



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, August 23, 2017 5:30 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(5:30 P.M. Workshop/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

5:30 P.M.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
(Deputy City Clerk Wilson)

WORKSHOP

WATER, WASTEWATER AND STORM DRAINS WORKSHOP

Recommendation:

The purpose of this workshop is to review with staff the recently completed Administrative Drafts of the Utilities Master Plan Documents. The workshop will help the Council understand the future build out of the City's water and wastewater systems.

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

Mayor Tate

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PROCLAMATIONS

Proclaiming the week of August 21-27, 2017 as Women's Equality Week

Proclaiming the month of September as Childhood Cancer Awareness Month

RECOGNITIONS

Amy Whelan - Art A La Cart

Morgan Hill Pony Baseball Shetland All Start Team- Norcal World Series Winners

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. LEADERSHIP MORGAN HILL 2017 PUPS IN NEED - MORGAN HILL POLICE DEPARTMENT KENNEL MAKEOVER DONATION

Recommendation:

Adopt resolution accepting a donation from the Leadership Morgan Hill Class of 2017 for the Pups in Need - Morgan Hill Police Department Kennel Makeover Donation.

2. ASSET SEIZURE FUNDS FOR PURCHASE OF IA PRO SOFTWARE AND STOP STICKS

Recommendation:

Adopt resolution for the approval of:

1. Appropriation of \$11,595 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of 23 Stop Stick tire deflation devices and one Stop Stick training device; and
2. Appropriation of \$15,000 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of IA Pro Professional Standards Software and Blue Team Field Support Web applications, one year software support and 5 days of training.

3. ADOPT RESOLUTION APPROVING USE OF GOVERNMENT CRIME INSURANCE POLICY FOR CITY OFFICERS AND EMPLOYEES

Recommendation:

Adopt resolution approving the use of Government Crime Insurance Policy in lieu of bonds for City officers and employees.

4. AWARD HIGHLAND AVENUE SEWER UPGRADE PROJECT

Recommendation:

1. Approve Highland Avenue Sewer Upgrade Project plans and specifications;
2. Award contract to Monterey Peninsula Engineering for the Highland Avenue Sewer Upgrade Project in the amount of \$547,900;
3. Authorize expenditure of construction contingency funds not to exceed \$54,790; and
4. Authorize the City Manager to execute and administer the construction contract with Monterey Peninsula Engineering.

5. DOWNTOWN PARKS ART APPROVAL

Recommendation:

1. Approve art proposal for bronze fox art sculpture by Evelyn Davis;
2. Authorize the City Manager to negotiate, execute, and administer an artist agreement with Evelyn Davis; and
3. Authorize the City Manager to finalize exact location of the sculpture within the Downtown Creek Park.

6. COMMUNITY PLAYHOUSE LICENSE AGREEMENT WITH SOUTH VALLEY CIVIC THEATRE

Recommendation:

Authorize the City Manager to execute and administer license agreement through December 2020 with South Valley Civic Theatre.

7. FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvement Agreement with Presidio Van Daele Watsonville 37, LLC;
3. Authorize the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorize the recordation of the Final Map, Subdivision Improvement Agreement, and the Stormwater BMP Operation and Maintenance Agreement.

8. CITY SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES PUBLIC SAFETY RESOLUTIONS

Recommendation:

1. Authorize the City's voting delegate(s) to vote on the two public safety resolutions to be considered at the League of California Cities (LOCC) annual conference; and
2. Direct staff to participate in advocacy efforts related to the two public safety resolutions: 1) Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws and 2) Local Control for Emergency Medical Response.

9. APPROVE THE JULY 19, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

10. APPROVE THE JULY 26, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

11. APPROVE THE JULY 31, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

12. APPROVE THE AUGUST 16, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

13. CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

Recommendation:

1. Review and discuss draft maps and election sequencing;
2. Open/close the public hearing;
3. Waive the first and second reading of the ordinance; and
4. Introduce ordinance selecting the preferred district map and setting the election sequencing.

Estimated Time: 75 Minutes

14. ELECTRIC VEHICLE CHARGING STATION ORDINANCE

Recommendation:

1. Open/close public hearing;
2. Waive the first and second reading of the ordinance; and
3. Introduce the ordinance.

Estimated Time: 5 Minutes

15. CERTIFY ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT AND ADOPT HALE AVENUE PLAN LINE

Recommendation:

1. Open/close public hearing;
2. Adopt resolution certifying that the Final Environmental Impact Report (EIR) for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project (Project) is found to be complete, correct, and in substantial compliance with the requirements of the California Environmental Quality Act (CEQA), which includes adopting the Mitigation and Monitoring Program (MMRP) for the Project; and
3. Adopt resolution approving an Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project.

Estimated Time: 10 Minutes

16. PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)

Recommendation:

1. Open/Close Public Hearing; and
2. Adopt resolution confirming the amended reassessments and directing actions with respect thereto Reassessment District No. 2015-2.

Estimated Time: 5 Minutes

OTHER BUSINESS

17. BOYS AND GIRLS CLUB OF SILICON VALLEY AND THE HEALTHIER KIDS FOUNDATION ANNUAL REPORTS

Recommendation:

Receive annual reports from the Boys and Girls Club of Silicon Valley and the Healthier Kids Foundation.

Estimated Time: 10 Minutes

18. ANIMAL SHELTER ASSESSMENT

Recommendation:

1. Receive report, and
2. Continue contributing \$11,000 for housing and sheltering of cats at the San Martin Animal Shelter and \$5,000 for the County's spay and neuter program as included in the FY 17/18 budget.

Estimated Time: 30 Minutes

19. REPORT ON HOMELESSNESS AND AUTHORIZATION OF AGREEMENT WITH COUNTY OF SANTA CLARA TO CONDUCT THE HOMELESS CENSUS REPORTS.

Recommendation:

1. Authorize the City Manager to enter into a three-year agreement between the City of Morgan Hill and the County of Santa Clara retroactively reimbursing Morgan Hill's share of the cost for conducting the 2017 biennial Homeless Census and Survey and prospectively funding the 2019 and 2021 survey for a maximum amount not to exceed \$8,638;
2. Accept the County's 2017 Santa Clara County Homeless Census and Survey Report; and
3. Review and discuss several strategies for addressing homelessness, related community impact issues and enforcement and provide direction.

Estimated Time: 60 Minutes

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

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

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: August 23, 2017

PREPARED BY: Karl Bjarke, Public Works Director

APPROVED BY: City Manager

WATER, WASTEWATER AND STORM DRAINS WORKSHOP

RECOMMENDATION(S)

The purpose of this workshop is to review with staff the recently completed Administrative Drafts of the Utilities Master Plan Documents. The workshop will help the Council understand the future build out of the City's water and wastewater systems.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the environment

Maintaining fiscal responsibility

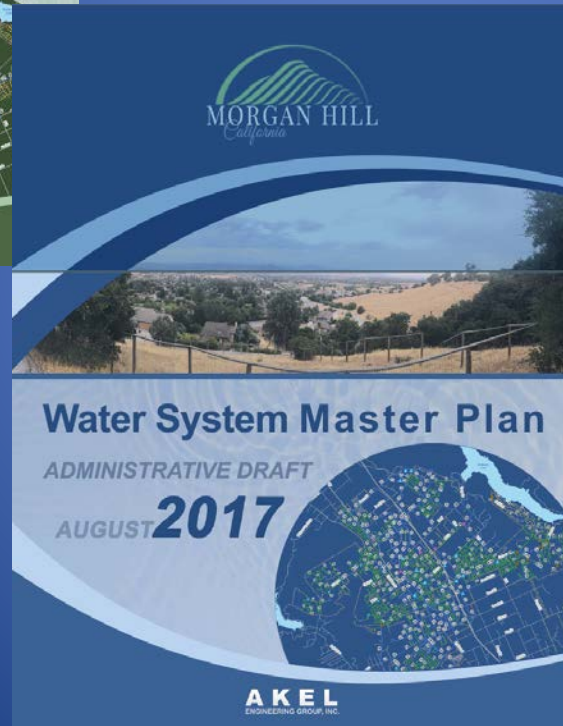
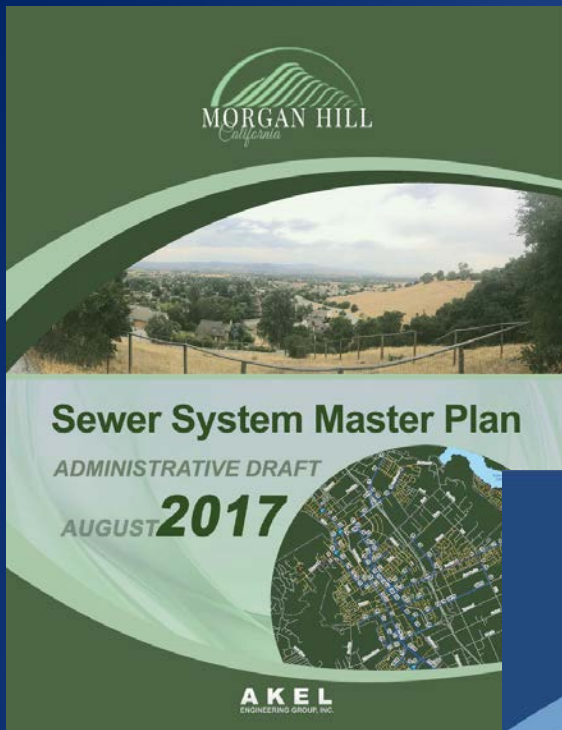
Preserving and cultivating a public trust

Infrastructure

Regional Initiatives

LINKS/ATTACHMENTS:

1. Workshop Presentation
2. Water System Master Plan 2017 (weblink)
3. Sewer System Master Plan 2017 (weblink)



City Council Workshop

2017

Infrastructure Master Plans

August 23, 2017

Introduction

- Master Plans previously completed in 2002
- Update to the Master Planning process
- Meet new regulatory requirements
- Quantify and prioritize system needs
 - New and Existing
- Master Plans become Guiding Document
 - A Business Plan
 - Capital Improvement Planning and Budgeting
 - Meets Assembly Bill AB1600

Workshop Goals

- Introduce Master Plans for:
 - Water Infrastructure
 - Sewer Infrastructure
- Brief Discussion on Methodology
- Existing Infrastructure
- Future Capacity Needs
- Repair and Replacement Needs
- Capital Improvements Costs

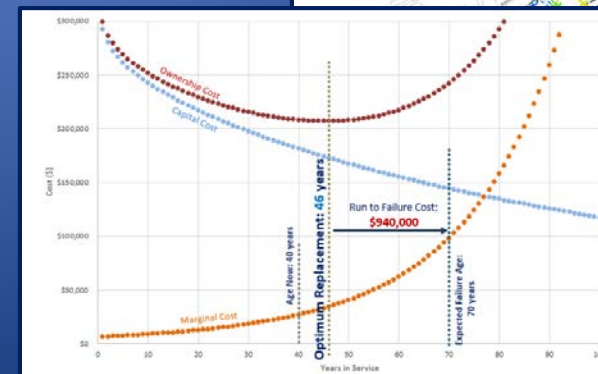
2017 ASCE REPORT CARD SUMMARY

- Existing infrastructure is aging (failure rates increasing)
- Failures have adverse consequences:
 - Customer service interruptions
 - Costly Repairs
- Replacing infrastructure should be considered in Master Planning efforts



Renewal and Replacement Plan Benefits

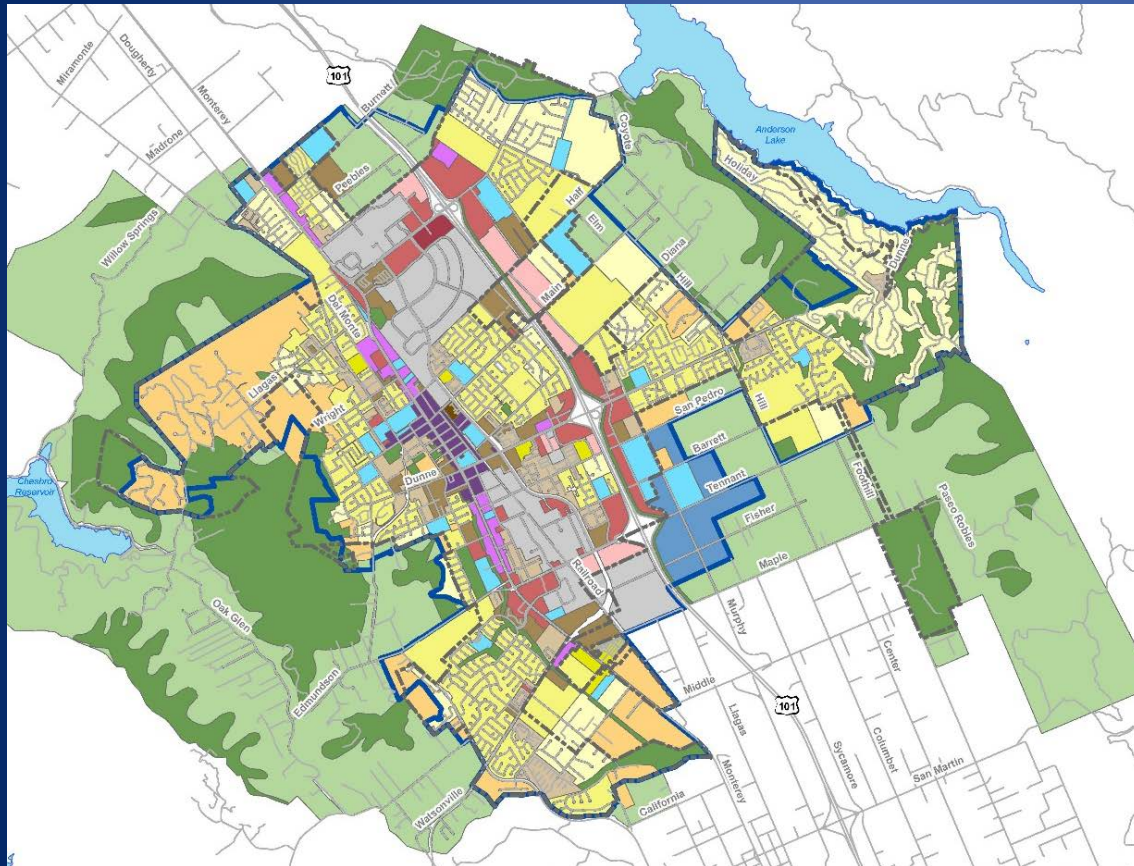
- Move from reactive to proactive: replace infrastructure at the right time
- Justify annual financial investments
- Maintain consistent level of service
- Reduce infrastructure life cycle costs



Master Plans Methodology

- Identify improvements to service growth in Morgan Hill 2035 General Plan
- Develop flows and demands
- Calibrate the hydraulic models
- Evaluate existing system capacities
- Recommend improvements to mitigate existing deficiencies
- Identify Rehabilitation and Replacement needs
- Develop Capital Improvement Program

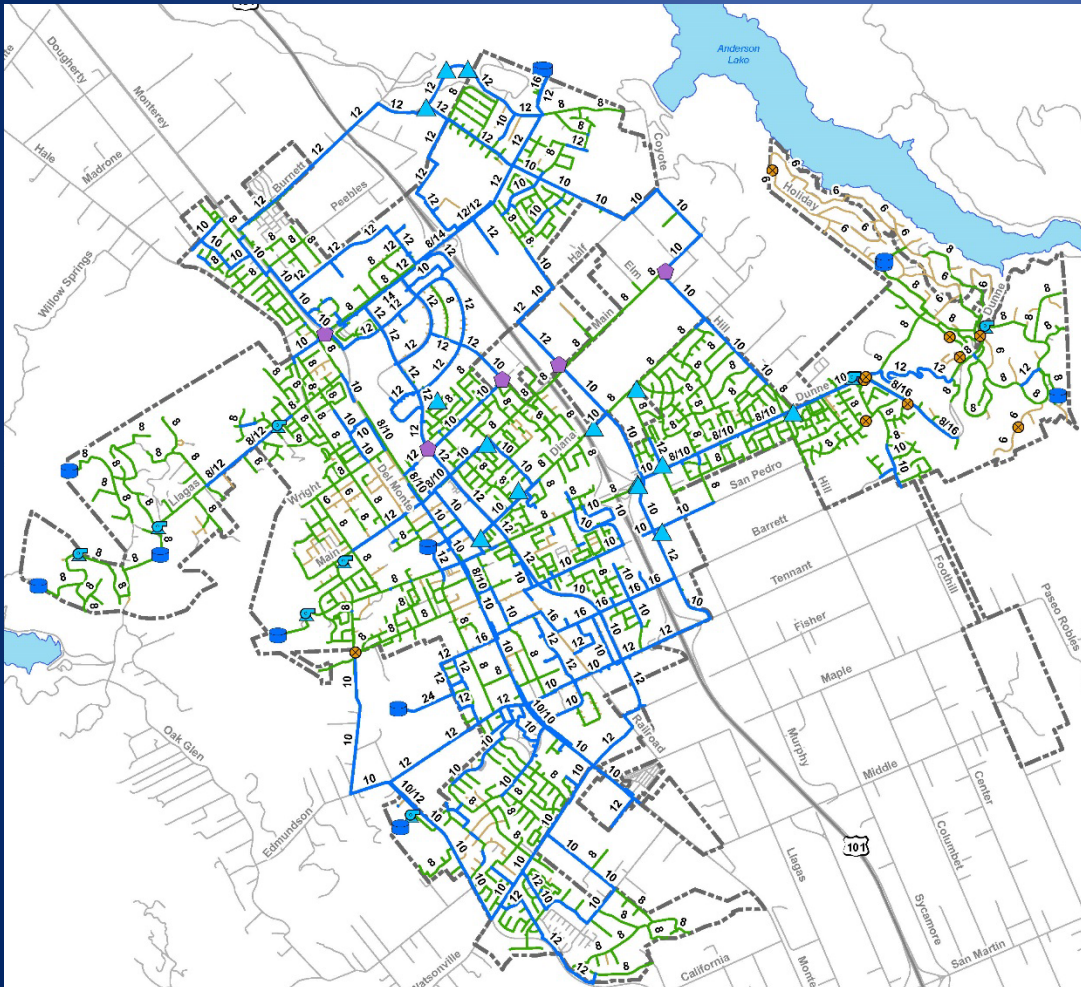
Future System:



- Newly Adopted 2035 General Plan Land Use
- Updated Population Projections

WATER MASTER PLAN

Existing Water System



- 191 miles of Pipeline
- 14 Wells
- 10 Booster Stations
- 12 Storage Reservoirs

Existing System Evaluations

Maximum Pressure

Supply Capacity

	2015	2020	2025	2030	2035
	(MGD)	(MGD)	(MGD)	(MGD)	(MGD)
Projected Demands - Population Method					
Projected Population	42,382	48,000	51,400	54,800	58,200
Average Day Demands	7.6	7.6	8.2	8.7	9.3
Maximum Day Demands	15.2	15.3	16.3	17.4	18.5
Peak Hour Demands	22.8	22.9	24.5	26.1	27.8
Projected Demands - Land Use Method					
Average Day Demands	6.0	6.9	7.7	8.5	9.4
Maximum Day Demands	12.0	13.7	15.4	17.1	18.8
Peak Hour Demands	18.0	20.6	23.1	25.6	28.2
Supply vs. Demand Analysis					

Fire Flow Analysis

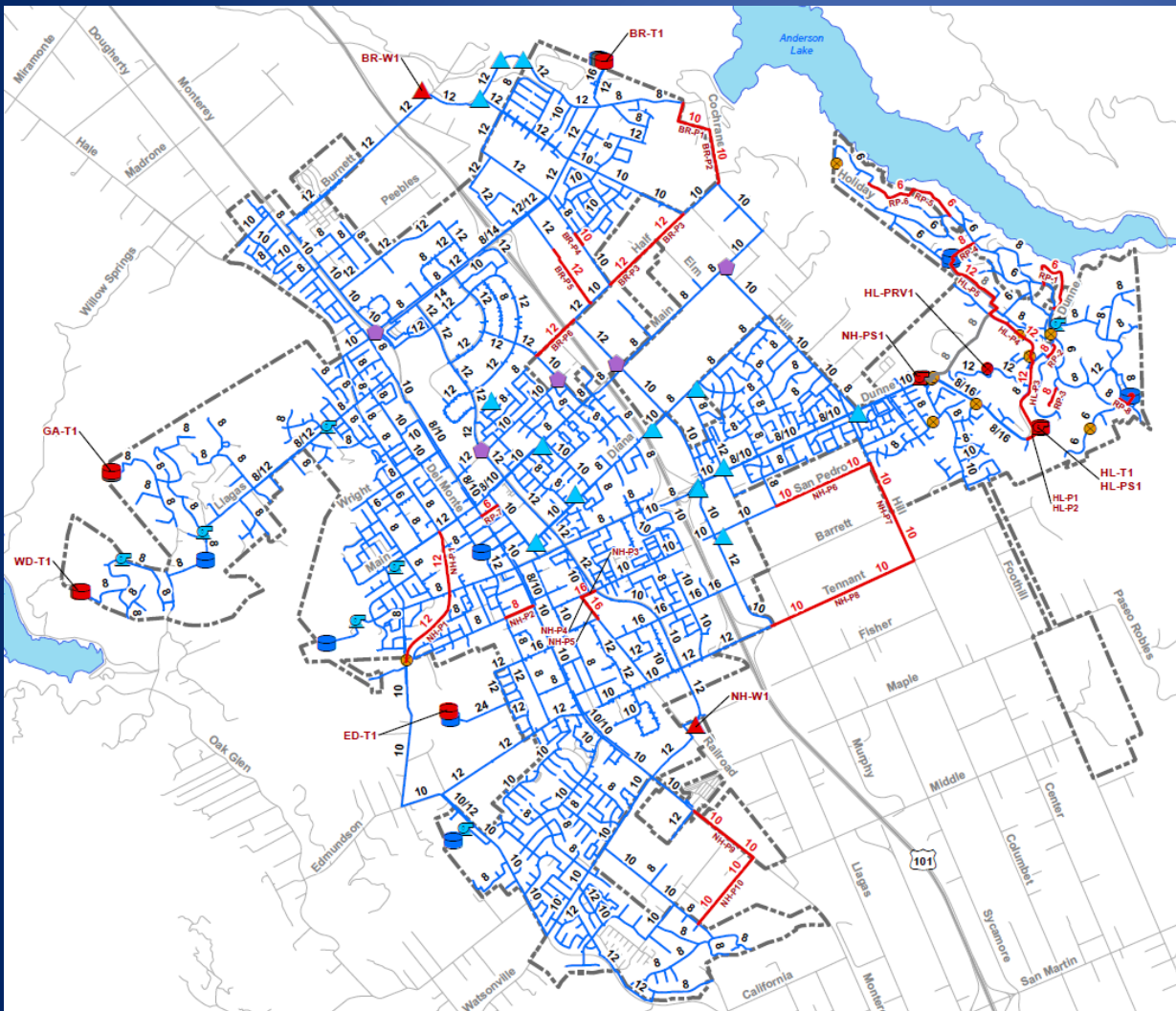
Rehabilitation and Replacement

				Existing (in)	Pipeline Improvements (in)
RP-1	Holiday Lake	Shady Ln	From Holiday Dr to Holiday Dr	6	Replace 6
RP-2	Jackson Oaks	Hill Top Ct	From Jackson Oaks Dr to approx 550' n/e/o Jackson Oaks Dr	8	Replace 8
RP-3	Jackson Oaks	Oak View Ct	From Jackson Oaks Dr to approx 700' s/o Jackson Oaks Dr	8	Replace 8
RP-4	Holiday Lake	Holiday Tank Site	From Holiday Lake Tanks to Manzanita Dr	8	Replace 8
RP-5	Holiday Lake	Manzanita Dr	From Holiday Dr to end of Manzanita Dr	6	Replace 6
RP-6	Holiday Lake	Raccoon Ct	From Holiday Ct to end of Manzanita Dr	6	Replace 6
RP-7	Nob Hill	First St	From Monterey Rd to Depot St	6	Replace 6
RP-8	Hydropneumatic From Jackson Oaks Hydropneumatic tank to				

Storage Capacity

	Existing Water Storage Requirements	Future Water Storage Requirements	Existing Storage Reservoirs	Proposed New Storage Reservoirs	Storage Capacity (MG)
Central Zones (Nob Hill and Boys Ranch Pressure Zones)					
Asp Hill zone ^a	4.39	6.77	4.39	0.00	5.92
Boys Ranch Zone	6.79	1.48	6.79	0.00	1.36
Subtotal	11.12	10.25	11.12	1.36	4.18
West Side Pressure Zones					
Ligas Zone	0.12	0.24	0.12	0.18	0.30
Woodland Zone	0.01	0.02	0.01	0.18	0.19
Glen Acre Zone	0.03	0.06	0.03	0.18	0.21
El Forno Zone ^a	0.16	0.31	0.16	0.18	0.34
Ermine Zone	0.07	0.14	0.07	0.18	0.25
Subtotal	0.39	0.79	0.39	0.90	1.25
East Side Pressure Zones					
Holmes Lake Zone	0.08	0.16	0.08	0.18	0.26
Holiday S.S. Zones	0.16	0.31	0.16	0.18	0.34
Jackson Oaks Zone ^a	0.23	0.45	0.23	0.18	0.41
Subtotal	0.47	0.94	0.47	0.54	1.01
Total	5.98	11.96	8.68	3.94	6.68

Capital Improvements



- Existing and Future
- Itemized for a Near-Term and GP Horizon
- Consistent with General Plan
- Consistent with UWMP
- Meets AB1600

Capital Improvement Program

Table 8.2 Capital Improvement Program
Water System Master Plan
City of Morgan Hill

PRELIMINARY																		
Improv. No.	Pressure Zone	Alignment	Limits	Pipeline Improvements		Infrastructure Costs				Baseline Contr. Costs	Estimated Const. Costs	Capital Improv. Costs	Suggested Expenditure Budget	Construction Trigger	Suggested Cost Allocation		Cost Sharing	
				Existing Diameter (in)	Prop./Fut./Inplace	Diameter (in)	Length (ft)	Last Cost (\$)	Est. Cost (\$)						Existing Users	Future Users	Existing Users	Future Users
Pipeline Improvements																		
Boys Ranch Pressure Zone																		
BR-P1	Boys Ranch	ROW	Cochran Rd to approx 2,100' w/o Cochran Rd	-	New	12	2,100	229	480,508	480,508	624,661	822,059	2026-2030	As development occurs	0%	100%	0	822,059
BR-P2	Boys Ranch	ROW	Cochran Rd to Coyote Rd	-	New	20	1,900	207	381,392	381,392	493,512	566,965	2026-2030	As development occurs	0%	100%	0	566,965
BR-P3	Boys Ranch	Coyote Rd	Half Rd to approx 1,700' w/o Half Rd	-	New	20	1,700	207	352,678	352,678	458,781	509,026	2026-2030	As development occurs	0%	100%	0	509,026
BR-P4	Boys Ranch	Half Rd	Mission View Dr to Reed Rd	-	New	22	3,150	229	720,793	720,793	938,592	1,218,080	2026-2030	As development occurs	0%	100%	0	1,218,080
BR-P5	Boys Ranch	Mission View Dr	Avenida de los Pinos to approx 150' w/o Avenida de los Pinos	8	Replace	20	450	207	93,356	93,356	121,363	157,772	2018-2020	Immediate	100%	0%	157,772	0
BR-P6	Boys Ranch	De Paul Rd	Half Rd to 2,100' w/o Half Rd	-	New	12	2,100	229	480,508	480,508	624,661	822,059	2026-2030	As development occurs	0%	100%	0	822,059
BR-P7	Boys Ranch	Half Rd	Sereno Dr to Conduit Rd	-	New	12	1,600	229	377,342	377,342	490,809	688,047	2026-2030	As development occurs	0%	100%	0	688,047
Subtotal - Boys Ranch Pressure Zone										2,837,288	3,688,475	4,795,017				157,772	4,637,245	
Neb Hill Pressure Zone																		
NH-P1	Neb Hill	Full Ave Extension	Spring Ave to Main Ave	-	New	12	4,550	229	1,041,102	1,041,102	1,353,482	1,759,462	2021-2025	As development occurs	100%	0%	1,759,462	0
NH-P2	Neb Hill	Spring Ave	Del Monte Ave to Monterey Rd	4	Replacement	8	950	350	173,000	173,000	222,800	288,990	2018-2020	As development occurs	100%	0%	288,990	0
NH-P3	Neb Hill	San Pedro Ave	Butterfield Rd to Railroad Ave	10	Replacement	16	550	275	131,856	131,856	197,418	255,837	2023-2025	As development occurs	100%	0%	255,837	0
NH-P4	Neb Hill	Hill Road Ave	San Pedro Ave to approx 600' w/o Hill Rd	10	Replacement	16	350	275	90,636	90,636	125,620	163,314	2023-2025	As development occurs	0%	100%	0	163,314
NH-P5	Neb Hill	Full Road Ave	Approx 600' w/o Main St. to Main St.	6	Replacement	16	600	275	165,851	165,851	215,359	279,967	2023-2025	As development occurs	0%	100%	0	279,967
NH-P6	Neb Hill	San Pedro Ave	Prosperity Dr to Hill Rd	-	New	20	3,200	207	663,891	663,891	883,021	1,121,391	2023-2025	As development occurs	0%	100%	0	1,121,391
NH-P7	Neb Hill	Hill Rd	San Pedro Ave to Tennant Ave	-	New	20	3,300	207	684,810	684,810	889,969	1,136,991	2023-2025	As development occurs	0%	100%	0	1,136,991
NH-P8	Neb Hill	Tennant Ave	Hill Rd to Conduit Rd	-	New	10	4,850	207	1,005,169	1,005,169	1,308,020	1,700,426	2021-2025	As development occurs	0%	100%	0	1,700,426
NH-P9	Neb Hill	Monterey Rd	John Wilson Way to Middle Ave	-	New	10	2,350	207	487,525	487,525	633,783	823,918	2021-2025	As development occurs	0%	100%	0	823,918
NH-P10	Neb Hill	ROW	Monterey Rd to Conduit Rd	-	New	10	2,700	207	500,130	500,130	728,176	946,029	2021-2025	As development occurs	0%	100%	0	946,029
OP-7	Neb Hill	Finner St	From Monterey Rd to Depot St	6	Replace	6	600	340	90,090	90,090	124,800	162,240	2018-2020	Immediate	100%	0%	162,240	0
Subtotal - Neb Hill Pressure Zone										5,124,559	6,661,927	8,660,595				2,467,328	6,193,177	
Holiday Pressure Zones																		
HL-P1	Holiday 1	Dunne Ave	Flaming Oak Ln to Proposed E Dunne Trunk	-	New	16												
HL-P2	Holiday 1	Dunne Ave	Proposed E Dunne Trunk to Flaming Oak Ln	-	New	12												
HL-P3	Holiday Lake	Dunne Ave	Proposed E Dunne Trunk to Flaming Oak Ln	-	New	12												
HL-P4	Holiday Lake	Oak Leaf Dr	Dunne Ave to 650' w/o Oak Leaf Dr	-	New	12												
HL-P5	Holiday Lake	Lake View Dr	Oak Leaf Dr to Holiday Lake Tanks	8	Replacement	12												
OP-1	Holiday Lake	Shady Ln	From Holiday Dr to Holiday Dr	6	Replace	6												
OP-4	Holiday Lake	Holiday Tank Site	From Holiday Lake Tanks to Mainline Dr	8	Replace	8												
OP-5	Holiday Lake	Mainline Dr	From Holiday Dr to end of Mainline Dr	6	Replace	6												
OP-6	Holiday Lake	Raccoon Cr	From Holiday Cr to end of Mainline Dr	6	Replace	6												
Subtotal																		
Jackson Oaks Pressure Zones																		
OP-2	Jackson Oaks	1-1/2" Tap Ct	From Jackson Oaks Dr to approx 150' w/o Jackson Oaks Dr	8	Replace	8												
OP-3	Jackson Oaks	Oak View Ct	From Jackson Oaks Dr to approx 700' w/o Jackson Oaks Dr	8	Replace	8												
OP-8	Jackson Oaks	Oak View Ct	From Jackson Oaks Dr to approx 700' w/o Jackson Oaks Dr	8	Replace	8												
Subtotal																		
Subtotal - Subtotal																		

● Pipeline Improvements: 10.2

● New Storage Reservoirs: 5

● New Well Improvements: 2

● Pump Station Improvements: 1

● Pressure Reducing Valve Stations: 1

- Pipeline Improvements: 10.2 miles
- New Storage Reservoirs: 5
- New Well Improvements: 2
- Pump Station Improvements: 2
- Pressure Reducing Valve Station: 1

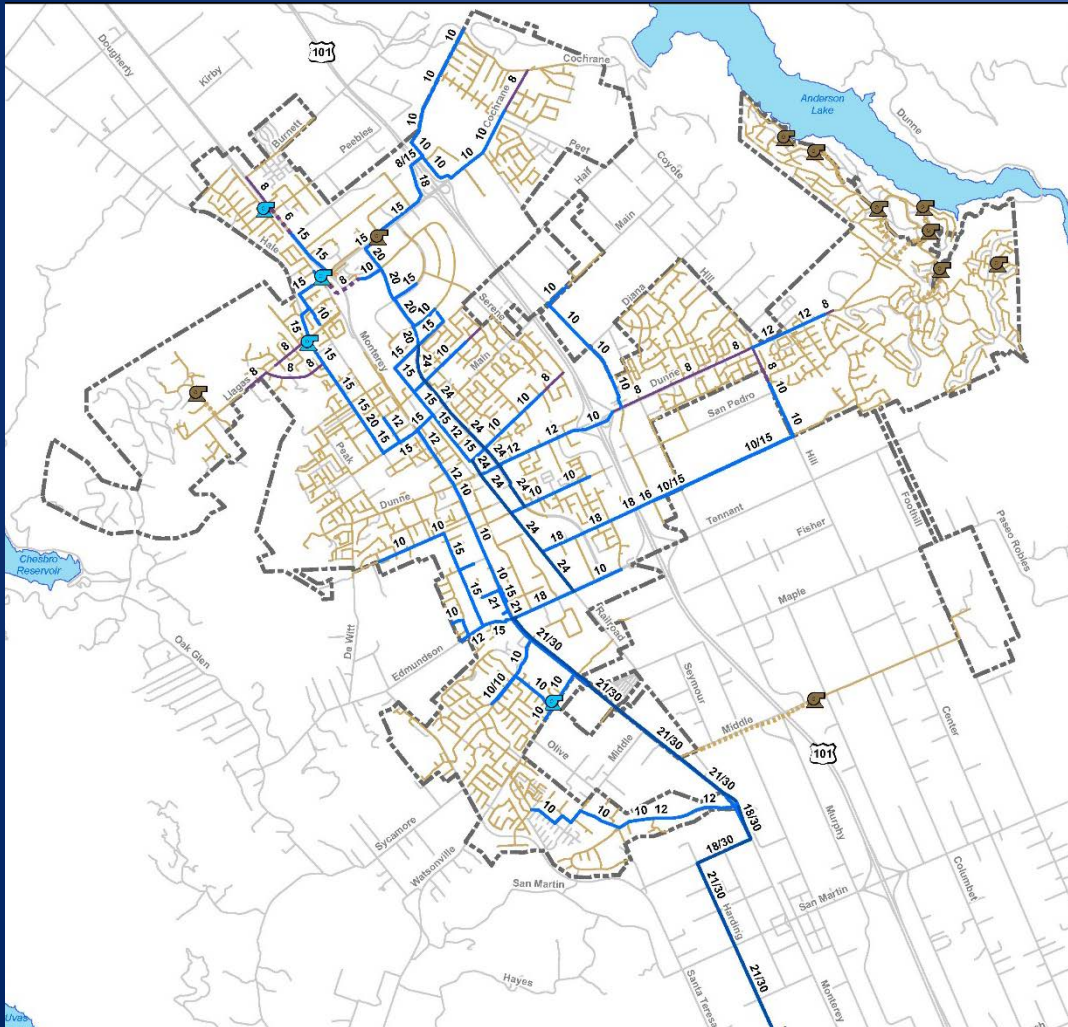
Total Cost: \$48.4 million

Existing Users: \$16.8 million

Future Users: \$31.6 million

SEWER MASTER PLAN

Existing Sewer System



- Collection System: Approx. 160 miles
- Trunk System: Approx. 16 miles
- 14 Lift Stations
- 2.9 miles of Force Main
- SCRWA Treatment Plant

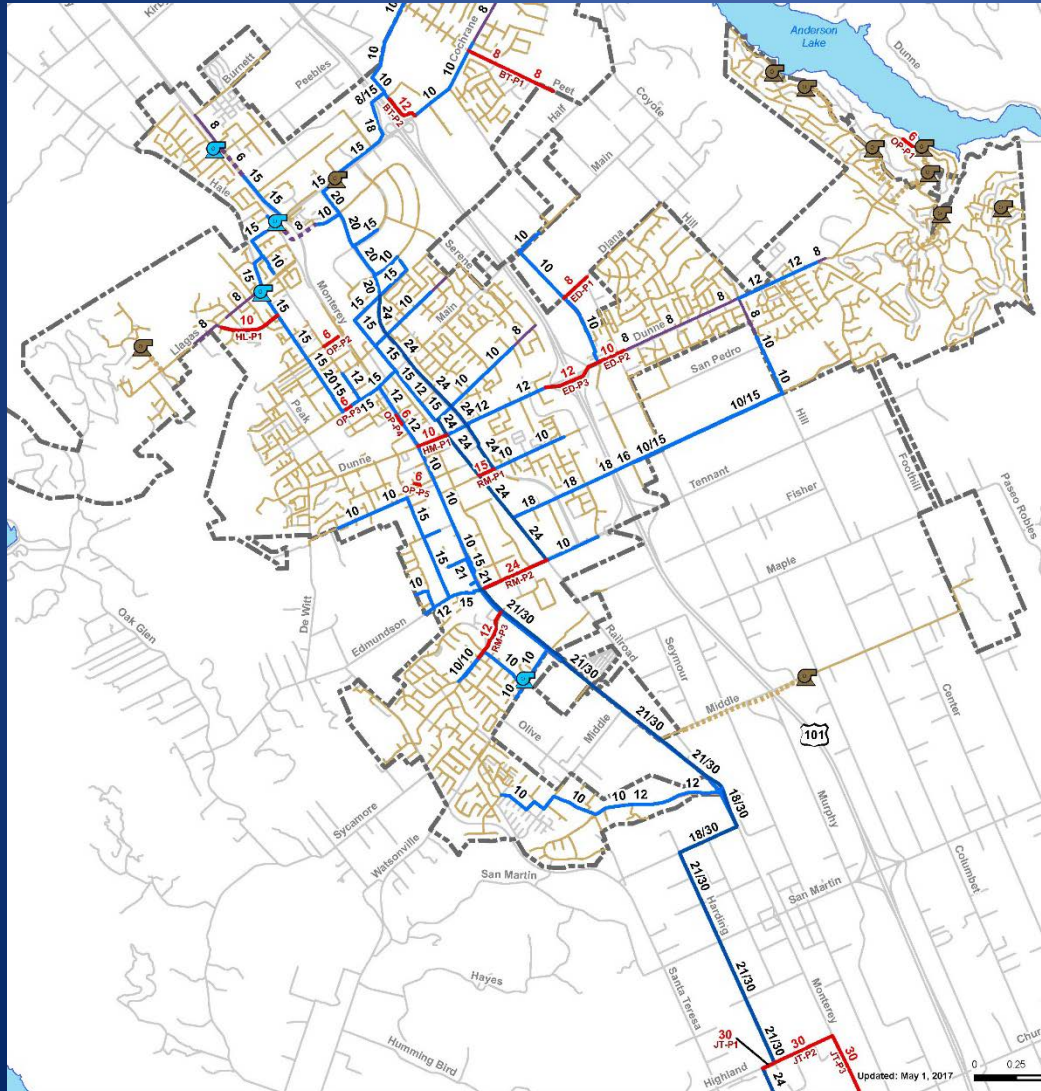
Existing System Evaluations

Dry Weather

Wet Weather

- Dry Weather flow evaluation
- Wet Weather flow evaluation
- Document deficiencies

Capacity Improvements



- Existing and Future
- Itemized for a Near-Term and GP Horizon
- Consistent with General Plan
- Meets AB1600

Condition Assessment

Major Structural Defects

- Major Structural Defects
- Points of Infiltration

Infiltration and Inflow Defects

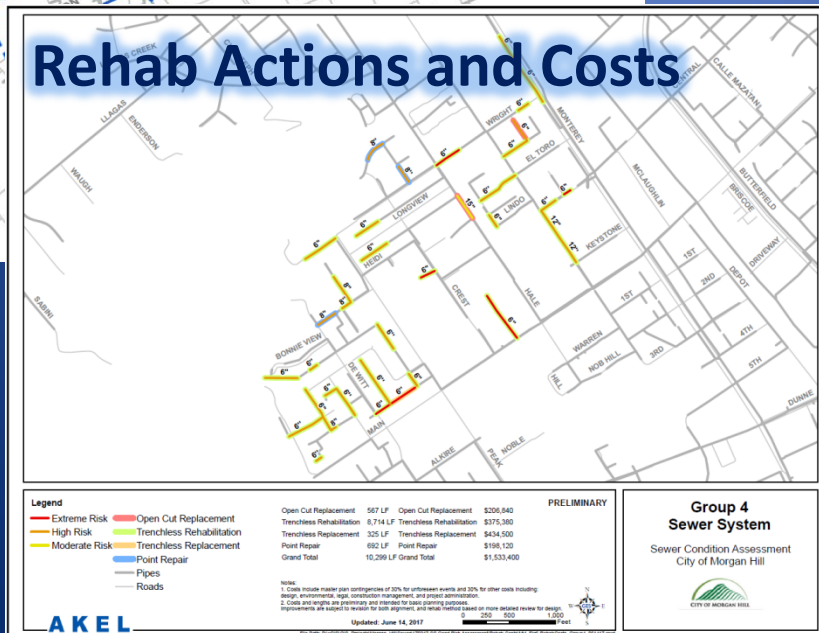


Rehabilitation and Replacement Improvements

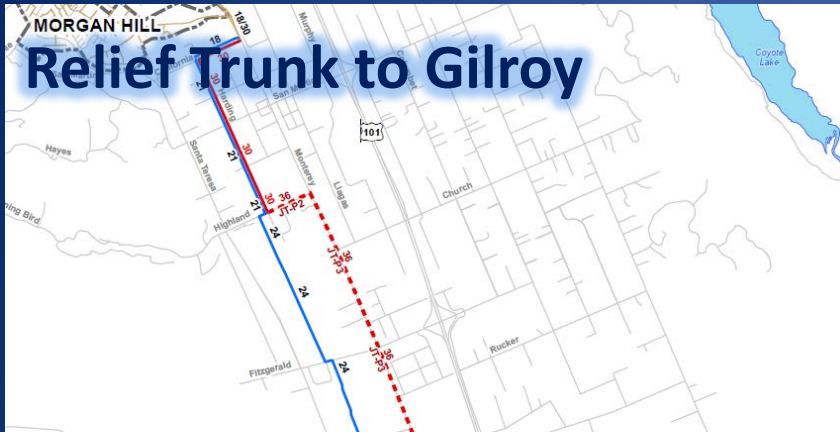
Nine Major Project Groups

- Replace Aging Infrastructure
- 246 unique rehabilitations

Rehab Actions and Costs



Other Planned Improvements



- New Trunk Line to Gilroy (\$21M)
- Treatment Plant Expansion (\$32.7M)



Capital Improvement Program

Table 8.2 Capital Improvement Program
Sewer System Master Plan
City of Morgan Hill

Improv. No.	Type of Improvement	Alignment	Limits	Pipeline Improvements		Infrastructure Costs				Material Costs (€)	Estimated Cost (€)	Capacity Improv. Cost (€)	Suggested Improvement Budget	Construction Trigger	Suggested Cost Allocation		Cost Allocation	
				Existing Diameter	New/Replace/Repair	Diameter (in)	Length (ft)	Unit Cost (€)	Est. Cost (€)						Existing Users (%)	Future Users (%)	Existing Users (€)	Future Users (€)
Pipeline Capacity Improvements																		
Butterfield Trunk																		
BT-P1	Gravity Main	Peet Rd	From approximately 3,000 L/s to Cochran Rd to Cochran Rd	-	New	8	5,000	1/1	>1,171,5	511,176	365,219	854,893	2020-2030	-	0%	100%	0	854,893
BT-P2	Gravity Main	Along NB US 101	From 900 Trunk Cochran Rd to intersection of Cochran Rd and NB US 101	10	Replacement	12	1,200	199	238,814	238,814	310,439	403,555	2020-2030	1,900	51%	49%	104,471	199,115
Subtotal - Butterfield Trunk										750,560	975,727	1,268,446						
Hale-Ligas Trunk																		
HL-P1	Gravity Main	Ligas Creek Dr	From Eagle Springs Ct to Hale Ave	8	Replacement	10	1,950	185	360,354	350,354	498,450	608,960	2020-2030	675	73%	28%	431,981	173,077
Subtotal - Hale-Ligas Trunk										360,354	498,450	608,996						
East Dunne Trunk																		
ED-P1	Gravity Main	Dunne Ave	From Murphy Ave to Cordit Rd	-	New	8	1,000	1/1	170,582	170,582	221,759	288,283	2020-2030	-	0%	100%	0	288,283
ED-P2	Gravity Main	Dunne Ave	From 2301 Trunk Murphy Ave to Cordit Rd	8	Replacement	10	950	185	175,557	175,557	228,324	296,891	2020-2030	1,523	83%	17%	147,339	49,552
ED-P3	Gravity Main	Dunne Ave	From Cordit Rd to 130 Trunk Walnut Grove Dr	8/10	Replacement	12	1,950	199	388,073	388,073	504,495	635,844	2020-2030	2,408	47%	53%	309,081	344,763
Subtotal - East Dunne Trunk										734,212	954,476	1,240,819						
Hale-Monterey Trunk																		
HM-P1	Gravity Main	Dunne Ave	From Monterey Rd to Railroad Ave	-	New	10	1,000	185	184,797	184,797	240,734	317,307	2018-2030	0	80%	20%	250,909	67,498
OP-P2	Gravity Main	Wright Ave	From 2301 Trunk Garden Ave to Del Monte Ave	6	Replacement	6	590	136	80,062	80,062	111,802	145,343	2018-2030	0	100%	0%	141,853	0
OP-P3	Gravity Main	Muir Ave	From 170 Trunk Hale Ave to 300 Trunk Hale Ave	6	Replacement	6	175	156	27,364	27,354	33,373	48,245	2018-2030	0	100%	0%	46,245	0
OP-P4	Gravity Main	Monterey Rd	From 3rd to 4th Street	6	Replacement	6	350	156	54,738	54,738	71,147	93,491	2018-2030	0	100%	0%	92,491	0
OP-P5	Gravity Main	RDW	Right of Way to Manor Ct to 450 Trunk Monterey Rd and Bluebell Ave	6	Replacement	6	200	156	31,279	31,279	40,355	52,852	2018-2030	0	100%	0%	52,852	0
Subtotal - Hale-Monterey Trunk										384,164	499,414	649,238						
Railroad-Monterey Trunk																		
RM-P1	Gravity Main	San Pedro Ave	From Butterfield Blvd to Railroad Ave	10	Replacement	13	590	270	168,948	168,948	199,113	251,047	2020-2030	2,000	58%	42%	148,309	104,587
RM-P2	Gravity Main	Truman Ave	From Railroad Ave to Monterey Rd	18	Replacement	24	2,200	426	938,199	938,199	1,215,056	1,583,357	2020-2030	3,175	61%	39%	869,933	615,034
RM-P3	Gravity Main	La Grasse Dr / Vineyard Blvd	From La Mar Dr to Monterey Rd	10	Replacement	12	1,700	199	338,520	338,520	435,817	571,782	2020-2030	0	90%	10%	527,409	44,373
Subtotal - Railroad-Monterey Trunk										1,425,068	1,852,589	2,408,365						
Hill-Barrett Trunk																		
OP-P1	Gravity Main	RDW	Along Hillside Dr to Oak Ln	8	Replacement	6	400	156	62,547	62,547	81,911	105,704	2018-2030	0	100%	0%	105,704	0
Subtotal - Hill-Barrett Trunk										62,547	81,911	105,704						

Relief Trunk Improvements	
JP-P1	Gravity Main
JP-P2	Gravity Main
JP-P3	Gravity Main
JP-P4	Gravity Main
JP-P5	Gravity Main
JP-P6	Gravity Main
JP-P7	Gravity Main
JP-P8	Gravity Main

Sewer S
Sewer S
Sewer R
On-G
CCTV
Current

- Pipeline Capacity Improvements: \$34.8 million
- Condition Assessment Improvements: \$17.8 million
- Plan Updates: \$1.6 million
- Other Planned Improvements (including SCRWA Plant): \$53.6 million

Total Cost: \$107.8 million

Existing Users: \$50.8 million

Future Users: \$57.0 million

Public Input & Questions

Next Steps

- Bring Master Plans forward for formal approval and adoption
- Initiate Impact Fee Studies
- Continue to evaluate new development standards to reduce water use and waste flow
- As necessary, update fees to account for efficiencies
- Update CIP to reflect Master Plan goals
- Increase frequency of Master Plan updates



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: John Lang, Economic Development Coordinator
APPROVED BY: City Manager

LEADERSHIP MORGAN HILL 2017 PUPS IN NEED - MORGAN HILL POLICE DEPARTMENT KENNEL MAKEOVER DONATION

RECOMMENDATION(S)

Adopt resolution accepting a donation from the Leadership Morgan Hill Class of 2017 for the Pups in Need - Morgan Hill Police Department Kennel Makeover Donation.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

During the past 20 years, every Leadership Morgan Hill class has developed and implemented a hands-on community project that takes place over the duration of the 9-month program. For this year's project, the class chose to improve the six kennel Morgan Hill Police Department's Animal Impound Facility with additional amenities providing greater comfort for impounded canines. The name of the project is "Pups in Need - Morgan Hill Police Department Kennel Makeover." The Leadership Morgan Hill Board of Directors approved the proposed class project at its board meeting on April 3, 2017. The City Council approved the proposed class project at its April 19, 2017 meeting.

The Leadership Morgan Hill class held fundraising events and promotional activities with a goal to raise \$7,000 to purchase and install new chew proof beds, self-warming and cooling pads, new food and water bowls, garden hoses with nozzles, new dog houses and kennels, and upgrade the storage area. The Leadership Morgan Hill class met its fundraising goals from donations from the community. The Leadership Morgan Hill class is now able to purchase the materials and fixtures for the kennel facility.

In accordance with the City of Morgan Hill's Administrative policies and procedures V009, Donation Policy, it is recommended that the City Council approve a resolution to accept the donation of cash, materials, and fixtures from the Leadership Morgan Hill Class of 2017 to the Morgan Hill Police Department Animal Impound Facility totaling \$7,000.

The financial breakdown of the donation:

- \$2,000 to be a special deposit for future facility needs of the Morgan Hill Police Department Kennel
- \$5,000 in materials and fixtures to be installed in the facility

COMMUNITY ENGAGEMENT: Involve

In addition to improving the Animal Impound Facility, the class project also involved raising awareness within the pet community of the importance of microchipping and other healthy programs for pets in Morgan Hill.

ALTERNATIVE ACTIONS:

None

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

City Council approved the concept for the Pups in Need - Morgan Hill Police Department Kennel Makeover at its meeting on April 19, 2017.

FISCAL AND RESOURCE IMPACT:

The materials and fixtures cost \$5,000 and fundraising efforts specific to this project were undertaken by the Leadership Morgan Hill 2017 class. In addition, \$2,000 from the fundraising will be on deposit for future facility needs of the Morgan Hill Police Department Kennel.

CEQA (California Environmental Quality Act):

Categorically Exempt: As a minor alteration of an existing facility, this project is categorically exempt from CEQA. CEQA Guideline §15301.

LINKS/ATTACHMENTS:

1. Resolution to Accept Donation for Animal Impound Facility

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL ACCEPTING A DONATION FROM LEADERSHIP MORGAN HILL OF CASH, NEW MATERIALS, AND FIXTURES TO BE INSTALLED AT THE MORGAN HILL POLICE DEPARTMENT ANIMAL IMPOUND FACILITY

WHEREAS, Leadership Morgan Hill is a not for profit organization dedicated to training and developing future leaders to community service; and

WHEREAS, Leadership Morgan Hill Class of 2017 worked to raise funds for the purchase of materials and fixtures to provide additional comfort and well-being to animals detained in the facility; and

WHEREAS, Leadership Morgan Hill Class of 2017 has raised sufficient funds for the purchase of fixtures and materials for the animal impound facility; and

WHEREAS, Leadership Morgan Hill wishes to donate the materials and fixtures to the City of Morgan Hill to enhance the animal impound facility; and

WHEREAS the City wishes to accept the donation from Leadership Morgan Hill for this project.

THEREFORE, BE IT RESOLVED by the City Council of the City of Morgan Hill that:

Section 1. The recitals, findings and determinations set forth above are true and correct and are incorporated by reference herein.

Section 2. The City Council hereby accepts the donation of cash, materials, and fixtures for animal impound facility valued at \$7,000 from Leadership Morgan Hill.

Section 3. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this resolution is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution and each section, subsection, subdivision, sentence, clause, phrase, word or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivision, sentences, clauses, phrases, words, or portions thereof be declared invalid.

Section 4. This Resolution shall become effective immediately upon adoption.

City of Morgan Hill
Resolution No.
Page 2 of 2

PASSED AND ADOPTED by the City Council of Morgan Hill at the meeting held on this 23rd day of August 2017 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, MAYOR

∞ 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.XXX X, adopted by the City Council at the meeting held on August 23, 2017.

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

DATE: _____

Irma Torrez, CITY CLERK



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Jerry Neumayer, Police Captain
APPROVED BY: City Manager

ASSET SEIZURE FUNDS FOR PURCHASE OF IA PRO SOFTWARE AND STOP STICKS

RECOMMENDATION(S)

Adopt resolution for the approval of:

1. Appropriation of \$11,595 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of 23 Stop Stick tire deflation devices and one Stop Stick training device; and
2. Appropriation of \$15,000 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of IA Pro Professional Standards Software and Blue Team Field Support Web applications, one year software support and 5 days of training.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

Maintaining Fiscal Responsibility

REPORT NARRATIVE:

The City maintains an Asset Seizure and Forfeiture (ASF) fund for cash seized that has been deemed proceeds from a crime or cash used to facilitate a crime. The forfeiture of the funds occurs after judicial review and finding. The Police Department is a participating law enforcement agency eligible to receive ASF funds from the US Department of Justice, State of California, and County of Santa Clara. The purpose of ASF funds is to remove the proceeds of a crime or other asset relied upon by criminals and their associates to further criminal activity. ASF occurs when cash and other assets are confiscated by the court and then allocated among law enforcement agencies responsible for the arrest and conviction of criminals associated with seized proceeds. The funds are then used by law enforcement agencies to enhance public safety and security. Permissible uses of ASF funds include the purchase of equipment and supplies to increase public safety and assist in investigations.

The current fund balance in the ASF Fund is \$136,000. The Police Department recommends the purchase of equipment and software that will enhance the safety of our officers and community and increase trust and confidence in the Police Department.

By purchasing the Stop Sticks, our officers will have an additional resource in attempting to stop vehicle pursuits. Currently the only resource that our officers have in

stopping a vehicle pursuit is the ability to PIT (Pursuit Intervention Technique). Only the marked patrol vehicles equipped with PIT bars are approved to implement this technique. Currently, there are 17 vehicles in our fleet approved to implement this procedure. Unmarked vehicles are not authorized to conduct this maneuver. Having 23 department vehicles (patrol and unmarked) equipped with Stop Sticks, even those without PIT bars, will allow officers to assist in attempting to stop a pursuit in a safer manner and limiting the chances of further damage to public property or worse, injury or death to a member of the public and department members. The Police Department is requesting 23 Stop Sticks to equip all marked and unmarked police vehicles.

