movement, Salt Lake City, Utah, 2006, conference on redistricting reform hosted by the League of Women Voters, Campaign Legal Center, and The Council for Excellence in Government

Texas Tech University, "A Symposium on Redistricting," May, 2006

California League of Cities, "Introduction to the California Voting Rights Act."

Voices of Reform, a project of the Commonwealth Club of San Francisco: multiple forums on redistricting and / or term limits, 2006 – 2007

Classroom speaker at Pepperdine University, the University of La Verne, Pomona College and Claremont McKenna College

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Employment

Vice-President, National Demographics Corporation, 2012 – present.
Senior Analyst, National Demographics Corporation, 2003 – 2011.
Instructor in Political Science, University of California, San Diego, 2012 – present.
Graduate Research Fellow, Center for US-Mexico Studies, 2010 – present.
Graduate Research Fellow, University of California, San Diego, 2008 – 2010 and 2013 – 2014.
Jesse M. Unruh California Assembly Fellow. 2006 – 2007.
Rose Institute for State and Local Government, Student Manager. 2005 – 2006.

Education

University of California, San Diego, Ph.D. Political Science, 2016. Dissertation title: “The Impact of Geographic Patterns on Tradeoffs in Redistricting.”
Claremont McKenna College, BA in Philosophy, Politics and Economics (PPE), 2006.

Academic Honors

California Studies Fellow, University of California, San Diego, 2007 – 2009
Graduated Cum Laude from Claremont McKenna College.

Publications and Conference Presentations

Settle, Jamie, Robert Bond, and Justin Levitt. 2011. “The Social Origins of Adult Political Behavior.” *American Politics Research*. 39 (2). 239-263

Miller, Kenneth and Justin Levitt. 2007. “The San Joaquin Valley.” In The New Political Geography of California. Eds. Frederick Douzet, Thad Kousser, and Kenneth Miller. Berkeley: Institute of Government Studies.

“The Political Geography of Tradeoffs in Redistricting” Paper presented at the State Politics and Policy Conference, Iowa City, IA, 2013

Getting What You Want: A Bargaining Approach to Fair Division in Redistricting. Paper presented at the “Challenging Urban Borders : the geopolitics of immigration and segregation” workshop, Berkeley, CA, 2013 and the State Politics and Policy Conference, Houston, TX, 2012

“An Atlas of Public Health in Mexico” (with Alberto Diaz Cayeros). Paper presented at the Hewlett Foundation Conference on Public Health, Mexico City, DF. 2012

“Remoteness and the Territoriality of Public Health” (with Alberto Diaz Cayeros). Paper presented at the American Political Science Association conference, Seattle, WA. 2011

“Initiatives as revealed preferences” Paper presented at the American Political Science Association conference, Seattle, WA. 2011

“No Se Puede: Latino Political Incorporation in Phoenix.”. Paper Presented at the New Political Geography of California conference, Berkeley, CA., 2009

Justin Mark Levitt

“Political Change in the Central Valley”. Paper Presented at the Western Political Science Association conference, Las Vegas, NV.,2007

Working Papers

Hill, Seth, Thad Kousser, Alex Hughes, and Justin Levitt. ND. *“How Competitiveness Shapes Infrequent Primary Voters Response to Receiving a GOTV Mailer.”*

Diaz-Cayeros, Alberto and Justin Levitt. ND. *“Remoteness and the Territoriality of Public Health.”*

Levitt, Justin. ND. *“Getting What You Want: A Bargaining Approach to Fair Division in Commission-led Redistricting.”*

Teaching Experience

California State University, Long Beach, Department of Political Science

Adjunct Professor—POSC 327 (Urban Politics)	Spring 2016-Present
Adjunct Professor—POSC 229 (Cases in Policy Analysis)	Present
Adjunct Professor—POSC 412 (Law and Social Change)	Spring 2016-Present
Adjunct Professor—POSC 399 (California Politics Short Course)	Present

University of California, San Diego, Department of Political Science

Co-Instructor—UPS 170 (Regional Governance Reconsidered)	Spring 2015
Instructor—Poli 100A (The Presidency)	Fall 2014
Instructor—Poli 160AA (Introduction to Public Policy Analysis)	Fall 2013
Instructor—Poli 10 (Introduction to American Politics)	Summer 2013



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Rebecca Garcia, Housing Manager
APPROVED BY: City Manager

UHC CONDITIONAL AFFORDABLE HOUSING FUNDING

RECOMMENDATION

RECOMMENDATION(S)

Approve conditional funding for the UHC Affordable Housing Project \$750,000, contingent on UHC's ability to obtain the remaining gap funds, subject to an agreement negotiated by the City Attorney.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility
Supporting Our Youth
Seniors
and Entire Community

2017 Strategic Priorities

Inclusiveness
Regional Initiatives

POLICY CONSIDERATIONS:

1. Does the Affordable Housing Development partnership proposed enhance housing opportunities for Morgan Hill residents?
2. Do leveraged resources produce benefits to the City, as well as, the County and region?

REPORT NARRATIVE:

The Housing Team is recommending that the City Council consider providing a portion of the equity to fund the Urban Housing Communities (UHC) affordable housing project \$750,000, contingent on the developer's ability to obtain a commitment for the remaining gap funding, \$5,000,000 from other entities, within approximately 90 days, subject to an agreement negotiated by the City Attorney.

UHC has been involved in efforts to provide affordable housing in Morgan Hill since 2006. In 2006, UHC developed the Horizons at Morgan Hill and Crossings at Morgan Hill. Completed in 2011, Horizons is a 49 unit senior community located at the corner of Central and MacLaughlin. The Crossings is a 24 unit acquisition rehab development at 170 Wright Ave that the city requested UHC to acquire in 2009 and convert from market rate to affordable in order to improve the neighborhood.

UHC has been interested in developing additional affordable housing communities in Morgan Hill. They have identified a site and participated in the RDCS process in 2014

and 2015, receiving allocations for 39 affordable units at a site located at the Northeast Corner of Monterey and Biseglia, targeting family households at 30%, 40%, and 50% Area Median Income (AMI). For example, a household of 3 would have a maximum income ranging from \$30,150 to \$50,250. Households size varies and the maximum income is adjusted accordingly. UHC has been on hold hoping that the City would acquire sufficient housing dollars to support a UHC tax credit application for development. They have remained engaged with staff and have relayed their ongoing interest and commitment to building a cost effective, service enriched development that meets City Council's priorities. In 2015, when last discussing the City's housing needs, the City Council expressed an interest in supporting a Multifamily project with the possibility of including additional Transitional Age-Youth (TAY) units for Morgan Hill.

UHC obtained seven Residential Development Control System (RDCS) allotments awarded for construction in Fiscal Year 2016-2017, with a commencement construction date of June 30, 2017 and was recently granted an administrative six-month extension to December 30, 2017 for those allocations. Additionally, thirty-two of the allotments were awarded for Fiscal Year 2017-2018, with a construction commencement deadline of December 30, 2018. UHC anticipates requesting a one year extension for the 2016-2017 seven allotments in December.

As the City of Morgan Hill continues to be a part of the regional affordable housing solution, and with the passage of County's Measure A in November of 2016, this project potentially could leverage a significant amount from other county or regional affordable housing resources. Although, the Housing Team is in support of another multifamily TAY project combination, similar to the most recent EAH project, the Team is also requesting some flexibility in continuing to shape the project at this time, due to the need to obtain additional funding and the requirements that may be expected of additional funding sources. From the Housing Team's perspective, the most essential elements to maintain are affordability, direct access to new units for local South County families in need, services, a strategic and diligent marketing and outreach effort in Morgan Hill and South County upon lease up of new units, and partnerships with local service providers, as well as the school district to ensure that new housing opportunities are complimenting and servicing existing City needs and programs. Given existing City housing and homeless programs and service needs, the goal is to obtain at a minimum direct access to at least 50% of the units to support those who are in need of housing locally, and to complement existing housing efforts.

If the Council chooses to pledge \$750,000 towards the project, contingent on obtaining direct access to 50% of the units, appropriate supportive services, and the developers ability to obtain the remaining \$5 Million in gap funds within the next 90 days, the project could then attempt to secure a commitment for additional development funds immediately, such as the County's various funding sources, Measure A, Community Development Block Grant, HOME funds, as well as the Housing Trust of Silicon Valley's funding opportunities, and the Housing Authority. Additionally, this funding would be contingent on the UHC's commitment to conduct a comprehensive targeted marketing and outreach plan to local residents for a minimum of 50% of the units or 19 units.

If the Council chooses to pledge \$750,000 towards the UHC project, at the direction of City Council, the Housing Team will endeavor to work quickly to preserve the 39 allocations, and facilitate discussions with UHC and the County of Santa Clara, and other regional housing partners to further refine a project proposal that is able to successfully compete for 9% tax credits in March of 2018, and that the project is well equipped with resident services, responsive property management, meets City Council's priority, and has a construction start date of approximately August of 2018. Pending City Council direction, the next steps are to seek additional funding commitments by September 28, 2017, and if successful, the Housing Team will return to Council to provide an update and a request consideration of a housing development loan agreement.

COMMUNITY ENGAGEMENT: Inform

The staff report serves to inform the community of the proposed pledge to fund a portion of the UHC affordable housing project.

ALTERNATIVE ACTIONS:

The alternative is not to pledge \$750,000 "contingent" funding commitment to UHC at this time, or to request that staff return to Council once the remaining gap funds have been secured.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On February 10, 2015, the Planning Commission adopted a resolution awarding seven allotments for Fiscal Year 2016-2017, and on January 12, 2016, the Planning Commission adopted a resolution awarding 32 allotments for Fiscal Year 2017-2018.

FISCAL AND RESOURCE IMPACT:

This conditional program expense, \$750,000 is included in the FY 16-17 Adopted Budget Housing Mitigation Fund (236) and Housing Successor Agency Fund (255); no additional budget amendments are needed.

It should be noted that once this commitment is pledged, the housing team sees little or no opportunity to obtain its own housing funds sufficient for Morgan Hill to support new affordable housing construction in the future. The ability to amass \$4-5 million in local development support annually now that redevelopment has been dissolved may not be possible. The housing program has limited funds of approximately \$500,000 annually to pledge towards programs and projects, which limits the City from doing new affordable rental construction project, unless partnered with other agencies. This will represent an operational and control shift for the community and the very successful affordable housing program.

CEQA (California Environmental Quality Act):

Categorical Exemption. This item, because it is a pledge to fund a project, is exempt from the California Environmental Quality Act (CEQA) under Sections 15061(b)(3), actions which do not have a potential impact on the environment. CEQA review will be performed on the site as part of the entitlement application process.

LINKS/ATTACHMENTS:

1. Photographs
2. UHC Sources and Uses

SUBJECT PHOTOGRAPHS



Facing North From Bisceglia Avenue



Facing Northwest

SUBJECT PHOTOGRAPHS**Facing Southwest****Existing Structures in Northwestern Portion of Site**

SUBJECT PHOTOGRAPHS



East on Bisceglia Avenue



South on Monterey Road

Attachment: Photographs (1291 : UHC Conditional Affordable Housing Funding Recommendation)



AERIAL MAP

5/12/2017
 9% Tax Credit Model 5.11.2017
 Permanent Sources and Uses

SOURCES OF FUNDS	Total	Per Unit
Permanent Loan	\$ 4,456,000	\$ 114,256
Federal 9% Tax Credit Proceeds from Investor	8,317,311	213,264
City of Morgan Hill Cash Residual Note	750,000	19,231
County of Santa Clara	5,000,000	128,205
Other	-	-
Other	-	-
Other	-	-
Deferred Developer Fee	262,533	6,732
State Tax Credits	2,027,158	51,978
TOTAL SOURCES OF FUNDS	\$ 20,813,002	\$ 533,667
USES OF FUNDS		
Acquisition Costs	\$ 2,472,000	\$ 63,385
Rehabilitation Costs	-	-
New Construction Costs	11,637,242	298,391
Contingency	586,862	15,048
Relocation	-	-
Architecture Fees	414,860	10,637
Survey and Engineering	234,000	6,000
Construction Financing	1,157,823	29,688
Permanent Financing	93,000	2,385
Legal Fees	160,000	4,103
Reserves	300,000	7,692
Other Soft Costs	2,357,214	60,441
Developer Fees	1,400,000	35,897
TOTAL USES OF FUNDS	\$ 20,813,002	\$ 533,667
SOURCES LESS USES	\$ -	\$ -

NOTES:

9% model with credit pricing of .93 Fed and \$.68 state

Not LEED Certified but will meet or exceed Green Building Standards

No working drawings

39 units

Assumes prevailing wage

Approximate tiebreaker 40.724 with \$5,000,000 County Contribution

5/12/2017
9% Tax Credit Model 5.11.2017
Construction Sources and Uses

SOURCES OF FUNDS	Total	Per Unit
Construction Loan	\$ 11,100,530	\$ 284,629
Federal 9% Tax Credit Proceeds from Investor	2,075,000	53,205
City of Morgan Hill Cash Residual Note	750,000	19,231
County of Santa Clara	5,000,000	128,205
Amounts Funded at Conversion (Reserves)	300,000	7,692
Other	-	-
Other	-	-
Deferred Developer Fee	1,080,682	27,710
State Tax Credits	506,790	12,995
TOTAL SOURCES OF FUNDS	\$ 20,813,001	\$ 533,667
USES OF FUNDS		
Acquisition Costs	\$ 2,472,000	\$ 63,385
Rehabilitation Costs	-	-
New Construction Costs	11,637,242	298,391
Contingency	586,862	15,048
Relocation	-	-
Architecture Fees	414,860	10,637
Survey and Engineering	234,000	6,000
Construction Financing	1,157,823	29,688
Permanent Financing	93,000	2,385
Legal Fees	160,000	4,103
Reserves	300,000	7,692
Other Soft Costs	2,357,214	60,441
Developer Fees	1,400,000	35,897
TOTAL USES OF FUNDS	\$ 20,813,002	\$ 533,667
SOURCES LESS USES	\$ -	\$ -



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Scott Creer, Deputy Director of Engineering
APPROVED BY: City Manager

ACCEPTANCE OF 2017 PAVEMENT MANAGEMENT SYSTEM REPORT

RECOMMENDATION(S)

1. Receive report on 2017 Pavement Management System Report; and
2. Accept the 2017 Pavement Management System Report.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Fiscal Responsibility
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Infrastructure

REPORT NARRATIVE:

The City's Pavement Management System is updated every 2 years utilizing funds administrated by the Metropolitan Transportation Commission as part of the Pavement Management Technical Assistance Program (P-TAP). The most recent update was completed in April 2017 by AMS Consulting (attached). The update of the PMS included the inventory and inspection of all city maintained streets and revising the pavement management database with current maintenance and rehabilitation strategies. Upon the completion of this work, AMS Consulting provided the City with an updated PMS report. The purpose of the report is to 1) assist the City Council and community in understanding the overall pavement condition index (PCI) of the roadway system, 2) assist in prioritizing City street maintenance efforts, and 3) to quantify the financial need to improve the overall PCI and reduce the level of deferred maintenance.

AMS Consulting will provide a comprehensive presentation and be available to answer any questions the City Council may have about the PMS. The next step in the process will be to return to the Council with a prioritization of future pavement preservation efforts.

COMMUNITY ENGAGEMENT: Inform

This is a continuation of the outreach that began last year to inform the community on the gradually deterioration of the City's roadways due to lack of available funding for this effort.

ALTERNATIVE ACTIONS:

Not Applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council has been engaged in discussing the condition of our roads and potential strategies to increase the funding level. Most recently, the Council adopted "Infrastructure" as one of its 2017 Strategic Priorities.

FISCAL AND RESOURCE IMPACT:

Lack of available funding for the proper repair and maintenance of the City's roadway system continues to be an issue for the City even though recent funding measures passed by the State and the voters of Santa Clara County will help with this effort. The attached presentation provides detail in regards to the City's ongoing, annual need to improve the PCI and reduce the amount of deferred maintenance.

CEQA (California Environmental Quality Act):

Not a Project - The creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

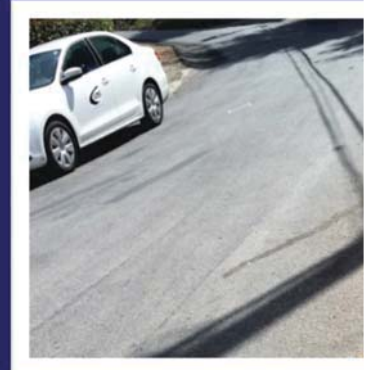
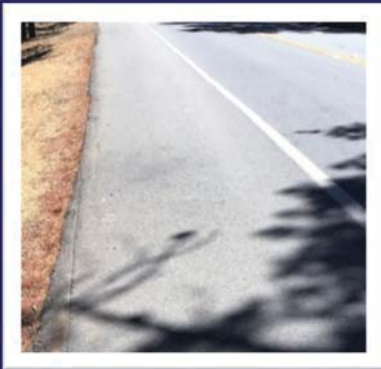
LINKS/ATTACHMENTS:

1. City of Morgan Hill 2017 Pavement Management System Report



Pavement Management System Update Final Report

Pavement Management Technical Assistance Program
(P-TAP 17)



AMS CONSULTING

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Packet Pg. 223

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INTRODUCTIONS

AMS Consulting (AMS) is a qualified consultant for the Metropolitan Transportation Commission (MTC) Pavement Management Technical Assistance Program (P-TAP). AMS was assigned the City of Morgan Hill to perform a City-wide pavement management update. This update consisted of:

1. Inventory and inspection of all paved roads within City limits. These roads were inspected to standard using modified ASTM 6433-11;
2. Updating of the City's pavement management database with current maintenance and rehabilitation strategies; and
3. Providing the City with an updated report that helps the City prioritize roads for treatment using various budget constraints.

The purpose of this report is to assist City staff in fully utilizing the MTC Pavement Management Software (StreetSaver) on a network level. This report will help City staff assess the revenues needed to meet the needs recommended by StreetSaver. In addition, it will help:

- Maximize the City's return on investment from available maintenance and rehabilitation funds;
- Generate a prioritized five-year plan; and
- Identify specific areas in need of maintenance and rehabilitation.

PAVEMENT INSPECTIONS

As part of this update, AMS certified raters assessed the City's pavement surface using the modified ASTM 6433 standard. These inspections entailed the identification of eight surface distress types, severity levels and quantifying them. These inspections were performed using handheld mobile rater technology developed by MTC StreetSaver and digital measuring wheels. These devices allow for real-time pavement condition calculations. The following 8 distress types identified were:

1. Alligator Cracking
2. Block Cracking
3. Distortion
4. Longitudinal and Transverse Cracking
5. Patch and Utility Cuts
6. Rutting and Depressions
7. Raveling
8. Weathering

These distresses are rated using representative sampling which is considered 10% of each road segment. Following each day of field work, inspectors upload the distress types, severity levels and quantity information into StreetSaver.

StreetSaver is then able to calculate a Pavement Condition Index (PCI) for each road segment. A PCI rating index is a numerical value between 0 to 100; with 0 being a failed road and 100 being a brand new street. The PCI is calculated using StreetSaver system algorithms that were developed by MTC.

The road network is broken down into three functional classifications:

Arterial

High capacity roads that connect collector roads to freeways. These roads are typically wider and heavily traveled (i.e. East Dunne Ave., etc.). Most often these roads can be paid for by using state and federal grants with the City paying a portion of the costs. The average daily traffic for an arterial street is 15,000 (low volume) to 50,000 (high volume) vehicles.

Collector

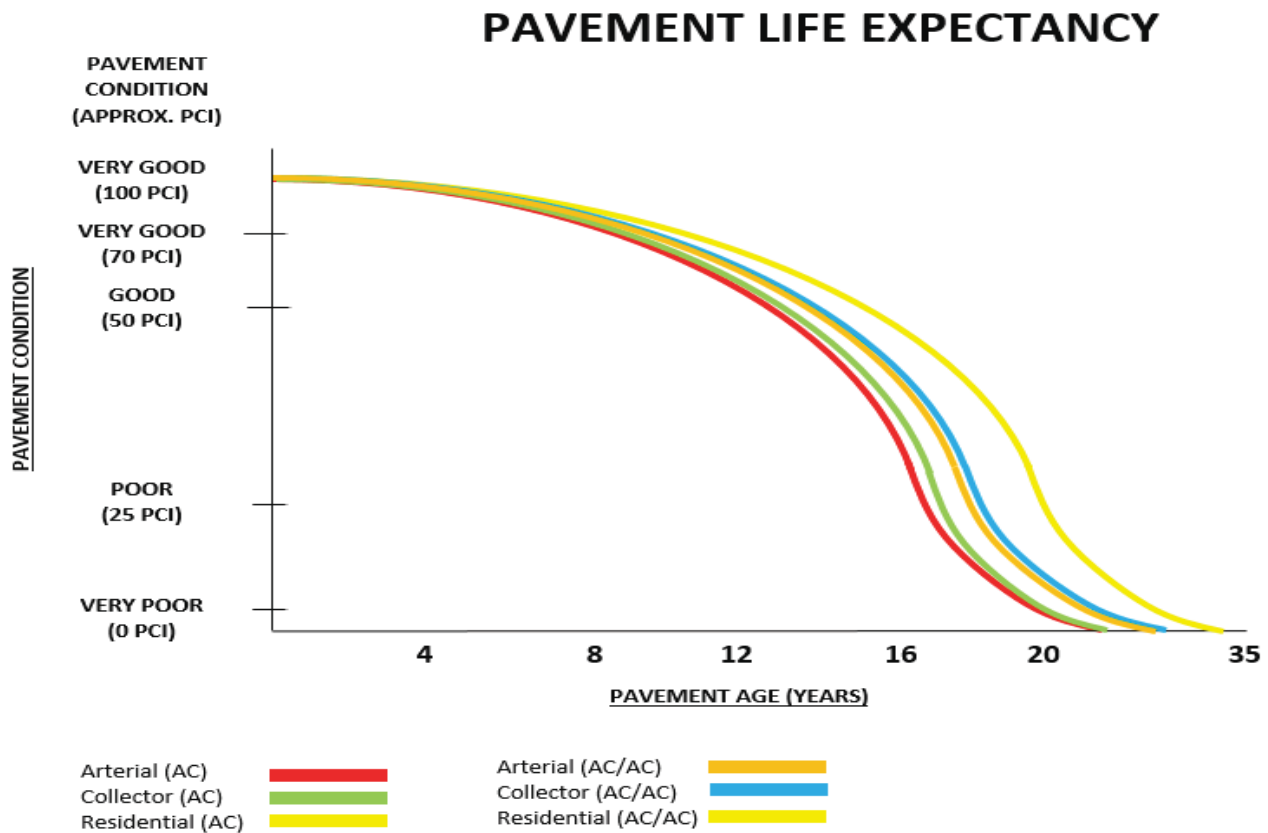
Roads that are less traveled than arterials; considered low to moderate capacity roads. These roads serve to deliver traffic from residential streets to arterial roads. These roads are typically narrower in width than arterial roads but can carry a significant amount of traffic (i.e. Wright Ave., etc.). These roads are also eligible for state grants with the City paying a portion. Daily traffic for collector streets average 5,000 (low volume) to 15,000 (high volume) vehicles.

Residential/Local

Roads that serve a localized geographical area within a city. These roads are narrower in width than collectors and deliver low traffic volumes. These streets are typically not eligible for federal or state funding. Residential streets are less traveled than collector roads; daily traffic averages 1,000 (low volume) to 5,000 (high volume) vehicles.

Each street is not built the same and therefore does not share the same deterioration curves or have the same life expectancy. Figure 1 is an example of the City's current life expectancy for pavementⁱ. The useful life for an arterial is much shorter than a residential street and this is due to the amount of traffic.

FIGURE 1. PAVEMENT LIFE EXPECTANCY



CURRENT STATE

The City of Morgan Hill owns and manages approximately 128.33 centerline miles (Table 1) or 278.99 lane milesⁱⁱ. The overall network pavement condition index (PCI) for the City is 72. The City's current backlogⁱⁱⁱ is approximately \$23.2 million (Table 2). Backlog is derived from the work scheduled in prior years but deferred due to insufficient funding resources. To maintain the PCI at optimal levels^{iv} the City would need to spend approximately \$45.2 million (Table 2) by the end of 2021.

TABLE 1. CITY NETWORK SUMMARY STATISTICS

	Total Sections	Total Center Miles	Total Lane Miles	PCI
Arterial	69	20.39	60.63	72
Collector	124	23.66	48.92	71
Residential/Local	711	84.28	169.44	72
Total	904	128.33	278.99	72

TABLE 2. CITY NEEDS COST SUMMARY

	Preventative Maintenance	Rehabilitation	Total	PCI
2017	\$3,929,820	\$19,248,027	\$23,177,847	83
2018	\$344,901	\$3,577,456	\$3,922,357	82
2019	\$656,986	\$6,762,343	\$7,419,329	83
2020	\$453,123	\$5,324,824	\$5,777,947	84
2021	\$917,127	\$3,974,744	\$4,891,871	84
Total	\$6,301,957	\$38,887,394	\$45,189,351	

Figure 2 show that approximately 62.9% of City roads have a PCI of 70 or better and approximately 37.1% of City roads have a PCI of 70 and Below.

FIGURE 2. PERCENT OF CITY CONDITION CATEGORIES

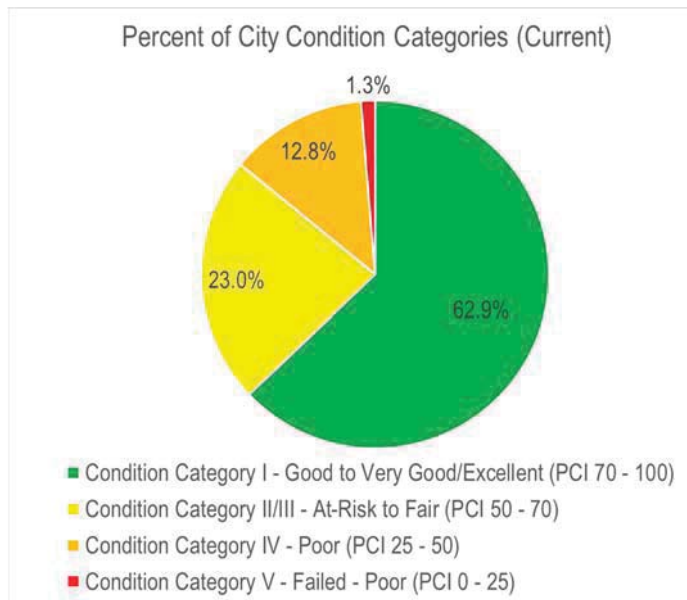
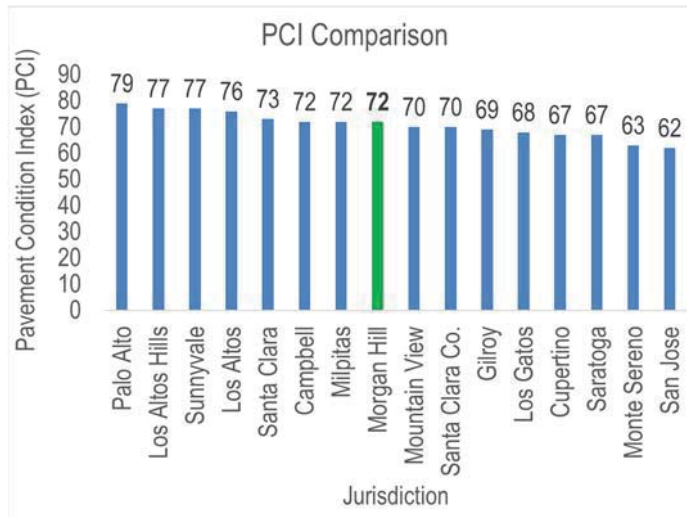


Figure 3 is a local jurisdiction PCI comparison of all the local agencies in Santa Clara County. The network PCI information was obtained from the Metropolitan Transportation Commission (MTC).

FIGURE 3. LOCAL JURISDICTION PCI COMPARISON



The pavement management system categorizes each street segment into a PCI category. Figure 4 show the condition categories with the type of maintenance strategy for each street.

FIGURE 4. CITY'S CURRENT MAINTENANCE STRATEGY

Condition Category	Distress Description	Type of Treatment
Condition Cat I (Good - Excellent) 70 - 100 PCI	Pavements require mostly preventive maintenance and have only low levels of distress, such as minor cracks or spalling, which occur when the top layer of asphalt begins to peel or flake off because of water permeation.	Crack Seal, Slurry Seal, and Base Failure
Condition Cat II/III (At-Risk - Fair) 50-70 PCI	Pavements may require a combination of rehabilitation and preventative maintenance to keep them from deteriorating rapidly.	Thin AC Overlay (mill and overlay with 1.5" of asphalt). This treatment includes base failure treatments.
Condition Cat IV (Poor) 25-50 PCI	Pavements have extensive amounts of distress and require major rehabilitation or reconstruction. Pavements in this category affect the speed and flow of traffic significantly.	Thick AC Overlay (mill and overlay with 2" or more of asphalt). This treatment includes base failure treatments.
Condition Cat V (Very Poor) 0-25 PCI	Pavements need reconstruction and are extremely rough and difficult to drive.	Reconstruct Structure (remove and replace of pavement and base layer).

BUDGET SCENARIOS

In order to determine the most cost-effective plan to meet the City's needs, a five-year calculation must be generated using the City's up to date maintenance strategies and unit costs. Unit costs are "Total Project Costs" that include but not limited to administrations, design and construction costs. A 3% interest and inflation values have also been incorporated into this calculation.

SCENARIOS

The following four scenarios tested:

1. Current Funding
2. Maintain PCI at 72
3. Increase PCI to 77
4. Optimal PCI

CURRENT FUNDING

The City's current budget for the next five years is \$8.5M in. However, the City has secured OBAG 2^v funding for 2017 bringing the 2017 budget to \$2.8 million. Figure 5 results show that the overall network PCI decreases to 67 by the end of 2021, while the backlog increases to \$31.5 million.

FIGURE 5. CURRENT FUNDING ON PCI AND BACKLOG

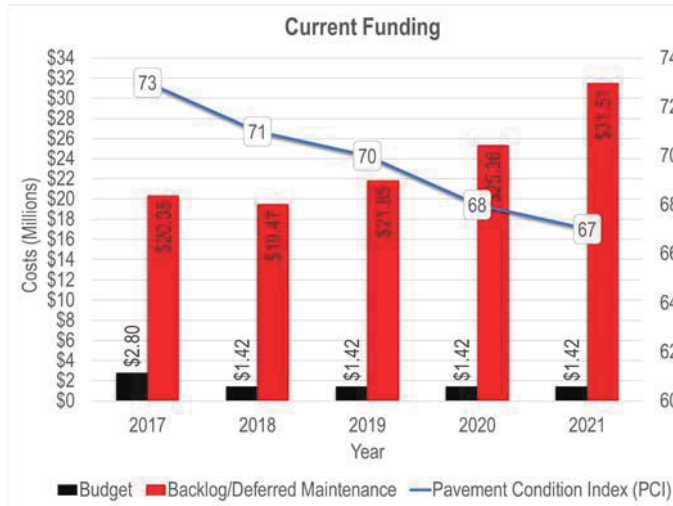


Table 3 shows a snapshot of what the overall network would look like at the end of year 2021. Results show that 58.8% of the road network will have a PCI between 70 and 100 (the good to very good condition category).

TABLE 3. CURRENT FUNDING - CONDITION CATEGORY SUMMARY

Current Funding	
Condition Categories	Percent of Network
Condition Category I - Good to Very Good/Excellent (PCI 70 - 100)	58.8%
Condition Category II/III - At-Risk to Fair (PCI 50 - 70)	19.6%
Condition Category IV - Poor (PCI 25 - 50)	16.2%
Condition Category V - Failed - Poor (PCI 0 - 25)	5.4%

MAINTAIN PCI AT 72

Figure 6 represents the costs and impacts by maintaining the overall network PCI at 72. With the OBAG 2 funding in year 1, system results show that the PCI would increase to 73, while the backlog would decrease to \$20.6 million. By year end of 2021, the PCI would be maintained at 72 and the backlog would increase to \$24.1 million.

FIGURE 6. MAINTAIN PCI AT 72

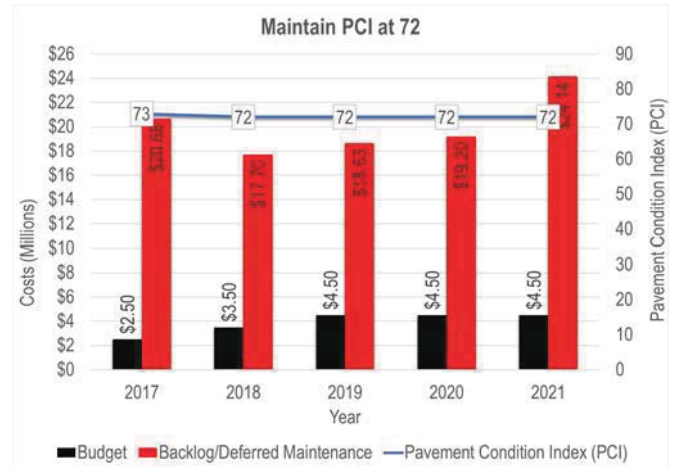


Table 4 shows the results of what the network will look like at the end of 2021. Results show that 70.1% of the road network will be in Good to Very Good Condition.

TABLE 4. MAINTAIN PCI AT 72

MAINTAIN PCI AT 72	
Condition Categories	Percent of Network
Condition Category I - Good to Very Good/Excellent (PCI 70 - 100)	70.1%
Condition Category II/III - At-Risk to Fair (PCI 50 - 70)	14.1%
Condition Category IV - Poor (PCI 25 - 50)	10.4%
Condition Category V - Failed - Poor (PCI 0 - 25)	5.4%

INCREASE PCI TO 77

Figure 7 represents the costs and impacts by increasing the overall network PCI by 5 points. Implementing this scenario would cost approximately \$30.5 million over the next 5 years. Results show that the backlog would decrease to \$14 million by the end of year 2021.

FIGURE 7. INCREASE PCI TO 77

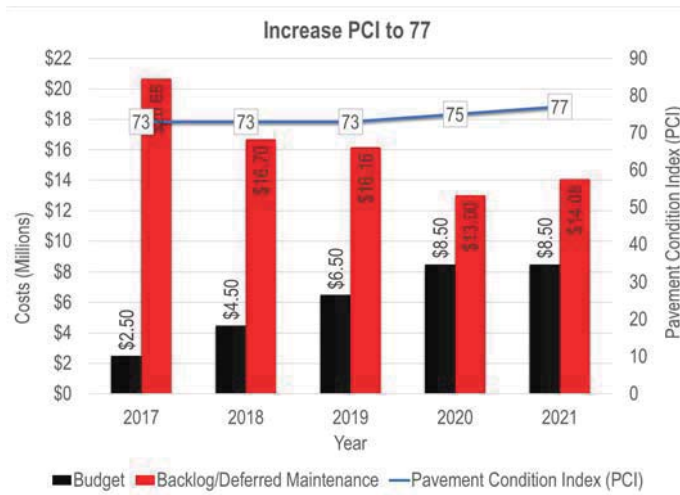


Table 5 shows the results of what the network will look like at the end of 2021. Results show that 82.9% of the road network will be in Good to Very Good Condition.

TABLE 5. INCREASE PCI TO 77

INCREASE PCI TO 77	
Condition Categories	Percent of Network
Condition Category I - Good to Very Good/Excellent (PCI 70 - 100)	82.9%
Condition Category II/III - At-Risk to Fair (PCI 50 - 70)	7.4%
Condition Category IV - Poor (PCI 25 - 50)	4.3%
Condition Category V - Failed - Poor (PCI 0 - 25)	5.4%

OPTIMAL PCI (MODIFIED NEEDS)

Figure 8 is an Optimal PCI Scenario. This scenario uses the cost of needs and distributes evenly over the next 5 years. Results show that it would cost \$9 million per year. By the end of year 2021 the City would have reached 83 PCI, while the backlog decreases to \$1 million.

FIGURE 8. OPTIMAL PCI (MODIFIED) PCI AND BACKLOG

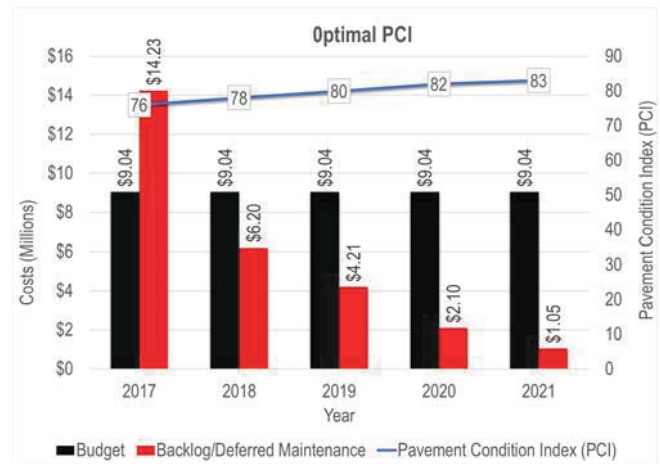


Table 6 shows that approximately 94% of the City's road network will have a PCI better than 70.

TABLE 6. OPTIMAL PCI (MODIFIED NEEDS) – CONDITION CATEGORY SUMMARY

Optimal PCI	
Condition Categories	Percent of Network
Condition Category I - Good to Very Good/Excellent (PCI 70 - 100)	93.6%
Condition Category II/III - At-Risk to Fair (PCI 50 - 70)	0.4%
Condition Category IV - Poor (PCI 25 - 50)	1.9%
Condition Category V - Failed - Poor (PCI 0 - 25)	0.4%

CONCLUSION AND NEXT STEPS

City streets are one of the many assets that are utilized by every resident, visitor and business. They impact public safety, promote mobility and enable economic activity. Our streets in California are deteriorating. According to the California Department of Transportation, annual investments in roadway maintenance and preservation has not kept pace with needs. Road repair and maintenance has declined each year since 2007. The base excise tax (currently fixed at 18 cents per gallon of gas sold) is the primary source of funding used to pay for road repairs. This base excise gas tax has not been raised in more than 20 years. Due to inflation, the increase to 18 cents in 1994 is only worth about 9 cents today. In addition, less gas tax is being collected due to an increase of hybrid and electric vehicles on the road. The Department of Justice (DOJ) and the Department of Transportation (DOT) have required local governments to update their curb ramps if roads are altered^{vi}. This mandate has added additional costs to local governments and thus reduced the number of streets earmarked for repair.

The City's network comprises of 128.33 centerline miles of roads and is one of the most valuable asset to the City.

The following scenarios rank the budget scenarios based on the City's pavement management system recommendations:

1. The first recommended budget scenario the City should consider is to implement the modified or optimal PCI scenario. This scenario brings the overall network PCI to 83 by the end of 2021 (Figure 9), while the backlog

decreases to \$1.1 million (Figure 10). Approximately 94% of all roads will have a PCI of 70 or better.

2. The second recommended budget scenario the City should consider is increasing the overall network PCI to 77. Results show that the backlog would decrease to \$14 million by end of 2021 (Figure 10). In addition, 83% of the road network will have a PCI of 70 or better.
3. The third scenario is maintaining the overall network PCI at 72 (Figure 9). This scenario would cost approximately \$19.5 million over the next 5 years. This investment decreases the backlog in the first 4 years and increases at the end of year 2021 to \$24.1 million (Figure 10). Approximately 70.1% of City roads will have a PCI greater than 70.
4. In comparison to the other scenarios tested, the current funding scenario is least recommended. This scenario expends approximately \$8.5 million over the next 5 years. System results show that the PCI increase in year 1 with OBAG funding but in the subsequent years the PCI drops down to 67 (Figure 9) and the backlog increases to \$31.5 million (Figure 10). Approximately 59% of City roads will have a PCI greater than 70.

FIGURE 9. SCENARIOS – PCI SUMMARY

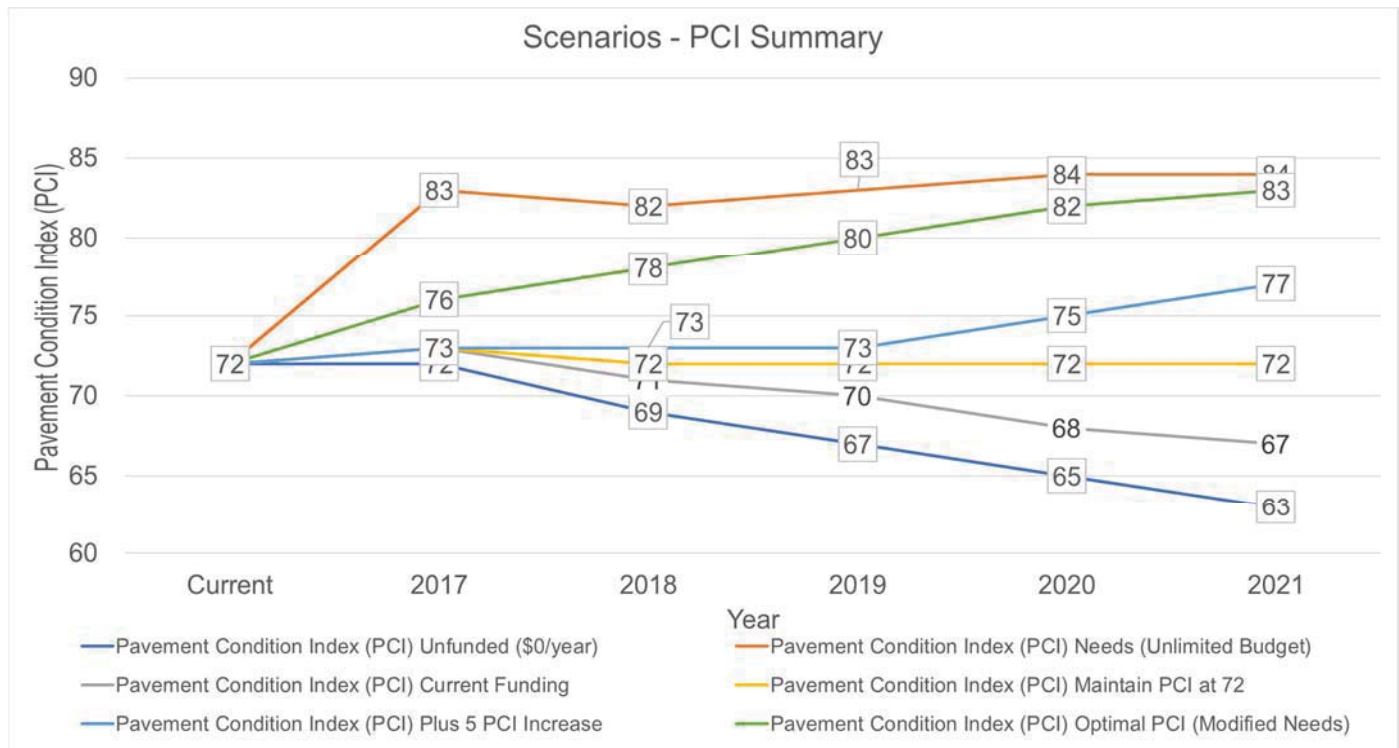
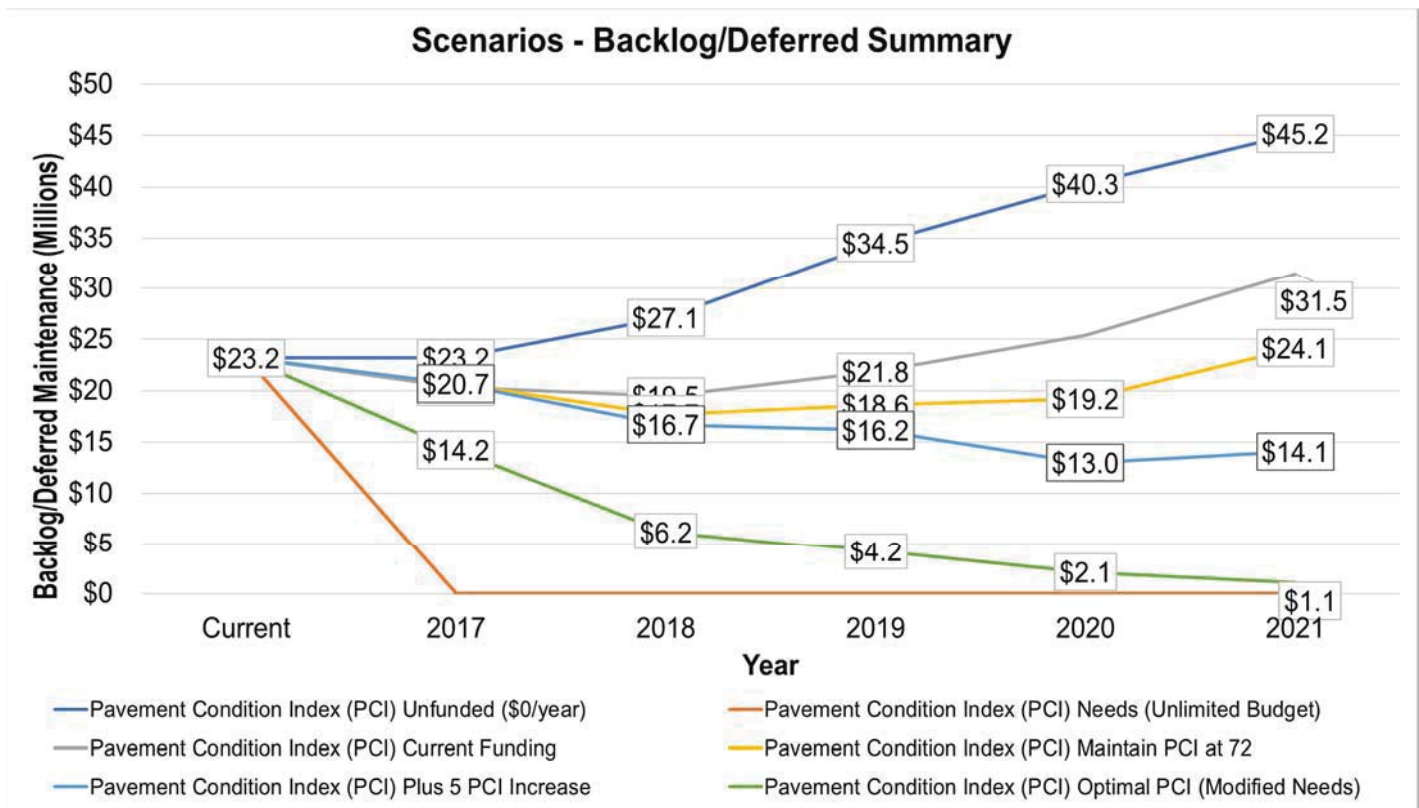


FIGURE 10. SCENARIOS – BACKLOG/DEFERRED SUMMARY



With insufficient funding resources to meet all maintenance and rehabilitation work recommended by the pavement management system (optimal PCI), prioritization of the maintenance needs will be required given the budget constraints. See Appendix IV – Sections selected for treatments for a prioritized maintenance list.

NEXT STEPS

Based on the pavement management update, it is recommended that the City take the following actions:

1. Ensure that all maintenance, rehabilitation and replacement treatments are updated in the pavement management system.
2. Explore the use of emerging pavement technologies.
3. Continue to explore new revenue streams for pavement projects.

APPENDIX

SECTION PCI LISTING.....	SECTION I
NEEDS AND NETWORK SUMMARY STATISTICS.....	SECTION II
NETWORK CONDITION AND COST SUMMARY.....	SECTION III
SECTIONS SELECTED FOR TREATMENT.....	SECTION IV
OTHER BACKUP DOCUMENTS.....	SECTION V

ⁱ Life expectancy values were obtained from the StreetSaver Pavement Management System.

ⁱⁱ Lane Mile is the length (lineal feet) of the street segment divided by 5,280' multiplied by the number of lanes in that segment.

ⁱⁱⁱ The backlog is the accumulated maintenance and rehabilitation treatment costs over the years that were recommended by the pavement management system but deferred due to insufficient funding.

^{iv} Optimal PCI is the recommended PCI conditions derived by the StreetSaver System. Associated costs and recommend treatments are also included to support the overall network PCI.

^v OBAG 2 is the second round of funding for 2017-18 through 2021-22 projects. This funding is eligible for local streets and roads preservation, bicycle and pedestrian improvements, livable communities, safe routes to school, priority conservation areas, and CMA planning activities.

^{vi}

https://www.fhwa.dot.gov/civilrights/programs/ada_resurfacing_qa.cfm

SECTION PCI

The Section PCI report is derived from the systems customized report wizard and exported into Microsoft Excel. The Section PCI contains a PCI reported sorted by Street Name (ascending) and a PCI Report sorted by PCI (descending).

ST ID – Street Identification

SEC ID – Street Section Identification

STREET NAME – Street Name

BEGIN LOCATION – Start of the management section

END LOCATION – End of the management section

LANES – # of lanes in the management section

FC – This is a group of streets or roadway subsystems that are classified pending on the level of service and traffic.

A – Arterial

C – Collector

R – Residential/Local

O – Other (user defined)

LENGTH – Length of management section

WIDTH – Width of management section

AREA – Area of management section

CONSTRUCTION YEAR – Year management section was constructed - original

PCI DATE – Date of which the management section was inspected, inspection entry or M&R entry calculation

PCI – Pavement Condition Index of the management section – Last Calculated PCI

The Pavement Condition Index is a rating derived from the Pavement Management System (PMS). The rating is based from the visual distress inspection information that consists of the MTC inspection guidelines (Alligator Cracking, Block Cracking, Distortion, Longitudinal and Transverse Cracking, Rutting, and Weathering and Raveling) or any maintenance and rehabilitation information that was entered into the PMS.

Below are images of what streets look like in the condition category:

CONDITION CATEGORY RATING

Condition Category I (PCI 90 – 100, Pavement is classified in excellent condition).



Condition Category I (PCI 70 – 89, Pavement is in very good condition, pavement has little distress).



Condition Category II/III (PCI 51-69, Pavements are classified in the Good Category and have significant non-load and load related distresses).



Condition Category Good IV (PCI 26-50, Pavement are classified in the Poor Category and have major distress).



Condition Category V (PCI 0 – 25, Pavement is classified in the very poor to failed category and has extensive amounts of major distress)



City of Morgan Hill
PCI Report
Sorted by Road Name

Street ID	Section ID	Street Name	Begin Location	End Location	Length	Width	Area	Surf Type	FC	Current PCI (2017)	Last M&R Treatment	Last M&R Treatment Date
ACACIA	1010	ACACIA WY	PEPPERTREE DR	ASPEN WY	422	40	16,896	A	R	68	SLURRY SEAL	7/8/2002
ADAIRC	1010	ADAIR CT	CHRISTEPH DR	CUL-DE-SAC	178	33	5,874	A	R	78	SLURRY SEAL	7/15/2007
ADAMSC	1010	ADAMS CT	COCHRANE RD	END	675	40	27,000	A	R	75	N/A	N/A
ALAMOD	1010A	ALAMO DR	LA ROCCA DR	LA ALAMEDA DR	750	40	30,000	A	R	51	CAPE SEAL	9/1/2000
ALAMOD	1010B	ALAMO DR	LA ALAMEDA DR	CUL-DE-SAC	550	40	22,000	A	R	48	SLURRY SEAL	9/1/2000
ALCALA	1010	ALCALA CT	MISSION AVE	CUL-DE-SAC	444	37	16,428	A	R	85	N/A	N/A
ALICANTE D	1010	ALICANTE DR	WEST END	EAST END	852	36	30,672	A	R	95	N/A	N/A
ALICANTE P	1010	ALICANTE PL	ALICANTE DR	END	101	32	3,232	A	R	95	N/A	N/A
ALISACT	1010	ALISA CT	JUSTINO DR	END	188	37	6,956	A	R	95	N/A	N/A
ALKIRE	1010	ALKIRE AV	JOHN TELFER DR	DEWITT AV	898	40	35,904	A	R	67	N/A	N/A
ALKIRE	1020	ALKIRE AV	DEWITT AV	PEAK AV	792	40	31,680	A	R	67	N/A	N/A
ALMORC	1010	ALMOND ORCHARD DR	OLIVE BRANCH DR	SEBINI CT	370	28	10,360	A	R	38	CHIP SEAL	8/15/2009
ALMOND	1010	ALMOND WY	BLUEBONNET WY	BIRCH WY	845	40	33,792	A	R	66	SLURRY SEAL	7/8/2002
ALMOND	1040	ALMOND WY	BIRCH WY	BLUEBONNET WY	1,050	40	42,000	A	R	77	SLURRY SEAL	7/8/2002
ALTIMIRA C	1010	ALTIMIRA CIR	MISSION AVENIDA	MISSION AVENIDA	1,297	32	41,504	A	R	95	N/A	N/A
ANGELI	1010	ANGELICA WY	W/O TAYLOR	CUL DE SAC	565	36	21,741	A	R	84	N/A	N/A
APPIAN	1010	APPIAN WY	VIA EDUARDO	VIA VENETO	739	32	23,654	A	R	76	N/A	N/A
APPIAN	1020	APPIAN WY	VIA VENETO	SUNNYSIDE AV	634	32	20,275	A	R	76	N/A	N/A
ARABIA	1010	ARABIAN CT	END	FOUNTAIN OAKS DR	211	40	8,448	A	R	61	CRACK SEAL & CAPE SEAL	8/1/1999
ARCHFI	1010	ARCHFIELD CT	JASMINE WY	END	211	40	8,448	A	R	98	SLURRY SEAL	7/8/2002
ARGUELLO OA	1010	ARGUELLO AVE	MISSION AVENIDA	END	846	32	27,072	A	R	95	N/A	N/A
ARGUELLO C	1010	ARGUELLO CT	ARGUELLO AVE	END	312	32	9,984	A	R	95	N/A	N/A
ASCOTC	1010	ASCOT CT	END	HEATHERWOOD WY	106	53	5,597	A	R	85	N/A	N/A
ASHCRT	1010	ASH CT	ALMOND WY	END	158	40	6,336	A	R	61	SLURRY SEAL	7/8/2002
ASPENW	1010	ASPEN WY	PINE WY	BLUEBONNET WY	1,215	40	48,576	A	R	72	SLURRY SEAL	7/8/2002
ASTONCT	1010	ASTON CT	E CENTRAL AVE	END	426	37	15,762	A	R	95	N/A	N/A
AVANTE	1010	AVANTE PL	BELLETO DR	CUL-DE-SAC	191	33	6,303	A	R	85	N/A	N/A
AVDELO	1010	AVENIDA DE LOS PADRES	MISSION VIEW DR	CAPISTRANO WAY	752	33	24,816	A	R	85	N/A	N/A
AVDELO	1020	AVENIDA DE LOS PADRES	E/O CAPISTRANO WY	E/O SERRA AVENIDA	618	36	22,248	A	R	81	N/A	N/A
BADGER	1010	BADGER PASS RD	WEST MIDDLE AV	END	792	31	24,552	A	R	62	N/A	N/A
BARCEL	1010	BARCELONA CT	VIA DEL CASTILLE	END	317	40	12,672	A	R	50	CAPE SEAL	9/1/2000
BARNEL	1010	BARNELL AV	SPRING AV	WEST DUNNE AV	1,373	40	54,912	O	R	84	AC OVERLAY W/FABRIC: 2.0 IN	11/1/2011

City of Morgan Hill
PCI Report
Sorted by Road Name

Street ID	Section ID	Street Name	Begin Location	End Location	Length	Width	Area	Surf Type	FC	Current PCI (2017)	Last M&R Treatment	Last M&R Treatment Date
BARRET	1010	BARRETT AV	MONTEREY ST	CHURCH ST	634	36	22,810	A	C	83	N/A	N/A
BARRET	1030	BARRETT AV	SAN RAMON DR	300 FT. E. OF RAILROAD AVE	1,630	34	55,420	A	R	82	N/A	N/A
BARRET	1035	BARRETT AV	300 FT. E. OF RAILROAD AVE	RAILROAD AVE	300	34	10,200	O	R	66	AC OVERLAY, 1.5 IN	9/1/2000
BARRET	1040	BARRETT AV	100 FT. W. OF SORREL DR	TRAIL DR	576	37	21,312	A	R	82	N/A	N/A
BARRET	2010	BARRETT AV	JUAN HERNANDEZ DR	SAN RAMON DR	540	42	22,680	A	R	78	N/A	N/A
BASIAV	1010	BASIL AV	DOUGHERTY AV	CAYENNE DR	263	34	8,942	A	R	83	N/A	N/A
BASICT	1010	BASIL CT	DOUGHERTY AVE	CUL-DE-SAC	528	34	17,952	A	R	74	N/A	N/A
BAUTISCR	1010	BAUTISTA CR	BAUTISTA WY	BAUTISTA WY	874	32	27,968	A	R	95	N/A	N/A
BAUTISTA W	1010	BAUTISTA WY	SOLANO PL	SERRA PL	842	32	26,944	A	R	95	N/A	N/A
BELACT	1010	BEL AIR CT	MONTOYA CR	END	211	40	8,448	A	R	84	N/A	N/A
BELAWY	1010	BEL AIR WY	PAVE CHANGE (165' W/ GR	MONTOYA CR	633	40	25,344	A	R	67	N/A	N/A
BELAWY	1020	BEL AIR WY	PAVE CHG	BEL AIR WY	1,789	37	66,193	A	R	88	N/A	N/A
BELLETT	1010	BELLETO DR	BENTLEY DR	E. MAIN AVE	342	37	12,654	A	R	85	N/A	N/A
BELLETT	1020	BELLETO DR	E. MAIN AVE	CUL-DE-SAC SOUTH	1,480	37	54,760	A	R	80	N/A	N/A
BELLWY	1010	BELLINI WY	LA ROCCA CT	EXCALIBUR DR	975	34	33,150	A	R	85	N/A	N/A
BELLWY	1020	BELLINI WY	EXCALIBUR DR	CUL-DE-SAC	240	34	9,781	A	R	83	N/A	N/A
BENDCR	1010	BENDER CR	LAGAS RD	DEL MONTE AVE	1,954	30	58,620	A	R	95	N/A	N/A
BENTLE	1010	BENTLEY DR	LANCIA DR	CUL-DE-SAC N. OF CORNICHE DR	875	37	33,780	A	R	84	N/A	N/A
BERKCT	1010	BERKSHIRE CT	END	BERKSHIRE WY	158	40	6,336	A	R	83	SLURRY SEAL	7/15/2007
BERKSH	1010	BERKSHIRE DR	DEL MONTE AV	OLD MONTEREY RD	845	40	33,792	A	R	81	SLURRY SEAL	7/15/2007
BERKSH	1020	BERKSHIRE DR	DEL MONTE AV	END (CUL-DE-SAC)	806	40	32,240	A	R	81	SLURRY SEAL	7/15/2007
BERRYCY	1010	BERRY CT	CREST AV	END	317	40	12,672	A	R	24	N/A	N/A
BIRCHW	1010	BIRCH WY	BLUEBONNET WY	ALMOND WY	686	40	27,456	A	R	55	SLURRY SEAL	7/8/2002
BISCAY	1010	BISCAYNE CT	GRAND PRIX WY	END	211	40	8,448	A	R	67	N/A	N/A
BISCEG	1010	BISCEGLIA AV	MONTEREY ST	CHURCH ST	422	36	15,206	A	R	73	N/A	N/A
BLOAK	1010	BLACK OAK CT	END	ROCKY RIDGE RD	422	24	10,138	A	R	25	N/A	N/A
BLACPR	1010	BLACK PRINCE CT	NATIVE DANCER DR	END	528	32	16,896	A	R	64	SLURRY SEAL	9/1/2000
BLACWC	1010	BLACK WALNUT CT	WALNUT GROVE DR	END	264	28	7,392	A	R	65	N/A	N/A
BLACWW	1010	BLACK WALNUT WY	SERENE DR	WALNUT GROVE DR	264	40	10,560	A	R	85	N/A	N/A
BLUELY	1020	BLUE LYNX CT	EAGLE VIEW	CUL-DE-SAC	524	34	17,816	A	R	85	N/A	N/A
BLUEBO	1010	BLUEBONNET WY	JASMINE WY	ALMOND WY	1,003	40	40,128	A	R	73	SLURRY SEAL	7/8/2002
BLUEBO	1020	BLUEBONNET WY	ALMOND WY	ALMOND WY	792	40	31,680	A	R	56	N/A	N/A
BONITA	1010	BONITA DR	PALOMA DR	END	440	33	14,520	A	R	85	N/A	N/A
BONNIE	1010	BONNIE VIEW CT	DEWITT AV	DEWITT AV	1,580	14	22,120	A	R	68	CAPE SEAL	9/1/2000

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BRADFO	1010	BRADFORD WY	JASMINE WY	RINGEL DR	1,299	40	51,960	A	R	92	SLURRY SEAL	10/15/2011
BRADFO	1020	BRADFORD WY	DIANA AV	JASMINE WY	855	40	34,200	A	R	95	N/A	N/A
BRIXWY	1010	BRIX WY	N/O DOMAINE DR	S/O E. DUNNE AVE	155	37	5,735	A	R	85	N/A	N/A
BROOKV	1010	BROOKVIEW CT	END	EASY ST	253	40	10,120	A	R	59	SLURRY SEAL	7/1/2005
BRYCED	1010	BRYCE DR	SUNSET AV	OLYMPIC DR	328	28	9,184	A	R	71	N/A	N/A
BUCKCT	1010	BUCK HILL CT	DEWITT AVE	END	276	32	8,832	A	R	95	N/A	N/A
BUCKSK	1010	BUCKSKIN CT	END	FOUNTAIN OAKS DR	370	40	14,784	A	R	71	CRACK SEAL & CAPE SEAL	8/1/1999
BUGATT	1010	BUGATTI PL	BELLETO DR	CUL-DE-SAC	155	33	5,115	A	R	84	N/A	N/A
BURNET	1010	BURNETT AV	MONTEREY ST	CITY LIMITS	1,795	36	64,620	A	C	85	N/A	N/A
BUTTER	1010	BUTTERFIELD BLVD.	COCHRANE RD	EAST MAIN	6,148	58	356,584	A	A	83	6 IN REMOVE & REPLACE	10/16/2011
BUTTER	1020	BUTTERFIELD BLVD.	E. MAIN AVE	E. DUNNE AVE	2,701	58	156,658	O	A	84	AC OVERLAY W/FABRIC, 2.0 IN	11/1/2011
BUTTER	1030	BUTTERFIELD BLVD.	E. DUUNE AVE	SAN PEDRO AVE	1,611	55	88,605	A	A	87	SLURRY SEAL	10/15/2011
CABECR	1010	CABERNET CIRCLE	DOMAINE DR	CABINET CT	960	34	32,640	A	R	83	N/A	N/A
CABERN	1010	CABERNET CT	N/O DOMAINE DR	CUL DE SAC	290	31	11,440	A	R	74	N/A	N/A
CALERO	1010	CALERO CT	CIMARRON DR	END	158	40	6,336	A	R	42	CRACK SEAL & CAPE SEAL	8/1/1999
CALICO	1010	CALICO CT	SORRELL DR	CUL-DE-SAC	218	33	7,194	A	R	84	N/A	N/A
CALLAS	1010	CALLE ASTA	CALLE DEL SOL	CALLE MAZATAN	431	36	15,516	A	R	36	N/A	N/A
CALLAS	1020	CALLE ASTA	CALLE MAZATAN	BEL AIR WAY	534	36	19,224	A	R	85	N/A	N/A
CALLAT	1010	CALLE ATAVIO	PVT CHG	CALLE MAZATAN	233	36	8,388	A	R	38	N/A	N/A
CALLAT	1020	CALLE ATAVIO	PVT CHG	CALLE DEL SOL	231	36	8,316	A	R	85	N/A	N/A
CABUVI	1010	CALLE BUENA VISTA	CALLE TIERRA	CALLE HERMOSA	990	34	33,660	A	R	84	N/A	N/A
CALLCB	1000	CALLE CABALLERIA	CALLE DE SOL	PAVEMENT CHANGE	206	37	7,622	A	R	95	N/A	N/A
CALLCB	1010	CALLE CABALLERIA	PVMT CHANGE	CALLE MAZATAN	225	40	9,000	A	R	23	N/A	N/A
CALLCB	1020	CALLE CABALLERIA	CALLE MAZATAN	CALLE ASTA	732	37	27,084	A	R	95	N/A	N/A
CALCCT	1010	CALLE CABALLERIA CT	CALLE ASTA	END	212	37	7,844	A	R	95	N/A	N/A
CALLCZ	1010	CALLE CABEZAL	PVT CHG	CALLE MAZATAN	291	36	10,476	A	R	40	N/A	N/A
CALLCZ	1020	CALLE CABEZAL	PVT CHG	END	373	36	13,428	A	R	84	N/A	N/A
CALLEC	1020	CALLE CENTRAL	E. CENTRAL AV	CALLE TIERRA	784	37	29,008	A	R	81	N/A	N/A
CALLEC	1030	CALLE CENTRAL	CALLE TIERRA	END (NE, CITY LIMIT)	1,615	37	59,755	A	R	76	N/A	N/A
CALLEO	1010	CALLE CERRO	CALLE MAZATAN	END	809	33	26,697	A	R	85	N/A	N/A
DELSOL	1010	CALLE DEL SOL WY	CALLE CABEZAL	CUL-DE-SAC	1,065	36	39,817	A	R	80	N/A	N/A
CALLEE	1010	CALLE ENRIQUE	WATSONVILLE RD	LA PAZ CT	845	40	33,792	A	R	50	SLURRY SEAL	7/15/2007

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CALLEE	1020	CALLE ENRIQUE	LA PAZ CT	LA CROSSE DR	950	40	38,016	A	R	50	SLURRY SEAL	7/15/2007
CALLEF	1010	CALLE FLORENCIA	CUL-DE-SAC OFF GRAND PRIX	CUL-DE-SAC WEST	657	33	21,681	A	R	84	N/A	N/A
CALHER	1010	CALLE HERMOSA	CALLE BUENA VISTA (E)	CALLE BUENA VISTA (W)	1,173	32	37,536	A	R	85	N/A	N/A
CALHER	1020	CALLE HERMOSA	E: CENTRAL AVE	CALLE BUENA VISTA	720	33	23,760	A	R	83	N/A	N/A
CALLEM	1010	CALLE MAZATAN	DIANA AV	CORTE CABANIL	845	40	33,800	A	R	63	CAPE SEAL	12/11/2008
CALLEM	1020	CALLE MAZATAN	CORTE CABANIL	EAST MAIN AV	1,162	40	46,464	A	R	64	CAPE SEAL	12/11/2008
CALLEM	1030	CALLE MAZATAN	CENTRAL AVE	E: MAIN AVE	944	37	34,928	A	R	85	N/A	N/A
CALLEM	1040	CALLE MAZATAN	E CENTRAL	END	558	32	17,856	A	R	95	N/A	N/A
CALLESE RR	1010	CALLE SERRA	SAN CARLOS WY	SERRA AVENIDA	360	32	11,520	A	R	95	N/A	N/A
CALLES	1010	CALLE SIENNA	365 FT E/O GRAND PRIX	CUL-DE-SAC WEST	615	33	21,988	A	R	84	N/A	N/A
CALLES	1020	CALLE SIENNA	E CENTRAL AVE	365 FT E/O GRAND PRIX (PAVE CHANGE)	710	37	26,270	A	R	95	N/A	N/A
CALSUE	1010	CALLE SUENO	N/O WATSONVILLE RD	N/O VIA NARRETTO	446	29	12,934	A	R	83	N/A	N/A
CALTIE	1020	CALLE TIERRA	CALLE CENTRAL	CUL-DE-SAC	681	34	23,154	A	R	85	N/A	N/A
CALLEV	1010	CALLE VERDE	CALLE MAZATAN	CALLE CERRO	358	33	11,814	A	R	98	N/A	N/A
CALVIE	1010	CALLE VIENTO	170' W/O CALLE TIERRA (P)	CALLE TIERRA	1,153	32	36,896	A	R	85	N/A	N/A
CALVIE	1020	CALLE VIENTO	CALLE MAZATAN	170' W/O CALLE TIERRA (P)	506	32	16,192	A	R	95	N/A	N/A
CALLEVIC T	1010	CALLE VIENTO CT	CALLE VIENTO	END	268	32	8,576	A	R	95	N/A	N/A
CAMPOB	1010	CAMPOBELLO CT	MONTICELLO WY	END	134	32	4,288	A	R	95	N/A	N/A
CANTCT	1010	CANTOR CT	END	CANTOR DR	158	34	5,386	A	R	84	N/A	N/A
CANTOR	1010	CANTOR DR	TRAIL DR	END	1,003	34	34,109	A	R	84	N/A	N/A
CAPIST	1010	CAPISTRANO WY	DE LOS PADRES	SANTA INES WAY	843	37	31,191	A	R	85	N/A	N/A
CAPRIC	1010	CAPRICE CT	END	GRAND PRIX WY	211	40	8,448	A	R	73	N/A	N/A
CAPUTO	1010	CAPUTO DR	TENNANT AV	BARRETT AV	1,637	50	81,840	A	R	51	N/A	N/A
CAMELO	1010	CARMELO CT	MISSION AVE	CUL-DE-SAC	369	33	12,177	A	R	85	N/A	N/A
CARRIA	1010	CARRIAGE DR	LAGAS RD	SHADOWBROOK WY	792	36	28,512	A	R	41	SLURRY SEAL	7/15/2007
CARRIA	1020	CARRIAGE DR	LAGAS RD	CUL-DE-SAC	686	34	23,324	A	R	84	N/A	N/A
CASAGR	1010	CASA GRANDE CT	TRAIL DR	END	686	32	21,965	A	R	81	CRACK SEAL & CAPE SEAL	8/1/1999
CASALIN	1010	CASA LN	EAST MAIN AV	COUNTY MARKER	317	32	10,138	A	A	35	N/A	N/A
CASCAD	1010	CASCADE CT	OLYMPIC DR	CUL-DE-SAC	510	33	16,830	A	R	84	N/A	N/A

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CASINO	1010	CASINO REAL	END	SUNNYSIDE AV	1,056	32	33,792	A	R	81	N/A	N/A
CASTLH	1010	CASTLE HILL DR	LAGAS RD	CRYSTAL DR	634	23	14,573	A	R	48	SLURRY SEAL	8/15/2009
CASTLH	1020	CASTLE HILL DR	CRYSTAL DR	SCOTT DR	686	23	15,787	A	R	59	SLURRY SEAL	8/15/2009
CASTLH	1030	CASTLE HILL DR	SCOTT DR	SCOTT DR	2,904	13	37,752	A	R	63	N/A	N/A
CASTLC	1010	CASTLE LAKE CR	CASTLE LAKE DR	CASTLE LAKE DR	475	24	11,405	A	R	57	SLURRY SEAL	8/15/2009
CASTLL	1010	CASTLE LAKE DR	LAGAS RD	CASTLE LAKE CR	422	24	10,138	A	R	67	SLURRY SEAL	8/15/2009
CASTLL	1020	CASTLE LAKE DR	CASTLE LAKE CR	END	1,003	24	24,077	A	R	70	SLURRY SEAL	8/15/2009
CASTLR	1010	CASTLE RIDGE DR	END	LLAGAS RD	898	18	16,157	A	R	64	SLURRY SEAL	8/15/2009
CAVEDR	1010	CAYENNE DR	BASIL AV	CUL-DE-SAC	258	34	8,772	A	R	72	N/A	N/A
CENTRA	1005	CENTRAL AV	MONTEREY RD	DEAD END	485	26	14,807	A	R	78	N/A	N/A
CENTRA	1015	CENTRAL AV	DEL MONTE AV	MONTEREY RD	630	40	25,200	A	R	52	N/A	N/A
CERRVC	1010	CERRO VISTA CT	CERRO VISTA DR	END	211	28	5,914	A	R	72	CRACK SEAL & CAPE SEAL	8/1/1999
CERRVD	1010	CERRO VISTA DR	TRAIL DR	VISTA DEL VALLE	739	28	20,698	A	R	76	CRACK SEAL & CAPE SEAL	8/1/1999
CHARGI	1010	CHARGIN WY	WILLOW CREEK DR	LONE HILL DR	580	40	23,232	A	R	65	SLURRY SEAL	9/1/2000
CHEYEN	1010	CHEYENNE CT	N/O MORNING STAR	CUL DE SAC	435	32	15,605	A	R	85	N/A	N/A
CHINOO	1010	CHINOOK CT	S/O EAGLE VIEW	CUL DE SAC	499	32	17,422	A	R	85	N/A	N/A
CHRIST	1010	CHRISTEPH DR	END W. OF LLAGAS VISTA	LLAGAS RD	1,368	37	50,616	A	R	79	SLURRY SEAL	7/15/2007
CHRIST	1020	CHRISTEPH DR	LLAGAS RD	DEAD END	331	33	10,923	A	R	74	SLURRY SEAL	7/15/2007
CHRISRD	1010	CHRISTINE LYNN DR	DEL MONTE DR	END	484	32	15,488	A	R	88	N/A	N/A
CHURCH	1010	CHURCH ST	TENNANT AV	EDMUNDSON AV	581	36	20,916	A	C	80	N/A	N/A
CHURCH	1020	CHURCH ST	EDMUNDSON AV	BARRETT AV	1,056	40	39,706	A	C	76	N/A	N/A
CHURCH	1030	CHURCH ST	BARRETT AV	MAST ST	898	32	31,046	A	C	80	N/A	N/A
CHURCH	1040	CHURCH ST	MAST ST	SAN PEDRO AV	845	24	20,280	A	C	77	N/A	N/A
CHURCH	1050A	CHURCH ST	SAN PEDRO AV	231 FT NISAN PEDRO AV	231	40	9,240	A	C	36	SLURRY SEAL	7/15/2007
CHURCH	1050B	CHURCH ST	231 FT NISAN PEDRO AV	BISCEGLIA AV	244	40	9,760	A	C	85	SLURRY SEAL	7/15/2007
CHURCH	1110	CHURCH ST	BISCEGLIA ST	EAST DUNNE AV	1,108	40	44,352	A	C	67	SLURRY SEAL	7/15/2007
CILANCT	1010	CILANTRO CT	BASIL AVE	END	242	32	7,744	A	R	95	N/A	N/A
CIMARC	1010	CIMARRON CT	CIMARRON DR	END	158	39	6,178	A	R	70	CRACK SEAL & CAPE SEAL	8/1/1999
CIMARR	1010	CIMARRON DR	END	CALERO CT	686	40	27,456	A	R	68	CRACK SEAL & CAPE SEAL	8/1/1999
CIMARR	1040	CIMARRON DR	CALERO CT	END	739	40	29,568	A	R	54	CRACK SEAL & CAPE SEAL	8/1/1999
CIOLIN	1015	CIOLINO AV	DEL MONTE AV	450 FT E/O DEL MONTE AV	450	40	18,000	A	R	68	N/A	N/A
CIOLIN	1020	CIOLINO AV	450 FT E/O DEL MONTE AV	MONTEREY ST	447	40	17,880	A	R	85	N/A	N/A

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CITATI	1010	CITATION CT	VENETIAN WY	END	370	32	11,827	A	R	61	SLURRY SEAL	7/1/2005
CLAREC	1010	CLAREMONT CT	CLAREMONT DR	END	106	40	4,224	A	R	53	CAPE SEAL	9/1/2000
CLAREM	1010	CLAREMONT DR	JOHN TELFER DR	DEWITT AV	1,214	40	48,576	A	R	46	CAPE SEAL	9/1/2000
CLAREM	1020	CLAREMONT DR	DEWITT AV	PEAK AV	1,162	40	46,464	A	R	44	CAPE SEAL	9/1/2000
CLARDR	1010	CLARET DR	E. DUNNE	DOMAINE CT	213	34	7,242	A	R	85	N/A	N/A
CLAYTOA	1010	CLAYTON AV	S/O PEEBLES AVE	CUL DE SAC	808	37	29,896	A	R	88	N/A	N/A
CLAYTO	1010	CLAYTON PL	N/O PEEBLES	CUL DE SAC	544	36	20,696	A	R	98	N/A	N/A
CLOVEA	1010	CLOVE AV	PAPRIKA DR	HALE AV	146	45	6,570	A	R	88	N/A	N/A
COCHRC	1010	COCHRANE CIR	COCHRANE RD	BEGIN CIRCLE	220	62	13,640	A	R	63	N/A	N/A
COCHRC	1020	COCHRANE CIR	BEGIN CIRCLE	WEST ENTRANCE	1,162	50	58,080	A	R	78	N/A	N/A
COCHRC	1030	COCHRANE CIR	WEST ENTRANCE	SOUTH ENTRANCE	845	50	42,240	A	R	77	N/A	N/A
COCHRC	1130	COCHRANE CIR	MONTEREY ST	BEGIN CIRCLE	370	40	14,784	A	R	76	N/A	N/A
COCHRA	1010	COCHRANE RD	MONTEREY ST	COCHRANE CIR	528	75	39,600	O	A	78	1.5 IN AC OVERLAY W/ FABRIC	9/15/2006
COCHRA	1020	COCHRANE RD	COCHRANE CIR	ADAMS CT	1,109	80	88,720	O	A	81	1.5 IN AC OVERLAY W/ FABRIC	9/15/2006
COCHRA	1030	COCHRANE RD	ADAMS CT	SUTTER BL	1,214	70	84,980	O	A	76	1.5 IN AC OVERLAY W/ FABRIC	9/15/2006
COCHRA	1040	COCHRANE RD	SUTTER BL	HWY 101 ONRAMP	1,214	70	84,980	O	A	78	1.5 IN AC OVERLAY W/ FABRIC	9/15/2006
COCHRA	1050	COCHRANE RD	HWY 101 ONRAMP	HWY 101 OFFRAMP	898	70	62,860	O	A	76	1.5 IN AC OVERLAY W/ FABRIC	9/15/2006
COCHRA	1060	COCHRANE RD	HWY 101 OFFRAMP	DE PAUL DR	739	41	30,299	A	A	77	N/A	N/A
COCHRA	1070	COCHRANE RD	DE PAUL DR	MISSION VIEW DR	792	76	60,192	A	A	64	N/A	N/A
COCHRA	1080	COCHRANE RD	MISSION VIEW DR	PEET RD	1,360	27	36,720	A	A	80	N/A	N/A
COCHRA	1090	COCHRANE RD	ST MARKS AV	1378 E/O ST MARKS AV	1,378	30	41,340	A	A	84	N/A	N/A
COLLEE	1010	COLLEEN CT	END	CREST AV	211	40	8,448	A	R	72	N/A	N/A
CONCOR	1010	CONCORD CR	VINEYARD BL	VINEYARD BL	2,165	40	86,592	A	R	51	N/A	N/A
CONDIT	1005	CONDIT RD	TENNANT AV	WIDTH CHG (925 FT N/E	925	31	28,675	O	C	87	AC OVERLAY W/FABRIC, 2.0 IN	11/1/2011
CONDIT	1015	CONDIT RD	880' S/ BARRETT (WIDTH C	60' N/ BARRETT AVE (P/V	940	48	45,120	O	C	84	AC OVERLAY W/FABRIC, 2.0 IN	11/1/2011
CONDIT	1020	CONDIT RD	60' N/ BARRETT AV (P/VMT	N/O SAN PEDRO AV (WDT	1,615	48	77,520	A	C	81	N/A	N/A
CONDIT	1030	CONDIT RD	SAN PEDRO AV	564' S/O EAST DUNNE AV	1,177	37	43,549	O	C	58	2 IN AC OVERLAY	7/15/2007

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CONDIT	1040	CONDIT RD	EAST DUNNE AV	COUNTY MARKER	1,004	32	30,307	A	C	77	N/A	N/A
CONDIT	1050	CONDIT RD	565' S/O EAST DUNNE AV	EAST DUNNE AV	565	37	20,905	O	C	81	2 IN AC OVERLAY	7/15/2007
CONTEW Y	1010	CONTE WY	SHAVER AVE	KATYBETH WY	468	30	14,040	A	R	95	N/A	N/A
CORDOV	1010	CORDOVA CT	END	VIA DEL CASTILLE	317	40	12,672	A	R	47	CAPE SEAL	9/1/2000
CORAV	1005	CORIANDE AV	SAFFRON AV	DOUGHERTY AV	755	34	25,670	A	R	85	N/A	N/A
CORAV	1015	CORIANDE AV	BASIL	DOUGHERTY AV	340	34	11,560	A	R	85	N/A	N/A
CORNIC	1010	CORNICHE DR	BENTLEY DR	SERENE DR	298	33	9,834	A	R	83	N/A	N/A
CORSAP	1010	CORSA PL	E/O BELLATO DR	CUL DE SAC	109	35	5,137	A	R	80	N/A	N/A
CORTEA	1010	CORTE ARQUEJA	CALLE MAZATAN	END	211	40	8,448	A	R	57	N/A	N/A
CORTCN	1010	CORTE CABANIL	CALLE MAZATAN	END	475	40	19,008	A	R	63	N/A	N/A
CORTCB	1010	CORTE CABAS	CALLE MAZATAN	END	422	40	16,896	A	R	56	N/A	N/A
CORYDR	1010	CORY DR	SAN PEDRO AV	SAN JUAN DR	460	36	16,560	A	R	75	N/A	N/A
CORYDR	1020	CORY DR	SAN JUAN DR	END (NE)	1,261	36	45,396	A	R	83	N/A	N/A
CORYLN	1010	CORY LN	SAN PEDRO RD	CUL DE SAC	420	36	15,120	A	R	79	N/A	N/A
COSMOA	1010	COSMO AV	DEL MONTE AV	MONTEREY ST	950	40	38,016	A	C	63	N/A	N/A
COSMOA	1020	COSMO AV	DENALI DR	DEL MONTE AV	483	37	17,871	A	C	80	N/A	N/A
COUNTF	1010	COUNT FLEET CT	NATIVE DANCER DR	END	475	32	15,206	A	R	66	SLURRY SEAL	9/1/2000
CREEKS	1010	CREEKSIDE CT	END	EASY ST	528	40	21,120	A	R	57	SLURRY SEAL	7/1/2005
CRESTA	1010	CREST AV	WEST MAIN AV	COLLEEN CT	1,108	40	41,184	A	R	64	N/A	N/A
CRESTA	1020	CREST AV	COLLEEN CT	LONGVIEW DR	686	36	24,696	A	R	64	N/A	N/A
CRESTA	1030	CREST AV	LONGVIEW DR	OAKGROVE CT	634	40	25,360	A	R	78	N/A	N/A
CRISTCT	1010	CRISTINA CT	DIANA AVE	END	574	37	21,238	A	R	95	N/A	N/A
CRYSTA	1020	CRYSTAL DR	END	CASTLE HILL DR	844	20	14,362	A	R	79	SLURRY SEAL	8/15/2009
CURRAV	1010	CURRY AV	HALE AV	SAFFRON DR	1,235	34	41,990	A	R	78	N/A	N/A
DAVICR	1010	DA VINCI CR	LA ROCEL	END	397	32	12,704	A	R	85	N/A	N/A
DAFFOD	1010	DAFFODIL CT	BLUEBONNET WY	END	158	40	6,336	A	R	55	SLURRY SEAL	7/8/2002
DAKOTA	1010	DAKOTA DR	LOTUS WAY	DEAD END	215	28	6,020	A	R	81	N/A	N/A
DALEHO	1010	DALE HOLLOW CT	S/O SPRING AVE	CUL DE SAC	358	32	12,985	A	R	83	N/A	N/A
DANNY	1010	DANNY BOY CT	EXCALIBUR DR	CUL-DE-SAC	305	33	10,065	A	R	90	SLURRY SEAL - TYPE II	10/30/2014
DARKST	1010	DARKSTAR CT	VENETIAN WY	END	475	32	15,206	A	R	60	SLURRY SEAL	7/1/2005
DEANZA	1010	DE ANZA CT	END	EASY ST	317	40	12,672	A	R	59	SLURRY SEAL	7/1/2005
DEPAUL	1010	DE PAUL DR	END	COCHRANE RD	950	40	38,016	A	C	79	N/A	N/A
DEANAC	1010	DEANA CT	END	LLAGAS RD	739	29	21,437	A	R	61	SLURRY SEAL	8/15/2009
DEERRU	1010	DEER RUN CT	LLAGAS RD	END	528	32	16,896	A	R	41	N/A	N/A

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DELMON	1005	DEL MONTE AV	COSMO AV	S/O MATHILDA CT	792	37	29,304	A	R	85	N/A	N/A
DELMON	1015	DEL MONTE AV	S/O MATHILDA CT	FOOTHILL CT	285	37	10,545	A	R	78	N/A	N/A
DELMON	1020A	DEL MONTE AV	FOOTHILL CT	SPRING AV	297	40	11,880	A	R	54	N/A	N/A
DELMON	1020B	DEL MONTE AV	SPRING AV	CIOLINO AV	759	40	30,360	A	R	59	SLURRY SEAL	7/15/2007
DELMON	1031	DEL MONTE AV	CIOLINO AV	W DUNNE AV	609	40	24,360	A	R	81	SLURRY SEAL	7/15/2007
DELMON	1032	DEL MONTE AV	W DUNNE AV	FIFTH ST	394	40	15,760	A	R	74	MICROSURFACING	9/15/2006
DELMON	1040	DEL MONTE AV	THIRD ST	KNOB HILL TR	211	27	5,702	A	R	26	N/A	N/A
DELMON	1050	DEL MONTE AV	KNOB HILL TR	SECOND ST	106	40	4,224	A	R	46	N/A	N/A
DELMON	1060	DEL MONTE AV	SECOND ST	KEYSTONE AV	950	40	38,016	A	R	34	N/A	N/A
DELMON	1110	DEL MONTE AV	CENTRAL AV	WRIGHT AV	1,056	40	42,240	A	R	52	N/A	N/A
DELMON	1215	DEL MONTE AV	DEAD END	LLAGES RD	1,005	20	33,400	A	R	48	SLURRY SEAL	8/15/2009
DELMON	1225	DEL MONTE AV	LLAGAS RD	BERKSHIRE DR	600	40	24,000	A	R	63	SLURRY SEAL	7/15/2007
DELMON	1230	DEL MONTE AV	BERKSHIRE DR	SANCHEZ DR	686	40	27,456	A	R	73	SLURRY SEAL	7/15/2007
DELMOC	1010	DEL MONTE CR	END	DEL MONTE AV	211	20	4,220	A	R	55	SLURRY SEAL	8/15/2009
DENALI	1010	DENALI DR	COSMO AVE	OL YMPIC DR	793	48	38,064	A	R	85	N/A	N/A
DENALI	1020	DENALI DR	OL YMPIC DR	SUNSET AVE	364	37	13,468	A	R	85	N/A	N/A
DEPOTS	1005	DEPOT ST	EAST DUNNE AV	FIFTH ST	630	36	22,680	A	C	80	N/A	N/A
DEPOTS	1015	DEPOT ST	FIFTH ST	FOURTH ST	442	36	15,912	A	C	80	N/A	N/A
DEPOTS	1020	DEPOT ST	FOURTH ST	SECOND ST	635	36	22,860	A	C	79	N/A	N/A
DEPOTS	1030	DEPOT ST	SECOND ST	EAST MAIN AV	700	36	25,200	A	C	80	N/A	N/A
DESCAN	1010	DESCANSA CT	END	LA CROSSE DR	528	40	21,120	A	R	66	SLURRY SEAL	9/1/2000
DEWITT	1010	DEWITT AV	CITY LIMITS	WEST DUNNE AV	900	40	36,000	A	C	61	CAPE SEAL	9/1/2000
DEWITT	1015	DEWITT AV	WEST DUNNE AV	ALKIRE AV	774	40	30,960	A	R	73	N/A	N/A
DEWITT	1025	DEWITT AV	ALKIRE AV	W. MAIN AVE	700	40	28,000	A	R	43	N/A	N/A
DEWITT	1030	DEWITT AV	W. MAIN AVE	CLAREMONT DR	862	40	34,480	A	R	42	CAPE SEAL	9/1/2000
DEWITT	1040	DEWITT AV	CLAREMONT DR	MARCIA DR	530	40	21,200	A	R	63	N/A	N/A
DIANAA	1010	DIANA AV	DEAD END (S. OF BUTTERFIELD BLVD)	BUTTERFIELD BLVD	585	24	14,040	A	C	75	N/A	N/A
DIANAA	1020	DIANA AV	BUTTERFIELD BLVD	GRAND PRIX WY	1,659	42	69,678	O	C	80	2 IN AC OVERLAY	7/1/2005
DIANAA	1030	DIANA AV	GRAND PRIX WY	JAMES LEX LN	968	30	29,040	O	C	49	2 IN AC OVERLAY	7/1/2005
DIANAA	1040	DIANA AV	JAMES LEX LN	WALNUT GROVE DR (E)	942	47	44,274	A	C	81	N/A	N/A
DIANAA	1100	DIANA AV	CITY LIMIT SW/O BRADFORD HILL RD		3,142	32	100,544	A	C	74	N/A	N/A
DIGIDR	1010	DIGITAL DRIVE	BUTTERFIELD BLVD	BUTTERFIELD BLVD	2,280	34	77,520	A	C	80	N/A	N/A
DOGWOO	1010	DOGWOOD WY	END	JASMINE WY	158	40	6,336	A	R	72	SLURRY SEAL	7/8/2002
DOMAIC	1010	DOMAINE CT	E/O MALBEC DR	CUL DE SAC	272	32	10,311	A	R	85	N/A	N/A