In 2016 the Center for Public Safety Management (CPSM) assessed the Police Department staffing and operations. They provided 39 recommendations to improve the operations of our department. One of CPSM's recommendations was for MHPD to create a Professions and Standards unit. The new unit would be responsible for internal affairs, training, employment services/personnel, policy development, and use of force review. While the Department will not establish the unit now, we are taking steps to lay the foundation by implementing several CPSM's recommendations; including the purchase of a reliable and user friendly administrative investigation and tracking system to provide a risk management tool to aid in the early identification of officers with a higher than average incidences of certain behaviors. Currently our department uses LE Administrative Suite, to document citizen and internally generated complaints; in addition to LE Administrative Suite, we use a combination of Microsoft Word and Microsoft Excel to document and track our internal investigations and use of force incidents. CPSM also reviewed our Use of Force policy and procedures and recommended a computer program that would track all Use of Force and Pursuits with an early warning system. The IAPro software accomplishes each of the recommendations by tracking all complaints, use of force incidents, and vehicle pursuits.

IAPro has the following platforms:

- IAPro –
 - Early identification and intervention for use of force incidents and vehicle pursuits.
 - Case management for caseloads with automatic timers reminding supervisors of time sensitive cases.
 - Allows many files to be attached such as MS Word, video, audio, Acrobat, and digital images.
 - Broad range of statistical reports and charts are provided which include aggregate, trends, exception, and comparative formats.
 - Access and security controls for use of program.
- BlueTeam –
 - Manages incidents of use of force, field level discipline, complaints, vehicle collisions, and pursuits.
 - Early intervention dashboard for supervisors
- EIPRO – An early intervention platform to be used by front-line supervisory, command and analytical staff.

COMMUNITY ENGAGEMENT: Inform

This staff report serves to inform the community of the department's intention to purchase and implement the IAPro software system and Stop Sticks tire deflation devices for pursuit intervention.

ALTERNATIVE ACTIONS:

If it is decided not to use Asset Forfeiture funds to purchase IA Pro Software, the City could do the following:

1. Continue using LE Administrative Suite program, Microsoft Word, and Excel to document and track citizen complaints, internal affairs investigations, and incidents of use of force.
2. Use resources from the General Fund to purchase requested items.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None

FISCAL AND RESOURCE IMPACT:

Staff recommends the appropriation of \$26,595 from the Asset Seizure and Forfeiture un-appropriated fund balance (Fund 225) to include:

- \$13,000 initial fee that includes IA Pro software and on-site training
- \$2,000 initial annual fee for maintenance
- \$11,595 for 23 Stop Sticks kits and 1 training kit

A Budget Scorecard is included as Attachment B.

The annual \$2,000 software maintenance fee for IA Pro will be paid from the Police Department operating budget in future years.

CEQA (California Environmental Quality Act):

Not a Project. Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

LINKS/ATTACHMENTS:

1. IA Software and Spike Sticks Resolution
2. Asset Seizure Fund Budget Scorecard
3. Transfer to General Fund Budget Scorecard

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO THE CITY'S FISCAL YEAR 17-18 BUDGET APPROPRIATING \$26,595.00 FROM THE ASSET SEIZURE AND FORFEITURE FUND TO THE GENERAL FUND FOR THE PURCHASE OF IAPRO SOFTWARE AND SPIKE STICK TIRE DEFLATION DEVICE AND APPROPRIATE \$26,595.00 THEREFOR

WHEREAS, the City of Morgan Hill, 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"), is authorized to enter into contracts and agreements for the benefit of the City; and

WHEREAS, the reasons supporting the purchase described in, and that is the subject of, this Resolution are set forth in detail in that certain City Council Staff Report entitled "Appropriations of Asset Seizure and Forfeiture Funds for the Purchase of IA Pro Software and Stop Stick Tire Deflation Device" submitted for City Council consideration at its meeting of August 23, 2017 submitted to the City Council by the City Manager (the "Staff Report"), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, recommended amendments are needed and proposed to the City's previously adopted Annual Budget for Fiscal Year 17-18, as set forth on Exhibit A to this Resolution, to appropriate the requisite funds to implement the actions authorized by this Resolution; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public meeting at which meeting the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

WHEREAS, the activities allowed under this Resolution do not constitute a project under the provisions of California Environmental Quality Act of 1970; and

WHEREAS, the City Council determines that adoption of this Resolution is in the public interest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Recitals. The City Council does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

- a. That the City is in support of the purchase of IA Pro Software and Spike Stick Tire Deflation Devices to further public safety and security; and
- b. That the City's previously adopted Fiscal Year 17-18 Budget, as the same has been amended to date, is hereby further amended in accordance with and as reflected on Exhibit A attached hereto and incorporated herein by this reference; and
- c. That the City Clerk is hereby authorized and directed to forward a copy of this Resolution to the City's Finance Director, who is hereby authorized and directed to take all actions necessary to implement the terms of this Resolution pertaining to the Fiscal Year 17-18 Budget of the City; and
- d. That the City Manager is hereby delegated authority to and is authorized to take all other ministerial actions that may be necessary or appropriate to implement the provisions of this Resolution.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 23rd day of August 2017 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, MAYOR

∞ 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.XXXX , adopted by the City Council at the meeting held on August 23 , 2017.

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

DATE: _____

Irma Torrez, CITY CLERK

AGENDA BUDGET SCORECARD

FISCAL YEAR 2017-18

ADJUSTMENT #

007

FUND:

225 Asset Seizure Fund

DEPARTMENT:

6800 Asset Seizure

OBJECT:

00000 -

AGENDA DATE:

07/26/17

AGENDA ITEM TITLE:

IA Pro Software and Stop Stick Tire Deflation Device

	07/01/17 PROJECTED BEGINNING FUND BALANCE	ESTIMATED REVENUES	AMENDED APPROPRI- ATIONS	06/30/18 PROJECTED ENDING FUND BALANCE
ORIGINAL BUDGET	136,168	250	-	136,418
CUMULATIVE REVISIONS PRIOR TO RECOMMENDED ACTION	-	-	-	-
RECOMMENDED ACTION	-	-	26,595	(26,595)
RESULT OF RECOMMENDED ACTION	<u>136,168</u>	<u>250</u>	<u>26,595</u>	<u>109,823</u>

AGENDA BUDGET SCORECARD

FISCAL YEAR 2017-18

ADJUSTMENT #

008

FUND:

DEPARTMENT:

OBJECT:

010	General Fund
3210	Police-Patrol
42248	OTHER SUPPLIES

AGENDA DATE:

AGENDA ITEM TITLE:

07/26/17
IA Pro Software and Stop Stick Tire Deflation Device

	07/01/17 PROJECTED BEGINNING FUND BALANCE	ESTIMATED REVENUES	AMENDED APPROPRI- ATIONS	06/30/18 PROJECTED ENDING FUND BALANCE
ORIGINAL BUDGET	15,178,811	37,137,688	39,033,006	13,283,493
CUMULATIVE REVISIONS PRIOR TO RECOMMENDED ACTION	-	-	-	-
RECOMMENDED ACTION	-	26,595	26,595	-
RESULT OF RECOMMENDED ACTION	<u>15,178,811</u>	<u>37,164,283</u>	<u>39,059,601</u>	<u>13,283,493</u>



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Cynthia Hasson, Assistant City Attorney
APPROVED BY: City Manager

ADOPT RESOLUTION APPROVING USE OF GOVERNMENT CRIME INSURANCE POLICY FOR CITY OFFICERS AND EMPLOYEES

RECOMMENDATION(S)

Adopt resolution approving the use of Government Crime Insurance Policy in lieu of bonds for City officers and employees.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

REPORT NARRATIVE:

Section 2.08.030B of the Municipal Code of the City of Morgan Hill requires the City Manager be bonded. Government Code section 36518 requires that the City Clerk and City Treasurer be bonded. Pursuant to Government Code section 1463, the City may use insurance policies in lieu of bonds subject to the approval of the City Council.

The City's current plan with the Association of Bay Area Governments (ABAG) provides for a Governmental Crime Policy to provide coverage for the officers and employees of the City of Morgan Hill rather than individual bonds or master bonds. This is considered a more cost-effective approach to coverage because the insurance provides a higher level of coverage for the City and eliminates the need to purchase one or more individual bonds. The ABAG plan provides for up to \$2 million in coverage for those individuals who are required to be bonded individually, while bonds generally have limits of \$100,000.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community of the insurance covering the City employees and officers.

ALTERNATIVE ACTIONS:

Alternatively, the Council could direct the purchase of individual bonds or a master bond to cover the employees.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

There is no record of previous actions taken.

FISCAL AND RESOURCE IMPACT:

There are no fiscal impacts associated with the Governmental Crime Insurance Policy in lieu of the bonds. Insurance costs are currently budgeted. Insurance provides higher coverage and eliminates the need to purchase bonds, thereby saving the City money.

CEQA (California Environmental Quality Act):

The purchase of insurance is not a project: The organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment are not a project under CEQA.

LINKS/ATTACHMENTS:

1. Reso for government crime insurance policy

RESOLUTION NO. 17-**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING THE GOVERNMENT CRIME INSURANCE POLICY FOR CITY OFFICERS AND EMPLOYEES**

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, Government Code section 36518 requires that City Clerks and City Treasurers be bonded; and

WHEREAS, section 2.08.030B of the Municipal Code of the City of Morgan Hill requires the City Manager be bonded; and

WHEREAS, Government Code section 1463 allows cities to use government crime insurance policies as an alternative to bonds for officers and employees upon approval of the City Council; and

WHEREAS, the government crime insurance policy is considered more cost effective than procuring bonds.

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 does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. The City Council does hereby approve the use of government crime insurance policy to cover officers and employees who are required to be bonded.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the __ day of August, 2017.

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

APPROVED:

ATTEST:

Attachment: Reso for government crime insurance policy (1321 : Approve the use of Governmental Crime policy in lieu of bonds)

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. 17-, adopted by the City Council at a regular meeting held on August __, 2017.

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

DATE: _____

IRMA TORREZ, City Clerk

Attachment: Reso for government crime insurance policy (1321 : Approve the use of Governmental Crime policy in lieu of bonds)



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: David Gittleson, Associate Engineer
APPROVED BY: City Manager

AWARD HIGHLAND AVENUE SEWER UPGRADE PROJECT

RECOMMENDATION(S)

1. Approve Highland Avenue Sewer Upgrade Project plans and specifications;
2. Award contract to Monterey Peninsula Engineering for the Highland Avenue Sewer Upgrade Project in the amount of \$547,900;
3. Authorize expenditure of construction contingency funds not to exceed \$54,790; and
4. Authorize the City Manager to execute and administer the construction contract with Monterey Peninsula Engineering.

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 remains committed to providing its residents and those in surrounding communities with a reliable and well maintained sewer system. On March 15, 2017, City Council received a report on two sewer spill incidents near the intersection of Harding and Highland Avenues in unincorporated Santa Clara County. As directed by the City Council, staff is in the process of addressing that problem with a variety of projects, including the dual trunk line to Gilroy and repairing pipe and manhole systems to reduce storm water infiltration. The Highland Avenue Sewer Upgrade project will provide additional trunk capacity near the intersection of Harding and Highland Avenues. The scope of the project involves the replacement of 460 linear feet of existing 21-inch diameter sewer pipe in Highland Avenue with new 30-inch diameter pipe and the construction of three new manholes. The bid opening for the project was held on August 10, 2017 and the bids received are listed below.

Monterey Peninsula Engineering	\$547,900
Pacific Underground Construction	\$640,500

The low bidder, Monterey Peninsula Engineering is an experienced contractor with this type of work. Monterey Peninsula Engineering recently completed the East Dunne Water Main Project and is currently performing punch list work for the Oak Canyon Booster Station Project. Monterey Peninsula Engineer's bid amount of \$547,900 was slightly less than the engineer's estimate of \$565,000. Thus, staff recommends award

of the contract to Monterey Peninsula Engineering in the amount of \$547,900. The project is scheduled to begin in September 2017 and be completed by December 2017.

The project plans and specifications can be found on the City's web page in the Community Projects link (<http://www.morgan-hill.ca.gov/1436/Project-Plans-Specifications-and-Bid-Res>).

COMMUNITY ENGAGEMENT: Inform

The Highland Avenue sewer trunk improvement site is in San Martin, unincorporated Santa Clara County, and located adjacent to residences. Staff will provide email and door notifications prior to construction activities. Staff will also provide updated construction information weekly through Nextdoor and on the City's website.

ALTERNATIVE ACTIONS:

City Council could elect to not award this construction contract. However, this would leave the existing sewer trunk line more vulnerable to sewer spills during significant rain events.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- On March 15, 2017, City Council received a report on the recent sewer spills, approved a First Amendment to the laboratory services agreement with Alpha Analytical Laboratories, Inc. to amend the scope of services, and directed staff to return to the Council with a plan for accelerating the sewer trunk line to Gilroy improvements.
- On April 19, 2017, City Council approved staff implementation of projects to repair leaking sewer manholes and sewer pipes, and maximize flow in the existing sewer trunk line on Highland Avenue (Highland Avenue Sewer Upgrade Project). City Council also approved a First Amendment to the professional services agreement with HydroScience Engineers, Inc. to provide the design for the second phase of the new sewer trunk improvements from Cohansey Avenue to Renz Lane in Gilroy.

FISCAL AND RESOURCE IMPACT:

If approved, the total authorization for this project would be \$602,690, which includes a 10% contingency of \$54,790. The construction costs are sufficiently funded in the Fiscal Year 2017-18 Capital Improvement Program (CIP) budget under CIP Project 302000 -Sanitary Sewer Rehabilitation, utilizing Sewer CIP Funds (643).

CEQA (California Environmental Quality Act):

Categorical Exemption

The activities described in this Staff Report are categorically exempt under CEQA, specifically pursuant to Section 15303(d) of the CEQA Guidelines (New construction or conversion of small structures), as the subject work involves the construction of sewer trunk improvements within an existing paved roadway to connect to the City's existing sewer trunk system.

LINKS/ATTACHMENTS:

1. Project Location Map
2. Project Plans, Specifications, and Bid Results (weblink)



Attachment: Project Location Map (1363 : Award Highland Avenue Sewer Upgrade Project)



CITY OF MORGAN HILL
Public Works Department
Engineering and Utilities Division

G:\R-14\Proj\GIS\John\Lynn_HardingSewerUpgradeProject.mxd

HIGHLAND AVE. SEWER UPGRADE PROJECT



0 160 320 640 960 1,280
Feet



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Chris Ghione, Community Services Director
APPROVED BY: City Manager

DOWNTOWN PARKS ART APPROVAL

RECOMMENDATION(S)

1. Approve art proposal for bronze fox art sculpture by Evelyn Davis;
2. Authorize the City Manager to negotiate, execute, and administer an artist agreement with Evelyn Davis; and
3. Authorize the City Manager to finalize exact location of the sculpture within the Downtown Creek Park.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community

REPORT NARRATIVE:

On February 22, 2017, the City Council approved the Downtown Parks Project and included funding for Public Art within that project. City staff worked with the Library, Culture and Arts Commission (LCAC or Commission) to develop a Call for Artists to select artists to complete three art projects within the Downtown Parks.

- Artistic Bike Rack Art Contest - \$15,000
- Mural on the Railroad Park Sound Wall - \$20,000
- Sculpture or Other Art for the Downtown Creek Park - \$15,000

Outreach for the projects focused on finding local artists to complete the artwork. Proposals were due on June 30. The City received five proposals, including two proposals from Evelyn Davis for the sculpture in the Downtown Creek Park and three proposals for work to create the mural. An art review panel convened on July 24th to review the proposals. This panel was made up of two members of the Library, Culture and Arts Commission, two members of the Parks and Recreation Commission, the Project Manager for the Downtown Parks Project, and the City's Maintenance Coordinator.

The action requested of Council tonight is only in relation to the sculpture component of Downtown Parks Art Program. The sound wall mural component is still being reviewed by the Commission. It is anticipated that a recommended finalist for the sound wall mural will be brought to the Council in October. Since no applications were received for

the artistic bike rack, the City staff is working with the Commission to issue a revised call for artists for that specific project.

After the initial review, the panel recommended the Commission move forward with reviewing and approving the Evelyn Davis Bronze Fox Sculpture Number 1. The panel recommended moving forward based on the following reasons:

- The artist's past work with the City has been outstanding;
- Evelyn Davis is a local artist;
- The artist has committed to supporting the City by providing recommendations on maintenance and care of the art.

The Commission concurred with the panel and on August 1 recommended that the City Council approve the Bronze Fox Sculpture (listed as number 1 found in Attachment 2). The proposal meets the guidelines of the City's Public Art Policy. The art piece will be a small bronze sculpture and can be incorporated into the maintenance plan with the City's other bronze sculptures.

The location of the proposed art is yet to be determined within the Downtown Creek Park. It is envisioned within the next 60 days that the park will be developed enough to decide on a final location. Moving forward with the approval now would allow the City and artist to finalize the artist agreement, work on the project to commence, and completion of the art by the opening of the parks in November.

COMMUNITY ENGAGEMENT: Involve

A "Call for Artists" was promoted through the community and targeted towards local artists. The proposed art was designed by local artist Evelyn Davis. A selection panel made up of City teammates, LCAC Commissioners, and Parks and Recreation Commissioners reviewed the projects and made an initial recommendation to the full Library, Culture and Arts Commission. The LCAC reviewed the proposal during its regular meeting allowing for public comment.

ALTERNATIVE ACTIONS:

The Council could choose to not approve the proposal and provide alternative direction for City staff and the Commission.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

February 22, 2017 – The City Council approved the Downtown Parks Project and included funding for public art.

August 1, 2017 – The Library, Culture and Arts Commission recommended approval of the Bronze Fox art proposal by Evelyn Davis.

FISCAL AND RESOURCE IMPACT:

The funding for the Bronze Fox Sculpture is \$15,000 which was previously approved as a component of the Downtown Parks Project. Overall project funding sources include grant funding, Park Impact (301) funds, and Public Facilities (346) funds.

CEQA (California Environmental Quality Act):
Project

The installation of the bronze sculpture is a component of the Downtown Creek Park. As a component of overall project approval, an initial study was prepared and a mitigated negative declaration was adopted.

LINKS/ATTACHMENTS:

1. Evelyn Davis Park Art Agreement - Draft
2. Attachment 2 - ED Fox Proposal

**GRANT AGREEMENT BY AND BETWEEN
THE CITY OF MORGAN HILL AND
EVELYN A. DAVIS FOR A DOWNTOWN PARKS ART**

This GRANT AGREEMENT ("Agreement") is made and entered into by and between the City of Morgan Hill, a municipal corporation of the State of California ("City") and Evelyn A. Davis, an individual ("Grantee") as of this _____ day of _____, 2017 (the "Effective Date"). City and Grantee may be collectively referred to as "Parties" and individually referred to as a "Party."

Recitals

- A. The City desires to enliven the new Downtown Park Space of the City of Morgan Hill (Downtown Creek Park) and has held a public art review process to generate ideas to animate the Park Space.
- B. The City has invited persons to submit ideas for art projects as part of a City program intended to enliven the Downtown Park Space and has made some limited grant funding available for those projects.
- C. A team of reviewers selected by City conducted a preliminary review of all applications submitted to ensure conformance with the selection criteria of the program, and the team made recommendations to City's Library, Culture and Arts Commission for work to be selected for implementation, including the grant of supporting funds for those recommended works.
- D. The Library, Culture and Arts Commission recommended for approval this art work.
- E. The grantee submitted art proposal was approved by the City Council on August 23, 2017.
- F. Grantee is in need of financial assistance for costs and expenses to implement Grantee's art work.

NOW, THEREFORE, in consideration of the facts set forth above and below and for adequate consideration, the receipt and sufficiency of which are hereby acknowledged, City and Grantee agree as follows:

Agreement

1. Grant. City hereby grants to Grantee the amount of Fifteen Thousand Dollars (\$15,000) (the "Grant Award"). Grantee agrees to use the Grant Award only for those costs related to Grantee's placemaking work described in Exhibit "A" entitled "Project Description, Performance and Payment Schedule," attached hereto and incorporated herein by this reference (the "Work"). City shall make disbursements of the Grant Award to Grantee in accordance with the schedule set forth in Exhibit "A", the Project Description, Performance and Payment Schedule.
2. Work. Other than the Grant Award, Grantee will create the Work at Grantee's cost and expense. On or before December 31, 2017, Grantee will:
 - a. Deliver to the City (at a location determined by the City) the Work.
 - b. Work shall include all necessary installation materials for installation at the location approved by the City (the "Display Site).
 - c. Upon delivery, City and Grantee agree that the Work shall be the property of City. City shall be responsible for the installation of the Work. City may remove the Work at any time; provided, however, that City and Grantee understand that City intends the Work to be on display at the Display Site for at least five years.

3. Grantee's Representations. Grantee represents and warrants to the City the following:
 - a. The individuals signing below have full legal power and authority to sign for and bind the Grantee to all obligations under this Agreement. There is no consent needed from any third party for Grantee to enter into this Agreement.
 - b. Grantee will timely obtain all necessary permits and perform all work pursuant to this Agreement in full compliance with all permits obtained, as well as all other applicable laws. Grantee warrants that it will continue to comply with all permits obtained and laws applicable to its activities pursuant to this Agreement during the term of this Agreement.
4. Waiver of Artist Rights.
 - a. Grantee expressly acknowledges the provisions of and agrees to fully and completely waive any and all rights that Grantee may have pursuant to Title 17 U.S.C. Section 101 *et seq* (commonly known as the "Visual Artists Rights Act of 1990 "), pursuant to Section 987 *et seq* of the California Civil Code (the "California Art Preservation Act "), or pursuant to any other law, statute, policy or regulation, to the extent any such right may exist, in connection with the Work.
 - b. Grantee further agrees that City shall have the right to remove, relocate, modify, reproduce, store, dispose of, loan or provide to others, or take any other actions upon the Work as City may determine to be reasonable or appropriate.
 - c. Grantee agrees that City, without charge to City, may make photographs or other reproductions of the Work without payment of royalty or other payment to Grantee.
5. Term of Agreement. This Agreement is effective as of the Effective Date first set forth above and shall be subject to earlier termination by a Party as set forth in Section 10(d) below.
6. Notices. Notices and other communications shall be in writing and personally delivered to or mailed via first class United States mail to a Party as follows:

City: City of Morgan Hill
 17575 Peak Avenue
 Morgan Hill, CA 95037
 Attention: Chris Ghione

Grantee: Evelyn Davis
 13415 Chaparral Rd
 Morgan Hill, CA 95037

or to such other address as a Party may designate by providing notice as required by this section to the other Party.

7. Independent Contractor. Grantee is an independent contractor and shall furnish all supervision, labor, materials, equipment, supplies and other incidentals in connection with the Work and shall be entitled to no benefits, insurance, compensation or other entitlement whatsoever as a City employee.
8. No Assignment. Grantee understands that the grant provided by City for the work provided under this Agreement by Grantee in connection with the Work is personal to Grantee and may not be assigned, delegated or transferred.
9. Indemnification and Release. Grantee hereby releases CITY from, and waives all claims against CITY for, any and all liability in connection with the Work and all activities of Grantee under this Agreement. Grantee shall save, defend, and hold harmless City, its officers, employees and agents, from any and all causes of action, legal suits, claims, demands or liability of any nature

arising out of or in connection with any act or omission of Grantee or any agent of Grantee arising out of this Agreement to the fullest extent allowed by law, excepting only those resulting solely from the intentional and willful or grossly negligent acts of City. This provision shall survive expiration or termination of this Agreement.

10. General.

- a. The Parties agree to comply with all applicable laws in the performance of their respective tasks and obligations under this Agreement.
- b. Grantee shall procure and maintain in full force and effect all required licenses, permits or other approvals necessary to perform Grantee's work under this Agreement and shall comply with the terms and conditions thereof.
- c. This Agreement shall be interpreted and construed in accordance with the laws of the State of California. The venue for any action arising out of this Agreement shall be the courts of Santa Clara County, California.
- d. Either Party may terminate this Agreement by providing at least seven (7) days' advance notice to the other Party; provided, however, that Grantee shall return all unexpended grant funds to City prior to the effective date of such termination and the obligation to return said grant funds to City shall survive any termination of this Agreement.
- e. This Agreement constitutes the entire agreement of the Parties as to the matters discussed herein. This Agreement may be modified by the Parties in a writing duly executed by both Parties.

WITNESS THE EXECUTION HEREOF on the day and year first herein above written.

CITY OF MORGAN HILL, a municipal
corporation:

Grantee:

Steve Rymer
City Manager

Evelyn Davis

Approved as to form:

City Attorney

Attachment: Evelyn Davis Park Art Agreement - Draft (1369 : Downtown Parks Art Approval)

EXHIBIT A**PROJECT DESCRIPTION, PERFORMANCE AND PAYMENT SCHEDULE**

Grantee will sculpt, cast and provide to the City a fox sculpture. The size of the art piece shall be approximately 24 inches in height.

Grantee shall provide maintenance instructions for the City begin providing maintenance on the structure immediately.

Performance and Payment Schedule

Task 1 – Submit Full Color Design of Artwork – Completion Date August 30 – Payment \$7,500

Task 2 – Provide Sculpture to City for Installation – Completion Date December 31 – Payment \$7,500

Grant Award not to exceed \$15,000.

Application – Call for Artists Morgan Hill Downtown Parks Project

Contact Name: Evelyn Davis

Address: 13415 Chaparral Rd, Morgan Hill, CA 95037

Email: evelyndavisart@gmail.com

Phone Numbers: 408-858-5555

Name of Artist: Evelyn Davis

Art Proposal Area (Check One)

☐ Artistic Bike Rack ☐ Sound Wall Mural ☒ **Wildlife Sculpture**

Description of Art Being Proposed (200 words max)

I propose to create and provide a bronze sculpture of a sitting fox. The artwork would be fabricated using the lost-wax method. The fox would be approximately 24” tall. The bronze statue would be mounted directly into the ground using concrete and rebar. The completed work of art would have a traditional bronze patina. The cost would be \$15,000. The project would require 50% at the start of the project and 50% upon completion.

Required Documents (Provide as Additional Attachments)

- ☒ Artist Resume (max 2 pages)
- ☒ Concept Sketch or Design of Art Being proposed
- ☒ Statement of Interest (max 1 page)
- ☒ Optional Documents (Provide as Additional Attachments)
- ☒ Samples of Representative Work (Up to 10 projects with photos of work)
- ☒ Other documents necessary to provide artist or proposal background (max 2 pages)

Evelyn Davis

PROFILE

Evelyn Davis is a working sculptor living in Morgan Hill, CA. She is affiliated with the Morgan Hill Wildlife, Education and Rehabilitation Center (WERC) where she is able to study and appraise local, native species of wildlife and apply that knowledge to her artworks. Evelyn is a life-member of Morgan Hill's Valle del Sur Art Guild.

RELEVANT EXPERIENCE

CURRENT WORK

Evelyn Davis is nearly finished with her current public art piece: a life-size bronze owl. The owl, "Loki" has been commissioned as a tribute to Sue Howell, founder of Morgan Hill's WERC. "Loki" will be placed on the wildlife trail near the Centennial Recreation Center in 2017.

MOST RECENT PROJECT COMPLETED

In 2016, Evelyn Davis was commissioned to create a grouping of three, life-size deer for the city of Morgan Hill. "Dear Family", representing the wholesome family life of both the wild and human families of Morgan Hill, is installed in downtown Morgan Hill.

2014-2015

Evelyn teamed up with Landscape Architect, Allen Gross, in Phoenix, AZ. Together they won a commission to design an "Art in the Railroad Plaza" train park for the city of Casa Grande, AZ (letter of reference attached). Cooperating with several city departments and presenting several public information meetings, the duo created the winning design. It included several bronze and other train-related artworks with interpretive information, a trail system and all the attached research and accoutrements. Having completed the initial design phase, the project is awaiting funding.

PRIOR PUBLIC ART PROJECTS

Name: *"Liberty"*

Location: Near the Morgan Hill (CA) Centennial Recreation Center on West Llagas Creek Trail.

Description: Larger-than-life-sized bronze bobcat sculpture, mounted on a boulder adorned with a bronze relief memorial plaque depicting a swimming bobcat and the names of contributors to the project.

Name: *"Once Upon a Mushroom"*

Location: In front of the Morgan Hill Public Library on 660 W Main Ave, Morgan Hill, CA

Description: Bronze sculpture. Sitting on top of a rather large mushroom (Morgan Hill is home to the “Mushroom Mardi-Gras”) is a life-sized child reading a book with a tortoise and toad eavesdropping below.

Name: *“African Antelope”*

Location: W.E. Mason Historic Carousel (Oak Meadow Park, Los Gatos, CA).

Description: A large acrylic painting of an African antelope on permanent display within the revolving carousel.

Name: *“Savannah River Magic”*

Location: Exterior wall of Augusta Water Works, Iris Dr, Augusta, GA

Description: 40 ft public mural. Through the non-profit organization, The Art Factory (letter of reference attached), Evelyn led a group of “first offender” teens in designing and creating a mural depicting the local Savannah River and its wildlife. It was painted with professional acrylic mural paint and sealant.

Name: *“History of Augusta”*

Location: Inside Augusta’s Savannah River Canal Building, 1450 Greene St, Augusta, GA

Description: Through her work with The Art Factory, Evelyn worked with another artist in the development and installation of a ceramic tile relief mural based on the history of Augusta, GA

SKILLS

Evelyn has working relationships with the local Bay Area foundries known for their high quality bronze sculptures. All bronze sculptures awarded to Evelyn will be fabricated by a foundry with a proven track record of producing high quality outdoor bronze artwork that withstands the test of time and familiarity with, Bay Area resources which are necessary to provide the genuine quality of outdoor, bronze artwork which will stand the test of time.

Evelyn also has a record of carrying out required timelines and otherwise fulfilling contracts, as well as for making herself available for follow-up questions.

REFERENCES

Letters of reference included.

FOX

5.b

Clay maquette for proposed bronze statue
by Evelyn Davis

Images 1 & 2 are examples of pose choices- with or
without butterfly; head up, or head alert.



Image 3 includes a second,
playfully rolling fox, which
can be added at a later date,
if requested. Meanwhile the
sitting fox will look alert and
regal on its own.

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)

Evelyn Davis

STATEMENT OF INTEREST

Saratoga Springs, New York, is where I spent my formative years. Bronze art was around me everywhere and it carved a deep impression on my young life. It is fundamentally important to me to contribute to the tradition of bronze as public art; art which represents the community's values, history, and environment; art of which the townspeople can feel ownership for. I am committed to using my bronze-art-ability to make current and future generations smile.

A long-time resident of Morgan Hill, I raised my daughter here. She attended Paradise Valley Elementary School and later, Gavilan College. I've hiked and travelled on horseback throughout the local hills, biked the roads and trails, contributed to the local Valle del Sur Art Guild as a member, and happily spent time volunteering with Morgan Hill's Wildlife Education and Rehabilitation Center (WERC).

I was instrumental in getting the first portion of the trail along Morgan Hill's Little Llagas Creek adopted as a Wildlife Trail in 2005 (City Council Resolution 5896 "Wildlife Education and Interpretive Area Designation").

I have a deep, personal investment in this city and I am proven capable of creating a quality work of art that will contribute to the continuing richness of our community.

I have been working on several clay maquettes of indigenous wildlife. You will see one as part of this proposal packet. Please think of the photo of the maquette as a quick sketch. The final product would be meticulously sculpted and completed in bronze.

Thank you for considering my proposal.

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)



September 25, 2014

To Whom It May Concern:

It is with great pleasure that I recommend the team of Evelyn A. Davis, Artist and Allen W. Gross, Landscape Architect, as artists, planners and designers of public spaces. I am the City Clerk for the City of Casa Grande, Liaison Staff and Project Manager for the Casa Grande Arts & Humanities Commission's "Art in the Railroad Park" project and the City of Casa Grande Railroad Park Development.

Not only did the Team meet our requirements and expectations, we feel they far exceeded what was asked for in the original project parameters. The resulting art work and park design was a perfect response to the public and the Casa Grande Arts & Humanities Commission's vision for the Railroad Art Plaza. The work has received many positive and supportive comments from the general public, elected officials and City Staff.

I recommend Davis and Gross, Artist Design Team without reservation. They listened, understood, responded in a very positive manner. The project was on schedule and on budget. The Team is very professional and fun to work with, making every possible effort to take our project above and beyond what was requested.

If I may assist you in any way, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Remilie S. Miller', with a fluid, cursive style.

Remilie S. Miller, MMC
City Clerk

Telephone: 520/421-8600 - Telefacsimile: 520/421-8602 - TDD: 520/421-8623
City Hall: 5210 East Florence Boulevard - Casa Grande, Arizona 85122

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)



September 20, 2012

To Whom It May Concern:

RE: Evelyn Davis

As the Executive Director of the Art Factory, a non-profit arts education outreach organization in Augusta, Georgia, I had the pleasure of meeting Evelyn in 2010. The Art Factory provided artist residencies for various organizations including the school district, Boys & Girls Clubs, etc. At the time, the Art Factory was embarking on a public art project that worked with at risk teens and juvenile 1st offenders in mounting large scale murals. Evelyn was hired to serve as a mural instructor for one of the teen groups as they worked to design and paint their mural. The project was a huge community success and remains a source of pride for these young 'artists.'

Evelyn also taught visual art classes for the women of Hope House, a residential facility for women struggling with addictions. In addition, Evelyn taught for 2 summers in our school district's summer enrichment academy for low income students, which integrated the arts with all academic content. She also worked with another artist in the development and installation of a ceramic tile relief mural based on the history of Augusta. All of these efforts were a part of the Art Factory's outreach programs.

In every instance, Evelyn was the consummate art teacher – dedicated to bringing professional quality instruction to her students in a calm, respectful classroom setting. Evelyn's peaceful manner in dealing with her students was highly effective in teaching challenging students. The quality of the artwork produced by her students was exceptional, further illustrating her attention to detail and to ensuring that each student felt supported.

It has been a rewarding experience to work with Evelyn and I highly recommend her for any teaching position, working with adults or children. Should you require any further information, please feel free to contact me.

Best,

Cindy O'Brien

Cindy O'Brien
Retired, Executive Director
The Art Factory
Cindyobrien2012@gmail.com



CITY OF MORGAN HILL

17555 Peak Avenue, Morgan Hill, California 95037-4128 • phone (408) 779-7259 • fax (408) 779-3117

MORGAN HILL CITY COUNCIL

Mayor Dennis Kennedy
Council Member Larry Carr
Council Member Mark Grzan
Council Member Greg Sellers
Council Member Steve Tate

August 31, 2007

To Whom It May Concern:

It is with great pleasure and pride that I am writing to recommend Ms. Evelyn Davis as an artist. I am a Councilman for the City of Morgan Hill, and prior to my election was also quite involved with a number of community task forces, advisory committees and alike. I am currently engaged in a number of projects including art for our community. I hope my perspective will be helpful to you as you evaluate this exceptional individual.

I came in contact with Ms. Davis years ago while she was working with a local wildlife organization. Working with this group of dedicated individuals has certainly influenced Evelyn and her art. She drew tremendous strength and understanding of form while handling raptors and mammals. This unique understanding is quite evident in her work.

In the Fall of 2006, the City of Morgan Hill installed a magnificent and well balanced sculpture "Liberty", in front of its new multi-million dollar Centennial Recreation Center. The piece, a depiction of a local bobcat sculpted and cast in heavy bronze is exquisitely displayed. It has been well received, with many delightful comments from elected officials and the general public. I also have to state that it is truly an inspirational piece, representing and capturing that which we are and what we value in our community.

Evelyn followed that with a brilliant outdoor sculpture, again in heavy bronze of a life sized child, sitting on top of a giant mushroom, reading a book. This wonderful piece was placed in front of the City's and the County of Santa Clara's newest public library which opened in July of 2007. The whimsical sculpture is representative of Evelyn's artistic breadth and knowledge of human form.

Ms Evelyn Davis is an accomplished artist and consummate professional. She is passionate about her work, focused on details and timelines as well as grasping the needs of the community. While the City found an artist, we also found an individual who was forthcoming, warm, friendly and a pure pleasure to work with. It is without reservation that I recommend Evelyn Davis for any endeavor for which she would be considered. I hold her in the very highest regard and quite confident that she will exceed your expectations as she has ours.

Please do not hesitate in contacting me personally, if I can assist you in any way.

Sincerely,

Mark Grzan
Councilmember
City of Morgan Hill
grzan.fm@charter.net

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)



“Once Upon a Mushroom”



“Liberty”

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)

Bronze Fox Pair
(no base)



Bronze Moose
(on a "puddle" base)



Bronze Wolves with Cubs
(on a built-up, bronze base)





CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Jennie Tucker, Community Services Supervisor

APPROVED BY: City Manager

COMMUNITY PLAYHOUSE LICENSE AGREEMENT WITH SOUTH VALLEY CIVIC THEATRE

RECOMMENDATION(S)

Authorize the City Manager to execute and administer license agreement through December 2020 with South Valley Civic Theatre.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility
Supporting Our Youth
Seniors
and Entire Community

REPORT NARRATIVE:

South Valley Civic Theatre (SVCT) has provided theatrical entertainment to the Morgan Hill Community since 1969. The City recognizes the contributions made by SVCT to supporting culture and arts in Morgan Hill, and has partnered with South Valley Civic Theater to serve as the home company for the Community Playhouse since it opened.

SVCT has leased the Community Playhouse for its ongoing theatrical performances since December 2002 and all past license agreements have designated the organization as the "Home Company" for the Playhouse. This has been a positive and mutually beneficial arrangement for both the City and SVCT, providing SVCT with primary use of the facility over other users, allowing the City to receive stable rent revenue for the facility, and providing local performing arts opportunities for the Community. The City has strived to maintain the Playhouse and all of its recreation facilities at a high level, and has a \$140,000 renovation project at the Playhouse that will replace all of the seats and carpeting within the facility planned for January 2018.

The license agreement with SVCT was most recently renewed in August 2014 for the period of 2015 through 2017. During that contract renewal process, significant discussion went into the annual base rental payment. At that time, the annual base rent had not increased significantly for several years. City staff expressed the need to increase the base rent annually by the Consumer Price Index (CPI) to help support ongoing efforts at cost recovery. During negotiations, SVCT representatives requested that these increases not be implemented. Both parties agreed to begin the CPI

implementation during 2017. City staff further expressed the intent to continue the CPI increases going forward in support of cost recovery for operations.

It is important to recognize that the SVCT is the most significant customer at the Playhouse, due to the high levels of use by the organization. In the previous fiscal year, SVCT utilized the playhouse for 1,320 hours (77% of total usage) compared to 400 hours by all other users of the facility. The SVCT license provided approximately \$25,000 (57%) of \$43,600 in total annual revenue attributed to Playhouse use during the last fiscal year. Estimated costs for operation and maintenance of the playhouse are approximately \$85,000 annually.

The current license agreement with SVCT is for a term of 3 years, expiring on December 31, 2017. The annual base rent payment for the first two years was \$24,720 and the third year was \$25,461. The total payments for the three most recent license terms is outlined below:

January 2009-December 2011	\$72,000
January 2012-December 2014	\$72,538
January 2015-December 2017	\$74,901

After negotiating the attached agreement with SVCT representatives, staff recommends renewing the agreement for another three (3) year term, January 1, 2018 through December 31, 2020. Minor changes to the terms of the agreement have been made to support requests from both the City staff and SVCT. The proposed agreement would increase the current base rent payment of \$25,461 beginning January 1, 2018 by the percentage equal to the average annual increase in the San Francisco-Oakland-San Jose Consumer Price Index for all urban consumers for the prior calendar year, but not to exceed 3.1%. The CPI cap was proposed by SVCT to help prevent extreme spikes in its base rent. This CPI increase will occur annually in January each year of the license term.

In June, SVCT representatives provided public comment to both the City Council and the Library, Culture and Arts Commission expressing a desire for the City to further support performing arts and its program specifically. The request was for programmatic funding. The Council did not provide funding through the budget process. The Library, Culture and Arts Commission added an item to its Work Plan to work with SVCT on improving support for performing arts. This Work Plan item is not specifically focused on funding.

COMMUNITY ENGAGEMENT: Collaborate

This request is an opportunity to collaborate by providing a venue for a local non-profit with a mission to provide high quality community theater to the residents of Morgan Hill and South Santa Clara County. The process of negotiating this agreement was done in collaboration with SVCT a community based organization.

ALTERNATIVE ACTIONS:

One alternative the Council could explore, would be to direct staff to renegotiate the license agreement to decrease the base rent for SVCT. Any decrease would reduce revenue generated, that supports the Recreation Division's goal of balancing cost recovery with community access. The limited fee increases for several years have caused revenue from use of the Playhouse to remain relatively flat, while costs continued to increase with inflation. Staff believes that the current base rent with CPI increases can be accommodated by SVCT.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- August 6, 2014 – The Council authorized the City Manager to execute the 2015-2017 playhouse license agreement with SVCT.
- December 7, 2011 – The Council authorized the City Manager to execute the 2012-2014 playhouse license agreement with SVCT.

FISCAL AND RESOURCE IMPACT:

The terms of the new agreement include total base rent of \$76,383 over a three-year term (\$25,461 each year), with a CPI increase each year, not to exceed 3.1% each year. Revenue supports the City's General Fund (Fund 010) and supports cost recovery for the Recreation and Community Services Division.

CEQA (California Environmental Quality Act):

Categorical Exemption.

The planned maintenance and management of city facilities falls within the CEQA categorical exemption of Class 1, Existing Facilities.

LINKS/ATTACHMENTS:

1. 2018 Playhouse License Agreement

**AGREEMENT BETWEEN CITY OF MORGAN HILL
AND SOUTH VALLEY CIVIC THEATRE REGARDING LICENSING OF
MORGAN HILL COMMUNITY PLAYHOUSE
AND HOME COMPANY STATUS**

This Agreement is entered into on _____, 2017, by and between CITY OF MORGAN HILL, a municipal corporation, hereinafter referred to as "City," and SOUTH VALLEY CIVIC THEATRE, a California Corporation, hereinafter referred to as "Home Company."

RECITALS

WHEREAS, City is the owner of the Morgan Hill Community Playhouse ("Premises"), located at 17090 Monterey Road, Morgan Hill, California; and;

WHEREAS, South Valley Civic Theatre has provided theatrical entertainment to the Morgan Hill community since 1969, and wishes to continue doing so in appropriate facilities; and,

WHEREAS, City recognizes the long-term contributions made by South Valley Civic Theatre to the culture and entertainment resources of the city, and wishes to encourage South Valley Civic Theatre to continue to provide high-quality entertainment to the citizens of Morgan Hill, and City therefore designates South Valley Civic Theatre company as "Home Company" of the Morgan Hill Community Playhouse; and

WHEREAS, Home Company wishes to use the Premises on a non-exclusive basis; and,

WHEREAS, City wishes to grant another license to Home Company for use of the Premises on the terms and conditions set forth in this Agreement.

NOW, THEREFORE, City hereby grants a license to Home Company, and Home Company agrees to such license on the terms and conditions set forth in this Agreement.

AGREEMENT

1. Licensing of Premises. City hereby grants to Home Company a license, on a non-exclusive basis, to the premises commonly known as Morgan Hill Community Playhouse located at 17090 Monterey Road for uses set forth in this Agreement.

2. Term; Termination

2.1 Term. The term of the Agreement shall commence on January 1, 2018 and end on December 31, 2020, unless terminated earlier pursuant to the terms of this Agreement.

2.2 Termination.

(a) Should City determine, in its sole discretion, that use of Premises by Home Company is causing undue damage or wear and tear to Premises, then City may terminate this Agreement upon ninety (90) days' written notice of the cause and intent to terminate, unless, within forty-five (45) days following the notice, the Home Company cures the cause for termination by appropriate repair or replacement (as reasonably determined by the City). Should City determine, in its sole discretion, that Home Company's use of Premises is incompatible with other uses, actual or intended, of Premises, then City may terminate this Agreement upon one hundred eighty (180) days' written notice without further responsibility to Home Company, or if less than one hundred eighty (180) days' notice is given, City shall elect either to reimburse Home Company's projected loss of net income based upon relevant historic data related to Home Company's recent, previous performances from performance days that are canceled as a result of the termination based on its then-current budget, or else find and fund a reasonable alternative venue for any show scheduled for performance within the one hundred eighty (180) days.

(b) If either party determines, in its sole discretion, that it is unable or unwilling to continue this Agreement under the terms hereof, each party reserves the right to terminate the Agreement without future obligation upon providing one hundred eighty (180) days written notice to the other party, with the exception that Home Company may terminate the Agreement by giving ninety (90) days written notice if City changes the operating hours of Premises, as defined in Paragraph 6.7, below, from those in place at date of this Agreement or exercises its right to preempt the Home Company's use, to the point where Home Company determines, in its sole discretion, that it will be impaired in exercising its rights or meeting its obligations under this Agreement.

2.3 Surrender of Premises

(a) On the termination date or the end of any extension or renewal of this Agreement, Home Company shall promptly surrender and deliver Premises to City in as good condition as they are as of the date of first occupancy under this Agreement; reasonable wear and tear excepted.

(b) Any property of Home Company which remains on Premises following the termination date, and which remains on Premises for five (5) days after Home Company has been notified to retrieve it, shall become the property of City, and City shall be entitled to retain or dispose of such property as it deems appropriate.

3. New Agreement. Prior to negotiating with any other potential home company, City agrees to negotiate with Home Company regarding a potential new agreement upon expiration of this Agreement. Notice of intent to commence negotiation must be given by Home Company to City at least twelve (12) months prior to the expiration of this Agreement

4. Scheduling.

4.1 City and Home Company agree to the following uses in each general annual production season, defined as January through December of each year of this Agreement, consisting of the following:

- (a) Five (5) theatrical productions per year, and
- (b) Approximately ten (10) but no less than seven (7) performance days per theatrical production over a four (4) week period, for a total not to exceed fifty (55) performance days per year, and
- (c) a maximum of fourteen (14) rehearsal days per theatrical production, not to exceed seventy (70) rehearsal days per year and,
- (d) one (1) day for an awards show production, one (1) day for an annual meeting, and one (1) day immediately at the end of each theatrical production to strike the set and load-out of Premises.

4.2 City and Home Company may agree in writing on a production season exceeding five (5) theatrical productions per year according to terms and conditions determined by both parties, and Home Company may elect to perform at a different venue no more than one (1) contemplated theatrical production during the term of this Agreement.

4.3 Home Company agrees to provide to City in a timely manner the specific productions for each booking period and a comprehensive master schedule of the dates and times it requests for any and all activities, including performances, rehearsals and technical run-throughs. City shall provide a Master Playhouse Calendar to Home Company within two (2) weeks following the receipt of the master schedule. The booking periods and corresponding due dates are as follows:

- (a) First booking period: January 1, 2018 through December 31, 2018. Schedule of dates and times due on or before January 1, 2017.
- (b) Second booking period: January 1, 2019 through December 31, 2019. Schedule of dates and times due on or before January 1, 2018.
- (c) Third Booking Period: January 1, 2020 through December 31, 2020. Schedule of dates and times due on or before January 1, 2019.

4.4 In initially setting the Master Playhouse Calendar, Home Company shall have priority over any other user aside from pre-existing City contracts. It is acknowledged and agreed that for dates not on the Master Playhouse Calendar, Home Company shall not have priority over any other user in booking or reserving such dates.

4.5 Should Home Company wish to change dates on the Master Playhouse Calendar after it has been issued by City, a written request for such change must be submitted to City. City reserves the right to accept or deny such change at its sole discretion. City shall respond in writing to Home Company's request to change dates within ten (10) working days of receipt of the request. If City denies such request, Home Company is responsible for the full facility fee and all additional expenses. However, provided City leases the space for the cancelled date(s) to another user, Home Company will receive a rebate based on the new facility fees paid, up to the maximum of the original Home Company facility fees.

4.6 City shall not be responsible to Home Company, or to any artist, booking agent, individual or organization, etc., for promises, contracts, representations, commitments, or promotions of any kind relating to a date for use of the Premises that has not yet received written approval from, and been scheduled by, City.

4.7 City shall provide Home Company with a Master Playhouse Calendar of all reserved facility uses, including those with other individuals or entities for Premises upon reasonable request.

5. Fees and Charges.

5.1 Base Rent Payments. Home Company shall pay an annual fixed base rent payment of Twenty Five Thousand Four Hundred Sixty One Dollars (\$25,461) ("Base Rent") beginning January 1, 2018 and ending December 31, 2020. Rent payments are to be paid on a pro rata monthly basis, and are due and payable on the first day of each month of the lease, with the first payment due and payable on January 1, 2018.

5.2 Increase in Base Rent. Base Rent shall be increased annually beginning January 1, 2018 by the percentage equal to the average annual increase in the San Francisco-Oakland-San Jose Consumer Price Index for all urban consumers for the prior calendar year, but not to exceed 3.1%.

5.3 Additional Service Fees. Home Company shall be responsible for payment for any requested additional services provided by City, not otherwise provided for in this Agreement.

(a) Home Company shall pay One Hundred Dollars (\$100.00) per day for each additional rental day for performances or rehearsals or other Home Company events not included in Paragraph 4.1 above. Any additional rental days must be requested by Home Company in writing and approved by City.

(b) Other additional services requested of City by Home Company may include, but are not limited to, extra stage crew, extended ticket office hours, additional City staff hours, special requests, processing mailing lists, equipment rentals, piano use, online ticket services, etc. Costs for such services will be estimated by City in writing prior to providing the requested service.

5.4 Due Date. Fees owed City under Paragraphs 5.2 and 5.3, as well as any other fees or charges in other Paragraphs of the Agreement, are due and payable within thirty (30) days of invoice by City.

5.5 Late Charges; Default Interest. Home Company acknowledges that late payment of sums due under this Agreement may cause City to incur additional costs not contemplated by the Agreement, the amount of which will be difficult to ascertain. Therefore, if any sum due from Home Company is not received by City within thirty (30) days from the due

date, then without any requirement for notice to Home Company, Home Company shall pay to City a sum equal to three percent (3%) of the overdue sum.

5.6 Reduction in Rent Upon Timely Election. If Home Company elects to perform one of its productions at another venue pursuant to paragraph 4.2 above and only if the Home Company gives City at least one hundred eighty (180) days' advance notice of that election, then Home Company shall be entitled to a reduction of Two Thousand Five Hundred Dollars (\$2,500) in Base Rent in each of the installments in the Base Rent for the final two (2) months of that calendar year. In this event, Home Company also shall not be responsible for any Additional Payments as defined in Paragraph 5.3 above on the production performed at the alternative venue.

6. Use of Premises.

6.1 Non-Exclusive Use. Exclusive use of Premises is not granted. City intends to and will allow other entities, including City, to use Premises, and performance, support, and access spaces will be shared. This includes the limited concurrent use of Premises as outlined in Paragraph 9.1 below. The utmost performance etiquette is required of Home Company, including consideration to the space and storage needs of other users

6.2 Permitted Use. Home Company shall use Premises for the purpose of producing, rehearsing, staging and public performance of live theater productions and for uses normally incidental to such use, and for no other purpose unless previously authorized by City in writing. Home Company agrees to comply with all terms and conditions, including the Policies and Procedures, laws, ordinances, rules, regulations, and any other policies applicable to Premises, including those imposed or required by City's insurers. Home Company further agrees to comply with the direction of the City Manager or his/her designee with respect to use of Premises.

6.3 Sale and Consumption of Food and Beverages. Home Company may provide any food and beverage concessions for their productions and performances. The sale and consumption of food on Premises must be in compliance with the Santa Clara County Health Department and all other applicable laws. This compliance is solely the responsibility of Home Company. The sale and consumption of alcoholic beverages on Premises must be approved by the City Manager or his/her designee in writing at least thirty (30) days in advance of the sale and/or consumption date; or approved in accordance with applicable policies and procedures duly established for the Community and Cultural Center. Home Company must provide the required alcohol license and host liquor liability insurance acceptable to the City Manager or his/her designee twenty-one (21) days before the sale and/or consumption date.

6.4 Restrictions on Use. Home Company shall use and maintain Premises in a clean, orderly, and safe manner. Home Company shall not commit any waste or any public or private nuisance upon Premises.

6.5 Interference with Exits. Home Company shall not in any way interfere with exits and exit signs, including panic hardware. All exit signs and exit paths shall be kept clear and illuminated.

6.6 "Good Neighbor" Provision. Home Company shall not interfere with the use of any properties adjacent to or in the immediate vicinity of Premises, and shall endeavor to

maintain good relations with the owners and/or tenants of such properties. Home Company shall use reasonable efforts to mitigate the effects on such properties from parking, lights, and sound incurred in its use of Premises.

6.7 Hours of Operation. On non-performance days, Home Company agrees to use Premises only during the hours of operation of Premises ("Hours of Operation"), which hours shall be established from time to time by the City Manager, but shall not end earlier than 11:00 pm. On performance days, Home Company agrees that the performance will be concluded by the end of the Hours of Operation and that the audience will have exited and Premises will be secured no later than one hour after the end of the Hours of Operation.

6.8 Operating Policies and Procedures. Home Company agrees to abide by the general Operating Policies and Procedures for the Morgan Hill Community Playhouse, except that provisions of this agreement shall prevail over conflicting provisions within the Operating Policies and Procedures.

7. Tenant Improvements; Additions; Alterations. Home Company shall not make any tenant improvements, additions, or alterations to Premises without prior written approval of City.

8. Obligations of the City.

8.1 Facility. City agrees to provide a clean, safe, ready for use, fully stocked, functional facility suitable for performances, rehearsals, and technical run-throughs.

8.2 Miscellaneous Services. In exchange for rent payments outlined in Paragraph 5.1 above, the following services shall be provided by City:

(a) Space in City publications and at the Community and Cultural Center to advertise productions; subject to availability as determined at City's sole discretion.

8.3 Master Calendar. City shall maintain a Master Playhouse Calendar for Premises. This calendar shall list all events of which City is aware, and has made commitments to Home Company and other licensees and users.

9. Obligations of the Home Company.

9.1 On contracted dark (non-performance/non-rehearsal) days, Home Company shall provide front stage access (forward of the front curtain and ceiling screen) to City and upon forty eight (48) hours notice shall be responsible to move as necessary, or permit City to move, theatrical sets and other equipment behind the front curtain in order to accommodate other use. On contracted performance/rehearsal days, excluding Sundays, Home Company may, at Home Company option, provide to City front stage access only not less than two (2) hours before or after a scheduled performance/rehearsal. On contracted Sundays, Home Company agrees that front stage only may be used by other contracted Users between the hours of 8:00 a.m. to 12:00 noon.

9.2 Home Company shall ensure that Premises are free from general clutter and trash after each performance, rehearsal, technical run-through, or other use. Following any use of Premises, Home Company shall promptly surrender Premises in a clean, orderly, and safe condition to City or other users. Home Company shall promptly remove all Home Company personal property without damage to the Premises one day following the end of each production as stated in Paragraph 4.1 above.

9.3 Home Company shall provide City with written proof of its current 501(c)(3) status at the time of signing this Agreement, and shall provide by April 1ST of each year of this Agreement a list of the current officers and board members, and designated individuals for contact purposes for emergencies and non-emergencies.

9.4 Home Company shall keep accurate records of all ticket sales, and City shall have the right to inspect and/or audit same.

9.5 Home Company agrees to include a reference in all promotional material, when possible, that it is the "Resident Company of the Morgan Hill Community Playhouse".

9.6 Home Company agrees to attend, upon reasonable notice, meetings called by the City Manager or his/her designee to discuss issues relating to and compliance with the provisions of the Agreement.

9.7 Home Company shall assure that the stage area and any City-owned equipment, including but not limited to sound and lighting equipment, is available to other facility users at all times, with the exception of a pre-identified subset of the stage, lighting instruments, and sound adjustments as approved by the City.

9.8 Home Company shall provide one (1) individual to act as a site manager ("Site Manager"), who is trained by City in the operation of City equipment on Premises. City shall provide Home Company's designated Site Manager with three (3) sets of keys to Premises. City shall provide the keys to Site Manager at the beginning of a production. Site Manager shall return the keys to City within forty eight (48) hours of the end of the production. The keys shall not be duplicated. Site Manager shall be responsible and be accountable to the City to unlock and lock the facility and necessary rooms, utility, and storage areas only for scheduled performances, rehearsals, and technical run-throughs. Site Manager, or current production management as designated in writing to the City, shall be present during all performances, rehearsals, and technical run-throughs, which privilege may be revoked at City's discretion and subject to the conditions imposed. Site Manager will be the point of contact with City staff, and will be responsible to notify City of any emergencies. City shall provide Site Manager with information about contacting City staff in an emergency, and, as necessary, information about the systems of Premises. Should Home Company not be able to provide a Site Manager in conformance with this paragraph, City reserves the right to provide a Site Manager at additional cost to Home Company.