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DOMAID	1010	DOMAINE DR	BRIX WY	MALBEC DR	157	32	5,024	A	R	85	N/A	N/A
DOMAID	1020	DOMAINE DR	CABERNET CT	BRIX WY	994	34	33,796	A	R	85	N/A	N/A
DOUGHE	1010	DOUGHERTY AV	TILTON AV	CITY LIMITS	950	30	28,500	A	R	84	N/A	N/A
DOUGHE	1015	DOUGHERTY AV	TILTON AV	N/O BASIL	1,000	34	34,000	A	R	83	N/A	N/A
DOUGHE	1025	DOUGHERTY AV	N/O BASIL	CURRY AV	310	34	10,540	A	R	85	N/A	N/A
DRYCRE	1010	DRY CREEK CT	SPRING HILL DR	END	264	40	10,560	A	R	73	SLURRY SEAL	9/1/2000
EDMUND	1010	E EDMUNDSON AV	MONTEREY ST	CHURCH ST	634	40	25,344	A	A	67	N/A	N/A
EDMUND	1020	E EDMUNDSON AV	CHURCH ST	END	686	36	24,696	A	A	78	N/A	N/A
EISLAN	1010	EAGLE ISLAND CT	S/O SPRING AVE	CUL DE SAC	182	32	7,840	A	R	83	N/A	N/A
EAGLES	1020	EAGLE SPRINGS CT	LLAGAS CREEK DR	CUL-DE-SAC	171	33	5,643	A	R	79	N/A	N/A
EVIEWD	1010	EAGLE VIEW DR	N/O MORNING STAR DR	W/O PEET DR	2,305	36	82,980	A	R	85	N/A	N/A
ECENRT	1020	EAST CENTRAL AVE	CALLE MAZATAN	265 FT W/O ASTON CT	1,300	48	62,400	A	R	83	N/A	N/A
ECENRT	1025	EAST CENTRAL AVE	265 FT W/O ASTON CT	E/O LANCIA DR	735	48	35,280	A	R	83	N/A	N/A
ECENRT	1035	EAST CENTRAL AVE	E/O LANCIA DR	SERENE DR	530	48	25,440	A	R	73	N/A	N/A
ECENRT	1010	EAST CENTRAL AVE	W/O BUTTERFIELD	CUL DE SAC	449	29	13,534	A	R	85	N/A	N/A
EDUNNE	1010	EAST DUNNE AV	MONTEREY ST	RAILROAD X	950	80	76,000	A	A	67	N/A	N/A
EDUNNE	1020A	EAST DUNNE AV	RAILROAD X	BUTTERFIELD	617	69	42,573	A	A	79	N/A	N/A
EDUNNE	1020B	EAST DUNNE AV	BUTTERFIELD	JOLLEEN WY	1,918	69	132,342	A	A	81	N/A	N/A
EDUNNE	1030	EAST DUNNE AV	JOLLEEN WY	LAUREL RD	898	69	61,962	A	A	79	N/A	N/A
EDUNNE	1040	EAST DUNNE AV	LAUREL RD	CONDIT RD	2,165	69	149,385	A	A	61	N/A	N/A
EDUNNE	1050	EAST DUNNE AV	CONDIT RD	MURPHY AV	634	88	52,960	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
EDUNNE	1060	EAST DUNNE AV	MURPHY AV	PEPPERTREE DR	1,267	88	103,832	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
EDUNNE	1070	EAST DUNNE AV	PEPPERTREE DR	PINE WY	792	88	64,400	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
EDUNNE	1080	EAST DUNNE AV	PINE WY	TASSAJARA CR	1,215	88	98,760	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
EDUNNE	1090	EAST DUNNE AV	TASSAJARA CR	HILL RD	1,056	88	82,208	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
EDUNNE	1100	EAST DUNNE AV	HILL RD	PVT CHG 356'E/O SORRE	1,650	87	143,550	O	A	64	AC OVERLAY, 1.5 IN	9/1/2000
EDUNNE	1110	EAST DUNNE AV	PVT CHG 356'E/O SORRELL WY	SADDLEBACK DR	217	87	18,879	O	A	73	AC OVERLAY, 1.5 IN	9/1/2000
EDUNNE	1120	EAST DUNNE AV	SADDLEBACK DR	GALLOP DR	897	58	52,026	A	A	66	N/A	N/A
EDUNNE	1130	EAST DUNNE AV	GALLOP DR	RUSTLING OAK CT	2,693	41	110,413	O	C	73	AC OVERLAY W/FABRIC, 2.0 IN	8/1/1999

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EDUNNE	1140	EAST DUNNE AV	RUSTLING OAK CT	FLAMING OAK LN	898	44	39,512	O	C	75	AC OVERLAY W/FABRIC, 2.0 IN	8/1/1999
EDUNNE	1150	EAST DUNNE AV	FLAMING OAK LN	THOMAS GRADE	2,429	22	71,597	A	C	82	N/A	N/A
EDUNNE	1160	EAST DUNNE AV	THOMAS GRADE	HOLIDAY DR	950	36	40,550	A	C	61	N/A	N/A
EDUNNE	1170	EAST DUNNE AV	HOLIDAY DR	CITY LIMITS (EAST END)	4,480	32	143,360	A	C	43	CHIP SEAL	7/1/2003
EMAINA	1010	EAST MAIN AV	MONTEREY ST	RR CROSSING	738	46	35,904	O	A	79	2 IN AC OVERLAY	12/11/2008
EMAINA	1021	EAST MAIN AV	RR CROSSING	BUTTERFIELD BLVD	530	69	36,570	A	A	64	N/A	N/A
EMAINA	1022	EAST MAIN AV	BUTTERFIELD BLVD	CALLE MAZATAN	684	69	47,196	O	A	77	2 IN AC OVERLAY W/ FABRIC	9/15/2006
EMAINA	1030	EAST MAIN AV	CALLE MAZATAN	GRAND PRIX WY	1,003	36	36,115	O	A	62	2 IN AC OVERLAY	12/11/2008
EMAINA	1040	EAST MAIN AV	GRAND PRIX WY	CARRIAGE LAMP WY	950	51	48,450	O	A	77	2 IN AC OVERLAY	12/11/2008
EMAINA	1051A	EAST MAIN AV	CARRIAGE LAMP WY	BELLETO DR	325	51	16,575	O	A	79	2 IN AC OVERLAY	12/11/2008
EMAINA	1051B	EAST MAIN AV	BELLETO DR	SERENE DR	351	51	17,901	O	A	79	2 IN AC OVERLAY	8/15/2008
EMAINA	1052	EAST MAIN AV	SERENE DR	LAUREL RD	432	51	22,032	O	A	73	2 IN AC OVERLAY W/ FABRIC	9/15/2006
EMAINA	1061	EAST MAIN AV	LAUREL RD	101 OVERPASS	520	42	21,840	O	A	46	2 IN AC OVERLAY W/ FABRIC	9/15/2006
EMAINA	1062	EAST MAIN AV	101 OVERPASS	CONDIT RD	694	42	29,148	A	A	48	N/A	N/A
EMAINA	1070	EAST MAIN AV	CONDIT RD	CASA LN	1,320	36	47,520	O	A	57	TWO INCH OVERLAY W/ DIG OUTS	9/10/2001
EMAINA	1080	EAST MAIN AV	CASA LN	COUNTY MARKER	1,320	51	67,320	O	A	65	TWO INCH OVERLAY W/ DIG OUTS	9/10/2001
EMIDDL	1010	EAST MIDDLE AV	MONTEREY ST	RR CROSSING	686	22	14,678	A	A	12	N/A	N/A
EASYST	1010	EASY ST	CITY LIMITS	SUNSHINE ST	1,680	40	67,200	A	R	65	SLURRY SEAL	7/1/2005
EASYST	1020	EASY ST	SUNSHINE ST	SHADOWLANE CT	1,367	40	54,680	A	R	62	SLURRY SEAL	7/1/2005
EASYST	1030	EASY ST	SHADOWLANE CT	END (GATE)	1,214	40	48,576	A	R	69	SLURRY SEAL	7/1/2005
EDESCT	1010	EDES CT	END	MONTEREY ST	792	41	32,472	A	R	69	N/A	N/A
EDWINJ	1010	EDWIN JONES CT	CHARGIN WY	END	317	40	12,672	A	R	81	SLURRY SEAL	9/1/2000
ELPAJA	1010	EL PAJARO CT	END	LA CROSSE DR	475	40	19,008	A	R	69	SLURRY SEAL	9/1/2000
ELTORO	1005	EL TORO CT	LINDO LN	DEL MONTE	435	40	17,400	A	R	23	N/A	N/A
ELTOST	1015	EL TORO ST	DEL MONTE	MONTEREY ST	625	40	25,000	A	R	85	N/A	N/A
ELAINE	1010	ELAINE CT	MARCIA DR	END	581	40	23,232	A	R	61	N/A	N/A
ELMROA	1010	ELM RD	CITY LIMITS	HALF RD	370	21	7,762	A	R	21	N/A	N/A
ENCINO	1010	ENCINO DR	SUNNYSIDE AV	VIA CASTANA DR	1,056	40	42,240	A	R	32	SLURRY SEAL	7/15/2007
ENCINO	1020	ENCINO DR	VIA CASTANA DR	LA ALAMEDA DR	950	40	38,016	A	R	30	SLURRY SEAL	7/15/2007

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ENCINO	1030	ENCINO DR	LA ALAMEDA DR	END	1,162	40	46,464	A	R	62	CAPE SEAL	9/1/2000
ENGLIS	1010	ENGLISH WALNUT CT	WALNUT GROVE DR	END	211	24	5,064	A	R	66	N/A	N/A
ENGLIW	1010	ENGLISH WALNUT WY	WALNUT GROVE DR	BELLETO DR	725	44	31,900	A	R	77	N/A	N/A
ESPANAC	1010	ESPANA CT	PURISSIMA WY	END	228	32	7,296	A	R	95	N/A	N/A
ESPANAW	1010	ESPANA WY	PURISSIMA WY	EAST END	1,316	32	42,112	A	R	95	N/A	N/A
EVENIN	1010	EVENING STAR CT	PEET RD	END	228	37	8,436	A	R	95	N/A	N/A
EVENSTP	1010	EVENING STAR PL	PEET RD	END	432	32	13,824	A	R	95	N/A	N/A
EXCADR	1010	EXCALIBUR DR	BELLINI WY	WATSONVILLE RD	150	34	5,100	A	R	83	N/A	N/A
EXCADR	1020	EXCALIBUR DR	WATSONVILLE RD	WHITE CLOUD DR	198	40	7,920	A	R	88	SLURRY SEAL - TYPE II	10/30/2014
EXCADR	1030	EXCALIBUR DR	WHITE CLOUD DR	PRANCER CT	964	37	35,668	A	R	90	SLURRY SEAL - TYPE II	10/30/2014
EXCADR	1040	EXCALIBUR DR	PRANCER CT	NATIVE DANCER	524	37	19,388	A	R	90	SLURRY SEAL - TYPE II	10/30/2014
EXCADR	1050	EXCALIBUR DR	NATIVE DANCER	CUL-DE-SAC	519	33	17,127	A	R	90	SLURRY SEAL - TYPE II	10/30/2014
FARALL	1010	FARALLON DR	PEAK AV	ALKIRE AV	1,056	30	31,680	A	R	69	N/A	N/A
FELIZC	1010	FELIZ CT	FOUNTAIN OAKS DR	END	370	32	11,827	A	R	68	CRACK SEAL & CAPE SEAL	8/1/1999
FENNCT	1010	FENNEL CT	DOUGHERTY AV	CUL-DE-SAC	473	34	17,947	A	R	88	N/A	N/A
FIELDS	1010	FIELDSHIRE WY	END	JASMINE WY	317	40	12,672	A	R	85	SLURRY SEAL	7/8/2002
FIFTHS	1011	FIFTH ST	DEL MONTE AV	MONTEREY ST	594	38	22,572	A	R	61	MICROSURFACING	9/15/2006
FIFTHS	1012	FIFTH ST	MONTEREY ST	DEPOT ST	620	38	23,560	A	R	62	N/A	N/A
FIRSTS	1005	FIRST ST	DEL MONTE AV	MONTEREY RD	615	40	24,600	A	R	48	N/A	N/A
FIRSTS	1015	FIRST ST	MONTEREY RD	DEPOT ST	547	40	21,880	A	R	100	N/A	N/A
FISHER	1010	FISHER AV	RAILROAD AV	CITY LIMITS	686	22	15,101	A	R	66	N/A	N/A
FLOREN	1010	FLORENCE CT	END	MARCIA DR	317	40	12,672	A	R	56	N/A	N/A
FOOTHI	1010	FOOTHILL AV	CITY LIMITS	MIDDLE AV	1,426	21	29,938	A	R	31	N/A	N/A
FOOTHI	1020	FOOTHILL AV	MIDDLE AV	RAQUEL CT	1,320	21	27,720	A	R	39	N/A	N/A
FOOTHI	1030	FOOTHILL AV	RAQUEL CT	MAPLE AV	1,954	21	41,026	A	R	37	AC SKIN PATCH	8/1/1999
FOOTHC	1010	FOOTHILL CT	DEL MONTE AV	END	528	40	21,120	A	R	61	N/A	N/A
FOOTHC	1020	FOOTHILL CT	DEL MONTE AV	END	186	49	9,114	A	R	56	N/A	N/A
FOUNTV	1010	FOUNTAIN AV	END	FOUNTAIN OAKS DR	422	40	16,896	A	R	62	CRACK SEAL & CAPE SEAL	8/1/1999
FOUNTC	1010	FOUNTAIN CT	FOUNTAIN OAKS DR	END	106	40	4,224	A	R	63	CRACK SEAL & CAPE SEAL	8/1/1999

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FOUNTA	1010	FOUNTAIN OAKS DR	HILL RD	FELIZ CT	1,056	40	42,240	O	C	83	THIN AC OVERLAY(1.5 INCHES)	8/1/1999
FOUNTA	1020	FOUNTAIN OAKS DR	FELIZ CT	BUCKSKIN CT	898	40	35,920	O	C	81	AC OVERLAY W/FABRIC, 2.0 IN	8/1/1999
FOUNTA	1030	FOUNTAIN OAKS DR	BUCKSKIN CT	TRAIL DR	897	40	35,904	O	C	80	AC OVERLAY W/FABRIC, 2.0 IN	8/1/1999
FOUNTA	1040	FOUNTAIN OAKS DR	TRAIL DR	END	739	40	29,588	A	R	73	CRACK SEAL & CAPE SEAL	8/1/1999
FOURTH	1005	FOURTH ST	END	MONTEREY	200	38	7,600	A	R	10	N/A	N/A
FOURTH	1015	FOURTH ST	MONTEREY	DEPOT ST	592	38	22,496	A	R	100	N/A	N/A
FOXHOL	1010	FOXHOLLOW CR	MURPHY SPRINGS DR	MURPHY SPRINGS DR	1,003	36	36,108	A	R	73	SLURRY SEAL	7/15/2007
FREMCT	1010	FREMONT CT	E DUNNE AVE	END	186	32	5,952	A	R	95	N/A	N/A
GALLAN	1010	GALLANT FOX WY	WEST MIDDLE AV	END	845	32	27,034	A	R	51	N/A	N/A
GALLOP	1010	GALLOP DR	FOUNTAIN OAKS DR	EAST DUNNE AV	1,240	40	49,600	A	R	60	CRACK SEAL & CAPE SEAL	8/1/1999
GARDEN	1010	GARDEN WY	END	WRIGHT AV	317	34	10,771	A	R	45	CAPE SEAL	8/15/2009
GARLIC	1010	GARLIC AV	CHICORY LN	END	824	32	26,368	A	R	88	N/A	N/A
GINGER	1010	GINGER WY	W/O TAYLOR AVE	END	275	30	8,250	A	R	83	N/A	N/A
GITANA	1010	GITANA CT	END (WEST)	SADDLEBACK DR	158	36	5,702	A	R	47	CRACK SEAL & CAPE SEAL	8/1/1999
GITANA	1020	GITANA CT	SADDLEBACK DR	END (EAST)	317	36	11,405	A	R	47	N/A	N/A
GLENAY	1010	GLEN AYRE DR	LLAGAS RD	JASPER HIGHLANDS DR	1,109	24	26,611	A	R	61	SLURRY SEAL	8/15/2009
GLENAY	1020	GLEN AYRE DR	JASPER HIGHLANDS DR	SCOTT DR	581	24	13,939	A	R	52	SLURRY SEAL	8/15/2009
GLENAY	1030	GLEN AYRE DR	SCOTT DR	END	2,059	18	37,066	A	R	55	SLURRY SEAL	8/15/2009
GLENCA	1010	GLEN CANYON CT	S/O SPRING AVE	CUL DE SAC	341	32	12,519	A	R	79	N/A	N/A
GRANDP	1010	GRAND PRIX WY	DIANA AV	LA SABRE CT	845	40	33,792	A	R	80	SLURRY SEAL	12/11/2008
GRANDP	1020	GRAND PRIX WY	LA SABRE CT	EAST MAIN AV	1,140	40	45,600	A	R	76	SLURRY SEAL	12/11/2008
GRANDP	1030	GRAND PRIX WY	E. CENTRAL AV	E. MAIN AVE	963	33	31,779	A	R	85	N/A	N/A
GREENW	1005	GREENWOOD AV	END	ROCKY RIDGE ROAD	225	24	5,400	A	R	40	N/A	N/A
GREENW	1015	GREENWOOD AV	ROCKY RIDGE ROAD	ROLLING HILL DR	672	24	16,128	A	R	34	N/A	N/A
GREYGH	1010	GREY GHOST CT	END	OLIVE AV	264	40	10,560	A	R	72	N/A	N/A
HALEAV	1005	HALE AV	W. MAIN ST	LLAGAS RD	1,684	58	97,672	A	A	95	N/A	N/A
HALEAV	1010	HALE AV	KNOB HILL TR	WARREN AV	264	35	9,240	A	A	72	N/A	N/A
HALEAV	1030	HALE AV	LLAGAS RD	VIA LOMA	1,317	30	39,510	O	A	91	2 IN AC OVERLAY	11/1/2012
HALEAV	1040	HALE AV	CITY LIMITS(1010 Ft. NVIA)	CITY LIMITS(260 Ft. STILT)	3,680	30	110,400	O	A	89	2 IN AC OVERLAY	11/1/2012
HALFRD	1010	HALFRD	COUNTY MARKER	GOULD LN	1,479	22	32,538	A	R	79	N/A	N/A

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HALFRD	1020	HALF RD	GOULD LN	ELM AV	317	22	6,974	A	R	83	N/A	N/A
HAMP SH	1010	HAMPSHIRE CT	END	BERKSHIRE DR	158	40	6,336	A	R	85	SLURRY SEAL	7/15/2007
HAYLCT	1010	HAY LOFT CT	END	HAY LOFT WY	211	32	6,758	A	R	70	CRACK SEAL & CAPE SEAL	8/1/1999
HAYLOF	1010	HAY LOFT WY	GALLOP DR	END	1,056	32	33,792	A	R	61	CRACK SEAL & CAPE SEAL	8/1/1999
HAZEL T	1010	HAZELTON CT	END	DEL MONTE AV	475	40	19,008	A	R	65	SLURRY SEAL	8/15/2009
HEATHE	1010	HEATHERWOOD WY	KATYBETH WY	CUL DE SAC	945	40	38,989	A	R	85	N/A	N/A
HEIDIC	1010	HEIDI CT	END	HEIDI DR	158	59	9,346	O	R	80	AC OVERLAY, 1.5 IN	9/1/2000
HEIDID	1010	HEIDI DR	PEAK AV	CREST AV	634	40	25,344	O	R	83	AC OVERLAY, 1.5 IN	9/1/2000
HERITA	1010	HERITAGE CT	END	PRESERVATION WY	158	32	5,069	A	R	78	SLURRY SEAL	7/15/2007
HIDALG	1010	HIDALGO CT	VIA GRANDE	END	158	40	6,336	A	R	56	N/A	N/A
HILLRD	1010	HILL RD	COUNTY MARKER	SUNDANCE DR	1,056	44	46,464	A	A	78	N/A	N/A
HILLRD	1020	HILL RD	SUNDANCE DR	EAST DUNNE AV	845	44	37,180	O	A	56	2 IN AC OVERLAY	7/15/2007
HILLRD	1030	HILL RD	EAST DUNNE AV	KATYBETH WY	1,109	49	54,341	A	A	43	N/A	N/A
HILLRD	1040	HILL RD	KATYBETH WY	CITY LIMITS (N/ DANA AV)	2,877	40	115,080	O	A	50	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
HIOLD	1010	HILL RD (OLD ALIGN.)	E. DUNNE AVE	ROSETTA DR/HILL RD (NEW)	712	24	17,088	A	R	40	N/A	N/A
HILLTP	1010	HILL TOP CT	EAST DUNNE AV	END	370	24	8,870	A	R	67	6 IN REMOVE & REPLACE	8/1/1999
HILLMCT	1010	HILLMAN CT	CALLE CENTRAL	END	362	37	13,394	A	R	95	N/A	N/A
HUSTON	1010	HUSTON CT	END (WEST)	SADDLEBACK DR	158	36	5,702	A	R	37	CRACK SEAL & CAPE SEAL	8/1/1999
HUSTON	1020	HUSTON CT	SADDLEBACK DR	END (EAST)	317	36	11,405	A	R	39	N/A	N/A
IMPALA	1010	IMPALA CT	GRAND PRIX WY	END	211	40	8,448	A	R	77	N/A	N/A
JACKSC	1010	JACKSON OAKS CT	END	JACKSON OAKS DR	320	24	7,680	A	R	50	N/A	N/A
JACKSO	1020	JACKSON OAKS DR	EAST DUNNE AV	OAK VIEW CR	264	24	6,336	O	R	67	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
JACKSO	1030	JACKSON OAKS DR	OAK VIEW CR	OAK HILL CT	1,743	24	41,818	O	R	63	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
JACKSO	1040	JACKSON OAKS DR	OAK HILL CT	OAK CANYON DR	1,320	24	31,680	O	R	59	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
JACKSO	1050	JACKSON OAKS DR	OAK CANYON DR	JACKSON OAKS CT	1,373	24	32,947	O	R	59	THIN AC OVERLAY(1.5 INCHES)	9/10/2001

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JACKSO	1060	JACKSON OAKS DR	JACKSON OAKS CT	LIVE OAK CT	739	24	17,741	O	R	71	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
JACKSO	1070	JACKSON OAKS DR	LIVE OAK CT	RIDGEVIEW CT	1,003	24	24,077	O	R	70	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
JACKSO	1080	JACKSON OAKS DR	RIDGEVIEW CT	OAKRIDGE RD	792	24	19,008	O	R	66	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
JACQUE	1010	JACQUELINE CT	END	BARRETT AV	370	40	14,784	A	R	63	N/A	N/A
JAMESCT	1010	JAMES CT	MURPHY AVE	END	348	24	8,352	A	R	95	N/A	N/A
JAMESL	1010	JAMES LEX LN	END	DIANA AV	686	30	20,592	A	R	58	N/A	N/A
JARVIS	1000	JARVIS DR	BUTTERFIELD BLVD	ADDRESS # 885	932	58	54,056	A	C	83	N/A	N/A
JARVIS	1010	JARVIS DR	ADDRESS # 885	SERENE DR	1,058	58	61,364	A	C	50	N/A	N/A
JARVIS	1020	JARVIS DR	SERENE DR	SUTTER BL	3,274	58	189,869	A	C	80	N/A	N/A
JARVIS	1030	JARVIS DR	SUTTER BL	ADDRESS # 400	792	58	45,936	A	C	79	N/A	N/A
JARVIS	1040	JARVIS DR	ADDRESS # 400	BUTTERFIELD BLVD	601	58	34,858	A	C	81	N/A	N/A
JASMIN	1010	JASMIN WY	310' N/ MEADOW CT	DOGWOOD WY	792	40	31,680	A	R	75	SLURRY SEAL	7/8/2002
JASMIN	1020	JASMIN WY	DOGWOOD WY	PEPERTREE DR	634	40	25,344	A	R	59	SLURRY SEAL	7/8/2002
JASMIN	1030	JASMIN WY	PEPERTREE DR	ARCHFIELD CT	950	40	38,016	A	R	69	SLURRY SEAL	7/8/2002
JASPER	1010	JASPER HIGHLANDS	END	GLEN AYRE DR	1,003	18	18,058	A	R	61	SLURRY SEAL	8/15/2009
JEANCT	1010	JEAN CT	HILL RD	PEAR DR	956	37	35,372	A	R	95	N/A	N/A
JENECT	1010	JENECE CT	JUSTINO DR	END	126	37	4,662	A	R	95	N/A	N/A
JOHNTE	1010	JOHN TELFER DR	WEST DUNNE AV	PVT CHG S/O WEST	550	28	15,400	A	R	25	CAPE SEAL	9/1/2000
JOHNTE	1020	JOHN TELFER DR	WEST DUNNE AV	ALKIRE AV	475	40	19,000	A	R	78	N/A	N/A
JOHNTE	1030	JOHN TELFER DR	WEST MAIN AV	END	930	18	16,740	A	R	34	N/A	N/A
JOHNTE	1040	JOHN TELFER DR	PVT CHG	PRICE DR	510	28	14,280	A	R	53	N/A	N/A
JOHNWI	1010	JOHN WILSON WY	W/O MONTEREY ST	END	762	29	22,098	A	R	85	N/A	N/A
JOLLEE	1010	JOLLEEN WY	END	EAST DUNNE AV	792	40	31,680	A	R	46	N/A	N/A
JUANHE	1010	JUAN HERNANDEZ	DEAD END	BARRETT AVE	1,355	30	40,650	A	C	81	N/A	N/A
JUANHE	1020	JUAN HERNANDEZ	BARRETT AVE	TENNANT AVE	1,673	54	90,342	A	C	78	N/A	N/A
JUSTIN	1010	JUSTINO DR	RINGEL DR	CITY LIMITS	205	40	8,200	A	R	85	SLURRY SEAL	10/15/2011
KATYBE	1005	KATYBETH WY	HILL RD	W/O HEATHERWOOD	510	40	20,400	A	R	85	N/A	N/A
KATYBE	1015	KATYBETH WY	W/O HEATHERWOOD	N/O CONTE WY	190	40	7,600	A	R	85	N/A	N/A
KATYBE	1020	KATYBETH WY	N/O CONTE WY	SHAVER AVE	128	37	4,736	A	R	95	N/A	N/A
KAYSPR	1010	KAY SPRINGS CT	CHRISTEPH DR	CUL-DE-SAC	232	33	7,656	A	R	83	SLURRY SEAL	7/15/2007

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KEITHW	1010	KEITH WY	EDMUNDSON AVE	DEAD END	730	36	26,280	A	R	76	N/A	N/A
KENNEB	1010	KENNEBEC CT	E/O PEET RD	CUL DE SAC	254	32	9,813	A	R	85	N/A	N/A
KENNEPL	1010	KENNEBEC PL	PEET RD	END	162	37	5,994	A	R	95	N/A	N/A
KEYSTO	1010	KEYSTONE AV	DEL MONTE AV	MONTEREY ST	634	40	25,344	A	R	57	N/A	N/A
KICKCT	1010	KICKAPOO CT	MALAGUERRA AV	CUL-DE-SAC	829	32	28,543	A	R	85	N/A	N/A
KINGSC	1010	KINGS CANYON CT	COSMO AVE	CUL-DE-SAC	187	33	5,102	A	C	84	N/A	N/A
KNOBHI	1010	KNOB HILL TR	END	DEL MONTE AV	945	36	34,020	A	R	66	N/A	N/A
LAAGUA	1010	LA AGUA CT	LA JOLLA DR	END	158	40	6,336	A	R	83	N/A	N/A
LAALAM	1010	LA ALAMEDA DR	WATSONVILLE RD	ALAMO DR	528	40	21,120	O	C	84	SLURRY SEAL	7/15/2007
LAALAM	1020	LA ALAMEDA DR	ALAMO DR	ROBLE DR	1,056	40	42,240	O	C	79	SLURRY SEAL	7/15/2007
LAALAM	1030	LA ALAMEDA DR	ROBLE DR	LA CROSSE DR	687	40	27,456	O	C	81	SLURRY SEAL	7/15/2007
LAARBO	1010	LA ARBOLEDA WY	WATSONVILLE RD	END	1,021	37	37,777	A	R	85	N/A	N/A
LABARE	1010	LA BAREE DR	CALLE ENRIQUE	LA CROSSE DR	686	40	27,456	A	R	56	SLURRY SEAL	7/1/2003
LABELL	1010	LA BELLA CT	LA CROSSE DR	END	686	40	27,456	A	R	63	SLURRY SEAL	9/1/2000
LACANA	1010	LA CANADA CT	END	CALLE ENRIQUE	581	40	23,232	A	R	53	SLURRY SEAL AND CRACK SEAL	7/8/2002
LACROS	1010	LA CROSSE DR	LA ALAMEDA DR	LA PALA CT	898	50	44,900	A	C	58	SLURRY SEAL	9/1/2000
LACROS	1020	LA CROSSE DR	LA PALA CT	VINEYARD BL	1,214	50	60,720	A	C	49	SLURRY SEAL	9/1/2000
LACROS	1030	LA CROSSE DR	VINEYARD BL	LA MIRADA CT	1,267	50	63,360	A	C	42	CAPE SEAL	9/1/2000
LACROS	1040	LA CROSSE DR	LA MIRADA CT	LA RENA CT	792	50	39,600	A	C	22	CAPE SEAL	9/1/2000
LACROS	1050	LA CROSSE DR	LA RENA CT	LA RODA CT	602	46	27,692	A	C	40	CAPE SEAL	9/1/2000
LACROS	1060	LA CROSSE DR	MCKELVY LN	LA GRANDE DR	1,004	50	50,160	A	C	82	SLURRY SEAL	9/1/2000
LACROS	1070	LA CROSSE DR	LA GRANDE DR	LA ALAMEDA DR	950	50	47,520	A	C	76	SLURRY SEAL	9/1/2000
LACROS	1080A	LA CROSSE DR	MCKELVY LN	75 FT WEST OF LA	484	46	22,264	A	C	79	SLURRY SEAL	9/1/2000
LACROS	1080B	LA CROSSE DR	75 FT WEST OF LA	LA RODA CT	75	46	3,450	A	C	44	CAPE SEAL	9/1/2000
LAESCU	1010	LA ESCUELA CT	END	LA CROSSE DR	581	40	23,232	A	R	79	SLURRY SEAL	9/1/2000
LAGIRC	1010	LA GIRALDA CT	VIA GRANDE	END	158	40	6,336	A	R	63	N/A	N/A
LAGRAN	1010	LA GRANDE DR	VIA CASTANA	LA CROSSE DR	240	50	12,000	A	R	77	SLURRY SEAL	9/1/2000
LAHONC	1010	LA HONDA CT	LA CROSSE DR	END	528	40	21,120	A	R	70	SLURRY SEAL AND CRACK SEAL	7/8/2002
LAHON	1010	LA HONDA SUR	END	LA CROSSE DR	317	40	12,672	A	R	69	SLURRY SEAL	7/1/2003
LAJOLC	1010	LA JOLLA CT	LA CROSSE DR	END	581	40	23,232	A	R	73	SLURRY SEAL	9/1/2000
LAJOLL	1010	LA JOLLA DR	VIA NAVONA	LA CROSSE DR	810	40	32,400	A	R	75	N/A	N/A
LAJOLL	1020	LA JOLLA DR	VIA NAVONA	END	1,020	37	37,740	A	R	84	N/A	N/A

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LAMARC	1010	LA MAR CT	LA CROSSE DR	END	581	40	23,232	A	R	79	SLURRY SEAL AND CRACK SEAL	7/8/2002
LAMARD	1010	LA MAR DR	CALLE ENRIQUE	LA CROSSE DR	1,320	40	52,800	A	R	74	SLURRY SEAL	7/1/2003
LAMESA	1010	LA MESA CT	LA CROSSE DR	CUL-DE-SAC	528	40	21,120	A	R	70	SLURRY SEAL	9/1/2000
LAMIRA	1010	LA MIRADA CT	END	LA CROSSE DR	528	40	21,120	A	R	56	SLURRY SEAL	9/1/2000
LAPALA	1010	LA PALA CT	END	LA CROSSE DR	317	40	12,672	A	R	66	SLURRY SEAL	7/1/2003
LAPAZC	1010	LA PAZ CT	END	CALLE ENRIQUE	580	40	23,200	A	R	49	N/A	N/A
LAPORT	1010	LA PORTE CT	END	LA CROSSE DR	475	40	19,008	A	R	59	CAPE SEAL	9/1/2000
LAPREN	1010	LA PRENDA CT	END	LA CROSSE DR	581	40	23,232	A	R	47	CAPE SEAL	9/1/2000
LARENA	1010	LA RENA CT	LA CROSSE DR	END	106	60	6,336	A	R	62	SLURRY SEAL	9/1/2000
LAROCC	1005	LA ROCCA CT	BELLINI WY	END (SW)	144	40	5,760	A	R	85	SLURRY SEAL	9/1/2000
LAROCC	1015	LA ROCCA CT	ALAMO DR	END (SE)	445	40	18,989	A	R	65	SLURRY SEAL	9/1/2000
LARODR	1005	LA ROCCA DR	BELLINI WY	ALAMO DR	1,024	40	40,960	A	R	79	SLURRY SEAL	9/1/2000
LARODA	1010	LA RODA CT	LA CROSSE DR	END	158	40	6,336	A	R	37	SLURRY SEAL	9/1/2000
LASABR	1010	LA SABRE CT	END	GRAND PRIX WY	430	40	17,200	A	R	62	N/A	N/A
LASIER	1010	LA SIERRA CT	LA CROSSE DR	END	528	40	21,120	A	R	62	N/A	N/A
LATIERRA	1010	LA TIERRA CT	VIA CASTANA	END	384	32	12,288	A	R	95	N/A	N/A
LATIER	1020	LA TIERRA DR	VIA CASTANA DR	VIA CASTANA DR	1,100	40	44,000	A	R	80	N/A	N/A
LAVELA	1010	LA VELA CT	LA JOLLA DR	CULO-DE-SAC	305	37	11,285	A	R	85	N/A	N/A
LAVIAA	1010	LA VIA AZUL	LA MAR DR	LA JOLLA DR	211	40	8,448	A	R	80	SLURRY SEAL	7/1/2003
LAVIAC	1010	LA VIA AZUL CT	LA JOLLA DR	END	370	40	14,784	A	R	83	N/A	N/A
LAVIST	1010	LA VISTA CT	END	SUNNYSIDE AV	370	39	14,414	A	R	83	N/A	N/A
LANCIA	1010	LANCIA DR	S/O EAST CENTRAL	CUL-DE-SAC S. OF	915	37	33,855	A	R	82	N/A	N/A
LANDAU	1010	LANDAU CT	END	GRAND PRIX WY	420	40	16,800	A	R	63	N/A	N/A
LACOH	1010	LAS COCHES CT	END	CALLE ENRIQUE	475	40	19,008	A	R	54	SLURRY SEAL AND CRACK SEAL	7/8/2002
LAUREL	1010	LAUREL RD	EAST DUNNE AV	WALNUT GROVE DR	250	38	9,500	A	R	83	N/A	N/A
LAUREL	2010	LAUREL RD	EAST MAIN AV	CITY LIMITS	679	32	21,728	A	C	42	N/A	N/A
LESABCT	1010	LE SABRE CT	GRAND PRIX WY	END	384	32	12,288	A	R	95	N/A	N/A
LEAFYC	1010	LEAFY CT	PEPERTREE DR	END	211	40	8,448	A	R	62	SLURRY SEAL	7/8/2002
LEGEND	1010	LEGEND CT	S/O EAGLE VIEW	CUL DE SAC	501	32	17,717	A	R	85	N/A	N/A
LINDOC	1010	LINDO CT	EL TORO CT	END	475	40	19,008	A	R	25	N/A	N/A
LINDOL	1010	LINDO LN	DEL MONTE ST	EL TORO CT	739	40	29,568	A	R	40	N/A	N/A
LIVEOA	1010	LIVE OAK CT	JACKSON OAKS DR	END	315	24	7,560	A	R	61	SLURRY SEAL	7/8/2002

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LLAGCR 1010		LLAGAS CREEK DR	NW DEAD END	LLAGAS RD	813	36	29,268	A	R	83	SLURRY SEAL	7/15/2007
LLAGCR 1020		LLAGAS CREEK DR	LLAGAS RD	SE DEAD END	638	36	22,968	A	R	79	N/A	N/A
LLAGCR 1030		LLAGAS CREEK DR	STONE CREEK WY	END	1,065	34	36,210	A	R	84	N/A	N/A
LLAGCT 1010		LLAGAS CT	LLAGAS RD	CUL-DE-SAC	159	33	5,247	A	R	81	N/A	N/A
LLAGAS 1010		LLAGAS RD	COUNTY MARKER	WOODLAND AV	581	22	12,778	A	C	54	CHIP SEAL	12/11/2008
LLAGAS 1020		LLAGAS RD	WOODLAND AV	COUNTY MARKER	1,003	22	22,070	A	C	60	CHIP SEAL	12/11/2008
LLAGAS 1030		LLAGAS RD	COUNTY MARKER	GLEN AYRE DR	845	22	18,586	A	C	42	CHIP SEAL	12/11/2008
LLAGAS 1040		LLAGAS RD	GLEN AYRE DR	CASTLE HILL DR	2,270	22	49,949	A	C	52	CHIP SEAL	12/11/2008
LLAGAS 1050		LLAGAS RD	CASTLE HILL DR	CASTLE RIDGE DR	2,006	28	56,168	A	C	79	CHIP SEAL	12/11/2008
LLAGAS 1060		LLAGAS RD	CASTLE RIDGE DR	DEANA CT	1,380	28	38,640	A	C	76	CHIP SEAL	12/11/2008
LLAGAS 1070		LLAGAS RD	DEANA CT	TERESA LN	500	22	11,000	A	C	82	CHIP SEAL	12/11/2008
LLAGAS 1080		LLAGAS RD	TERESA LN	LLAGAS CT	1,950	22	42,900	O	C	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
LLAGAS 1090		LLAGAS RD	LLAGAS CT	CHRISTEPH DR	950	45	42,750	O	C	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
LLAGAS 1100		LLAGAS RD	CHRISTEPH DR	MURPHY SPRINGS	951	46	38,861	O	C	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
LLAGAS 1110A		LLAGAS RD	MURPHY SPRINGS	HALE AV	396	52	20,592	O	C	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
LLAGAS 1110B		LLAGAS RD	HALE AV	DEL MONTE AV	555	52	28,860	A	C	58	SLURRY SEAL	7/15/2007
LLAGAS 1120		LLAGAS RD	DEL MONTE AV	OLD MONTEREY RD	845	68	57,460	A	C	60	SLURRY SEAL	7/15/2007
LLAGVI 1010		LLAGAS VISTA DR	LLAGAS CREEK RD	CUL-DE-SAC	947	37	35,039	A	R	80	SLURRY SEAL	7/15/2007
LONEHI 1010		LONE HILL DR	SPRING AV	END	951	40	38,016	A	R	72	SLURRY SEAL	9/1/2000
LONGVI 1010		LONGVIEW DR	PEAK AV	CREST AV	686	30	20,592	O	R	78	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
LONGVI 1020		LONGVIEW DR	CREST AV	HALE AV	634	30	19,008	O	R	80	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
LORILN 1010		LORI LN	PARK VIEW DR	END	227	25	5,675	A	R	82	N/A	N/A
LOSPADR 1010		LOS PADRES PL	AVENIDA DE LOS PADRES	END	422	32	13,504	A	R	95	N/A	N/A
LOTUSW 1010		LOTUS WY	DIANA AVE	DAKOTA DR	480	28	13,440	A	R	84	N/A	N/A
MADRON 1010		MADRONE PKWY	MONTEREY ST	BUTTERFIELD BLVD	1,640	45	73,800	A	C	88	SLURRY SEAL - TYPE II	10/30/2014
MADRON 1020		MADRONE PKWY	BUTTERFIELD BLVD	NE CORNER OF MA	2,166	45	97,470	A	C	88	SLURRY SEAL - TYPE II	10/30/2014
MADRON 1030		MADRONE PKWY	NE CORNER OF MA	COCHRANE RD	1,517	45	68,265	A	C	88	SLURRY SEAL - TYPE II	10/30/2014
MAGNOL 1020		MAGNOLA CT	SADDLEBACK DR	CUL DE SAC	291	33	9,603	A	R	85	N/A	N/A

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MAGNOL	1010	MAGNOLIA WY	E. DUNNE AVE	SADDEBACK DR	795	33	26,235	A	R	79	N/A	N/A
MASPLY	1010	MAIDEN SPRING WY	SHADOW BROOK	CARRIAGE	315	34	10,710	A	R	85	N/A	N/A
MAJORA	1010	MAJORCA DR	MALAGA DR	MARBELLA CT	792	40	31,680	A	R	88	SLURRY SEAL	10/15/2011
MALAGC	1010	MALAGA CT	MALAGA DR	END	158	40	6,336	A	R	88	SLURRY SEAL	10/15/2011
MALAGA	1010	MALAGA DR	SEVILLE DR	EAST DUNNE AV	687	40	27,456	A	R	87	SLURRY SEAL	10/15/2011
MALBED	1010	MALBEC DR	105 FT S/O DOMAINE	CUL DE SAC S. OF	475	33	15,675	A	R	83	N/A	N/A
MALBED	1020	MALBEC DR	105 FT S/O DOMAINE	S/O DOMAINE	105	32	3,360	A	R	85	N/A	N/A
MALLGU	1005	MALLGUERRA AV	N/O COCHRANE	375 FT N/O COCHR	375	24	9,000	O	R	80	SLURRY SEAL	11/1/2011
MALLGU	1015	MALLGUERRA AV	375 FT N/O COCHRANE	N/O SILVERWINGS	825	32	26,400	O	R	83	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
MALLGU	1025	MALLGUERRA AV	N/O SILVERWINGS	MORNING STAR DR	390	32	12,480	O	R	82	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
MANORC	1010	MANOR CT	DEL MONTE AV	END	581	40	23,232	A	R	71	N/A	N/A
MAPLEA	1010	MAPLE AV	FOOTHILL AV	CITY LIMITS	2,112	22	46,464	A	R	24	N/A	N/A
MARBEL	1010	MARBELLA CT	SEVILLE DR	END	581	40	23,232	A	R	87	SLURRY SEAL	10/15/2011
MARCIA	1010	MARCIA DR	DEWITT AV	PEAK AV	687	40	27,456	A	R	70	N/A	N/A
MARKRO	1010	MARKROSS CT	DIANA AV	END	581	40	23,232	A	R	43	N/A	N/A
MASTST	1010	MAST ST	CHURCH ST	END	898	36	32,314	A	R	43	N/A	N/A
MATHIL	1010	MATHILDA CT	DEL MONTE AV	END	475	40	19,008	A	R	43	N/A	N/A
MCKELV	1010	MCKELVEY LN	LA CROSSE DR	END	106	40	4,224	A	R	80	SLURRY SEAL	9/1/2000
MCLAUG	1010	MCLAUGHLIN AV	E CENTRAL	E MAIN	944	30	28,320	A	R	95	N/A	N/A
MCLAUC	1010	MCLAUGHLIN CT	E CENTRAL AVE	END	468	30	14,040	A	R	95	N/A	N/A
MEADOW	1010	MEADOW CT	END	JASMINE WY	106	40	4,224	A	R	59	SLURRY SEAL	7/8/2002
MERCED	1010	MERCEDES DR	LANCIA DR	ASTON CT	306	37	11,322	A	R	95	N/A	N/A
MERLOT	1010	MERLOT DR	HILL RD	MALBEC DR	364	33	12,012	A	R	81	N/A	N/A
MICHCT	1010	MICHELLE CT	JUSTINO DR	END	176	32	5,632	A	R	95	N/A	N/A
MIRABE	1010	MIRA BELLA CIR	TRAIL DR	END AT TRAIL DR	2,545	37	94,165	A	R	84	N/A	N/A
MIRAPL	1010	MIRA BELLA PL	MIRA BELLA CIRCLE	CUL-DE-SAC	142	37	5,254	A	R	80	N/A	N/A
MIRAFI	1010	MIRA FLORES CT	MIRA BELLA CIRCLE	CUL-DE-SAC	171	37	6,327	A	R	82	N/A	N/A
MIRALA	1010	MIRA LAGOS DR	MIRA BELLA CIRCLE	END	129	37	4,773	A	R	84	N/A	N/A
MISSIO	1010	MISSION AVENIDA	MISSION VIEW DR	ALCALA CT	428	37	15,836	A	R	85	N/A	N/A
MISSIO	1020	MISSION AVENIDA	ALCALA CT	PEET RD	1,342	37	49,654	A	R	95	N/A	N/A
MISSIO	1030	MISSION AVENIDA	PEET RD	ESPANA WY	1,310	37	48,470	A	R	95	N/A	N/A

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MISSVW	1010	MISSION VIEW DR	COCHRANE RD	AVENIDA DE LOS PALMS RD	1,360	49	66,640	O	R	95	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
MISSVW	1020	MISSION VIEW DR	AVENIDA DE LOS PALMS RD	HALF RD	1,900	28	53,200	O	R	95	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
MIWOKC	1010	MIWOK CT	PEET RD	END	158	32	5,056	A	R	95	N/A	N/A
MIWOKP	1010	MIWOK PL	PEET RD	END	162	32	5,184	A	R	95	N/A	N/A
MONTER	1010	MONTEREY ST	EAST MIDDLE AV	WEST MIDDLE AV	1,478	75	110,850	O	A	42	2 IN AC OVERLAY	7/1/2003
MONTER	1020	MONTEREY ST	WEST MIDDLE AV	WATSONVILLE RD	3,010	75	225,750	O	A	52	2 IN AC OVERLAY	7/1/2003
MONTER	1030	MONTEREY ST	WATSONVILLE RD	VINEYARD BL	1,954	95	185,630	O	A	75	2 IN MILL AND OVERLAY	10/15/2011
MONTER	1040	MONTEREY ST	VINEYARD BL	TENNANT AV	950	76	72,200	O	A	62	2 IN AC OVERLAY	7/1/2003
MONTER	1060	MONTEREY ST	TENNANT AV	BARRETT AV	1,630	80	130,400	O	A	47	2 IN AC OVERLAY	7/1/2003
MONTER	1070	MONTEREY ST	BARRETT AV	COSMO AV	634	80	50,720	O	A	61	2 IN AC OVERLAY	7/1/2003
MONTER	1081	MONTEREY ST	COSMO AV	512 FT S/SAN PEDRO	544	80	43,520	A	A	77	N/A	N/A
MONTER	1082	MONTEREY ST	512 FT S/SAN PEDRO	SAN PEDRO AV	512	80	40,960	O	A	65	2 IN AC OVERLAY	7/1/2003
MONTER	1090	MONTEREY ST	SAN PEDRO AV	MYRTLE AV	1,214	91	110,474	O	A	48	2 IN AC OVERLAY	7/1/2003
MONTER	1101	MONTEREY ST	MYRTLE AV	DUNNE AV	448	64	28,672	O	A	49	2 IN AC OVERLAY	7/1/2003
MONTER	1102	MONTEREY ST	DUNNE AV	FIFTH ST	502	64	32,128	O	A	77	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
MONTER	1110	MONTEREY ST	FIFTH ST	SECOND ST	1,110	62	68,820	O	A	80	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
MONTER	1120	MONTEREY ST	SECOND ST	KEYSTONE AV	1,004	60	60,240	O	A	85	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
MONTER	1130	MONTEREY ST	KEYSTONE AV	CENTRAL AV	686	75	51,450	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
MONTER	1140	MONTEREY ST	CENTRAL AV	WRIGHT AV	1,003	88	88,264	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
MONTER	1150	MONTEREY ST	WRIGHT AV	OLD MONTEREY RD	1,742	76	132,392	O	A	85	AC OVERLAY W/FABRIC, 2.0 IN	11/1/2011
MONTER	1160	MONTEREY ST	OLD MONTEREY RD	COCHRANE RD	2,376	69	163,944	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	11/1/2011
MONTER	1170	MONTEREY ST	COCHRANE RD	COCHRANE CIR	950	84	79,800	A	A	49	SLURRY SEAL	7/8/2002
MONTER	1180	MONTEREY ST	COCHRANE CIR	PEEBLES AV	1,954	81	158,274	A	A	44	SLURRY SEAL	7/8/2002
MONTER	1190	MONTEREY ST	PEEBLES AV	BURNETT AV	1,478	84	124,152	A	A	55	SLURRY SEAL	7/8/2002
MONTER	1200	MONTEREY ST	BURNETT AV	CITY LIMITS	1,215	72	87,480	A	A	78	SLURRY SEAL	7/8/2002
MONTEC	1010	MONTECELLO WY	LA ROCCA DR	VIA CORFINIO	972	37	35,964	A	R	95	N/A	N/A
MONTOY	1010	MONTOYA CR	BEL AIR CT	EAST MAIN AV	1,373	40	54,912	A	R	84	N/A	N/A

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MORGAN	1020	MORGAN AV	END	MORGAN CT	687	40	27,456	A	R	69	N/A	N/A
MORGAN	1030	MORGAN AV	MORGAN CT	HILL RD	845	40	33,792	A	R	74	N/A	N/A
MORGAN	1010	MORGAN CT	END	MORGAN AV	264	40	10,560	A	R	74	N/A	N/A
MORNIN	1010	MORNING STAR DR	E/O PEET RD	W/O MALGUERRA A	1,431	32	47,477	A	R	85	N/A	N/A
MORNIN	1020	MORNING STAR DR	PEET RD	END	282	37	10,434	A	R	95	N/A	N/A
MUNROW	1010	MUNRO WY	WEST DUNNE AV	ALKIRE AV	475	40	19,008	A	R	56	N/A	N/A
MURPHA	1010	MURPHY AV	CITY LIMITS (SOUTH	EAST DUNNE AV	792	28	22,176	A	A	82	N/A	N/A
MURPHA	1015	MURPHY AV	EAST DUNNE AV	WIDTH CHG	340	78	26,520	A	A	77	N/A	N/A
MURPHA	1025	MURPHY AV	WIDTH CHG	CITY LIMITS (NORT	800	32	25,600	A	A	84	N/A	N/A
MURPHC	1010	MURPHY CT	END	HALE AV	106	40	4,224	A	R	74	SLURRY SEAL	7/15/2007
MURSPC	1010	MURPHY SPRINGS	VIA LOMA	END	739	40	29,568	A	R	74	SLURRY SEAL	7/15/2007
MURSPD	1010	MURPHY SPRINGS	LLAGAS RD	VIA LOMA	898	40	35,904	A	R	61	SLURRY SEAL	7/15/2007
MUSTARD	1010	MUSTARD AV	OLD MONTEREY RD	PAPRIKA DR	453	32	14,496	A	R	88	N/A	N/A
MYRTLE	1010	MYRTLE AV	MONTEREY ST	CHURCH ST	422	40	16,896	A	R	66	N/A	N/A
MYSTCT	1010	MYSTERY CREEK C	OAK GROVE DR	END	136	32	4,352	A	R	95	N/A	N/A
NATIVE	1000	NATIVE DANCER DR	E/O SECRATERIAT	W/O SANTA TERESA	279	32	8,928	A	R	88	SLURRY SEAL - TYPE II	10/30/2014
NATIVE	1010	NATIVE DANCER DR	SANTA TERESA BL	EXCALIBUR DR	686	50	34,300	A	C	80	N/A	N/A
NATIVE	1020	NATIVE DANCER DR	EXCALIBUR DR	BLACK PRINCE CT	1,003	40	40,128	A	C	76	SLURRY SEAL	9/1/2000
NATIVE	1030	NATIVE DANCER DR	BLACK PRINCE CT	WEST MIDDLE AV	1,056	40	42,240	A	C	60	SLURRY SEAL	9/1/2000
NOBLEC	1020	NOBLE CT	PEAK AV	END	634	36	22,824	A	R	65	N/A	N/A
NUTMEG	1010	NUTMEG DR	CINNAMON AV	MUSTARD AV	498	32	15,936	A	R	88	N/A	N/A
OAKCAN	1010	OAK CANYON DR	JACKSON OAKS DR	END	950	25	23,760	A	R	68	SLURRY SEAL	7/8/2002
OAKHIL	1010	OAK HILL CT	JACKSON OAKS DR	END	898	24	21,542	A	R	48	SLURRY SEAL	7/8/2002
OAKLEC	1010	OAK LEAF CT	END	OAK LEAF DR	739	24	17,741	A	R	51	N/A	N/A
OAKLED	1010	OAK LEAF DR	EAST DUNNE AV	PVT CHG 485' S/O L	1,151	24	27,624	A	R	41	6 IN REMOVE & REPLACE	8/1/1999
OAKLED	1020	OAK LEAF DR	PVT CHG 485' S/O L	VALLEY VIEW CT	1,699	24	40,776	A	R	83	N/A	N/A
OAKLED	1030	OAK LEAF DR	VALLEY VIEW CT	END	845	24	20,275	A	R	83	6 IN REMOVE & REPLACE	8/1/1999
OAKVIE	1010	OAK VIEW CR	JACKSON OAKS DR	CIRCLE LN	2,588	24	62,112	A	R	39	6 IN REMOVE & REPLACE	8/1/1999
OAKVIE	1020	OAK VIEW CR	CIRCLE LN	JACKSON OAKS DR	1,215	24	29,160	A	R	40	6 IN REMOVE & REPLACE	8/1/1999
OAKVIC	1010	OAK VIEW CT	END	OAK VIEW CR	370	24	8,870	A	R	65	N/A	N/A
OAKGRC	1010	OAKGROVE CT	END	OAKGROVE DR	528	40	21,120	A	R	83	N/A	N/A
OAKGRD	1010	OAKGROVE DR	WRIGHT AV	OAKGROVE CT	528	33	17,424	A	R	100	N/A	N/A

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OAKRCT	1020	OAKRIDGE CT	JACKSON OAKS DR	END	792	24	19,008	A	R	54	SLURRY SEAL	7/8/2002
OAKRID	1010	OAKRIDGE RD	JACKSON OAKS DR	JACKSON OAKS DR	1,003	24	24,077	O	R	62	THIN AC OVERLAY(1.5 INCHES)	9/10/2001
OAKWOO	1010	OAKWOOD CT	END	JACKSON OAKS DR	2,693	24	64,627	A	R	49	SLURRY SEAL	7/8/2002
OLDMON	1010	OLD MONTEREY RD	MONTEREY ST	LLAGAS RD	1,109	28	31,052	O	R	80	2 IN AC OVERLAY	8/15/2009
OLDMON	1020	OLD MONTEREY RD	LLAGAS RD	BERKSHIRE DR	581	44	25,564	A	R	66	SLURRY SEAL	7/15/2007
OLDMON	1030	OLD MONTEREY RD	BERKSHIRE DR	SANCHEZ DR	739	44	32,516	A	R	52	SLURRY SEAL	7/15/2007
OLDMON	1040	OLD MONTEREY RD	SANCHEZ DR	PALOMA DR	375	20	7,500	S	R	100	N/A	N/A
OLDMON	1045	OLD MONTEREY RD	PALOMA DR	END	469	20	9,380	S	R	100	N/A	N/A
OEDMUN	1000	OLD W EDMUNDSON	DEAD END	MONTEREY RD	205	72	14,760	A	R	50	N/A	N/A
OLIVEA	1010	OLIVE AV	WATSONVILLE RD	BONNER CT	1,795	19	34,105	A	C	59	N/A	N/A
OLIVEA	1020	OLIVE AV	CITY LIMITS	END	1,003	21	21,067	A	R	73	N/A	N/A
OLYMPI	1010	OLYMPIC DR	EDMUNDSON AVE	DENALI DR	1,398	48	67,104	A	C	79	N/A	N/A
ORCHAR	1010	ORCHARD CT	JASMINE WY	END	106	40	4,224	A	R	75	SLURRY SEAL	7/8/2002
OREGCT	1010	OREGANO CT	BASIL AVE	END	292	32	9,344	A	R	95	N/A	N/A
PADUA	1010	PADUA CT	MISSION AVE	CUL DE SAC	298	33	9,834	A	R	85	N/A	N/A
PAINTFC	1010	PAINTED FEATHER	PEET RD	END	352	37	13,024	A	R	95	N/A	N/A
PAINTFD	1010	PAINTED FEATHER	PEET RD	END	278	36	10,008	A	R	95	N/A	N/A
PALOMA	1010	PALOMA CT	OLD MONTEREY RD	END	438	20	8,760	A	R	81	N/A	N/A
PALOMI	1010	PALOMINO CT	SADDLEBACK DR	END	211	36	7,596	A	R	47	CRACK SEAL & CAPE SEAL	8/1/1999
PAPRIK	1010	PAPRIKA DR	PEPPERMINT AV	MUSTARD AV	884	32	28,288	A	R	88	N/A	N/A
PARKWY	1010	PARK WY	CENTRAL AV	END	317	40	12,672	A	R	24	N/A	N/A
PARSLE	1010	PARSLEY DR	GARLIC AVE	PEPPERMINT AVE	484	32	15,488	A	R	88	N/A	N/A
PASILLA	1010	PASILLA CT	PARSLEY DR	END	484	32	15,488	A	R	88	N/A	N/A
PEAKAV	1010	PEAK AV	WEST DUNNE AV	ALKIRE AV	898	46	41,290	A	C	59	N/A	N/A
PEAKAV	1020	PEAK AV	CLAREMONT DR	W. MAIN	360	42	15,120	A	C	40	MICROSURFACING	9/15/2006
PEAKAV	1030	PEAK AV	CLAREMONT DR	MARCIA DR	950	46	43,718	A	C	46	MICROSURFACING	9/15/2006
PEAKAV	1040	PEAK AV	MARCIA DR	WRIGHT AV	739	46	34,003	A	C	31	MICROSURFACING	9/15/2006
PEAKAV	1050	PEAK AV	W. MAIN	ALKIRE AV	671	42	28,182	A	C	61	N/A	N/A
PEARDR	1010	PEAR DR	W/O HILL RD	CUL DE SAC	1,139	32	37,977	A	R	83	N/A	N/A
PEEBLE	1010	PEEBLES AV	MONTEREY ST	PVMT CHANGE	850	36	30,600	A	R	82	N/A	N/A
PEETRD	1010	PEET RD	N/O COCHRANE RD	N/O MORNING STAR	1,420	36	51,120	A	R	81	N/A	N/A
PEETRD	1020	PEET RD	N/O MORNING STAR	S/O EAGLE VIEW	1,035	36	37,260	A	R	85	N/A	N/A

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PEPPER	1010	PEPPERMINT AV	OLD MONTEREY	END	646	32	20,672	A	R	88	N/A	N/A
PEPTRC	1010	PEPERTREE CT	PEPERTREE DR	END	211	40	8,448	A	R	64	SLURRY SEAL	7/8/2002
PEPTRD	1010	PEPERTREE DR	SEVILLE DR	EAST DUNNE AV	793	40	32,736	O	R	95	SLURRY SEALS	10/15/2011
PEPTRD	1020	PEPERTREE DR	EAST DUNNE AV	JASMINE WY	845	46	38,870	A	R	57	SLURRY SEAL	7/8/2002
PIAZZA	1010	PIAZZA WY	S/O W. EDMONSON	CUL DE SAC	439	28	12,292	A	R	95	N/A	N/A
PIEDMO	1010	PIEDMONT CT	WEST DUNNE AV	END	370	40	14,784	A	R	82	N/A	N/A
PINEWY	1010	PINE WY	EAST DUNNE AV	ASPEN WY	1,100	40	44,000	A	R	68	SLURRY SEAL	7/8/2002
PINEAUC	1010	PINEAU CT	BRADFORD WY	END	174	30	5,220	A	R	95	N/A	N/A
PINTOC	1010	PINTO CT	END (WEST)	END (EAST)	475	36	17,107	A	R	33	CRACK SEAL & CAPE SEAL	8/1/1999
PONDER	1010	PONDEROSA CT	FOUNTAIN OAKS DR	END	317	32	10,138	A	R	62	CRACK SEAL & CAPE SEAL	8/1/1999
PRANCE	1010	PRANCER CT	EXCALIBUR DR	CUL-DE-SAC	210	37	7,770	A	R	90	SLURRY SEAL - TYPE II	10/30/2014
PRATOL	1010	PRATOLA CT	WATSONVILLE RD	END	528	40	21,120	A	R	54	CAPE SEAL	9/1/2000
PRESEC	1010	PRESERVATION CT	END	PRESERVATION WY	211	32	6,758	A	R	81	SLURRY SEAL	7/15/2007
PRESER	1010	PRESERVATION WY	DEL MONTE AV	END	686	32	21,965	A	R	83	SLURRY SEAL	7/15/2007
PRICEC	1010	PRICE CT	JOHN TELFER DR	END	135	40	6,589	A	R	61	N/A	N/A
PRICED	1010	PRICE DR	JOHN TELFER DR	125 FT E/O JOHN TELFER	125	40	5,000	A	R	48	N/A	N/A
PRICED	1020	PRICE DR	125 E/O JOHN TELFER	DEWITT AVE	774	37	28,638	A	R	95	N/A	N/A
PURISSW	1010	PURISSIMA WAY	COCHRANE RD	ESPANA CT	702	32	22,464	A	R	95	N/A	N/A
RAILRO	1010	RAILROAD AV	CITY LIMITS	FISHER AV	845	24	20,275	A	R	95	N/A	N/A
RAILRO	1020	RAILROAD AV	FISHER AV	TENNANT AV	1,690	24	40,550	A	R	89	CHIP SEAL	7/15/2007
RAILRO	1030	RAILROAD AV	TENNANT AV	BARRETT AV	1,690	24	40,550	A	R	45	N/A	N/A
RAILRO	1040	RAILROAD AV	BARRETT AV	SAN PEDRO AV	1,690	38	64,220	A	R	61	N/A	N/A
RALPHL	1010	RALPH LEE CT	END	RINGEL DR	106	69	7,286	A	R	85	SLURRY SEAL	10/15/2011
RANGER	1010	RANGER CT	FOUNTAIN OAKS DR	END	370	40	14,784	A	R	60	CRACK SEAL & CAPE SEAL	8/1/1999
RANSC	1010	RANSEN CT	BENDER CIR	END	198	30	5,940	A	R	95	N/A	N/A
RAVENS	1010	RAVENSWOOD CT	N/O MORNING STAR	CUL DE SAC	446	32	15,957	A	R	85	N/A	N/A
REDTAC	1010	RED TAIL CT	PEET RD	END	162	32	5,184	A	R	95	N/A	N/A
REDTAL	1010	RED TAIL PL	PEET RD	CUL-DE-SAC	130	34	6,041	A	R	85	N/A	N/A
REMG	1010	REMGINGTON CT	SORRELL DR	CUL-DE-SAC	241	33	7,953	A	R	82	N/A	N/A
RIDGEV	1010	RIDGEVIEW CT	END	JACKSON OAKS DR	634	24	15,206	A	R	54	SLURRY SEAL	7/8/2002
RIMACT	1010	RIL MARIANNA CT	LLAGAS CREEK RD	CUL-DE-SAC	600	34	20,400	A	R	84	N/A	N/A
RINGEC	1010	RINGEL CT	RINGEL DR	END	158	40	6,336	A	R	85	SLURRY SEAL	10/15/2011

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RINGEL	1010	RINGEL DR	END	JUSTINO DR	897	40	35,904	A	R	85	SLURRY SEAL	10/15/2011
RINGEL	1020	RINGEL DR	JUSTINO DR	DIANA AV	528	40	21,120	A	R	85	SLURRY SEAL	10/15/2011
RIOGRA	1010	RIO GRANDE CT	CALLE HERMOSA	CUL-DE-SAC	235	33	7,755	A	R	85	N/A	N/A
RIOORO	1010	RIO ORO CT	CALLE HERMOSA	CUL-DE-SAC	160	33	5,280	A	R	85	N/A	N/A
ROBLED	1010A	ROBLE DR	CUL-DE-SAC	ALAMEDA DR	1,148	40	45,920	A	R	30	CAPE SEAL	9/1/2000
ROBLED	1010B	ROBLE DR	ALAMEDA DR	ENCINO DR	225	40	9,000	O	R	76	AC OVERLAY, 1.5 IN	9/1/2000
ROCKYR	1010	ROCKY RIDGE RD	GREENWOOD AV	END	845	24	20,275	A	R	53	N/A	N/A
ROLLIN	1010	ROLLING HILLS DR	END	GREENWOOD AV	1,214	25	30,360	A	R	23	N/A	N/A
ROLLIN	1020	ROLLING HILLS DR	GREENWOOD AV	WOODLAND AV	1,426	24	34,214	A	R	43	N/A	N/A
ROMALC	1010	ROMAL CT	END	FOUNTAIN OAKS DR	106	41	4,330	A	R	63	CRACK SEAL & CAPE SEAL	8/1/1999
ROSELN	1010	ROSE LN	END	PEEBLES AV	317	22	6,974	S	R	22	N/A	N/A
ROSELN	1020	ROSE LN	S/O ANGELICA WAY	END	128	36	4,608	A	R	73	N/A	N/A
ROSEMA	1015	ROSEMARY CIRCLE	DIANA AV	ST. ANTHONY DR	1,005	37	37,185	A	R	84	N/A	N/A
ROSEMA	1020	ROSEMARY CIRCLE	ST. ANTHONY DR	ST. JOSEPH DR	450	37	16,650	A	R	85	N/A	N/A
ROSEMA	1030	ROSEMARY CIRCLE	ST. JOSEPH DR	ROSEMARY CIR	340	37	12,580	A	R	85	N/A	N/A
RUSTLI	1010	RUSTLING OAK CT	EAST DUNNE AV	END	898	24	21,542	A	R	22	6 IN REMOVE & REPLACE	8/1/1999
SABINC	1010	SABINI CT	END	ALMOND ORCHARD	1,011	24	24,264	A	R	24	N/A	N/A
SABINC	1015	SABINI CT	ALMOND ORCHARD	385 S/O TERESA LN	460	16	7,360	A	R	18	N/A	N/A
SABINC	1025	SABINI CT	385 S/O TERESA LN	TERESA LN	385	16	6,160	A	R	77	CHIP SEAL	8/15/2009
SADDLE	1010	SADDLEBACK DR	EAST DUNNE AV	NORTH END	365	36	13,140	A	C	77	N/A	N/A
SADDLE	1020	SADDLEBACK DR	FOUNTAIN OAKS RD	EAST DUNNE	1,336	36	48,096	O	C	75	AC OVERLAY W/FABRIC, 2.0 IN	8/1/1999
SADDLH	1010	SADDLEHORN WY	CIMARRON DR	END	264	40	10,560	A	R	65	CRACK SEAL & CAPE SEAL	8/1/1999
SAFFDR	1010	SAFFRON DRIVE	CURRY AVE	325 FT N/CURRY AV	316	34	10,744	A	R	83	N/A	N/A
SAFFDR	1020	SAFFRON DRIVE	CURRY AVE	TARRAGON AVE	696	34	23,664	A	R	85	N/A	N/A
SAFFDR	1030	SAFFRON DRIVE	325 FT N/O CURRY	CUL-DE-SAC	1,066	34	38,109	A	R	88	N/A	N/A
SAGEAV	1010	SAGE AV	CURRY AV	CUL-DE-SAC	710	34	24,140	A	R	81	N/A	N/A
SANANT	1010	SAN ANTONIO DR	N/O AVENIDA DE LOS	S/O SAN ANTONIO	436	32	13,952	A	R	83	N/A	N/A
SANANT	1020	SAN ANTONIO DR	S/O SAN ANTONIO	S/O SANTA INES	248	32	7,936	A	R	85	N/A	N/A
SANANW	1010	SAN ANTONIO WY	E/O CAPISTRANO	W/O SAN ANTONIO	285	32	9,120	A	R	85	N/A	N/A
SANBEN	1010	SAN BENITO PL	S/O SAN PEDRO	CUL DE SAC	731	32	25,239	A	R	83	N/A	N/A
SANCARL	1010	SAN CARLOS PL	AVENIDA DE LOS PA	END	514	32	16,448	A	R	95	N/A	N/A
SANCARL	1010	SAN CARLOS WY	AVENIDA DE LOS PA	END	726	32	23,232	A	R	95	N/A	N/A

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SANCRI	1010	SAN CRISTOVAL CT	SAN RAMON DR	CUL-DE-SAC	240	33	7,920	A	R	85	N/A	N/A
SANDOMI	1010	SAN DOMINGO DR	SAN RAMON DR	END	814	37	30,118	A	R	88	N/A	N/A
SANGAA	1010	SAN GABRIEL AVE	E/O SAN BENITO PL	E/O SAN GABRIEL CT	258	32	8,256	A	R	83	N/A	N/A
SANGAA	1020	SAN GABRIEL AVE	E/O SAN GABRIEL CT	END	1,346	37	49,802	A	R	88	N/A	N/A
SANGAC	1010	SAN GABRIEL CT	S/O SAN GABRIEL AVE	CUL DE SAC	534	29	18,094	A	R	90	N/A	N/A
SANJOSC	1010	SAN JOSE CT	SAN JUAN DR	END	272	32	8,704	A	R	88	N/A	N/A
SANJOSD	1010	SAN JOSE DR	SAN PEDRO AVE	SAN JUAN DR	556	32	17,792	A	R	88	N/A	N/A
SANJUA	1010	SAN JUAN DR	PAVE CHNG (W/O C	115' W/ CORRY DR	550	32	17,600	A	R	83	N/A	N/A
SANLUI	1010	SAN LUIS WY	E/O CORY DR (S)	E/O CORY DR (N)	1,039	32	33,248	A	R	82	N/A	N/A
SANLUI	1020	SAN LUIS WY	E/O CORY DR	W/O SAN LUIS WAY	224	32	7,168	A	R	80	N/A	N/A
SANMAR	1010	SAN MARCOS CT	SAN RAMON DR	CUL-DE-SAC	185	33	6,105	A	R	85	N/A	N/A
SANMARI	1010	SAN MARINO CT	SAN GABRIEL CT	END	208	32	6,656	A	R	88	N/A	N/A
SANMIG	1010	SAN MIGUEL DR	SAN GABRIEL AVE	SAN DOMINGO DR	206	37	7,622	A	R	88	N/A	N/A
SANPAB	1010	SAN PABLO CT	W/O SAN BENITO PL	CUL DE SAC	310	32	11,449	A	R	85	N/A	N/A
SANPED	1010	SAN PEDRO AV	MONTEREY ST	CHURCH ST	422	32	13,517	A	C	25	N/A	N/A
SANPED	1020	SAN PEDRO AV	CHURCH ST	RAILROAD AV	898	40	35,904	O	C	78	AC OVERLAY, 1.5 IN	9/1/2000
SANPED	1030A	SAN PEDRO AV	RAILROAD AV	BUTTERFIELD AV	500	40	20,000	A	C	71	N/A	N/A
SANPED	1030B	SAN PEDRO AV	BUTTERFIELD AV	CORY LN	556	40	22,240	A	C	77	N/A	N/A
SANPED	1040	SAN PEDRO AV	CORY LN	SAN BENITO DR	581	40	23,232	A	C	81	N/A	N/A
SANPED	1050	SAN PEDRO AV	SAN BENITO DR	SAN RAMON DR	898	40	35,904	A	C	79	N/A	N/A
SANPED	1060	SAN PEDRO AV	SAN RAMON DR	NINA LN	887	36	31,932	A	C	45	N/A	N/A
SANPED	1070	SAN PEDRO AV	NINA LN	END	327	24	7,848	A	C	68	N/A	N/A
SANPED	1080	SAN PEDRO AV	CONDIT RD	500 FT/CONDIT RD	500	34	17,000	A	C	80	N/A	N/A
SANRAF	1010	SAN RAFAEL ST	COCHRANE RD	ALICANTE DR	262	37	9,694	A	R	95	N/A	N/A
SANRCT	1010	SAN RAMON CT	SAN RAMON DR	CUL-DE-SAC	380	33	12,540	A	R	85	N/A	N/A
SANRAM	1010	SAN RAMON DR	SAN PEDRO AVE	SAN MARCUS CT	528	40	21,120	A	R	54	N/A	N/A
SANRAM	1020	SAN RAMON DR	SAN RAMON CT	BARRETT AVE	230	33	7,590	A	R	79	N/A	N/A
SANRAM	1030	SAN RAMON DR	BARRETT AVE	ST TIMOTHY PL	245	37	9,065	A	R	85	N/A	N/A
SANRAM	1040	SAN RAMON DR	SAN MARCUS CT	SAN RAMON CT	799	37	29,563	A	R	85	N/A	N/A
SANSEB	1010	SAN SEBASTIAN PL	VIA DEL CASTILLE	END	106	24	2,534	A	R	46	CAPE SEAL	9/1/2000
SANSIM	1010	SAN SIMEON DR	E. DUNNE AVE	CORY DR	1,051	36	37,836	A	R	95	N/A	N/A
SAVICT	1010	SAN VICENTE COURT	JUAN HERNANDEZ	CUL-DE-SAC	205	34	6,970	A	R	83	N/A	N/A
SANVIC	1010	SAN VICENTE DR	SAN GABRIEL AVE	JUAN HERNANDEZ	583	32	18,656	A	R	88	N/A	N/A
SANVIN	1010	SAN VICENTE DR	JUAN HERNANDEZ	SAN RAMON DR	358	37	13,246	A	R	84	N/A	N/A

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SANCHE	1010	SANCHEZ DR	DEL MONTE AV	OLD MONTEREY RD	845	40	33,792	A	R	74	SLURRY SEAL	7/15/2007
SANDAL	1010	SANDALWOOD WY	END	KATYBETH WY	573	40	22,920	A	R	85	N/A	N/A
SANTAI	1010	SANTA INES WY	ALCALA CT	W/O SERRA AVENUE	799	36	28,764	A	R	85	N/A	N/A
SANTIA	1010	SANTIAGO PL	VIA DEL CASTILLE	END	53	75	3,975	A	R	56	CAPE SEAL	9/1/2000
SAVANN	1010	SAVANNAH CT	N/O MORNING STAR	CUL DE SAC	437	32	15,151	A	R	85	N/A	N/A
SCOTTD	1010	SCOTT DR	GLEN AYRE DR	CASTLE HILL DR	370	23	8,501	A	R	55	SLURRY SEAL	8/15/2009
SCOTTS	1010	SCOTTS BLUFF PL	DENALI DR	CUL-DE-SAC	398	33	13,134	A	R	85	N/A	N/A
SECOND	1005	SECOND ST	DEL MONTE AV	W/O MONTEREY RD	535	40	21,400	A	R	69	N/A	N/A
SECOND	1015	SECOND ST	W/O MONTEREY	DEPOT ST	610	40	24,400	A	R	100	N/A	N/A
SECRET	1010	SECRETARIAT CT	N/O NATIVE DANCER	CUL DE SAC	457	32	16,078	A	R	88	SLURRY SEAL - TYPE II	10/30/2014
SECRWY	1010	SECRETARIAT WY	NATIVE DANCER DR	END	632	32	20,224	A	R	95	N/A	N/A
SERECT	1010	SERENE CT	SERENE DR	END	298	37	11,026	A	R	95	N/A	N/A
SERENE	1010	SERENE DR	WALNUT GROVE DR	DIANA AV	792	48	38,016	A	C	77	N/A	N/A
SERENE	1020	SERENE DR	DIANA AV	ENGLISH WALNUT	1,153	48	55,344	A	C	84	SLURRY SEAL	12/11/2008
SERENE	1030	SERENE DR	ENGLISH WALNUT	EAST MAIN AV	1,005	41	41,205	A	C	83	SLURRY SEAL	12/11/2008
SERENE	1040	SERENE DR	EAST MAIN AV	CORNICHE DR	655	30	19,650	A	C	82	N/A	N/A
SERENE	1050	SERENE DR	CORNICHE DR	CENTRAL AV	348	28	9,744	A	C	84	N/A	N/A
SERENE	1110	SERENE DR	JARVIS DR	SUTTER BL	950	58	55,123	A	C	80	N/A	N/A
SERENE	1120	SERENE DR	JARVIS DR	DEAD END	765	56	42,840	A	C	85	N/A	N/A
SERPIN	1010	SERPENTINE CT	CHRISTEPH	CUL-DE-SAC	441	33	14,553	A	R	81	SLURRY SEAL	7/15/2007
SERAVE	1010	SERRA AVENIDA	N/O AVENIDA DE LOS	S/O SANTA INES	594	36	21,384	A	R	78	N/A	N/A
SERAVE	1030	SERRA AVENIDA	161' N/SANTA INES	MISSION AVENIDA	1,408	37	52,096	A	R	95	N/A	N/A
SERRAA	1020	SERRA AVENIDA	S/O SANTA INES	161' N/ SANTA INES	161	36	5,796	A	R	85	N/A	N/A
SERRACT	1010	SERRA CT	SERRA AVENIDA	END	338	32	10,816	A	R	95	N/A	N/A
SERRAPL	1010	SERRA PLACE	AVENIDA DE LOS PASOS	END	508	32	16,256	A	R	95	N/A	N/A
SEVILL	1010	SEVILLE DR	MALAGA DR	END	898	40	35,904	A	R	90	SLURRY SEAL	11/1/2011
SHADOW	1010	SHADOWBROOK WY	LLAGAS RD	END	792	40	31,680	A	R	61	SLURRY SEAL	7/15/2007
SHADOW	1020	SHADOWBROOK WY	LLAGAS RD	LLAGAS CREEK DR	996	34	33,864	A	R	85	N/A	N/A
SHADLN	1010	SHADOWLANE CT	END	EASY ST	528	40	21,120	A	R	60	SLURRY SEAL	7/1/2005
SHADYH	1010	SHADYHOLLOW DR	END	GLEN AYRE DR	686	18	12,355	A	R	60	CHIP SEAL	8/15/2009
SHAFAER	1010	SHAFAER AV	HILL RD	CONTE WY	1,205	32	38,560	A	R	87	N/A	N/A
SIERRA	1025	SIERRA CT	LLAGAS RD	T AT N END	230	33	7,590	A	R	82	SLURRY SEAL	9/1/2000
SIERRA	1028	SIERRA CT	W END	E END	351	33	11,583	A	R	85	SLURRY SEAL	9/1/2000
SIMOCT	1010	SIERRA MORENA CT	VIA DEL CASTILLE	END	158	40	6,336	A	R	55	CAPE SEAL	9/1/2000

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SILVER	1010	SILVER CLOUD CT	END	OLIVE AV	317	40	12,672	A	R	66	N/A	N/A
SILVER	1010	SILVERWINGS CT	MALAGUERRA AVE	END	806	30	24,180	A	R	95	N/A	N/A
SKIPAW	1010	SKIP AWAY CT	WHITE CLOUD DR	CUL-DE-SAC	388	33	12,804	A	R	90	SLURRY SEAL - TYPE II	10/30/2014
SOLANO	1010	SOLANO CT	DE LOS PADRES	CUL DE SAC	466	33	15,378	A	R	85	N/A	N/A
SOLANPL	1010	SOLANO PL	AVENIDA DE LOS PADRES	END	586	32	18,752	A	R	95	N/A	N/A
SORRDR	1040	SORREL DR	BARRETT AVE	END	711	37	26,307	A	R	82	N/A	N/A
SORREL	1010	SORRELL WY	END (S)	CIMARRON DR	845	40	33,792	A	R	67	CRACK SEAL & CAPE SEAL	8/1/1999
SORRWY	1020	SORRELL WY	CIMARRON DR	EAST DUNNE AV	950	40	38,016	A	R	83	CRACK SEAL & CAPE SEAL	8/1/1999
SORRWY	1030	SORRELL WY	E. DUNNE AVE	NORTH DEAD END	177	37	6,549	A	R	81	N/A	N/A
SPARDR	1020	SPARHAWK DR	LLAGAS CREEK DR	DEAD END	545	37	20,165	A	R	79	N/A	N/A
SPARHA	1010	SPARHAWK WY	SPARHAWK DR	CUL-DE-SAC	261	33	8,613	A	R	77	N/A	N/A
SPRING	1010	SPRING AV	DEWITT AV	WILD OAK WY	950	30	28,500	A	C	74	SLURRY SEAL	7/15/2007
SPRING	1020	SPRING AV	WILD OAK WY	WILLOW CREEK DR	634	29	18,386	A	C	83	SLURRY SEAL	7/15/2007
SPRING	1030	SPRING AV	WILLOW CREEK DR	LONE HILL DR	686	28	19,208	A	C	79	SLURRY SEAL	7/15/2007
SPRING	1040	SPRING AV	LONE HILL DR	DEL MONTE AV	1,056	36	38,016	A	C	61	SLURRY SEAL	7/15/2007
SPRING	1070	SPRING AV	DEL MONTE AV	MONTEREY ST	950	40	38,016	A	C	62	SLURRY SEAL	7/15/2007
SPRINC	1010	SPRING HILL CT	END	END	422	40	16,896	A	R	69	SLURRY SEAL	9/1/2000
SPRINH	1010	SPRING HILL DR	END	WILD OAK CT	898	40	35,904	A	R	63	SLURRY SEAL	9/1/2000
SPRINH	1020	SPRING HILL DR	WILD OAK CT	SPRING HILL CT	898	40	35,904	A	R	63	SLURRY SEAL	9/1/2000
SPURCT	1010	SPUR CT	SORRELL WY	END	211	40	8,448	A	R	58	CRACK SEAL & CAPE SEAL	8/1/1999
STKATH	1010	ST KATHERINE DR	S/O ALICANTE DR	N/O ESPANA WY	815	36	29,340	A	R	88	N/A	N/A
STMARA	1010	ST MARKS AVE	W/O COCHRANE RD	S/O ST KATHERINE	1,275	24	30,600	A	R	80	N/A	N/A
STMARC	1010	ST MARKS CT	W/O ST MARKS AVE	CUL DE SAC	194	25	6,780	A	R	85	N/A	N/A
STANTH	1010	ST. ANTHONY DR	ROSEMARY CIR	DEAD END	119	33	3,927	A	R	85	N/A	N/A
STJAME	1010	ST. JAMES DR	JUAN HERNANDEZ	116' W/ ST LAWREN	494	37	18,278	A	R	85	N/A	N/A
STJOSE	1010	ST. JOSEPH DR	DIANA AVE	ROSEMARY CIR	230	37	8,510	A	R	81	N/A	N/A
STLAWR	1020	ST. LAWRENCE DR	ST. TIMOTHY PL	ST. JAMES DR	542	37	20,054	A	R	85	N/A	N/A
STMICH	1010	ST. MICHAEL PL	ST. LAWRENCE	CUL-DE-SAC	312	37	11,544	A	R	85	N/A	N/A
STTIMO	1010	ST. TIMOTHY PL	SAN RAMONE DR	CUL-DE-SAC (E)	438	37	16,206	A	R	85	N/A	N/A
STONEG	1010	STONE GATE CT	END	SUNNYSIDE AV	422	40	16,896	A	R	80	N/A	N/A
STONCLN	1010	STONE CREEK LN	DEL MONTE AVE	HALE AVE	595	37	22,015	A	R	88	N/A	N/A
STONCW	1010	STONE CREEK WY	HALE AVE	END	616	37	22,792	A	R	95	N/A	N/A