9.9 Home Company shall provide all performance related services on the date of the performances, including providing an open box office at least one (1) hour before

each performance. Home Company shall also provide all necessary technical and support staff for performances, including lighting technicians, ushers, and musicians.

9.10 Home Company has the right to offer the following items for sale on Premises during performances: food and beverages, as outlined in Paragraph 6.3, above, and programs and logo items

9.11 Home Company is responsible for the security, maintenance, and sufficient insurance of all their equipment and possessions stored at Premises.

9.12 Home Company shall endeavor to ensure that its patrons utilize Community and Cultural Center parking, or readily available public parking.

9.13 Home Company shall be responsible to ensure its activities comply with all applicable laws, regulations, and other agreements which govern its performances, including but not limited to copyright and trademark laws and trade union agreements.

9.14 Home Company shall leave all City lights ready and available for use for other entities at the end of each performance. Home Company shall include a minimum of 8 lights on stage left, a minimum of 8 lights on stage right, and a minimum of 12 lights in the audience facing the stage area. Three Light Bars in the back of the stage must be available to renters at all times. Home Company may leave remaining lights as long as they are plugged in and usable to other renters. City Staff will notify Home Company if there are no pre-scheduled rentals between shows one week prior to move-out and in that case Home Company will be allowed to leave non-City owned lights as they wish.

10. Maintenance; Repairs; and Utilities.

10.1 Payment of Costs. City shall provide and pay for the routine costs of maintenance and utilities. "Maintenance and Utilities" includes (a) regularly scheduled custodial services; (b) routine maintenance of City-owned equipment and facility necessary for the City's performance of this Agreement and repair of said equipment or facility for normal wear and tear and of damages not caused by the Home Company, its personnel, volunteers or invitees, (c) utilities, including deposits and monthly charges for gas, electricity, and water; (d) routine landscaping costs, (e) routine charges for maintenance and repair of parking lots and accessory structures, including but not limited to paving and painting; and (f) routine charges for maintenance and repair of HVAC systems.

10.2 Duty to Report Damage and Maintenance Requests; Home Company shall, as soon as practical, report all damage to City equipment or facilities to City by email to appropriate staff personnel at the Community and Cultural Center. Home Company shall also request routine maintenance and repairs as specified in Paragraph 10.1 to be completed by the City by email to appropriate staff personnel at Community and Cultural Center. City shall respond to routine maintenance or repair requests by Home Company which do not involve a bona fide safety hazard within three (3) working days. City shall provide immediate emergency maintenance, service on an on-call basis. During the weeks of performances, rehearsals and technical run-throughs as set forth on the Master Playhouse Calendar, Home Company's trained technicians may perform such minor maintenance as replacing and repairing theater light bulbs,

defective detachable audio cables, light and sound equipment, touch-up painting and the like using existing City stock. If these items are not available in the existing City stock, Home Company may purchase and will be reimbursed by City, upon submitting a receipt, for those costs. For purchases over Three Hundred Fifty Dollars (\$350.00), Home Company must seek prior authorization from City.

10.3 Duty to Maintain Interior. Except for damage caused by the negligence of City or normal wear, Home Company will keep and maintain the interior of Premises in good condition and repair, including but not limited to the walls, structural elements, light and sound systems, paint, carpets, flooring, plumbing, and electrical components of the building. Home Company shall have the right to refinish the stage floor in a manner approved by the City, using its own labor and City's materials at least once during the term of this Agreement, and, with the consent of City, on other occasions as needed.

10.4 Capital Repairs. City shall be responsible for charges for major capital repairs, including roof replacement, to Premises.

10.5 Repairs to Damage Caused by Home Company. Home Company shall use Premises in a careful, safe, and proper manner. Home Company agrees to pay City on demand for any damages to Premises, equipment or facilities caused by Home Company, its personnel, volunteers or invitees.

10.6 Waiver of Civil Code Sections 1941 and 1942. In light of the provisions of paragraph 10.2 above, Home Company waives the provisions of California Civil Code sections 1941 and 1942, and any other law that would require City to maintain Premises in a tenable condition or would provide Home Company with the right to make repairs and deduct the cost of those repairs from the rent.

11. Signs. Home Company shall not place, maintain, nor permit on any door, wall, or window of Premises any sign, awning canopy, marquee, or other advertising, without the express written consent of City. If City consents to placement of such items, Home Company agrees to maintain said item in good appearance and repair at all times, and to comply with City's direction as to time limits for display of such items, Home Company agrees that if any item is not removed in accordance with City's direction, City has the right to, without damage or liability, remove and/or destroy such item in its discretion.

12. Assignment and Subletting. Home Company may not assign this Agreement, nor sublet any portion of Premises, without City's prior written consent which it may withhold in its sole discretion

13. Non-Discrimination; Non-Violation. Home Company covenants there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, disability, national origin, or ancestry, in any activity pursuant to this Agreement. Home Company further covenants that its activities and use of Premises shall comply with the Americans with Disabilities Act.

14. Abandonment. Should the Home Company abandon, be dispossessed, surrender or otherwise vacate Premises, the City at City's option, may immediately terminate this Agreement and enter Premises and remove all persons and property.

15. Site Walkthrough. Home Company and City agree to hold a joint walkthrough of Premises at the beginning and end of each Home Company production run in order to identify the condition of the facility.

16. Damage to or Destruction of Premises. If any portion of Premises, fixtures, equipment or facilities are damaged or destroyed by Home Company due in part or whole to the negligence of Home Company, or if such damage is incurred during Home Company's use of Premises and/or arising from Home Company's use of Premises due in part or whole to the negligence of Home Company, the damage shall be repaired, replaced or restored at City's discretion, and Home Company shall be responsible for its proportionate share of the full cost and expenses of repairs, replacement or restoration based on its comparative fault, including but not limited to cost of any janitorial, cleaning or other services. It is the responsibility of the Home Company to properly store and protect from damage its own property and equipment. If, and only if, any equipment or property belonging to Home Company is damaged or destroyed due to the sole negligence of City, the damage shall be repaired, replaced or restored by the City at the Home Company's discretion. Partial destruction or other unavailability of Premises shall not void this Agreement, except that Home Company shall be entitled to a proportionate reduction of rent while the repairs are being made. Such reduction shall be in proportion to the interference with the Home Company's business at Premises. If the repairs cannot be reasonably made within ninety (90) days, this Agreement may be terminated at the option of either party. In the event Premises suffer the destruction of more than twenty-five percent (25%) of the replacement cost or in the event insurance proceeds are not sufficient to cover at least ninety five percent (95%) of the cost of repairs and restoration, City may elect to terminate this Agreement. City shall not be obligated to replace any of Home Company's personal property which may be damaged or destroyed, unless City is solely responsible for such damage or destruction.

17. Exemption from Liability. City shall not be liable for damages to Home Company's property arising from the failure of the supply of water, gas, electricity, or power, nor from the stoppage of any machinery and equipment.

18. Hazardous Materials. Home Company shall not keep or maintain any Hazardous Substance, other than ordinary cleaning supplies, small quantities of latex paint and waste, on or in Premises without City's prior written approval. Home Company shall promptly give notice to City of any Hazardous Substance dispersal or spill, or Hazardous Materials claim, of which it is aware. Home Company shall indemnify and hold City harmless from any and all claims, costs, damages, penalties, or liabilities arising out of the Home Company's use or release of any Hazardous Substance at, in or on Premises. The term "Hazardous Substance" as used in this Agreement shall mean any product, substance, chemical, material, or waste whose presence, nature, quantity, and/or intensity of existence, use, manufacture, disposal, transportation, spill, release, or effect, either by itself or in combination with other materials expected to be on Premises, is either (a) potentially injurious to the public health, safety, or welfare, the environment, or Premises, (b) regulated or monitored by any governmental authority, or (c) a basis for liability of City to any governmental agency or third party under any applicable statute or common law theory.

Hazardous Substance shall include, but not be limited to, hydrocarbons, MTBE, petroleum, gasoline, crude oil, or any products, by-products, or fractions thereof.

19. Inspection. City may enter Premises at all reasonable times to inspect, maintain and repair the property.

20. Liens. Home Company shall keep Premises free from any and all liens arising out of any work performed, materials furnished, or obligations incurred by or for Home Company; and Home Company agrees to defend City at its sole cost and expense against any and all lawsuits arising from such lien upon receipt of notice of opportunity to defend from City.

21. Insurance.

21.1 Definition. For purposes of this Paragraph, the following definition applies: City of Morgan Hill includes the duly elected or appointed officers, agents, employees and volunteers of the City of Morgan Hill, individually or collectively.

21.2 Comprehensive General Liability. In furtherance of its obligations pursuant to this Agreement, Home Company agrees to obtain and maintain during the term of this Agreement comprehensive general liability protecting Home Company in an amount of not less than One Million Dollars (\$1,000,000) per occurrence, including bodily injury and property damage, as a combined single limit or equivalent. Such insurance shall name the City of Morgan Hill, as defined above, as an additional insured by endorsement to the insurance policy. Coverage shall be in accordance with the limits specified above and the provisions indicated herein. Claims-made policies are not acceptable. When an umbrella or excess coverage is in effect, it must follow the form of the underlying coverage.

Such insurance policy or policies shall be stated to be primary and noncontributing with any insurance that may be carried by City and shall state that the insurer waives the right of subrogation against City and City's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers. Such insurance shall not be canceled or materially altered to reduce coverage without giving City at least thirty (30) days advance written notice of such cancellation or change, and it shall be the responsibility of Home Company and Home Company's insurer to notify City of such change or cancellation.

21.3 Workers Compensation Insurance. If and to the extent Home Company has individuals which may be subject to workers' compensation law, it agrees to obtain and maintain Statutory Workers Compensation and employer's liability in an amount not less than One Million Dollars (\$1,000,000) and furnish City with a certificate showing proof of such coverage.

21.4 Certificates of Insurance with Endorsements. Home Company shall file the required original Certificate of Insurance with endorsements with the City Attorney of the City of Morgan Hill prior to any use of Premises. The Certificates shall be subject to City's approval and shall clearly state:

(a) Policy number; name of insurance company; name, address and telephone number of the agent or authorized representative; name, address and telephone number of insured; show title and producer; policy expiration date; and specific coverage amounts; and

(b) That thirty (30) days' cancellation notice is required, unqualified as to the acceptance of liability for failure to notify City; and

21.5 Deductibles, Self-Insured Retentions, and Proof of Insurance. Prior to commencing any use of Premises, deductibles, and self-insured retentions acceptable to City must be stated on Certificates of Insurance, and the Certificate of Insurance must be approved by City.

21.6 Absence of Insurance. The absence of in-force insurance or reduction below limits as specified in this article shall cause revocation of permission to use Premises; any delays or expenses caused due to change of insurance shall be considered Home Company's delay and shall not affect City.

21.7 Insurance Companies. Insurance provided pursuant to this contract must be from insurance companies admitted in California and rated at least A:VII in the latest Best's Insurance Guide; or such other insurance companies as are acceptable to City in its sole and unfettered discretion.

22. Defense, Hold Harmless and Indemnification. Home Company agrees to indemnify, defend and hold harmless the City, members of the City Council, officers, employees and agents, from and against all liabilities, losses, suits, claims, demands, judgments, damages, costs and expenses (including attorney's fees and costs) for damage to Premises, or injury to or death of any person resulting from or arising out of the Home Company's use, operation, occupancy, or maintenance of the Premises or any improvements thereto, or the acts or omissions of the Home Company's officers, agents, employees, contractors, subcontractors, invitees, subtenants or licensees ("Claim"). Home Company is not required to indemnify or defend any Claim that a court of competent jurisdiction determines with finality that not less than fifty percent (50%) of the Claim is caused by the City's negligence or willful misconduct; provided however that the Home Company's duty to indemnify, defend and hold harmless the City arise immediately at the time that any Claim is alleged against the City, whether or not such Claim includes allegations of negligence or willful misconduct by the City until such time that a court determines with finality that not less than fifty percent (50%) or the entirety of the Claim is caused by the City's negligence or willful misconduct of the City. Upon such a determination of the court and only if such determination is made, the liability and defense costs shall be allocated among the City and the Home Company according to the proportionate responsibility as determined by the court.

23. Time of Essence. Time is of the essence in the performance of this Agreement by Home Company and City.

24. Default; Remedies.

24.1 Default. In the event of a non-monetary default, the non-defaulting party shall give written notice thereof to defaulting party. In the event that the defaulting party shall

not have cured the default within thirty (30) days of the notice, or if the default is of a monetary nature or of a nature which cannot reasonably be cured within thirty (30) days and the defaulting party shall not have commenced to cure the default and be diligently pursuing such cure to completion within such thirty (30) day period, then the non-defaulting party, besides any other right or remedies that it may have, shall have the right to terminate this Agreement.

24.2 Remedies. Should City or Home Company at any time terminate this Agreement for any breach by the other party, in addition to any other remedy the aggrieved party may have, it may recover from the other party all damages it may incur by reason of such breach, including as appropriate, but not limited to: (a) the cost of recovering Premises; (b) all rent due and unpaid as of the date of such termination, plus interest on said sum at the rate of five percent (5%) per annum; (c) amounts that would have fallen due as rent between the time of termination of this Agreement and the time of the judgment, or other award, less the avails of all relettings and attornments, plus interest on the balance at five percent (5%) per year; (d) the worth at the time of the judgment or other award, of the amount by which the unpaid rent for the balance of the term exceeds the amount of such rental loss that Home Company proves could be reasonably avoided; (e) production costs and ticket revenue losses, and (f) any other amount necessary to compensate the aggrieved party for all the detriment proximately caused by the other party's failure to perform its obligations under this Agreement or which in the ordinary course of things would be likely to result therefrom.

25. Force Majeure. In the event and to the extent that the performance of any of the covenants of this Agreement shall be prevented by an act of God, the acts or regulations of public authorities other than acts or regulations of City, labor unions, labor difficulties, strikes, civil tumults, war, epidemic, or any other cause beyond the parties' control, the parties will be relieved of their obligations under this Agreement; and further, upon such event, neither party shall be obligated for any expenses incurred by the other party, including, but not limited to, any and all expenses incurred for promotion, artists' fees or preparation costs.

26. Waiver of Breach. Any express or implied waiver of a breach of any term of this Agreement, or acceptance of any late payment, shall not waive any rights of either party, and shall not constitute a waiver of any further breach of the same or other term of 'the Agreement, except and unless the waiver is in writing by the party to be charged.

27. Notices. All notices shall be in writing, personally delivered or mailed via certified mail return receipt requested to the below listed mail address. These addresses also shall be used for delivery of service of process.

- (a) Address of Home Company is as follows:
South Valley Civic Theatre
P.O. Box 1555
Gilroy, CA 95021

- (b) Address of City is as follows:
 City Manager
 City of Morgan Hill
 17575 Peak Avenue
 Morgan Hill, CA 95037

With a copy to:

City Clerk, and Community Services Director

Either party may change its address for notices by giving written notice to that effect.

28. Entire Agreement; Amendment. This Agreement constitutes the entire Agreement of the parties as to Premises, the licensing of Premises, and the specified license term. Any agreement or representations respecting Premises or their licensing not expressly set forth herein are void. This Agreement may only be amended by written agreement signed by both parties.

29. Governing Law; Venue; Mediation of Disputes. This Agreement shall be construed and enforced pursuant to the laws of the State of California. Santa Clara County shall be the venue for any legal proceedings arising out of this Agreement. The parties agree to pre-litigation mediation of any dispute arising out of this Agreement.

30. Attorneys' Fees. If any action at law or in equity is brought to recover any rent or other sums under this Agreement, or for or on account of any breach of or to enforce or interpret any of the covenants, terms, or conditions of this Agreement, or for the recovery of the possession of Premises, the prevailing party shall be entitled to recover from the other party their reasonable costs and attorneys' fees, the amount of which shall be fixed by the court and made a part of any judgment rendered.

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

32. No Third Party Beneficiaries. This Agreement is for the benefit of City and Home Company, and is not intended to, and does not, create any rights, responsibilities or obligations on behalf of third parties.

33. Authority to Execute. Each person signing this License Agreement on behalf of the indicated party declares that he/she has the authority to bind that party. In the event that the signatory lacks such duly granted authority, said undersigned signatory personally assumes all liability for fees, costs and damages.

ATTEST:

THE CITY OF MORGAN HILL

City Clerk

Date: _____

APPROVED:

Risk Manager

Date: _____

APPROVED AS TO FORM:

By: _____

City Attorney

Date: _____

City Manager

Date: _____

SOUTH VALLEY CIVIC THEATRE



President

Date: 10 AUGUST 2017



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Charlie Ha, Supervising Civil Engineer
APPROVED BY: City Manager

FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406

RECOMMENDATION(S)

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvement Agreement with Presidio Van Daele Watsonville 37, LLC;
3. Authorize the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorize the recordation of the Final Map, Subdivision Improvement Agreement, and the Stormwater BMP Operation and Maintenance Agreement.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment

2017 Strategic Priorities

Infrastructure

REPORT NARRATIVE:

Lands of Young – Tract No. 10406 is a 37-lot subdivision located on the northwest corner of Monterey and Watsonville Road (see attached site map). The developer, Presidio Van Daele Watsonville 37, LLC, has completed all the conditions specified by the Planning Commission in the approval of the Tentative Map on April 12, 2016.

The City Council is required to approve the map if it conforms to all the requirements of the Subdivision Map Act, and any conditions of approval for the Tentative Map.

The developer has furnished the City with the necessary documents to complete the processing of the Final Map and has made provisions with a title company to provide the City with the required fees, security, and insurance prior to recordation of the Final Map. The Final Map conforms to the requirements of the Subdivision Map Act, and conditions of approval have been met. Staff recommends that City Council authorize the City Manager to sign a Subdivision Improvement Agreement on behalf of the City and sign a Stormwater BMP Operation and Maintenance Agreement pending review and approval by the City Attorney.

COMMUNITY ENGAGEMENT: Involve

On April 12, 2016, the Planning Commission approved the Tentative Map. Residents within a 300 feet radius were informed of the Planning Commission's intent to approve the Tentative Map for the project, in which a public hearing was held to allow the public

to be involved and voice their concerns over Tentative Map requirements.

ALTERNATIVE ACTIONS:

There is no feasible alternative action as the developer has met the requirements of the tentative map conditions approved by the Planning Commission to file for a final map approval.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On May 4, 2016, the City Council approved the Development Agreement.

FISCAL AND RESOURCE IMPACT:

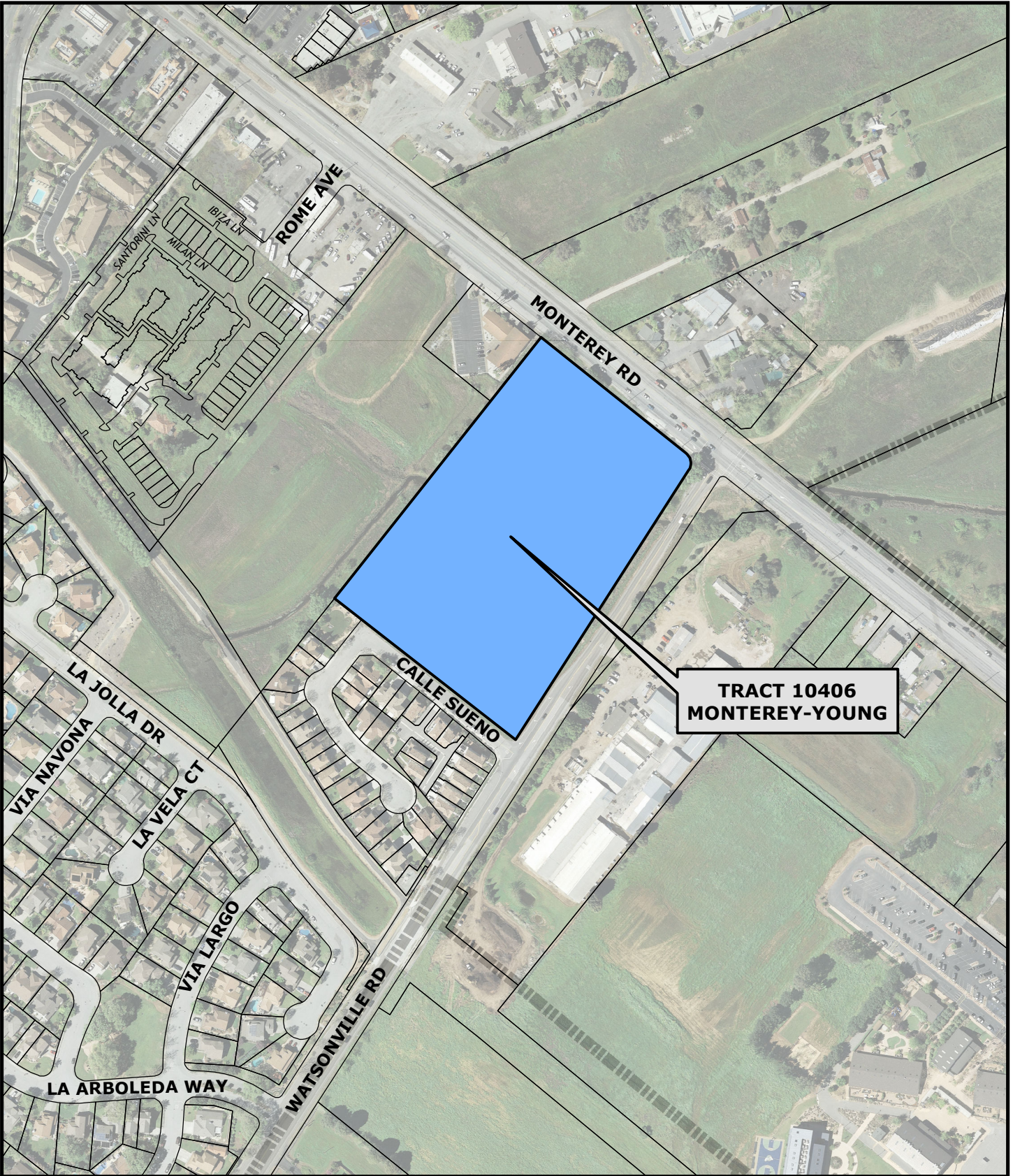
Development review costs for this project are paid for from development processing fees.

CEQA (California Environmental Quality Act):

Project - Mitigated Negative Declaration and Monitoring and Reporting Program was approved on April 12, 2016.

LINKS/ATTACHMENTS:

1. Site Map
2. Final Map
3. Tract 10406 Subdivision Improvements Agreement
4. Stormwater BMP Operation and Maintenance Agreement



Attachment: Site Map (1368 : FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406)

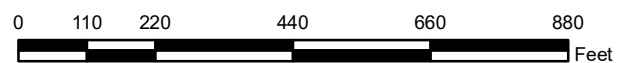


CITY OF MORGAN HILL

**Department of Public Works
Engineering and Utilities Division**

G:\R-14\Proj\GIS\John\Charlie_MontereyYoung.mxd

SITE MAP MONTEREY-YOUNG



TRACT No. 10406

BEING A PORTION OF LOT 1 OF THE MAP OF THE PARTITION OF THE FITZGERALD TRACT AS SHOWN ON THAT MAP THEREOF FILED IN BOOK 1-1 OF MAPS AT PAGE 5, SANTA CLARA COUNTY RECORDS LYING WITHIN THE CITY OF MORGAN HILL, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA
AUGUST 2017

LEGEND

- FOUND STANDARD CITY MONUMENT, AS INDICATED
- FOUND 3/4" IRON PIPE, TAGGED R.C.E. 24893
- UNLESS NOTED OTHERWISE
 - SET 3/4" IRON PIPE, TAGGED P.L.S. 8347
 - X - CHISEL MARK IN CURB CONCRETE
- BDM FOUND BRASS DISK MONUMENT
- L.E. FOUND LANDSCAPE EASEMENT
- P.S.E. PUBLIC SERVICE EASEMENT
- (r) RADIAL BEARING

CENTERLINE
DISTINCTIVE BOUNDARY LINE
EASEMENT LINE
EXISTING LOT LINE /RIGHT-OF-WAY LINE
NEW LOT LINE

NOTES

- 1) THE DISTINCTIVE BOUNDARY LINE INDICATES THE BOUNDARIES OF THE LAND SUBDIVIDED BY THIS FINAL MAP.
- 2) THE AREA WITHIN THE DISTINCTIVE BOUNDARY IS 9.36 ACRES (GROSS).
- 3) ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- 4) A GEOTECHNICAL STUDY HAS BEEN PREPARED BY BERLOGAR STEVENS & ASSOCIATES, DATED SEPTEMBER 06, 2016, PROJECT NO. 3602.100.
- 5) THE PROPERTY OWNER IS PROVIDING CONSTRUCTIVE NOTICE HEREIN THAT EACH LOT IS SUBJECT TO REQUIREMENTS OF A DEVELOPMENT AGREEMENT, WHICH THE CITY HAS APPROVED. THE CITY HAS GRANTED THE PROPERTY OWNER TO DELAY, MUST BE FULFILLED BY THE SUBSEQUENT PROPERTY OWNERS/OWNER.

LINE TABLE

LINE	LENGTH	BEARING
L4	13.94'	S87°02'21"W
L5	16.40'	N10°15'50"E
L6	20.92'	N63°31'37"E
L7	52.79'	S33°39'00"W
L8	105.66'	S31°52'28"W
L9	47.06'	N43°31'32"E
L10	13.71'	N62°47'42"E
L11	19.04'	N38°03'04"W

CURVE TABLE

CHORD	LENGTH	RADIUS	DELTA
C8	41.53'	48.00'	49°34'16"

GRAPHIC SCALE



REFERENCE RECORD DATA

- R1 TRACT NO. 8719 BOOK 663 MAPS, PGS. 41-44
- R2 BOOK 721 MAPS, PGS. 54-55
- R3 RECORD OF SURVEY BOOK 680 MAPS, PGS. 16-22
- R4 TRACT NO. 10174 BOOK 663 MAPS, PGS. 51-54

EASEMENTS OF RECORD

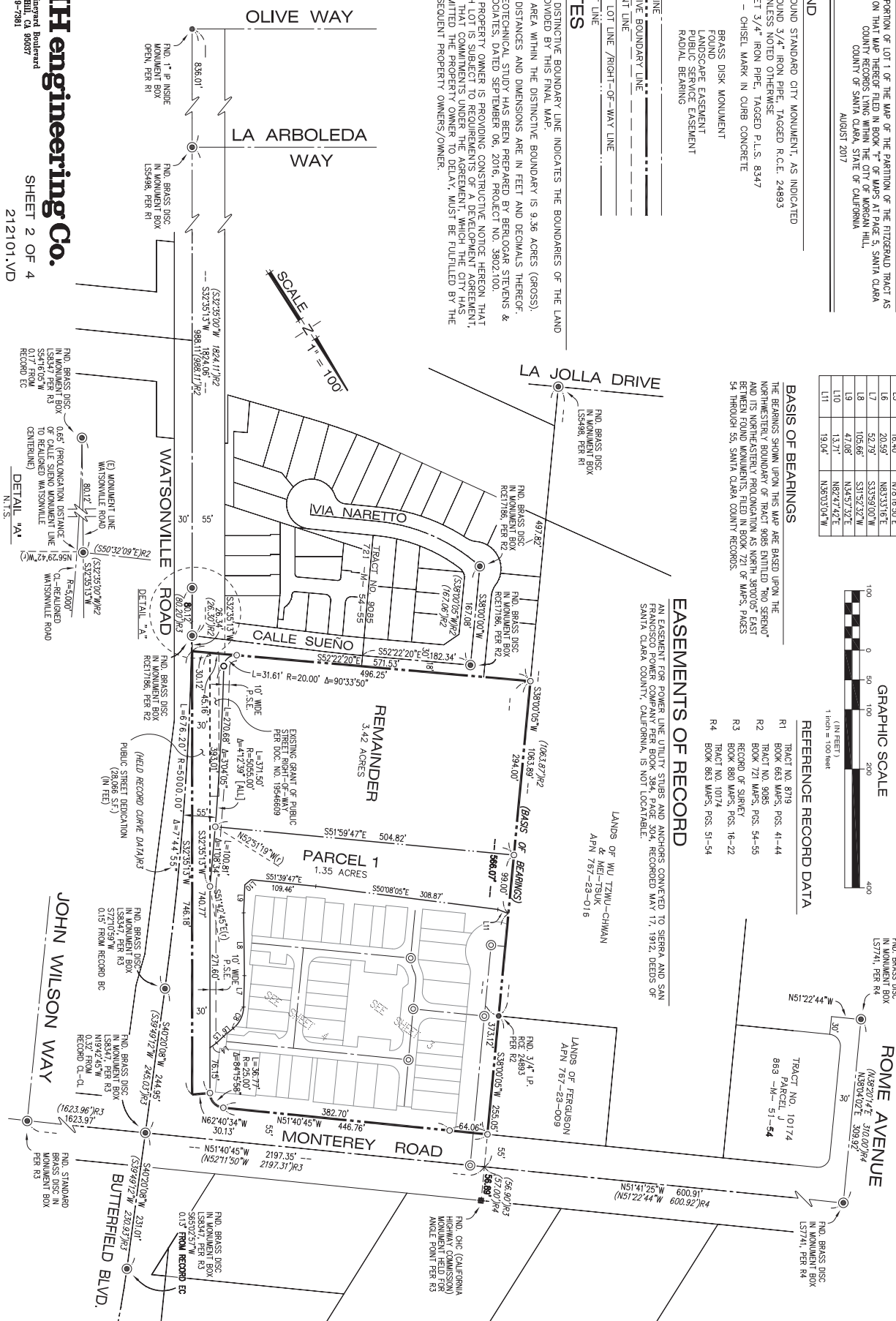
AN EASEMENT FOR POWER LINE UTILITY STRIPS AND ANCHORS CONVEYED TO SERRA AND SAN FRANCISCO POWER COMPANY PER BOOK 384, PAGE 304, RECORDED MAY 17, 1972, DEEDS OF SANTA CLARA COUNTY, CALIFORNIA, IS NOT LOCATABLE.

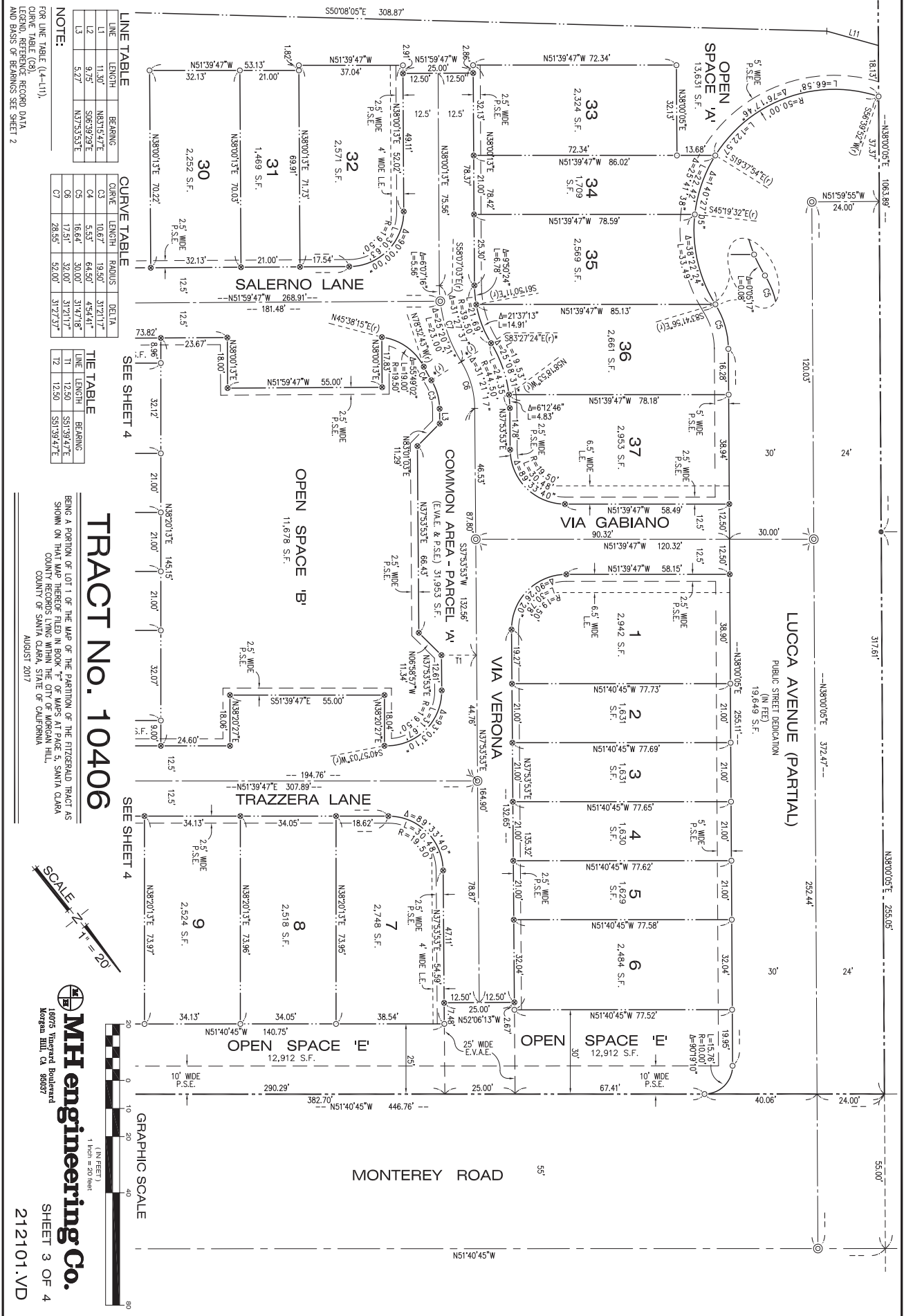
LANDS OF WU TZUW-CHUAN
APN 767-23-016

LANDS OF FERGUSON
APN 767-23-009

MH engineering Co.
16076 Vinograd Boulevard
Morgan Hill, CA 95057
(408) 778-7801

SHEET 2 OF 4
212101.VD





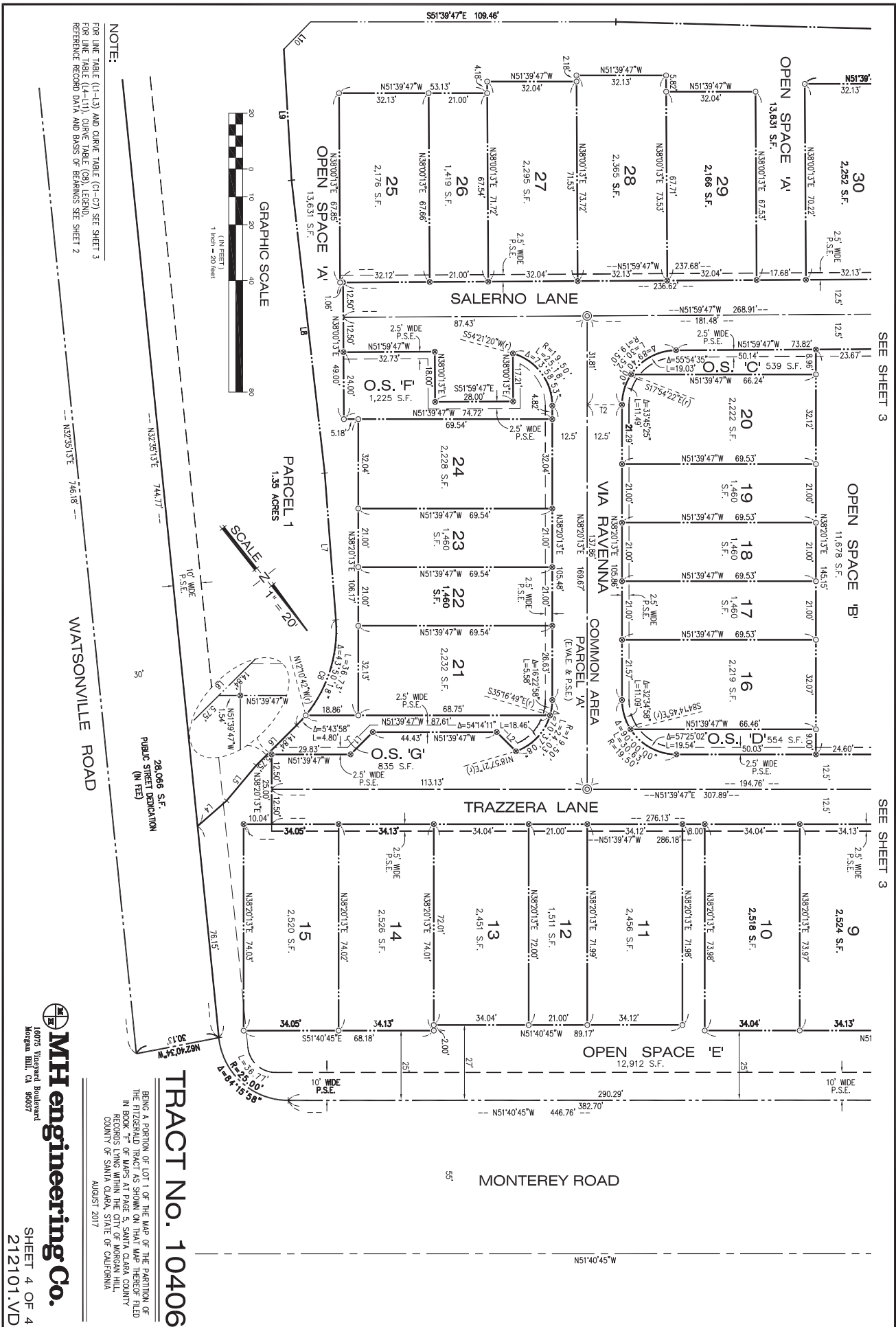


EXHIBIT B

RECORDING REQUESTED BY
WHEN RECORDED RETURN TO

CITY OF MORGAN HILL
City Clerk's Office
17575 PEAK AVENUE
MORGAN HILL, CA 95037

(RECORD AT NO FEE PURSUANT TO
GOVERNMENT CODE SECTION 27383)

THE AREA ABOVE IS RESERVED FOR RECORDER'S USE

SUBDIVISION IMPROVEMENTS AGREEMENT

PRESIDIO VAN DAELE WATSONVILLE 37, LLC

LANDS OF YOUNG – TRACT NO. 10406

This Subdivision Improvements Agreement ("Agreement") between the City of Morgan Hill, a municipal corporation ("City"), and Presidio Van Daele Watsonville 37, LLC, a Delaware limited liability company ("Subdivider"), is entered into this _____ day of _____, 2017. City and Subdivider hereby acknowledge the following:

1. Subdivider has filed a Tentative Subdivision Map and supporting documents for Tract No.10406, the subdivision known as Lands of Young ("Map").
2. City desires, as part of the conditions of approval ("Conditions") of the Final Tract Map or Parcel Map ("Final Map"), that certain improvements be installed by Subdivider ("Improvements") as shown on the City Engineer approved and signed Subdivision Improvement Plans entitled "Improvement Plans for, Lands of Young, Tract No. 10406" ("Plans").
3. Subdivider has been unable to complete, prior to filing of the Final Map, all of the improvements required by City to the satisfaction of the City Engineer.
4. Subdivider is required by the terms of the Morgan Hill Municipal Code ("Municipal Code"), to improve all streets, highways, or public areas which are part of the development, including but not limited to necessary paving, curbs, sidewalks, catch basins, water mains, culverts, storm drains, and sanitary sewers, in accordance with the plans and specifications on file with the City Engineer and to post certain securities to secure the completion of the Improvements.
5. To assure City that Subdivider will construct, install and complete all Improvements required for the Subdivision, the parties have entered into this Agreement.

EXHIBIT B

6. This Agreement is executed pursuant to California Government Code Section 66410, et seq., and Chapter 17.32 of the Municipal Code in order to provide for the manner in which Improvements shall be constructed and completed.

NOW, THEREFORE, and in consideration of the approval of the Final Map, and in order to ensure satisfactory performance by Subdivider of Subdivider's obligations under the Conditions, the Subdivision Map Act, and applicable ordinances of City, the parties hereto, for themselves, their successors, and assigns, hereby agree as follows:

Section 1. Incorporation by Reference

The Development Agreement between Subdivider and City, if applicable, Subdivider's Map application, the Conditions, the Map, all Plans as referenced in Section 2 below and all items submitted to the Planning Department, Planning Commission and City Council, all are incorporated herein by reference. In the event of any inconsistency between their representations in any incorporated documents and this Agreement, this Agreement shall govern.

Section 2. Construction of Improvements

(a) Subdivider shall construct to the approval of City, and as provided for in the Conditions, the Improvements as shown fully executed in the Plans entitled "Improvement Plans for Lands of Young".

(b) Acquire and dedicate, or pay the cost of acquisition by City, of all rights-of-way, easements, and other interests in real property for the construction or installation of the Improvements, free and clear of all liens and encumbrances.

(c) Survey Monumentation:

(1) Subdivider shall place survey monumentation as described on the Map.

(2) Subdivider shall replace or repair all survey monumentation that is destroyed or damaged as a result of Subdivider's activities. Any such repair or replacement shall be to the satisfaction and subject to the approval of City.

Section 3. Modification of Plans

Subdivider agrees that, if during the construction of the Improvements, it is determined by City that revisions to the Plans are necessary in the interest of the public, Subdivider will undertake such design and construction changes required by City. Said changes, if any, shall be confined to the premises owned by Subdivider.

Section 4. Security

(a) Pursuant to California Government Code Section 66499.3(a), and the Municipal Code, Subdivider shall, concurrently with the execution hereof, furnish a surety bond in an amount equal to at least one hundred percent (100%) of the estimated construction cost of the Improvements as security guaranteeing the faithful performance of the Improvements and this Agreement ("Performance Bond").

EXHIBIT B

Improvements and the City Engineer's Estimated Costs of Improvements as of July 2017 are attached hereto as Exhibit "A".

The Performance Bond shall be in a form substantially the same as Exhibit "B".

(b) Pursuant to California Government Code Section 66499.3(b), Subdivider shall, concurrently with the execution hereof, furnish a surety bond in an amount equal to one hundred percent (100%) of the estimated construction cost of the Improvements (as listed in Section 4(a) above) as security guaranteeing the payment to the contractors, subcontractors and persons furnishing labor, materials, or equipment in connection with this Agreement ("Labor and Materials Bond"). The Labor and Materials Bond shall be in a form substantially the same as Exhibit "C".

(c) Subdivider shall, upon completion of the Improvements, furnish a surety bond in an amount equal to fifty percent (50%) of the estimated construction cost of the Improvements (as listed in Section 4(a) above) to secure the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof by the City Council ("Warranty Period") against any defective work or labor performed, or defective materials furnished by Subdivider in connection with this Agreement ("Warranty Bond"). The Warranty Bond shall be in a form substantially the same as Exhibit "D".

(d) Pursuant to Government Code Section 66499.9, any liability upon the security given for faithful performance of any act or agreement shall be limited to:

(1) The performance of the work covered by the Agreement or the performance of the required act.

(2) The performance of any changes or alterations in such work; provided that all changes or alterations do not exceed ten percent of the original estimated cost of the Improvements.

(3) The guarantee and warranty of the work for a period of one year following completion and acceptance thereof, against any defective work or labor done or defective materials furnished in the performance of the Agreement or the performance of the act.

(4) Costs and reasonable expenses and fees, including reasonable attorneys' fees.

(e) The surety on each bond and the form thereof shall be satisfactory to City. The surety shall be furnished by a surety company authorized to write the same in the State of California and that is approved and accepted by the City's risk manager.

(f) Subdivider agrees to furnish any bonds required by the State or County for Improvements outside the City's jurisdiction.

(g) The release of any securities shall be governed by the provisions of Government Code Section 66499.7.

Section 5. Inspections

EXHIBIT B

At least fifteen (15) calendar days prior to the commencement of any work hereunder, Subdivider shall notify City in writing of the fixed start date of construction so that City shall be able to provide inspection services. Subdivider shall at all times maintain proper facilities and provide safe access to all parts of the work site(s) for City inspections, including any workshops or plants where work related to the Improvements is being conducted.

Subdivider shall pay and reimburse City for all expenses incurred by City for inspecting and checking all work to be performed under the provisions of the Municipal Code or this Agreement. City Engineering plan checking and field improvement inspection costs are included in the Department of Public Works Fee Schedule which may be revised from time to time.

Section 6. Timing of Performance

Subdivider agrees to perform and complete all Improvements within eighteen (18) months from the date of the recording of the Final Map; provided however, the City Manager may extend the deadline for completion by not more than six (6) months at his reasonable discretion and determination that granting the extension will not be detrimental to the public welfare. No extension of this deadline for completion shall be made except upon the basis of a written application made by Subdivider stating fully the ground for the application and the facts relied upon for an extension.

It is further agreed by and between Subdivider and City that any extension granted shall in no way affect the validity of this Agreement or release the surety (ies) on any bond attached hereto or the financial institution guaranteeing the same. Subdivider further agrees to maintain the securities described in Section 4 above in full force and effect during the terms of this Agreement, including any extensions of time as may be granted, and until such time as the Improvements have been accepted for maintenance by City

Section 7. Work Performance and Warranty

(a) Subdivider shall construct, at Subdivider's own expense, all of the Improvements in a good and workmanlike manner, and furnish all required materials incident thereto, in accordance with the Plans and to the satisfaction of City, including any changes required by City which in City's opinion are necessary to complete the Improvements.

(b) All work shall be conducted and completed in accordance with the Plans and federal, state, Municipal Code, laws, ordinances, and regulations. For any Improvements partially completed prior to this Agreement, Subdivider agrees to complete the Improvements in accordance with this Agreement.

(c) Neither Subdivider, nor any of Subdivider's agents or contractors in connection with Subdivider's obligations under this Agreement are, or shall be considered to be, employees or agents of City.

(d) The work performance for the Improvements shall not be deemed complete until such time as such Improvements have been accepted for maintenance by the City Council.

(e) Subdivider warrants that: (1) it has investigated the work to be performed under this agreement, (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the difficulties and restrictions of the work under this Agreement. Should Subdivider discover any conditions materially differing from those inherent in the Improvements or work or as represented by

EXHIBIT B

City, it shall immediately inform City and shall not proceed, except at Subdivider's risk, until written instructions are received from City.

(f) Subdivider guarantees and warrants the work required by this Agreement and agrees to remedy any defects in the Improvements or work arising from faulty or defective materials or construction occurring within one year after its acceptance. Following notice, Subdivider shall, without delay or cost to City, repair, replace, or construct any defective or unsatisfactory portion of the Improvements. City may, at its sole option, perform the repair or replacement itself if Subdivider or its surety has failed to commence repair within twenty (20) days after City has mailed written notice to Subdivider. In such event, Subdivider or its surety agrees to pay the cost of repair and replacement to City, plus fifteen percent (15%); and City may recover such costs as a lien against the Subdivision. City may proceed immediately to make repairs should an emergency arises.

Section 8. Acquisition and Dedication of Easements or Rights-of-Way

(a) No construction or installation of the Improvements shall be commenced before:

(1) The offer of dedication to City of appropriate rights-of-way, easements, or other interests in real property for the Improvements, which offer of dedication shall be irrevocable and remain open pursuant to California Government Code Section 66477.2, and authorization from the property owner to allow construction or installation of Improvements, or

(2) The dedication to, and acceptance by, City of appropriate rights-of-way, easements, or other interests in real property, as determined by the City Engineer, or

(3) The issuance by a court of competent jurisdiction pursuant to state Eminent Domain Law of an order of possession.

(b) Except as otherwise provided by this Agreement, City rejects all lands, rights-of-way, and easements offered for dedication on the Final Map of the Subdivision. All such offers shall, however, remain open, and shall constitute irrevocable offers of dedication in accordance with Government Code Section 66477.2. All such offers may be accepted by City in its sole discretion at any later date without further notice to Subdivider as provided by law. By way of explanation only, it is the current intention of City to accept all or part of the irrevocable offers to dedicate upon acceptance of the Improvements called for in this Agreement.

(c) Nothing in this Section 8 shall be construed as authorizing or granting an extension of time to Subdivider.

Section 9. Indemnity

Subdivider hereby agrees to save harmless and indemnify, including, without limitation, City's defense costs (including reasonable attorney's fees), from and against any and all suits, actions, or claims, of any character whatever, brought for, or on account of any injuries or damages sustained by any person or property resulting or arising, or alleged to have resulted or arisen, from Subdivider or Subdivider's contractors, subcontractors, agents, or employees activities, omissions or operations pursuant to this Agreement. Should City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of this Agreement, or its performance,

EXHIBIT B

Subdivider will defend City, (at City's request and with counsel satisfactory to City) and will indemnify City for any judgment rendered against it or any sums paid out in settlement or otherwise.

Subdivider shall defend, indemnify, and hold harmless the City and its elective and appointive boards, officials, officers, agents, employees and volunteers from any claim, action, or proceeding to review, set aside, void, or annul an approval of the City concerning the Map and acts made in respect thereof, provided any such action is brought within the time period provided for in California Government Code Section 66499.37.

City shall promptly notify Subdivider of any claim, action, or proceeding, and cooperate fully in the defense of any claim, action, or proceeding.

It is expressly understood and agreed that this Subsection (a) will survive termination of this Agreement.

Section 10. Insurance

Concurrent with the execution of this Agreement, Subdivider is required to procure and provide proof of the insurance coverage required by this section in the form of certificates and endorsements. The required insurance must cover the activities of Subdivider and its Subcontractors relating to or arising from the performance of work associated with the Improvements, and must remain in full force and effect at all times during the period covered by the Agreement, including any extensions of time as may be granted, and until such time as the Improvements have been accepted for maintenance by the City. The coverages may be arranged under a single policy for the full limits required or by a combination of underlying policies with the balance provided by excess or "umbrella" policies, provided each such policy complies with the requirements set forth herein. If the Subdivider will utilize the services of a General Contractor to perform all of the work associated with the Improvements, then Subdivider may opt to have all coverages provided by Subdivider's General Contractor. If Subdivider fails to provide any of the required coverage in full compliance with the requirements outlined in this Agreement City shall issue a stop work order, or terminate the Agreement for default. Subdivider further understands that the City reserves the right to modify the insurance requirements set forth herein, with thirty (30) days' notice provided to Subdivider, at any time as deemed necessary to protect the interests of the City.

(a) Policies and Limits. The following insurance policies and limits are required for this Agreement:

- (1) Commercial General Liability Insurance ("CGL"): Subdivider shall maintain CGL and shall include coverage for liability arising from Subdivider's or its Subcontractor's acts or omissions in the performance of work associated with the Improvements against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) five million dollars (\$5,000,000.00) for bodily injury or death to any one person for any one accident or occurrence and at least five million dollars (\$5,000,000.00) for property damage, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. Further, if CGL coverage is being provided by Subdivider's General Contractor pursuant to Section 10, General Contractor may elect to insure the CGL exposures under an "Owners and Contractors Protective Liability Policy (OCP)" on which the City is included as an additional insured.

EXHIBIT B

a. CGL policy may not exclude explosion, collapse, underground excavation hazard, or removal of lateral support.

b. CGL policy must include contractor's protected coverage, blanket contractual, and completed operations.

(2) Workers' Compensation Insurance and Employer's Liability: Subdivider shall maintain Workers Compensation coverage, as required by law. The policy must comply with the requirements of the California Workers' Compensation Insurance and Safety Act and provide protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) for any one accident or occurrence, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. If Subdivider is self-insured, Subdivider must provide its Certificate of Permission to Self-Insure, duly authorized by the State of California Department of Industrial Relations.

(3) Automobile Liability: Subdivider shall maintain Automobile Liability covering all owned, non-owned and hired automobiles (if Subdivider does not own automobiles, then Subdivider shall maintain Hired/Non-owned Automobile Liability) against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) for bodily injury or death to any one person for any one accident or occurrence and at least one million dollars (\$1,000,000.00) for property damage, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

(4) Pollution (Environmental) Liability: The performance of Subdivider's work or service under this Agreement involves handling of hazardous materials, contaminated soil disposal, and/or a risk of accidental release of fuel oil, chemicals or other toxic gases or hazardous materials. Subdivider shall procure and maintain Pollution Liability covering the Subdivider's liability for bodily injury, property damage and environmental damage resulting from pollution and related cleanup costs arising out of the work or services to be performed under this Agreement. Coverage shall be provided for both work performed on site, as well as during the transport of hazardous materials. Such coverage shall be in the minimum amount of: (i) one million dollars (\$1,000,000.00) for any one accident or occurrence, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

(b) Required Endorsements. Subdivider shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below. Further, if coverages are being provided by Subdivider's General Contractor pursuant to Section 10, endorsements may not be restricted to work performed "under a written contract" (i.e. "blanket endorsements")

(1) ALL Policies:

"Waiver of Subrogation" - Each required policy must include an endorsement providing that the carrier agrees to waive any right of subrogation it may have against the City of

EXHIBIT B

Morgan Hill and the City's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.

(2) ALL Policies except Workers Compensation:

- a. "Additionally Insured" - The City of Morgan Hill, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers are named as additional insureds.

(3) General Liability:

- a. "Primary and Non-Contributing" - Insurance shall be primary non-contributing;

- b. "Separation of Insureds" - The inclusion of more than one insured will not operate to impair the rights of one insured against another, and the coverages afforded will apply as though separate policies have been issued to each insured.

(c) Subcontractors. Subdivider must ensure that each Subcontractor is required to maintain the same insurance coverage required under this Section 10 as appropriate based on each subcontractor's scope of work, with respect to its performance of work associated with the Improvements, including those requirements related to the additional insureds and waiver of subrogation.

(d) Qualification of Insurers. All insurance required pursuant to this Agreement must be issued by a company licensed and admitted, or otherwise legally authorized to carry out insurance business in the State of California, and each insurer must have a current A.M. Best's financial strength rating of "A" or better and a financial size rating of "VIII" or better.

(e) Certificates. Subdivider shall furnish City with copies of all policies or certificates as outlined herein, whether new or modified, promptly upon receipt. No policy subject to the Subdivider's agreement with the City shall be reduced, canceled, allowed to expire, or materially changed except after thirty (30) days' notice by the insurer to City, unless due to non-payment of premiums, in which case ten (10) days written notice must be made to City. Certificates, including renewal certificates, may be mailed electronically to riskmgmt@morganhill.ca.gov or delivered to the Certificate Holder address provided herein.

Certificate Holder address:

City of Morgan Hill
Attn: Risk Management
17575 Peak Avenue
Morgan Hill, CA 95037

Section 11. Permits and Requisite Fees

- (a) Subdivider shall pay all current fee obligations in the total amount of **\$1,833,934** due under City Resolution No. 5592, as amended, in accordance with the Department of Public Work fee schedule, as follows:

EXHIBIT B

- (1) **\$605,312** payable at the time of recording of the Final Map, and
- (2) **\$1,228,622** payable on a pro-rata basis for each individual lot in the Subdivision prior to final inspection of each and every residence.
- (3) All fees payable pursuant to this Subsection (a) constitutes valid and due consideration for City's approval of the Final Map, and amounts set forth are estimates that are subject to change prior to the issuance of building permit(s), subject to resolution or ordinance of the City Council.
- (b) Subdivider shall, at its expense, obtain all necessary permits and licenses for the construction of the Improvements, give all necessary notices, and pay all fees and taxes required by law.
- (c) Subdivider shall obtain a City of Morgan Hill Business License.
- (d) Subdivider agrees to procure, at its expense, any necessary permits for Improvements outside the City's jurisdiction.

Section 12. On-Site Supervision

Subdivider shall designate an on-site supervisor, satisfactory to City, who shall be on the work site(s) at all times during the construction of the Improvements, and who has the authority to act on behalf of Subdivider when communicating with City personnel.

Section 13. Waiver

Waiver by City or Subdivider of any breach of any of the provisions of the Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of the same or any other provision of this Agreement. Acceptance by City of any work by Subdivider shall not be a waiver of any of the provisions of this Agreement.

Section 14. 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. Notices shall be effective five (5) days after date of mailing, or upon date of personal delivery.

- | | |
|--|--|
| <ol style="list-style-type: none"> a. Address of Subdivider is as follows:
Presidio Van Daele Watsonville 37, LLC
5927 Balfour Court, #208
Carlsbad, CA 92008 b. Address of City is as follows:

Public Works Director
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037 | <p>With a copy to:</p> <p>City Clerk
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037</p> |
|--|--|

EXHIBIT B

Section 15. Noncompliance

If City determines that Subdivider is in violation of any federal, state, County or City laws, ordinances, rules, regulations, and requirements, and/or the terms and provisions of this Agreement, it may issue a cease and desist order, stop work order, or other action City deems necessary.

Section 16. Notice of Breach and/or Default

City may serve written notice upon Subdivider and surety of breach of this Agreement or of any portion thereof, and default of Subdivider for any of the following circumstances:

- (a) Subdivider refuses or fails to complete the Improvements as required in Section 6 above.
- (b) Subdivider refuses or fails to perform or cure any defects in the Improvements as required in Section 7.
- (c) Subdivider is insolvent, is subject to a receivership, or files any petition in bankruptcy, either voluntary or involuntary which Subdivider fails to discharge within thirty (30) days.
- (d) The commencement of a foreclosure action against the Subdivision or any portion thereof, or any conveyance in lieu of or in avoidance of foreclosure.
- (e) Subdivider or any of Subdivider's contractors, subcontractors, agent, or employees materially violates any of the provisions of this Agreement and not cure the violation within a reasonable time.

Section 17. Performance by Surety or City

- (a) In the event of a material breach and/or default by Subdivider, Subdivider's surety shall have the duty to take over and complete the Improvements.
- (b) If the surety, within a reasonable time after receiving notice of Subdivider's default does not provide City written notice to take over the performance of this Agreement or if the surety does not commence performance thereof within the time specified in such notice to City, City may take over the construction of the Improvements and prosecute the same to completion, by contract or by any method City may deem advisable, on behalf and at the expense of Subdivider, and Subdivider's surety shall be liable to City for any excess cost or damages incurred by City thereby. In such event, City, without liability for so doing, may take possession of and utilize such materials, appliances, and other property belonging to Subdivider as may be on the work site(s) and necessary therefore to complete the Improvements.
- (c) City shall have the right to draw upon or utilize the appropriate security provided for in Section 4 to recover costs and damages to City damages. The right of City to draw upon or utilize the security is additional and not in lieu of any other remedy available to City at law or in equity. The parties agree that the estimated costs and security amounts may not reflect the actual cost of construction or installation of Improvements, and therefore, City damages for Subdivider's default shall be measured by the cost of completing the required Improvements.

EXHIBIT B

(d) Failure of Subdivider to comply with terms of this Agreement shall constitute consent to filing by City of a notice of violation against all lots in the Subdivision, or to rescind the approval or otherwise revert the Subdivision to acreage. The remedies provided in this Subsection (d) are in addition to and not in lieu of other remedies available to City.

(e) In the event that Subdivider fails to perform any obligation under this Agreement, Subdivider agrees to pay all costs and expenses incurred by City in securing performance of such obligation, including the costs of suit and reasonable attorney's fees.

(f) The failure by City to take an enforcement action with respect to a default, or to declare a breach, shall not be construed as a waiver of that default or breach or subsequent default or breach.

Section 18. Successors in Interest

This Agreement shall inure to the benefit of, and be binding upon, the successors and assigns of the parties. It shall be recorded in the Office of the Recorder of Santa Clara County concurrently with the Final Map of the Subdivision and shall constitute a covenant running with the land and an equitable servitude upon the real property within the Subdivision. It shall be the responsibility of City to cause the executed Agreement to be recorded.

Section 19. Effective Date

This Agreement shall be effective as of the date and year first above written.

Section 20. Amendment of Agreement

This Agreement may only be amended by mutual consent of the original parties or their successors in interest, provided that any such amendment is executed in writing by the parties to be bound thereby.

Section 21. Execution

By signing this Agreement, the person signing states that he or she is authorized to enter into contracts on behalf of Subdivider. The undersigned, on behalf of Subdivider, binds Subdivider, its partners, successors, executors, administrators, and assigns with respect to the terms and conditions of this Agreement.

Section 22. 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.

Section 23. Law to Govern: Venue

The law of the State of California shall govern this Agreement. In the event of litigation between the parties, the action must be filed in the Santa Clara County Superior Court.

EXHIBIT B

Section 24. Limitations Upon Subcontracting and Assignment.

Neither this Agreement or any portion shall be assigned by Subdivider without prior written consent of City.

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Attachment: Tract 10406 Subdivision Improvements Agreement (1368 : FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406)

EXHIBIT B

Section 25. Miscellaneous

(a) Compliance with Law: Subdivider shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government.

(b) Non-Discrimination. Subdivider covenants there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, disability, national origin, ancestry, or sexual orientation in any activity pursuant to this Agreement.

(c) Conflict of Interest and Reporting. Subdivider shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.

(d) Time of Essence. Time is of the essence in the performance of this Agreement.

(e) Interpretation. This Agreement shall be interpreted as though prepared by both parties.

(f) 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.]

CITY OF MORGAN HILL

"Subdivider"

**Presidio Van Daele Watsonville 37,
LLC**

By: _____

Steve Rymer, City Manager

Date: _____

ATTEST:

By: _____

Michelle Wilson, Deputy City Clerk

Date: _____

By: _____

Print Name

(If Corporation, must be Chairperson of the Board, President, or Vice President)

Date: _____

By: _____

Print Name

EXHIBIT B

APPROVED AS TO FORM:

By:

Donald A. Larkin, City Attorney

Date: _____

(If Corporation, must be Secretary, Assistant
Secretary, CFO, or Assistant Treasurer)

Date: _____

Attachment: Tract 10406 Subdivision Improvements Agreement (1368 : FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406)

EXHIBIT “A”
IMPROVEMENTS AND
ESTIMATED COSTS OF IMPROVEMENTS
AS OF JULY 2017

Attachment: Tract 10406 Subdivision Improvements Agreement (1368 : FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406)

**Engineers Cost Estimate for
YOUNG (Tr#10406) Public Improvements Only**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
<u>Schedule I - Streets and Earthwork</u>					
1	Clearing and grubbing of construction site (excluding structural demo and tree removal)	1	LS	\$ 5,000.00	\$ 5,000.00
2	Street grading	2,013	CY	\$ 6.00	\$ 12,078.00
3	Street finish grading	19,132	SF	\$ 0.20	\$ 3,826.40
4	Public street pavement (5" AC on 14" AB)	12,740	SF	\$ 7.00	\$ 89,180.00
5	Temporary Cul-de-sac pavement (4" AC on 8" AB)	1,672	SF	\$ 4.00	\$ 6,688.00
6	6" AC Berm @ Temp. Cul-de-sac pavement	120	LF	\$ 14.00	\$ 1,680.00
7	City std sidewalk on agg base	2,782	SF	\$ 7.00	\$ 19,474.00
8	City std. curb & gutter on agg. Base	650	LF	\$ 25.00	\$ 16,250.00
9	City Std. A-11 PCC Cross gutter	200	SF	\$ 10.00	\$ 2,000.00
10	20' wide EVA turf block pavement on 8" AB	662	SF	\$ 6.00	\$ 3,972.00
6	City Std. Street Barricade	68	LF	\$ 50.00	\$ 3,400.00
8	Street name signs	2	EA	\$ 400.00	\$ 800.00
9	Street monuments	3	EA	\$ 400.00	\$ 1,200.00
10	Electroliners include conduit & pullboxes	3	EA	\$ 3,200.00	\$ 9,600.00
11	Stop sign & legends	1	EA	\$ 600.00	\$ 600.00
Total Schedule I					\$ 175,748.40
<u>Schedule II - Water</u>					
1	8" D.I.P. water main (incl. valves & fittings)	379	LF	\$ 38.00	\$ 14,402.00
2	Fire hydrant assembly complete	2	EA	\$ 2,800.00	\$ 5,600.00
3	City 1.5" landscape water stub-out with angle stop for backup to well water (No meter or RBPF)	1	EA	\$ 1,200.00	\$ 1,200.00
Total Schedule II					\$ 21,202.00
<u>Schedule III - Sanitary Sewer</u>					
1	8" PVC (SDR-26)	242	LF	\$ 38.00	\$ 9,196.00
2	City std. Manholes	2	EA	\$ 2,800.00	\$ 5,600.00
Total Schedule III					\$ 14,796.00
<u>Schedule IV - Storm Drainage</u>					
1	15" RCP	165	LF	\$ 65.00	\$ 10,725.00
2	12" RCP	64	LF	\$ 38.00	\$ 2,432.00
3	City Std. manholes	3	EA	\$ 2,700.00	\$ 8,100.00
4	City std. curb inlets	4	EA	\$ 2,000.00	\$ 8,000.00
Total Schedule IV					\$ 29,257.00
<u>Schedule V - Monterey Road Improvements</u>					
1	Demo existing bus stop pad, curb, gutter & sidewalk	1	LS	\$ 8,000.00	\$ 8,000.00
2	Street Grading	13,315	SF	\$ 1.00	\$ 13,315.00
3	Street widening pavement (6" AC on 16" AB)	4,484	LF	\$ 8.00	\$ 35,872.00
4	City std curb & gutter on agg base	432	LF	\$ 25.00	\$ 10,800.00
5	City std sidewalk on agg base	2,518	SF	\$ 7.00	\$ 17,626.00

6	Fire hydrant	1	EA	\$ 2,800.00	\$ 2,800.00
7	Electroliers incl. Conduit and pullboxes	2	EA	\$ 3,200.00	\$ 6,400.00
8	Pavement Grind and overlay with minimum 2" AC	19,162	SF	\$ 2.00	\$ 38,324.00
9	Street Striping	1	LS	\$5,000	\$ 5,000.00
10	Street Signs	10	EA	\$350	\$ 3,500.00
Total Schedule VI					\$ 125,137.00
Estimated Const Cost (I-V)					\$ 366,140.40

**Engineer's Cost Estimate for
Watsonville Road Widening**

Item Description	Quantity	Unit	Unit Price	Total
1 Clearing and grubbing	1	LS	\$5,000.00	\$5,000.00
2 Site demolition (incl. concrete culvert, barricade, head wall and and haul off)	1	LS	\$30,000.00	\$30,000.00
3 existing fence relocation	538	LF	\$25.00	\$13,450.00
4 Existing electrolier relocation	1	LS	\$1,000.00	\$1,000.00
5 Existing rock rip rap relocation	1	LS	\$5,000.00	\$5,000.00
6 Existing catch basin and storm drain removal	1	LS	\$1,500.00	\$1,500.00
7 Grade adjustment on existing sewer manhole rim	1	LS	\$500.00	\$500.00
8 Grade adjustment on existing water valve	1	LS	\$500.00	\$500.00
9 Existing 'Flood Warning Sign' relocation	1	LS	\$2,000.00	\$2,000.00
10 Existing 'NO PARKING' sign relocation	1	LS	\$500.00	\$500.00
11 Sawcut existing pavement	750	LF	\$1.50	\$1,125.00
12 City std. curb and gutter	757	LF	\$25.00	\$18,925.00
13 Grind and overlay with asphalt concrete	6,727	SF	\$1.50	\$10,090.50
14 City std. sidewalk	4,055	SF	\$6.00	\$24,330.00
15 4.5" AC on 14.5" AB pavement	7,568	SF	\$6.00	\$45,408.00
16 4' high retaining wall w/ cyclone fence	105	LF	\$100.00	\$10,500.00
17 Erosion control	1	LS	\$8,000.00	\$8,000.00
18 City std. electroliers	3	EA	\$3,500.00	\$10,500.00
19 18" RCP storm drain	105	LF	\$58.00	\$6,090.00
20 City std. curb inlet	1	EA	\$3,500.00	\$3,500.00
21 Signing and striping	1	LS	\$10,000.00	\$10,000.00
22 4'x10' RCBC extension	45	LF	\$2,500.00	\$112,500.00
23 Existing pole and anchor relocation By PG&E	1	LS	\$5,000.00	\$5,000.00
24 Existing gas main relocation	1	LS	TBD	
Subtotal - I				\$325,418.50
10% Contingency				<u>\$32,541.85</u>
Total Construction Cost				\$357,960.35

TRACT PUBLIC IMPROVEMENTS	\$366,140
WATSONVILLE ROAD PUBLIC IMPROVEMENTS	\$357,960
TOTAL	\$724,100

EXHIBIT "B"
PERFORMANCE BOND
(100% of Engineer's Estimate)

Bond No.: _____

Premium: _____

Whereas, the City Council of the City of Morgan Hill, State of California, and _____ (hereinafter designated as "principal") have entered into a Subdivision Improvement Agreement:

PRESIDIO VAN DAELE WATSONVILLE 37, LLC
LANDS OF YOUNG – TRACT NO. 10406

whereby principal agrees to install and complete certain designated public improvements, which said agreement, dated _____, 20_____, and identified as project **LANDS OF YOUNG – TRACT NO. 10406**, is hereby referred to and made a part hereof; and

Whereas, said principal is required under the terms of said agreement to furnish a bond for the faithful performance of said agreement.

Now, therefore, we, the principal and _____, as surety, are held and firmly bound unto the City of Morgan Hill hereinafter called ("City"), in the penal sum of **seven hundred twenty four thousand one hundred dollars (\$724,100)** lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The Surety's office is located at _____,

Telephone No. _____; the Surety is licensed to do business in the State of California; and the California Insurance Agent's License No., address, and telephone number are as follows:

License No.: _____

Address: _____

Telephone No.: _____ .

The non-resident agent for the Surety, if any, is a party to the transaction:

Name of non-resident _____

agent:

Non-resident agent's office
address:

Telephone
No.:

The condition of this obligation is such that if the above bounded principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

Executed this _____ day of _____ 20____.

Principal

Principal

By:

Surety

By:

Attorney-in Fact

By:

California Resident Agent

By:

Non-resident Agent - Attorney-in-Fact

APPROVED:

Karl Bjarke, Public Works Director

Date:

APPROVED AS TO FORM:

By:

Donald A. Larkin, City Attorney

Date:

(Acknowledgment on following page.)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

EXHIBIT "C"
LABOR AND MATERIAL BOND
(100% of Engineer's Estimate)

Bond No.: _____

Premium: _____

Whereas, the City Council of the City of Morgan Hill, State of California, and [ENTER Subdivider NAME] (hereinafter designated as "the principal") have entered into a Subdivision Improvement Agreement:

PRESIDIO VAN DAELE WATSONVILLE 37, LLC
LANDS OF YOUNG – TRACT NO. 10406

whereby the principal agrees to install and complete certain designated public improvements, which agreement, dated _____, 20_____, and identified as project **LANDS OF YOUNG – TRACT NO. 10406**, is hereby referred to and made a part hereof; and

Whereas, under the terms of the agreement, the principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Morgan Hill to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California.

Now, therefore, the principal and the undersigned as corporate surety, and their successors and assigns are held firmly bound unto the City of Morgan Hill and all contractors, subcontractors, laborers, material suppliers, and other persons employed in the performance of the agreement and referred to in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code in the sum of **seven hundred twenty four thousand one hundred dollars (\$724,100)**, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City of Morgan Hill in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety's office is located at _____,

Telephone No. _____; the Surety is licensed to do business in the State of California; and the California Insurance Agent's License No., address, and telephone number as follows:

License No.:

Address:

Telephone No.:

The following non-resident agent, if any, for the Surety is a party to the transaction:

Name of non-resident agent: _____,

Non-resident agent's office address:

Telephone No.:

The surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

Executed this _____ day of _____, 20____.

Principal

Principal

By:

Surety

By:

Attorney-in Fact

By:

California Resident Agent

By:

Non-resident Agent - Attorney-in-Fact

APPROVED:

Karl Bjarke, Public Works Director

Date:

APPROVED AS TO FORM:

By:

Donald A. Larkin, City Attorney

Date:

(Acknowledgment on following page.)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

**EXHIBIT “D”
WARRANTY BOND
(50% of Engineer’s Estimate)**

Bond No.:

Premium: _____

Whereas, the City Council of the City of Morgan Hill, State of California (hereinafter designated as “City”), and [ENTER Subdivider NAME] (hereinafter designated as “Principal”) have entered into a Subdivision Improvement Agreement (hereinafter “Agreement”):

**PRESIDIO VAN DAELE WATSONVILLE 37, LLC
LANDS OF YOUNG – TRACT NO. 10406**

whereby the Principal agrees to install and complete certain designated public improvements (hereinafter “Improvements”), which said Agreement, dated _____, 20_____, and identified as project **LANDS OF YOUNG – TRACT NO. 10406**, is hereby referred to and made a part hereof; and

Whereas, under the terms of said Agreement, the Principal is required to furnish a bond to guarantee and warrant the work required by said Agreement for a period of one year following the completion and acceptance by the City of the Improvements, against any defective work or labor performed, or defective materials furnished by Principal.

Now, therefore, we, the Principal and _____ as Surety, are held and firmly bound unto the City of Morgan Hill in the penal sum of **three hundred sixty thousand forty dollars (\$362,050)** for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

If Principal faithfully carries out and performs its guarantee and warranty under the Agreement, and, on due notice from City, repairs and make good at its sole expense any and all defects in materials and workmanship in the Project which are discovered during the Warranty Period, or if Principal promptly reimburses City for all loss and damage that City sustains because of Principal’s failure to makes such repairs in accordance with the Agreement requirements, then Surety’s obligations under this Bond will be null and void. Otherwise, Surety’s obligations will remain in full force and effect.

Surety waives the provisions of Civil Code Sections 2819 and 2845. Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement

or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

Any notice to Surety may be given in the manner specified in the Agreement and delivered or transmitted to Surety as follows:

Attn: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Email: _____

This Bond will be governed by California law, and any dispute pursuant to this Bond will be venued in the Superior Court of Santa Clara County, and no other place. Surety will be responsible for City's attorneys' fees and costs in any action to enforce the provisions of this Bond.

In witness whereof, this instrument has been duly executed by the principal and surety above named.

SURETY:

Principal:

Date: _____

Date: _____

s/ _____

s/ _____

Name: _____

Name: _____

Title: _____

Title: _____

(Attach Acknowledgment with Notary

Seal and Power of Attorney)

APPROVED AS TO FORM:

By: _____

Donald A. Larkin, City Attorney

Date: _____

END OF WARRANTY BOND

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

EXHIBIT C

RECORDING REQUESTED BY:

CITY OF MORGAN HILL

WHEN RECORDED MAIL DOCUMENT TO:

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

RECORD AT NO FEE PER
GOVERNMENT CODE SECTIONS 6103
& 27383

SPACE ABOVE THIS LINE FOR RECORDER'S
USE

**STORMWATER BEST MANAGEMENT PRACTICES,
OPERATION, AND MAINTENANCE AGREEMENT**

THIS STORMWATER BEST MANAGEMENT PRACTICES OPERATION, AND MAINTENANCE AGREEMENT ("AGREEMENT") is made and entered into this _____ day of _____, 2017, by **Presidio Van Daele Watsonville 37, LLC**, (hereinafter referred to as "COVENANTOR") and the City of Morgan Hill ("CITY"). CITY and COVENANTOR may be referred to individually as a "Party" or collectively as the "Parties" throughout this AGREEMENT.

RECITALS:

This AGREEMENT is made and entered into with reference to the following facts:

- A. CITY is authorized and required to regulate and control the disposition of storm and surface waters as set forth in CITY's National Pollutant Discharge Elimination System permit.
- B. COVENANTOR is the owner of a certain tract or parcel of land more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "PROPERTY").
- C. COVENANTOR desires to construct certain improvements of the kind or nature described in Morgan Hill Municipal Code Chapter 18.71 (the "ORDINANCE") on the PROPERTY that may alter existing stormwater conditions on both the PROPERTY and adjacent lands.
- D. To minimize adverse impacts due to these anticipated changes in existing storm and surface water flow conditions, COVENANTOR is required by CITY to implement Best Management Practices ("BMPs") and to build and maintain, at COVENANTOR's expense, stormwater management facilities ("FACILITIES"), more particularly described and shown in the **Stormwater Runoff Management Plan for Monterey-Young, Tract 10406** prepared by **M.H. Engineering Co.** and dated **December 8, 2016**, which plans and any amendments thereto, are on file with CITY's Public Works Department, and are hereby incorporated by this reference.
- E. CITY has reviewed and approved the Stormwater Runoff Management Plan (the "PLAN") subject to the execution of this AGREEMENT.

EXHIBIT C

NOW, THEREFORE, in consideration of the benefit received and to be received by COVENANTOR, its successors, and assigns, as a result of CITY's approval of the Stormwater Runoff Management Plan, COVENANTOR, hereby covenants and agrees with CITY as follows:

1. Covenants Running With the Land; Property Subject to Agreement: All of the real property described in Exhibit "A" shall be subject to this AGREEMENT. It is intended and determined that the provisions of this AGREEMENT shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in the real PROPERTY or any portion thereof and shall be for the benefit of each owner of any of said parcels or any portion of said PROPERTY and shall inure to the benefit of and be binding upon each successor in interest of the owners thereof. Each and all of the limitations, easements, obligations, covenants, conditions, and restrictions contained herein shall be deemed to be, and shall be construed as, equitable servitudes, enforceable by any of the owners of any of the PROPERTY subject to this AGREEMENT against any other owner, tenant or occupant of the said PROPERTY, or any portion thereof.
2. Responsibility for Installation, Operation, and Maintenance: At its sole expense, COVENANTOR, its successors, and assigns, shall construct, operate, and perpetually maintain the FACILITIES in strict accordance with the PLAN and any amendments thereto that have been approved by CITY or required by the ORDINANCE.
3. Facility Modifications: At its sole expense, COVENANTOR, its successors, and assigns, shall make such changes or modifications to the FACILITIES as may be determined as reasonably necessary by CITY to ensure that the FACILITIES are properly maintained and continue to operate as originally designed and approved. COVENANTOR agrees that it shall not modify the BMPs and shall not allow BMP maintenance activities to alter the designed function of the FACILITIES from its original design unless approved by CITY prior to the commencement of the proposed modification or maintenance activity.
4. Facility Inspections by CITY: At reasonable times and in a reasonable manner as provided in the ORDINANCE, CITY, its agents, employees, and contractors shall have the right of ingress and egress to the FACILITIES and the right to inspect the FACILITIES in order to ensure that the FACILITIES are being properly maintained, are continuing to perform in an adequate manner, and are in compliance with the ORDINANCE, the PLAN and any amendments thereto approved by CITY.
5. Failure to Perform Required Facility Repairs or Modifications: Should either COVENANTOR or its successors and assigns fail to implement the BMPs, maintain the facilities, or correct any defects in the FACILITIES in accordance with the approved design standards and/or the PLAN, and in accordance with the law and applicable regulations of the ORDINANCE, after thirty (30) days from the date of the written notice from CITY, CITY shall have the right to enter the PROPERTY to perform remedial work, for which CITY will collect reimbursement for such work from COVENANTOR. Additionally, conditions from failure to implement the BMPs or to maintain or correct the FACILITIES shall be deemed a nuisance subject to abatement of such conditions as provided in Chapter 1.18 of the Morgan Hill Municipal Code. In addition, CITY may pursue other such remedies as provided by law, including, but not limited to, such civil and criminal remedies set forth in the ORDINANCE.
6. Indemnity: COVENANTOR, its successors, and assigns, shall defend, indemnify, and hold CITY harmless of and from any and all claims, liabilities, actions, causes of action, and damages for personal injury and property damage, including, without limitation,

EXHIBIT C

reasonable attorneys' fees, arbitration fees, or costs and court costs, arising out of or related to COVENANTOR's, its successors', and/or assigns' construction, operation, or maintenance of the FACILITIES except claims, liabilities, actions, causes of action, and damages that arise out of CITY's sole negligence or willful misconduct or the sole negligence or willful misconduct of any of CITY'S employees, agents, representatives, contractors, vendors, or consultants.

7. Obligations and Responsibilities of COVENANTOR: Initially, COVENANTOR is solely responsible for the performance of the obligations required hereunder and, to the extent permitted under applicable law, the payment of any and all fees, fines, and penalties associated with such performance or failure to perform under this AGREEMENT. Notwithstanding any provisions of this AGREEMENT to the contrary, upon the recordation of a deed or other instrument of sale, transfer or other conveyance of fee simple title to the PROPERTY or any portion thereof (a "Transfer") to a third party (the "Transferee"), COVENANTOR shall be released of all of its obligations and responsibilities under this AGREEMENT accruing after the date of such Transfer to the extent such obligations and responsibilities are applicable to that portion of the PROPERTY included in such Transfer, but such release shall be expressly conditioned upon the Transferee assuming such obligations and responsibilities by recorded written agreement for the benefit of CITY. Such written agreement may be included in the Transfer deed or instrument, provided that the Transferee joins in the execution of such deed or instrument. A certified copy of such deed, instrument, or agreement shall be provided to CITY. The provisions of the preceding three sentences shall be applicable to the original COVENANTOR and any successor Transferee who has assumed the obligations and responsibilities of COVENANTOR under this AGREEMENT as provided above.
8. Property Transfer: Nothing herein shall be construed to prohibit a transfer by COVENANTOR to subsequent owners and assigns.
9. Attorneys' Fees: In the event that any Party institutes legal action or arbitration against the other to interpret or enforce this AGREEMENT, or to obtain damages for any alleged breach hereof, the prevailing party in such action or arbitration shall be entitled to reasonable attorneys' or arbitrators' fees in addition to all other recoverable costs, expenses, and damages.
10. Further Documents: The Parties covenant and agree that they shall execute such further documents and instructions as shall be necessary to fully effectuate the terms and provisions of this AGREEMENT.
11. Entire Agreement: This AGREEMENT constitutes the entire agreement of the Parties with respect to the subject matter contained herein and supersedes all prior agreements, whether written or oral. There are no representations, agreements, arrangements, or undertakings, oral or written, that are not fully expressed herein.
12. Severability: In the event any part or provision of this AGREEMENT shall be determined to be invalid or unenforceable under the laws of the State of California, the remaining portions of this AGREEMENT that can be separated from the invalid, unenforceable provisions shall, nevertheless, continue in full force and effect.
13. No Waiver: The waiver of any covenant contained herein shall not be deemed to be a continuing waiver of the same or any other covenant contained herein.

EXHIBIT C

14. Amendment: This AGREEMENT may be amended in whole or in part only by mutual written agreement. Any such amendment shall be recorded in Santa Clara County, California. In the event any conflict arises between the provisions of any such amendment and any of the provisions of any earlier document or documents, the most recently duly executed and recorded amendment shall be controlling.
15. Authority to Execute: The persons executing this AGREEMENT on behalf of the parties warrant that they are duly authorized to execute this AGREEMENT.
16. In the event that CITY shall determine, at its sole discretion, at any future time, that the FACILITIES are no longer required, then at the written request of COVENANTOR, its successors, and/or assigns, CITY shall execute a release of this AGREEMENT which COVENANTOR, its successors, and/or assigns, shall record in the Recorder's Office, at its expense.

Executed the day and year first above written.

COVENANTOR:

By: _____

Name: _____

Title: _____

CITY OF MORGAN HILL:

By: _____

Name: STEVE RYMER

Title: CITY MANAGER, CITY OF MORGAN HILL

APPROVED AS TO FORM:

By: _____

Name: DONALD A. LARKIN

Title: CITY ATTORNEY, CITY OF MORGAN HILL

EXHIBIT C

EXHIBIT "A"

All that real property situated in the City of Morgan Hill, Santa Clara County, State of California being more particularly described as follows:

Parcel A, Open Spaces 'A', 'B', 'C', 'D', 'E', 'F', 'G' as shown on that Map for Tract No. 10406 thereof

filed in Book _____ of Maps at Pages _____, Santa Clara County Records.



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Hilary Holeman, Administrative Analyst
APPROVED BY: City Manager

CITY SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES PUBLIC SAFETY RESOLUTIONS

RECOMMENDATION(S)

1. Authorize the City's voting delegate(s) to vote on the two public safety resolutions to be considered at the League of California Cities (LOCC) annual conference; and
2. Direct staff to participate in advocacy efforts related to the two public safety resolutions: 1) Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws and 2) Local Control for Emergency Medical Response.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Supporting Our Youth
Seniors
and Entire Community
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

Each year, the LOCC accepts resolutions from member cities and elected officials to be voted on at its annual conference. This year, two resolutions have been introduced for consideration at the conference in Sacramento, CA, September 13-15, 2017, and referred to appropriate LOCC Policy Committees (Attachment 1).

Resolution No. 1 – Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws

This Resolution seeks to address increases in crime in the wake of AB 109 (2011), Proposition 47 (2014), which reclassified a host of felony offenses as misdemeanors, and Proposition 57 (2016), which revised the rules of parole for what are designated “non-violent” offenders under the California Penal Code, but in fact comprise a number of criminal acts that are violent in nature, or may be committed to facilitate a violent outcome (e.g. discharging a firearm from a motor vehicle).

This Resolution would direct staff to seek legislation expanding the term “violent felony” as defined in the California Penal Code; to tighten the criteria for the release of non-

violent, non-serious, non-sex offender inmates; to mandate consideration of an inmate's entire criminal history as part of the deliberations involving whether to grant an individual parole; and to consider creation of a task force that would be charged with issuing a report recommending further changes in law, and supported by documentation collected by local agencies and other key stakeholders.

Resolution No. 2 – Local Control of Emergency Medical Response

This resolution calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

It is a longstanding goal of the City to enhance public safety and participate in regional issues. Voting in support of both resolutions provides a range of important reforms that would enhance public safety in the community.

By approving the recommendation, our LOCC representatives, Mayor Pro Tem Larry Carr (delegate) and Council Members Rich Constantine and Caitlin Robinett Jachimowicz (alternates), will have the Council's general guidance for the vote to be taken on the resolution and are authorized to vote on amendments in the manner they deem to be in the best interest of the City.

COMMUNITY ENGAGEMENT: Inform

ALTERNATIVE ACTIONS:

Council could not support the recommended position or further exploration.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

At the June 7, 2017 Council Meeting, Mayor Pro Tem, Larry Carr was appointed LOCC delegate and Council Members Rich Constantine and Caitlin Robinett Jachimowicz were designated as the alternates.

FISCAL AND RESOURCE IMPACT:

No fiscal impact at this time.

CEQA (California Environmental Quality Act):

Not a Project – Proposals for legislation to be enacted by State Legislature.

LINKS/ATTACHMENTS:

1. LOCC 2017 Resolutions Packet



Annual Conference Resolutions Packet

2017 Annual Conference Resolutions



***Sacramento, California
September 13 – 15, 2017***

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, two resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees.

POLICY COMMITTEES: One policy committee will meet at the Annual Conference to consider and take action on the resolutions referred to it. The committee is Public Safety. The committee will meet from 9:00 – 11:00 a.m. on Wednesday, September 13, at the Hyatt Regency. The sponsors of the resolutions have been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 14, at the Hyatt Regency in Sacramento, to consider the report of the policy committee regarding the resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:30 p.m. on Friday, September 15, at the Sacramento Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:30 p.m., Thursday, September 14. Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principles around which more detailed policies may be developed by policy committees and the board of directors.
 - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, September 13
Hyatt Regency Sacramento
1209 L Street, Sacramento
9:00 – 11:00 a.m.: Public Safety

General Resolutions Committee

Thursday, September 14, 1:00 p.m.
Hyatt Regency Sacramento
1209 L Street, Sacramento

Annual Business Meeting and General Assembly Luncheon

Friday, September 15, 12:30 p.m.
Sacramento Convention Center
1400 J Street, Sacramento

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3
		1 - Policy Committee Recommendation to General Resolutions Committee		
		2 - General Resolutions Committee		
		3 - General Assembly		

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws			
2	Local Control for Emergency Medical Response			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- | | |
|-----|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |
| a | Amend+ |
| Aa | Approve as amended+ |
| Aaa | Approve with additional amendment(s)+ |
| Ra | Refer as amended to appropriate policy committee for study+ |
| Raa | Additional amendments and refer+ |
| Da | Amend (for clarity or brevity) and Disapprove+ |
| Na | Amend (for clarity or brevity) and take No Action+ |
| W | Withdrawn by Sponsor |

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League's website by clicking on this link: [Resolution Process](#).

2017 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

1. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSION WITH LEAGUE AND OTHER PUBLIC SAFETY STAKEHOLDERS TO IDENTIFY AND IMPLEMENT STRATEGIES THAT WILL REDUCE THE UNINTENDED NEGATIVE IMPACTS OF EXISTING CRIMINAL LAW

Source: City of Whittier

Concurrence of five or more cities/city officials: Cities: La Mirada; Lakewood; Monrovia; Pico Rivera; Rolling Hills; Santa Fe Springs; and South Gate

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, during the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Many of those changes have been needed and necessary, as not all crimes should be punished with jail sentences; and

WHEREAS, California cities, counties, and the State, however, are facing increased crime which endangers the health and safety of police officers, residents, business owners, and property due to some of these legislative changes which created a situation where violent and career criminals are serving little to no prison time; and

WHEREAS, negative impacts from State legislative changes have been far reaching and crime rates and the number of victims are skyrocketing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders; and

WHEREAS, incentives for offenders to voluntarily enroll in substance abuse programs have diminished, which has had the effect of eroding the safety of our communities; and

WHEREAS, AB 109 transferred nearly 45,000 felons from the State prison system to local jail facilities, which were not designed to house criminals on a long-term basis and were unprepared for such an increase in incarcerations, resulting in lower-level criminals being released early, directly impacting rising property crime rates throughout the State; and

WHEREAS, many probationers who have severe mental illness are released into communities where they continue to commit crimes that adversely impact the safety of community members and drain the resources of probation departments and police departments throughout the state; and

WHEREAS, Proposition 47, The Safe Neighborhoods and Schools Act, downgraded a number of serious crimes from felonies to misdemeanors—drug possession, repeated shoplifting, forging checks, gun theft, and possession of date-rape drugs; and

WHEREAS, Proposition 57 categorizes rape by intoxication, rape of an unconscious person, human trafficking involving sex with minors, drive-by shooting, assault with a deadly weapon, domestic violence, hate crime causing physical injury, and corporal injury to a child as “non-violent” felonies and offenders convicted of violating such laws are able to avoid appropriate prison sentences; and

WHEREAS, under Proposition 57, criminals who commit multiple crimes against multiple victims will be eligible for release at the same time as offenders who only committed a single crime against a single victim and allows repeat criminals to be eligible for release after the same period of incarceration as first time offenders; and

WHEREAS, cities must join together to voice their concerns for these legislative changes that have created an adverse impact on the safety of residents and businesses in local communities.

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 15, 2017, to:

1. Direct League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent and future criminal law based on appropriate documentation by local agencies to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.
2. Promote an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.
3. Continue to advocate to place into law that for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following:
 - Murder or voluntary manslaughter.
 - Mayhem.
 - Rape.
 - Sodomy by force, violence, duress, menace, or threat of great bodily harm.
 - Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
 - Lewd acts on a child under the age of 14 years.
 - Any felony punishable by death or imprisonment in the state prison for life.
 - Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven.
 - Attempted murder.
 - Assault with intent to commit rape or robbery.

- Assault with a deadly weapon or instrument on a peace officer.
 - Assault by a life prisoner on a non-inmate.
 - Assault with a deadly weapon by an inmate.
 - Arson.
 - Exploding a destructive device or any explosive with intent to injure.
 - Exploding a destructive device or any explosive causing great bodily injury.
 - Exploding a destructive device or any explosive with intent to murder.
 - Robbery.
 - Kidnapping.
 - Taking of a hostage by an inmate of a state prison.
 - Attempt to commit a felony punishable by death or imprisonment in the state prison for life.
 - Any felony in which the defendant personally used a dangerous or deadly weapon.
 - Escape from a state prison by use of force or violence.
 - Assault with a deadly weapon.
 - Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22.
 - Carjacking.
 - Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft.
 - Throwing acid or flammable substances with intent to injure.
 - Continuous sexual abuse of a child.
4. Request the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.
 5. Encourage the collection and organization of real world data from cities and counties on the universe of post-release community supervision (PRCS) offenders.
 6. Encourage cities throughout California to join in these advocacy efforts to mitigate the unintended negative impacts of recent policy changes to the criminal justice system.
 7. Call for the Governor and the Legislature to work with the League and others stakeholders to consider and implement such criminal justice system reforms.

////////

Background Information on Resolution No. 1

Source: City of Whittier

Background:

During the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Some changes have been needed, as not all crimes should be punished with jail sentences. These changes included AB 109 as well as Propositions 47 and 57.

Approved in 2011, AB 109 was approved, transferring nearly 45,000 felons from the State prison system to local jail systems, resulting in lower-level criminals being released early. Then, Proposition 47, so called The Safe Neighborhoods and Schools Act, was approved by California voters in 2014. It reclassified and downgraded a number of serious crimes from felonies to misdemeanors. Similarly, Proposition 57, called The Public Safety and Rehabilitation Act, was approved by voters in 2016 and allows the State to provide for the release of up to 30,000 criminals convicted of "non-violent" felonies, including rape by intoxication, driveby shooting, human trafficking involving sex act with minors, assault with a deadly weapon, to name a few. Additionally, under Prop 57 repeat criminals are eligible for release after the same period of incarceration as first time offenders.

Now, California cities and counties are facing increasing crime rates which are being connected to these legislative actions which created a situation where violent and career criminals are serving little to no prison time while low-level offenders commit multiple crimes with limited consequences. This increasing level of crime endangers the health and safety of our residents, police officers, and property. Negative impacts from these State legislative changes have been far reaching, and crime rates and the number of victims are increasing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders.

As an example, the Public Policy Institute of California reports since 2015:

- California has experienced an uptick in overall crime
- Property crime is up 145%, violent crime up 54%
- One in four Californians view violence and street crime in their community as a substantial problem
- Arrests dropped 31% for property crimes and 68% for drug offenses (due to Prop. 47)
- The report concludes auto theft increase is a direct result of AB109

To make matters even worse, during the past two years we've seen officers shot, wounded and killed in communities throughout California including Whittier, Downey, Lancaster, Palm Springs, San Diego, Stanislaus County, and Modoc County. Further, the number of U.S. police officers killed in the line of duty hit a five-year high in 2016. The National Law Enforcement Officers Memorial Fund's preliminary report shows that this year's 135 fatalities were a 10% increase over the 123 officers who died in the line of duty last year.

When taken together the increases in crime in our communities and reductions in arrests for many crimes plus violent attacks against police officers underscores the need for a call to action amongst California's state and local leaders. This conference resolution is an important first step and seeks to initiate both a dialogue as well as actions to begin reforming California's criminal justice system by requesting that League staff analyze the negative impacts of recent criminal law, identify necessary changes, and work with stakeholders to promote support for such advocacy efforts. The resolution also calls on the Governor, Legislature, cities, and other stakeholders to work together toward reforms.

The resolution contains three specific reforms:

1. Address Issues with AB 109

The conference resolution promotes the amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.

2. Revise the Definition of Violent Crime

The resolution calls for the League to advocate to place into law for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following crimes:

- Murder or voluntary manslaughter
- Mayhem
- Rape
- Sodomy by force, violence, duress, menace, or threat of great bodily harm
- Oral copulation by force, violence, duress, menace, or threat of great bodily harm
- Lewd acts on a child under the age of 14 years
- Any felony punishable by death or imprisonment in the state prison for life
- Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven
- Attempted murder
- Assault with intent to commit rape or robbery
- Assault with a deadly weapon or instrument on a peace officer
- Assault by a life prisoner on a non-inmate
- Assault with a deadly weapon by an inmate
- Arson
- Exploding a destructive device or any explosive with intent to injure
- Exploding a destructive device or any explosive causing great bodily injury
- Exploding a destructive device or any explosive with intent to murder
- Robbery
- Kidnapping
- Taking of a hostage by an inmate of a state prison

- Attempt to commit a felony punishable by death or imprisonment in the state prison for life
- Any felony in which the defendant personally used a dangerous or deadly weapon
- Escape from a state prison by use of force or violence
- Assault with a deadly weapon
- Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22
- Carjacking
- Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft.
- Throwing acid or flammable substances with intent to injure.
- Continuous sexual abuse of a child.

3. Data Sharing

The resolution requests the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

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League of California Cities Staff Analysis on Resolution No. 1

Staff: Tim Cromartie
Committee: Public Safety

Summary:

This Resolution seeks to address increases in crime in the wake of AB 109 (2011), Proposition 47 (2014), which reclassified a host of felony offenses as misdemeanors, and Proposition 57 (2016), which revised the rules of parole for what are designated “non-violent” offenders under the California Penal Code, but in fact comprise a number of criminal acts that are violent in nature, or may be committed to facilitate a violent outcome (for example, discharging a firearm from a motor vehicle).

This Resolution would direct staff to seek legislation expanding the term “violent felony” as defined in the California Penal Code; to tighten the criteria for the release of non-violent, non-serious, non-sex offender inmates; to mandate consideration of an inmate’s entire criminal history as part of the deliberations involving whether to grant individual parole; and to consider creation of a task force that would be charged with issuing a report recommending further changes in law, and supported by documentation collected by local agencies and other key stakeholders.

Background:

Since 2011, changes in state law, starting with AB 109, altered the fabric of California's criminal justice system. In 2011, AB 109 began to shift nearly 45,000 felons from the state prison system to local county jails. Prior to AB 109, many of California's more heavily populated counties already had jail systems that were operating under court-ordered or self-imposed population caps. As a result, AB 109 implementation triggered changes in that county jails experienced over time an influx of a rougher class of offender, and many lower level petty criminals committing new offenses were simply booked and released, serving no jail time at all.

Proposition 47 followed in 2014, reclassifying a host of felony offenses as misdemeanors and increasing the threshold amount for a felony charge of grand theft from \$450.00 to \$900.00. The effect of this change was to significantly stimulate the volume of petty theft, shoplifting, auto theft, and organized retail theft (shoplifting involving multiple persons with cell phones, designated getaway drivers, and a pre-determined escape route often involving a short trip to a major highway). Proposition 57, approved by voters in 2016, facilitates the potential early release of a large number of "non-violent" offenders by providing that inmates are eligible for parole once they have served 100% of their base sentence, without regard to any time served as a result of any sentencing enhancements. The universe of "non-violent" offenders could include individuals who have committed the following offenses: rape by intoxication, attempted drive-by shooting, assault with a deadly weapon, throwing acid with the intent to disfigure, to name but a few offenses. Since current law defines a "non-violent offender" based on the individual's most recent commitment offense, even if the individual is a repeat offender, the State Parole Board must still consider that person's parole application.

This state of affairs includes factors such as a higher proportion of offenders at large on our city streets, many of whom have had little in the way of rehabilitation programming while incarcerated, some with drug habits, who are more violent now than when initially incarcerated. Unless they engage in major illegal activity (murder, rape, arson, armed robbery), the available sanctions for any violations they commit, such as flash incarceration, i.e. temporary incarceration for 48-72 hours in a city or county jail, scarcely provide a meaningful deterrent to further criminal activity.

Communities in California are now facing increasing crime rates which can be linked to these recent legislative changes, which probation officers and local law enforcement are struggling to monitor and contain a situation in which a dramatically increase universe of offenders are at large in our communities.

The Public Policy Institute of California reports that since 2015:

- California has experienced an increase in overall crime
- Property crime is up 145%
- Violent crime is up 54%
- One in four Californians view violence and street crime in their community as a substantial problem
- Arrests dropped 31% for property crimes and 68% for drug offenses (due to Prop. 47)
- The report concludes auto theft increase is a direct result of AB 109

Support:

Cities of La Mirada, Lakewood, Monrovia, Pico Rivera, Rolling Hills, Santa Fe Springs, and South Gate

Opposition:

None received.

Fiscal Impact:

The collective and cumulative effect of the current criminal justice policies has led to increased pressure on county general funds for increased resources for probation supervision and incarceration in county jails, as well as identical pressure on municipal general funds related to increased law enforcement activity and in some areas, increased emergency medical services calls. Should the objectives outlined by the resolution be achieved, those pressures will be alleviated to a significant but undetermined amount.

Comment:

This measure is a response to a trend of rapidly mounting frustration among cities beset by calls for more law enforcement resources as a result of ongoing, sustained criminal activity. There is a growing sense among law enforcement professionals and local elected officials that current policies which have reduced criminal penalties, reclassified felonies as misdemeanors and facilitated what amounts to early release of many offenders who are not truly non-violent, will in time result in a high-profile tragedy involving significant loss of life.

Existing League Policy:

In regard to incarceration policy, the League supports stiffer penalties for violent offenders. In 2014, the League joined the California Police Chiefs in opposing Proposition 47, which reduces sentencing penalties for specified non-serious and non-violent drug and property crimes. It directed that the following offenses would be treated as misdemeanors, in most instances irrespective of the circumstances:

- Commercial Burglary
- Forgery
- Passing Bad Checks
- Grand Theft
- Receipt of Stolen Property
- Petty Theft with a Prior Offense
- Drug Possession

In 2013, the League Board of Directors approved a resolution pertaining to AB 109 (2011), which implemented Public Safety Realignment and brought significant changes to the state's incarceration policy. Specifically, it provided that specified categories of felony offenders previously sentenced to state prison, would prospectively be sentenced to terms in county jails.

The League's Resolution had two significant components relevant to this resolution:

- 1) It urged the Governor's office to adjust the implementation of Public Safety Realignment so that the criteria examined to evaluate the appropriateness of release of non-violent, non-serious, non-sex offender inmates would include their total criminal and mental

history, instead of merely the most recent criminal conviction for which they are currently committed; and

- 2) It urged the Governor's office to expedite the development of an effective statewide data sharing mechanism allowing state and local law enforcement agencies too rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

Finally, the League in 2016 opposed Proposition 57, which altered rules for parole eligibility for non-violent felons, potentially facilitating parole before an individual has served any time toward a sentencing enhancement, and ushered in new rules for good time behavior seeking to incentivize inmates to undergo rehabilitation programming of an educational/vocational nature.

RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

2. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING LEGISLATION AMENDING GOVERNMENT CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS

Source: City of Tracy

Concurrence of five or more cities/city officials: Cities: Lathrop, Lodi, Manteca, Stockton, and Consumnes Fire Department (Cities of Elk Grove and Galt)

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, Government Code Section 38611 was last amended in 1957 and does not contain language clarifying the broad scope of emergency services as provided by present day fire departments; and

WHEREAS, Government Code Section 38611 requires further definition for general law and charter cities in determining service levels for the delivery of emergency services commensurate with the resources provided by the local government body; and

WHEREAS, pursuant to Section 7 of Article XI of the California Constitution, municipal governments are vested with police power which imposes on the responsibility to protect public safety and public health and municipal governments must provide or contract for fire and/or emergency medical services; and

WHEREAS, the local provision of fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and other services relating to the protection of lives and property is critical to the public peace, health, and safety of the state; and

WHEREAS, local fire and/or emergency medical services are financed by local taxpayers and the availability and use of such services is determined by the local governing body of the jurisdiction to which services are directly provided; and

WHEREAS, amending Government Code Section 38611 would provide the chief of a fire department specific authority to protect public safety and public health within the jurisdictional boundaries of the fire department.

RESOLVED, that the League of California Cities General Assembly, assembled at the League Annual Conference on September 15, 2017 in Sacramento, calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

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Background Information on Resolution No. 2

Source: City of Tracy

Background:

In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. The EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate an EMS System. The statute also includes language that establishes *“The medical direction and management of an emergency medical services system shall be under the medical control of the medical director of the local EMS Agency.”* In each county, the local EMS Agency sets local EMS policy, administers and provides medical oversight for cities and special fire districts to deliver EMS services within the county.

In the late 1970’s, as the EMS Act was being developed, the League of California Cities weighed heavily concerning the impact of the proposed EMS Act on cities. The League of California Cities argued against depriving a city of local control over EMS service levels. The League of California Cities wrote, *“We believe (local control) is important because city taxpayers financially support (EMS) programs and city management is responsible for their efficient utilization. The city council is responsible for the level of service and the cost of the program, wholly unrelated to the medical questions.”* Based on that argument, additional language was included in the EMS policy that allowed local agencies that were providing EMS service to continue (and even obligated) them to continue to provide EMS services at the same levels as prior to 1980. This addition to the EMS Act (Section 1797.201 – became known as “201

Rights”) has been very controversial and has led to several lawsuits between cities/special districts and local EMS Agencies.

The City of Tracy in San Joaquin County has become the epicenter on the issue of local control as it relates to who has the authority to determine which resources will respond to medical emergencies. Several incidents have been noted where poor patient outcomes were the result of a failed county policy (SJCEMS Agency Policy 3202) that restricts local fire departments from responding to “low-level” emergencies. The EMS policy decisions within San Joaquin County have potential implications on every local community within the state of California and increasingly threaten local control.

Proposed Amendment

The proposed amendment to Government Code Section 38611 would clarify local control and allow the local governing bodies to determine which services are directly provided within their respective jurisdictions. The existing law is extremely limited in scope having been last amended in 1957, at a time when fire departments did not routinely provide many of the specialized services of today. Changes in services provided include but are not limited to hazardous materials response, specialized rescue, and emergency medical services. The amendment aims to support the long-standing tradition in California of local control over the types, levels, and availability of these services.

////////

League of California Cities Staff Analysis on Resolution No. 2

Staff: Tim Cromartie
Committee: Public Safety

Summary:

This resolution calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Background:

In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. The EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate an EMS System.

The statute also includes language that establishes “*The medical direction and management of an emergency medical services system shall be under the medical control of the medical director*”

of the local EMS Agency.” In each county, the local EMS Agency sets local EMS policy, administers and provides medical oversight for cities and special fire districts to deliver EMS services within the county.

In the late 1970’s, as the EMS Act was being developed, the League of California Cities weighed heavily concerning the impact of the proposed EMS Act on cities. The League argued against depriving a city of local control over EMS service levels. The League wrote, “*We believe (local control) is important because city taxpayers financially support (EMS) programs and city management is responsible for their efficient utilization. The city council is responsible for the level of service and the cost of the program, wholly unrelated to the medical questions.*” Based on that argument, additional language was included in the EMS policy that allowed local agencies that were providing EMS service to continue (and even obligated) them to continue to provide EMS services at the same levels as prior to 1980. This addition to the EMS Act (Section 1797.201 – became known as “201 Rights”) has been very controversial and has led to several lawsuits between cities/special districts and local EMS Agencies.

The City of Tracy in San Joaquin County has become one of the epicenters on the issue of local control as it relates to who has the authority to determine which resources will respond to medical emergencies. Several incidents have been noted where poor patient outcomes have been attributed by some observers to a county policy (SJCEMS Agency Policy 3202) that restricts local fire departments from responding to “low-level” emergencies. The EMS policy decisions within San Joaquin County have potential implications on every local community within the state of California and increasingly threaten local control.

Support:

Cities of Lathrop, Lodi, Manteca, City of Stockton, and Consumnes Fire Department (Cities of Elk Grove and Galt)

Opposition:

None received.

Fiscal Impact:

This resolution, if its directive can be achieved, will have no direct fiscal impact on cities. It will however, provide an atmosphere in which cities that have invested significant resources in building up and maintaining an independent EMS capability can have confidence that it will be deployed as intended.

Comment:

While this resolution calls for very specific action to clarify the rules governing emergency medical services, ideally it would be more generally worded to allow greater flexibility in pursuing legislative and other solutions to a problem that has existed for decades, spawning both legislation and multiple incidents of litigation.

However, it accurately expresses the legitimate frustration of cities in their efforts to provide emergency medical services (EMS) while abiding by the directives of their local emergency medical services authorities (LEMSA’s), which are county entities. Counties have broad

discretion under existing case law in how they administer EMS under the doctrine of medical control. To the degree there is dissatisfaction on the part of cities within a given county or counties, the following should be noted:

- 1) A task force convened by the California Emergency Medical Services Authority, the state entity with jurisdiction over this subject matter, made significant headway in crafting regulations governing the provision of ground emergency medical transport -- until disputes over local control and the criteria under which a local (municipal) agency could lay claim to the exclusive right to provide EMS in a specific operating area led to a lawsuit being filed by the California Fire Chiefs Association. That suit effectively suspended the work of the Task Force.
- 2) Over the past two decades, multiple attempts at legislation to resolve this issue have been tried, most without success. It was in part the multiple attempts at legislation that triggered the formation of the above-referenced task force.

Existing League Policy:

The League supports the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc. as well as cities' authority and discretion to provide all emergency services to their communities.

The League supports and strives to ensure local control of emergency medical services by authorizing cities and fire districts to prescribe and monitor the manner and scope of pre-hospital emergency medical services, including transport through ambulance services, all provided within local boundaries for the purpose of improving the level of pre-hospital emergency medical service.

The League supports legislation to provide the framework for a solution to longstanding conflict between cities, counties, the fire service and LEMSA's particularly by local advisory committees to review and approve the EMS plan and to serve as an appeals body. Conflicts over EMS governance may be resolved if stakeholders are able to participate in EMS system design and evaluation and if complainants are given a fair and open hearing.

The League opposes legislation, regulations and standards that impose minimum staffing and response time standards for city fire and EMS services since such determinations should reflect the conditions and priorities of individual cities.

The League supports Emergency 911 systems to ensure cities and counties are represented on decisions affecting emergency response.

LETTERS OF CONCURRENCE

Resolution No. 1

**Implement Strategies to Reduce Negative Impacts of
Recent Changes to Criminal Laws**



CITY OF LA MIRADA

DEDICATED TO SERVICE

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8.a

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July 11, 2017

LETTER OF SUPPORT

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

SUBJECT: 2017 CONFERENCE RESOLUTION STRATEGIES TO IMPROVE NEGATIVE IMPACTS OF CRIMINAL LAW

Dear Committee:

The City of La Mirada supports the League of California Cities Annual Conference Resolution proposed by the City of Whittier calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of La Mirada has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. Specifically, since 2014 the City of La Mirada has seen property crime increase by 41 percent. The proposed resolution seeks to correct these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include one's total criminal and mental health history instead of only the most recent criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms to enhance public safety in our community. For these reasons, the City of La Mirada strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

CITY OF LA MIRADA

Ed Eng
Mayor

EE:JB:vdr

Ed Eng
Mayor

Lawrence P. Mowles
Mayor Pro Tem

Steve De Ruse, D. Min.
Councilmember

John Lewis
Councilmember

Andrew Sarega
Councilmember

Packet Pg. 150

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

Steve Croft
Vice Mayor

Jeff Wood
Council Member

Ron Piazza
Council Member

Todd Rogers
Council Member



Diane DuBois
Mayor

July 10, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution – Notice of Support
Strategies to Improve Negative Impacts of Criminal Law**

Dear Committee:

The City of Lakewood supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

Like other cities, Lakewood has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts. These include:

- Request League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes and work with key stakeholders to promote support for resulting advocacy efforts.
- Promote an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent."
- Request that the State improve the "Smart Justice" platform to allow state and local law enforcement agencies to rapidly share information to track offenders and encourage data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Lakewood strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

Diane DuBois
Mayor

Lakewood



July 11, 2017

President JoAnne Mounce
The League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Letter of Support for the Resolution Brought Forward by the City of Whittier Regarding the Unintended Negative Consequences of Recent Legislative Changes to California's Criminal Justice System

Dear Ms. Mounce:

The City of Monrovia strongly supports the Resolution brought forth by the City of Whittier, which asks the League of California Cities (League) to initiate and facilitate further discussion between the Governor, the State Legislature, and other key public safety stakeholders regarding the legislative changes that have been made to California's criminal justice system during the past few years.

Taken together, Assembly Bill 109, Proposition 47, and Proposition 57 have reshaped how we approach public safety issues in our State. And certainly, the identified measures have resulted in measurable and positive impacts to California's criminal justice system, such as a decrease in the State prison system population. However, the cumulative effect of these legislative actions have had several significant unintended consequences, which have resulted in California cities now needing to address increasingly complex public safety challenges.

For example, in the City of Monrovia, violent and property crimes increased by 19% when comparing 2016 crime levels against 2015 rates. On-the-street information being provided by our Police Officers seems to correlate that the increasing levels of crime are connected with the legislative changes that have been enacted in California during the past several years. Additionally, the public safety issues we are experiencing in Monrovia are not occurring in a vacuum, as other neighboring jurisdictions are reporting similar concerns that impact our region as a whole.

Given these factors, we believe that California's overall criminal justice system needs to be carefully reexamined for potential methods to mitigate these emerging public safety issues. The City of Whittier's Resolution represents a positive first step, which includes the formation of a task force to examine possible criminal justice system modifications in greater detail. We believe that such a step would be a move in the right direction for California.