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SUNDAN	1010	SUNDANCE DR	HILL RD	END	792	40	31,680	A	R	81	CRACK SEAL & CAPE SEAL	8/1/1999
SUNNYB	1010	SUNNYBROOK CT	END	EASY ST	370	40	14,784	A	R	63	SLURRY SEAL	7/1/2005
SUNNYS	1010	SUNNYSIDE AV	COUNTY MARKER	STONE GATE CT	686	24	18,586	O	A	79	AC OVERLAY, 1.5 IN	9/1/2000
SUNNYS	1020	SUNNYSIDE AV	STONE GATE CT	APPIAN WY	633	28	17,741	O	A	82	AC OVERLAY, 1.5 IN	9/1/2000
SUNNYS	1030	SUNNYSIDE AV	APPIAN WY	CASINO REAL	1,637	30	49,104	O	A	84	AC OVERLAY, 1.5 IN	9/1/2000
SUNNYS	1040	SUNNYSIDE AV	CASINO REAL	COUNTY MARKER	634	32	16,896	O	A	84	AC OVERLAY, 1.5 IN	9/1/2000
SUNSET	1010	SUNSET AV	BRYCE DR	DENALI DR	739	30	22,170	A	C	84	N/A	N/A
SUNSHI	1010	SUNSHINE ST	SANTA TERESA BL	EASY ST	370	40	14,784	A	R	74	N/A	N/A
SUTTER	1000	SUTTER BL	BUTTERFIELD BLVD	#18305 SUTTER BL	928	86	79,808	A	R	88	N/A	N/A
SUTTER	1010	SUTTER BL	#18305 SUTTER BL	SERENE DR	475	67	31,825	A	R	48	N/A	N/A
SUTTER	1020	SUTTER BL	SERENE DR	JARVIS DR	1,320	67	88,440	A	A	40	N/A	N/A
SUTTER	1030	SUTTER BL	JARVIS DR	COCHRANE RD	739	67	49,513	A	A	34	N/A	N/A
SUTTER	1040	SUTTER BL	COCHRANE RD	WOODVIEW AV	686	46	31,556	A	R	53	N/A	N/A
SUTTPL	1010	SUTTER PL	DIGITAL DR	END	225	34	7,650	A	C	82	N/A	N/A
SWORDD	1010	SWORD DANCER CT	VENETIAN WY	END	370	32	11,827	A	R	57	SLURRY SEAL	7/1/2005
TALBCT	1010	TALBOT CT	CALLE SIENA	END	212	37	7,844	A	R	95	N/A	N/A
TALBOT	1020	TALBOT DR	N/O CALLE SIENA	S/O LANCIA DR	380	37	14,060	A	R	75	N/A	N/A
TARRAV	1010	TARRAGON AV	SAFRON DR	CUL-DE-SAC	1,009	34	34,306	A	R	81	N/A	N/A
TAYLOR	1010	TAYLOR AV	PEEBLES AVE	EAST END	806	37	29,822	A	R	88	N/A	N/A
TAYLOR	1020	TAYLOR AV	ANGELICA WY	PEEBLES AVE	432	37	15,984	A	R	88	N/A	N/A
TEAKCT	1010	TEAK CT	END	PINE WY	106	40	4,224	A	R	67	SLURRY SEAL	7/8/2002
TECHNO	1010	TECHNOLOGY DR	JARVIS DR	SERENE DR	1,783	37	65,971	A	C	81	N/A	N/A
TENNAN	1010	TENNANT AV	MONTEREY ST	VINEYARD BLVD	1,705	54	92,070	A	A	65	N/A	N/A
TENNAN	1020	TENNANT AV	VINEYARD BLVD	RAILROAD AV	594	72	42,768	O	A	46	N/A	N/A
TENNAN	1030	TENNANT AV	RAILROAD AV	CAPUTO DR	813	72	58,536	O	A	77	N/A	N/A
TENNAN	1040	TENNANT AV	CAPUTO DR	ANT CT	1,242	72	89,424	O	A	80	N/A	N/A
TERESA	1005	TERESA LN	CUL-DE-SAC	CURB AND GUTTER	860	29	24,940	A	R	69	N/A	N/A
TERESA	1015	TERESA LN	CURB AND GUTTER	SABINI CT	460	29	13,340	A	R	63	CAPE SEAL	8/15/2009
TERESA	1020	TERESA LN	SABINI CT	LLAGAS RD	528	29	15,312	A	R	73	SLURRY SEAL	8/15/2009
THIRDS	1011	THIRD ST	DEL MONTE AV	LITTLE LLAGAS BR	377	60	22,620	A	R	23	N/A	N/A
THIRDS	1012	THIRD ST	LITTLE LLAGAS BR	MONTEREY ST	190	60	11,400	O	R	81	1.5 IN AC OVERLAY	9/15/2006
THIRDS	1013	THIRD ST	MONTEREY ST	DEPOT ST	560	60	33,600	P	R	100	N/A	N/A
THOMAS	1010	THOMAS GRADE	EAST DUNNE AV	EAST DUNNE AV	5,069	25	126,720	A	R	83	CHIP SEAL	8/15/2009
THYMAV	1010A	THYME AV	MARJORAM DR	CUL-DE-SAC (WEST)	234	34	7,956	A	R	77	N/A	N/A

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THYMAV	1010B	THYME AV	MARJORAM DR	CUL-DE-SAC (EAST	396	34	13,464	A	R	80	N/A	N/A
TILTON	1010	TILTON AV	CITY LIMITS	DOUGHERTY AV	475	26	12,355	A	R	76	N/A	N/A
TILTON	1020	TILTON AV	DOUGHERTY AV	MONTEREY ST	1,056	26	27,456	A	R	88	N/A	N/A
TOLUSA	1010	TOLUSA CT	DE LOS PADRES	CUL DE SAC	436	33	14,388	A	R	85	N/A	N/A
TOLUSA	1020	TOLUSA CT	DE LOS PADRES	CUL DE SAC (SOUT	690	33	22,770	A	R	95	N/A	N/A
TORREY	1010	TORREY CT	FARALLON DR	END	422	30	12,672	A	R	35	N/A	N/A
TRAILD	1010	TRAIL DR	BARRETT AV	END (135' S/O MIRA	584	36	21,024	A	C	80	N/A	N/A
TRAILD	1020	TRAIL DR	PVT CHG	BARRETT AV	691	36	24,876	A	A	77	N/A	N/A
TRAILD	1030	TRAIL DR	CERRO VISTA DR	PVT CHG	454	36	16,344	A	C	81	CRACK SEAL & CAPE SEAL	8/1/1999
TRAILD	1040	TRAIL DR	CERRO VISTA DR	FOUNTAIN OAKS DR	897	40	35,904	A	C	74	CRACK SEAL & CAPE SEAL	8/1/1999
TRUMPP	1010	TRUMPP CT	MARCIA DR	END	200	28	5,600	A	R	78	SLURRY SEAL	9/1/2000
VALLEY	1010	VALLEY VIEW CT	END	OAK LEAF DR	370	24	8,870	A	R	83	N/A	N/A
VENETI	1010	VENETIAN WY	WATSONVILLE RD	CITATION CT	1,109	36	39,924	A	R	65	SLURRY SEAL	7/1/2005
VENETI	1040	VENETIAN WY	CITATION CT	VENETIAN WY	1,214	40	48,576	A	R	65	SLURRY SEAL	7/1/2005
VENTURA	1010	VENTURA CT	VENTURA DR	END	242	32	7,744	A	R	95	N/A	N/A
VENTURA	1010	VENTURA DR	ARGUELLO AVE	END	1,620	32	51,840	A	R	95	N/A	N/A
VIACAS	1010	VIA CASTANA	LA CASTANA CT	WEST END	472	32	15,104	A	R	95	N/A	N/A
VIACAS	1010A	VIA CASTANA	VIA DEL CASTILLE	135 FT N/O ENCINO	655	40	26,200	A	R	30	CAPE SEAL	9/1/2000
VIACAS	1010B	VIA CASTANA	135 FT N/O ENCINO	VIA CASTANA CT	505	40	20,200	A	R	76	N/A	N/A
VIACOR	1010	VIA CORFINO	WATSONVILLE RD	LA ROCCA DR	850	36	30,600	A	R	69	SLURRY SEAL	9/1/2000
VIANIN	1010	VIA DE NINOS WY	LA MAR DR	LA ARBOLEDA	840	37	31,080	A	R	83	N/A	N/A
VIADEL	1010	VIA DEL CASTILLE	SUNNYSIDE AV	VIA CASTANA DR	1,267	40	50,688	A	R	54	CAPE SEAL	9/1/2000
VIADEL	1050	VIA DEL CASTILLE	VIA CASTANA DR	ALAMO DR	1,056	40	42,240	A	R	47	CAPE SEAL	9/1/2000
VIAEDU	1010	VIA EDUARDO	APPIAN WY	END	158	32	5,069	A	R	81	N/A	N/A
VIAGRA	1010	VIA GRANDE	END	DEWITT AV	898	40	35,904	A	R	65	N/A	N/A
VIALAR	1010	VIA LARGO	LA JOLLA	CUL-DE-SAC	835	37	30,895	A	R	85	N/A	N/A
VIALOM	1010	VIA LOMA	MURPHY SPRINGS	HALE AV	1,161	40	46,464	A	R	46	SLURRY SEAL	7/15/2007
VIANOR	1010	VIA NARETTO	W/O CALLE SUENO	CUL DE SAC	482	32	17,526	A	R	85	N/A	N/A
VIANAV	1010	VIA NAVOMA	LA JOLLA DR	VIA DE NINOS	504	37	18,648	A	R	95	N/A	N/A
VIAOR	1010	VIA SORRENTO	WATSONVILLE RD	WATSONVILLE RD	1,479	37	54,723	A	R	82	SLURRY SEAL	10/15/2011
VIAVEN	1010	VIA VENETO	APPIAN WY	END	211	32	6,758	A	R	79	N/A	N/A
VIVADI	1010	VIA VIVALDI	BELLINI WY	SUNNYSIDE AVE	284	37	10,508	A	R	95	N/A	N/A
VILLAN	1010	VILLA NAVONA WY	VIA DE NINOS	LA JOLLA DR	518	37	19,166	A	R	85	N/A	N/A

City of Morgan Hill
PCI Report
Sorted by Road Name

Street ID	Section ID	Street Name	Begin Location	End Location	Length	Width	Area	Surf Type	FC	Current PCI (2017)	Last M&R Treatment	Last M&R Treatment Date
VINEYA	1010A	VINEYARD BL	LA CROSSE DR	MONTEREY ST	1,003	36	36,108	A	C	36	SLURRY SEAL	7/15/2007
VINEYA	1010B	VINEYARD BL	MONTEREY ST	LA CROSSE DR	1,003	36	36,108	A	C	57	SLURRY SEAL	7/15/2007
VINEYA	1020	VINEYARD BL	MONTEREY ST	CONCORD CR	1,108	61	61,142	O	C	81	2 IN AC OVERLAY	12/10/2008
VINEYA	1030	VINEYARD BL	CONCORD CR	TENNANT AV	845	60	50,688	O	C	86	2 IN AC OVERLAY	12/10/2008
VINEYA	1040	VINEYARD BL	TENNANT AV	VINEYARD CT	951	36	34,236	A	R	55	SEAL CRACKS	7/15/2007
VINEYA	1050	VINEYARD BL	VINEYARD CT	MAST ST	1,478	40	59,136	A	R	53	SEAL CRACKS	7/15/2007
VINEYC	1060	VINEYARD CT	END	VINEYARD BL	422	40	16,896	A	R	83	N/A	N/A
VISTCT	1010	VISTA CT	END	MUNRO WY	264	40	10,560	A	R	75	N/A	N/A
VISTDE	1010	VISTA DEL VALLE	TRAIL DR	END	1,267	38	48,154	A	R	68	CRACK SEAL & CAPE SEAL	8/1/1999
VISTDC	1010	VISTA DEL VALLE CT	END	VISTA DEL VALLE	211	28	5,914	A	R	71	CRACK SEAL & CAPE SEAL	8/1/1999
WDUNNE	1010	W DUNNE AV	END	JOHN TELFER DR	1,003	20	20,060	A	R	66	N/A	N/A
WDUNNE	1020	W DUNNE AV	JOHN TELFER DR	DEWITT AV	1,056	46	48,576	A	R	79	N/A	N/A
WDUNNE	1030	W DUNNE AV	DEWITT AV	EVERGREEN DR	898	40	35,904	O	C	66	2 IN AC OVERLAY	11/1/2011
WDUNNE	1040	W DUNNE AV	EVERGREEN DR	DEL MONTE AV	1,056	52	54,912	A	A	97	RECONSTRUCTION	4/1/2012
WDUNNE	1050	W DUNNE AV	DEL MONTE AV	MONTEREY ST	686	58	39,811	O	A	98	2 IN AC OVERLAY	11/1/2011
WEDMUN	1010	W EDMUNDSON AV	COUNTY MARKER	PARK ENTRANCE	1,004	48	39,283	A	A	85	N/A	N/A
WEDMUN	1020	W EDMUNDSON AV	PARK ENTRANCE	MONTEREY ST	1,056	72	76,032	A	A	84	N/A	N/A
WALNUT	1010	WALNUT GROVE DR	BLACK WALNUT WY	ENGLISH WALNUT	792	40	31,680	A	R	70	N/A	N/A
WALNUT	1020	WALNUT GROVE DR	WALNUT GROVE DR	DIANA AV	663	48	31,824	A	R	81	N/A	N/A
WALNUT	1030	WALNUT GROVE DR	DIANA AV	END (S)	807	48	38,736	A	R	82	N/A	N/A
WALNUT	1110	WALNUT GROVE DR	EAST DUNNE AV	1263 FT S/O EAST	1,263	37	46,731	A	R	75	N/A	N/A
WALNUT	1120	WALNUT GROVE DR	E DUNNE AVE	CUL-DE-SAC	1,169	39	45,591	A	R	82	N/A	N/A
WARREN	1012	WARREN AV	HALE AVE	DEL MONTE AVE	635	37	23,495	A	R	77	N/A	N/A
WATER	1010	WATERTON CT	DENALI DR	CUL-DE-SAC	383	33	12,639	A	R	85	N/A	N/A
WATSON	1010	WATSONVILLE RD	CITY LIMITS	PRATOLA CT	951	80	46,464	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
WATSON	1020	WATSONVILLE RD	PRATOLA CT	VIA SORRENTO	1,056	80	56,602	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
WATSON	1030	WATSONVILLE RD	VIA SORRENTO	CALLE ENRIQUE	1,162	59	68,558	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
WATSON	1040A	WATSONVILLE RD	CALLE ENRIQUE	594 FT W/MONTEREY	1,782	59	105,138	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
WATSON	1040B	WATSONVILLE RD	594 FT W/MONTEREY	MONTEREY ST	594	30	17,820	O	A	88	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2014
WEICHE	1010	WEICHERT DR	BELLETO DR	DEAD END	210	37	7,770	A	R	84	N/A	N/A

City of Morgan Hill
PCI Report
Sorted by Road Name

Street ID	Section ID	Street Name	Begin Location	End Location	Length	Width	Area	Surf Type	FC	Current PCI (2017)	Last M&R Treatment	Last M&R Treatment Date
WMAINA	1010	WEST MAIN AV	JOHN TELFER DR	DEWITT AV	950	43	40,867	A	R	66	SLURRY SEAL	9/1/2000
WMAINA	1020	WEST MAIN AV	DEWITT AV	PEAK AV	686	43	29,515	A	R	36	N/A	N/A
WMAINA	1030	WEST MAIN AV	PEAK AV	CREST AV	713	43	30,659	O	C	99	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
WMAINA	1040	WEST MAIN AV	CREST AV	HALE AV	634	43	27,245	O	C	99	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
WMAINA	1050	WEST MAIN AV	HALE AV	DEL MONTE AV	686	44	30,202	O	A	99	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
WMAINA	1060	WEST MAIN AV	DEL MONTE AV	MONTEREY ST	616	44	27,104	O	A	99	AC OVERLAY W/FABRIC, 2.0 IN	10/30/2015
WMIDDLE	1010	WEST MIDDLE AV	WOODLAND ESTATE	CITY LIMIT (NE/ OLI	1,900	40	76,000	A	C	50	N/A	N/A
WHITEC	1010	WHITE CLOUD CT	EXCALIBUR DR	CUL-DE-SAC	529	37	19,573	A	R	90	SLURRY SEAL - TYPE II	10/30/2014
WHITDR	1020	WHITE CLOUD DR	EXCALIBUR DR	EXCALIBUR DR	1,922	37	71,114	A	R	90	SLURRY SEAL - TYPE II	10/30/2014
WHITEO	1010	WHITE OAK CT	JACKSON OAKS DR	END	1,162	24	27,878	A	R	56	6 IN REMOVE & REPLACE	8/1/1999
WHITNE	1010	WHITNEY WY	SUNSET AV	OLYMPIC DR	393	37	14,541	A	R	85	N/A	N/A
WILDDOC	1010	WILD OAK CT	SPRING HILL DR	END	158	44	6,970	A	R	75	SLURRY SEAL	9/1/2000
WILDOW	1010	WILD OAK WY	SPRING AV	SPRING HILL DR	211	40	8,448	A	R	67	SLURRY SEAL	9/1/2000
WILLCR	1010	WILLOW CREEK DR	SPRING AV	CHARGIN WY	581	40	23,232	A	R	68	SLURRY SEAL	9/1/2000
WILLOW	1010	WILLOW CT	BLUEBONNET WY	END	106	40	4,224	A	R	59	SLURRY SEAL	7/8/2002
WINDSC	1010	WINDSONG CT	PEET RD	END	162	32	5,184	A	R	95	N/A	N/A
WINDSP	1010	WINDSONG PL	PEET RD	END	162	32	5,184	A	R	95	N/A	N/A
WICRWY	1010	WINTER CREEK WY	SHADOW BROOK	CARRIAGE	315	34	10,710	A	R	85	N/A	N/A
WOODLA	1010	WOODLAND AV	ROLLING HILLS DR	WOODLAND CT	2,640	26	68,640	A	R	33	N/A	N/A
WOODLA	1020	WOODLAND AV	WOODLAND CT	LLAGAS RD	264	27	7,128	A	R	43	N/A	N/A
WOODLC	1010	WOODLAND CT	END	WOODLAND AV	264	24	6,336	A	R	38	N/A	N/A
WOODSC	1010	WOODS CT	BRADFORD WY	END	228	30	6,840	A	R	95	N/A	N/A
WOODVI	1010	WOODVIEW AV	COCHRANE RD	550 FT W/O MADRO	1,425	46	65,550	A	R	49	N/A	N/A
WRIGHT	1010	WRIGHT AV	END	PEAK AV	528	30	15,840	A	R	49	SLURRY SEAL	7/15/2007
WRIGHT	1020	WRIGHT AV	PEAK AV	OAKGROVE DR	1,003	46	41,395	A	C	35	SLURRY SEAL	7/15/2007
WRIGHT	1030	WRIGHT AV	OAKGROVE DR	DEL MONTE ST	951	45	43,402	A	C	67	SLURRY SEAL	7/15/2007
WRIGHT	1040	WRIGHT AV	DEL MONTE ST	MONTEREY ST	581	46	26,717	A	C	65	N/A	N/A
YELLOW	1010	YELLOWSTONE WY	SUNSET AV	OLYMPIC DR	393	37	14,541	A	R	85	N/A	N/A
ZINFRCR	1010	ZINFANDEL CR	DOMAINE DR	ZINFANDEL CR	1,500	34	51,000	A	R	84	N/A	N/A



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Anthony Eulo, Program Administrator

APPROVED BY: City Manager

ENVIRONMENTAL AGENDA REVIEW

RECOMMENDATION(S)

Accept report and provide direction to staff on future implementation priorities.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment

REPORT NARRATIVE:

The purpose of this report is to provide an update to the City Council on the City's major environmental protection activities and to provide the Council with an opportunity to provide policy guidance to staff.

The City Council adopted an Environmental Agenda (Agenda) in 2007 with the mission *to enhance the long-term sustainability of Morgan Hill by developing a framework for reducing environmental impacts, increasing community health, and protecting the community's environmental resources for future generations*. The Agenda was affirmed and updated in 2011 as included in Attachment A.

Where We've Been

In 2014, the Council engaged in a review of the Agenda and a prioritization of potential projects. While no changes in the Agenda were made at that time, the Council adopted the Environmental Strategy (Strategy) (Attachment B) at that time which served as a workplan/implementation schedule for the projects prioritized by the Council.

Since the Strategy's adoption, the City has completed work on one of the most essential components of the Strategy. The City's inclusion in the regional community choice energy program, now known as Silicon Valley Clean Energy (SVCE), was achieved and the City is an active participant on the Governing Board as well as the SVCE Sustainability Managers Committee. SVCE has "decarbonized" electricity for all participating customers in Morgan Hill which realizes one of the largest reductions in greenhouse gasses available to the City. As SVCE matures, it will be considering ways to further reduce greenhouse gas emissions in the region through supporting the electrification of vehicles and the conversion of heating and cooking appliances from natural gas to electricity.

Substantial progress has been made on many other elements of the Strategy. Chief among them are the City's efforts to secure recycled water and protect agricultural lands. Both of these high priority issues are multi-year projects that will require ongoing diligence and effort to ensure that the City is poised to create and take advantage of opportunities as they arise. Ensuring that streets are constructed to facilitate walking and biking and expanding the City's trail network are other areas under active long-term implementation.

While many of the Strategy's activities were aligned with existing City plans and resources, the Strategy indicated that many of the prioritized projects would require additional resources for implementation. Given the competing demand for General Fund resources throughout the community, no resources have been added to the Environmental Services Division's budget for Strategy implementation so the City has continued to largely implement projects that meet one of the following criteria:

1. Keep the City in compliance with mandatory environmental laws, e.g., solid waste diversion, stormwater pollution prevention;
2. Seek out opportunities to pursue environmental initiatives that will reduce operational expenses, e.g., energy efficiency upgrades on public buildings; and
3. Initiate activities which can be completed without significant General Fund support, e.g., addressing the drought, completing grant-supported tree planting.

The last column in Attachment B has been added to provide a brief summary on the status of each item listed in the Strategy.

Current Challenges

There are two current environmental challenges on the immediate horizon. The first is an increase in the City's solid waste disposal rate. When the City completed its annual report to the State in 2016, the amount of waste landfilled was slightly above the amount allowed by the State. While this minor problem for one year just results in increased monitoring from the State for now, the State will be requiring the City to undergo programmatic changes if the data in this year's report, which will be completed in July, show a similar increase. If this occurs, staff will return to the Council with a recommended remediation strategy in the Fall.

The second challenge is presented by President Trump's decision to pull out of the Paris Climate Agreement. Members of the Council have received communications asking the City to take its own steps in support of the Paris Agreement. There is a national group coalescing around this issue called the Mayors National Climate Action Agenda. The "Climate Mayors" have been in the news lately with many mayors joining since Trump's announcement. Palo Alto, Sunnyvale, and San Jose are listed on their web page as participants. The following is an excerpt from their web page. (<http://www.climate-mayors.org/>)

“Climate Mayors (aka the Mayors National Climate Action Agenda) is a Mayor-to-Mayor network of US Mayors collaborating on climate. There are no binding commitments as a Climate Mayors members, only that cities are pursuing actions to achieve an emissions reduction target through:

1. Developing a community Greenhouse Gas inventory
2. Setting near- and long-term targets to reduce emissions
3. Developing a Climate Action Plan aligned with the city's targets.

In addition, we ask members of the Climate Mayors network to join in occasional letters and statements, as well as substantive initiatives like our EV RFI. We hold monthly coordination calls for each city's Sustainability/Climate Lead to participate and share progress.”

While joining Climate Mayors is relatively easy and is apparently completed without dues or costs, truly living up to membership in this group will require the City to renew and maintain its emissions inventory and to update and adopt, as well as implement, the Climate Action Plan that was folded into the General Plan. Pursuing the projects in the Climate Action Plan with seriousness will require the allocation of additional resources.

Future Challenges

A significant future challenge is that the City will need to substantially increase the budget for stormwater pollution prevention in the coming years. Like all cities, the City has just received notice from the State that trash capturing devices will need to be installed in the City's stormwater infrastructure over the next decade. Depending on the approach and size, these devices range in cost from a few thousand dollars each to over a hundred thousand dollars each and require ongoing maintenance that is beyond that which can be provided by current staff. As these requirements will be phased in over several years, their expected costs will be considered during the City's next budget preparation cycle.

A second challenge will be the likely increase in mandates from the State on diverting wastes away from the landfill. Staff intend to work on an ordinance in the coming months mandating the diversion of organic wastes from businesses, as required by State law, that will take oversight and administration. While this will require an official change in the Municipal Code, it should not require a significant new budgetary allocation.

COMMUNITY ENGAGEMENT: Varies

Different environmental programs require different levels of community engagement and staff use all of them at different times.

Not Applicable: Completing an energy upgrade to a City building that is imperceptible to the public

Inform: Making minor changes to the City's recycling program

Consult: Changing the City's water waste regulations

Involve: Adopting water efficiency regulations for new development

Collaborate: Collecting recycling at the curb during which the customers must separate recyclables out and the City arranges for their collection

Empower: Planting trees in which volunteer groups adopt an area and plant trees themselves

To be clear, no formal public engagement was conducted specifically to assist in the preparation of this report.

ALTERNATIVE ACTIONS:

Not Applicable

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council adopted or reviewed the Environmental Agenda in 2007, 2011, and 2014. The Environmental Strategy was adopted in 2014.

FISCAL AND RESOURCE IMPACT:

There are no fiscal impacts directly associated with reviewing and accepting this report. As described above, instituting nearly any new initiatives will require additional resources that are not included in the adopted budget. The resources to evaluate and report on Environmental Agenda implementation activities are included in the work program of the Community Services Department.

CEQA (California Environmental Quality Act):

Not a Project

This report is an evaluation of the administrative activities of the City that will not result in any direct or indirect physical changes in the environment.

LINKS/ATTACHMENTS:

1. Amended Environmental Agenda V1.1 2014
2. Environmental Strategy and Progress



MORGAN HILL ENVIRONMENTAL AGENDA

Adopted by the Morgan Hill City Council - September 19, 2007

Reviewed and Amended – April 6, 2011

Reviewed and Confirmed - October 3, 2014

Mission

The mission of this Environmental Agenda is to enhance the long-term sustainability of Morgan Hill by developing a framework for reducing environmental impacts, increasing community health, and protecting the community's environmental resources for future generations.

Morgan Hill Environmental Vision

The Environmental Agenda envisions an active, vibrant community growing in concert with its natural surroundings. Residents, local businesses, and community institutions will seek out opportunities to protect and preserve natural resources while improving the community's quality of life, health, and overall well-being. Native flora and fauna will flourish in both developed and undeveloped areas of the community.

Guiding Principles

- 1. The Concept of Sustainability Guides City Policy** - Morgan Hill is committed to meeting its existing needs without compromising the ability of future generations to meet their own needs. The long-term impacts of policy choices will be considered to ensure a sustainable legacy.
- 2. Those Sustainability Issues Most Important to the Community Will be Addressed First, and the Most Cost-Effective Programs and Policies Will be Selected** - The financial and human resources which are available to the City are limited. The City and the community will reevaluate its priorities and its programs and policies annually to ensure that the best possible investments in the future are being made. The evaluation of a program's cost-effectiveness will be based on a complete analysis of the associated costs and benefits, including environmental and social costs and benefits.
- 3. Protection, Preservation, and Restoration of the Natural Environment is a High Priority of the City** – Morgan Hill is committed to protecting, preserving and restoring the natural environment. City decision-making will be guided by a mandate to maximize environmental benefits and reduce or eliminate negative environmental impacts. The City will lead by example and encourage other community stakeholders to make a similar commitment to the environment.
- 4. Environmental Quality, Economic Health and Social Equity are Mutually Dependent** - Sustainability requires that our collective decisions as a city allow our economy and community members to continue to thrive without destroying the natural environment upon which we all depend. A healthy environment is integral to the city's long-term economic and societal interests. In achieving a healthy environment, we must

ensure that inequitable burdens are not placed on any one geographic or socioeconomic sector of the population and that the benefits of a sustainable community are accessible to all members of the community.

5. **All Decisions Have Implications to the Long-term Sustainability of Morgan Hill** - The City will ensure that each of its policy decisions and programs are interconnected through the common bond of sustainability as expressed in these guiding principles. The policy and decision-making processes of the City will reflect our sustainability objectives. The City will lead by example and encourage other community stakeholders to use sustainability principles to guide their decisions and actions.
6. **Community Awareness, Responsibility, Participation and Education are Key Elements of a Sustainable Community** - All community members, including individual citizens, community-based groups, businesses, schools and other institutions must be aware of their impacts on the environmental, economic and social health of Morgan Hill, must take responsibility for reducing or eliminating those impacts, and must take an active part in community efforts to address sustainability concerns. The City will therefore be a leader in the creation and sponsorship of education opportunities to support community awareness, responsibility and participation in cooperation with schools, colleges and other organizations in the community.
7. **Morgan Hill Recognizes Its Linkage with the Regional, National, and Global Community** - Local environmental, economic and social issues cannot be separated from their broader context. This relationship between local issues and regional, national and global issues will be recognized and acted upon in the City's programs and policies. The City's programs and policies should therefore be developed as models that can be emulated by other communities. The City will also act as a strong advocate for the development and implementation of model programs and innovative approaches by regional, state and federal government that embody the goals of sustainability.
8. **The City is Committed to Procurement Decisions which Minimize Negative Environmental and Social Impacts** - The procurement of products and services by the City and Morgan Hill residents, businesses and institutions results in environmental, social and economic impacts both in this country and in other areas of the world. The City will develop and abide by an environmentally and socially responsible procurement policy that emphasizes long-term values and will become a model for other public as well as private organizations. In recognizing that the transport of goods from long distances can have significant environmental impacts, locally-grown foods and locally-manufactured goods will be preferred. The City will advocate for and assist other local agencies, businesses and residents in adopting sustainable purchasing practices.
9. **Cross-sector Partnerships Are Necessary to Achieve Sustainable Goals** - Threats to the long-term sustainability of Morgan Hill are multi-sector in their causes and require multi-sector solutions. Partnerships among the City government, businesses, residents and all community stakeholders are necessary to achieve a sustainable community.
10. **The Precautionary Principle Provides a Complementary Framework to Help Guide City Decision-Makers in the Pursuit of Sustainability** - The Precautionary Principle requires a thorough exploration and careful analysis of a wide range of alternatives, and a full cost accounting beyond short-term and monetary transaction costs. Based on the best available science, the Precautionary Principle requires the selection of alternatives that present the least potential threat to human health and the City's natural systems. Where

threats of serious or irreversible damage to people or nature exist, lack of full scientific certainty about cause and effect shall not be viewed as sufficient reason for the City to not adopt mitigating measures to prevent the degradation of the environment or protect the health of its citizens. In recognizing that prevention is more effective than mitigation, the City will seek out preventive approaches. Public participation and an open and transparent decision making process are critical to finding and selecting alternatives.

Note: Guiding Principles adapted from the exemplary principles incorporated in the Santa Monica Sustainable City Plan

Primary Subject Goals

While it is recognized that nearly all environmental issues are highly interrelated, it is useful to develop Primary Subject Goals for each major policy area to further clarify and define the Environmental Agenda. It is the intention of the City Council to achieve the following Goals, presented in alphabetical order, for each primary area:

Air Quality: Improve Morgan Hill's ambient air quality and reduce pollutant exposure to local residents, plants, and animals.

Climate Protection: Identify, inventory, monitor, reduce, and mitigate local greenhouse gas emissions to reduce the community's carbon footprint in cooperation with the State's efforts to implement AB 32.

Community Health: Educate, encourage, and assist local residents, institutions, and businesses in improving the overall health and wellbeing of the community.

Energy: Develop a local energy system that maximizes opportunities for locally-developed clean energy generation and supports the use and development of cleaner energy generation sources nationwide.

Green Buildings: Use incentives, regulations, and laws to improve the environmental performance of new and existing buildings, roads, landscapes, and facilities in the community.

Habitat Conservation and Enhancement: Identify and preserve important wildlife habitat in the community and encourage the growth and wellbeing of native plant and animal species.

Land and Open Space Preservation: Continue to preserve hillsides, greenbelts, and open spaces and encourage new development in the City's core.

Local Resources and Products: Establish educational and assistance programs that identify and encourage the consumption of food and other products grown and produced locally. Support the development of local food production, distribution, and sales.

Municipal Government: Continue to improve the environmental performance of all City buildings, operations and procurements in order to lead by example on all of the goals listed in the City's Environmental Agenda.

Pollution Prevention: Reduce the generation of all waste products and the release of waste and pollution into the local environment.

Solid Waste Reduction and Resource Conservation: Develop a materials-based local economy that minimizes the use of natural resources through efficient design, waste reduction, materials reuse and recycling, and the incorporation of recycled materials into new products.

Transportation: Work with local, regional, and state agencies and developers to improve the City's multi-modal transportation network, minimize automobile dependency, facilitate electric vehicle recharging, and encourage walking and biking within the community.

Water Supply: Maximize the efficient use of water and the development of alternative water supplies.

Environmental Agenda Implementation, Maintenance, and Development

This Environmental Agenda is intended to be a dynamic document that shall be reviewed biennially by the City Council. City staff shall prepare an annual workplan, in conjunction with the City's annual budget preparation, designed to focus on accomplishing the highest priority Primary Subject Goals of the Agenda.

Environmental Strategy (Adopted December, 2014)

<i>Project/Program</i>	<i>Staffing</i>	<i>One Time or Ongoing</i>	<i>Additional Funding Required</i>	<i>Status as of June, 2017</i>
<i>FY 2014/2015</i>				
Initiate Recycled Water Study	Consultant	One Time	No	Completed
Introduce Property Assessed Clean Energy Programs to Community	Existing Staff	Ongoing	No	Completed
Participate in Regional Community Choice Aggregation Project	Existing Staff	Ongoing	No - Not envisioned during preliminary phase	Completed
Conduct Study to Evaluate Opportunities for Enhanced Waste Diversion	Consultant	One Time	Yes - \$10,000	No Action
Participate in Countywide Alternative Vehicle Fueling Project	Existing Staff	One Time	No	In Progress
Amend Water Waste Ordinance to Address Private Well Water	Existing Staff	One Time - though enforcement is ongoing	No	Completed
Begin Issuing Administrative Citations for Water Waste Violations	Existing Staff	Ongoing	No	No Action – City addressed drought without citations
Enhance Water Leak Detection Network and Begin Smart Meter Deployment	Existing Staff & Contractor	Ongoing	No	Completed
Continue Ongoing Efforts to Preserve Agricultural Lands per Council Direction on 11/5/14	Existing Staff	Ongoing	No	In Progress

Continue Development of Station Area Master Plan	Existing Staff	One Time	No	In Progress
FY 2015/2016				
Produce Local Energy Showcase	New Staff	One Time	Yes - portion of new staff expense and related expenses	No Action
Promote Utility Energy Efficiency Programs	New Staff	Ongoing	Yes - portion of new staff expense and related expenses	No Action
Apply to Tree City USA Program	New Staff	Ongoing	Yes - portion of new staff expense and related expenses	No Action
Coordinate Joint Bulk Purchases of Alternative Energy Products for Residents and Businesses	New Staff	One Time	Yes - portion of new staff expense and related expenses	No Action
Identify Future Green Fleet Opportunities	New Staff	One Time	Yes - portion of new staff expense and related expenses	No Action
Work with Local Businesses on Joint EV Charging Station Purchases	New Staff	One Time	Yes - portion of new staff expense and related expenses	No Action
Conduct In-Depth Energy Efficiency Analysis of Additional City Buildings	Existing Staff	One Time	Yes - Exact amount to be determined via bidding process	Grant received, project just starting
Increase Tree Planting Activities on Public Properties and Encourage Private Tree Planting	Existing Staff	Ongoing	Yes - \$5,000 annually	Grant received, project just starting
Enhance Water Waste Enforcement (Only If Drought Continues)	New Staff	Ongoing	Yes - \$20,000 in part-time inspection services	No Action

Complete Water Leak Detection Network & Smart Meter Deployment (ask how much money)	Existing Staff & Contractor	Ongoing	Yes - \$1.5 million of funding which could potentially be taken from water bond funds	In Progress
Begin Implementation of Station Area Master Plan	Existing Staff	Ongoing	No	Awaiting Completion Of Plan
Work with Chamber of Commerce on Business Support for Transit Use	New Staff	One Time	Yes - portion of new staff expense and related expenses	No Action
Update Street Design Standards for Further Accommodate Pedestrians and Bicyclists	Existing Staff	One Time	No	Ongoing Evaluation
Ensure that Existing General Plan Policies Supporting Complete Streets are Included in New General Plan	Existing Staff	One Time	No	Completed
Continue 2014/2015 and Ongoing Projects as Required	Existing Staff	Varies	No	Varies with item
Future Years				
Implement Results of Recycled Water, Alternative Vehicle Fueling, and Zero Waste Studies	Unknown	Varies	Unknown	No Action
Community Choice Aggregation Implementation	Contractor/JPA	Ongoing	Should be Self Funded Though Seed Funding May Be Required	In Progress
Expand Energy Outreach and Explore Opportunities to Expand Local Generation	New Staff	Ongoing	Unknown	No Action

Continue 2015/2016 and Ongoing Projects as Required	Varies	Varies	Unknown	Varies with item
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Deep Green Options

Increase Tree Planting Requirements in New Developments
Require Base Levels of Alternative Energy in New Developments
Convert Landscape Water Accounts to Budget-Based Billing
Institute Product Bans of Other Restrictions to Prevent Waste



CITY COUNCIL STAFF REPORT

MEETING DATE: June 28, 2017

PREPARED BY: Donald Larkin, City Attorney
APPROVED BY: City Manager

PROVIDE DIRECTION REGARDING WAGE THEFT PREVENTION POLICY

RECOMMENDATION(S)

1. Provide direction on developing a policy to prohibit contracts with individuals or entities that engage in wage theft, and
2. Provide direction regarding other actions that may be taken to combat wage theft.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Fiscal Responsibility
Supporting Our Youth
Seniors
and Entire Community
Fostering a Positive Organizational Culture
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness
Regional Initiatives

POLICY CONSIDERATIONS:

Should the City Council adopt a policy to prevent wage theft by businesses that provide contract services to the City of Morgan Hill?

Should the City Council consider other actions to prevent wage theft by businesses operating in the City of Morgan Hill?

REPORT NARRATIVE:

Council Member Constantine has asked staff to consider options for combating the problem of wage theft in Morgan Hill. Prior to initiating work on a formal policy, staff is seeking Council direction.

Wage theft occurs when a worker receives less than minimum wage, is not paid earned overtime, or is required to perform work for which he or she is not compensated. Wage theft is a significant problem throughout Santa Clara County.

Most wage theft goes unreported. Despite the low reporting levels, according to a report issued by the Santa Clara County Wage Theft Coalition (see attached), "The San Jose office of the California Labor Commissioner handles approximately 300 enforcement claims from workers in the County each month."

According to the findings of the Santa Clara County Wage Theft Coalition:

“(1) Workers do not know their employment rights and are afraid, with good reason, of the consequences of speaking up (i.e. retaliation).

(2) Employers engage in wage theft because they operate in industries where there is a culture of noncompliance, they lack knowledge of their responsibilities, they have engaged in a cost/benefit analysis that weighs in favor of violation, and/or they lack the skills or resources to comply with employment law.

(3) The agencies that enforce wage and hour laws face severe limitations on their ability to effectively ensure compliance with employment laws. Collecting judgments for unpaid wages can be extremely difficult for low-wage workers.”

As a result of these findings, the Coalition has recommended several actions that can be taken by local government. Although these recommendations are primarily directed at the County government, several are things that can be adopted at the City level, including:

Adoption of a policy that prohibits the City from entering into contracts with any individual or entity that engages in wage theft.

Adoption of an ordinance that authorizes City departments to deny or revoke permits or licenses to individuals or entities that engage in wage theft.

Santa Clara County and the City of San Jose have adopted policies that restrict the ability to contract with individuals or entities that engage in wage theft. In addition, San Jose has adopted an ordinance authorizing its departments to revoke permits issued to wage theft violators. Santa Clara County’s policy can be found starting on page 18 of the Board of Supervisor’s Policy Manual, Chapter 5 (attached). San Jose’s policy and ordinance are also attached.

At this time, staff is recommending that we move forward with a policy that would prohibit the City from entering into a contract with an individual or entity that engages in wage theft. If Council directs staff to move forward, we will engage with stakeholders and bring back a policy recommendation at your July 19 meeting.

Council may also direct staff to bring forward other options for combatting wage theft, including an ordinance authorizing permit revocations for wage theft.

COMMUNITY ENGAGEMENT: Inform

The adoption of a wage theft policy (and other actions to prevent wage theft) would be a proactive step to ensure workers who work on behalf of the City of Morgan Hill receive their earned wages.

ALTERNATIVE ACTIONS:

Council may choose to take no action, or propose alternative actions to combat wage theft.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None

FISCAL AND RESOURCE IMPACT:

The adoption of a policy will have little or no fiscal or resource impact. Prospective contractors will be required to certify that they do not engage in wage theft, and have not had an adverse finding from the California Labor Commissioner.

If Council directs staff to propose an ordinance, we will provide an impact analysis based on the specific proposal.

CEQA (California Environmental Quality Act):

Not a Project. Wage theft policies are continuing administrative activities that will not have a reasonably foreseeable direct or indirect impact on the environment.

LINKS/ATTACHMENTS:

1. Santa Clara County Wage Theft Report (web link)
2. Santa Clara County BOS Policy Manual Chapter 5 (web link)
3. San Jose Wage Theft Policy (Final)
4. San Jose Ordinance No 29741

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
JOSE APPROVING A NEW COUNCIL POLICY No. 0-44
ENTITLED “WAGE THEFT PREVENTION POLICY”**

WHEREAS, the City of San José (“City”) has a commitment and a responsibility to ensuring that employers pay workers the wages to which they are legally entitled; and

WHEREAS, in an effort to further the City’s already existing wage policies, the City desires to establish a new City Council Policy that 1) requires potential contractors to disclose prior wage theft judgments or final administrative orders during the contract solicitation process; 2) requires City contractors to disclose wage theft judgments and final administrative orders during the term of the contract; 3) requires City contractors and subcontractors to comply with all wage and hour laws; 4) authorizes the City to terminate the contract for violation of wage and hour laws; and 5) specifies how the City may seek denial, suspension or revocation of City permits and licenses for violation of wage and hour laws; and

WHEREAS, the City Council desires to establish a new City Council Policy No. 0-44 entitled “Wage Theft Prevention Policy,” to prevent wage theft on City contracts;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

A new Council Policy 0-44 entitled “Wage Theft Prevention Policy,” which policy is attached hereto as Exhibit “A” and incorporated herein by this reference as though fully set forth herein, is hereby approved.

RD:JAC:LCP
4/19/2016

ADOPTED this _____ day of _____, 2016, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

Attachment: San Jose Wage Theft Policy (Final) (1312 : Provide Direction Regarding Wage Theft Prevention Policy)

City of San José, California

COUNCIL POLICY

TITLE WAGE THEFT PREVENTION POLICY	PAGE 1 of 5	POLICY NUMBER 0-44
EFFECTIVE DATE July 1, 2016	REVISED DATE	
APPROVED BY COUNCIL ACTION		May 24, 2016, Item 4.1

BACKGROUND

Wage theft occurs when an employer fails to pay its workers the wages to which they are legally entitled. It is the crime of stealing earned wages from workers. There are numerous forms of wage theft involving violations of employment laws but all resulting in workers earning less than they are entitled to earn.

Local and national studies on wage theft report that wage theft is a pervasive and chronic problem. Wage theft is not incidental, aberrant, rare or committed only by a few rogue employers at the periphery of the labor market. Instead it takes place in industries that span the economy – from retail, restaurants and grocery stores; caregiver industries; manufacturing, construction and wholesalers; building services such as janitorial and security; and personal services such as dry cleaning and laundry, car washes and beauty and nail salons.

At the June 23, 2015 City Council Priority Setting Session, the issue of wage theft and how to combat it was deemed to be the Council's highest priority. Staff was directed to analyze various policy options to combat wage theft.

PURPOSE

To establish a Council Policy and procedure to prevent wage theft on City contracts as well as deny, suspend or revoke certain City permits and licenses to businesses with unpaid wage theft judgments.

POLICY

It is the policy of the City of San José that all parties contracting with the City must comply with all applicable federal, state and local wage and hour laws including but not limited to the Federal Fair Labor Standards Act ("FSLA"), the California Labor Code and the San José Minimum Wage Ordinance.