For these reasons, the City of Monrovia strongly supports the Resolution brought forth by the City of Whittier. Of course, please feel free to contact me if I can provide any additional information. I can be reached at (626) 932-5501, or via email at ochi@ci.monrovia.ca.us.

Best regards,

Oliver Chi
City Manager

City CouncilBob J. Archul
MayorGustavo V. Camacho
Mayor Pro TemDavid W. Armer
CouncilmemberGregory Salcido
CouncilmemberBrent A. Terrell
CouncilmemberRené Bobadilla, P.E.
City Manager

City of Pico Rivera

OFFICE OF THE CITY MANAGER

6615 Passons Boulevard · Pico Rivera, California 90660

(562) 801-4379

Web: www.pico-rivera.org · e-mail: rbobadilla@pico-rivera.org

July 12, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support

Dear Committee:

The City of Pico Rivera supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of Pico Rivera has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. Following are some specific impacts provided by the Pico Rivera Sheriff's Department:

Part I crimes

Robbery is up 10.26% in 2017 compared to 2016

Larceny Theft is up 4.09% in 2017 compared to 2016

Part II crimes

Weapon Law is up 9.68% in 2017 compared to 2016

Felony Transport & or Sales of controlled substance (except Marijuana) is up 44.44% compared to 2016

Misdemeanor Possession of a Controlled Substance (excluding Marijuana) is up 56.06% compared to 2016

Under the influence of Narcotic is up 28.57% in 2017 compared to 2016

The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

General Resolutions Committee

2017 Conference Resolution – Strategies to Improve Negative Impacts of Criminal Law

Notice of Support

July 12, 2017

Page 2

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make “violent offenses” include crimes that meet the plain language definition of “violent”.

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Pico Rivera strongly supports this resolution to strategically address criminal justice reforms.

Best regards,



René Bobadilla, P.E.
City Manager
City of Pico Rivera



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIF. 90274
(310) 377-1521
FAX: (310) 377-7288

July 12, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support**

Dear Members of the General Resolutions Committee:

As a member of the Rolling Hills City Council, I support the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and with other public safety stakeholders to identify and implement strategies that will relieve the unintended negative impacts of existing criminal law.

The City of Rolling Hills has seen increases in burglaries, mail/package theft and other property related crime that may have resulted from a combination of legislative actions and voter-approved initiatives. The City has also seen a significant jump in identity theft. The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

General Resolutions Committee

July 12, 2017

Re: 2017 Conference Resolution Strategies to Improve Negative Impacts of Criminal Law -
Notice of Support

Page 2

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, I strongly support this resolution to strategically address criminal justice reforms.

Sincerely,



Bea Dieringer
Councilmember
City of Rolling Hills

RC:BD:hl

07-12-17League Resolution Support.docx



11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org

"A great place to live, work, and play"

July 11, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support**

Dear Committee:

The City of Santa Fe Springs supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of Santa Fe Springs has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. In addition, the City of Santa Fe Springs contracts with the Whittier Police Department for Law Enforcement Services. In February, Whittier Police Department Officer Keith Boyer was gunned down by a AB 109 offender in a heinous act of indiscriminate violence. We feel strongly that AB 109 and the loosening of oversight and control over recidivist offenders was at least partially responsible in Officer Boyer's death. We believe that the proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

William K. Rounds, Mayor • Jay Sarno, Mayor Pro Tem
City Council
Richard J. Moore • Juanita Trujillo • Joe Angel Zamora
City Manager
Thaddeus McCormack

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

July 10, 2017

Page 2

2017 Conference Resolution

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Santa Fe Springs strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

A handwritten signature in blue ink that reads "William K. Rounds".

William K. Rounds, Mayor
City of Santa Fe Springs

William K. Rounds, Mayor • Jay Sarno, Mayor Pro Tem
City Council
Richard J. Moore • Juanita Trujillo • Joe Angel Zamora
City Manager
Thaddeus McCormack

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)



City of South Gate

8650 CALIFORNIA AVENUE + SOUTH GATE, CA 90280-3075 + (323) 563-9543
WWW.CITYOFSOUTHGATE.ORG FAX (323) 569-2678

MARIA DAVILA, Mayor
MARIA BELEN BERNAL, Vice Mayor
DENISE DIAZ, Council Member
JORGE MORALES, Council Member
AL RIOS, Council Member

July 11, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 ANNUAL CONFERENCE RESOLUTION: STRATEGIES TO IMPROVE
NEGATIVE IMPACTS OF CRIMINAL LAW-NOTICE OF SUPPORT**

Dear Committee:

As a Council Member of the City of South Gate, and a Member of the League's Public Safety Policy Committee, I am writing to express my support of the City of Whittier's 2017 Annual Conference Resolution (Resolution.) The proposed Resolution calls on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders, to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

Cities in Los Angeles County have experienced increases in property crimes that may have resulted from a combination of legislative actions and voter-approved initiatives. The proposed Resolution seeks to remedy many of the negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The passage of this Resolution would provide a range of important League directives to address the growing public safety concerns in these communities. For these reasons, I strongly support this Resolution to strategically address criminal justice reforms.

Sincerely,

Jorge Morales
Council Member

LETTERS OF CONCURRENCE

Resolution No. 2

Local Control for Emergency Medical Response


COSUMNES FIRE DEPARTMENT

10573 E Stockton Blvd.
Elk Grove, CA 95624

(916) 405-7100
Fax (916) 685-6622
www.yourcsd.com

July 13, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street
Sacramento, California 95814

**RE: RESOLUTION THAT SUPPORTS LEGISLATION TO AMEND GOVERNMENT
CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL**

Dear President Mounce,

The Cosumnes CSD Fire Department, which encompasses the Cities of Elk Grove and Galt supports the proposed resolution that would support legislation to amend Government Code Section 38611 to clarify the definition of local control as it pertains to emergency services.

A core function of local government is the ability to determine and provide the appropriated level of emergency response resources. Allowing Local Emergency Medical Services Agencies (LEMSAs) to determine when and how local fire agencies respond to emergencies circumvents the role of Fire Chiefs and municipal and special fire district legislative bodies. It should be the role of the Fire Chief to determine the required service levels and the role of the local legislative bodies to support the Fire Chief's recommendations based on community expectations, community risk reduction strategies and available resources.

Therefore, the Cosumnes CSD Fire Department supports the proposed resolution and future legislation that would serve to ensure local government determines their emergency response service levels. If further clarification is required, please let me know.

Sincerely,

Michael W. McLaughlin
Fire Chief



Office of the City Manager

390 Towne Centre Dr. – Lathrop, CA 95331
 Phone (209) 941-7220 – fax (209) 941-724
www.ci.lathrop.ca.us

July 14, 2017

The Honorable JoAnne Mounce, President
 League of California Cities
 1400 K Street
 Sacramento, CA 95814

Sent to Via Email to: Meg Desmond mdesmond@cacities.org <<mailto:mdesmond@cacities.org>>

**Re: RESOLUTION THAT SUPPORTS LEGISLATION TO AMEND GOVERNMENT
 CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL**

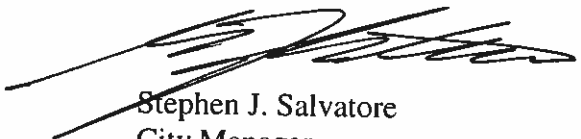
Dear President Mounce,

The City of Lathrop supports the proposed resolution that would support legislation to amend Government Code Section 38611 to clarify the definition of local control as it pertains to emergency services.

A core function of local government is the ability to determine and provide the appropriated level of emergency response resources. Allowing Local Emergency Medical Services Agencies (LEMSAs) to determine when and how local fire agencies respond to emergencies circumvents the role of Fire Chiefs and municipal and special fire district legislative bodies. It should be the role of the Fire Chief to determine the required service levels and the role of the local legislative bodies to support the Fire Chief's recommendations based on community expectations, community risk reduction strategies and available resources.

Therefore, the City of Lathrop supports the proposed resolution and future legislation that would serve to ensure local government determines their emergency response service levels. If further clarification is required, please let me know.

Thank you,



Stephen J. Salvatore
 City Manager

Cc: Members of the City of Lathrop City Council
 Lathrop Manteca Fire Chief, Gene Neely
 Tracy City Manager, Troy Brown
 Tracy Fire Chief, Randall Bradley
 Central Valley Regional Public Affairs Manager LOCC, Stephen Qualls

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

CITY COUNCIL
DOUG KUEHNE, Mayor
ALAN NAKANISHI,
Mayor Pro Tempore
MARK CHANDLER
BOB JOHNSON
JOANNE MOUNCE

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702 / FAX (209) 333-6807
www.lodi.gov cityclerk@lodi.gov

STEPHEN SCHWABAUER
City Manager

JENNIFER M. FERRAILOLO
City Clerk

JANICE D. MAGDICH
City Attorney

July 19, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING
LEGISLATION AMENDING GC §38611 TO CLARIFY DEFINITION OF LOCAL
CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL
OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT
EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS**

The City of Lodi supports the proposed resolution to support legislation amending Government Code §38611 to clarify the definition of local control providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Accordingly, we concur in the submission of the resolution for consideration by the League of California Cities General Assembly at its annual meeting on September 15, 2017.

Government Code Section 38611 does not contain language clarifying the broad scope of emergency services as provided by present day fire departments. The code requires further definition for general law and charter cities in determining service levels for the delivery of emergency services commensurate with the resources provided by the local government body. Amending Government Code Section 38611 would provide the chief of a fire department specific authority to protect public safety and public health within the jurisdictional boundaries of the fire department.

The City of Lodi is in strong support of providing statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Sincerely,



Doug Kuehne
Mayor, City of Lodi

DK/JMF

cc: Larry Rooney, Fire Chief, City of Lodi
Randall Bradley, City of Tracy, randall.bradley@ci.tracy.ca.us
Stephen Qualls, League of California Cities, squalls@cacities.org



CITY OF MANTECA - FIRE DEPARTMENT

1154 S. UNION ROAD • MANTECA, CA 95337
(209) 456-8300 • FAX (209) 923-8936

July 13, 2017

League of California Cities
1400 K Street, Suite 400
Sacramento CA 95814

RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING LEGISLATION AMENDING GOVERNMENT CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS

To Whom It May Concern:

This letter confirms that the City of Manteca supports the resolution on Emergency Medical Services submitted to the League of California cities by the City of Tracy. The City of Manteca believes that local control of Emergency Services is critical to ensure that the best possible service and protection of our citizens/taxpayers is provided.

We appreciate the City of Tracy's willingness to bring this crucial issue to the forefront.

Respectfully,


Greg Showerman, Acting City Manager

Date: 13 July 2017


Kyle Shipherd, Fire Chief

Date: 13 July 2017

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

MICHAEL TUBBS
Mayor

ELBERT HOLMAN
Vice Mayor
District 1



CITY OF STOCKTON

OFFICE OF THE CITY COUNCIL
CITY HALL • 425 N. El Dorado Street • Stockton, CA 95202
209 / 937-8244 • Fax 209 / 937-8568

DAN WRIG
District 2

SUSAN LOFTHUS
District 3

SUSAN LENZ
District 4

CHRISTINA FUGAZI
District 5

JESÚS ANDRADE
District 6

8.a

July 13, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street
Sacramento, CA 95814

**SUBJECT: Resolution of the League of California Cities Supporting Legislation
Providing Broad Statutory Authority for Local Officials to Determine
Emergency Service Levels - SUPPORT**

Dear President Mounce,

On behalf of the City of Stockton, I wish to voice our support of the City of Tracy proposed resolution for consideration by League membership. Stockton supports this resolution for the following reasons:

- 1) The City of Stockton Legislative Program seeks the broadest authority for the City Council to make decisions locally, particularly related to the local exercise of police powers;
- 2) The City of Stockton Legislative Program advocates for efforts that impact the City's ability to enhance the well-being, quality of life, health, and safety of residents;
- 3) The City of Stockton has experienced challenges and frustrations in delivering the highest quality of emergency medical services to our residents due to provision of the Emergency Medical Services (EMS) Act.
- 4) Amendments to the EMS Act would clarify local control and allow governing bodies to determine which services are directly provided within their respective jurisdictions.

For these reasons, the City of Stockton concurs with and supports the City of Tracy proposed resolution for consideration by League membership.

MICHAEL TUBBS
MAYOR

MT:cc

cc: Stockton City Councilmembers
Kurt Wilson, Stockton City Manager

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

DRAFT



Meeting Minutes City Council

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

Wednesday, July 19, 2017 5:15 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(5:15 P.M. Closed Session/ 6:00 P.M. Workshop/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

5:15 P.M.

CALL TO ORDER

Mayor Tate called the Special meeting to order at 5:15 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Wilson called the roll.

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

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2

Deputy City Clerk Michelle Wilson declared the posting of the agenda.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 5:16 p.m.

There being no requests to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 5:17 p.m.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Authority: Government Code Section 54956.8

a. Property: APN 767-03-036

Agency Negotiators: Steve Rymer and Karl Bjarke

Negotiating Parties: Farideh Betpolice

Under Negotiation: Price and Terms of Payment

b. Property: APN 767-03-039, 041, 042

Agency Negotiators: Steve Rymer and Karl Bjarke

Negotiating Parties: Lieu Van Tran & Hgan Thi Tran

Under Negotiation: Price and Terms of Payment

c. Property: APN 767-01-052

Agency Negotiators: Steve Rymer and Karl Bjarke

Negotiating Parties: Rocke and Glenda Garcia

Under Negotiation: Price and Terms of Payment

d. Property: APN 767-12-024, 310 West Dunne Avenue

Agency Negotiators: Steve Rymer and Karl Bjarke

Negotiating Parties: John Howard

Under Negotiation: Price and Terms of Payment

Minutes Acceptance: Minutes of Jul 19, 2017 5:15 PM (CONSENT CALENDAR)

- e. Property: APN 767-05-024, 205 Warren Avenue
Agency Negotiators: Steve Rymer and Karl Bjarke
Negotiating Parties: Susan and Robert Kerr
Under Negotiation: Price and Terms of Payment
- f. Property: APN 767-05-037
Agency Negotiators: Steve Rymer and Karl Bjarke
Negotiating Parties: John A. Giancola
Under Negotiation: Price and Terms of Payment
- g. Property: APN 767-06-034, 035, 272 Warren Avenue
Agency Negotiators: Steve Rymer and Karl Bjarke
Negotiating Parties: County of Santa Clara
Under Negotiation: Price and Terms of Payment
- h. Property: APN 767-05-001 and 767-04-009
Agency Negotiators: Steve Rymer and Karl Bjarke
Negotiating Parties: PG&E/Water District
Under Negotiation: Price and Terms of Payment

RECONVENE

The special meeting reconvened at 6:01 p.m.

WORKSHOP

PRESENTATION

Development User Fee Study

The purpose of this workshop is to provide a high-level overview of the methodology and process followed in the development of the City's Development User Fees. The goal is to receive fee setting policy direction from the City Council.

Assistant City Manager for Administrative Services Christina Turner, Community Development Director Jennifer Carman, Finance Director Dat Nguyen, and Stacey Shell with NBS facilitated the workshop.

The public comment was opened at 6:51 p.m. The following people were called to speak.

Dick Oliver

Rocke Garcia

Gary Hansen

There being no further requests to speak, the public comment was closed.

REGULAR MEETING

7:00 P.M.

Mayor Tate convened the regular meeting at 7:01 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Constantine shared that none of his committees have met and wished everyone a wonderful summer.

CITY MANAGER'S REPORT

PRESENTATION

Quarterly Teammate Recognitions

New Hires

Cynthia Hasson- Assistant City Attorney
 Gilbert Bailon- Utility Worker I
 Alfredo Balajadia- Electrician
 Pam van der Leeden - GIS/Land Use Data Administrator
 Clint Byrum- Utilities Operations Manager
 Inga Alonzo- Management Analyst (Utilities)
 Vicky Rossi- Business Assistant

Promotions

Christie Thomas- Housing Program Coordinator

Retirements

Angela Rivera- Accounting Assistant II
 Kat Corrales- Business Assistant

City Manager Steve Rymer recognized the City of Morgan Hill's newly hired, promoted, and retired teammates.

He announced that the City will be holding its second free residents day at the Aquatics Center on Friday, July 21st from 11:30 am to 6:00 pm. The last free residents day will be on August 18, 2017. On the district elections work that we have been doing, he shared that we have received about 11 maps and encouraged the residents to review and comment on those maps, as well as, to submit maps of their own. This is an opportunity for the community to participate in how the districts will be created here in the City of Morgan Hill.

He concluded by speaking to the evening's supplements and presentations.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin reported that there was no reportable action for the closed session that took place earlier in the evening.

OTHER REPORTS

Mayor Tate announced that the Library will be holding a celebration for its 10th birthday this Saturday at 1:00 pm.

PRESENTATIONS

YAC PRESENTATION - ASSET # 7 - COMMUNITY VALUES YOUTH

PROCLAMATIONS

Proclaiming the Month of July 2017 as Parks and Recreation Month

PUBLIC COMMENT

The public comment was opened at 7:24 p.m.

There being no requests to speak, the public comment was closed.

ADOPTION OF AGENDA

MOTION

Adopting the agenda moving item 16 to directly follow the consent calendar.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 2 through 11.

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

1. **ITEM PULLED FOR DISCUSSION**
2. **APPROVE PURCHASE OF CENTENNIAL RECREATION CENTER FITNESS EQUIPMENT**

Recommendation:

1. Approve the purchase of \$82,731 in fitness equipment for the Centennial Recreation Center using YMCA pricing;
2. Determine that a competitive bid would not likely result in a lower price pursuant to Morgan Hill Municipal Code Section 3.04.150(B); and
3. Delegate authority to the City Manager to execute documents to affect such purchase.

3. **PURCHASE OF FOUR POLICE FORD EXPLORERS**

Recommendation:

1. Adopt resolution authorizing the purchase (including build-out) of four patrol 2017 Ford Explorers for an amount not to exceed \$237,444; and
2. Authorize the salvage of 2011 Crown Victoria Patrol #131 (vin# 2761) and auction/salvage of three 2011 Crown Victoria Patrol Vehicles as necessary following their temporary use assignments.

4. FIRST AMENDMENT TO AGREEMENT WITH ASSOCIATED RIGHT OF WAY SERVICES, INC. FOR HALE AVENUE EXTENSION PROJECT

Recommendation:

Approve and authorize the City Manager to execute a First Amendment to the agreement with Associated Right of Way Services, Inc. in the amount of \$75,000, for a total contract amount not to exceed \$145,000 to continue with property acquisitions efforts for the Hale Avenue Extension Project.

5. ACCEPTANCE OF SUBDIVISION PUBLIC IMPROVEMENTS FOR CAMPOLI - TRACT NO. 10215

Recommendation:

Adopt resolution:

1. Accepting the subdivision public improvements for Campoli – Tract No. 10215;
2. Authorizing the Public Works Director to sign a Notice of Completion; and
3. Directing the City Clerk to file the Notice of Completion with the Recorder of Santa Clara County.

6. ACCEPTANCE OF SUBDIVISION PUBLIC IMPROVEMENTS FOR TILTON PARK-TRACT NO. 10228

Recommendation:

Adopt resolution:

1. Accepting the subdivision public improvements for Tilton Park – Tract No. 10228;
2. Authorizing the Public Works Director to sign a Notice of Completion; and
3. Directing the City Clerk to file the Notice of Completion with the Recorder of Santa Clara County.

7. APPROVAL OF PRICE DRIVE SUBDIVISION STORMWATER BEST MANAGEMENT PRACTICES (BMP) OPERATION AND MAINTENANCE AGREEMENTS

Recommendation:

Adopt resolution:

1. Approving four (4) Subdivision Stormwater Best Management Practices (BMP) Operation and Maintenance Agreements; and
2. Authorizing the City Manager to execute the Stormwater BMP Operation and Maintenance Agreements pending review and approval by the City Attorney.

8. FINAL MAP APPROVAL FOR MADISON GATE PHASE 2 - TRACT NO. 10418

Recommendation:

Adopt resolution:

1. Approving the Final Map; and
2. Authorizing the recordation of the Final Map.

9. MAY 2017 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

10. APPROVE THE JUNE 21, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

11. APPROVE THE JUNE 28, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FOR DISCUSSION**1. INDIAN ASSOCIATION OF SOUTH COUNTY FLAG RAISING AT COMMUNITY AND CULTURAL CENTER REQUEST**

Recommendation:

Approve request from Indian Association of South County to raise the Flag of India at the Community and Cultural Center.

The public comment was opened at 7:26 p.m.

Brian Faircloth was called to speak.

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

PUBLIC HEARING**16. 2017 HAZARDOUS VEGETATION PROGRAM CHARGES**

Recommendation:

1. Open/Close Public Hearing;
2. Adopt resolution A ordering the Final Report on the 2017 Weed and Brush Abatement Program Assessment Report – Program Charges to be transmitted to the Santa Clara County Assessor's Office and that liens be posted against the properties on the report, excluding Assessor Parcel Numbers (APN) struck out of the attached list; and
3. Adopt resolution B ordering the Final Report on the 2017 Weed and Brush Abatement Program Assessment Report – Program Charges to be transmitted to the Santa Clara County Assessor's

Office and that liens be posted against the properties on the report, excluding Assessor Parcel Numbers (APN) struck out of the attached list.

Program Administrator Anthony Eulo presented the report.

The public hearing was opened at 7:43 p.m. The following people were called to speak.

Alan Bicho

Jon Cronk

Wu Chun (Jeff) Hsu

Jose Hernandez

There being no further requests to speak, the public hearing was closed.

MOTION:

Adopting resolution A asking that the County of Santa Clara waive the fees for Mr. Cronk's property.

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

Mayor Tate excused himself from the dais.

MOTION:

Adopting resolution B.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Rene Spring, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Carr, Constantine, Jachimowicz, Spring
RECUSED:	Tate

OTHER BUSINESS

A recess was called at 8:28 p.m.

The meeting was reconvened at 8:40 p.m.

12. PROPOSITION 64 (MARIJUANA) UPDATE

Recommendation:

1. Open and Close the Public Hearing on the revised marijuana ordinance;
2. Waive the first and second reading;
3. Introduce ordinance revising the Municipal Code restrictions on medical marijuana to restrict both medical and recreational marijuana activities; and
4. Provide direction on a future facilitated marijuana workshop.

Police Chief David Swing presented the report.

The public comment was opened at 8:49 p.m. The following people were called to speak.

Joy Joyner

Doug Muirhead

Brian Faircloth

Mike Robinson

There being no further requests to speak, the public comment was closed.

MOTION:

Waiving the first and second reading of the ordinance.

RESULT:	WAIVED [4 TO 1]
MOVER:	Rich Constantine, Council Member
SECONDER:	Larry Carr, Mayor Pro Tem
AYES:	Tate, Carr, Constantine, Jachimowicz
NAYS:	Spring

MOTION

Introducing the ordinance.

RESULT:	INTRODUCED [4 TO 1]
MOVER:	Rich Constantine, Council Member
SECONDER:	Larry Carr, Mayor Pro Tem
AYES:	Tate, Carr, Constantine, Jachimowicz
NAYS:	Spring

13. BIKEWAYS, TRAILS, PARKS AND RECREATION MASTER PLAN ADOPTION

Recommendation:

1. Adopt the Bikeways, Trails, Parks and Recreation Master Plan Update;
2. Approve an amendment to the General Plan Environmental Impact Report for the Master Plan Update; and
3. Provide staff direction on next steps for the utilization of the Friendly Inn Non-Profit Center and El Toro Youth Center.

Community Services Director Chris Ghione, along with Ellie Fiore with MIG, presented the report.

The public comment was opened at 9:24 p.m. The following people were called to speak.

Kyle Windsor
 Brian Faircloth
 Mark Washbrush
 Kathy Sullivan
 Bill Haskell

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

14. INCLUSIVE PLAYGROUND CONSULTANT SERVICES AGREEMENT WITH MAGICAL BRIDGE

Recommendation:

Authorize the City Manager to execute, further negotiate, and subsequently administer an agreement with the Magical Bridge Foundation for services up to \$600,000 related to the development of an inclusive playground in Morgan Hill.

Community Services Director Chris Ghione presented the report.

The public comment was opened at 10:07 p.m. The following people were called to speak.

Greg Wolff
Kathy Sullivan
Ron Locicero

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

RESULT:	AUTHORIZED [UNANIMOUS]
MOVER:	Rene Spring, Council Member
SECONDER:	Rich Constantine, Council Member
AYES:	Tate, Carr, Constantine, Jachimowicz, Spring

15. OUTDOOR SPORTS CENTER UPDATE

Recommendation:

1. Direct staff to issue a Request for Proposals for operations at the Outdoor Sports Center;
2. Provide staff with direction on the guiding principles of the Request for Proposals; and
3. Adopt resolution amending the Fiscal Year 2017-18 Budget appropriating \$1,350,000 from the Park Maintenance Fund (302) for replacement of the artificial turf fields at the Outdoor Sports Center.

Community Services Director Chris Ghione presented the report.

The public comment was opened at 10:55 p.m.

Jeff Dixon was called to speak.

There being no further requests to speak, the public comment was closed.

MOTION:

Extending the meeting to 11:30 p.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Tate, Carr, Constantine, Jachimowicz, Spring

MOTION

Approving the recommended action.

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

PUBLIC HEARING

16. MOVED UP TO DIRECTLY FOLLOW THE CONSENT CALENDAR

17. IMPACT FEE FINANCING AGREEMENT-COCHRANE CO-BRANDS II, INC.

Recommendation:

Adopt resolution authorizing the City Manager to execute a Sewer and Traffic Impact Fee Financing Agreement, consistent with the Sewer and Traffic Impact Fee Deferral Program and Government Code section 53083, with Cochrane Co-Brands II, Inc. for the development of a 76 Gas Station and Burger King restaurant at Cochrane Commons.

Economic Development Coordinator John Lang presented the report.

The public hearing was opened at 11:22 p.m.

There being no request to speak, the public hearing was closed.

MOTION:

Approving the recommended action.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Jachimowicz shared that she has been working with the Chamber on a week of events leading up to National Women's Equality Day and marks the passage of the 19th amendment. In light of our inclusiveness initiative we have put together some touchstone events for the week. On Monday, August 21st Cinelux will provide a screening of the movie Hidden Figures and we are trying to get Wonder Woman as well, at matinee prices. On Thursday, August 24th there will be a panel discussion on women in professional fields held here in the Council Chamber. Congresswoman Zoe Lofgren will be participating, as well as, VP for Kaiser Irene Chavez, Assistant City Manager Christina Turner, Architect Lesley Miles, and Judge Jacqueline Duong. We will be reaching out to the High Schools to encourage them to attend and participate. On Sunday, August 27th we will be holding a mixer at Grinds, Vines, and Automobiles (GVA), people of all ages are encouraged to attend and we are hoping that women will come dressed as they would for work. She has asked the Historical Society to see if they can do something on Saturday at the Museum around the women of Morgan Hill. She has asked if the library can put together a display of women's history. She requested that the City prepare and present a proclamation for the August 23, 2017 meeting and invite all women teammates to come when we present the proclamation so that we can thank them for all of the work that they do.

City Manager Steve Rymer shared that regarding the weed abatement program, there are other cities that have more of an administrative process that we can explore and will bring forward.

ADJOURNMENT

The meeting adjourned at 11:30 p.m.

Minutes prepared by:

Minutes Acceptance: Minutes of Jul 19, 2017 5:15 PM (CONSENT CALENDAR)

Michelle Wilson, Deputy City Clerk

Minutes Acceptance: Minutes of Jul 19, 2017 5:15 PM (CONSENT CALENDAR)



Sustainable Morgan Hill Vision

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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:



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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.



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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.



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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.

DRAFT



Meeting Minutes City Council

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

Wednesday, July 26, 2017 5:30 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(5:30 P.M. Workshop/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

5:30 P.M.

CALL TO ORDER

Mayor Tate called the special meeting to order at 5:30 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Wilson called the roll.

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

Minutes Acceptance: Minutes of Jul 26, 2017 5:30 PM (CONSENT CALENDAR)

DECLARATION OF POSTING AGENDA

Deputy City Clerk Michelle Wilson declared the posting of the agenda.

WORKSHOP

Transition to District Elections Workshop

The purpose of this Community Workshop is to:

Host a public forum for discussion of the district election process and map-drawing criteria;

Present the initial draft maps;

Gather feedback from the community; and

Review and discussion by City Council and community of initial draft maps.

Following this Community Workshop, the third public hearing will be held on the same evening (July 26, 2017), to formalize direction to staff and National Demographics Corporation (NDC) for the development of the final maps and the election sequencing.

The initial draft maps are not necessarily the final maps; draft maps can be submitted until August 14, 2017. At the August 23, 2017 City Council meeting, the City Council will review any maps submitted through August 14th and introduce an ordinance selecting the district maps and setting the election sequencing.

Deputy City Clerk Michelle Wilson introduced Douglas Johnson with NDC who facilitated the workshop.

The public comment was opened at 6:03 p.m. The following people were called to speak.

Doug Muirhead

Joe Mueller

Brian Faircloth

Theresa Guerrero Daley

Kathy Sullivan

John Horner

Yvonne

There being no further requests to speak, the public comment was closed.

Mayor Tate called a recess at 7:05 p.m.

REGULAR MEETING

7:00 P.M.

Mayor Tate convened the regular meeting at 7:13 p.m.

Minutes Acceptance: Minutes of Jul 26, 2017 5:30 PM (CONSENT CALENDAR)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Jachimowicz shared that one of the things that she has been tasked with is tracking legislation. There is one bill in particular that has advanced very quickly that concerns her, SB649. It's the wireless telecommunications facilities bill. The League of California Cities has strongly opposed it. The bill would require cities to lease out public property to wireless companies and caps how much the Cities can lease the property for.

She announced that the City has partnered with the Chamber of Commerce for a week honoring women and Women's Equality, August 21st through the 27th. We have a lot of fun events planned from a screening of Hidden Figures at Cinelux on Monday to a panel discussion here on Thursday with Congresswoman Zoe Lofgren, one of our local judges Jacqueline Duong, as well as, some other leading women in our community, about what it means to be a woman in the professional realm. She encouraged everyone to participate and help celebrate the women who work behind the scenes to be the Wonder Women we have in Morgan Hill.

CITY MANAGER'S REPORT

Acting City Manager Christina Turner spoke to the evening's supplements and presentations. She announced that the City is hosting a free outdoor movie night tomorrow night at Galvan Park at 8:00 p.m. The featured movie will be Sing. She shared that next Tuesday night, August 1st starting at 5:30 p.m. we will be holding the National Night Out event in our downtown which is an annual event. She announced that the City has available on-line a transit survey; to date over five hundred surveys have been completed. We will also have the survey available at some of the community events including the downtown parking meeting, as well as the Station Area Masterplan meeting. This survey is an opportunity for us to learn from the community what their transportation needs are. This stems in part from Valley Transportation Authority's (VTA) Measure B in which we will be receiving funds. Also related, she recognized Tiffany Brown for her outstanding work with both the VTA and the High Speed Rail. She has exemplified the core values of innovation and meeting challenges.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin had no reports.

OTHER REPORTS

None.

PUBLIC COMMENT

The public comment was opened at 7:20 p.m.

There being no requests to speak, the public comment was closed.

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1 through 7.

Council Member Constantine recused himself on item 5.

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

1. APPROVE HEALTHY PLAY GRANT APPLICATION AND CONSIDER BUDGET AMENDMENT FOR MATCHING FUNDS UPON SCOPE COMPLETION

Recommendation:

1. Authorize City Staff to apply for a Healthy Play Grant for new play equipment; and
2. Direct staff to return to the Council with a budget amendment authorizing a matching appropriation from the Park Impact, Park Maintenance, and/or General Fund Budget once the exact final project cost and scope are complete.

2. LETTER OF SUPPORT FOR FUNDING PACHECO RESERVOIR EXPANSION

Recommendation:

Direct staff to prepare and submit a letter supporting the funding for the expansion of Pacheco Reservoir.

3. AWARD FIVE-YEAR AGREEMENT WITH POTABLE DIVERS, INC FOR RESERVOIR CLEANING AND INSPECTION

Recommendation:

1. Approve the execution of a five-year maintenance service agreement with Potable Divers, Inc. in the amount of \$20,600 for reservoir cleaning and inspection; and
2. Authorize the City Manager to execute the five-year maintenance service agreement with Potable Divers, Inc.

4. EIGHTH SEMI-ANNUAL REPORT ON POST-ISSUANCE COMPLIANCE FOR TAX ADVANTAGED BONDS

Recommendation:

Receive Report.

Minutes Acceptance: Minutes of Jul 26, 2017 5:30 PM (CONSENT CALENDAR)

5. ITEM REMOVED FROM CONSENT FOR SEPARATE VOTE**6. PURCHASE OF A NEW COMPACT EXCAVATOR AND UTILITY TILT BED TRAILER**

Recommendation:

1. Approve purchase of a new compact excavator and utility tilt bed trailer from Pape Machinery, Inc., in the amount of \$71,277.66; and
2. Authorize City Manager to approve purchase order in the amount of \$71,277.66 with Pape Machinery, Inc.

7. ORDERING THE MAKING OF AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK) AMENDING REASSESSMENT NO.7

Recommendation:

Adopt the following:

1. Resolution Ordering the Making of the Amended Reassessments Pursuant to Part 10 of The Streets and Highway Code and Directing Actions with Respect Thereto Reassessment District No. 2015-2; and
2. Resolution Ordering Preliminarily Approving Amended Reassessment, Ordering the Public Hearing, and Directing Actions with Respect Thereto Reassessment District No. 2015-2.

8. ITEM PULLED FOR DISCUSSION**ITEMS PULLED FOR DISCUSSION****5. AWARD EAST MAIN AVENUE WELL PROJECT**

Recommendation:

1. Approve the East Main Avenue Well Project plans and specifications;
2. Award contract to Conco West, Inc. for the East Main Avenue Well Project in the amount of \$1,603,500;
3. Authorize expenditure of construction contingency funds not to exceed \$160,350; and
4. Authorize the City Manager to execute and administer the construction contract with Conco West, Inc.

MOTION:

Approving the recommended action.

RESULT:	APPROVED [4 TO 0]
MOVER:	Larry Carr, Mayor Pro Tem
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Tate, Carr, Jachimowicz, Spring
RECUSED:	Constantine

8. ADOPT ORDINANCE 2257, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE TITLE OF CHAPTER 9.16 (MEDICAL MARIJUANA) AND SECTIONS 9.16.010 (INTENT), 9.16.020 (DEFINITIONS), AND 9.16.030 (PROHIBITED ACTIVITIES) OF TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE MORGAN HILL MUNICIPAL CODE PROHIBITING MARIJUANA CULTIVATION, MARIJUANA DELIVERY SERVICES, AND MARIJUANA DISPENSARIES

Recommendation:

Waive the reading, adopt Ordinance No. 2257, 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.

Mayor Tate opened the public comment at 7:23 p.m. The following people were called to speak.

Brian Faircloth

Theresa Guerrero Daley

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Larry Carr, Mayor Pro Tem
SECONDER:	Rich Constantine, Council Member
AYES:	Tate, Carr, Constantine, Jachimowicz
NAYS:	Spring

PUBLIC HEARING

9. CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

Recommendation:

1. Open/close the public hearing;
2. Discuss initial draft maps; and
3. Provide direction on next steps for draft maps and election sequencing.

Deputy City Clerk Michelle Wilson provided the staff report. Douglas Johnson with National Demographics Corporation continued the presentation.

The public hearing was opened at 7:39 p.m. The following people were called to speak.

Marby Lee

Bob Benevento

Liam Downey

Carl McCaw

Armando Benavides

Brian Faircloth

There being no further requests to speak, the public hearing was closed.

RESULT:	NO ACTION TAKEN
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10. RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDSCS) COMPETITION CATEGORIES AND ALLOTMENT DISTRIBUTION

Recommendation:

Adopt resolution establishing Competition Categories and Distribution of Allotments for the 2017 Residential Development Control System (RDSCS) Competition.

Interim Principal Planner John Baty, Interim Principal Planner Gina Paolini, and Community Development Director Jennifer Carman presented the report.

The public hearing was opened at 8:51 p.m.

John Horner was called to speak.
There being no further requests to speak, the public hearing was closed.

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

11. UPDATE ON TELECOMMUNICATIONS PLANNING PROCESS

Recommendation:

1. Receive update report; and
2. Direct staff to schedule a City Council workshop on public/private business models with telecommunications providers and local businesses as the next step to advance the City Council's 2017 Telecommunications Strategic Priority.

Mayor Tate called a recess at 8:59 p.m.
The meeting was reconvened at 9:07 p.m.

Economic Development Coordinator John Lang presented the report.

The public comment was opened at 9:35 p.m. The following people were called to speak.
Doug Muirhead
Trevor Bacolini
John Horner
Liam Downey
There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

RESULT:	DIRECTED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Tate, Carr, Constantine, Jachimowicz, Spring

12. RESPONSE TO GRAND JURY REGARDING LAFCO DENIALS: A HIGH SCHOOL CAUGHT IN THE MIDDLE

Recommendation:

Approve the response letter to the Santa Clara County Civil Grand Jury.

Acting City Manager Christina Turner presented the report.

The public comment was opened at 9:52 p.m.
There being no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

13. ADOPTION OF WAGE THEFT PREVENTION POLICY

Recommendation:

1. Adopt wage theft policy; and
2. Direct staff to return to City Council in September 2017 with an ordinance implementing additional wage theft prevention measures.

City Attorney Donald Larkin presented the report.

The public comment was opened at 9:56 p.m.

There being no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action with the following changes to the policy; Mandatory Disclosure paragraph at the top of page two, changing "has" to "has not" in the third sentence and changing the word "affirms" to "affirm" in the first paragraph on page three, line seven.

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

14. AIRCRAFT NOISE MITIGATION ENTITY DISCUSSION

Recommendation:

1. Discuss the City's involvement in the south bay aircraft noise mitigation entity; and
2. Consider appointing one member and one alternate from the Council to serve on the committee, once established.

Mayor Tate presented the report.

The public comment was opened at 10:03 p.m.

Trevor Bacolini was called to speak.

There being no further requests to speak, the public comment was closed.

RESULT:	NO ACTION TAKEN
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CLOSED SESSION

City Attorney Donald Larkin announced the closed session.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 10:15 p.m.

There being no requests to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 10:15 p.m.

LIABILITY CLAIMS

Authority:	Pursuant to Government Code Section 54956.95
Claimant:	Goldstein, Borgen, Dardarian & Ho
Agency claimed against:	City of Morgan Hill

RECONVENE

Mayor Tate reconvened the meeting at 10:22 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Donald Larkin announced that there was no reportable action.

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Carr would like to have the LAFCO response to Grand Jury Letter brought back to a future meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:23 p.m.

Minutes Prepared By:

Michelle Wilson, Deputy City Clerk



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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.



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DRAFT



Meeting Minutes City Council

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

Monday, July 31, 2017 6:30 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL MEETING

A Special Meeting of the City Council was called at 6:30 p.m. for the purpose of conducting a closed session.

CALL TO ORDER

Mayor Tate called the special meeting to order at 6:30 p.m.

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

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Angie Gonzalez declared the posting of the agenda.

CLOSED SESSION

Minutes Acceptance: Minutes of Jul 31, 2017 6:30 PM (CONSENT CALENDAR)

OPPORTUNITY FOR PUBLIC COMMENT

Mayor Tate opened the public comment at 6:30 p.m.

Doug Muirhead was called to speak.

Hearing no further request to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting was adjourned to closed session at 6:33 p.m.

PUBLIC EMPLOYMENT

Authority: Govt Code Section 54957

Title: City Manager

RECONVENE

The meeting was reconvened at 7:15 p.m.

CLOSED SESSION ANNOUNCEMENT

Mayor Tate announce that there was no reportable action.

ADJOURNMENT

There being no further business, Mayor Tate adjourned the meeting at 7:16 p.m.



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DRAFT



Meeting Minutes City Council

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

Wednesday, August 16, 2017 6:00 PM

City Hall - Grand Conference Room
17575 Peak Avenue, Morgan Hill, CA 95037

SPECIAL MEETING

A Special Meeting of the City Council is called at 6:00 p.m. for the purpose of conducting a closed session.

CALL TO ORDER

Mayor Tate called the meeting to order at 6:01 p.m.

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

DECLARATION OF POSTING OF AGENDA

Deputy City Clerk Michelle Wilson declared the posting of the agenda.

Minutes Acceptance: Minutes of Aug 16, 2017 6:00 PM (CONSENT CALENDAR)

CLOSED SESSION

City Attorney Donald Larkin announced the closed session items.

OPPORTUNITY FOR PUBLIC COMMENT

Mayor Tate opened the public comment at 6:03 p.m.

There being no requests to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:04 p.m.

PUBLIC EMPLOYMENT

Authority: Govt Code Section 54957

Title: City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Authority: Government Code Section 54956.8

Property: APN 726-14-042, 85 E. First Street

Agency Negotiators: Steve Rymer and Leslie Little

Negotiating Parties: Estate of Gary Robert Weber aka Gary Robert Bonnoyer

Under Negotiation: Price and Terms of Payment

RECONVENE

The meeting was reconvened at 7:41 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Donald Larkin announced that there was no reportable action.

ADJOURNMENT

The meeting was adjourned at 7:42 p.m.

Minutes prepared by:

Michelle Wilson, Deputy City Clerk



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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: August 23, 2017

PREPARED BY: Michelle Wilson, Deputy City Clerk
APPROVED BY: City Manager

CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

RECOMMENDATION(S)

1. Review and discuss draft maps and election sequencing;
2. Open/close the public hearing;
3. Waive the first and second reading of the ordinance; and
4. Introduce ordinance selecting the preferred district map and setting the election sequencing.

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 City has hosted a series of public meetings to engage the community during this transition.

The purpose of this meeting is for the City Council to review and discuss the draft maps, select the preferred map, and set the election sequencing. The election sequencing will determine which two districts will be up for election in the upcoming 2018 election and which two districts will be up for the 2020 election.

Staff has recommended 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

In addition to the engagement efforts called out in the engagement plan, teammates attended the Friday Music Series on July 7th to share information with the community about the process. The team also held a community workshop on July 10th to share information on the process and how to use the various mapping tools.

As the City Council directed, we have had a focused effort on outreaching to our Spanish speaking community. All information has and will continue to be provided in both English and Spanish. Translators and translation equipment will be available at all public meetings.

We are working with NDC to support and provide expertise. They have provided and managed the www.drawmh.org website that is 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 the maps submitted has been uploaded and is available for viewing on this site. The site is directly linked to our website for ease of access.

We are utilizing all of our communication channels and 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.

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, 2017 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
- June 28, 2017 City Council public hearing to receive input from the community
- July 26, 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 executed 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. Comments on Maps
2. Election Year Sequence Options
3. Draft Maps 8-18-17
4. District Election Ordinance
5. District Based Election Timeline
6. Community Engagement Strategy
7. July 26, 2017 City Council District Elections Staff Report (weblink)
8. June 28, 2017 City Council District Elections Staff Report (weblink)
9. June 21, 2017 City Council District Elections Staff Report (weblink)
10. June 7, 2017 City Council District Elections Staff Report (weblink)
11. Map Comments

Citywide Contiguous and Population-Balanced Maps

Plan Name	Type	Submitter Comments
Pinwheel 1	Citywide map	Drawn by NDC based on Council and public feedback at July 26 hearing. Based on “pinwheel” approach of Green, Mueller, Muirhead and Benevedo 1 maps, with multiple districts downtown and multiple districts on Monterey corridor. Adjusted to follow railroad tracks as district border in the north; to improve compactness in the center of the city, and to avoid splitting the southern part of the city. Pairs Councilmembers Constantine and Carr.
Pinwheel 2	Citywide map	Same as Pinwheel 1 except adjusted to avoid pairing Councilmembers.
Vertical 1	Citywide map	Drawn by NDC based on Council and public feedback at July 26 hearing. Based on Orange map with a district running north and south between Hwy 101 and Monterey Rd. / Railroad Rd., and District D unifying everything east of Hwy 101. Pairs Councilmembers Constantine and Carr.
Vertical 2	Citywide map	Same as Vertical 1 except adjusted to avoid pairing Councilmembers.
Horizontal 1	Citywide map	Drawn by NDC based on Council and public feedback at July 26 hearing. Based on “Lee 1b” map, adjusted to be more compact in the center of the city and to unify areas east of Hwy 101 in District D, with the three western districts ‘stacked’ vertically. Pairs Councilmembers Constantine and Spring.
Aragon 1b	Citywide map	Aragon 1 adjusted by NDC to avoid point contiguity and to make smallest possible changes to reach population balance.
Benevento 1	Citywide map	The population of each district is within specified parameters and each council member is in a separate district, unlike Mr. Muirhead (Carr/Constantine together). I am a bit concerned regarding the southern section, particularly Pop. Unit #s 35, 36 and 43 and contiguous nature of those population units in sections C & D.
Benevento 2b	Citywide map	Benevento 2 adjusted by NDC. District A is now contiguous, District B shifts west, and District C is still 51% Latino by total population.
Green	Citywide map	NDC-drawn map drawing heavily from Benevento 2.
Lee 1b	Citywide map	Lee 1 adjusted by NDC to make it contiguous with minimal changes to retain population balance. (Population units 33 and 34 traded between A and B.)
Mueller 1	Citywide map	One incumbent in each of four districts. I tried to provide one district with a majority Hispanic population. District C is 46.7% Hispanic.
Mueller 2	Citywide map	A slight revision to Map JoeM17-01 which raises the Hispanic population in District C.
Muirhead 1	Citywide map	This plan creates a South City District and divides the rest of the City into West, North and East districts. Since all 4 incumbents live north of Dunne, this forces them into 3 Districts.
Orange	Citywide map	NDC-drawn map. Keeps D entirely east of Hwy 101; B entirely between 101 and Monterey Rd.; C entirely west of Monterey Rd.

NDC

Morgan Hill Plans and Submitter Comments

Plan Name	Type	Submitter Comments
Yellow	Citywide map	NDC-drawn map. Compact.
Downey 1 (7/26)	Citywide map	Map logic apart from physical area and population target requirements: My logic is based on areas that have unique challenges and issues or have activities and impacts that are a common interest. Areas that have high industrial, agricultural, residential only, or future growth and challenges like construction HSR traffic agriculture or downtown activity. In my opinion downtown should be bigger on my map but can't do that due to population limits per district. A. Paradise and South West. Primarily residential low commercial engaged and active neighborhood some agricultural impacts. B. Dunne Ave Area. Primarily East of freeway. Mainly residential good mix of SF and MF agricultural impacts and activity. C. Cochrane Area - primarily the industrial commercial area but also the east side is highly populated and has development and future development growth and has to deal with Anderson Dam. D. Downtown Area. Unique area high commercial and retail high population concentration of low to moderate income high development impacts traffic impacts. I m open to edits as long as the objectives are met

Single-District Maps

Plan Name	Type	Submitter Comments	NDC Notes
Muirhead 2	Single-district map	This plan, which is not population balanced, focuses on Monterey corridor as an extended PDA transit high-density housing and jobs. It does support incumbent protection. Creating compact and contiguous districts when neither the City boundaries nor the census blocks have well-behaved shapes is seriously annoying and I leave that to you professionals to make right. The concept of a PDA core is important."	Not population balanced.
Muirhead 3	Single-district map	This plan attempts to implement the Monterey Corridor as defined in the MH General Plan 2035. With a population of 7000 it is too small to be an actual district. The corridor has a higher percentage of the Hispanic population than other parts of the City this plan population is 60% Hispanic. Other considerations for the corridor are MTC ABAG Plan Bay Area 2040 and Priority Development Areas transit jobs dense housing . It does include one Council Member residence."	Not population balanced.

Maps that are Not Contiguous or Not Population-Balanced

Plan Name	Type	Submitter Comments	NDC Notes
Aragon 1	Citywide map	This is based on voter neighborhoods, where voting would naturally affect them individually, properly. A = North; B = East of Hwy 101; C = Downtown corridor; D = Southern	Not population balanced. Only point contiguity (and contiguous across county islands).
Lee 1	Citywide map	It attempts to keep neighborhoods of similar interests/concerns together in a district. It is not ideal due to population requirements - there is at least one neighborhood that is in a different district than what I think it should be. But after spending time working on various maps, this is the one that I think works the best based on the requirements.	Population balanced but not contiguous.
Benevento 2	Citywide map	It again has all four council seats in separate districts. However District C now has a Hispanic majority [total] population and a Hispanic majority VAP. I am concerned regarding the physical nature of District A however. Also District A is below the ideal population parameters.	Population balanced but not contiguous.

NDC

Morgan Hill Election Year Sequence Options by Plan
 (Only contiguous, population-balanced plans are eligible for adoption and thus listed here)

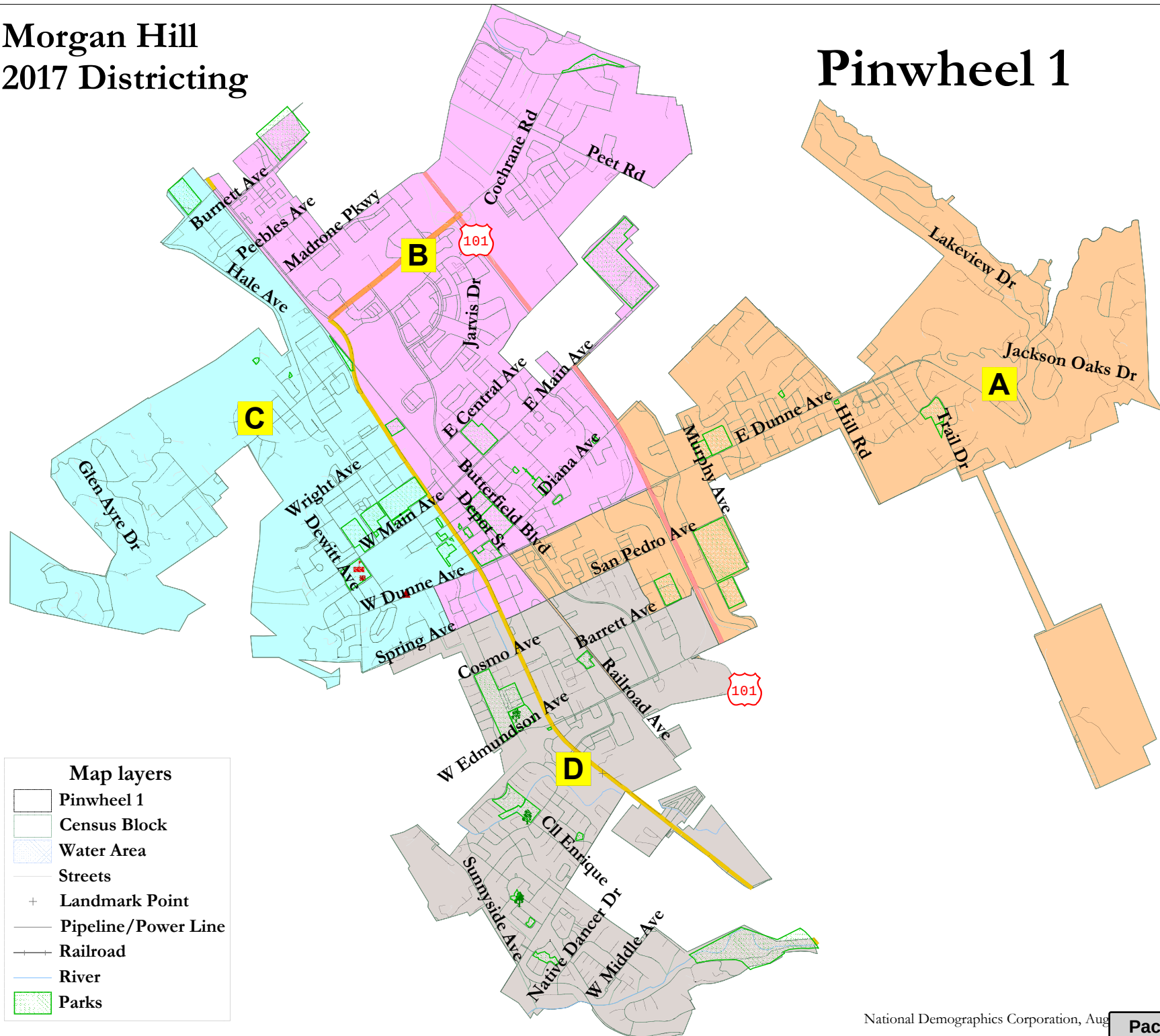
Plan Name	District A	District B	District C	District D
Pinwheel 1	2018 (Jachimowicz)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	2020 (Spring)	Option 1: 2020 Option 2: 2018 (Vacant)
Pinwheel 2	2018 (Jachimowicz)	2018 (Constantine)	2020 (Spring)	2020 (Carr)
Vertical 1	Option 1: 2020 Option 2: 2018 (Vacant)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	2020 (Spring)	2018 (Jachimowicz)
Vertical 2	2020 (Carr)	2018 (Constantine)	2020 (Spring)	2018 (Jachimowicz)
Horizontal 1	Option 1: 2020 Option 2: 2018 (Vacant)	2020 (Carr)	Option 1: 2018 Option 2: 2020 (Constantine/Spring)	2018 (Jachimowicz)
Aragon 1b	2020 (Spring)	2018 (Jachimowicz)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	Option 1: 2020 Option 2: 2018 (Vacant)
Benevento 1	2020 (Spring)	2018 (Constantine)	2020 (Carr)	2018 (Jachimowicz)
Benevento 2b	2020 (Vacant)	2018 (Constantine)	2020 * (Carr/Spring)	2018 (Jachimowicz)
Green	2020 (Carr)	2018 (Constantine)	2020 (Spring)	2018 (Jachimowicz)
Lee 1b	Option 1: 2020 Option 2: 2018 (Vacant)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	2020 (Spring)	2018 (Jachimowicz)

Mueller 1	2018 (Jachimowicz)	2018 (Constantine)	2020 (Spring)	2020 (Carr)
Mueller 2	2018 (Jachimowicz)	2018 (Constantine)	2020 (Spring)	2020 (Carr)
Muirhead 1	Option 1: 2020 Option 2: 2018 (Vacant)	2020 (Spring)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	2018 (Jachimowicz)
Orange	2020 (Carr)	2018 (Constantine)	2020 (Spring)	2018 (Jachimowicz)
Yellow	2020 (Constantine)	2018 (Spring)	2020 (Carr)	2018 (Jachimowicz)
Downey 1 (7/26)	2018 (Vacant)	2018 * (Constantine /Jachimowicz)	2020 (Spring)	2020 (Carr)

* District contains two Councilmembers, but both are on the same election cycle.

Morgan Hill 2017 Districting

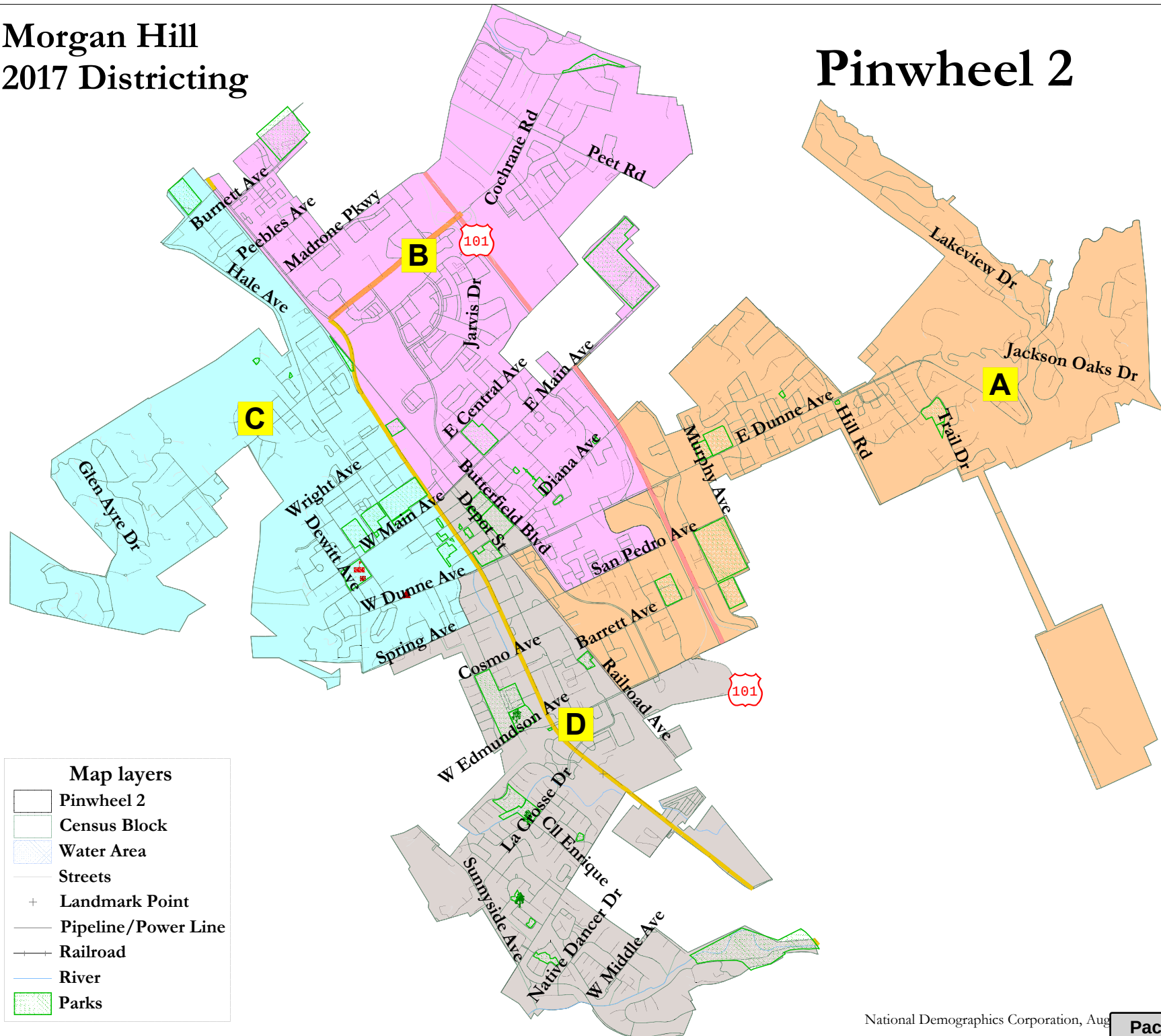
Pinwheel 1



Morgan Hill - Pinwheel 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,698	9,585	9,151	9,448	37,882
7,576	Deviation from ideal	227	114	-320	-23	547
	% Deviation	2.40%	1.20%	-3.38%	-0.24%	5.78%
Total Pop	% Hisp	26%	35%	41%	34%	34%
	% NH White	57%	46%	44%	53%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	14%	11%	9%	11%
Voting Age Pop	Total	7,034	6,661	6,698	6,651	27,044
	% Hisp	23%	32%	36%	30%	30%
	% NH White	61%	51%	49%	57%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	13%	11%	8%	11%
Citizen Voting Age Pop	Total	6,889	7,266	6,567	5,926	26,648
	% Hisp	22%	30%	27%	24%	26%
	% NH White	63%	55%	59%	59%	59%
	% NH Black	3%	6%	4%	2%	4%
	% Asian/Pac.Isl.	11%	8%	10%	13%	10%
Voter Registration (Nov 2014)	Total	5,738	4,978	4,383	4,707	19,806
	% Latino est.	17%	23%	25%	20%	21%
	% Asian-Surnamed	7%	7%	6%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	16%	21%	22%	18%	19%
	% NH White est.	73%	55%	62%	71%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,949	2,189	2,027	2,423	9,588
	% Latino	13%	17%	18%	16%	16%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	11%	15%	16%	14%	14%
	% NH White est.	78%	61%	69%	76%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	4,662	3,854	3,614	3,838	15,968
	% Latino	16%	21%	24%	19%	20%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	19%	21%	17%	18%
ACS Pop. Est.	% NH White est.	76%	59%	63%	71%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	10,528	10,110	9,535	9,922	40,095
	age0-19	31%	29%	24%	31%	29%
	age20-60	51%	55%	57%	50%	53%
Immigration	age60plus	18%	16%	19%	19%	18%
	immigrants	19%	18%	22%	17%	19%
Language spoken at home	naturalized	58%	57%	55%	47%	54%
	english	73%	71%	63%	71%	69%
	spanish	18%	17%	28%	20%	21%
	asian-lang	5%	6%	4%	5%	5%
Language Fluency	other lang	5%	6%	5%	3%	5%
	Speaks Eng. "Less than Very Well"	9%	9%	14%	11%	11%
Education (among those age 25+)	hs-grad	50%	50%	51%	53%	51%
	bachelor	23%	25%	20%	24%	23%
	graduateddegree	17%	14%	14%	13%	14%
Child in Household	child-under18	40%	38%	33%	34%	37%
Work (percent of pop age 16+)	employed	62%	66%	61%	60%	62%
	Commute on Public Transit	1%	4%	4%	3%	3%
Household Income	income 0-25k	13%	13%	17%	17%	15%
	income 25-50k	14%	10%	19%	14%	14%
	income 50-75k	11%	14%	11%	14%	12%
	income 75-200k	43%	42%	39%	41%	42%
	income 200k-plus	19%	22%	14%	14%	17%
Housing Stats	single family	86%	87%	76%	79%	82%
	multi-family	14%	13%	24%	21%	18%
	vacant	2%	4%	0%	3%	2%
	occupied	98%	96%	100%	97%	98%
	rented	28%	24%	36%	31%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	72%	76%	64%	69%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

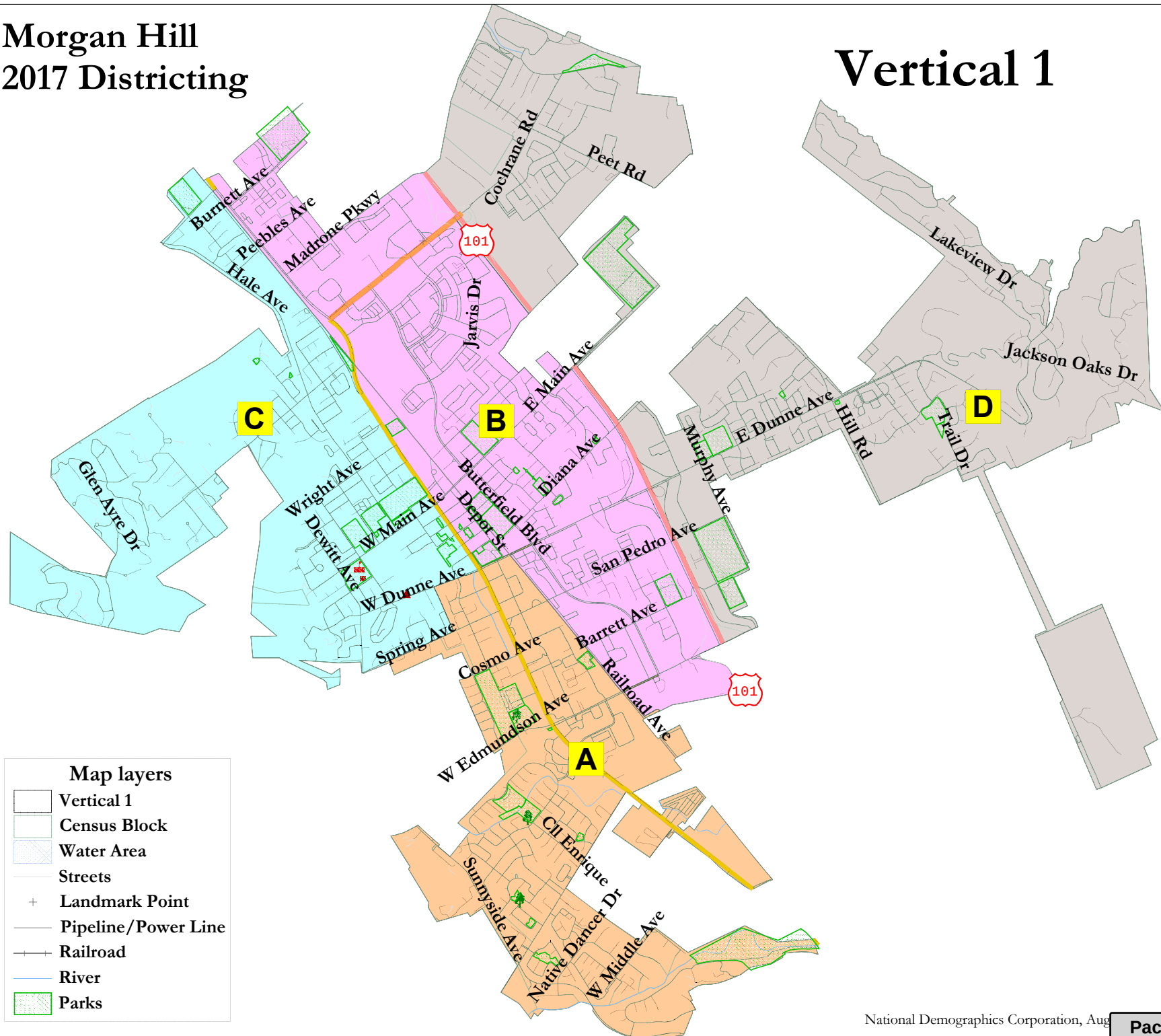
Pinwheel 2



Morgan Hill - Pinwheel 2 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,193	9,592	9,684	9,413	37,882
7,576	Deviation from ideal	-278	121	213	-58	491
	% Deviation	-2.94%	1.28%	2.25%	-0.61%	5.18%
Total Pop	% Hisp	24%	33%	41%	37%	34%
	% NH White	59%	47%	44%	52%	50%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	12%	15%	11%	7%	11%
Voting Age Pop	Total	6,610	6,641	7,114	6,679	27,044
	% Hisp	22%	30%	36%	32%	30%
	% NH White	62%	51%	49%	57%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	15%	11%	7%	11%
Citizen Voting Age Pop	Total	6,438	7,220	7,024	5,966	26,648
	% Hisp	19%	30%	28%	26%	26%
	% NH White	65%	54%	59%	60%	59%
	% NH Black	3%	5%	4%	2%	4%
	% Asian/Pac.Isl.	11%	9%	9%	11%	10%
Voter Registration (Nov 2014)	Total	5,502	4,898	4,550	4,856	19,806
	% Latino est.	16%	22%	25%	21%	21%
	% Asian-Surnamed	7%	8%	6%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	20%	23%	19%	19%
	% NH White est.	74%	58%	62%	67%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,837	2,174	2,099	2,478	9,588
	% Latino	12%	17%	18%	17%	16%
	% Asian-Surnamed	6%	7%	5%	3%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	11%	15%	16%	15%	14%
	% NH White est.	79%	63%	69%	73%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	4,451	3,776	3,785	3,955	15,968
	% Latino	15%	21%	24%	19%	20%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	19%	21%	17%	18%
ACS Pop. Est.	% NH White est.	76%	61%	63%	69%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	9,972	10,155	10,111	9,857	40,095
	age0-19	30%	30%	24%	30%	29%
	age20-60	51%	54%	57%	51%	53%
Immigration	age60plus	19%	16%	19%	19%	18%
	immigrants	18%	19%	22%	16%	19%
Language spoken at home	naturalized	59%	61%	53%	45%	54%
	english	73%	71%	63%	71%	69%
	spanish	17%	16%	28%	21%	21%
	asian-lang	5%	6%	4%	5%	5%
Language Fluency	other lang	5%	6%	5%	3%	5%
	Speaks Eng. "Less than Very Well"	9%	9%	14%	11%	11%
Education (among those age 25+)	hs-grad	49%	52%	51%	52%	51%
	bachelor	23%	24%	20%	24%	23%
	graduatedegree	17%	13%	14%	13%	14%
Child in Household	child-under18	40%	38%	34%	34%	37%
Work (percent of pop age 16+)	employed	62%	65%	62%	61%	62%
	Commute on Public Transit	1%	3%	4%	3%	3%
Household Income	income 0-25k	11%	14%	17%	16%	15%
	income 25-50k	13%	11%	19%	14%	14%
	income 50-75k	11%	14%	11%	14%	12%
	income 75-200k	44%	41%	39%	41%	42%
	income 200k-plus	20%	20%	14%	15%	17%
Housing Stats	single family	88%	88%	74%	79%	82%
	multi-family	12%	12%	26%	21%	18%
	vacant	2%	4%	1%	3%	2%
	occupied	98%	96%	99%	97%	98%
	rented	25%	25%	38%	30%	30%
	owned	75%	75%	62%	70%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

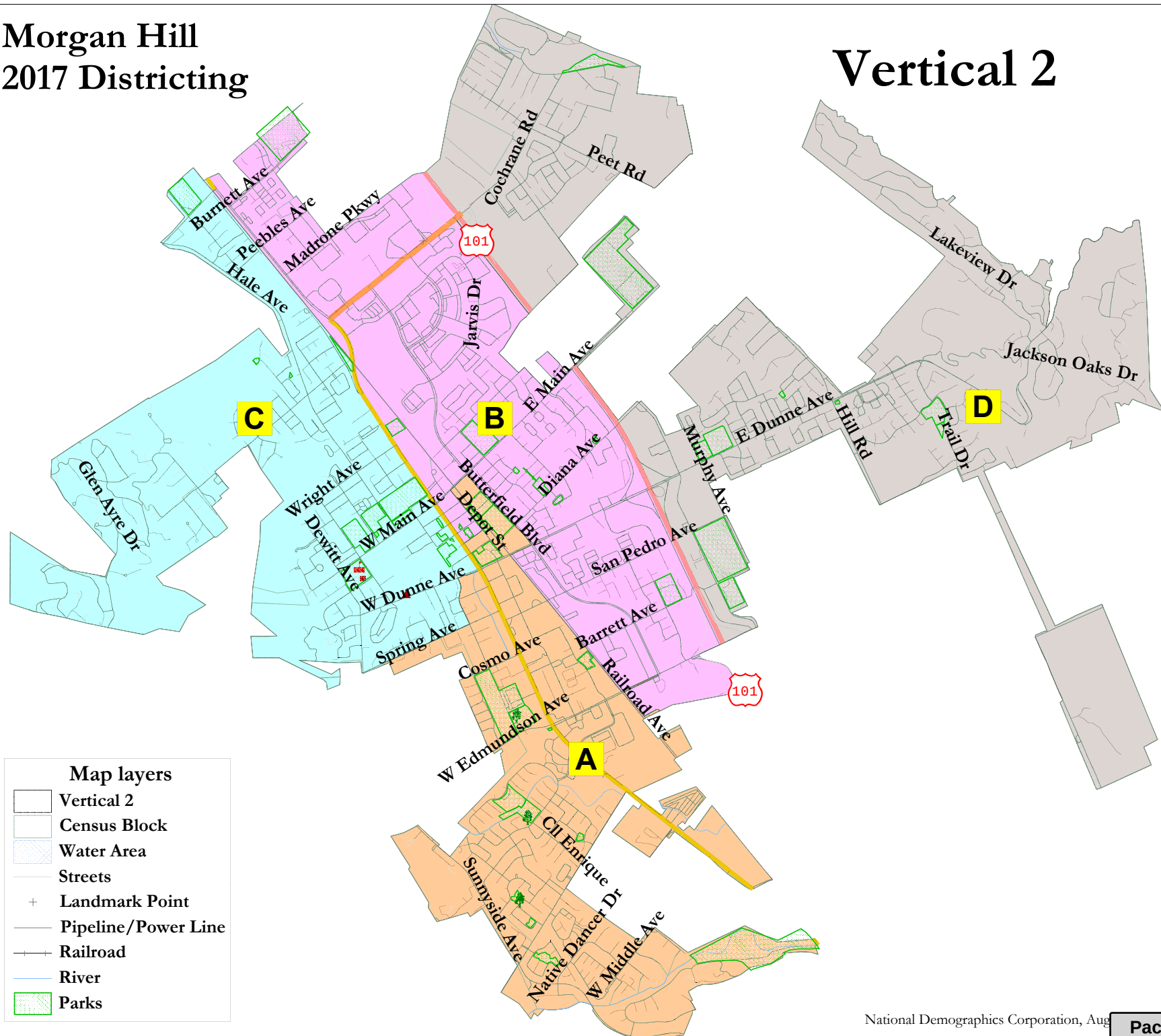
Vertical 1



Morgan Hill - Vertical 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,686	9,212	9,147	9,837	37,882
7,576	Deviation from ideal	215	-259	-324	366	690
	% Deviation	2.27%	-2.73%	-3.42%	3.86%	7.29%
Total Pop	% Hisp	36%	37%	41%	22%	34%
	% NH White	52%	46%	44%	59%	50%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	15%	11%
Voting Age Pop	Total	6,906	6,456	6,696	6,986	27,044
	% Hisp	32%	33%	36%	19%	30%
	% NH White	57%	50%	49%	62%	55%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	14%	11%
Citizen Voting Age Pop	Total	6,240	6,499	6,566	7,343	26,648
	% Hisp	27%	29%	27%	21%	26%
	% NH White	59%	52%	59%	65%	59%
	% NH Black	2%	6%	4%	3%	4%
	% Asian/Pac.Isl.	11%	12%	10%	8%	10%
Voter Registration (Nov 2014)	Total	4,928	4,467	4,381	6,030	19,806
	% Latino est.	21%	25%	25%	15%	21%
	% Asian-Surnamed	4%	7%	6%	8%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	19%	22%	22%	14%	19%
	% NH White est.	67%	56%	62%	74%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,518	1,938	2,026	3,106	9,588
	% Latino	16%	18%	18%	12%	16%
	% Asian-Surnamed	3%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	17%	16%	10%	14%
	% NH White est.	73%	62%	69%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	4,060	3,284	3,612	5,011	15,968
	% Latino	19%	24%	24%	14%	20%
	% Asian-Surnamed	4%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	17%	21%	21%	13%	18%
ACS Pop. Est.	% NH White est.	69%	58%	63%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	10,165	9,711	9,531	10,688	40,095
	age0-19	30%	31%	24%	29%	29%
	age20-60	51%	55%	57%	51%	53%
Immigration	age60plus	19%	14%	19%	20%	18%
	immigrants	17%	20%	22%	17%	19%
Language spoken at home	naturalized	43%	57%	55%	62%	54%
	english	70%	68%	63%	76%	69%
	spanish	22%	20%	28%	14%	21%
	asian-lang	5%	6%	4%	5%	5%
Language Fluency	other lang	3%	6%	5%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	11%	14%	7%	11%
Education (among those age 25+)	hs-grad	52%	55%	51%	46%	51%
	bachelor	24%	22%	20%	25%	23%
	graduateddegree	13%	10%	14%	20%	14%
Child in Household	child-under18	35%	37%	33%	40%	37%
Work (percent of pop age 16+)	employed	61%	65%	61%	62%	62%
	Commute on Public Transit	4%	4%	4%	1%	3%
Household Income	income 0-25k	16%	16%	17%	10%	15%
	income 25-50k	14%	13%	19%	11%	14%
	income 50-75k	14%	14%	11%	10%	12%
	income 75-200k	42%	41%	39%	45%	42%
	income 200k-plus	15%	16%	14%	24%	17%
Housing Stats	single family	77%	82%	76%	93%	82%
	multi-family	23%	18%	24%	7%	18%
	vacant	3%	4%	0%	2%	2%
	occupied	97%	96%	100%	98%	98%
	rented	32%	33%	36%	18%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	68%	67%	64%	82%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

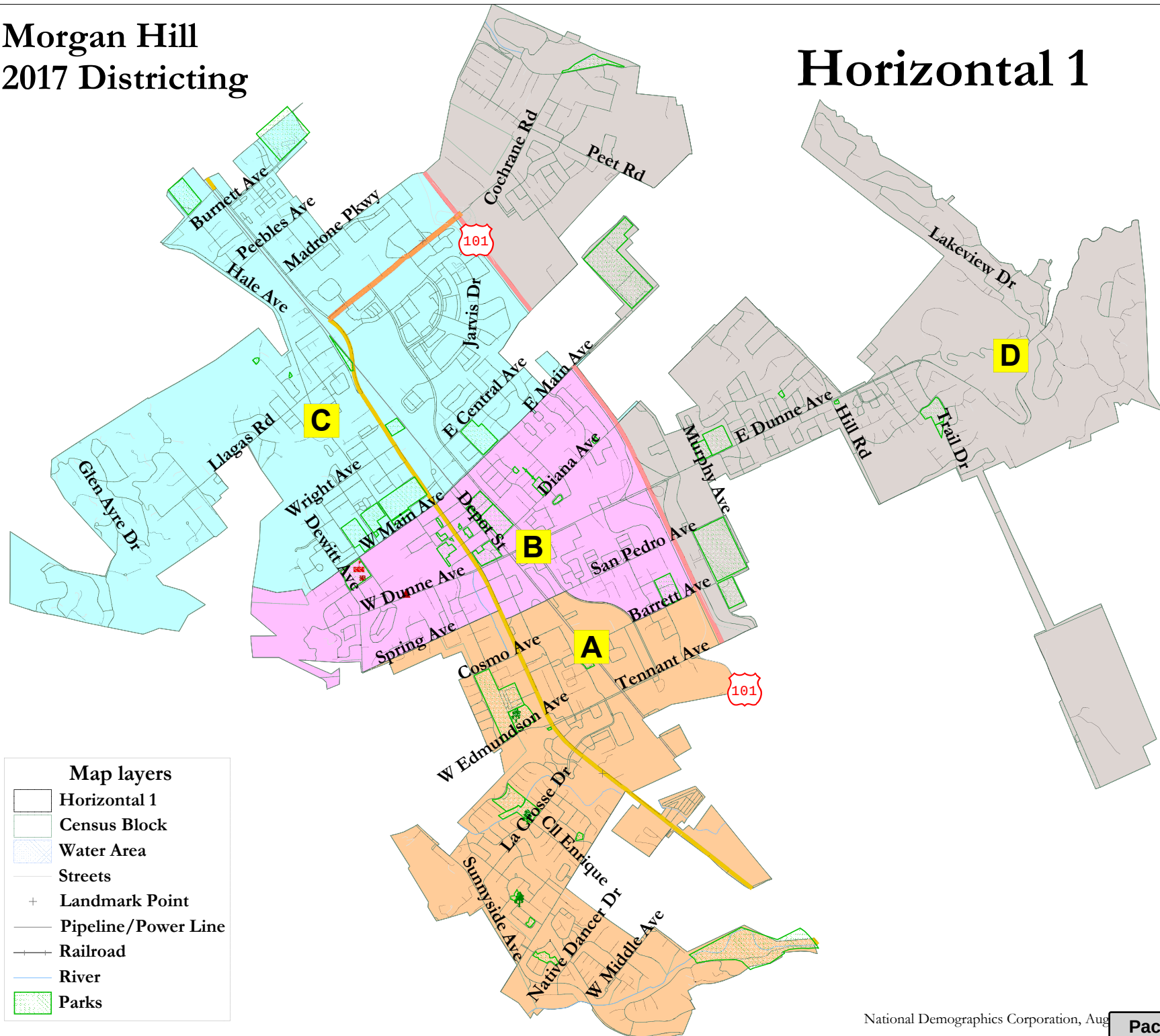
Vertical 2



Morgan Hill - Vertical 2 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,244	9,121	9,680	9,837	37,882
7,576	Deviation from ideal	-227	-350	209	366	716
	% Deviation	-2.40%	-3.70%	2.21%	3.86%	7.56%
Total Pop	% Hisp	36%	37%	41%	22%	34%
	% NH White	53%	46%	44%	59%	50%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	15%	11%
Voting Age Pop	Total	6,556	6,390	7,112	6,986	27,044
	% Hisp	32%	33%	36%	19%	30%
	% NH White	57%	50%	49%	62%	55%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	14%	11%
Citizen Voting Age Pop	Total	5,843	6,438	7,023	7,343	26,648
	% Hisp	26%	30%	28%	21%	26%
	% NH White	60%	52%	59%	65%	59%
	% NH Black	2%	6%	4%	3%	4%
	% Asian/Pac.Isl.	12%	12%	9%	8%	10%
Voter Registration (Nov 2014)	Total	4,805	4,423	4,548	6,030	19,806
	% Latino est.	21%	24%	25%	15%	21%
	% Asian-Surnamed	4%	7%	6%	8%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	19%	22%	23%	14%	19%
	% NH White est.	68%	56%	62%	74%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,461	1,923	2,098	3,106	9,588
	% Latino	16%	18%	18%	12%	16%
	% Asian-Surnamed	3%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	16%	16%	10%	14%
	% NH White est.	73%	62%	69%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	3,919	3,254	3,784	5,011	15,968
	% Latino	19%	24%	24%	14%	20%
	% Asian-Surnamed	4%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	17%	21%	21%	13%	18%
ACS Pop. Est.	% NH White est.	69%	58%	63%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
	Total	9,682	9,618	10,107	10,688	40,095
Age	age0-19	30%	31%	24%	29%	29%
	age20-60	51%	55%	57%	51%	53%
	age60plus	19%	14%	19%	20%	18%
Immigration	immigrants	16%	20%	22%	17%	19%
	naturalized	44%	57%	53%	62%	54%
Language spoken at home	english	71%	68%	63%	76%	69%
	spanish	21%	20%	28%	14%	21%
	asian-lang	5%	6%	4%	5%	5%
	other lang	3%	6%	5%	5%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	11%	11%	14%	7%	11%
Education (among those age 25+)	hs-grad	52%	56%	51%	46%	51%
	bachelor	24%	22%	20%	25%	23%
	graduateddegree	13%	10%	14%	20%	14%
Child in Household	child-under18	34%	37%	34%	40%	37%
Work (percent of pop age 16+)	employed	61%	65%	62%	62%	62%
	Commute on Public Transit	3%	4%	4%	1%	3%
Household Income	income 0-25k	16%	16%	17%	10%	15%
	income 25-50k	14%	13%	19%	11%	14%
	income 50-75k	14%	14%	11%	10%	12%
	income 75-200k	41%	41%	39%	45%	42%
	income 200k-plus	15%	16%	14%	24%	17%
Housing Stats	single family	79%	82%	74%	93%	82%
	multi-family	21%	18%	26%	7%	18%
	vacant	3%	4%	1%	2%	2%
	occupied	97%	96%	99%	98%	98%
	rented	30%	32%	38%	18%	30%
	owned	70%	68%	62%	82%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

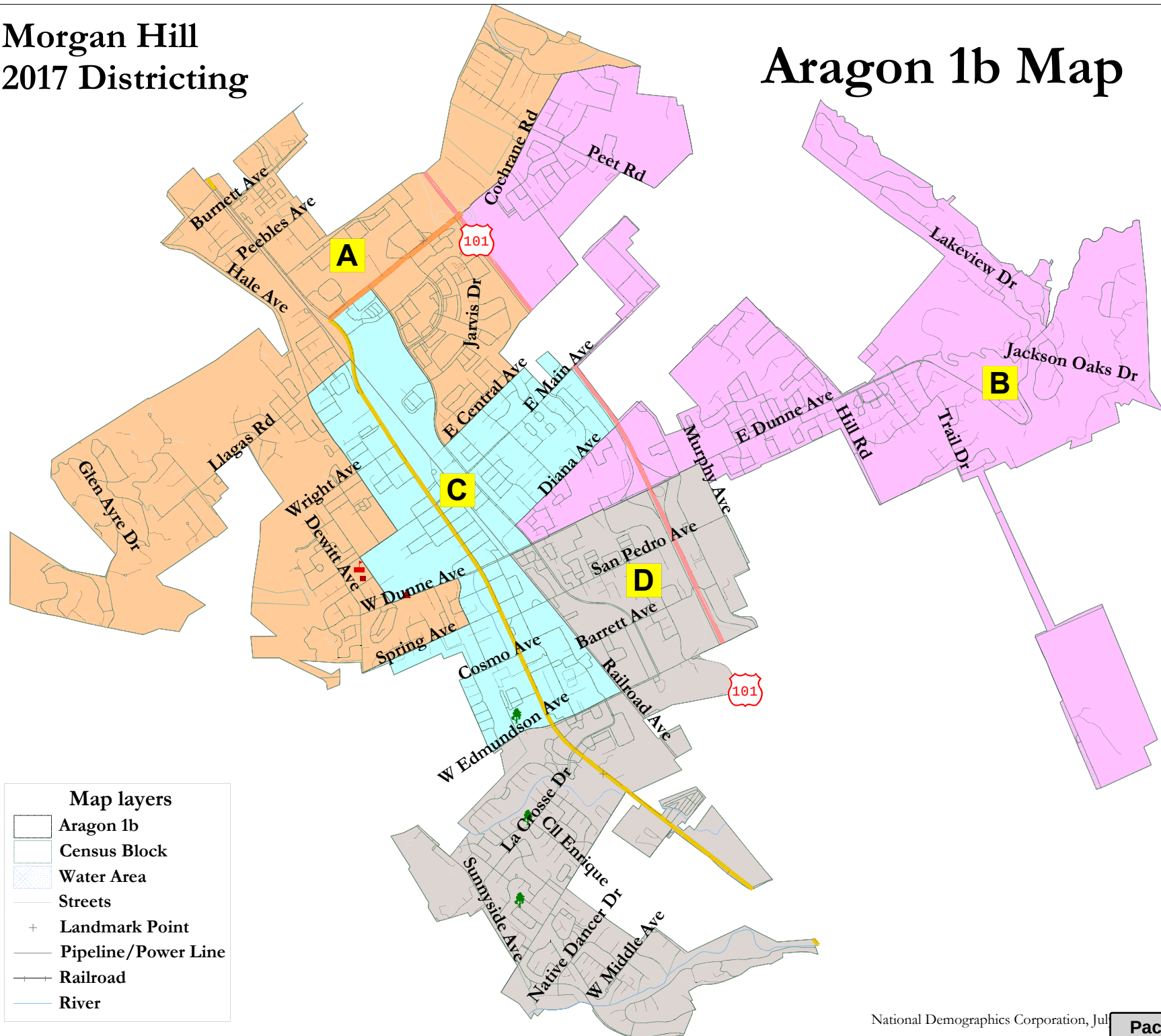
Horizontal 1



Morgan Hill - Horizontal 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,001	9,235	9,809	9,837	37,882
7,576	Deviation from ideal	-470	-236	338	366	836
	% Deviation	-4.96%	-2.49%	3.57%	3.86%	8.83%
Total Pop	% Hisp	34%	41%	40%	22%	34%
	% NH White	54%	45%	44%	59%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	10%	12%	15%	11%
Voting Age Pop	Total	6,354	6,642	7,062	6,986	27,044
	% Hisp	30%	37%	35%	19%	30%
	% NH White	58%	49%	49%	62%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	10%	12%	14%	11%
Citizen Voting Age Pop	Total	5,623	6,873	6,809	7,343	26,648
	% Hisp	23%	33%	26%	21%	26%
	% NH White	61%	53%	56%	65%	59%
	% NH Black	2%	5%	4%	3%	4%
	% Asian/Pac.Isl.	13%	8%	12%	8%	10%
Voter Registration (Nov 2014)	Total	4,535	4,327	4,914	6,030	19,806
	% Latino est.	20%	27%	24%	15%	21%
	% Asian-Surnamed	4%	6%	7%	8%	6%
	% Filipino-Surnamed	1%	2%	2%	1%	1%
	% Spanish-Surnamed	18%	24%	22%	14%	19%
	% NH White est.	71%	58%	57%	74%	66%
	% NH Black	2%	4%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,353	1,912	2,218	3,106	9,588
	% Latino	16%	18%	18%	12%	16%
	% Asian-Surnamed	3%	6%	6%	7%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	14%	16%	17%	10%	14%
	% NH White est.	76%	67%	62%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	4%	6%	2%	3%
	Total	3,706	3,381	3,870	5,011	15,968
	% Latino	19%	25%	23%	14%	20%
	% Asian-Surnamed	4%	5%	6%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	17%	23%	20%	13%	18%
ACS Pop. Est.	% NH White est.	71%	60%	60%	76%	68%
	% NH Black est.	2%	4%	6%	2%	3%
Age	Total	9,430	9,893	10,084	10,688	40,095
	age0-19	30%	31%	25%	29%	29%
	age20-60	50%	57%	56%	51%	53%
Immigration	age60plus	19%	13%	20%	20%	18%
	immigrants	16%	22%	21%	17%	19%
Language spoken at home	naturalized	47%	47%	61%	62%	54%
	english	72%	65%	65%	76%	69%
	spanish	20%	26%	23%	14%	21%
	asian-lang	5%	4%	6%	5%	5%
Language Fluency	other lang	3%	5%	6%	5%	5%
	Speaks Eng. "Less than Very Well"	10%	13%	12%	7%	11%
Education (among those age 25+)	hs-grad	53%	55%	51%	46%	51%
	bachelor	25%	19%	22%	25%	23%
	graduateddegree	13%	10%	15%	20%	14%
Child in Household	child-under18	34%	41%	31%	40%	37%
Work (percent of pop age 16+)	employed	60%	65%	62%	62%	62%
	Commute on Public Transit	3%	4%	4%	1%	3%
Household Income	income 0-25k	16%	18%	15%	10%	15%
	income 25-50k	14%	17%	15%	11%	14%
	income 50-75k	14%	12%	13%	10%	12%
	income 75-200k	41%	41%	39%	45%	42%
	income 200k-plus	15%	13%	17%	24%	17%
Housing Stats	single family	80%	70%	85%	93%	82%
	multi-family	20%	30%	15%	7%	18%
	vacant	3%	2%	3%	2%	2%
	occupied	97%	98%	97%	98%	98%
	rented	29%	45%	26%	18%	30%
	owned	71%	55%	74%	82%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

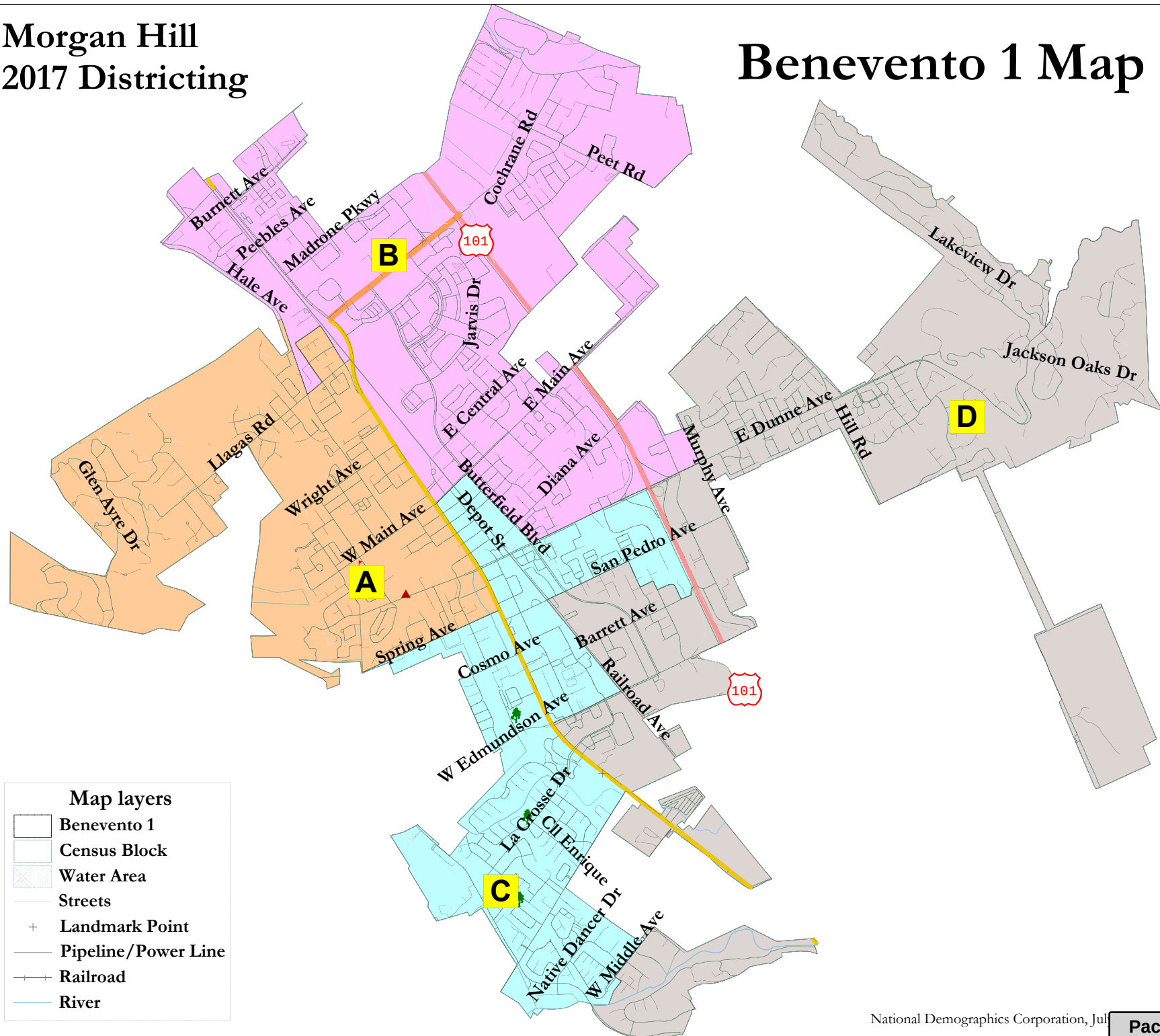
Aragon 1b Map



Morgan Hill - Aragon 1b map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,615	9,828	9,065	9,374	37,882
7,576	Deviation from ideal	144	357	-406	-97	763
	% Deviation	1.52%	3.77%	-4.29%	-1.02%	8.06%
Total Pop	% Hisp	32%	22%	53%	29%	34%
	% NH White	50%	60%	35%	55%	50%
	% NH Black	2%	2%	3%	2%	2%
	% Asian-American	13%	14%	7%	11%	11%
Voting Age Pop	Total	7,030	7,075	6,198	6,741	27,044
	% Hisp	28%	20%	48%	26%	30%
	% NH White	55%	63%	39%	59%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	13%	13%	8%	10%	11%
Citizen Voting Age Pop	Total	7,040	7,214	5,742	6,652	26,648
	% Hisp	23%	20%	35%	27%	26%
	% NH White	61%	66%	51%	56%	59%
	% NH Black	4%	4%	6%	2%	4%
	% Asian/Pac.Isl.	10%	9%	7%	14%	10%
Voter Registration (Nov 2014)	Total	4,722	6,013	4,025	5,046	19,806
	% Latino est.	22%	16%	29%	19%	21%
	% Asian-Surnamed	6%	7%	6%	6%	6%
	% Filipino-Surnamed	2%	1%	2%	1%	1%
	% Spanish-Surnamed	20%	14%	26%	17%	19%
	% NH White est.	61%	74%	52%	71%	66%
	% NH Black	5%	2%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,245	3,086	1,680	2,577	9,588
	% Latino	17%	12%	21%	15%	16%
	% Asian-Surnamed	6%	6%	5%	5%	6%
	% Filipino-Surnamed	2%	1%	2%	1%	1%
	% Spanish-Surnamed	15%	11%	19%	14%	14%
	% NH White est.	66%	79%	60%	76%	72%
Voter Turnout (Nov 2012)	% NH Black est.	5%	2%	5%	2%	3%
	Total	3,946	4,999	3,003	4,020	15,968
	% Latino	21%	15%	27%	18%	20%
	% Asian-Surnamed	6%	6%	5%	5%	6%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% Spanish-Surnamed	19%	13%	25%	16%	18%
ACS Pop. Est.	% NH White est.	62%	76%	56%	71%	68%
	% NH Black est.	5%	2%	5%	2%	3%
Age	Total	10,050	10,658	9,513	9,874	40,095
	age0-19	26%	29%	28%	32%	29%
	age20-60	55%	52%	58%	49%	53%
Immigration	age60plus	19%	19%	14%	19%	18%
	immigrants	21%	17%	21%	17%	19%
Language spoken at home	naturalized	56%	61%	47%	55%	54%
	english	65%	76%	64%	72%	69%
	spanish	24%	14%	27%	18%	21%
	asian-lang	6%	4%	4%	6%	5%
Language Fluency	other lang	5%	5%	4%	4%	5%
	Speaks Eng. "Less than Very Well"	12%	7%	13%	11%	11%
Education (among those age 25+)	hs-grad	50%	48%	51%	56%	51%
	bachelor	22%	25%	21%	23%	23%
	graduatedegree	15%	19%	12%	12%	14%
Child in Household	child-under18	34%	40%	38%	34%	37%
Work (percent of pop age 16+)	employed	63%	62%	65%	58%	62%
	Commute on Public Transit	4%	2%	4%	3%	3%
Household Income	income 0-25k	15%	9%	16%	19%	15%
	income 25-50k	15%	11%	16%	16%	14%
	income 50-75k	12%	11%	12%	14%	12%
	income 75-200k	41%	45%	40%	39%	42%
	income 200k-plus	18%	24%	15%	12%	17%
Housing Stats	single family	81%	93%	74%	80%	82%
	multi-family	19%	7%	26%	20%	18%
	vacant	2%	2%	3%	3%	2%
	occupied	98%	98%	97%	97%	98%
	rented	30%	19%	38%	33%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	70%	81%	62%	67%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

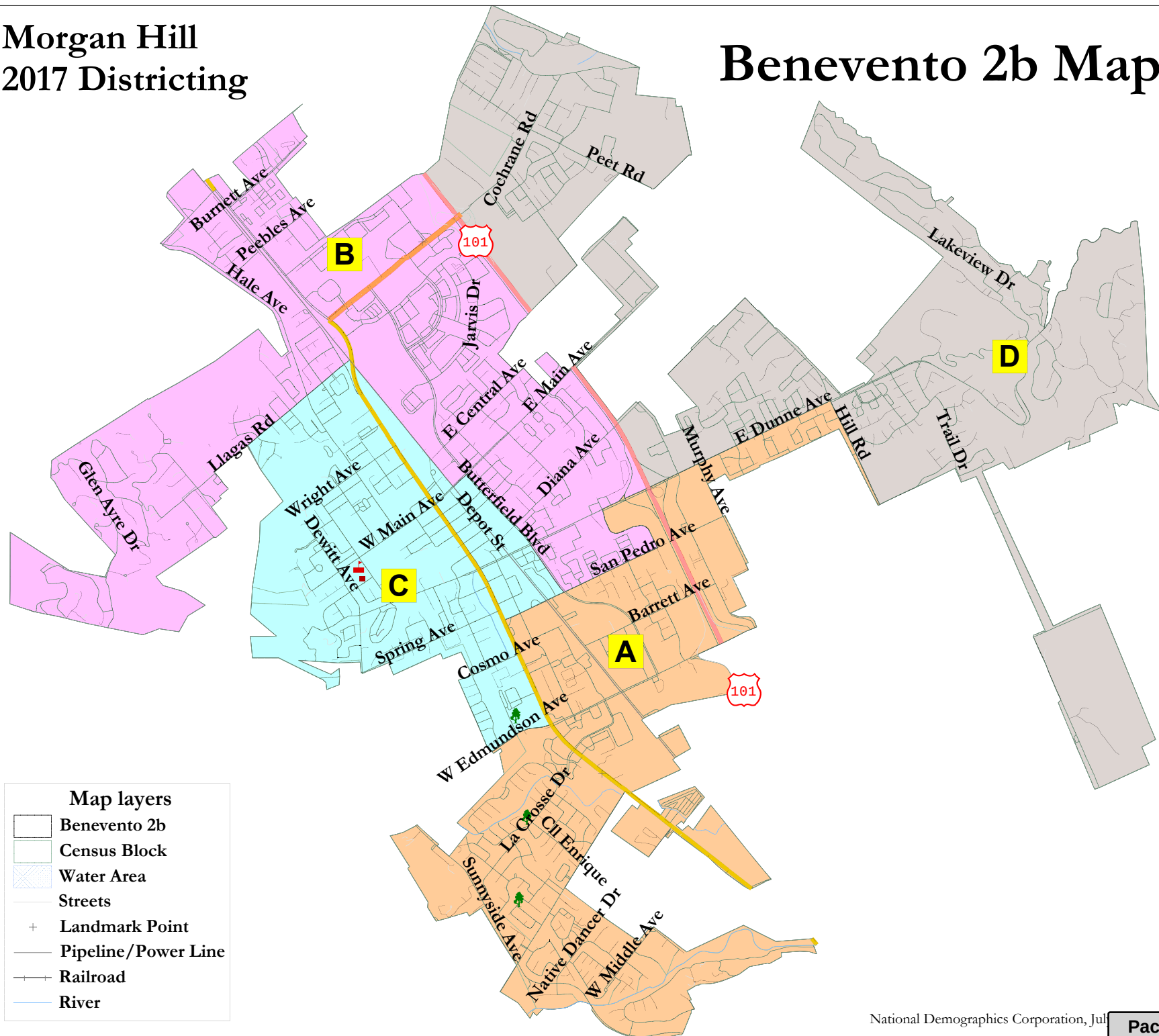
Benevento 1 Map



Morgan Hill - Benevento 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,125	9,218	9,873	9,666	37,882
7,576	Deviation from ideal	-346	-253	402	195	748
	% Deviation	-3.65%	-2.67%	4.24%	2.06%	7.90%
Total Pop	% Hisp	43%	32%	38%	23%	34%
	% NH White	45%	47%	48%	61%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	17%	9%	11%	11%
Voting Age Pop	Total	6,740	6,336	6,963	7,005	27,044
	% Hisp	38%	29%	34%	21%	30%
	% NH White	50%	50%	53%	65%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	17%	9%	11%	11%
Citizen Voting Age Pop	Total	6,675	6,868	6,414	6,692	26,648
	% Hisp	30%	28%	28%	18%	26%
	% NH White	59%	54%	55%	67%	59%
	% NH Black	3%	6%	3%	3%	4%
	% Asian/Pac.Isl.	7%	11%	13%	11%	10%
Voter Registration (Nov 2014)	Total	4,363	4,721	4,986	5,736	19,806
	% Latino est.	25%	22%	22%	16%	21%
	% Asian-Surnamed	5%	8%	5%	6%	6%
	% Filipino-Surnamed	1%	2%	2%	1%	1%
	% Spanish-Surnamed	23%	19%	20%	15%	19%
	% NH White est.	62%	58%	67%	74%	66%
	% NH Black	4%	5%	1%	2%	3%
Voter Turnout (Nov 2014)	Total	2,017	2,095	2,468	3,007	9,588
	% Latino	18%	16%	17%	12%	16%
	% Asian-Surnamed	5%	7%	4%	6%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	16%	15%	15%	11%	14%
	% NH White est.	69%	63%	73%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	5%	6%	2%	2%	3%
	Total	3,600	3,665	3,981	4,723	15,968
	% Latino	24%	20%	21%	15%	20%
	% Asian-Surnamed	5%	7%	5%	5%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	21%	18%	19%	13%	18%
ACS Pop. Est.	% NH White est.	64%	61%	68%	76%	68%
	% NH Black est.	4%	6%	1%	2%	3%
	Total	9,531	9,703	10,417	10,444	40,095
Age	age0-19	25%	28%	31%	30%	29%
	age20-60	58%	54%	51%	51%	53%
	age60plus	17%	17%	18%	19%	18%
Immigration	immigrants	23%	18%	18%	18%	19%
	naturalized	50%	64%	47%	59%	54%
Language spoken at home	english	62%	72%	69%	74%	69%
	spanish	30%	14%	22%	17%	21%
	asian-lang	4%	6%	5%	5%	5%
	other lang	4%	7%	3%	5%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	15%	8%	12%	9%	11%
Education (among those age 25+)	hs-grad	50%	51%	54%	49%	51%
	bachelor	19%	26%	23%	24%	23%
	graduatedegree	13%	15%	12%	17%	14%
Child in Household	child-under18	35%	36%	35%	39%	37%
Work (percent of pop age 16+)	employed	62%	65%	61%	61%	62%
	Commute on Public Transit	4%	3%	3%	1%	3%
Household Income	income 0-25k	17%	11%	18%	12%	15%
	income 25-50k	19%	8%	15%	13%	14%
	income 50-75k	11%	14%	14%	11%	12%
	income 75-200k	39%	43%	40%	44%	42%
	income 200k-plus	14%	23%	13%	20%	17%
Housing Stats	single family	72%	93%	77%	88%	82%
	multi-family	28%	7%	23%	12%	18%
	vacant	1%	4%	2%	2%	2%
	occupied	99%	96%	98%	98%	98%
	rented	40%	18%	35%	24%	30%
	owned	60%	82%	65%	76%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

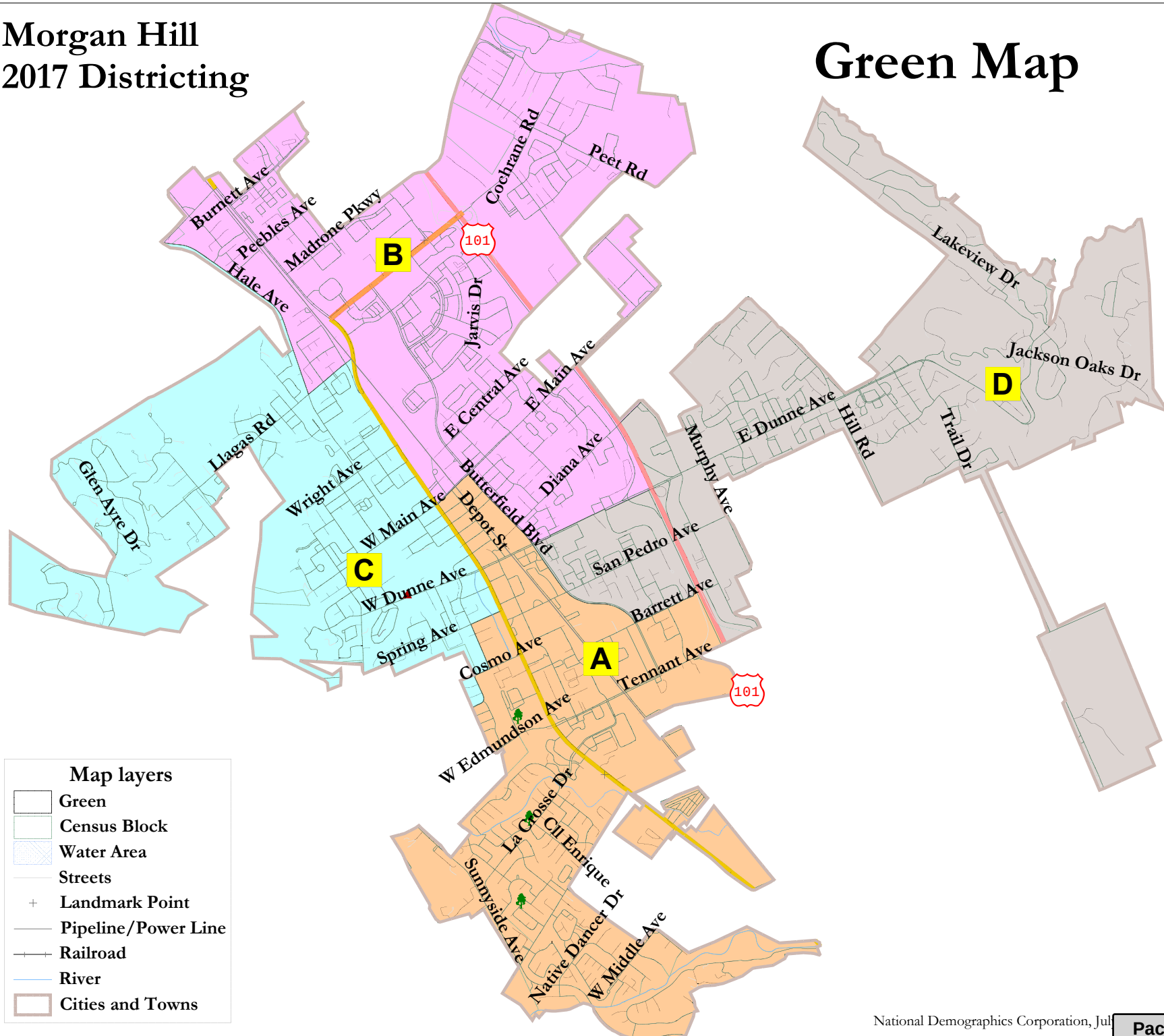
Benevento 2b Map



Morgan Hill - Benevento 2b map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,189	9,915	9,582	9,196	37,882
7,576	Deviation from ideal	-282	444	111	-275	726
	% Deviation	-2.98%	4.69%	1.17%	-2.90%	7.67%
Total Pop	% Hisp	29%	33%	51%	22%	34%
	% NH White	56%	49%	38%	59%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	10%	13%	7%	15%	11%
Voting Age Pop	Total	6,573	7,099	6,828	6,544	27,044
	% Hisp	26%	29%	45%	20%	30%
	% NH White	60%	54%	43%	62%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	10%	13%	8%	14%	11%
Citizen Voting Age Pop	Total	6,176	7,224	6,331	6,917	26,648
	% Hisp	24%	24%	36%	21%	26%
	% NH White	59%	57%	54%	66%	59%
	% NH Black	2%	6%	4%	3%	4%
	% Asian/Pac.Isl.	14%	13%	6%	9%	10%
Voter Registration (Nov 2014)	Total	5,063	5,041	3,971	5,731	19,806
	% Latino est.	19%	23%	29%	15%	21%
	% Asian-Surnamed	5%	6%	5%	8%	6%
	% Filipino-Surnamed	1%	2%	2%	1%	1%
	% Spanish-Surnamed	17%	20%	26%	14%	19%
	% NH White est.	71%	59%	56%	74%	66%
	% NH Black	2%	6%	3%	2%	3%
Voter Turnout (Nov 2014)	Total	2,589	2,294	1,760	2,945	9,588
	% Latino	15%	17%	20%	12%	16%
	% Asian-Surnamed	4%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	15%	18%	10%	14%
	% NH White est.	76%	64%	64%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	6%	4%	2%	3%
	Total	4,170	3,904	3,235	4,658	15,968
	% Latino	18%	22%	27%	14%	20%
	% Asian-Surnamed	5%	6%	4%	6%	6%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% Spanish-Surnamed	16%	20%	24%	13%	18%
ACS Pop. Est.	% NH White est.	71%	61%	59%	76%	68%
	% NH Black est.	2%	6%	4%	2%	3%
Age	Total	9,633	10,394	10,057	10,010	40,095
	age0-19	31%	28%	27%	29%	29%
	age20-60	50%	55%	58%	50%	53%
Immigration	age60plus	20%	17%	15%	20%	18%
	immigrants	16%	19%	23%	17%	19%
Language spoken at home	naturalized	53%	63%	42%	63%	54%
	english	73%	69%	60%	76%	69%
	spanish	18%	17%	34%	14%	21%
	asian-lang	5%	6%	3%	5%	5%
Language Fluency	other lang	4%	7%	3%	5%	5%
	Speaks Eng. "Less than Very Well"	10%	9%	16%	7%	11%
Education (among those age 25+)	hs-grad	54%	55%	49%	46%	51%
	bachelor	24%	23%	19%	25%	23%
	graduatedegree	13%	13%	11%	20%	14%
Child in Household	child-under18	33%	33%	39%	41%	37%
Work (percent of pop age 16+)	employed	59%	64%	64%	62%	62%
	Commute on Public Transit	3%	4%	4%	1%	3%
Household Income	income 0-25k	16%	12%	20%	10%	15%
	income 25-50k	14%	11%	21%	11%	14%
	income 50-75k	14%	14%	11%	10%	12%
	income 75-200k	41%	43%	37%	44%	42%
	income 200k-plus	14%	20%	11%	25%	17%
Housing Stats	single family	82%	89%	64%	94%	82%
	multi-family	18%	11%	36%	6%	18%
	vacant	3%	4%	1%	2%	2%
	occupied	97%	96%	99%	98%	98%
	rented	28%	24%	47%	18%	30%
	owned	72%	76%	53%	82%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