City of San José, California

TITLE Wage Theft Prevention Policy	PAGE 2 of 5	POLICY NUMBER 0-44
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Bid or Proposal Disqualification Circumstances

1. A potential contractor that has submitted a formal or informal bid or proposal to provide supplies, materials, goods and/or services to the City pursuant to San José Municipal Code Chapter 4.12 **shall** be disqualified if the potential contractor has been found, by a court or by final administrative action of an investigatory government agency, to have violated applicable wage and hour laws on more than one (1) occasion **or** has one (1) unpaid wage judgment in the past five (5) years prior to the date of submission of a bid or proposal to provide supplies, materials, goods and/or services.
2. A potential contractor that has submitted a formal or informal bid or proposal to provide supplies, materials, goods and/or services to the City pursuant to San José Municipal Code Chapter 4.12 **may** be disqualified if the potential contractor has been found, by a court or by final administrative action of an investigatory government agency, to have violated applicable wage and hour laws on one (1) occasion and the wage and hour judgment has been satisfied in the past five (5) years prior to the date of submission of a bid or proposal to provide supplies, materials, goods and/or services.

Grounds for Contract Termination

A current contractor found by a court or by final administrative action of an investigatory government agency to have violated applicable wage and hour laws, in the five (5) years prior to or during the term of the contract with the City, **may** be in material breach of its contract with the City if the violation is not fully disclosed and/or satisfied per City contract requirements. Such breach may serve as a basis for contract termination and/or any other remedies available under law, including a stipulated remediation plan.

This Policy does not apply to any “public works” contracts as defined in City Charter Section 1217.

PROCEDURE

I. MANDATORY DISCLOSURE REQUIREMENT

As a part of any City solicitation for supplies, materials, goods and/or services, a potential contractor shall fully complete a “Bid Certification” (“Certification”) in substantially the same form as the attached Attachment A. The Certification requires each potential contractor to disclose whether the contractor has been found by a court or

City of San José, California

TITLE Wage Theft Prevention Policy	PAGE 3 of 5	POLICY NUMBER 0-44
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final administrative action of an investigatory government agency to have violated federal, state or local wage and hour laws within the past five (5) years from the date of the submitted bid or proposal. For each disclosed violation, the potential contractor shall provide a copy of (i) the court order and judgment and/or final administrative decision; and (ii) documents demonstrating either that the order/judgment has been satisfied, or if the order/judgment has not been fully satisfied, a written and signed description of potential contractor's efforts to date to satisfy the order/judgment. The completed Certification shall be submitted by the potential contractor to the City as a part of its bid or proposal.

The City ***shall*** disqualify a potential contractor based on the disclosed violation if the potential contractor has been found by a court or by final administrative action of an investigatory government agency to have violated applicable wage and hour laws on more than one (1) occasion or has one (1) unpaid wage judgment.

The City, at its sole discretion, ***may*** disqualify a potential contractor based on the one (1) disclosed satisfied judgment. In evaluating whether to disqualify a potential contractor, the City should evaluate (i) the amount of the judgment or final administrative decision; (ii) the number of employees impacted by the prior violations; (iii) the size of the company and history of compliance with wage and hour laws; and (iv) the impact to the City; and (v) other factors that may be appropriate.

Inaccurate or incomplete disclosures constitute a violation of the City's Wage Theft Prevention Policy and ***may*** result in immediate disqualification from the City solicitation and contracting process or immediate termination of any contract with the City.

II. CONTRACT LANGUAGE AFTER SUCCESSFUL BID OR PROPOSAL

All City contracts subject to this Policy shall include the following provisions:

“Wage Theft Prevention

Compliance with Wage and Hour Laws: Contractor, and any subcontractor it employs to complete work under this Agreement, shall comply with all applicable federal, state and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act, the California Labor Code, the San José Living Wage Policy, the San José Prevailing Wage Policy, and the San José Minimum Wage Ordinance.

City of San José, California

TITLE Wage Theft Prevention Policy	PAGE 4 of 5	POLICY NUMBER 0-44
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Final Judgments, Decisions, and Orders: For purposes of this Section, a “final judgment, decision, or order” refers to one for which all appeals have been exhausted or the time period to appeal has expired. Relevant investigatory government agencies include: the federal Department of Labor, the California Division of Labor Standards Enforcement, the City of San José Office of Equality Assurance, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws.

Prior Judgments against Contractor and/or its Subcontractors: BY SIGNING THIS AGREEMENT, CONTRACTOR AFFIRMS THAT IT HAS DISCLOSED ANY FINAL JUDGMENTS, DECISIONS OR ORDERS FROM A COURT OR INVESTIGATORY GOVERNMENT AGENCY FINDING – IN THE FIVE (5) YEARS PRIOR TO EXECUTING THIS AGREEMENT – THAT CONTRACTOR OR ITS SUBCONTRACTORS(S) HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONTRACTOR FURTHER AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) HAS SATISFIED AND COMPLIED WITH – OR HAS REACHED AGREEMENT WITH THE CITY REGARDING THE MANNER IN WHICH IT WILL SATISFY – ANY SUCH JUDGMENTS, DECISIONS OR ORDERS.

Judgments or Decisions During Term of Contract: If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that Contractor or an subcontractor it employs to perform work under this Agreement has violated any applicable wage and hour law, or Contractor learns of such a judgment, decision, or order that was not previously disclosed, Contractor shall inform the Office of Equality Assurance, no more than fifteen (15) days after the judgment, decision or order becomes final or of learning of the final judgment, decision or order. Contractor and its subcontractors shall promptly satisfy and comply with any such judgment, decision, or order, and shall provide the City’s Office of Equality Assurance with documentary evidence of compliance with the final judgment, decision or order within five (5) days of satisfying the final judgment, decision or order. The City reserves the right to require Contractor to enter into an agreement with the City regarding the manner in which any such final judgment, decision, or order will be satisfied.

City’s Right to Withhold Payment: Where Contractor or any subcontractor it employs to perform work under this Agreement has been found in violation of any applicable wage and hour law by a final judgment, decision or order of a court or government agency, the City reserves the right to withhold payment to Contractor until such judgment, decision or order has been satisfied in full.

City of San José, California

TITLE Wage Theft Prevention Policy	PAGE 5 of 5	POLICY NUMBER 0-44
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Material Breach: Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

Notice to City Related to Wage Theft Prevention: Notice provided to the City's Office of Equality Assurance as required under this Section shall be addressed to: Office of Equality Assurance, 200 East Santa Clara Street, 5th Floor, San José, CA 95113. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section."

In the event the contractor or subcontractor is in violation of the contract provisions above, the City should weigh the same factors set forth in Section 1 of this Policy to determine whether the City should terminate the contract or pursue some other remedy.

III. REVOCATION OF PERMITS, LICENSES AND REGISTRATIONS

Add an additional ground to Title 6.02.130 to deny, suspend or revoke a permit or license for permits issued under Title 6. The additional ground shall be for the failure to pay a court or final administrative action of an investigatory government agency for violating applicable wage and hours laws.

If the City receives complaints about Title 6 permittees regarding wage theft, the Office of Equality Assurance shall work with the City Attorney's Office and the department responsible for issuance of the permit or license to investigate the complaint to determine denial, suspension, or revocation of the permit or license until the wage judgment is satisfied.



City Clerk

CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street
San José, California 95113
Telephone (408) 535-1260
FAX (408) 292-6207

STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
CITY OF SAN JOSÉ

I, Toni J. Taber, City Clerk & Ex-Officio Clerk of the Council of and for the City of San José, in said County of Santa Clara, and State of California, do hereby certify that **Ordinance No. 29741**, the original copy of which is attached hereto, was passed for publication of title on the **24th day of May 2016**, was published in accordance with the provisions of the Charter of the City of San José, and was given final reading and adopted on the **June 7, 2016**, by the following vote:

AYES: CARRASCO, HERRERA, JONES, KALRA, KHAMIS, M. NGUYEN,
T. NGUYEN, OLIVERIO, PERALEZ, ROCHA; LICCARDO.

NOES: NONE.

ABSENT: NONE.

ABSTAINED: NONE.

Said ordinance is effective as of **July 8, 2016**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San José, this **13h day of June 2016**.

(SEAL)

TONI J. TABER, CMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/smd

Attachment: San Jose Ordinance No 29741 (1312 : Provide Direction Regarding Wage Theft Prevention Policy)

ORDINANCE NO. 29741

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 6.02.130 OF CHAPTER 6.02 OF TITLE 6 OF THE SAN JOSE MUNICIPAL CODE TO SPECIFICALLY AUTHORIZE THE DENIAL, SUSPENSION OR REVOCATION OF A PERMIT OR LICENSE BASED UPON VIOLATION OF WAGE AND HOUR LAWS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 6.02.130 of Chapter 6.02 of Title 6 of the San José Municipal Code is amended to read as follows:

6.02.130 Denial, Suspension or Revocation

- A. An application for a permit or license may be denied and a permit or license issued pursuant to this Title may be suspended or revoked by the department head upon any of the following grounds:
1. Conviction of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business, profession or trade for which the permit or license was issued;
 2. Conviction of a felony within the previous five (5) years;
 3. Conviction for commission of acts involving dishonesty, fraud, or deceit with the intent to substantially benefit the applicant or another, or substantially injure another;

4. Commission of acts which would constitute a felony or which would constitute a crime if the crime is substantially related to the qualifications, functions, or duties of the business, profession or trade for which the permit or license was issued;
5. Knowingly making a false statement of fact or omitting a fact required to be revealed in an application for the permit or license, or in any amendment or report or other information required to be made thereunder;
6. The premises in which the permitted or licensed activity will occur or the proposed use for which the permit or license is sought is in violation of any building, zoning, health, safety, fire, police or other provision of this Code or of county, state or federal law which substantially affects the public health, welfare or safety;
7. Violation of the terms and conditions of the permit or license or other requirements of this Code;
8. The applicant, licensee or permittee has owned or leased premises that have been the subject of an administrative, civil or criminal nuisance abatement action and court judgment or administrative determination finding the premises to be a nuisance within the past five (5) years;
9. Employment or otherwise contracting for the services of a manager whose ownership/management application or license has been denied or revoked;
10. The holding of any ownership interest of more than ten percent (10%) of a business, other than a publicly traded corporation, by any person

whom the department head has not approved through any applicable ownership/management application procedure;

11. Failure to pay any disturbance response fee imposed pursuant to Section 6.02.310;
 12. A prior permit or license application has been denied by the city or any state, county or local agency on one or more of the grounds provided in this Section 6.02.130 within five (5) years prior to the date of the current application;
 13. A permit or license issued by the city or any state, county or local agency has been revoked or suspended within the past five (5) years;
 14. The licensee or permittee has conducted the licensed or permitted business in a manner that creates or results in a public nuisance, as defined in Section 1.13.050 of this Code or Sections 3479 and 3480 of the California Civil Code, on or within one hundred fifty (150) feet of the licensed or permitted premises;
- B. Notwithstanding subsection (a) of Section 6.02.010, any application for a permit or license may be denied and a permit or license issued pursuant to this Title may be suspended or revoked by the department head if the licensee or permittee fails to comply with a final court order or administrative action of an investigatory agency finding a violation of applicable federal, state and local wage and hour laws, including but not limited to, the Federal Fair Labor Standards Act, the California Labor Code, and any local Minimum Wage Ordinance or living and prevailing wage requirements. For purposes of this subsection, a final court order or administrative action is one as to which there

RD:JAC:LCP
5/27/2016

ORD NO 29741

is either no pending appeal or the time for filing an appeal has passed and no appeal was filed.

PASSED FOR PUBLICATION of title this 24th day of May, 2016, by the following vote:

AYES: CARRASCO, HERRERA, JONES, KALRA, KHAMIS,
M. NGUYEN, T. NGUYEN, OLIVERIO, PERALEZ,
ROCHA; LICCARDO.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



SAM LICCARDO
Mayor

ATTEST:



TONI J. TABER, CMC
City Clerk

From: [D. Muirhead](#)
To: [Angie Gonzalez](#); [Michelle Wilson](#)
Subject: Morgan Hill City Council Meeting June 28, 2017 Item #2: Server and Storage Replacement
Date: Sunday, June 25, 2017 12:26:18 PM

Dear Morgan Hill City Council,

Comments for the Public Record submitted by
Doug Muirhead, a resident of Morgan Hill, for:
Morgan Hill City Council
Meeting June 28, 2017
Item #2: Server and Storage Replacement

Thank you for your consideration,
Doug Muirhead, Morgan Hill

Item #2: Server and Storage Replacement

I see three defects in this staff report:

- 1) Referring to a City Computer Purchasing Policy
which is not publicly available
- 2) Lack of detail in Bid evaluations
for independent assessment by public
- 3) Wrong level of Community Engagement

- 1) Referring to a "City Computer Purchasing Policy"
which is not publicly available

This policy is not included in the agenda packet, is not findable on the City web site, and was not included as part of the RFP.

This report is an improvement over the one which approved the purchase of 57 replacement computers on September 17, 2014, which did not refer to the "City Computer Purchasing Policy".

You should provide this policy as a supplement, preferably in advance of the Council meeting.

For a brief period of time several months ago, we received agenda notice updates telling us of the addition of supplements.

And as you know, by using the minimum Brown Act posting requirement, there is insufficient time to get a response to a Public Records Request.

- 2) Lack of detail in Bid evaluations
for independent assessment by public

The staff report narrative says:

After review of all bids, the top proposal was selected based on

- 1) price, 2) experience and capability to perform,
- 3) compliance with bid specifications, 4) compliance with service level agreements, 5) bid storage capacity, 6) expected performance of solution,
- 7) expandability and support options, 8) delivery time, 9) connectivity options, and 10) exceptions to bid specifications and consulting agreements.

All bidders met the bid specifications and are considered equally qualified.

But we only see dollar totals for Hardware, Software, and Support.

Were all bidders equal in all categories, or where there higher scores for some and lowers scores for others in different categories such that staff judgement was needed to determine all are equally qualified?

3) Wrong level of Community Engagement

I disagree that Community Engagement is Not Applicable.

With the recent [overblown] concern about flooding from an Anderson Dam failure, disaster recovery is an important message from the City.

The staff report narrative says an important part of the solution should be:

- increase availability and reduce potential recovery time for access to City applications and information during emergencies and disasters

I know that our Office of Emergency Services participates in exercises at the County level. What exercises does the City do? How will you test the modularity and physical relocation of these new server modules?

Community Engagement should be at least Inform.



Morgan Hill City Council Districting 2017

Criteria and Process

June 28, 2017

Justin Levitt, Vice-President
Douglas Johnson, President
National Demographics Corporation (NDC)

CVRA Background

2

- CVRA was signed into law by Gov. Gray Davis in 2002
 - ▣ Changed voting rights standards to make it much easier for plaintiffs
- Switched (or in the process of switching) as a result of CVRA:
 - ▣ At least 145 school districts
 - ▣ 28 Community College Districts
 - ▣ 55 cities
 - ▣ 1 County Board of Supervisors
 - ▣ 8 water and other special districts.
- Key decisions & settlements
 - ▣ Only Palmdale has gone to trial on the merits (the city lost)
 - ▣ Key settlements:
 - Palmdale: \$4.7 million
 - Modesto: \$3 million
 - Highland: \$1.3 million
 - Anaheim: \$1.1 million
 - Whittier: \$1 million
 - Santa Barbara: \$600,000
 - Tulare Hospital: \$500,000
 - Merced City: \$42,000
 - Placentia: \$20,000

Proposed Timeline

3

Date	Event
June 21	Public Hearing to take testimony on the composition of potential districts
June 28	Public Hearing to take testimony on the composition of potential districts
July 10 (Monday)	Public Forum
July 17	<i>(no meeting)</i> Deadline for initial public map submissions
July 19	<i>(no meeting)</i> Draft maps (including public submissions) published.
July 26	Public Hearing regarding the content of the draft map or maps and the proposed sequence of elections
August 16	<i>(no meeting)</i> Deadline to post map(s) for action Aug. 23
August 23	Public Hearing regarding the content of the draft map or maps and the proposed sequence of elections Possible Introduction of Ordinance
September 6	Introduction (if needed) or 2 nd reading of Ordinance
November 2018	First two Council districts hold elections
November 2020	Remaining two Council Districts hold elections

Proposed Criteria

4

Federal Laws

- ☐ Equal Population
- ☐ Federal Voting Rights Act
- ☐ No Racial
Gerrymandering



Traditional Criteria

- ☐ Communities of interest
- ☐ Compact
- ☐ Contiguous
- ☐ Visible (Natural & man-made) boundaries
- ☐ Respect for voters' wishes and continuity in office
- ☐ Planned future growth



5

Demographic Summary

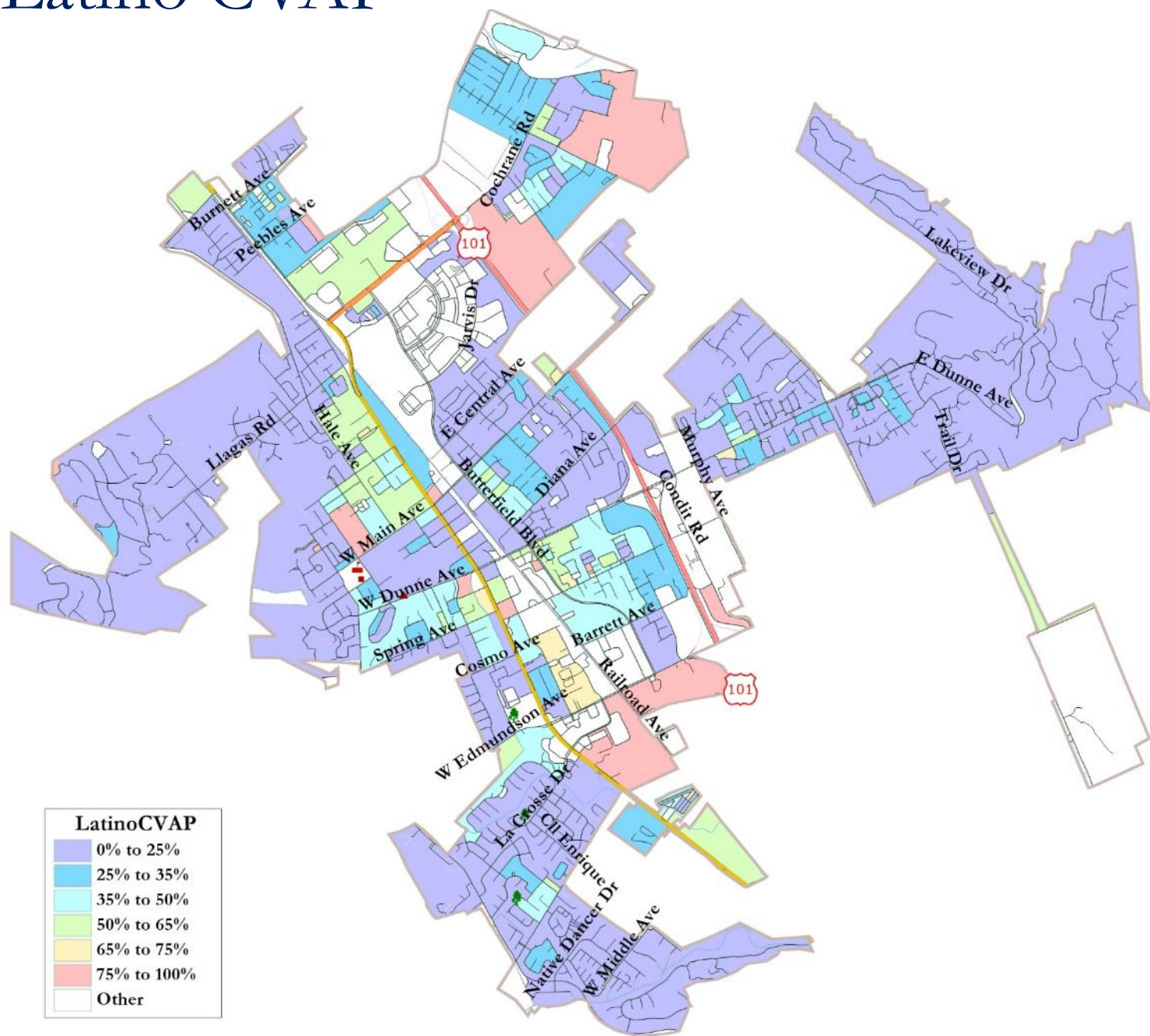
Each of the four Council districts will have about 9,500 residents.

All of these data categories can be mapped.

Race/Ethnic Profile	Count	Percent	ACS Profile	Count	Percent
Total Population	37,882		ACS Total Population	40,095	6%
Latino	12,863	34%	Age 0 - 19	11,517	29%
NH White	19,073	50%	Age 20 - 60	21,380	53%
NH Black/African-American	812	2%	Age 60+	7,198	18%
NH Native American	289	1%			
NH Asian-American	4,328	11%	Immigrant	7,607	19%
NH Pacific Islander	160	0%	Naturalized (pct of total immigrants)	4,146	54%
NH Other	117	0%	Age 5+	37,419	
NH Multi-Race	240	1%	Speak English at home	25,998	69%
Voting Age Population total	27,044		Speak Spanish at home	7,718	21%
VAP Latino	8,151	30%	Speak an Asian language at home	1,901	5%
VAP NH White	14,780	55%	Speak other language at home	1,802	5%
VAP NH Black/African-American	548	2%	Speak English only "well" or less	3,984	11%
VAP NH Native American	217	1%	Age 25+	25,944	
VAP NH Asian-American	3,028	11%	Age 25+, no HS degree	3,011	12%
VAP NH Pacific Islander	112	0%	Age 25+, HS degree (only)	13,243	51%
VAP NH Other	75	0%	Age 25+, bachelor degree (only)	5,929	23%
VAP NH Multi-Race	133	0%	Age 25+, graduate degree (only)	3,761	14%
Citizen VAP total	26,648		Households	13,241	
CVAP Latino	6,917	26%	Child under 18 in Household	4,837	37%
CVAP NH White	15,731	59%	Income \$0-25k	1,937	15%
CVAP NH African-American	967	4%	Income \$25-50k	1,880	14%
CVAP NH Asian & Pacific Islander	2,715	10%	Income \$50-75k	1,631	12%
CVAP Other	318	1%	Income \$75-200k	5,496	42%
Voter Registration (Nov. 2014)	19,806		Income \$200k+	2,298	17%
Latino Reg	4,156	21%	Housing units	13,565	
Asian-Surnamed Reg.	1,232	6%	Single-Family	11,159	82%
Filipino-Surnamed Reg.	293	1%	Multi-Family	2,406	18%
Est. NH White Reg.	12,985	66%	Vacant	324	2%
Est. African-Amer. Reg	633	3%	Occupied	13,241	98%
Democratic Reg.	7,925	40%	Rented	3,917	30%
Republican Reg.	6,311	32%	Owned	9,324	70%
Other/No Party Reg.	5,570	28%			
Voters Casting Ballots (Nov. 2014)	9,588	48%	Voters Casting Ballots (Nov. 2012)	15,968	63%
Latino voters	1,489	16%	Latino voters	3,125	20%
Asian-Surnamed voters	529	6%	Asian-Surnamed voters	882	6%
Filipino-Surnamed voters	116	1%	Filipino-Surnamed voters	192	1%
Est. NH White voters	6,884	72%	Est. NH White voters	10,807	68%
Est. African-Amer. Reg	323	3%	Est. African-Amer. Reg	524	3%
Democratic voters	3,913	41%			
Republican voters	3,456	36%			
Other/No Party voters	2,220	23%			

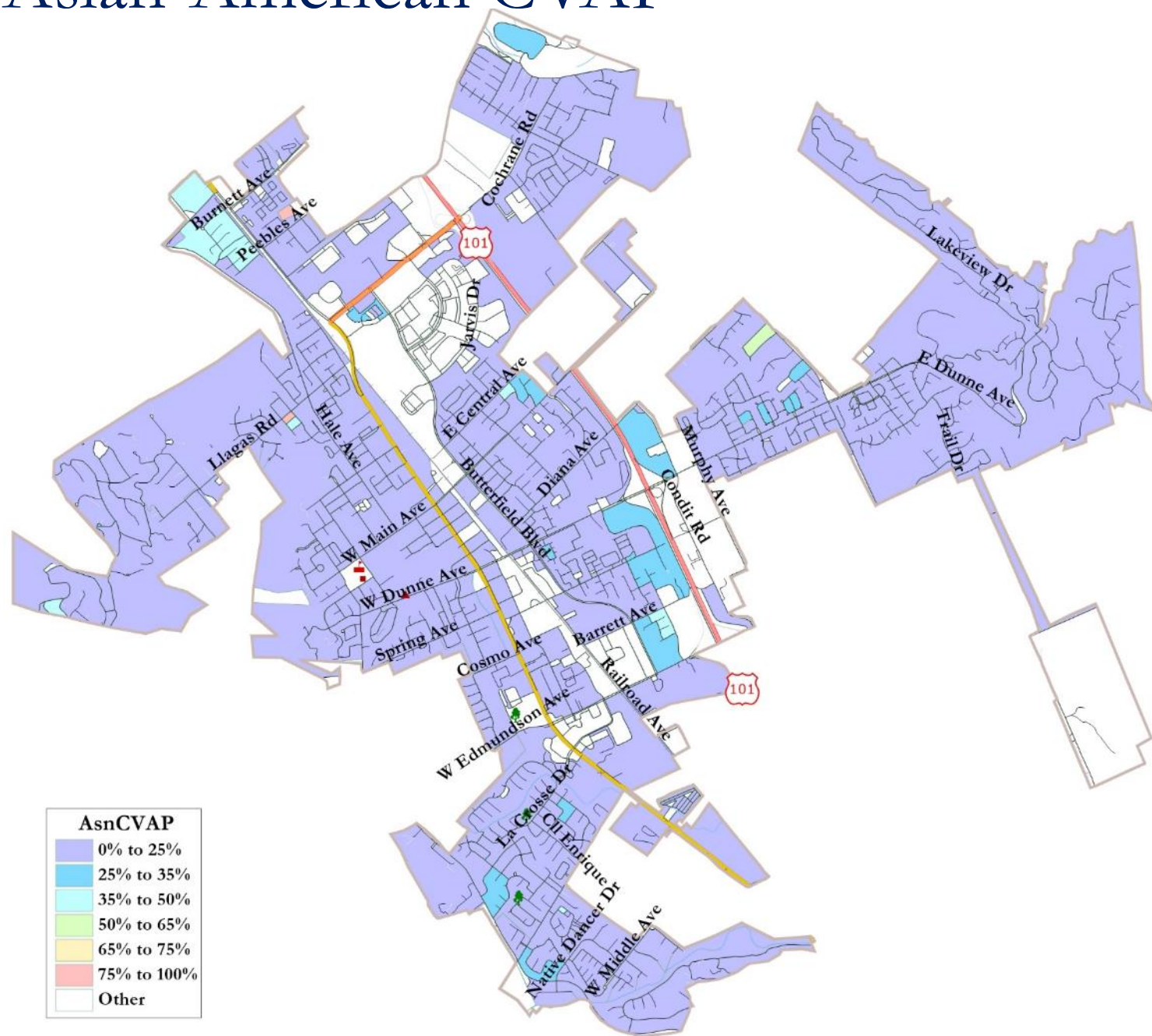
Latino CVAP

6



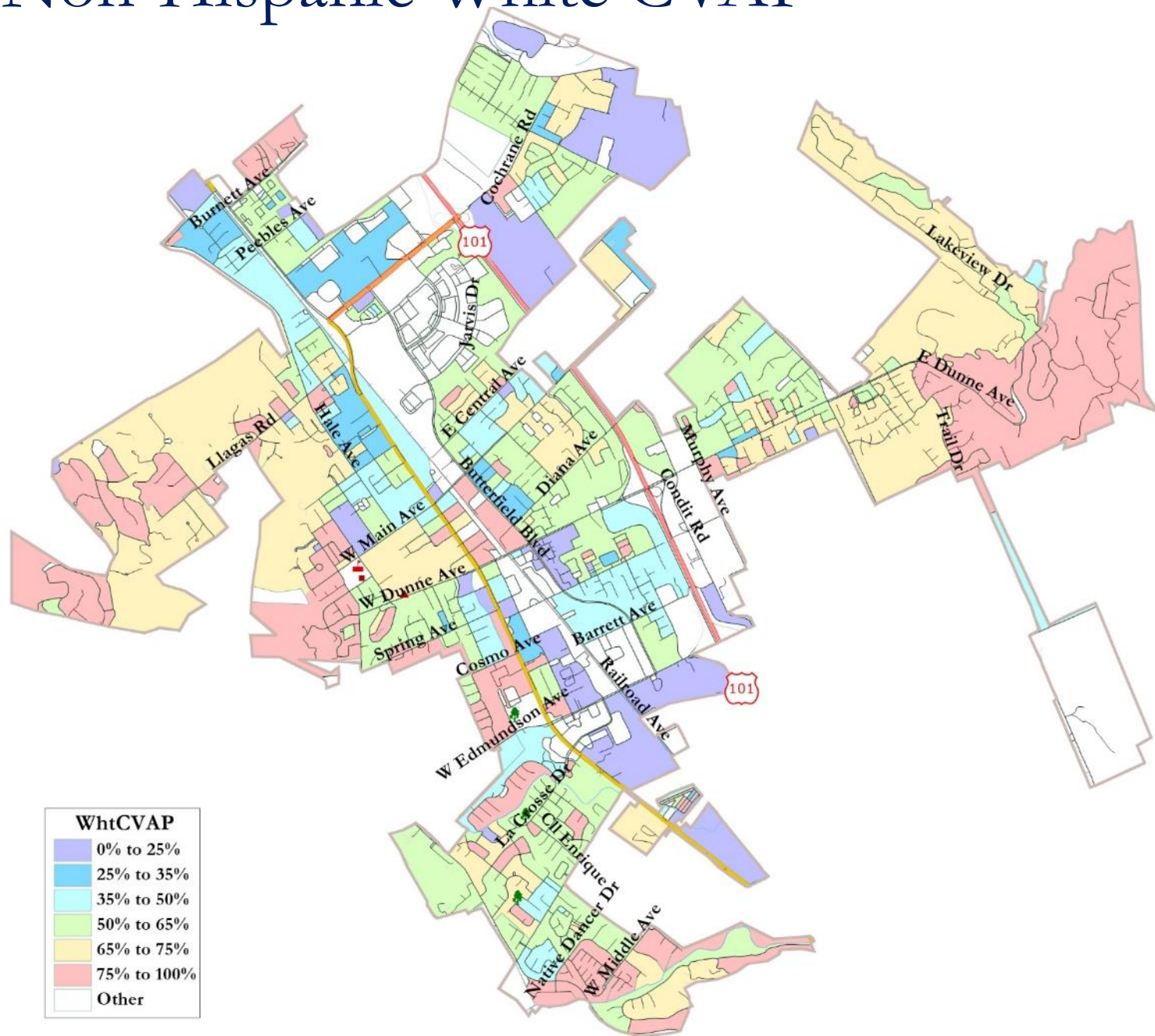
Asian-American CVAP

7



Non-Hispanic White CVAP

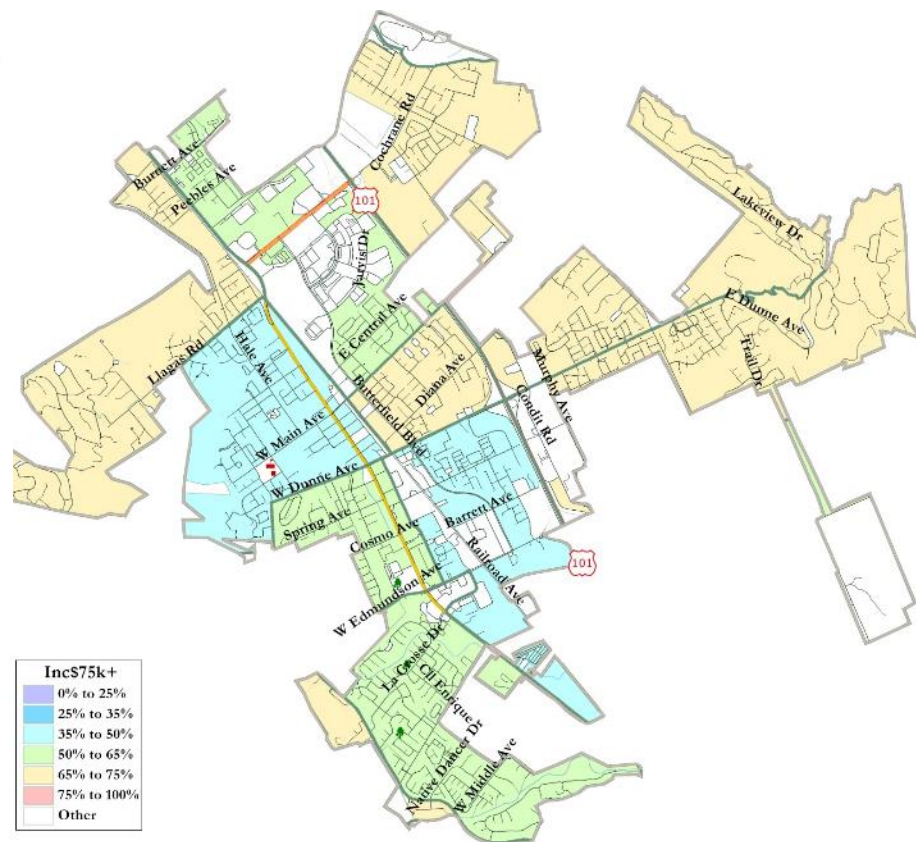
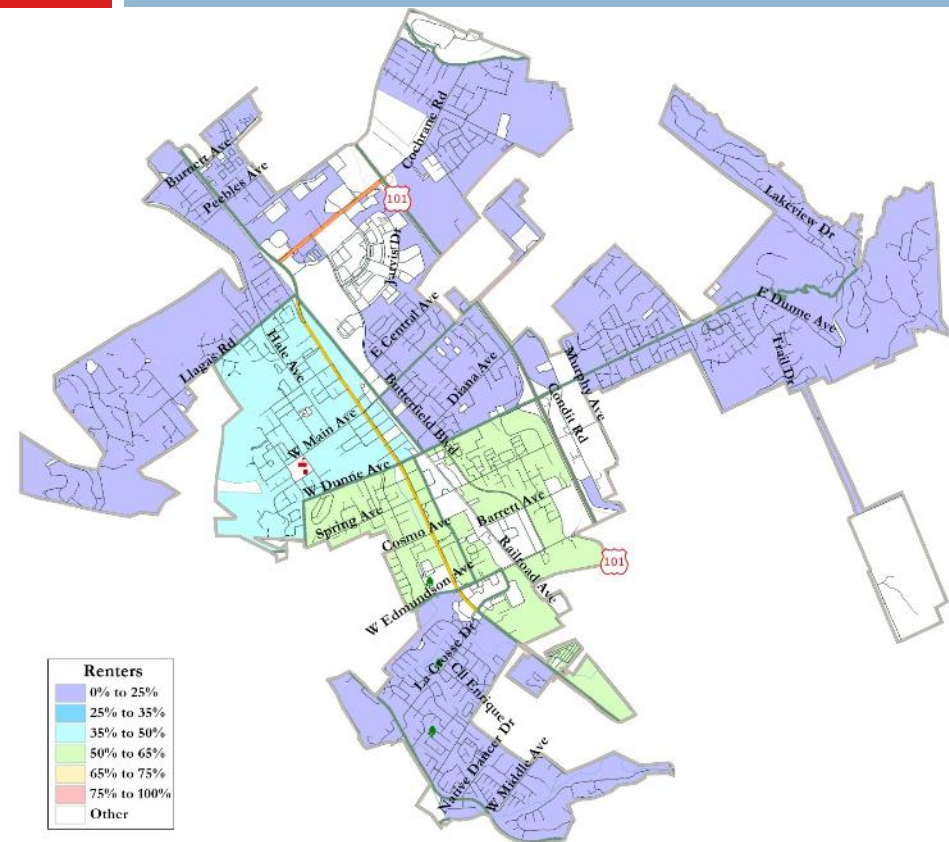
8



Renters & Income Levels

9

ACS data available at the larger 'census tract' level only (shown with green borders).



Defining Communities of Interest

10

1st Question: what is your neighborhood or community of interest?

A Community of Interest is generally defined as a neighborhood or community of shared interests, views, problems, or characteristics.

Possible community feature/boundary definitions include:

- ☐ School attendance areas
- ☐ Natural neighborhood dividing lines, such as highway or major roads, rivers, canals, and/or hills
- ☐ Areas around parks and other neighborhood landmarks
- ☐ Common issues, neighborhood activities, or legislative/election concerns
- ☐ Shared demographic characteristics
 - ☐ Such as similar levels of income, education, or linguistic isolation

2nd Question: Does a Community of Interest want to be united in one district, or to be divided to have a voice in multiple elections?



Council-resident Census Blocks

11



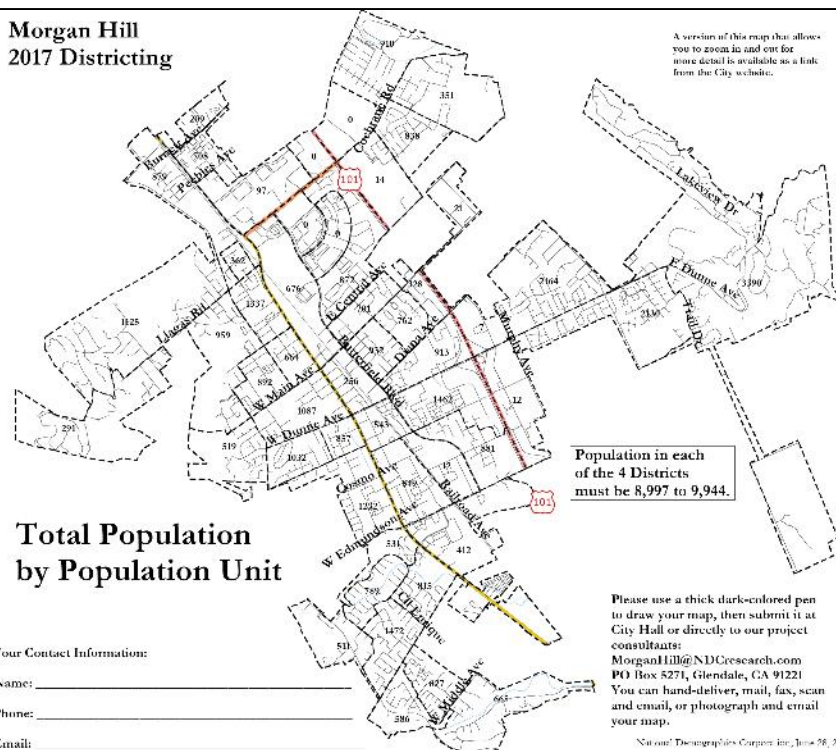
Placing two Councilmembers in the same district removes the voters' power to decide which Councilmembers deserve re-election.

Map-Drawing Tools

12

- Use the paper map, the online tool, or any other map
- Draw your neighborhood; draw the district you want for your area; or draw an entire citywide map

Morgan Hill
2017 Districting



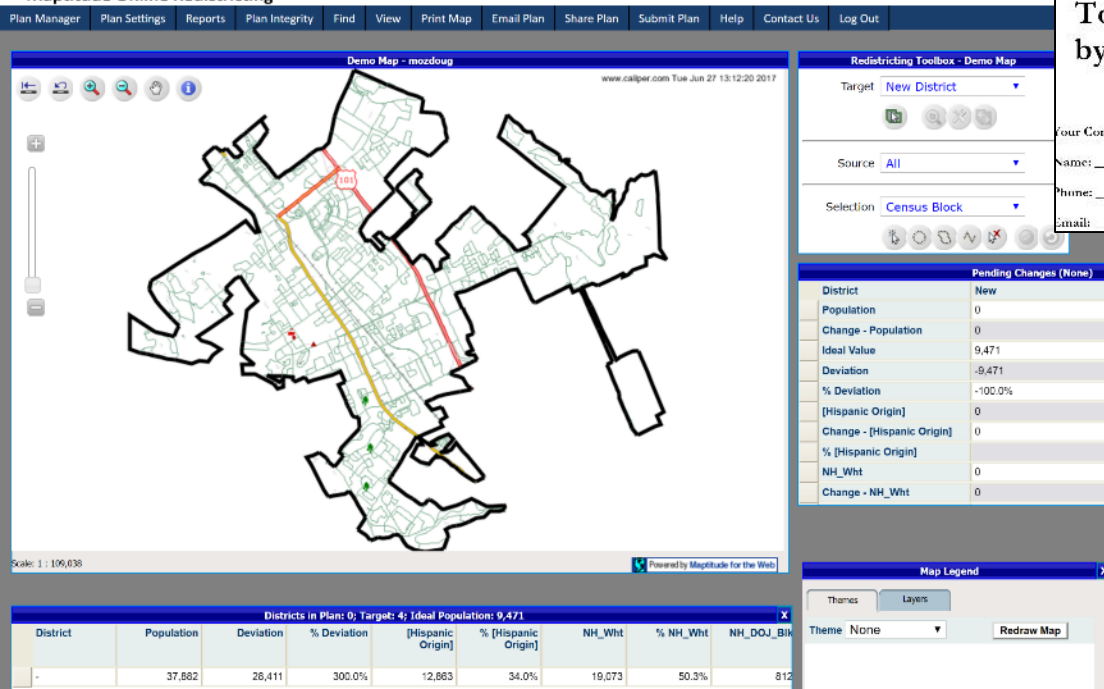
Total Population
by Population Unit

Your Contact Information:

Name: _____
Phone: _____
Email: _____

Tools are available at
www.DrawMH.org

Maptitude Online Redistricting





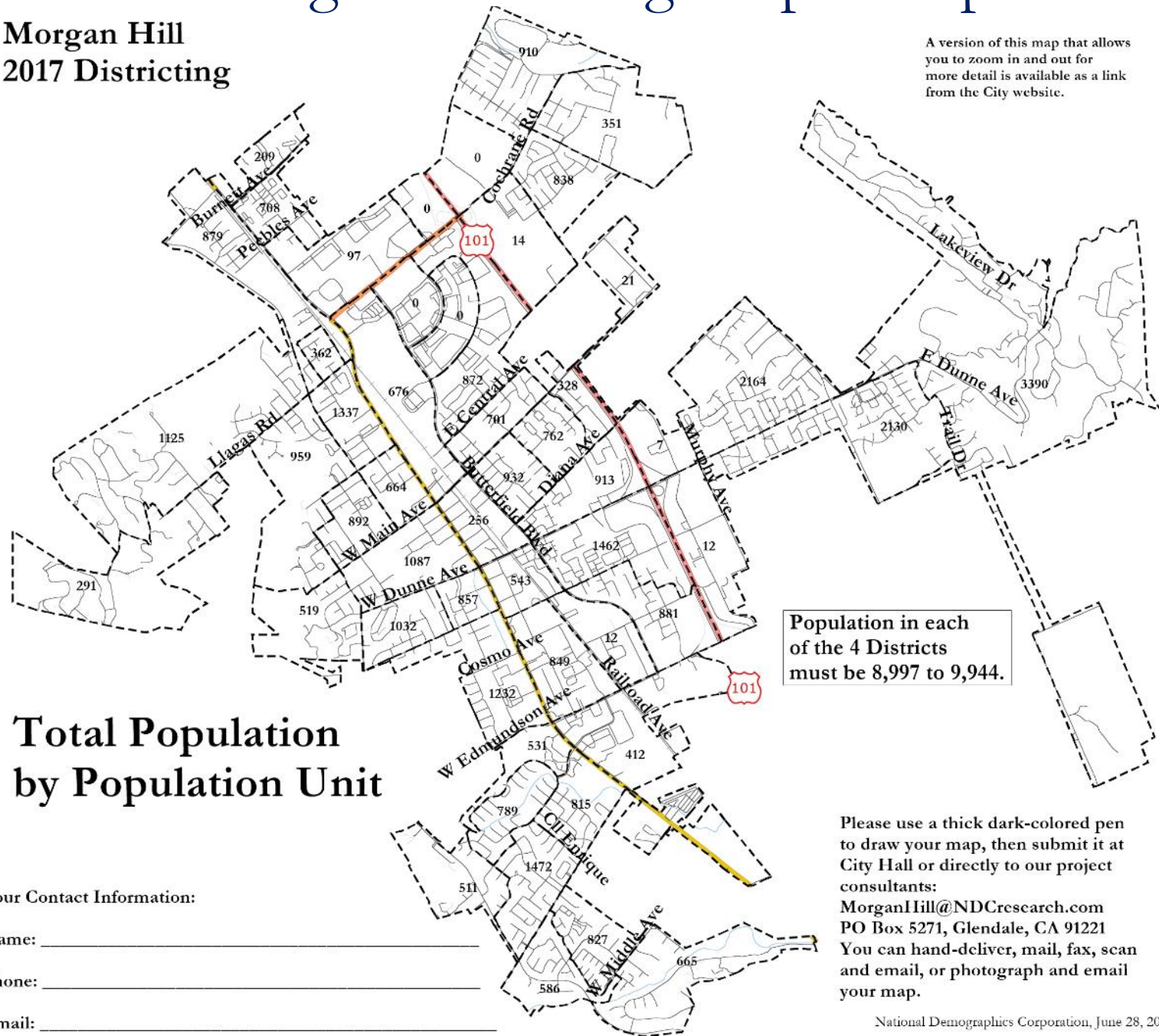
National Demographics Corporation

Morgan Hill 2017 Districting

13

Using the One-Page Paper Map

A version of this map that allows you to zoom in and out for more detail is available as a link from the City website.