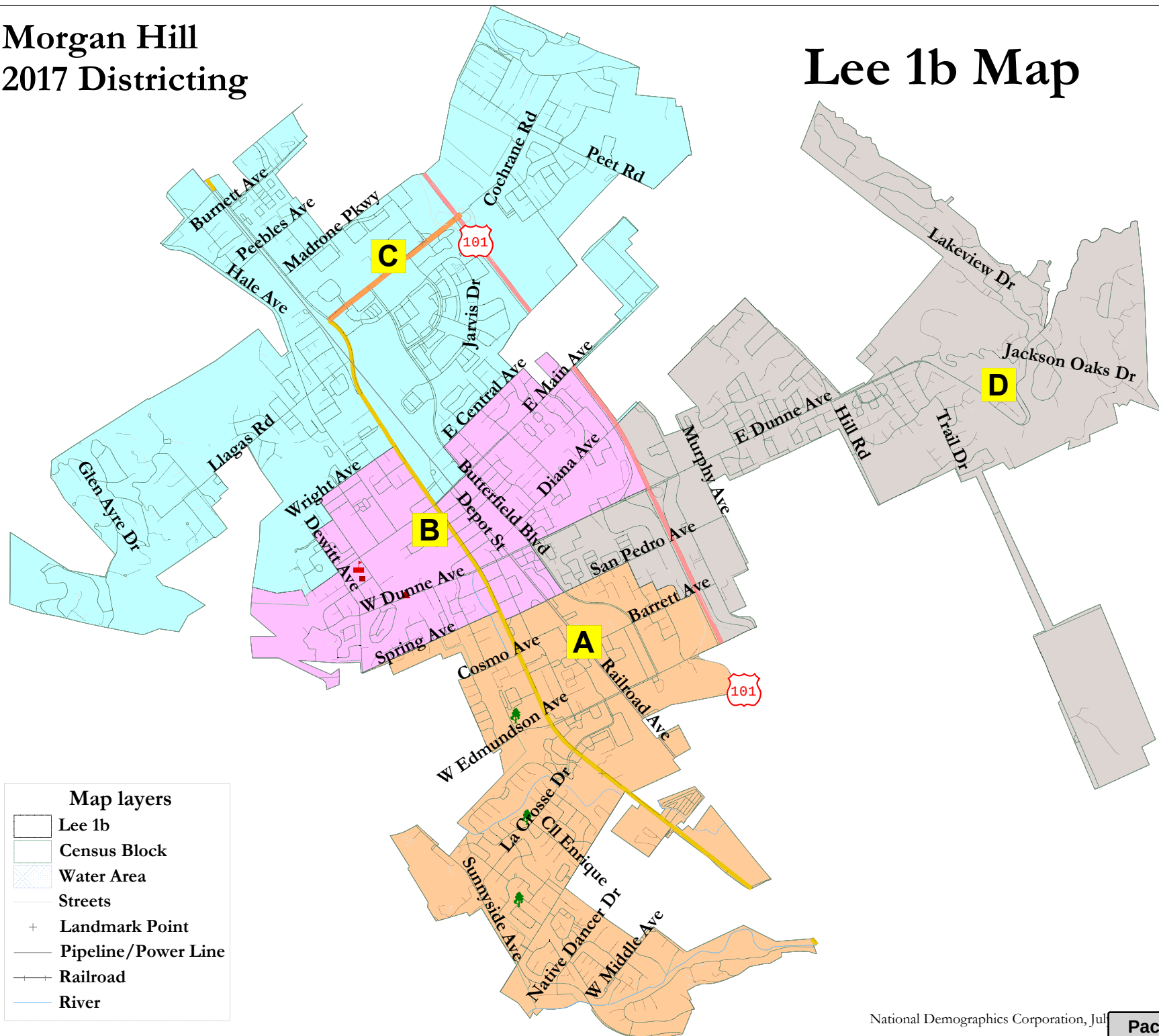
Green Map



Morgan Hill - Green map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,501	9,573	9,060	9,748	37,882
7,576	Deviation from ideal	30	102	-411	277	688
	% Deviation	0.32%	1.08%	-4.34%	2.92%	7.26%
Total Pop	% Hisp	36%	32%	43%	25%	34%
	% NH White	52%	47%	45%	58%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	17%	8%	13%	11%
Voting Age Pop	Total	6,689	6,602	6,668	7,085	27,044
	% Hisp	32%	29%	38%	23%	30%
	% NH White	56%	50%	50%	61%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	7%	16%	8%	13%	11%
Citizen Voting Age Pop	Total	6,016	7,147	6,551	6,934	26,648
	% Hisp	26%	27%	30%	21%	26%
	% NH White	58%	55%	60%	64%	59%
	% NH Black	2%	6%	3%	3%	4%
	% Asian/Pac.Isl.	12%	11%	6%	11%	10%
Voter Registration (Nov 2014)	Total	4,696	4,909	4,285	5,916	19,806
	% Latino est.	21%	22%	25%	17%	21%
	% Asian-Surnamed	4%	8%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	19%	20%	23%	16%	19%
	% NH White est.	68%	58%	62%	73%	66%
	% NH Black	2%	6%	4%	2%	3%
Voter Turnout (Nov 2014)	Total	2,402	2,177	1,987	3,022	9,588
	% Latino	16%	17%	18%	13%	16%
	% Asian-Surnamed	4%	7%	5%	6%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	15%	16%	11%	14%
	% NH White est.	74%	63%	69%	78%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	6%	5%	2%	3%
	Total	3,816	3,813	3,540	4,799	15,968
	% Latino	19%	21%	24%	16%	20%
	% Asian-Surnamed	4%	7%	5%	6%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	17%	19%	22%	14%	18%
ACS Pop. Est.	% NH White est.	69%	60%	64%	75%	68%
	% NH Black est.	2%	6%	4%	2%	3%
Age	Total	9,965	10,076	9,471	10,583	40,095
	age0-19	30%	28%	25%	31%	29%
	age20-60	51%	54%	58%	51%	53%
Immigration	age60plus	19%	18%	17%	18%	18%
	immigrants	17%	18%	23%	19%	19%
Language spoken at home	naturalized	48%	64%	48%	58%	54%
	english	71%	72%	61%	73%	69%
	spanish	20%	15%	31%	18%	21%
	asian-lang	5%	6%	4%	5%	5%
Language Fluency	other lang	3%	7%	4%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	8%	15%	9%	11%
Education (among those age 25+)	hs-grad	53%	51%	50%	50%	51%
	bachelor	24%	25%	19%	23%	23%
	graduatedegree	13%	15%	13%	17%	14%
Child in Household	child-under18	34%	35%	36%	40%	37%
Work (percent of pop age 16+)	employed	60%	65%	62%	62%	62%
	Commute on Public Transit	3%	3%	4%	1%	3%
Household Income	income 0-25k	17%	11%	18%	13%	15%
	income 25-50k	14%	9%	19%	14%	14%
	income 50-75k	14%	14%	11%	11%	12%
	income 75-200k	41%	43%	39%	43%	42%
	income 200k-plus	14%	23%	13%	19%	17%
Housing Stats	single family	79%	93%	70%	86%	82%
	multi-family	21%	7%	30%	14%	18%
	vacant	3%	4%	1%	2%	2%
	occupied	97%	96%	99%	98%	98%
	rented	31%	18%	41%	28%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	69%	82%	59%	72%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

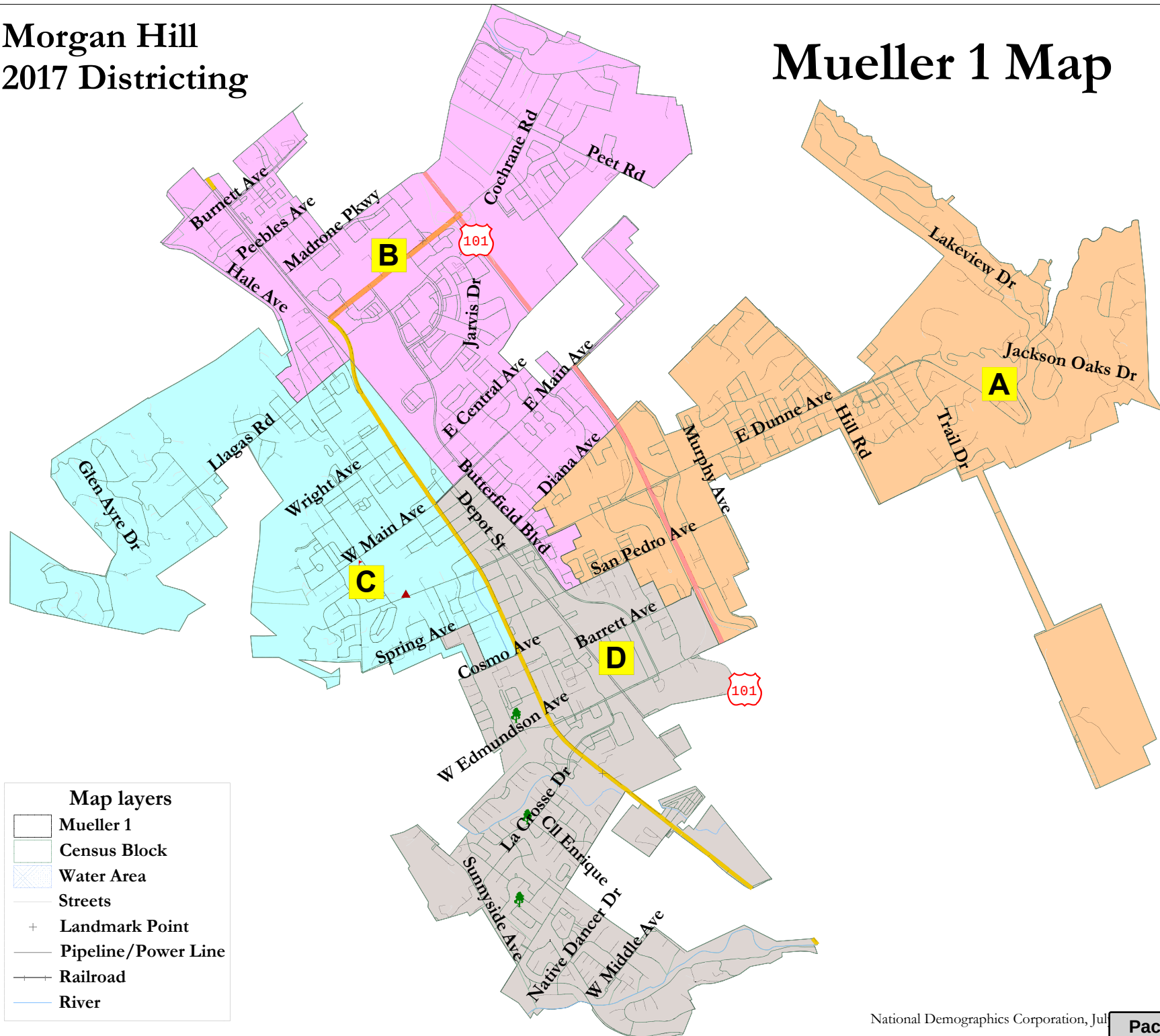
Lee 1b Map



Morgan Hill - Lee 1b map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,582	9,486	9,649	9,165	37,882
7,576	Deviation from ideal	111	15	178	-306	484
	% Deviation	1.17%	0.16%	1.88%	-3.23%	5.11%
Total Pop	% Hisp	34%	44%	33%	25%	34%
	% NH White	53%	45%	45%	59%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	9%	8%	17%	12%	11%
Voting Age Pop	Total	6,752	6,801	6,806	6,685	27,044
	% Hisp	30%	39%	30%	22%	30%
	% NH White	57%	49%	50%	62%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	9%	8%	16%	12%	11%
Citizen Voting Age Pop	Total	6,029	6,874	7,219	6,525	26,648
	% Hisp	24%	33%	27%	20%	26%
	% NH White	59%	56%	57%	65%	59%
	% NH Black	2%	5%	4%	3%	4%
	% Asian/Pac.Isl.	14%	6%	11%	11%	10%
Voter Registration (Nov 2014)	Total	4,779	4,223	5,138	5,666	19,806
	% Latino est.	20%	27%	22%	17%	21%
	% Asian-Surnamed	4%	5%	8%	7%	6%
	% Filipino-Surnamed	1%	2%	2%	1%	1%
	% Spanish-Surnamed	18%	24%	19%	15%	19%
	% NH White est.	71%	58%	58%	73%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,453	1,867	2,349	2,919	9,588
	% Latino	16%	19%	17%	13%	16%
	% Asian-Surnamed	4%	5%	7%	6%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	14%	17%	15%	11%	14%
	% NH White est.	76%	66%	64%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	3,892	3,409	4,059	4,608	15,968
	% Latino	19%	25%	20%	15%	20%
	% Asian-Surnamed	4%	4%	8%	6%	6%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% Spanish-Surnamed	17%	22%	18%	14%	18%
ACS Pop. Est.	% NH White est.	71%	61%	61%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	10,069	9,989	10,095	9,942	40,095
	age0-19	31%	28%	26%	30%	29%
	age20-60	50%	58%	53%	51%	53%
Immigration	age60plus	19%	14%	21%	19%	18%
	immigrants	17%	21%	20%	18%	19%
Language spoken at home	naturalized	47%	48%	64%	59%	54%
	english	71%	66%	68%	73%	69%
	spanish	20%	26%	19%	17%	21%
	asian-lang	6%	4%	6%	5%	5%
Language Fluency	other lang	3%	5%	6%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	13%	10%	9%	11%
Education (among those age 25+)	hs-grad	53%	52%	50%	49%	51%
	bachelor	24%	21%	24%	23%	23%
	graduateddegree	13%	11%	16%	17%	14%
Child in Household	child-under18	34%	39%	33%	40%	37%
Work (percent of pop age 16+)	employed	60%	65%	62%	62%	62%
	Commute on Public Transit	3%	4%	3%	1%	3%
Household Income	income 0-25k	17%	16%	14%	12%	15%
	income 25-50k	14%	16%	13%	14%	14%
	income 50-75k	14%	12%	12%	11%	12%
	income 75-200k	41%	41%	40%	44%	42%
	income 200k-plus	14%	15%	20%	20%	17%
Housing Stats	single family	79%	74%	89%	87%	82%
	multi-family	21%	26%	11%	13%	18%
	vacant	3%	2%	2%	2%	2%
	occupied	97%	98%	98%	98%	98%
	rented	31%	39%	23%	26%	30%
	owned	69%	61%	77%	74%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

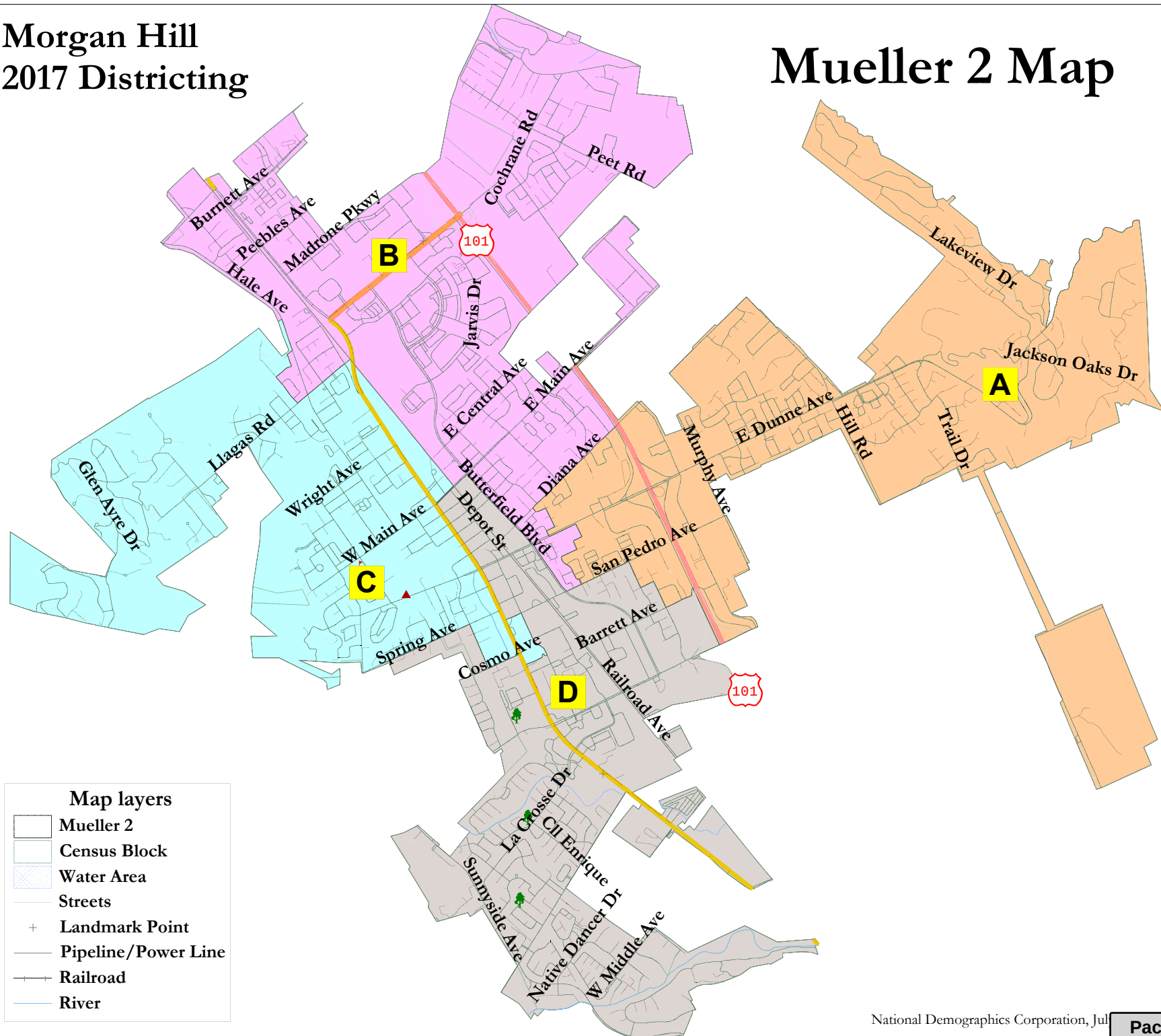
Mueller 1 Map



Morgan Hill - Mueller 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,176	9,530	9,655	9,521	37,882
7,576	Deviation from ideal	-295	59	184	50	479
	% Deviation	-3.11%	0.62%	1.94%	0.53%	5.06%
Total Pop	% Hisp	23%	33%	47%	32%	34%
	% NH White	61%	45%	42%	54%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	18%	7%	9%	11%
Voting Age Pop	Total	6,743	6,527	7,004	6,770	27,044
	% Hisp	21%	30%	41%	29%	30%
	% NH White	64%	49%	47%	58%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	11%	17%	8%	9%	11%
Citizen Voting Age Pop	Total	6,580	7,073	6,639	6,356	26,648
	% Hisp	18%	28%	31%	26%	26%
	% NH White	68%	53%	59%	58%	59%
	% NH Black	3%	6%	3%	2%	4%
	% Asian/Pac.Isl.	10%	12%	6%	13%	10%
Voter Registration (Nov 2014)	Total	5,798	4,696	4,352	4,960	19,806
	% Latino est.	17%	22%	26%	21%	21%
	% Asian-Surnamed	7%	9%	5%	5%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	20%	23%	19%	19%
	% NH White est.	74%	57%	61%	68%	66%
	% NH Black	2%	6%	4%	2%	3%
Voter Turnout (Nov 2014)	Total	2,973	2,099	2,004	2,513	9,588
	% Latino	13%	17%	18%	16%	16%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	11%	15%	16%	15%	14%
	% NH White est.	79%	63%	68%	74%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	6%	5%	2%	3%
	Total	4,729	3,634	3,591	4,013	15,968
	% Latino	16%	20%	25%	19%	20%
	% Asian-Surnamed	6%	8%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	18%	22%	17%	18%
ACS Pop. Est.	% NH White est.	76%	60%	62%	69%	68%
	% NH Black est.	2%	6%	4%	2%	3%
Age	Total	9,936	10,053	10,108	9,998	40,095
	age0-19	30%	28%	26%	31%	29%
	age20-60	52%	54%	58%	50%	53%
Immigration	age60plus	19%	18%	16%	19%	18%
	immigrants	18%	18%	23%	17%	19%
Language spoken at home	naturalized	59%	64%	46%	50%	54%
	english	74%	71%	61%	71%	69%
	spanish	16%	15%	32%	20%	21%
	asian-lang	4%	7%	4%	6%	5%
Language Fluency	other lang	5%	7%	4%	4%	5%
	Speaks Eng. "Less than Very Well"	8%	8%	15%	11%	11%
Education (among those age 25+)	hs-grad	49%	52%	50%	54%	51%
	bachelor	23%	25%	19%	24%	23%
	graduatedegree	18%	15%	13%	13%	14%
Child in Household	child-under18	40%	35%	37%	34%	37%
Work (percent of pop age 16+)	employed	62%	64%	63%	60%	62%
	Commute on Public Transit	2%	3%	4%	3%	3%
Household Income	income 0-25k	11%	12%	18%	17%	15%
	income 25-50k	13%	9%	20%	15%	14%
	income 50-75k	11%	14%	11%	14%	12%
	income 75-200k	45%	43%	39%	40%	42%
	income 200k-plus	21%	23%	13%	13%	17%
Housing Stats	single family	89%	93%	69%	79%	82%
	multi-family	11%	7%	31%	21%	18%
	vacant	2%	4%	1%	3%	2%
	occupied	98%	96%	99%	97%	98%
	rented	24%	20%	42%	32%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	76%	80%	58%	68%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

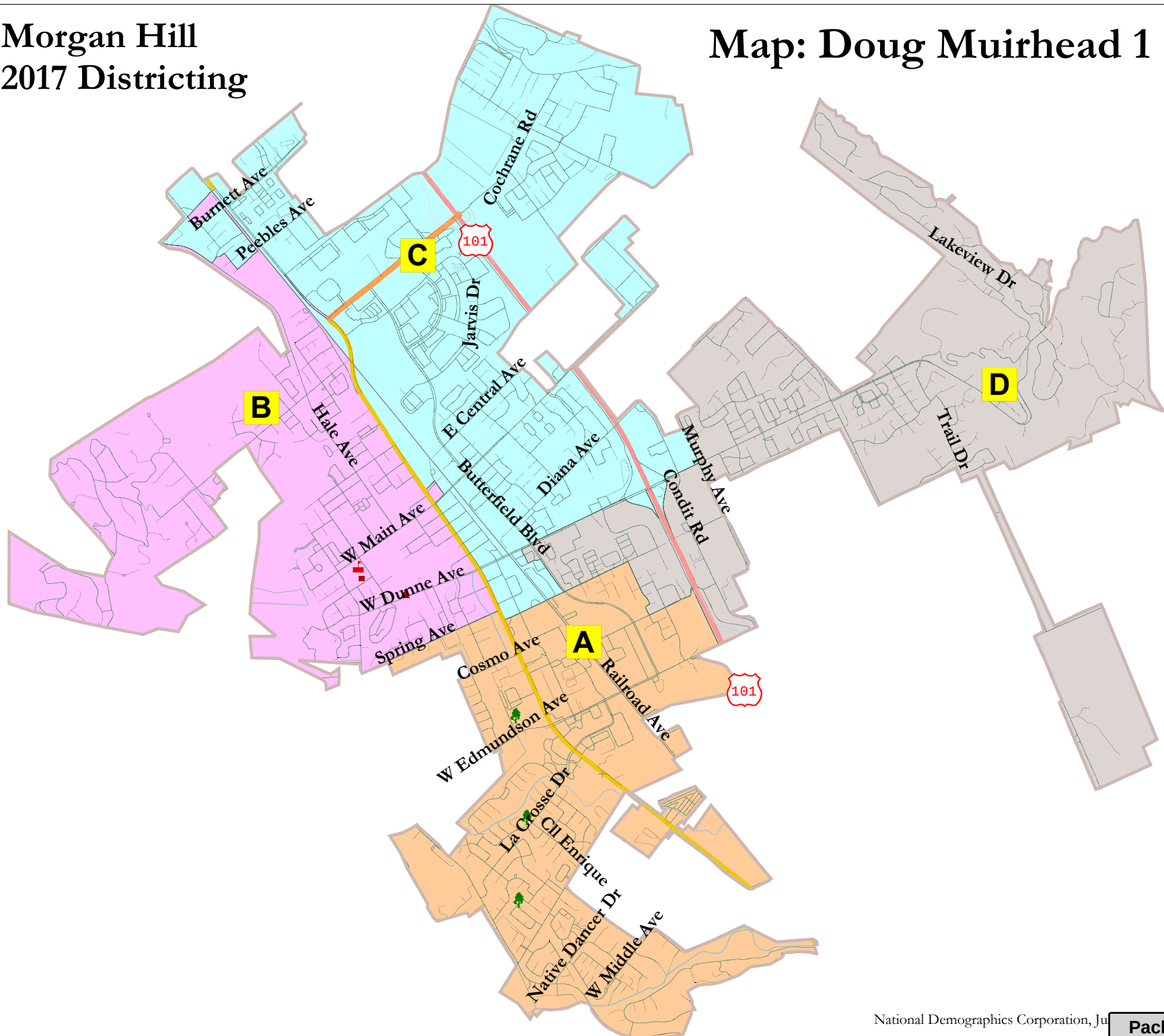
Mueller 2 Map



Morgan Hill - Mueller 2 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,176	9,530	9,835	9,341	37,882
7,576	Deviation from ideal	-295	59	364	-130	659
	% Deviation	-3.11%	0.62%	3.84%	-1.37%	6.96%
Total Pop	% Hisp	23%	33%	48%	31%	34%
	% NH White	61%	45%	41%	55%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	18%	7%	9%	11%
Voting Age Pop	Total	6,743	6,527	7,108	6,666	27,044
	% Hisp	21%	30%	42%	28%	30%
	% NH White	64%	49%	46%	59%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	11%	17%	8%	9%	11%
Citizen Voting Age Pop	Total	6,580	7,073	6,650	6,345	26,648
	% Hisp	18%	28%	32%	25%	26%
	% NH White	68%	53%	58%	58%	59%
	% NH Black	3%	6%	4%	2%	4%
	% Asian/Pac.Isl.	10%	12%	6%	13%	10%
Voter Registration (Nov 2014)	Total	5,798	4,696	4,340	4,972	19,806
	% Latino est.	17%	22%	26%	21%	21%
	% Asian-Surnamed	7%	9%	5%	5%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	20%	23%	19%	19%
	% NH White est.	74%	57%	61%	68%	66%
	% NH Black	2%	6%	4%	2%	3%
Voter Turnout (Nov 2014)	Total	2,973	2,099	1,999	2,519	9,588
	% Latino	13%	17%	18%	16%	16%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	11%	15%	16%	15%	14%
	% NH White est.	79%	63%	68%	74%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	6%	5%	2%	3%
	Total	4,729	3,634	3,580	4,024	15,968
	% Latino	16%	20%	25%	19%	20%
	% Asian-Surnamed	6%	8%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	18%	22%	17%	18%
ACS Pop. Est.	% NH White est.	76%	60%	62%	69%	68%
	% NH Black est.	2%	6%	4%	2%	3%
Age	Total	9,936	10,053	10,302	9,803	40,095
	age0-19	30%	28%	26%	31%	29%
	age20-60	52%	54%	58%	50%	53%
Immigration	age60plus	19%	18%	16%	19%	18%
	immigrants	18%	18%	23%	17%	19%
Language spoken at home	naturalized	59%	64%	46%	51%	54%
	english	74%	71%	61%	72%	69%
	spanish	16%	15%	32%	19%	21%
	asian-lang	4%	7%	4%	6%	5%
Language Fluency	other lang	5%	7%	4%	4%	5%
	Speaks Eng. "Less than Very Well"	8%	8%	15%	11%	11%
Education (among those age 25+)	hs-grad	49%	52%	50%	54%	51%
	bachelor	23%	25%	19%	24%	23%
	graduatedegree	18%	15%	13%	13%	14%
Child in Household	child-under18	40%	35%	37%	34%	37%
Work (percent of pop age 16+)	employed	62%	64%	63%	59%	62%
	Commute on Public Transit	2%	3%	4%	3%	3%
Household Income	income 0-25k	11%	12%	18%	17%	15%
	income 25-50k	13%	9%	20%	15%	14%
	income 50-75k	11%	14%	11%	14%	12%
	income 75-200k	45%	43%	39%	40%	42%
	income 200k-plus	21%	23%	13%	13%	17%
Housing Stats	single family	89%	93%	69%	80%	82%
	multi-family	11%	7%	31%	20%	18%
	vacant	2%	4%	1%	3%	2%
	occupied	98%	96%	99%	97%	98%
	rented	24%	20%	42%	31%	30%
	owned	76%	80%	58%	69%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

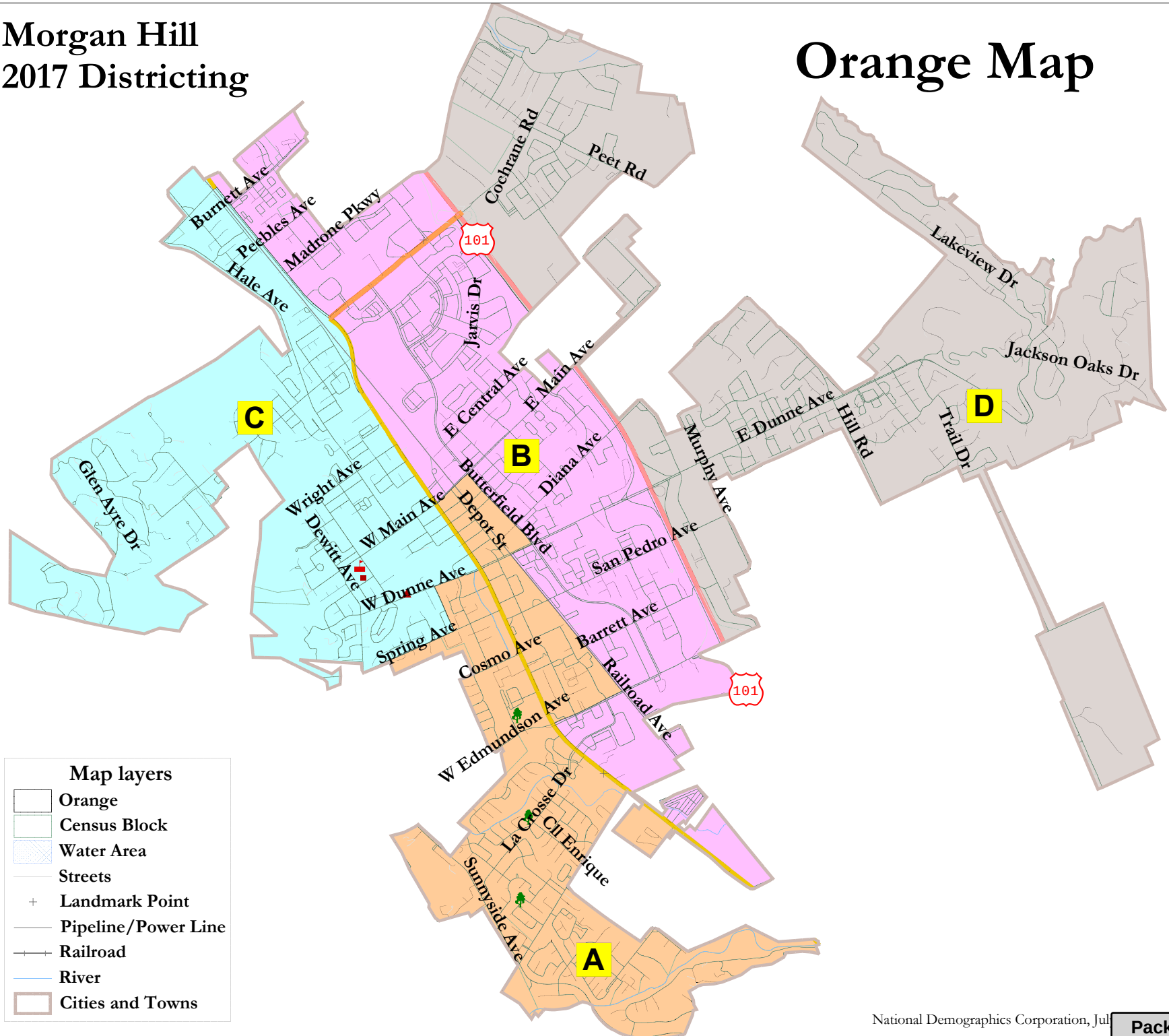
Map: Doug Muirhead 1



Morgan Hill - Doug Muirhead 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,448	9,499	9,249	9,686	37,882
7,576	Deviation from ideal	-23	28	-222	215	437
	% Deviation	-0.24%	0.30%	-2.34%	2.27%	4.61%
Total Pop	% Hisp	34%	43%	33%	26%	34%
	% NH White	53%	44%	46%	57%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	9%	9%	16%	12%	11%
Voting Age Pop	Total	6,651	7,000	6,369	7,024	27,044
	% Hisp	30%	38%	30%	23%	30%
	% NH White	57%	50%	50%	61%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	9%	16%	12%	11%
Citizen Voting Age Pop	Total	5,926	6,938	6,905	6,879	26,648
	% Hisp	24%	30%	28%	22%	26%
	% NH White	59%	59%	55%	63%	59%
	% NH Black	2%	4%	6%	3%	4%
	% Asian/Pac.Isl.	13%	7%	10%	11%	10%
Voter Registration (Nov 2014)	Total	4,707	4,535	4,826	5,738	19,806
	% Latino est.	20%	25%	22%	17%	21%
	% Asian-Surnamed	4%	6%	8%	7%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	18%	23%	20%	16%	19%
	% NH White est.	71%	60%	56%	73%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,423	2,089	2,127	2,949	9,588
	% Latino	16%	18%	17%	13%	16%
	% Asian-Surnamed	4%	5%	7%	6%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	14%	16%	15%	11%	14%
	% NH White est.	76%	68%	62%	78%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	3,838	3,721	3,747	4,662	15,968
	% Latino	19%	24%	21%	16%	20%
	% Asian-Surnamed	4%	5%	7%	6%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	17%	22%	19%	14%	18%
ACS Pop. Est.	% NH White est.	71%	63%	59%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	9,922	9,925	9,733	10,515	40,095
	age0-19	31%	25%	29%	31%	29%
	age20-60	50%	57%	54%	51%	53%
Immigration	age60plus	19%	18%	17%	18%	18%
	immigrants	17%	23%	18%	19%	19%
Language spoken at home	naturalized	47%	51%	62%	58%	54%
	english	71%	62%	72%	73%	69%
	spanish	20%	29%	15%	18%	21%
	asian-lang	5%	4%	6%	5%	5%
Language Fluency	other lang	3%	5%	7%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	15%	8%	9%	11%
Education (among those age 25+)	hs-grad	53%	51%	51%	50%	51%
	bachelor	24%	20%	25%	23%	23%
	graduatedegree	13%	13%	15%	17%	14%
Child in Household	child-under18	34%	35%	36%	40%	37%
Work (percent of pop age 16+)	employed	60%	62%	65%	62%	62%
	Commute on Public Transit	3%	4%	3%	1%	3%
Household Income	income 0-25k	17%	17%	12%	13%	15%
	income 25-50k	14%	19%	9%	14%	14%
	income 50-75k	14%	11%	14%	11%	12%
	income 75-200k	41%	39%	43%	43%	42%
	income 200k-plus	14%	14%	23%	19%	17%
Housing Stats	single family	79%	72%	92%	86%	82%
	multi-family	21%	28%	8%	14%	18%
	vacant	3%	1%	4%	2%	2%
	occupied	97%	99%	96%	98%	98%
	rented	31%	39%	20%	28%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	69%	61%	80%	72%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

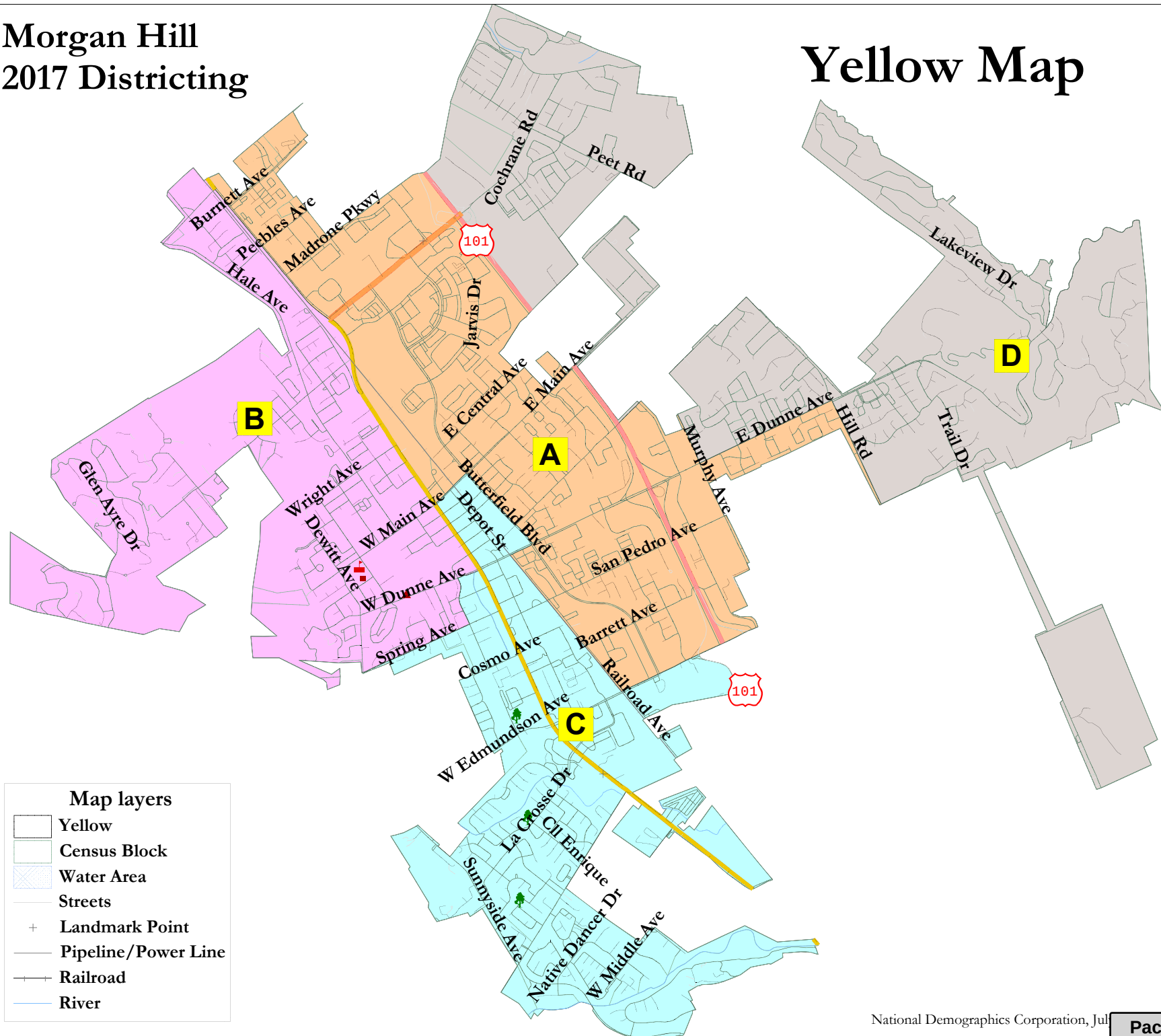
Orange Map



Morgan Hill - Orange map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,548	9,348	9,149	9,837	37,882
7,576	Deviation from ideal	77	-123	-322	366	688
	% Deviation	0.81%	-1.30%	-3.40%	3.86%	7.26%
Total Pop	% Hisp	36%	37%	41%	22%	34%
	% NH White	52%	46%	44%	59%	50%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	15%	11%
Voting Age Pop	Total	6,815	6,545	6,698	6,986	27,044
	% Hisp	32%	34%	36%	19%	30%
	% NH White	56%	50%	49%	62%	55%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	14%	11%
Citizen Voting Age Pop	Total	6,190	6,547	6,567	7,343	26,648
	% Hisp	26%	30%	27%	21%	26%
	% NH White	59%	52%	59%	65%	59%
	% NH Black	2%	5%	4%	3%	4%
	% Asian/Pac.Isl.	11%	12%	10%	8%	10%
Voter Registration (Nov 2014)	Total	4,925	4,459	4,392	6,030	19,806
	% Latino est.	21%	25%	25%	15%	21%
	% Asian-Surnamed	4%	7%	6%	8%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	19%	22%	22%	14%	19%
	% NH White est.	68%	55%	62%	74%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,515	1,937	2,031	3,106	9,588
	% Latino	16%	18%	18%	12%	16%
	% Asian-Surnamed	3%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	17%	16%	10%	14%
	% NH White est.	74%	61%	69%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	4,070	3,270	3,617	5,011	15,968
	% Latino	19%	24%	24%	14%	20%
	% Asian-Surnamed	4%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	18%	21%	21%	13%	18%
ACS Pop. Est.	% NH White est.	69%	58%	63%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	9,995	9,879	9,533	10,688	40,095
	age0-19	30%	32%	24%	29%	29%
	age20-60	51%	55%	57%	51%	53%
Immigration	age60plus	19%	14%	19%	20%	18%
	immigrants	16%	21%	22%	17%	19%
Language spoken at home	naturalized	42%	57%	55%	62%	54%
	english	71%	68%	63%	76%	69%
	spanish	22%	20%	28%	14%	21%
	asian-lang	5%	6%	4%	5%	5%
Language Fluency	other lang	3%	6%	5%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	11%	14%	7%	11%
Education (among those age 25+)	hs-grad	51%	56%	51%	46%	51%
	bachelor	24%	22%	20%	25%	23%
	graduateddegree	14%	10%	14%	20%	14%
Child in Household	child-under18	35%	38%	33%	40%	37%
Work (percent of pop age 16+)	employed	61%	64%	61%	62%	62%
	Commute on Public Transit	4%	3%	4%	1%	3%
Household Income	income 0-25k	16%	17%	17%	10%	15%
	income 25-50k	13%	14%	19%	11%	14%
	income 50-75k	14%	14%	11%	10%	12%
	income 75-200k	42%	40%	39%	45%	42%
	income 200k-plus	16%	15%	14%	24%	17%
Housing Stats	single family	78%	81%	76%	93%	82%
	multi-family	22%	19%	24%	7%	18%
	vacant	3%	4%	0%	2%	2%
	occupied	97%	96%	100%	98%	98%
	rented	30%	34%	36%	18%	30%
	owned	70%	66%	64%	82%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

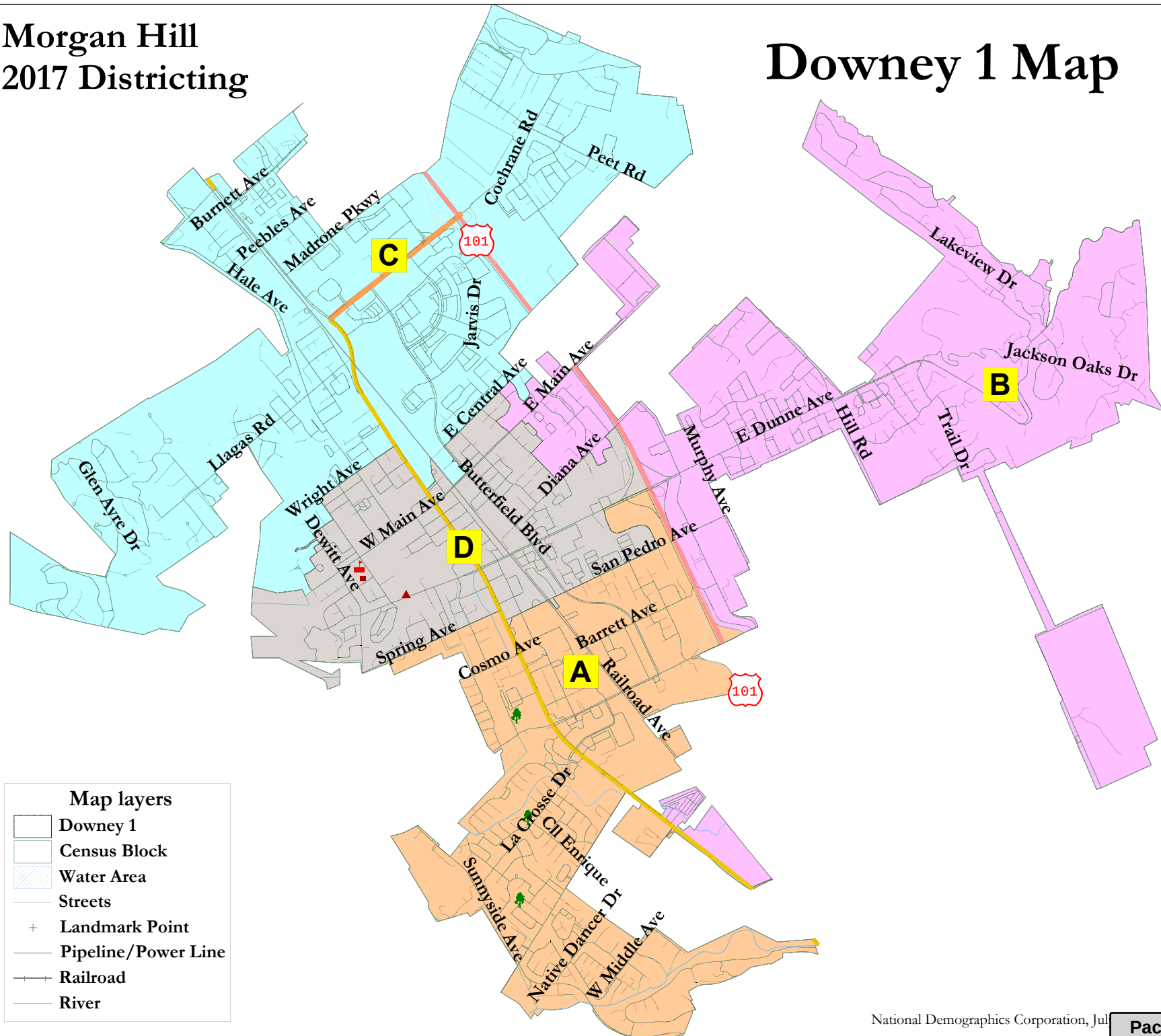
Yellow Map



Morgan Hill - Yellow map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,600	9,680	9,413	9,189	37,882
7,576	Deviation from ideal	129	209	-58	-282	491
	% Deviation	1.36%	2.21%	-0.61%	-2.98%	5.18%
Total Pop	% Hisp	35%	41%	37%	22%	34%
	% NH White	47%	44%	52%	59%	50%
	% NH Black	3%	2%	2%	2%	2%
	% Asian-American	13%	11%	7%	15%	11%
Voting Age Pop	Total	6,716	7,112	6,679	6,537	27,044
	% Hisp	32%	36%	32%	20%	30%
	% NH White	51%	49%	57%	62%	55%
	% NH Black	3%	2%	2%	2%	2%
	% Asian-American	13%	11%	7%	14%	11%
Citizen Voting Age Pop	Total	6,749	7,023	5,966	6,910	26,648
	% Hisp	29%	28%	26%	21%	26%
	% NH White	52%	59%	60%	66%	59%
	% NH Black	6%	4%	2%	3%	4%
	% Asian/Pac.Isl.	12%	9%	11%	8%	10%
Voter Registration (Nov 2014)	Total	4,667	4,552	4,856	5,731	19,806
	% Latino est.	23%	25%	21%	15%	21%
	% Asian-Surnamed	7%	6%	4%	8%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%
	% Spanish-Surnamed	21%	23%	19%	14%	19%
	% NH White est.	57%	62%	67%	74%	66%
	% NH Black	5%	5%	2%	2%	3%
Voter Turnout (Nov 2014)	Total	2,065	2,100	2,478	2,945	9,588
	% Latino	17%	18%	17%	12%	16%
	% Asian-Surnamed	7%	5%	3%	7%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%
	% Spanish-Surnamed	16%	16%	15%	10%	14%
	% NH White est.	64%	69%	73%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	5%	5%	2%	2%	3%
	Total	3,571	3,784	3,955	4,658	15,968
	% Latino	22%	24%	19%	14%	20%
	% Asian-Surnamed	7%	5%	4%	6%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%
	% Spanish-Surnamed	20%	21%	17%	13%	18%
ACS Pop. Est.	% NH White est.	60%	63%	69%	76%	68%
	% NH Black est.	5%	5%	2%	2%	3%
Age	Total	10,129	10,107	9,857	10,003	40,095
	age0-19	31%	24%	30%	29%	29%
	age20-60	55%	57%	51%	50%	53%
Immigration	age60plus	14%	19%	19%	20%	18%
	immigrants	20%	22%	16%	17%	19%
Language spoken at home	naturalized	57%	53%	45%	63%	54%
	english	68%	63%	71%	76%	69%
	spanish	20%	28%	21%	14%	21%
	asian-lang	6%	4%	5%	5%	5%
Language Fluency	other lang	6%	5%	3%	5%	5%
	Speaks Eng. "Less than Very Well"	10%	14%	11%	7%	11%
Education (among those age 25+)	hs-grad	55%	51%	52%	46%	51%
	bachelor	22%	20%	24%	25%	23%
	graduateddegree	11%	14%	13%	20%	14%
Child in Household	child-under18	37%	34%	34%	41%	37%
Work (percent of pop age 16+)	employed	64%	62%	61%	62%	62%
	Commute on Public Transit	3%	4%	3%	1%	3%
Household Income	income 0-25k	15%	17%	16%	10%	15%
	income 25-50k	13%	19%	14%	11%	14%
	income 50-75k	14%	11%	14%	10%	12%
	income 75-200k	41%	39%	41%	44%	42%
	income 200k-plus	16%	14%	15%	25%	17%
Housing Stats	single family	83%	74%	79%	94%	82%
	multi-family	17%	26%	21%	6%	18%
	vacant	4%	1%	3%	2%	2%
	occupied	96%	99%	97%	98%	98%
	rented	31%	38%	30%	18%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	69%	62%	70%	82%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

Downey 1 Map



Morgan Hill - Downey 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,408	9,387	9,593	9,494	37,882
7,576	Deviation from ideal	-63	-84	122	23	206
	% Deviation	-0.67%	-0.89%	1.29%	0.24%	2.18%
Total Pop	% Hisp	33%	23%	34%	46%	34%
	% NH White	53%	62%	45%	42%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	10%	11%	17%	8%	11%
Voting Age Pop	Total	6,639	6,815	6,749	6,841	27,044
	% Hisp	29%	20%	30%	41%	30%
	% NH White	57%	65%	49%	47%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	9%	11%	16%	8%	11%
Citizen Voting Age Pop	Total	5,958	6,602	7,174	6,914	26,648
	% Hisp	24%	17%	27%	36%	26%
	% NH White	59%	69%	56%	53%	59%
	% NH Black	2%	3%	4%	5%	4%
	% Asian/Pac.Isl.	14%	10%	11%	6%	10%
Voter Registration (Nov 2014)	Total	5,096	5,494	5,035	4,181	19,806
	% Latino est.	20%	16%	21%	28%	21%
	% Asian-Surnamed	5%	6%	9%	5%	6%
	% Filipino-Surnamed	1%	1%	2%	2%	1%
	% Spanish-Surnamed	18%	15%	19%	25%	19%
	% NH White est.	70%	74%	59%	56%	66%
	% NH Black	2%	2%	5%	5%	3%
Voter Turnout (Nov 2014)	Total	2,584	2,865	2,302	1,838	9,588
	% Latino	16%	12%	16%	20%	16%
	% Asian-Surnamed	4%	6%	7%	5%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	14%	11%	15%	18%	14%
	% NH White est.	76%	79%	64%	64%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	2%	6%	5%	3%
	Total	4,076	4,587	3,990	3,314	15,968
	% Latino	19%	15%	20%	26%	20%
	% Asian-Surnamed	4%	5%	8%	5%	6%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% Spanish-Surnamed	17%	13%	18%	23%	18%
ACS Pop. Est.	% NH White est.	70%	76%	62%	60%	68%
	% NH Black est.	2%	2%	5%	5%	3%
Age	Total	9,878	10,126	10,034	10,058	40,095
	age0-19	31%	29%	26%	29%	29%
	age20-60	50%	52%	53%	57%	53%
Immigration	age60plus	19%	19%	21%	14%	18%
	immigrants	17%	17%	20%	22%	19%
Language spoken at home	naturalized	47%	60%	64%	47%	54%
	english	71%	75%	68%	63%	69%
	spanish	20%	15%	19%	28%	21%
	asian-lang	5%	4%	7%	4%	5%
Language Fluency	other lang	3%	5%	6%	4%	5%
	Speaks Eng. "Less than Very Well"	11%	8%	10%	14%	11%
Education (among those age 25+)	hs-grad	53%	49%	50%	53%	51%
	bachelor	24%	24%	24%	19%	23%
	graduateddegree	13%	18%	16%	10%	14%
Child in Household	child-under18	34%	39%	33%	40%	37%
Work (percent of pop age 16+)	employed	60%	63%	62%	64%	62%
	Commute on Public Transit	3%	2%	3%	4%	3%
Household Income	income 0-25k	16%	10%	14%	18%	15%
	income 25-50k	14%	12%	13%	18%	14%
	income 50-75k	14%	11%	12%	12%	12%
	income 75-200k	41%	45%	40%	39%	42%
	income 200k-plus	15%	22%	21%	13%	17%
Housing Stats	single family	80%	90%	90%	70%	82%
	multi-family	20%	10%	10%	30%	18%
	vacant	3%	2%	3%	2%	2%
	occupied	97%	98%	97%	98%	98%
	rented	29%	22%	22%	44%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	71%	78%	78%	56%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

ORDINANCE NO. _____, NEW SERIES

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF MORGAN HILL AMENDING CHAPTER 1.16 OF
TITLE 1, OF THE MORGAN HILL MUNICIPAL CODE
REGARDING ELECTIONS**

WHEREAS, the City of Morgan Hill supports the full participation of all residents in electing members of the City Council; and

WHEREAS, in an at-large election system, candidates for City Council may reside in any part of the City and each City Councilmember is elected by the voters of the entire City; and

WHEREAS, in a by-district election system, a candidate for City Council must reside in the district which he or she wishes to represent, and only the voters of that district are entitled to vote to decide who their representative will be; and

WHEREAS, on May 5, 2017, the City received a letter from attorney Morris J. Baller, asserting the City's at-large electoral system violated the California Voting Rights Act and threatening litigation if the City declined to adopt by-district elections; and

WHEREAS, the letter did not contain any credible evidence of a violation, but the cost of defending against a claim under the California Voting Rights Act is extremely high; and

WHEREAS, California Government Code Section 34871(c) authorizes the election of the legislative body "by districts in four, six, or eight districts, with an elective mayor . . ."; and

WHEREAS, Government Code 34886 authorizes the City Council to establish by-district elections for council members by ordinance under the process provided in California Elections Code section 10010; and

WHEREAS, at its regular meeting on June 7, 2017, the City Council adopted a resolution of intent to establish a by-district voting process pursuant to California Elections Code Section 10010; and

WHEREAS, pursuant to California Government Code Section 34886, it is declared the change in the method of electing members of the City Council of the City of Morgan Hill made by this ordinance is to implement the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution, as set forth in Section 14031 of the California Voting Rights Act, and

WHEREAS, under the provisions of California Elections Code Section 10010, a political subdivision that changes from an at-large method of election to a by-district method of election shall hold at least two public hearings over a period of no more than thirty days, at which the public is invited to provide input regarding the composition of the districts before drawing a draft map or maps of the proposed boundaries of the districts; and

WHEREAS, before any maps of the proposed boundaries of the districts were drawn, the City Council held public hearings on June 21, 2017 and June 28, 2017, at which time input from the public on the proposed district boundaries was invited and heard; and

WHEREAS, the City established a dedicated webpage containing notices and information on the district election mapping process, with information in multiple languages, and extensive outreach was made to the Morgan Hill community through e-mail and at community events regarding the change to district elections.

WHEREAS, on July 19, 2017, consistent with the provisions of California Elections Code Section 10010, the City published and made available for release, all of the draft maps under consideration along with the potential sequence of elections; and

WHEREAS, as required by California Elections Code Section 10010, the City held a public hearing on July 26, 2017, at which time input on the proposed maps and sequence was invited and heard; and

WHEREAS, on August 7, 2017, consistent with the provisions of California Elections Code Section 10010, the City published additional maps based on the testimony at the July 26, 2017 public hearing; and

WHEREAS, on August 23, 2017, as required by California Elections Code Section 10010, the City held an additional public hearing at which time input on the proposed maps and sequence was invited and heard and a final map and sequence was selected by the City Council.