Total Population by Population Unit

Our Contact Information:

Name: _____

Phone: _____

Email: _____

Population in each
of the 4 Districts
must be 8,997 to 9,944.

Please use a thick dark-colored pen to draw your map, then submit it at City Hall or directly to our project consultants:
MorganHill@NDCresearch.com
PO Box 5271, Glendale, CA 91221
You can hand-deliver, mail, fax, scan and email, or photograph and email your map.

Using the online tool

14

Tutorials and help resources are available from the login page.

Circled items:

- 1: controls to move around the map;
- 2: choose into which district selected territory will be placed;
- 3: options for how to select territory;
- 4: demographic summary of districts;
- 5: demographic change of currently selected area;
- 6: review map when finished;
- 7: submit map.

Access Your Online Redistricting Plans

Login with your user name and password Log In

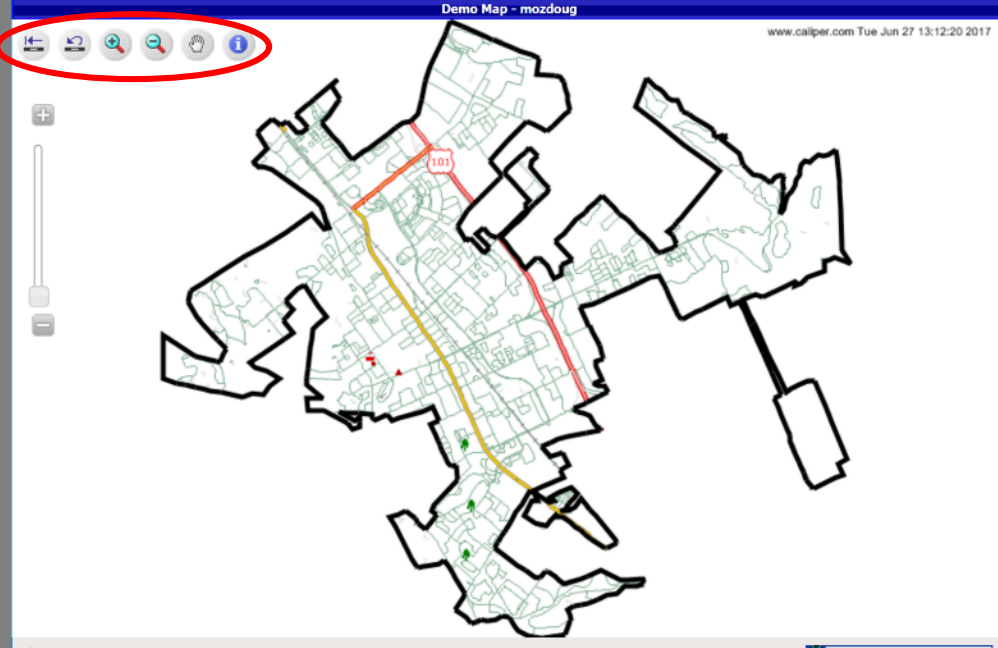
[New user](#) | [Forgot password](#) | [Contact Us](#)

[Need Help?](#) | [Quick Start Guide](#) | [Short Training Videos](#) | [Online Manual](#)

Maptitude Online Redistricting

Plan Manager | Plan Settings | Reports | Plan Integrity | View | Print Map | Email Plan | Share | Submit Plan | Help | Contact Us | Log Out

Demo Map - mozdoug



Scale: 1 : 109,038

Redistricting Toolbox - Demo Map

Target: New District

Source: All

Selection: Census Block

Pending Changes (None)

District	New
Population	0
Change - Population	0
Ideal Value	9,471
Deviation	-9,471
% Deviation	-100.0%
[Hispanic Origin]	0
Change - [Hispanic Origin]	0
% [Hispanic Origin]	0
NH_Whit	0
Change - NH_Whit	0

Districts in Plan: 0; Target: 4; Ideal Population: 9,471

District	Population	Deviation	% Deviation	[Hispanic Origin]	% [Hispanic Origin]	NH_Whit	% NH_Whit	NH_Doj_Bik
-	37,882	28,411	300.0%	12,863	34.0%	19,073	50.3%	812

Using the Excel tool

15

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y
1	Dist	Pop	Total Population					Voting Age Population					Citizen Voting Age Population					Nov. 2014 Registration				Nov. 2014 Voters			
2	(A-D)	Unit	Tot. Pop.	Hisp	Whr	NH Blk	NH Asa	total	Hisp	Whr	NH Blk	NH Asa	tot	Hisp	Whr	NH Blk	NH Asa	tot	latiao	asa	fil	tot	latiao	asa	fil
3		1	910	223	421	27	214	559	103	291	12	140	830	249	462	26	38	460	68	55	6	206	22	25	4
4		2	351	116	123	8	89	242	86	88	4	53	386	219	140	9	12	266	43	39	3	123	16	14	1
5		3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13	3	1	1	6	1	0	1
6		4	838	139	354	19	307	533	84	233	14	190	666	214	370	31	44	388	58	61	4	178	23	22	2
7		5	14	2	7	0	1	11	2	7	0	1	16	5	11	0	0	56	8	9	1	26	3	3	0
8		6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	1	0	0	3	1	0	0
9		7	97	57	35	2	3	72	33	35	1	3	61	20	36	3	3	28	8	1	1	14	3	0	0
10		8	209	25	177	3	2	204	24	173	3	2	200	15	176	8	2	354	104	10	11	178	42	4	4
11		9	708	374	261	12	48	531	257	219	8	35	451	155	223	20	39	101	30	3	3	51	12	1	1
12		10	879	294	264	13	298	597	184	188	10	208	586	116	228	31	208	323	69	39	7	141	30	12	2
13		11	1,125	226	729	19	116	853	137	585	15	91	945	87	709	46	91	671	107	35	7	340	43	18	4
14		12	291	40	206	9	25	240	26	177	9	17	257	27	194	12	18	216	19						
15		13	362	109	185	8	55	273	74	149	6	40	286	47	181	19	40	188	52						
16		14	959	220	559	26	129	760	151	471	19	100	606	87	433	0	88	116	119						
17		15	1,337	841	328	28	105	888	512	258	19	76	921	454	378	10	75	816	212						
18		16	676	381	168	38	71	113	225	135	26	52	421	151	161	46	86	263	91						
19		17	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0						
20		18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24	8					
21		19	872	173	541	15	131	584	108	374	9	83	567	65	380	23	91	487	86						
22		20	21	9	9	0	1	16	5	9	0	1	15	3	9	0	1	3	0						
23		21	328	117	153	11	31	229	71	118	6	21	240	65	126	23	13	171	40						
24		22	701	183	333	29	147	484	114	244	18	102	478	69	248	46	115	373	65						
25		23	762	194	481	2	70	523	119	341	1	51	532	123	365	1	32	378	89						
26		24	932	403	434	24	49	646	258	318	17	38	703	264	341	65	24	571	131						

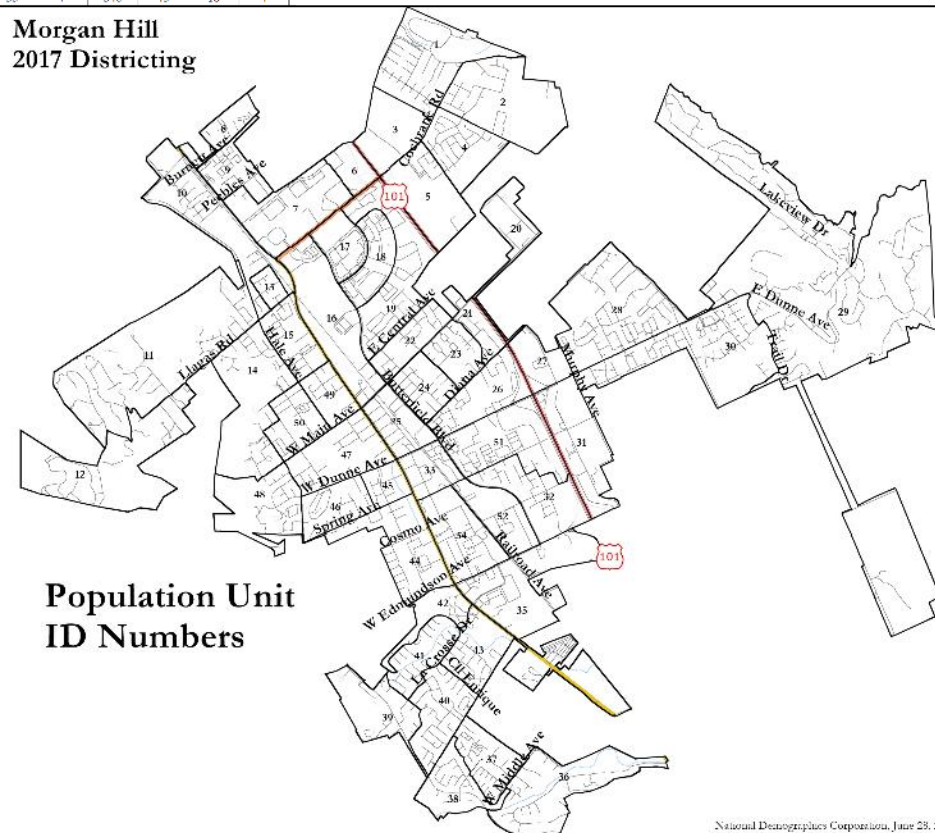
Morgan Hill
2017 Districting

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Enter the district letters in the highlighted column, and Excel will calculate the resulting demographic changes.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Sums by District Assigned		Ideal population:		9,471									
2	City of Morgan Hill 2017 Public Participation Kit													
3	enter your name here													
4														
5														
6	Group	Category	A	B	C	D	Unassigned	Total	A	B	C	D	Unassigned	Total
7		Tot. Pop.	0	0	0	0	37,882	37,882						
8		Deviation from Ideal	-9,471	-9,471	-9,471	-9,471	0	0	-100%	-100%	-100%	-100%		100%
9	Total Population	Hisp	0	0	0	0	12,863	12,863	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	34%	34%
10		NH Whi	0	0	0	0	19,073	19,073	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	50%	50%
11		NH Blk	0	0	0	0	812	812	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	2%	2%
12		NH Asa	0	0	0	0	4,328	4,328	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	11%	11%
13		Total VAP	0	0	0	0	27,044	27,044	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	79%	90%
14	Voting Age Population	Hisp	0	0	0	0	8,151	8,151	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	30%	30%
15		NH Whi	0	0	0	0	14,780	14,780	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	53%	53%
16		NH Blk	0	0	0	0	548	548	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	1%	2%
17		NH Asa	0	0	0	0	3,028	3,028	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	8%	11%
18	Citizen Voting	Total CVAP	0	0	0	0	26,648	26,648	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	18%	36%
19		Hisp	0	0	0	0	6,917	6,917	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	42%	49%
20	Age Population	NH Whi	0	0	0	0	15,731	15,731	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	3%	4%
21		NH Blk	0	0	0	0	967	967	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	7%	10%
22		NH Asa	0	0	0	0	2,552	2,552	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		
23	Total Reg.		0	0	0	0	19,806	19,806	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		
24	Nov. 2014	Latino	0	0	0	0	4,156	4,156	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	11%	21%
25	Registration	Asian American	0	0	0	0	1,232	1,232	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	3%	6%
26		Filipino	0	0	0	0	293	293	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	1%	1%
27	Nov. 2014	Total Voters	0	0	0	0	9,568	9,568	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	4%	16%
28		Latino	0	0	0	0	1,489	1,489	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	1%	6%
29	Voters	Asian American	0	0	0	0	529	529	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		

Morgan Hill 2017 Districting



Discussion

16

1. What are the boundaries of your neighborhood or “community of interest”?
2. Do you want your neighborhood united in one district, or with multiple Councilmembers elected from it?
3. What neighborhoods do you think make sense to be with your neighborhood in a district or districts because of common city issues?
4. What other “communities of interest” do you see in the City?
5. Any questions about any of the map-drawing tools?





City of Morgan Hill 2017 Transition to City Council District Elections Tentative Public Meeting Schedule

**Calendario de reuniones en español están en la mesa por la
entrada**

Date	Public Meeting	Purpose
June 21, 2017 7:00PM City Council Chamber	City Council Meeting/ Public Hearing #1	Initial Council discussion of process and outreach. First public hearing to gather public input regarding the design of potential draft maps.
June 28, 2017 7:00PM City Council Chamber	City Council Meeting/ Public Hearing #2	Public hearing to gather input regarding the design of potential draft maps and map drawing criteria. Demonstration of and Q&A regarding, map-drawing tools.
July 10, 2017 7:00PM City Council Chamber	Community Workshop	Public forum discussion of process and map-drawing criteria. Demonstration of, and Q&A regarding, map-drawing tools.
July 17, 2017	No meeting	Deadline to submit draft maps

Date	Public Meeting	Purpose
July 26, 2017 5:30 p.m. City Council Chamber	Council Workshop	Council review of draft maps and district options. Public forum discussion of draft maps.
July 26, 2017 7:00PM City Council Chamber	City Council Meeting/ Public Hearing #3	Presentation of draft maps. Public hearing to gather public input regarding the draft maps and election sequencing.
August 23, 2017 7:00PM City Council Chamber	City Council Meeting/ Public Hearing #4	Public hearing and Council vote to introduce ordinance (including selection of a map and election sequence).
September 6, 2017 7:00PM City Council Chamber	City Council Meeting	Second reading of and final adoption of ordinance.

From: [D. Muirhead](#)
To: [Angie Gonzalez](#); [Michelle Wilson](#)
Subject: Morgan Hill City Council Meeting June 28, 2017 Item #13: District Elections
Date: Monday, June 26, 2017 9:40:55 PM

Dear Morgan Hill City Council,

Comments for the Public Record submitted by
Doug Muirhead, a resident of Morgan Hill, for:
Morgan Hill City Council
Meeting June 28, 2017

Item #13: District Elections

On June 7, you publicly responded to the Demand for Compliance,
which claimed racially polarized voting.

The June 21 public hearing to gather public input was severely
constrained by lack of background information on what is legal
and what are illegal criteria to define electoral districts.
Nor were any demographic data (such as US Census) available.
If I try to draw a district election map, I would probably want
districts for older residents, apartment dwellers, and older/mature
neighborhoods to balance the business areas and newer large-home
subdivisions.

You have been exhorting us to participate but neither education
nor tools have been provided. It appears that you will address
some of this with the NDC presentation on June 28:

- Discussion of traditional line-drawing criteria,
what is a "community of interest"
- Demonstration of public input tools, including interactive
review map and the online mapping tools.

I will have to see how clear the presentation is when viewed online
and how clear the material is on DrawMH.org (currently no material).

What support will the City provide to answer questions on criteria
and tool use between June 28 and the Community Workshop on July 10?

Some data I would like to see are County Registrar of Voters past voter
turnout by precinct represented by a heat map. While I found the
suggestion on east/west bands to partition the City by the Gavilan
Trustee to be easy to understand, I wonder if a second north/south
partitioning of the heat map would show much higher turnout in all
proposed districts in one or two north/south bands. This could negate
the assumed benefit of the east/west "include a bit of everything"
districts.

The NDC Proposed Scope of Work mentions "public participation kits"
with Microsoft Excel and interactive online supplements. I would like
all software to be vendor and browser neutral (I run Firefox on Linux).
But if you won't do that, you should assure that all functions work
on City public computers in the CRC and Library.

I see that "utilize all our communication channels" includes

the City Bulletin Board on Channel 17. Thank you for that.

Thank you for your consideration,
Doug Muirhead, Morgan Hill

Shareholders
Linda M. Dardarian
Laura L. Ho



Of Counsel
Barry Goldstein
David Borgen
Morris J. Baller

June 19, 2017

Donald A. Larkin
City Attorney
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Via USPS and E-mail
donald.larkin@morganhill.ca.gov

Re: Morgan Hill City Council Election System From At-Large To By-District System

Dear Mr. Larkin:

We understand that the City Council has placed on its agenda for the June 21 meeting, and is seriously considering, a staff recommendation to carry out the Resolution it adopted on June 7, 2017 (referenced in your email below) by implementing a new election system that would include elections in four districts, with candidates and Council members from those districts required to be residents of their district, plus a mayor elected at-large. This letter is sent in an effort to dissuade the Council from adopting such an ill-advised system.

My clients – Armando Benavidez, Sally Casas, and Brenda Cayme, all of whom are Latino/a residents and registered voters of Morgan Hill – would not accept the adoption of a hybrid 4-1 system as Morgan Hill's election system for the future or as sufficient response to the demand letter dated May 2, 2017, which is the admitted impetus for the Council's actions.

Under Elections Code section 14026(a)(3) [defining at-large election system as "One which combines at-large elections with district-based elections"], a system of the type under consideration by the Council would clearly constitute an "at-large method of election" for purposes of the CVRA, and one therefore subject to the prohibition of section 14027 and the private right of action and remedies prescribed in sections 14028-14030. And, while court decisions applying these provisions to hybrid systems under the CVRA are scarce or non-existent, there is strong authority under the analogous provisions of Section 2 of the federal Voting Rights Act supporting the invalidation of such hybrid systems where the other requirements of the cause of action are met, as they would be in this case for the reasons spelled out in the demand letter. See, *Dillard v. Crenshaw County*, 831 F.2d 246 (11th Cir. 1987); and *United States v. Marengo County Commission*, 643 F.Supp. 232 (S.D. Ala. 1986). The *Dillard* decision specifically considered and rejected, as not providing sufficient justification for the at-large election of a mayor in a hybrid system in Calhoun County, the county involved in that appeal, arguments very similar to those you made in our telephone conversation last week. Like Calhoun County, the position of mayor of Morgan Hill does not carry with it singular legislative authority or other executive powers significantly distinct from those of other council members, and there is no basis in the CVRA for distinguishing between "weak" and "strong" mayor positions when elected at-large. Moreover, as you acknowledged in our call, the mayor position

in Morgan Hill cannot in any event be considered a true "strong" mayor. Thus, the plaintiffs' proofs and the City's defenses in any litigation under the CVRA would necessarily involve all of the elements of any CVRA action; and any such litigation would be a long and costly process which, according to the resolution passed on June 7 and the Staff Report in the Agenda Meeting Packet for the June 21 Council meeting, the Council wishes to avoid.

We therefore strongly urge the Council, at its June 21 meeting, to reject that aspect of the staff's recommendation which recommends creation of a 4-1 hybrid election system (Packet page 269) and consider, instead, as an Alternative Action (Packet page 270) adoption of a five-member district election plan. The Council should also direct NDC, its chosen consultant, to develop and propose fair and non-discriminatory maps for a five-district system for the Council's, and the public's, further consideration. We and our clients would accept a resolution embodying such a system and providing for its fair and non-discriminatory implementation as a sufficient response to the demand letter.

Should you wish to discuss this matter further, please call me at (510) 287-4320. Thank you for your consideration of this important matter.

Sincerely,


Morris J. Baller
Of Counsel

MJB/mjb

cc:

Robert Rubin
(robertrubinsf@gmail.com)

URBAN HOUSING COMMUNITIES (UHC)

- Potential Affordable Housing Community, 39 units
- Potential partnerships with the County of Santa Clara, Measure A
- Recommendation: conditional funding \$750,000

NORTHEAST CORNER OF MONTEREY AND BISCEGLIA AVENUE, 1.6 ACRE



NORTHEAST CORNER OF MONTEREY AND BISCEGLIA AVENUE







MORGAN HILL
California

Pavement Management Update

June 28, 2017

AMS CONSULTING

ASSET | MANAGEMENT | SPECIALISTS

Robert Estimo, Project Manager



- Systematic process of maintaining, upgrading and operating a network of pavements.
- City uses the Metropolitan Transportation Commission (MTC) StreetSaver Online Software.
 - What do we own and maintain?
 - What is the condition?
 - What repairs are needed and when?
 - How much money is required to maintain or improve our pavements cost-effectively?



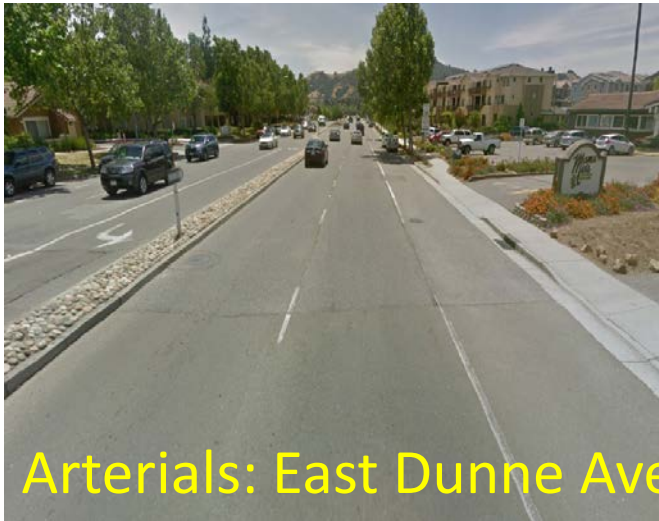


- MTC provides technical and financial aid to cities and counties seeking to improve and maintain their local street and road networks.
- City applied for the Pavement Management Technical Assistance Program (P-TAP) Round 17 for pavement management update.





The City is divided into 3 road classifications:



20.39 miles



23.66 miles



84.28 miles

Total: 128.33 miles of pavement



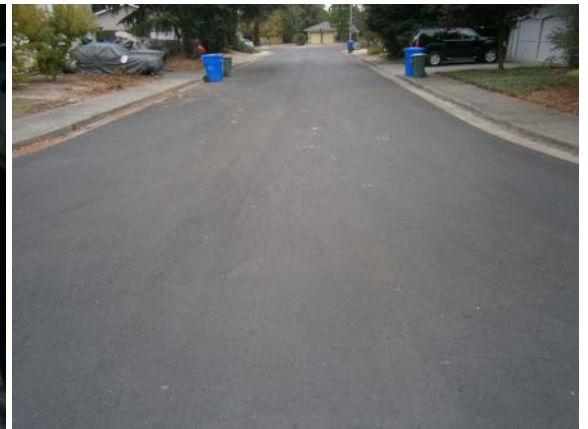
Road Network





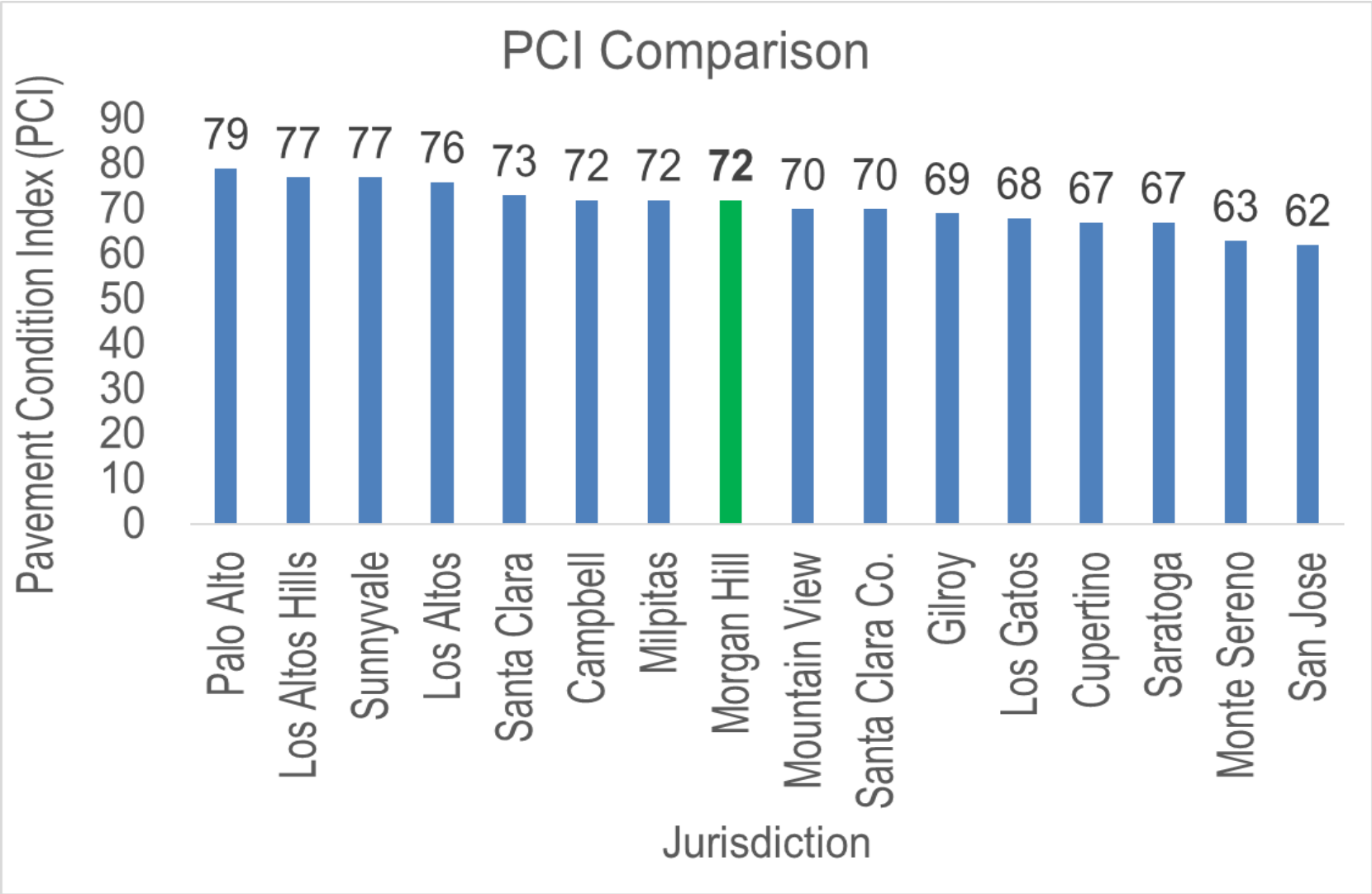
- The City's overall network Pavement Condition Index (PCI) is **72**
- PCI is based on a scale of 0 to 100.

Pavement Condition Index (PCI) Scale





Functional Class	Total	Total Center	Total Lane	PCI
Arterial	69	20.39	60.63	72
Collector	124	23.66	48.92	71
Residential/Local	711	84.28	169.44	72
Total	904	128.33	278.99	





- Each inspector is a Certified Rater using ASTM 6433-11
- Select representative samples (10%)
- Inspectors quantify distresses and severities using measuring wheels.





Alligator Cracking





Block Cracking





Types of Pavement Distresses

Distortion



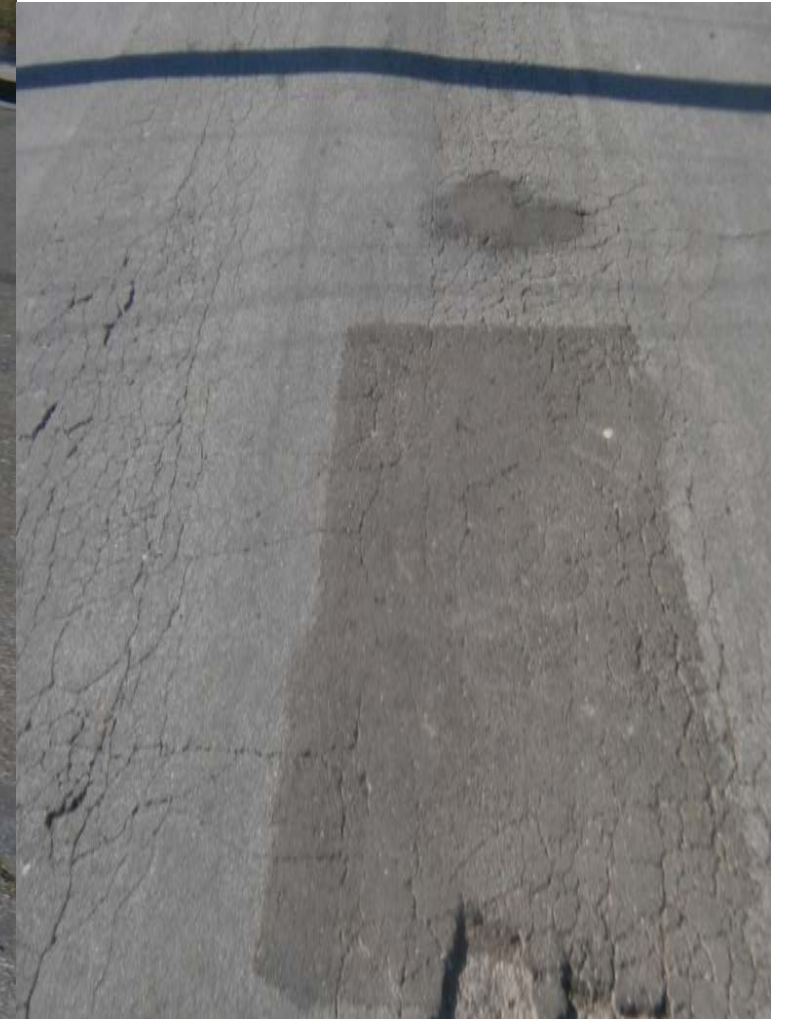


Longitudinal and Transverse Cracking





Patch and Utility Cuts





Rutting and Depression





Weathering





Raveling





- Data is entered into StreetSaver pavement management system and a PCI is calculated

Create Inspection Units

File Sections: 135TH 010

Current Inspection View All Inspections

Street ID: 135TH	Begin Loc: EAST 14TH ST	Begin Point: 0.0000
Section ID: 010	End Loc: ROSE DR	End Point: 0.0000
Street 135TH AV - 135TH		# of Lanes: 2
Length (ft): 850.00	Area (sq ft): 24650.00	Surface Type: A - AC
Width (ft): 29.00	# of Units: 1 - Width: 29	

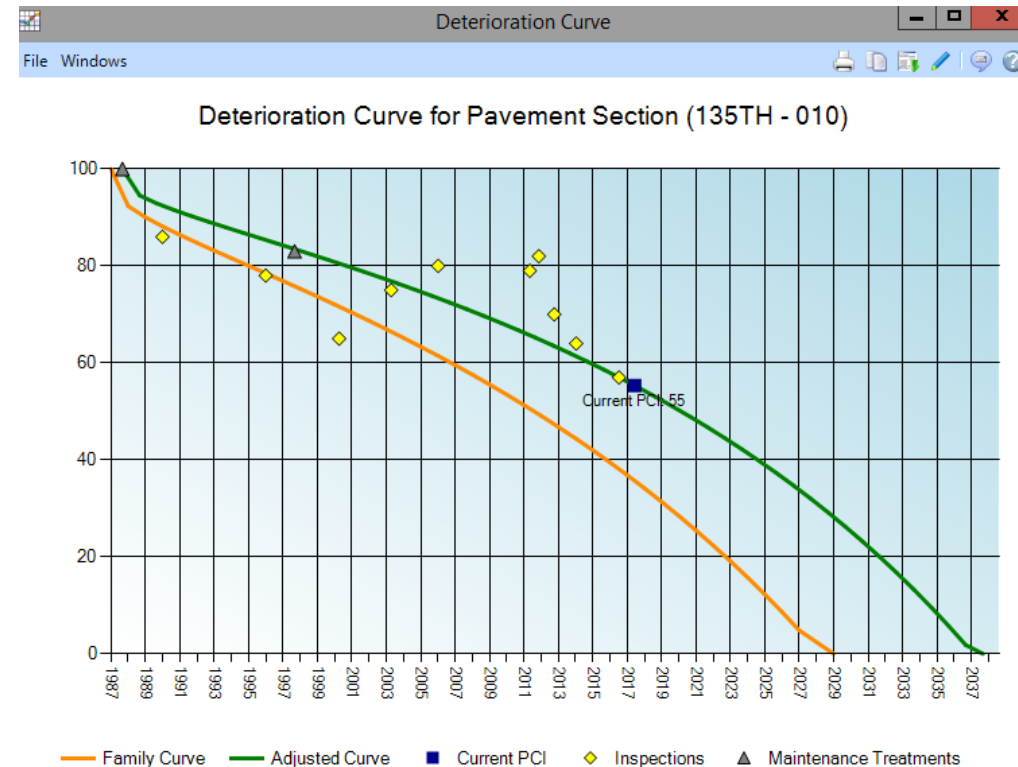
Date:	Insp. #:	Length:	Area:	Special?
06/09/2018	1	100	2900	☐

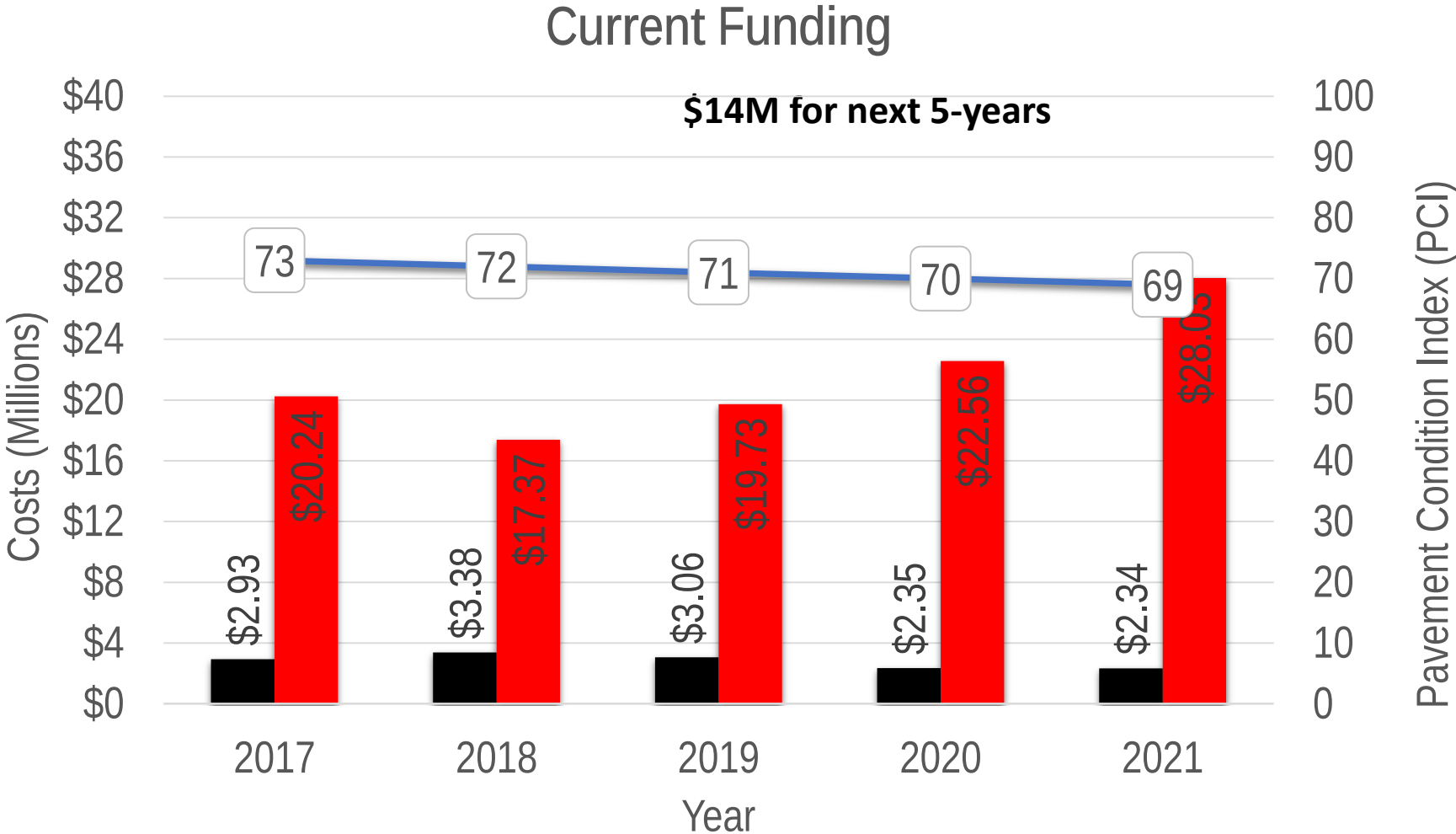
No Distresses? ☐

Comments:

Type	Severity	Qty
8 - Weathering	L - Low	2900
1 - Alligator Cracking	L - Low	156
2 - Block Cracking	L - Low	405
3 - Distortions	L - Low	8
6 - Rutting/Depression	L - Low	42

Clear Delete Save Save & New Save & Close Close

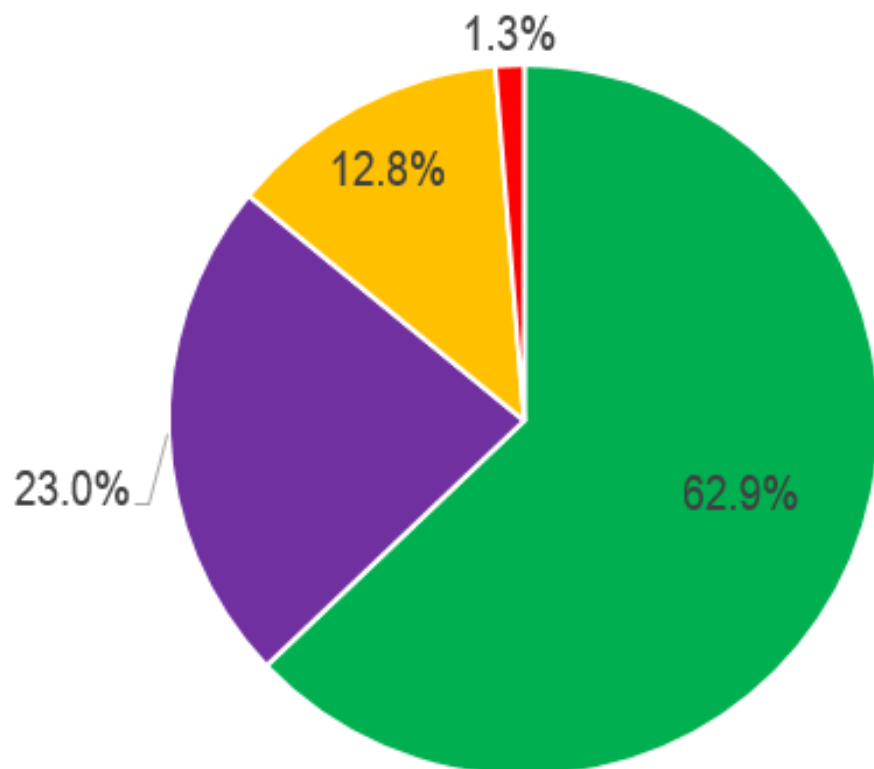






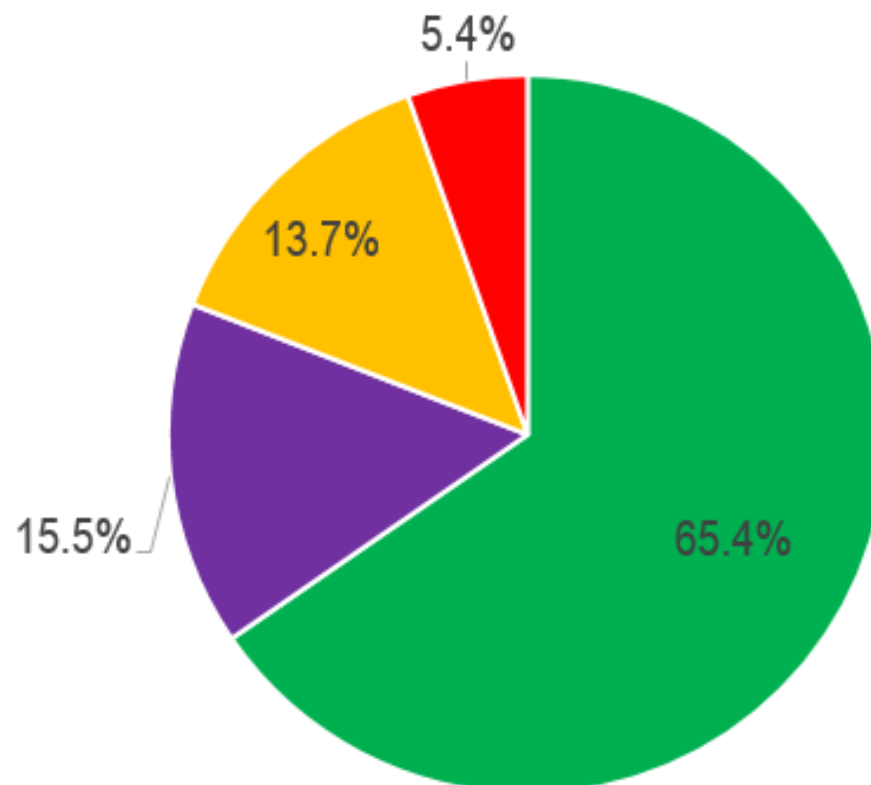
Present Condition

% of Road Network Condition



Year 2021 (\$14M Budget)

% of Road Network Condition

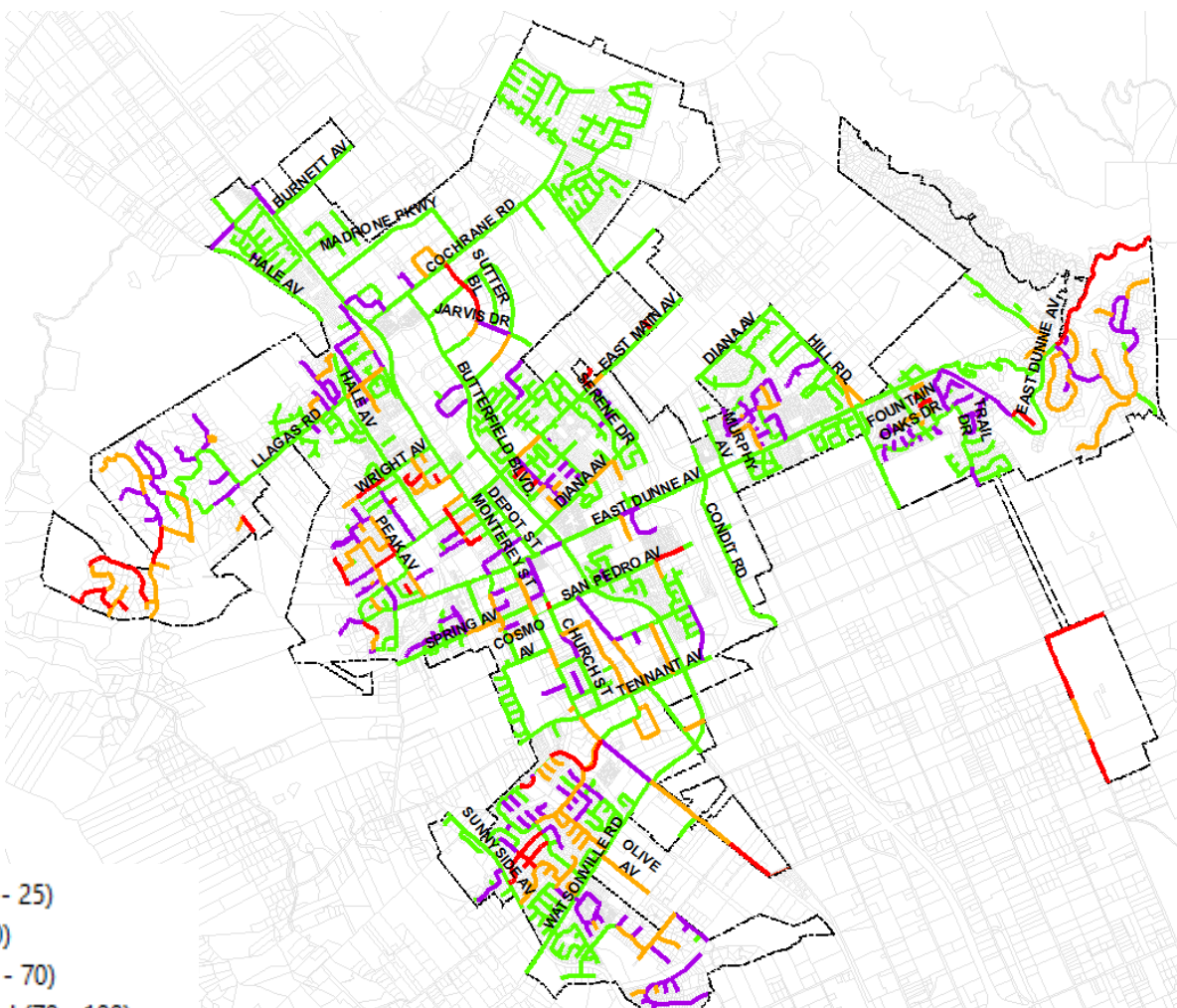
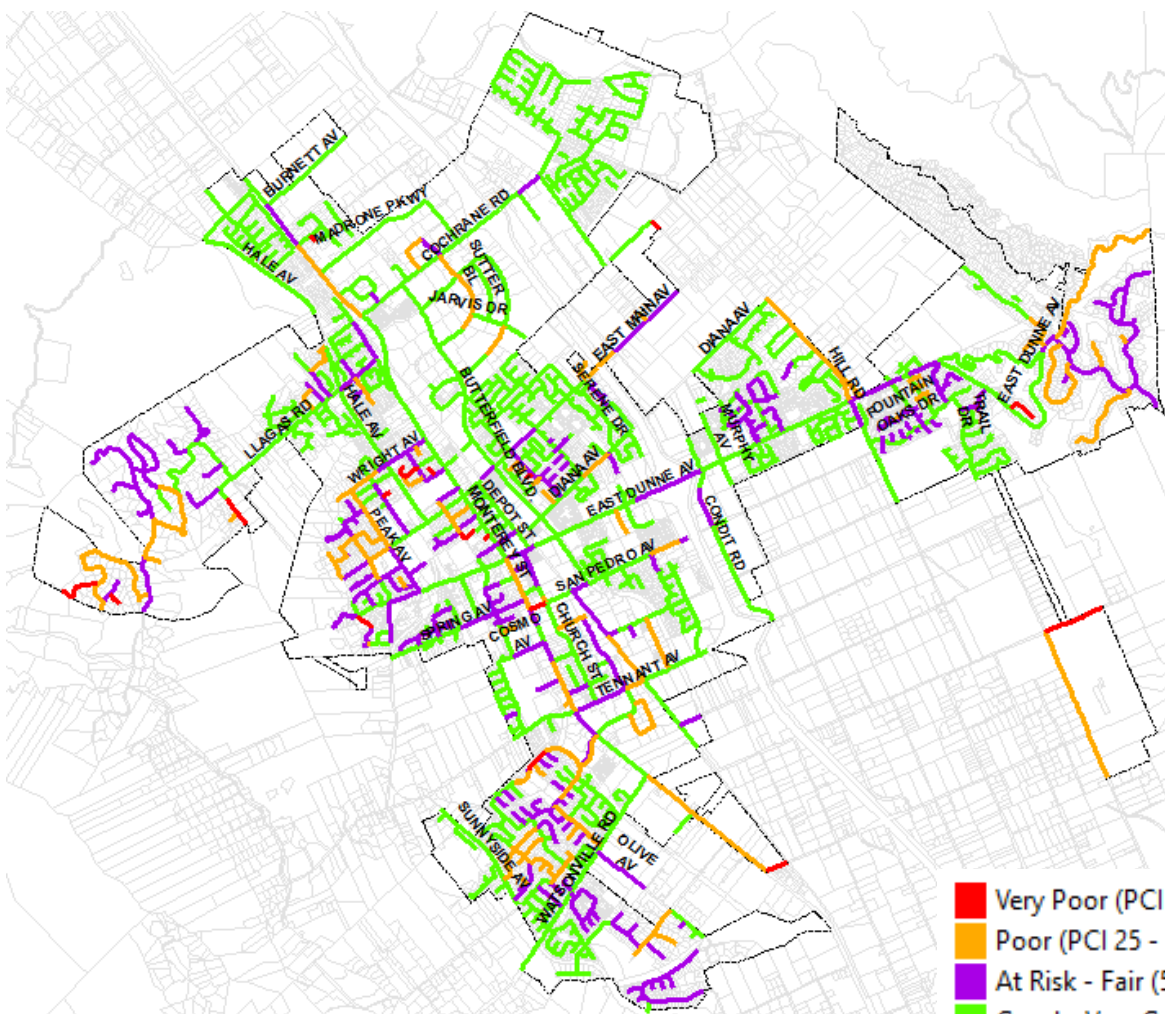


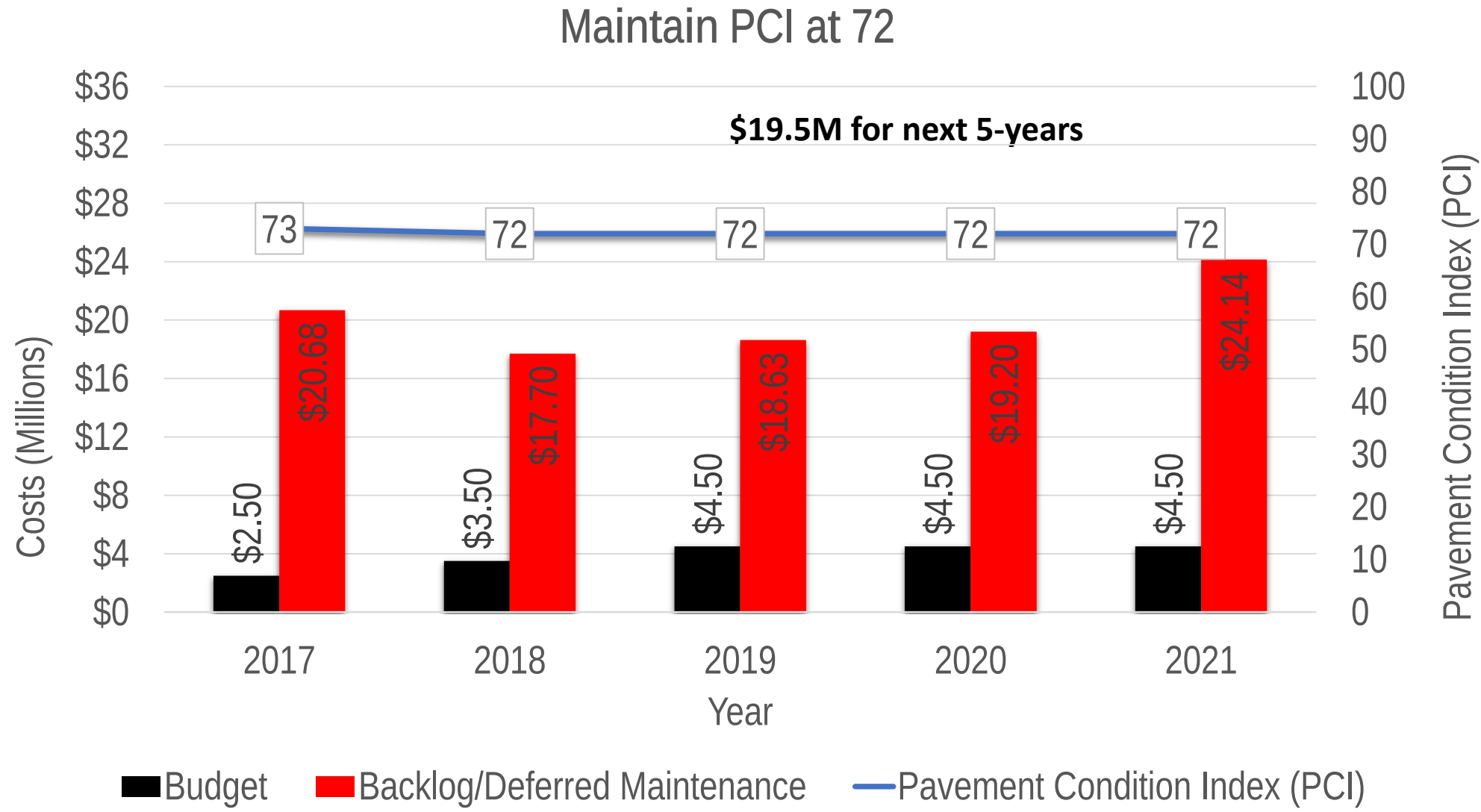
- Condition Category I - Good to Very Good/Excellent (PCI 70 - 100)
- Condition Category II/III - At-Risk to Fair (PCI 50 - 70)
- Condition Category IV - Poor (PCI 25 - 50)
- Condition Category V - Failed - Poor (PCI 0 - 25)



Present Condition

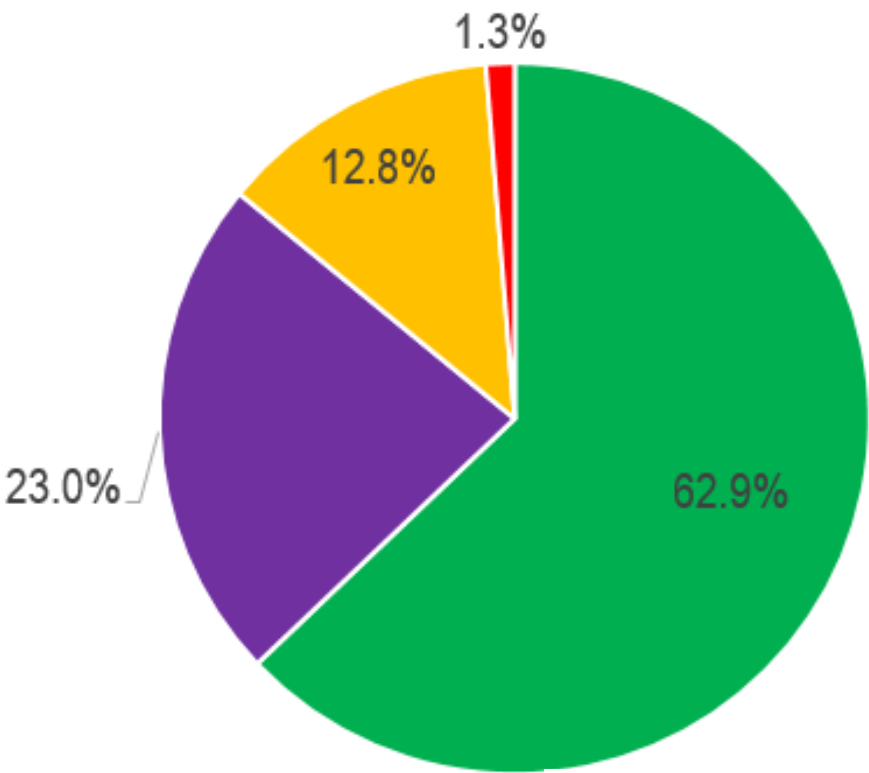
Year 2021 (\$14M Budget)



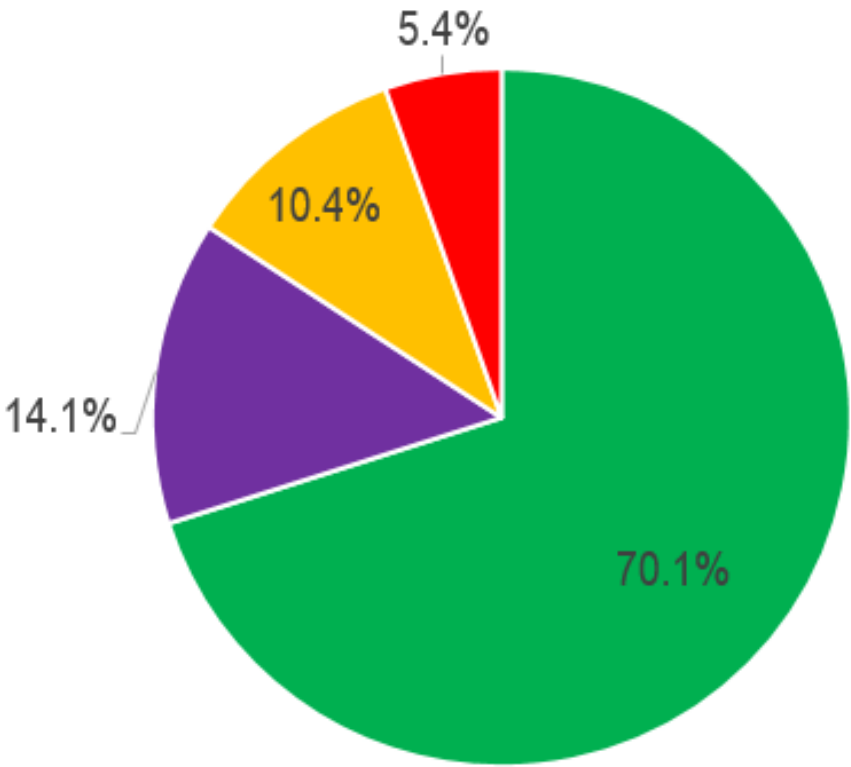




Present Condition
% of Road Network Condition

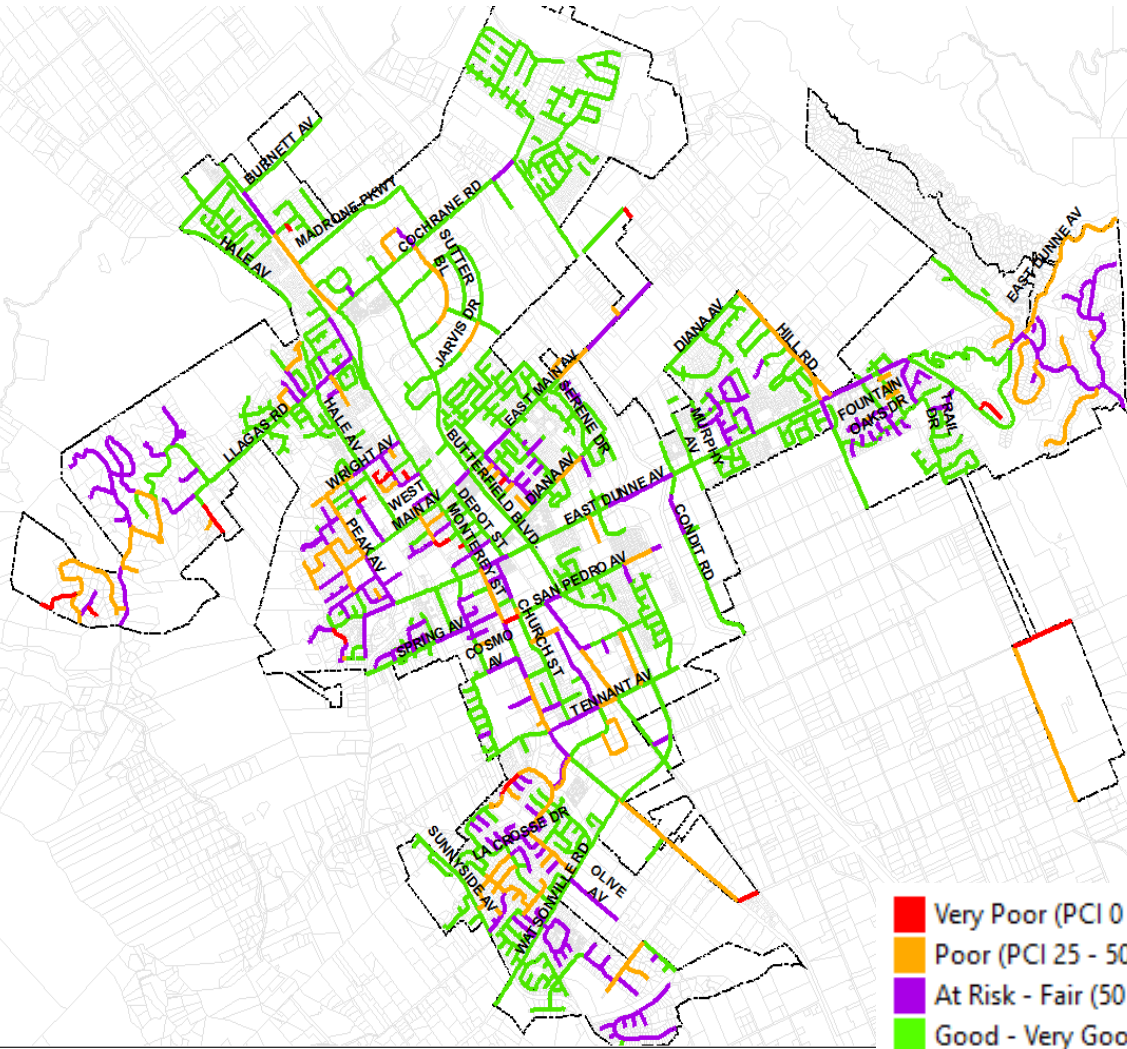


Year 2021 (\$19.5M Budget)
% of Road Network Condition

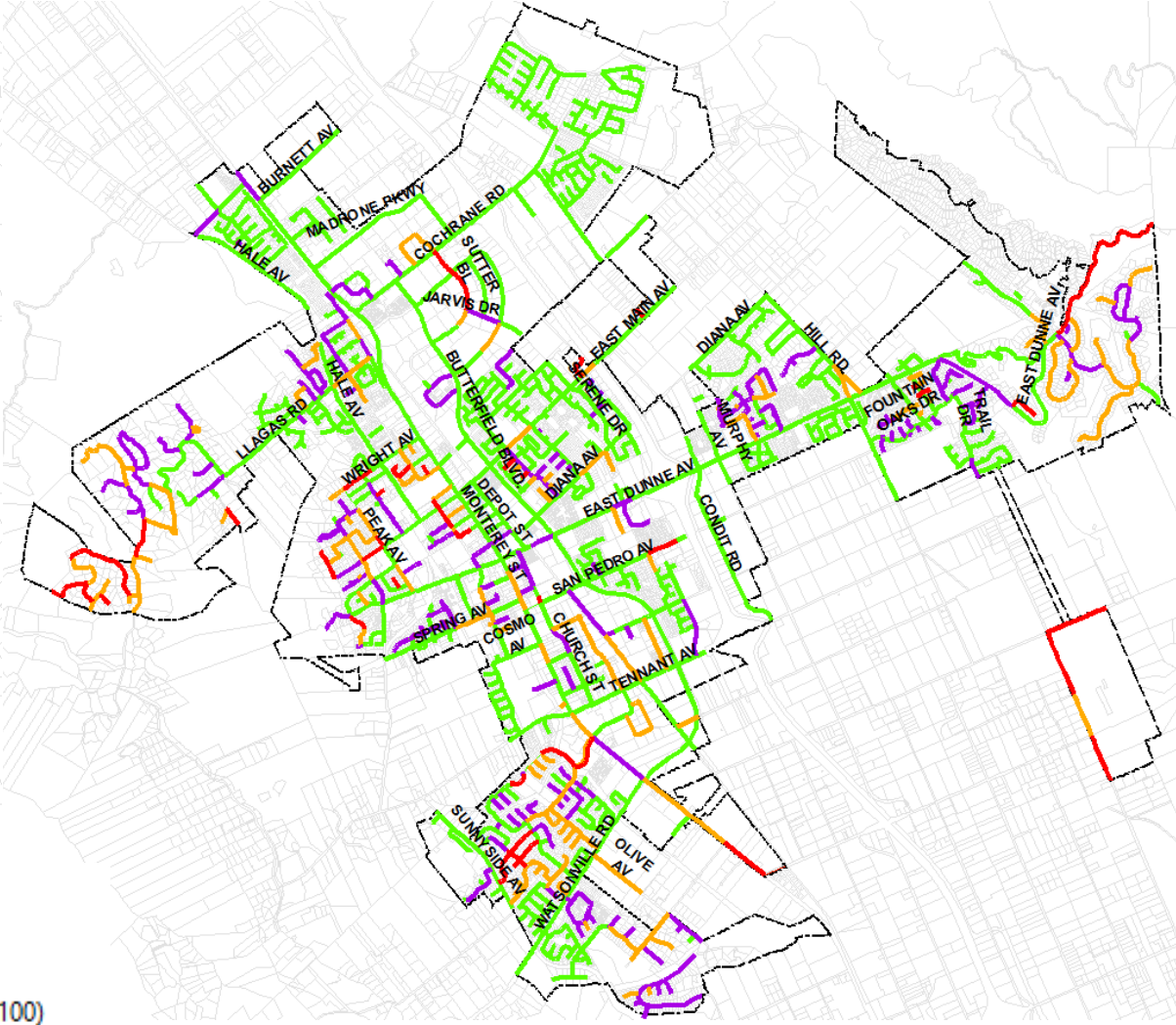


- Condition Category I - Good to Very Good/Excellent (PCI 70 - 100)
- Condition Category II/III - At-Risk to Fair (PCI 50 - 70)
- Condition Category IV - Poor (PCI 25 - 50)
- Condition Category V - Failed - Poor (PCI 0 - 25)

Present Condition



Year 2021 (\$19.5M Budget)





- The City owns and operates 128 centerline miles of roads.
- The City's overall network PCI would decrease to 69 PCI using the City's current funding strategy.
- The City would need to spend an additional \$5M or \$1.0M annually to maintain the Current PCI at 72.



Questions?

Item # 15

AGENDA DATE: 06/28/17
SUPPLEMENTAL # 1

From: [D. Muirhead](#)
To: [Angie Gonzalez](#); [Michelle Wilson](#)
Subject: Morgan Hill City Council Meeting June 28, 2017 Item #15: 2017 Pavement Management System Report
Date: Sunday, June 25, 2017 9:57:45 PM
Attachments: [mh.streets.pci.2016.pdf](#)

Dear Morgan Hill City Council,

Comments for the Public Record submitted by
Doug Muirhead, a resident of Morgan Hill, for:
Morgan Hill City Council
Meeting June 28, 2017
Item #15: Acceptance of 2017 Pavement Management System Report

Thank you for your consideration,
Doug Muirhead, Morgan Hill

Item #15: Acceptance of 2017 Pavement Management System Report

I see two defects in this staff report:

- 1) The consultant report contains street segment PCI values but these are not used to generate a new map of the City street conditions.
- 2) Omission of prior infrastructure documents

I see one example of improved detail in the consultant report:

- 3) Pavement inspection details

I see one area where you could improve the connection between our residents and your budget scenarios.

- 4) Improve budget scenario impacts

- 1) The consultant report contains street segment PCI values but these are not used to generate a new map of the City condition.

The staff report says

The purpose of the report is to assist the City Council and community in understanding the overall pavement condition index (PCI) of the roadway system

I reminded you of the street functional classes and segment PCI value maps at the mid-year workshop.

They come from Appendix C (2016 Pavement Management Program Update) from the Fiscal Years 2016-17 and 2017-18 Operating and CIP Budget adopted last June. The PCI scenario treatment choices can be found in Sub-Appendix H: GIS Reports at the end of that section.

For reference, the previous versions are attached.

- 2) Omission of prior infrastructure documents

The staff report states:

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council has been engaged in discussing the condition of our roads and potential strategies to increase the funding level.

Most recently, the Council adopted "Infrastructure" as one of its 2017 Strategic Priorities.

I continue to ask you to include a list of reference documents which would provide background context for those who are new to the subject and those who want to refresh our memories.

Two of the most important historical studies are:

Sustainable Streets Infrastructure Study (May 01 2013 Council meeting).

Infrastructure Funding Report (November 05 2014 Council meeting).

3) Pavement inspection details

While naming the MTC inspection standard used (ASTM 6433-11) is not meaningful to those of us who are not Civil Engineers, the list of distress types identified

1. Alligator Cracking
2. Block Cracking
3. Distortion
4. Longitudinal and Transverse Cracking
5. Patch and Utility Cuts
6. Rutting and Depressions
7. Raveling
8. Weathering

along with severity levels and quantity information allow calculation of a Pavement Condition Index (PCI) for each road segment.

4) Improve budget scenario impacts

The recommended budget scenarios present a target PCI and a percent of the road network that will have a PCI of that or better. I suggest you generate a map of street segment PCI values for each.

The other improvement would be to quantify the "hidden tax" of costs (damaged tires & alignment) to residents of not fixing poor roads.

I mentioned this at the Budget Open House in 2012, and it was discussed at the State level last year in the lead-up to the Transportation Funding bill.



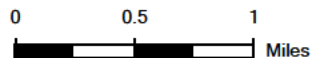
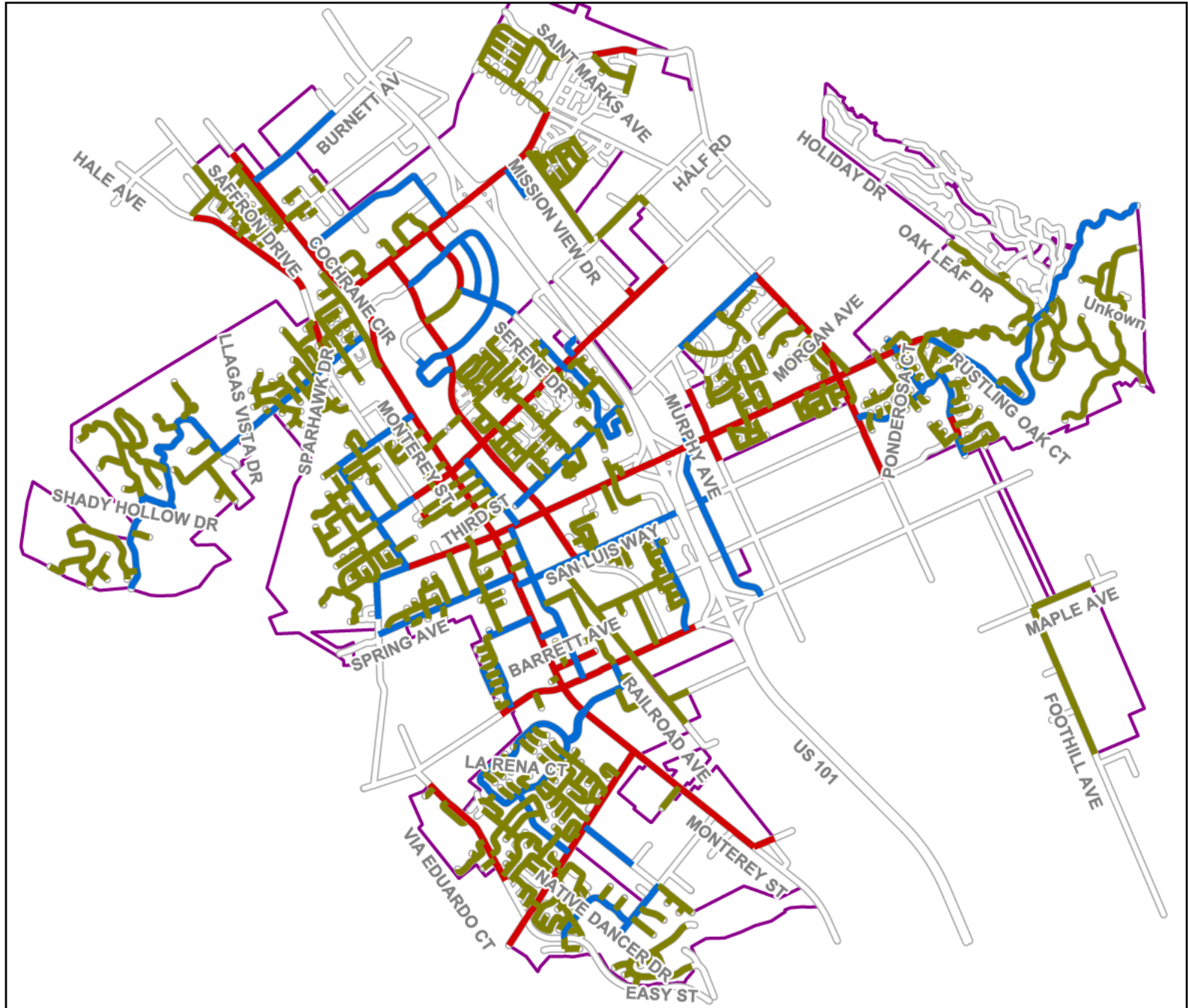
CITY OF MORGAN HILL

Functional Class

Printed: 3/1/2016

Feature Legend

- A Arterial
- C Collector
- R Residential/Local





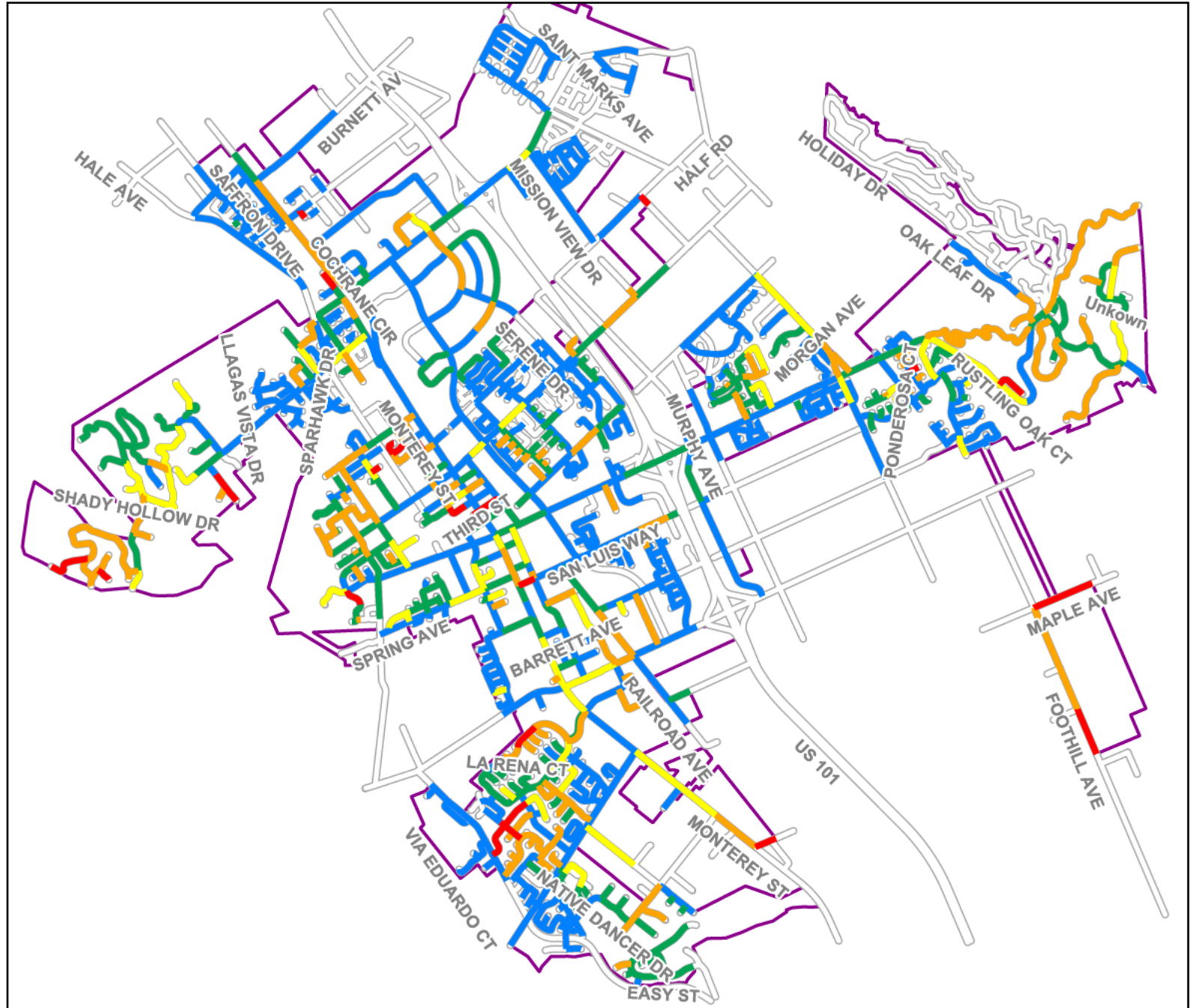
CITY OF MORGAN HILL

Current PCI Condition

Printed: 3/1/2016

Feature Legend

- I - Very Good
- II - Good (non-load)
- III - Good (load-related)
- IV - Poor
- V - Very Poor





Special - Regular Meeting Agenda
City Council

Steve Tate - Mayor
Larry Carr - Mayor Pro Tem
Rich Constantine - Council Member
Caitlin Jachimowicz - Council Member
Rene Spring - Council Member

Wednesday, June 28, 2017 6:00 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(6:00 P.M. Closed Session/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

6:00 P.M.

CALL TO ORDER

Mayor Tate

ROLL CALL ATTENDANCE

Deputy City Clerk Wilson

DECLARATION OF POSTING AGENDA

Deputy City Clerk Wilson

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority: Pursuant to CA Govt. Code Section 54956.9(d)(1)

Case Name: Caballero v. City of Morgan Hill

Compensation Claim Nos:

WCAB ADJ9188774, MHL1400010

WCAB ADJ8606660, MHL1300012

WCAB ADJ8606584, MHL1200006

Case Name: Nelsen v. City of Morgan Hill

Worker's Compensation Claim Nos:

WCAB ADJ9373607, MHL1400026

WCAB ADJ9383549, MHL1400024

WCAB ADJ9383541, MHL1400022

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to: Government Code Section 54956.9(d)(2)

Number of Cases: One (1)

RECONVENE

CLOSED SESSION ANNOUNCEMENT

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

CITY COUNCIL REPORTS

Council Member Spring

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

RECOGNITION

Tim Hennessey, Library Culture and Arts Commissioner

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)

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. COPS HIRING GRANT

Recommendation:

1. Accept report in support of application of the Community Oriented Policing Services Hiring Grant, and
2. Affirm the City's commitment to maintain the position once grant funding expires.

2. SERVER AND STORAGE REPLACEMENT

Recommendation:

Approve purchase of replacement server and storage solution from IT Management Corporation for a not to exceed amount of \$246,744.28.

3. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)/HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) JOINT POWERS AND COOPERATION AGREEMENT

Recommendation:

Adopt resolution authorizing the City Manager to execute or amend a Joint Powers and Cooperation Agreement ("Agreement") among the County of Santa Clara and a number of local jurisdictions for the term October 1, 2017, through September 30, 2020, with subsequent automatic three-year renewals unless the Agreement is terminated, for purposes of securing federal Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) Funding, following approval by the City Attorney as to form and legality.

4. APPROVAL OF AMENDMENT TO THE LEGAL SERVICES CONSULTANT AGREEMENT WITH LEONE & ALBERTS FOR LITIGATION SERVICES TO INCREASE THE TOTAL NOT TO EXCEED AMOUNT TO \$95,000

Recommendation:

Approve the amendment to the legal services consultant agreement with Leone & Alberts for litigation services to increase the total not to exceed amount by \$20,000 to \$95,000.

5. ADOPT ORDINANCE 2250, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING TITLE 3 OF THE MORGAN HILL MUNICIPAL CODE TO ADD A NEW CHAPTER 3.21 TO CREATE A USE TAX INCENTIVE PROGRAM

Recommendation:

Waive the reading, adopt Ordinance No. 2250, 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.

6. ADOPT ORDINANCE 2251, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-06 (AAE 2017-0023): MONTEREY - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR 19 FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-03-055)

Recommendation:

Waive the reading, adopt Ordinance No. 2251, 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.

7. ADOPT ORDINANCE 2252, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-07 (AAE 2017-0024): CIOLINO - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR EIGHT FISCAL YEAR 2016-2017 ALLOTMENTS (APN 767-09-029)

Recommendation:

Waive the reading, adopt Ordinance No. 2252, 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.

8. **ADOPT ORDINANCE 2253, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA-15-08 (AAE 2017-0025): EAST DUNNE - EAH EXTENDING THE COMMENCEMENT OF CONSTRUCTION DATE FOR SIX-MONTHS FOR 14 FISCAL YEAR 2016-2017 ALLOTMENTS (APN 817-01-080)**

Recommendation:

Waive the reading, adopt Ordinance No. 2253, 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.

9. **ADOPT ORDINANCE 2254, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDED DEVELOPMENT AGREEMENT TO DA-14-03 (AAE2017-0013): BUTTERFIELD – DIVIDEND INCORPORATING SIX FISCAL YEAR 2016-2017 ALLOTMENTS TO THE APPROVED 78-UNIT VALENCIA DEVELOPMENT AND EXTENDING THE EXERCISE OF ALLOTMENTS FOR 84 BUILDING ALLOTMENTS (APN 726-26-005 &008)**

Recommendation:

Waive the reading, adopt Ordinance No. 2254, 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.

10. **ADOPT ORDINANCE 2255, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE R-1 (4,500) (PD) AND R-2 (3,000) (PD) PLANNED DEVELOPMENT OVERLAY DISTRICT AND PRECISE DEVELOPMENT PLAN FOR AN 84-UNIT RESIDENTIAL DEVELOPMENT ON A 13.72-ACRE SITE LOCATED ON THE NORTHWEST AND NORTHEAST CORNERS OF THE INTERSECTION OF BUTTERFIELD BOULEVARD AND EAST CENTRAL AVENUE. (APN 726-26-005 &008)**

Recommendation:

Waive the reading, adopt Ordinance No. 2255, 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.

11. **ADOPT ORDINANCE 2256, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO DEVELOPMENT AGREEMENT DA 06-06 GRANTING A SIX-MONTH EXTENSION FOR 15, FISCAL YEAR 2014-2015 ALLOTMENTS FOR APPLICATION DA 06-06 (AAE2017-0016): MONTEREY - GUNTER (APN 726-23-008)**

Recommendation:

Waive the reading, adopt Ordinance No. 2256, 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.

12. APPROVE THE JUNE 7, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

13. CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

Recommendation:

1. Receive report from National Demographics Corporation;
2. Open/close the public hearing; and
3. Direct staff to work with consultants and the community to identify and define four Council districts in compliance with the California Voting Rights Act and Elections Code section 10010.

Estimated Time: 45 Minutes

OTHER BUSINESS

14. UHC CONDITIONAL AFFORDABLE HOUSING FUNDING RECOMMENDATION

Recommendation:

Approve conditional funding for the UHC Affordable Housing Project \$750,000, contingent on UHC's ability to obtain the remaining gap funds, subject to an agreement negotiated by the City Attorney.

Estimated Time: 10 Minutes

15. ACCEPTANCE OF 2017 PAVEMENT MANAGEMENT SYSTEM REPORT

Recommendation:

1. Receive report on 2017 Pavement Management System Report; and
2. Accept the 2017 Pavement Management System Report.

Estimated Time: 45 minutes

16. ENVIRONMENTAL AGENDA REVIEW

Recommendation:

Accept report and provide direction to staff on future implementation priorities.

Estimated Time: 20 Minutes

17. PROVIDE DIRECTION REGARDING WAGE THEFT PREVENTION POLICY

Recommendation:

1. Provide direction on developing a policy to prohibit contracts with individuals or entities that engage in wage theft, and
2. Provide direction regarding other actions that may be taken to combat wage theft.

Estimated Time: 5 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 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 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 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. 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

Morgan Hill is a socially responsible, environmentally conscious, and economically sound community that embraces inclusiveness with participation by all.

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 Cultural Heritage

2017 STRATEGIC PRIORITIES

High Speed Rail

Inclusiveness

Infrastructure

Regional Initiatives

Telecommunications

2017 STRATEGIC PRIORITIES:



High Speed Rail

The City of Morgan Hill will directly advocate for our community's needs through our communications, discussions, and decisions. We will continue to engage the community, the High Speed Rail Authority, our state and federal legislators, and other regional agencies to mitigate negative impacts and convey our position that the High Speed Rail Authority should only use the existing Highway 101 right-of-way to avoid all impacts to residents, schools, and businesses. Should the Authority decide the 101 right-of-way is not feasible, we will strongly advocate for the route with the least impact on Morgan Hill.



Inclusiveness

We will celebrate the diversity, history, and culture of our community. Through City Council workshops, community meetings, and researching successes in other communities, the City will listen to and collaborate with the community to define how inclusiveness will be further woven into our community's fabric and to increase public participation. The City's communications, services, public spaces, and projects will embrace all community members as partners, advancing our vision of being a socially responsible community.



Infrastructure

The City will review its streets, parks, and public facilities infrastructure needs initially by updating its 2014 infrastructure study to quantify the funding gap. We will identify potential funding options as ongoing revenue is insufficient to fund our vital community assets at a sustainable level without significantly impacting existing service levels that our community has come to expect. Morgan Hill will actively work with the Valley Transportation Agency, the County, and the State to secure funding for the Santa Teresa extension and road maintenance. We will continue to work closely with our community to inform them of the needs and engage them to find an affordable and sustainable solution.



Regional Initiatives

City Council and staff will focus on influencing regional decisions that benefit Morgan Hill. This regional involvement will include, but not be limited to, partnering with the League of California Cities, Valley Transportation Authority, Santa Clara Valley Water District, Cities Association of Santa Clara County, the City of Gilroy, Santa Clara County, Morgan Hill Unified School District, the Local Agency Formation Commission, the Open Space Authority, and Silicon Valley Clean Energy to advance projects that further Sustainable Morgan Hill.



Telecommunications

The City will collaborate with the private sector to explore ways to provide fast, reliable access and wireless connectivity for residents and businesses. The 2016 Telecommunications Infrastructure and Economic Development Blueprint reports will be the foundation for continuing discussions with broadband providers, public utilities, and other infrastructure service providers in developing an implementation plan for growing our telecommunications infrastructure. The plan will be used to signal Morgan Hill's support for business expansion.

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