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code Section 34886, an ordinance providing for the election of the members of the City Council of the City of Morgan Hill on a by-district basis in four single-member districts, retaining a separately elected office of Mayor, as reflected in Exhibit 1 [final district map to be added upon City Council selection] to this Ordinance and to make other conforming and technical changes to Morgan Hill Municipal Code Chapter 1.16.

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

SECTION 1: Chapter 1.16 (“ELECTIONS”) of Title 1 of the Morgan Hill Municipal Code is amended to read as follows. Deletions from existing code have been ~~crossed out~~. New language is in *italics*.

~~1.16.010~~ – Statutory authority.

~~The ordinance codified in this chapter is adopted pursuant to the authority set forth in Section 36503.5 of the Government Code.~~

~~1.16.020~~1.16.010 - General municipal elections coincide with statewide general election.

The general municipal election of the city shall be held on the same day as the statewide general election on the first Tuesday after the first Monday in November of even-numbered years.

1.16.020 – Election of City Council Members.

- A. *As established by Measures D and E, enacted by the voters on March 26, 1996, the Mayor shall be elected directly by the electors for a term of two-years.*
- B. *Beginning with the November 2018 general municipal election, a person elected as a member of the City Council other than the Mayor shall be a resident of his or her respective Council District as set forth in Section 1.16.030 (and as subsequently reapportioned as provided by applicable law.) Elections shall take place on a by-district basis as that term is defined in California Government Code Section 34871; meaning one member of the City Council shall be elected from each district, by the voters of that district alone, except for the Mayor, who shall be elected citywide. Each council member shall serve a four-year term until his or her successor has qualified, except for the Mayor, who shall serve a two-year term as authorized by Measure E, enacted by the voters on March 26, 1996.*
- C. *Except as provided in subsection C of Section 1.16.040, the council member elected to represent a district must reside in that district and be a registered voter in that district, and any candidate for City Council must live in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued, pursuant to California Government Code Section 34882 and California Elections Code Section 10227. Termination of residency in a district by a Council Member shall create an immediate vacancy for that council district unless a substitute residence within the district is established within 30 days after the termination of residency.*

~~1.16.030 – Effective and operative date.~~

~~The ordinance codified in this chapter shall become effective thirty days from and after adoption, but shall become operative upon the approval of the board of supervisors of the county.~~

1.16.030 – Establishment of Council Districts

Boundaries for each of the four districts and their letter designations are as shown on the attached Exhibit A entitled “City of Morgan Hill District Boundary Map,” a copy of which shall be posted on the City’s website and on file in the City Clerk’s Office.

1.16.040 - Transition

- A. *Except as provided in subsection C, Council Members shall be elected in Council Districts B and D at the general municipal election in November 2018, and at the general municipal election every four years thereafter. [Sequence subject to change depending on final map selection]*
- B. *Council Members shall be elected in Council Districts A and C at the general municipal election in November 2020, and at the general municipal election every four years thereafter. [Sequence subject to change depending on final map selection]*

- C. *Any member of the City Council in office at the time this Ordinance takes effect (or any person selected by appointment or election to fill a vacancy created by a Council member elected prior to the effective date of this Ordinance) shall continue in office until the expiration of the respective term to which he or she was elected and until his or her respective successors are qualified. At the end of the term of each council member, that member's successor shall be elected on a by-district basis in the districts established in Section 1.16.030. A vacancy in a councilmember office elected by-district shall be filled by a person qualified to hold the office, who is a resident and registered voter in the district.*

~~1.16.040~~ 1.16.050 - Electronic filing of campaign statements.

A. Any elected officer, candidate, committee, or other person required to file statements, reports or other documents described by Chapter 4 (Campaign Disclosure) of [Title 9](#) (Political Reform) of the California Government Code that has received contributions or made expenditures of two thousand dollars or more in a calendar year shall electronically file such statements using procedures established by the City Clerk.

B. Once an elected officer, candidate, committee, or other person files a statement, report, or other document electronically pursuant to Section A, all future statements, reports, or other documents on behalf of that filer shall be filed electronically.

C. In any instance in which an original statement, report, or other document must be filed with the California Secretary of State and a copy of that statement, report, or other document is required to be filed with the City Clerk, the filer may, but is not required to, file such copy electronically.

D. If the City Clerk's electronic filing system is not capable of accepting a particular type of statement, report, or other document, an elected officer, candidate, committee, or other person shall file that document with the City Clerk in an alternative format.

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 and Publication. This ordinance shall take effect thirty (30) days after the date of its passage and adoption. The City Clerk is hereby directed to publish in full or summary this ordinance pursuant to §36933 of the Government Code in a newspaper of general circulation in the City of Morgan Hill.

The foregoing ordinance was introduced and the title thereof read at a regular meeting of the City Council of the City of Morgan Hill held on the 23d day of August, 2017, and was finally adopted at a regular meeting of said Council on the day of 2017, and was duly passed and adopted in accordance with law.

City of Morgan Hill
Ordinance No. _____, New Series
Page 5 of 5

PASSED AND ADOPTED by the City Council of Morgan Hill at the regular meeting held on the __th day of _____, 2016 by the following vote:

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

APPROVED:

STEVE TATE, MAYOR

ATTEST:

DATE:

IRMA TORREZ, City Clerk

∞ 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. _____, New Series, adopted by the City Council of the City of Morgan Hill, California at the meeting held on this _____ day of _____, 2016 and has been published pursuant to Government Code.

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

DATE: _____

Irma Torrez, City Clerk

Attachment: District Election Ordinance (1370 : District Elections - Public Hearing No. 4)



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.

City of Morgan Hill Community Engagement Strategy



Project Name: Transition to City Council District Elections

CONTACT INFORMATION

Project Managers: Maureen Tobin maureen.tobin@morganhill.ca.gov 408.310.4706 /Michelle Wilson michelle.wilson@morganhill.ca.gov 408.310.4678

Contractor: National Demographics Corporation, Doug Johnson, djohnson@NDCresearch.com, 909.624.1442

Community Contacts: Cecelia Ponzini (Cecelia's Closet), Pastor Kyle Windsor (Community Christian), Fr. Jeronimo Gutierrez (St. Catherine Church), Irma Torrez (City of Morgan Hill) irma.torrez@morganhill.ca.gov, Chiquy Mejia (City of Morgan Hill) Chiquy.mejia@morganhill.ca.gov; Andrea Nicolette (Mt. Madonna YMCA) anicolette@ymcasv.org, Heather Geddes (Morgan Hill Library) HGeddes@sccl.org,

Project Team Members: Steve Rymer, Don Larkin, Christina Turner, Michelle Wilson, Maureen Tobin

TIME FRAMES

Project Start Date: June 7, 2017

Project Finish Date: September 17, 2017

PROJECT INFORMATION

1.) Background Information:

On, June 7, 2017, the Morgan Hill City Council voted to voluntarily move to district elections.

This was prompted by the City receiving a letter from the law firm of Goldstein, Borgen, Dardarian & Ho, dated May 5, 2017, claiming that the City is violating the California Voting Rights Act because City Council members are elected at-large rather than by districts. Dozens of local government agencies in California have faced similar challenges in recent years including the Morgan Hill Unified School District.

By voluntarily moving to district elections the City of Morgan Hill will take advantage of legal protection that enables cities to have a say in district boundaries and avoid costly litigation. This protection applies only to cities that pass a resolution within 45 days of receiving a demand letter alleging a violation of the California Voting Rights Act. The resolution must indicate the City's intent to move to district elections and the plan to make the change.

2.) Purpose of Project: Establish City Council districts in Morgan Hill in accordance with the requirements of the Federal Voting Rights Act and the California Voting Rights Act guided by expert demographer and input from the community.

ENGAGEMENT STRATEGY

1.) Communication/ Engagement Objectives: Have an open, transparent, and inclusive process that informs all residents of the transition process to by-district elections. Alert all residents of the need for their input and participation in establishing City Council districts in Morgan Hill.

2.) Level of Engagement:

Inform	Consult	Involve	Collaborate	Empower
		X		

3. Action Plan

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
First Communication to Community by eblast (English/Spanish) • Nextdoor • Facebook • Twitter Website Newsflash	Monday, 6/12/17	Maureen Tobin	Inform of process and first Public Hearing	Morgan Hill Community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Spanish eblast forwarded to key stakeholders/organizations with connections to Spanish speaking community with the ask to help with distribution	Monday, 6/13/17	Maureen Tobin	Inform of process and first Public Hearing	Spanish speaking community members
Printed information available (English/Spanish)	Tuesday, 6/13/17	Maureen Tobin	Inform of process and first Public Hearing	Spanish speaking community members
Distribution of printed material to key stakeholders and Spanish speaking community	Tuesday, 6/13 – 6/18/17	Maureen Tobin and key stakeholders	Inform of process and first Public Hearing	Spanish speaking community members
Project Website Live (Google Translate enabled)	Wednesday, 6/14/17	NDC	Inform	Morgan Hill Community
Public Meeting Schedule Available on project website	Wednesday, 6/14/17	NDC	Inform	Morgan Hill Community
Printed Public Meeting Schedule available (English/Spanish)	6/15/17	Maureen Tobin	Inform	Morgan Hill Community
Update printed information (English/Spanish)	6/16/17	Maureen Tobin	Inform	Morgan Hill Community
Communication to Community by eblast (English/Spanish) • Nextdoor • Facebook • Twitter	6/17/17	Maureen Tobin	Inform of process, first and second Public Hearing, schedule of all public meetings and project website drawmh.org	Morgan Hill Community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Distribute printed information at St. Catherine Church after Spanish Mass	6/18/17	Maureen Tobin	Inform of process, first and second Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community
Distribute printed information after Free Zumba Class at Library	6/19/17	Maureen Tobin	Inform of process, first and second Public Hearing, schedule of all public meetings and project website drawmh.org	Morgan Hill Community with focus on Spanish speaking community members
1 st Public Hearing with Spanish Language Interpreter and translation equipment	June 21, 2017	City Council, NDC, City Team	Involve community in providing input on the development of new districts	Morgan Hill Community
Distribute printed information (English/Spanish) at Community Christian Church – Free Supper	June 22, 2017	Maureen Tobin/Community Christian Church	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Communication to Community by eblast (English/Spanish) reminding of 2 nd Public Hearing and project website • Nextdoor • Facebook • Twitter	June 23, 2017	Maureen Tobin, Dan Thompson	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Morgan Hill Community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Distribution of printed material (Spanish/English) to key stakeholders and Spanish speaking community.	Week of June 25 th , 2017	Maureen Tobin and key stakeholders	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Distribution of printed material (Spanish/English) after bilingual story time at Morgan Hill Library	June 24, 2017	Maureen Tobin	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Distribution of printed material (Spanish/English) after Spanish mass at St. Catherine Church	June 25, 2017	Maureen Tobin	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Distribute printed material (Spanish/English) at Learning and Loving Center's Special Summer Food Giveaway	June 28, 2017	Maureen Tobin	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
2 nd Public Hearing with Spanish Language Interpreter and translation equipment	June 28, 2017	City Council, NDC, City Team	Involve community in providing input on the development of new districts	Morgan Hill community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Distribute printed material (Spanish/English) at Summer Fun in the Park	June 29, 2017	Maureen Tobin	Inform of process, 1 st Community Meeting, schedule of all public meetings and project website drawmh.org	Morgan Hill community with focus on Spanish speaking members
Distribution of updated printed material (Spanish/English) to key stakeholders and Spanish speaking community	Week of July 2, 2017	Maureen Tobin and key stakeholders	Inform of process, 1 st Community Meeting, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Online map-drawing tool that allows the community to draw and submit redistricting proposals available on project website drawmh.org	July 7, 2017	NDC	Involve community in providing input on the development of new districts	Morgan Hill community
Communication to Community by eblast making community aware of online map-drawing tool (English/Spanish) and reminder of Community Workshop • Nextdoor • Facebook • Twitter	July 7, 2017	Maureen Tobin	Inform of process, Community Workshop, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Morgan Hill Community
Community Workshop	July 10, 2017		Involve community in providing input on the development of new districts	Morgan Hill Community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Communication to Community by eblast reminding community of online map-drawing tool (English/Spanish) and reminder of 2 nd Community Workshop & 3 rd Public Hearing • Nextdoor • Facebook • Twitter	July 21, 2017	Maureen Tobin/Dan Thompson	Inform of process, 2 nd Community Workshop, 3 rd Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Morgan Hill Community
Distribution of update printed material (Spanish/English) to key stakeholders and Spanish speaking community	Week of July 23, 2017	Maureen Tobin and key stakeholders	Inform of process, 2 nd Community Workshop, 3 rd Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Spanish speaking community members

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Distribute printed material (Spanish/English) at Learning and Loving Center's Special Summer Food Giveaway	July 26, 2017	Maureen Tobin	Inform of process, 2 nd Community Workshop, 3 rd Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Spanish speaking community members
Community Workshop	July 26, 2017	NDC, City Team	Involve community in providing input on the development of new districts	Morgan Hill community
3 rd Public Hearing	July 26, 2017	City Council, NDC, City Team	Involve community in providing input on the development of new districts	Morgan Hill community
Distribute printed material (Spanish/English) at Summer Fun in the Park	July 27, 2017	Maureen Tobin	Inform of process, 4 th Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Morgan Hill community with focus on Spanish speaking members

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Communication to Community by eblast reminding community of online map-drawing tool (English/Spanish) and reminder of 2 nd Community Workshop & 3 rd Public Hearing • Nextdoor • Facebook • Twitter	August 18, 2017	Maureen Tobin/Dan Thompson	Inform of process, 4th Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Morgan Hill Community
Distribution of update printed material (Spanish/English) to key stakeholders and Spanish speaking community	Week of August 20, 2017	Maureen Tobin and key stakeholders	Inform of process, 4th Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Spanish speaking community members
4 th Public Hearing	August 23, 2017	City Council, NDC, City Team	Involve	Morgan Hill Community
Adoption of Ordinance	September 6, 2017	City Council, NDC, City Team	Involve	Morgan Hill Community

6.) **Evaluation:** (To be completed at end of project)

1117 Deana Court
Morgan Hill, CA 95037
August 13, 2017

Att: Members of the Morgan Hill City Council and fellow Citizens of Morgan Hill.
Fr: George & Kim Panos, Morgan Hill, Ca
Re: District Election Boundary – Input (As Requested by Council Members)

Please accept our support for Boundary Support Map noted as "Lee 1B" as dated on July 26, 2017. Simply, we believe this map logically best supports the needs and services expected and needed by the residents, taxpayers and citizens of Morgan Hill beyond the initial scope and intent of the City to meet its "voter rights" obligations. Unfortunately, time constraints and deadlines for input have left us little time for further exploration of details and Q&A with members of our City staff.

Lee 1B affords each potential City Council Member a greater geographic (and perhaps larger demographic) "cross-section" of population cutting East-West channeling traffic from the East-West foothills to the center flatlands, i.e North-South transportation corridors of 101, Butterfield, Caltrain, Monterey Highway and Santa Terera/Hale. Of course, these traffic lines are our "communal" North/South access points to Work, School, Shopping and Recreation. It would be ideal to have each member of City Council share the knowledge, the love and the pain of both hillside and flatlanders in subject areas of not only the obstacles of getting to these major North/South arteries, but also less visible topics like utilities and adequate coverage of city services. "Flatlanders" don't suffer the same taxing issues to get their water, i.e. paying two extra fees for getting a boost to pump water up a slight slope. But homeowners (and renters) in the flatlands do worry about flooding (sitting water) during storms running off hillsides. There was talk of neighborhoods and importance of keeping them somewhat tied together within one boundary area. This is worthy of a closer look, however, it bears mentioning that for example, the needs of Llagas Valley have little to do with those neighborhoods on the other side of our giant natural barrier, El Toro, that separates them from say, Spring Avenue. We should then avoid "tossed salad" diagrams like those similar to "Benevento 1." Schools are a subject, but should not be a given a greater "weighted" factor in deciding Council boundaries. The Board of Education Trustees there have recently established their own Trustee election boundaries. And with the expected changing demographics with the addition of new housing – current school boundaries would likely change as well based on student populations. One would also have to factor in private schools, charter schools, etc. – so schools are not a gating factor for establishing City Council boundaries. Attention to furthering cost-friendly delivery of city services, managing growth including traffic, public safety and economic growth to pay for these however are the items where our council members could and should share common goals – hence the choice for Lee1B.

Thank you for your attention and review of our input.

Regards,
George & Kim Panos
Morgan Hill, CA



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Eric Blomquist, Building Official
APPROVED BY: City Manager

ELECTRIC VEHICLE CHARGING STATION ORDINANCE

RECOMMENDATION(S)

1. Open/close public hearing;
2. Waive the first and second reading of the ordinance; and
3. Introduce the ordinance.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Protecting the Environment

2017 Strategic Priorities

Infrastructure

REPORT NARRATIVE:

The purpose of this ordinance is to adopt an expedited, streamlined electric vehicle charging station permitting process as required by AB 1236. The ordinance encourages the use of electric vehicles by removing unreasonable barriers, minimizing cost to property owners and the City, and expanding the ability for homeowners to install electric vehicle charging stations on private property. The proposed ordinance allows the City to achieve these goals while protecting the public health and safety.

Specifically, AB 1236 requires cities to substantially conform their expedited, streamlined permitting process to recommendations contained in the current version of the California Zero-Emission Vehicles in California: Community Readiness Guidebook. These recommendations include:

- ☐ Adoption of a checklist of all requirements for an electric vehicle charging station to be eligible for expedited review.
- ☐ Approval of a permit when the jurisdiction determines that the application is complete and meets all prescribed requirements.
- ☐ The use of electronic signatures on relevant permitting documents unless a jurisdiction is unable to process them.
- ☐ Allowing for electronic submittal of the expedited permit documents.

Prior to this proposed ordinance, the Building Division established expedited over-the-counter plan review and permitting for electric vehicle charging stations. AB 1236 requires a checklist to be published on the City's website to aid in the processing of the permit. Since the new ordinance codifies existing practice in the Building Division, staff anticipates no changes being needed in the City's permit issuance procedure.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community regarding the proposed electric vehicle charging station ordinance.

ALTERNATIVE ACTIONS:

None

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None

FISCAL AND RESOURCE IMPACT:

None

CEQA (California Environmental Quality Act):

Statutory Exemption

Ministerial projects proposed to be carried out by public agencies. Pub. Res. Code §21080(b)(1).

LINKS/ATTACHMENTS:

1. Electric Vehicle Charging Station Ordinance

ORDINANCE NO. xxxx, NEW SERIES

**AN ORDINANCE OF THE CITY OF MORGAN HILL ADDING
A NEW CHAPTER 15.37 (ELECTRIC VEHICLE CHARGING
STATION PERMITTING) TO TITLE 15 (BUILDINGS AND
CONSTRUCTION) TO PROVIDE AN EXPEDITED,
STREAMLINED PERMITTING PROCESS FOR ELECTRIC
VEHICLE CHARGING STATIONS**

WHEREAS, the City Council of Morgan Hill seeks to implement AB 1236 (Chapter 598, Statutes 2015) through the creation of an expedited, streamlined permitting process for electric vehicle charging stations; and

WHEREAS, the City Council has consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the City Council wishes to advance the use of electric vehicle charging stations by residents, businesses, and visitors; and

WHEREAS, it is in the interest of the health, welfare and safety of the citizens of Morgan Hill to provide an expedited permitting process to assure the effective deployment of electric vehicle charging station technology.

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

SECTION 1. A new Chapter 15.37 (Electric Vehicle Charging Station Permitting) is hereby added to Title 15 (Buildings and Construction) of the Morgan Hill Municipal Code, which new Chapter shall be numbered and entitled and shall read in its entirety as follows:

Chapter 15.37 – ELECTRIC VEHICLE CHARGING STATION PERMITTING

15.37.010 - Definitions.

15.37.020 - Purpose.

15.37.030 - Applicability.

15.37.040 – Electric vehicle charging station requirements.

15.37.050 - Duties of Building Department and Building Official.

15.37.060 - Permit review and inspection requirements.

15.37.010 - Definitions.

For the purpose of this Chapter, unless the context indicates otherwise, certain words and phrases used in this Chapter are defined as follows:

A. "City" means the City of Morgan Hill.

B. “Electric vehicle charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with California Electrical Code Article 625, or any successor regulation, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

C. “Electronic submittal” means the utilization of one or more of the following:

1. Email;
2. The internet; or
3. Facsimile.

D. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

15.37.020 - Purpose.

The purpose of the Chapter is to adopt an expedited, streamlined electric vehicle charging station permitting process that complies with AB 1236 (Chapter 598, Statutes 2015) to achieve timely and cost-effective installations of electric vehicle charging stations. This Chapter encourages the use of fuel-efficient electric vehicles and electric vehicle charging stations by removing unreasonable barriers, minimizing costs to property owners and the City, and expanding the ability of property owners to install electric vehicle charging stations. This Chapter allows the City to achieve these goals while protecting the public health, welfare, and safety.

15.37.030 - Applicability.

A. This Chapter applies to the permitting of all electric vehicle charging stations in the City.

B. Electric vehicle charging stations legally established or permitted prior to the effective date of this Chapter are not subject to the requirements of this Chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of the electric vehicle charging station in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

15.37.040 - Electric vehicle charging station requirements.

A. All electric vehicle charging stations shall meet applicable health and safety standards and requirements imposed by the State and the City's Building and Fire Departments.

B. Electric vehicle charging stations shall be certified by an accredited listing agency as defined by the California Electrical Code.

C. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

15.37.050 - Duties of Building Department and Building Official.

A. All documents required for the submission of an expedited electric vehicle charging station permit application shall be made available on the publicly accessible City website.

B. Electronic submittal of the required permit application and documents by email, the Internet, and facsimile shall be made available to all electric vehicle charging station permit applicants. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

C. The City's Building Department shall adopt a Standard Plan Checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. All code requirements in these documents shall substantially conform to the requirements found in the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" contained in the most recently adopted Zero-Emission Vehicles in California: Community Readiness Guidebook published by the Governor's Office of Planning and Research. The City's adopted checklist shall be published on the City's website.

D. The City Council, by resolution, may establish a fee for the processing of electric vehicle charging station permit applications.

15.37.60 - Permit review and inspection requirements.

A. The Building Department shall administratively approve an application to install electric vehicle charging stations through issuance of a building permit or similar nondiscretionary permit.

B. A permit application that satisfies the requirements in the City's adopted checklist shall be deemed complete and shall be promptly processed. Upon confirmation by the Building Official, or his or her designee, that the permit application and supporting documentation meet the requirements of the City's adopted checklist, and is consistent with local, state, and federal health and safety requirements, in accordance with California Government Code Section 65850.7, the application shall be approved and the necessary permit shall be issued. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

C. The Building Official, or his or her designee, may require an applicant to apply for a use permit if the Official, or his or her designee, finds, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. The Building Official, or his or her designee, shall issue a decision letter to the applicant.

D. If a use permit is required, the Building Official, or his or her designee, may deny an application for the use permit if the Official, or his or her designee, makes written findings, based upon substantive evidence in the record, that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the

potential feasible alternative for preventing the adverse impact. The Building Official, or his or her designee, shall issue a decision letter to the applicant. Such decisions may be appealed to the Planning Commission utilizing the procedures set forth in Section 15.37.060(E).

E. For appeals to the Planning Commission pursuant to Sections 15.37.060(C) and (D), a written notice of appeal must be filed with the secretary of the Planning Commission within ten (10) days of receipt of the decision letter from the Building Official or his or her designee. The notice of appeal shall set forth the specific grounds of the appeal. At the time of consideration of the appeal, the appellant shall have the burden of establishing cause why the action appealed from should be altered, reversed, or modified. The Planning Commission may continue the matter from time to time and, at the conclusion of its consideration, may affirm, reverse, or modify the decision of the Building Official or his or her designee. The decision of the Planning Commission shall be final.

F. The City shall not condition approval of an application on the approval of an association, as defined in Civil Code Section 4080.

G. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

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 passage and adoption. The City Clerk is hereby directed to publish in full or summary this Ordinance pursuant to Government Code §36933 in a newspaper of general circulation in the City of Morgan Hill.

The foregoing Ordinance was introduced and the title thereof read at a regular meeting of the City Council of the City of Morgan Hill held on the 23rd day of August, 2017, and was finally adopted at a regular meeting of said Council on the ____ day of ____ 2017, and said Ordinance was duly passed and adopted in accordance with law.

PASSED AND ADOPTED by the City Council of Morgan Hill at the regular meeting held on the ____ day of _____, 2017 by the following vote:

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

ATTEST:

Irma Torrez, CITY CLERK

Steve Tate, MAYOR

Effective:

∞ 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. XXX, New Series, adopted by the City Council of the City of Morgan Hill, California at the meeting held on this day of 2017 and has been published pursuant to Government Code.

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

DATE: _____

Irma Torrez, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: David Gittleson, Associate Engineer
APPROVED BY: City Manager

CERTIFY ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT AND ADOPT HALE AVENUE PLAN LINE

RECOMMENDATION(S)

1. Open/close public hearing;
2. Adopt resolution certifying that the Final Environmental Impact Report (EIR) for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project (Project) is found to be complete, correct, and in substantial compliance with the requirements of the California Environmental Quality Act (CEQA), which includes adopting the Mitigation and Monitoring Program (MMRP) for the Project; and
3. Adopt resolution approving an Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Fiscal Responsibility

2017 Strategic Priorities

Infrastructure
Regional Initiatives

REPORT NARRATIVE:

The Hale Avenue Extension project was formally known as the Santa Teresa “Gap Fill” project because when completed, would fill a gap in the Santa Teresa corridor allowing for a north-south alternative to Monterey Road. The limits of the Hale Avenue Extension project are Main Avenue at the north end and Spring Avenue at the south end (see Project Location map). The project is being designed as a two-lane roadway with a median, bike lanes, and pedestrian walkway in conformance with the City’s multi-modal arterial standard. This reach of roadway has been a planned arterial in the City’s General Plan since 1969.

Due to the recent passage of the County's Measure B initiative in November 2016, the Santa Clara Valley Transportation Authority (VTA) will be generating revenue for local infrastructure projects through a local sales tax increase. The City's Hale Avenue Extension Project is on VTA's Measure B list to receive this funding. To position the project for bidding and construction, the City is finalizing the California Environmental Quality Act (CEQA) clearance and purchasing right of way.

Also included in the Capital Improvements Program (CIP) is the development of an Official Plan Line for the Hale Avenue corridor through Morgan Hill. The Official Plan Line, once established, will enable the City to identify the limits of the roadway across areas where it does not now exist and to identify the ultimate right of way required where the roadway does exist but is not fully developed. The plan line limits are between Main Avenue and Watsonville Road. Since portions of the plan line fall outside the City's jurisdiction, the County has partnered with the City to share in the costs for preparing and adopting the plan line. Thus, staff has been coordinating with the County throughout the plan line development. The County Roads and Airports Department has reviewed and approved the final plan line drawings and the plan line is now ready for adoption. By adopting the plan line, the City will only be adopting the segments that fall under its jurisdiction. The County intends to also adopt the plan line for segments that lie within its jurisdiction.

The proposed Hale Avenue Extension Project lies within the limits of the Official Plan Line. Both the Hale Avenue Extension and the Hale Avenue Plan Line projects require a full CEQA analysis. In order to expedite the process and limit spending, staff combined the CEQA analysis into one Environmental Impact Report document, which covers both projects and can be used by both the City and the County for adopting their segments of the plan line. The four main project objectives described in the EIR are:

- Establish Official Plan Line for the Hale Avenue/Santa Teresa Corridor, a two-lane multi-modal arterial in keeping with the "Complete Streets" approach to roadway planning identified in the Morgan Hill General Plan,
- Provide a continuous direct north/south route for the west side of the City, reducing through traffic on neighborhood streets,
- Provide an alternate north/south road option on the west side of US Hwy 101 to relieve congestion on parallel routes such as Monterey Road and Butterfield Boulevard, and
- Reduce energy consumption by providing an efficient multi-modal roadway configuration within the City of Morgan Hill.

In addition, a Mitigation Monitoring and Reporting Program (MMRP) was developed for this project to mitigate significant impacts to the environment and must be implemented during construction of the Hale Avenue Extension project. The Final EIR is now complete and ready for City Council's certification. The Final EIR documents, the MMRP, and the Hale Avenue Plan Lines can be found here: <http://www.morgan-hill.ca.gov/1527/Hale-Santa-Teresa-Project-EIR>.

COMMUNITY ENGAGEMENT: Inform

City staff provided opportunity to the community to review the draft EIR throughout its development including: (1) a Notice of Preparation (NOP) was circulated between May 27, 2016 and June 27, 2016 to receive input regarding the scope and content of the EIR, (2) a public scoping meeting was also held on June 8, 2016 for oral comments, (3) the Draft EIR was circulated between December 23, 2016 and February 6, 2017 for public comment; and (4) comments can be made at the August 23, 2017 City Council meeting.

ALTERNATIVE ACTIONS:

Not Applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- The Hale Avenue Plan Line Project was included in the adopted FY 2014-15 Capital Improvement Program budget for \$130,000.
- On October 15, 2014, City Council approved a Service Agreement for Design Professionals with MH Engineering for \$95,502 to provide engineering and surveying services to develop the Hale Avenue Plan Line.
- On December 3, 2014, City Council approved a Cost Sharing Agreement with the County of Santa Clara for the Hale Avenue Plan Line project.
- December 7, 2016, City Council awarded a design contract to MH Engineering to complete the Hale Avenue Plan Line.
- January 18, 2017, City Council awarded a service agreement for design professionals for the Hale Avenue Extension Project to Mark Thomas & Associates for \$401,873 to complete the design.
- July 19, 2017, City Council approved a first amendment with Associated Right of Way Services for \$145,000 to continue acquisition services for the Hale Avenue Extension project.

FISCAL AND RESOURCE IMPACT:

No fiscal impact associated with the recommended approval.

CEQA (California Environmental Quality Act):

Project

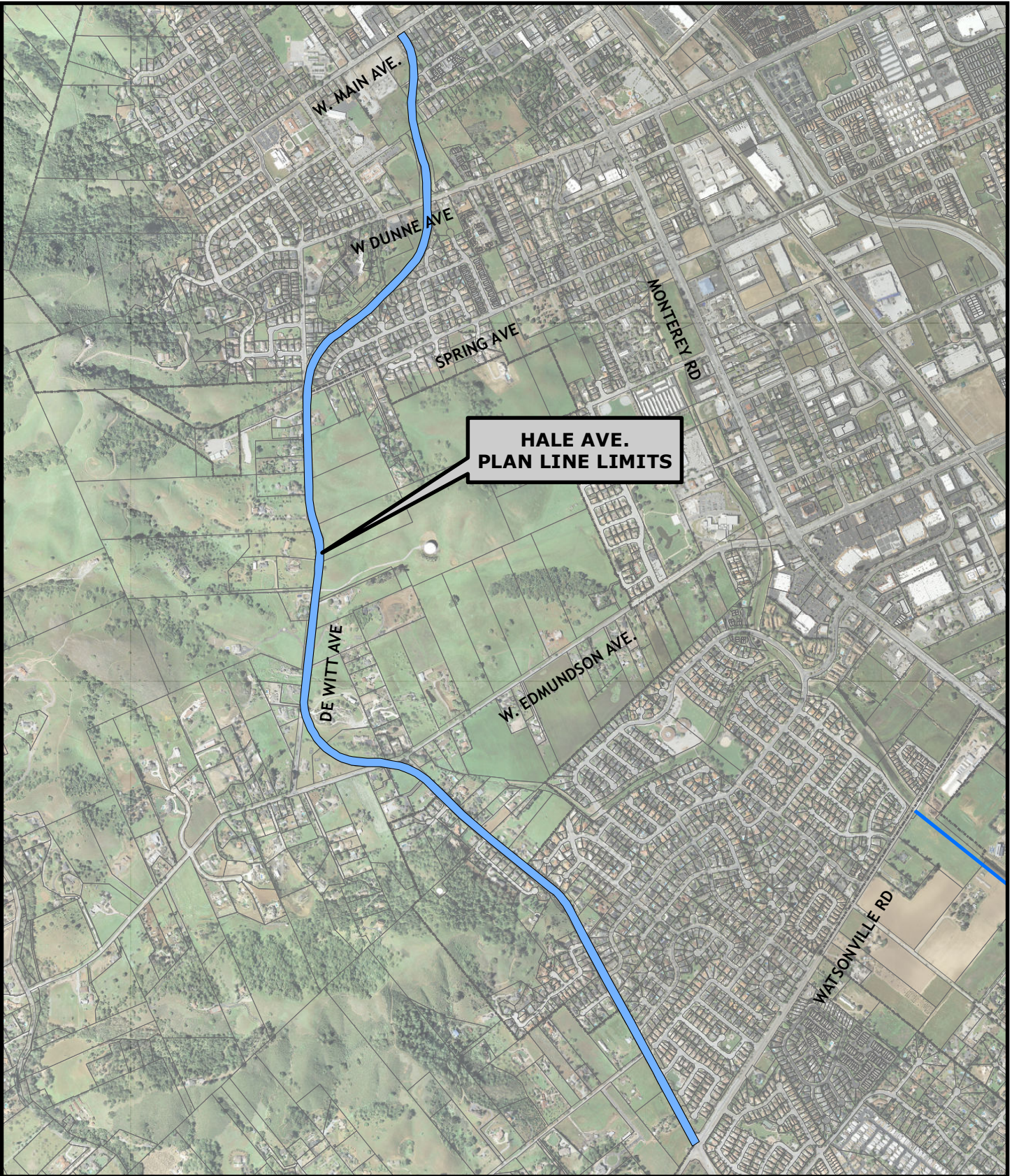
An Environmental Impact Report (EIR) (SCH Number 2016052076) was prepared for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project in accordance with the California Environmental Quality Act (CEQA). A Notice of Preparation (NOP) was circulated between May 27, 2016 and June 27, 2016 to receive comments regarding the scope and content of the EIR. A public scoping meeting was held on June 8, 2016 to receive oral comments on the NOP.

The Draft EIR was circulated between December 23, 2016 and February 6, 2017. The City of Morgan Hill received comments on the Draft EIR by 8 agencies / individuals. Responses to those comments and minor changes to the Draft EIR were included in a Final EIR document in accordance with the requirements of CEQA. The Final Environmental Impact Report concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would mitigate all of those significant effects to a less-than-significant level. Therefore, CEQA also requires the lead agency to adopt a Mitigation Monitoring and Reporting Program (attached) to mitigate or avoid significant effects on the environment.

LINKS/ATTACHMENTS:

1. Project Location Map
2. CEQA Resolution-Hale Avenue
3. Resolution-Hale Plan Line

4. Exhibit A to Reso Official Plan Line
5. Final EIR documents, the MMRP, and the Hale Avenue Plan Lines ([weblink](#))



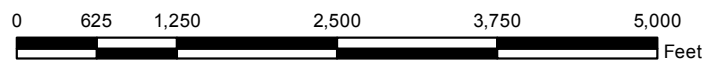
Attachment: Project Location Map (1356 : Certify EIR and Adopt Hale Avenue Extension)



CITY OF MORGAN HILL
Engineering Division
Public Works Department

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CERTIFY EIR & ADOPT HALE AVENUE PLAN LINE



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT AS CONSISTENT WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, an Environmental Impact Report (EIR) (SCH Number 2016052076) was prepared for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project (Project) in accordance with the California Environmental Quality Act (CEQA). A Notice of Preparation (NOP) was circulated between May 27, 2016 and June 27, 2016 to receive comments regarding the scope and content of the EIR. A public scoping meeting was held on June 8, 2016 to receive oral comments on the NOP. The Draft EIR was circulated between December 23, 2016 and February 6, 2017; and

WHEREAS, the City of Morgan Hill received comments on the Draft EIR by 8 agencies / individuals. Responses to those comments and minor changes to the Draft EIR were included in a Final EIR document in accordance with the requirements of CEQA; and

WHEREAS, the Environmental Impact Report concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would mitigate all of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an Environmental Impact Report that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environmental effects to a less-than-significant level and/or adopt a Findings of Fact and Statement of Overriding Considerations; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a mitigation monitoring and reporting program to ensure compliance with the mitigation measures during project implementation, and such a mitigation monitoring and reporting program has been prepared for the Project for consideration by the decision-maker of the City of Morgan Hill as lead agency for the Project (the "Mitigation Monitoring and Reporting Program"); and

WHEREAS, the City of Morgan Hill is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the City Council has reviewed and considered the Environmental Impact Report and related Findings of Fact and Mitigation Monitoring and Reporting Program for the Project and intends to take actions on the Project in compliance with CEQA, and state and local guidelines implementing CEQA; and

WHEREAS, the Environmental Impact Report and related Findings of Fact and Mitigation Monitoring or Reporting Program for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, the Environmental Impact Report and related Findings of Fact and Mitigation Monitoring and Reporting Program for the Project are on file in the Development Services Department located at 17575 Peak Avenue, Morgan Hill, California, 95037, and are available for inspection by any interested person at that location.

NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1: FINDINGS OF FACT BY THE CITY COUNCIL OF THE CITY OF MORGAN HILL REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECTS: The City Council hereby finds, determines and declares the findings and facts as set forth in the attached Exhibit "A" by this reference are incorporated herein.

SECTION 2: CERTIFICATION OF FINAL EIR: The City Council hereby certifies that the Final EIR has been completed in compliance with CEQA; that the Final EIR was presented and the Council has reviewed and considered the information prior to approving the project; and the Final EIR reflects the independent judgment and analysis of the City of Morgan Hill, as lead agency.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 23rd day of August 2017 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:

IRMA TORREZ, City Clerk

APPROVED:

STEVE TATE, Mayor

∞ 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 the meeting held on August 23, 2017.

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

DATE: _____
IRMA TORREZ, City Clerk

EXHIBIT "A"**FINDINGS OF FACT BY THE CITY COUNCIL OF THE CITY OF MORGAN HILL REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT**

This document presents findings in accordance with Sections 15091 and 15093 of the California Environmental Quality Act ("CEQA") Guidelines and Section 21081 of the Public Resources Code. Under CEQA, the City of Morgan Hill ("the City") must prepare written findings of fact for each potentially significant adverse environmental effect identified in a final environmental impact report and explain whether the project has been changed to avoid or substantially reduce the magnitude of the impact. The findings must describe specific reasons for rejecting identified mitigation measures and project alternatives. CEQA also requires that the City identifies when the responsibility for avoiding or reducing a significant environmental effect belongs to another agency. In some cases, the City can make a Statement of Overriding Considerations when specific economic, legal, social, technological, or other considerations are identified that make avoidance or reduction of the significant environmental effects infeasible.

According to Section 21081 of the California Public Resources Code, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

- (A) The public agency makes one or more of the following findings with respect to each significant effect:
 - (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
 - (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR
- (B) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (A), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

These Findings concern the Final Environmental Impact Report (EIR), prepared by the City, entitled "Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment." This document was prepared to satisfy the City's responsibilities under CEQA.

The City Council hereby finds, determines and declares as follows:

I. BACKGROUND

A. Project Description

The proposed Project evaluated in the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Draft EIR is the adoption of an Official Plan Line for the Santa Teresa Corridor from West Main Avenue to Watsonville Road and construction of the proposed roadway improvements. The proposed roadway improvements would be constructed in two phases, Phase I and Phase II. Phase I is the extension of Hale Avenue from West Main Avenue to the Dewitt/Spring Avenue intersection. The approximately 4,500-foot extension would consist of a multi-modal, two-lane road (one lane in each direction), which would include bike lanes with a landscaped center median and a pedestrian/bike path within a right-of-way ranging from 62 to 130 feet wide. Phase I is anticipated to be constructed within the next two to three years, depending on funding availability. Phase II is the realignment and widening of the Santa Teresa Corridor from the Dewitt/Spring Avenue intersection to Watsonville Road. The planned roadway within this approximately two-mile segment of the Santa Teresa Corridor would be widened, and a multi-modal, two-lane road with a landscaped center median and a pedestrian/bike path would be constructed within a 96-foot right-of-way. Phase II is anticipated to be constructed in the next 10 to 15 years.

B. Project Objectives

1. Establish an Official Plan Line for the Hale Avenue/Santa Teresa corridor, a two-lane continuous multi-modal arterial in keeping with the "complete streets" approach to roadway planning identified in the Morgan Hill General Plan.
2. Provide a continuous direct north/south route for the west side of the City, reducing through traffic on neighborhood streets.
3. Provide an alternate north-south road option on the west side of US 101 to relieve congestion on parallel routes such as Monterey Road and Butterfield Boulevard.
4. Reduce energy (i.e., gasoline and diesel) consumption by providing an efficient multi-modal roadway within the City of Morgan Hill.

C. The Final EIR

1. The City as lead agency for the Project has caused to be prepared a Final EIR for the proposed Project, based on the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000-21 1177) and the CEQA Guidelines (Sections 15000-15387, Administrative Code, Title 14, Chapter 3). Pursuant to state CEQA Guidelines Section 15132, the Final EIR (EIR) consists of the following documents and materials: The "Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Draft EIR, issued on December 23, 2016; and the "Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Final EIR", issued in August 2017, which includes

the comments on the Draft EIR and the City's responses thereto, as well as certain revisions to the text of the Draft EIR.

2. Copies of the Final EIR are on file at the Morgan Hill Library and at the Development Services Department counter, and, along with the planning and other City records, minutes and files constituting the record of proceedings, are incorporated herein by this reference. The City Council designates the City Clerk of the City of Morgan Hill, 17555 Peak Avenue, Morgan Hill, CA 95037, as the custodian of documents and record of proceedings on which the decision was based. Since the text of the Draft EIR was revised in certain aspects in the Final EIR, references in these Findings to specific pages of the EIR will be to the starting page of the Draft EIR where the topic is addressed, with the revisions in the Final EIR assumed by such references.

3. A Notice of Preparation of the EIR was sent on May 27, 2016 to responsible agencies and the State Clearinghouse in the Office of Planning and Research, requesting comments on the scope and content of the EIR, and comments were received from the Santa Clara Valley Transportation Authority.

4. The Draft EIR was circulated for a 45-day public review and comment period on December 23, 2016 through February 6, 2017.

5. The Final EIR issued in August 2017 contains the responses to the public and agency comments received regarding the Draft EIR, and reflects revisions to the Draft EIR in response to those comments. Section 4, Revisions to the Draft EIR, of the Final EIR shows where portions of the Draft EIR were modified. Underlined text represents language that has been added to the EIR; text with ~~strike through~~ has been deleted from the EIR.

6. On August 23, 2017, the City Council conducted a duly-noticed public hearing for the purpose of reviewing and considering the information contained in the EIR and the administrative record, and for the purpose of considering the proposed Project.

7. When it adopts a Resolution approving the Project, the City Council will also approve the Mitigation Monitoring and Reporting Program (MMRP) as a separate document, pursuant to Public Resources Code Section 21081.6. The MMRP is designed to ensure the implementation of mitigation measures identified as part of the environmental review for the Project.

8. The City Council has reviewed and considered the information contained in the Final EIR and record of proceedings, including, but not limited to, staff reports, oral and written comments given at public hearings on the proposed Project or otherwise received by the City, and the responses thereto contained in the Final EIR, and the final version of the resolution presented for adoption in order to achieve the proposed Project. All other matters deemed material and relevant have also been considered by the City Council before considering the proposed Project for approval. The Final EIR reflects the independent judgment of the City.

II. SIGNIFICANT IMPACTS WHICH CAN BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

A. General Findings. The proposed Project was considered to have potentially significant impacts on Air Quality, Biological Resources, Hazardous Materials, Hydrology and Water Quality, Noise and Vibration, and Transportation. All of the potentially significant impacts were able to be reduced to a less-than-significant level with implementation of the mitigation measures described in the Final EIR and the MMRP. The City Council finds that, with implementation of the proposed mitigation measures described in the Final EIR and MMRP, and presented below, the proposed Project is determined to have less-than-significant impacts on these resources. All of these mitigation measures shall be deemed adopted as part of the City Council's approval of the Project and certification of the Final EIR.

B. Findings for Each Potentially Significant Impact. The City Council hereby makes the following findings for all potentially significant impacts of the proposed Project that can be reduced to a less than-significant level, as presented below.

1. Impact AQ-1: Construction activities associated with the proposed project, including both Phase I and Phase II, could temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. **(Significant Impact)**

MM AQ-1: The project applicant shall ensure the following measures are implemented during construction of the proposed project:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph)
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- A publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

(Less Than Significant Impact with Mitigation Incorporated)

2. Impact AQ-2: The maximum increased residential cancer risk due to TAC emissions during construction would be 28.0 in one million for a child exposure, which exceeds the single-source threshold of 10.0 per million. The maximum modeled annual residential PM^{2.5} concentration would be 0.5 µg/m³, which exceeds the single-source threshold of 0.3 µg/m³.

(Significant Impact)

MM AQ-2: The project shall develop a plan to demonstrate at least a 65 percent reduction in DPM emissions. This can be accomplished several ways.¹ Two examples of measures that could be implemented to achieve such reductions are provided, below:

- All diesel-powered construction equipment larger than 50 hp and operating on site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent, or
- All diesel-powered construction equipment larger than 50 hp and operating on site for more than two days continuously shall be retrofitted with CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).

¹ Note that the construction contractor could use other measures to minimize construction period DPM emissions to reduce the predicted cancer risk below the thresholds. Such measures may be the use of alternative powered equipment (e.g., LPG powered forklifts), alternative fuels (e.g., biofuels), added exhaust devices, or a combination of such measures, provided that these measures are shown to be effective by a qualified air quality specialist and approved by the City of Morgan Hill.

(Less Than Significant Impact with Mitigation Incorporated)

3. Impact BIO-1: The proposed extension of Hale Avenue (Phase I) would impact sensitive creek, drainage, and wetland habitats. **(Significant Impact)**

MM BIO-1: The proposed project is located within the Habitat Plan coverage area. As part of the Habitat Plan application process, a wetland delineation will be completed and the square footage of project impacts to sensitive creek, drainage, and wetland habitats will be calculated. The Habitat Plan fees paid by the project will be based, in part, upon the calculated square footage of each sensitive habitat.

(Less Than Significant Impact with Mitigation Incorporated)

4. Impact BIO-2: Construction of the proposed Hale Avenue alignment would result in the removal of 12 ordinance sized trees, and construction activities near the five ordinance sized

and two non-ordinance sized trees designated to be retained could impact tree health and survival. **(Significant Impact)**

MM BIO-2.1: TREE PROTECTION: Unless tree removal has been previously approved, all trees located within the project shall be protected using the following minimum protection measures (these guidelines shall be included with all site development plans):

- Mark all trees to be saved with a survey flag or ribbon. Do not nail or staple directly to the tree.
- Erect a temporary fence enclosing an area equal to at least the dripline of the tree (or as far from the trunk as possible). This tree protection zone shall not be used for parking, storage of building materials, or other equipment or the placement of temporary or permanent fill. Signs should be posted identifying the restriction of uses in the tree protection zone.
- Locate structures, grade changes, and other ground or surface disturbances (e.g. concrete pours) as far as feasible from the “dripline” area of the tree.
- Avoid root damage through grading, trenching, compaction, etc at least within an area 1.5 times the dripline area of the tree. Where root damage cannot be avoided, roots encountered over 1” in diameter should be exposed approximately 12” beyond the area to be disturbed (towards the tree stem), by hand excavation, or with specialized hydraulic or pneumatic equipment, cut cleanly with hand pruners or power saw and immediately back-filled with soil. Avoid tearing or otherwise disturbing that portion of the roots to remain.
- The addition of plant or other landscaping materials shall remain outside of the dripline of all trees.
- Any tree subject to Chapter 12.32 Restrictions on Removal of Significant Trees of the Morgan Hill Municipal Code requires approval from the Planning Division. The applicant shall request approval prior to removing any significant trees.

MM BIO-2.2: TREE ASSESSMENT: Prior to site development, the applicant shall retain the services of a certified arborist to assess all trees that may be impacted by the proposed project. The arborist will conduct a tree assessment and submit a report to the City detailing all trees subject to the Chapter 12.32 Restrictions on Removal of Significant Trees. The report will include:

- Tree species and common name.
- Size (dbh) and approximate height of tree(s)
- Current health of the tree including at a minimum: bark, foliage, structure/integrity, and roots.
- Evaluation of current health and potential impacts to future health.
- Recommendations for protection or removal of tree (if removal of tree is recommended, provide justification).
- Proposed mitigation measures and/protection measures.

(Less Than Significant Impact with Mitigation Incorporated)

5. Impact HAZ-1: Grading and excavation activities associated with the Phase I project could expose construction workers and/or the environment to harmful chemicals. **(Significant Impact)**

MM HAZ-1.1: Soil sampling and testing shall be completed at the time of future implementation when the project design has been finalized. Prior to the start of demolition, grading, and excavation activities associated with the proposed extension of Hale Avenue, soil within the proposed Phase I alignment will be sampled and tested for pesticides and the soil in the area of the PG&E building will be sampled and tested for PCBs, petroleum hydrocarbons, and heavy metals to determine whether contamination is present at levels that exceed applicable standards. The number and location of the test samples shall be determined by a qualified hazardous materials specialist in consultation with the Santa Clara County Department of Environmental Health (SCCDEH) and the City of Morgan Hill. If contamination is found to be present above applicable screening levels, then a soil management plan will be prepared by the hazardous material specialist under SCCDEH oversight. The soil management plan will identify the specific procedures for the excavation, storage, transport, and disposal of contaminated soil, as necessary, consistent with applicable regulations.

(Less Than Significant Impact with Mitigation Incorporated)

6. Impact HYD-1: During large storm events, the runoff generated by the proposed extension of Hale Avenue (Phase I) could exacerbate flooding downstream of the Hale Avenue extension. **(Significant Impact)**

MM HYD-1.1: The proposed retention basins shall be sized to meet the Hydromodification Management requirement. In order to meet this requirement, the post-project runoff shall not exceed pre-project flow rates for the two-year, 24-hour storm.

MM HYD-1.2: The proposed retention basins shall be sized to meet the City of Morgan Hill storm drain design standards. In order to meet these standards, the basins shall be designed to provide storage for a 25-year, 24-hour storm with an additional capacity of 25 percent for freeboard. The storm drain outlet from the detention basins to the public storm drain system would be sized to limit the runoff rate from the proposed roadway improvements to existing conditions. If there is no outlet, the retention basins shall be designed to contain the 100-year storm event.

MM HYD-1.3: The stormwater runoff generated by the proposed roadway improvements shall be treated using bioretention areas that are designed to meet the requirements set forth in the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region.

MM HYD-1.4: The stormwater runoff generated by the proposed roadway improvements shall be retained onsite through the use of infiltration, evaporation, or rainwater harvesting. If retention is deemed infeasible due to poorly draining soils, 10 percent of the equivalent impervious surface shall be set aside for stormwater management controls as described in the

Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region. This will be incorporated into the two retention basins.

(Less Than Significant Impact with Mitigation Incorporated)

7. Impact HYD-2: During large storm events, the runoff generated by the planned future widening and realignment of the Santa Teresa Corridor (Phase II) could exacerbate flooding downstream of the proposed roadway improvements. **(Significant Impact)**

MM HYD – 2: A Hydrology and Water Quality Report would be prepared for the proposed roadway improvements, which would evaluate the potential for the proposed improvements to cause or exacerbate downstream flooding. Mitigation measures would be identified to ensure that the existing frequency of capacity exceedance of the storm drain system downstream of the planned future roadway improvements is maintained or decreased. These measures may be similar to mitigation measures MM HYD-1.1 through MM HYD-1.4 identified above to reduce potential flooding impacts from the proposed Phase I roadway improvements to a less than significant level.

(Less Than Significant Impact with Mitigation Incorporated)

8. Impact HYD-3: During large storm events, the increased rate and volume of stormwater runoff resulting from the proposed extension of Hale Avenue could result in downstream erosion and siltation. **(Significant Impact)**

As described above under mitigation measures MM HYD-1.1 through MM HYD-1.4, the proposed retention basins will be designed to reduce the rate of stormwater runoff from the proposed Hale Avenue extension to existing conditions. In addition to reducing downstream flooding impacts to a less than significant level, implementation of mitigation measures MM HYD-1.1 through MM HYD-1.4 would also reduce downstream erosion and siltation to a less than significant level.

(Less Than Significant Impact with Mitigation Incorporated)

9. Impact HYD-4: During large storm events, the runoff generated by the planned future widening of the Phase II segment of the Santa Teresa Corridor could result in downstream erosion and siltation. **(Significant Impact)**

As described above under mitigation measure MM HYD-2, a Hydrology and Water Quality Report would be prepared for the planned future Phase II roadway improvements, which would evaluate the potential for the roadway improvements to cause or exacerbate downstream flooding. Mitigation measures would be identified to ensure that the existing frequency of capacity exceedance of the storm drain system downstream of the planned future roadway improvements is maintained or decreased. These measures may be similar to mitigation measures MM HYD-1.1 through MM HYD-1.4 identified above to reduce potential flooding impacts from the proposed Phase I roadway improvements to a less than significant

level. In addition to reducing flooding, implementation of MM HYD-2 would also reduce downstream erosion and siltation to a less than significant level.

10. Impact NOI-1: Groundborne vibration levels at adjacent structures could be substantial during the construction of planned Phase II roadway improvements. **(Significant Impact)**

MM NOI – 1: An environmental noise assessment would be completed at the time of future project-level environmental review prior to commitment to implement a specific Phase II alignment to identify potential noise and vibration impacts during construction and operation of the Phase II roadway improvements. If vibration levels at adjacent residences during construction is projected to exceed 0.3 in/sec PPV, then mitigation measures would be identified to reduce the vibration impact to less than significant.

(Less Than Significant Impact with Mitigation Incorporated)

11. Impact NOI-2: Operation of the planned future widening and realignment of the Santa Teresa Corridor (Phase II) could substantially increase noise levels at adjacent receptors. **(Significant Impact)**

MM NOI – 2: An environmental noise assessment would be completed at the time of future project-level environmental review prior to commitment to implement a specific Phase II alignment to identify potential noise and vibration impacts during construction and operation of the Phase II roadway improvements. If noise levels at adjacent receptors during operation are projected to substantially increase, then feasible mitigation measures (e.g., sound walls) would be identified to reduce traffic noise to a less than significant level.

(Less Than Significant Impact with Mitigation Incorporated)

12. Impact NOI-3: Operation of the planned future widening and realignment of the Santa Teresa Corridor in combination with planned future development in the project area could substantially increase noise levels at adjacent receptors. **(Significant Impact)**

MM NOI – 3: An environmental noise assessment would be completed at the time of future project-level environmental review prior to commitment to implement a specific Phase II alignment to identify potential noise and vibration impacts during construction and operation of the Phase II roadway improvements. If noise levels at adjacent receptors during operation are projected to substantially increase, then feasible mitigation measures (e.g., sound walls) would be identified to reduce traffic noise to a less than significant level.

(Less Than Significant Cumulative Impact with Mitigation Incorporated)

13. Impact TRAN-1: Under Existing Plus Project conditions, the proposed extension of Hale Avenue (Phase I) would cause the intersection of Hale Avenue and Wright Avenue to operate at an unacceptable LOS E during the PM peak hour. **(Significant Impact)**

MM TRAN-1: Peak-hour signal warrants would be met during the PM peak hour under Existing Plus Project conditions. Signalizing the intersection would reduce the impact to a less than significant level.

(Less Than Significant Impact with Mitigation Incorporated)

14. Impact TRAN-2: Under Year 2020 Plus Project conditions, the proposed extension of Hale Avenue (Phase I) would cause the intersection of Hale Avenue and Wright Avenue to operate at an unacceptable LOS F during the PM peak hour. **(Significant Cumulative Impact)**

MM TRAN-2: Peak-hour signal warrants would be met during both the AM and PM peak hours under Year 2020 Plus Project conditions. Signalizing the intersection would reduce the impact to a less than significant level.

(Less Than Significant Cumulative Impact with Mitigation Incorporated)

15. Impact TRAN-3: Under Year 2035 Plus Project conditions, the proposed project, including both Phase I and Phase II, would exacerbate unacceptable operations at the intersection of Hale Avenue and Wright Avenue. **(Significant Cumulative Impact)**

MM TRAN-3: Peak-hour signal warrants would be met during both the AM and PM peak hours under Year 2035 Plus Project conditions. Signalizing the intersection or implementing other measures to reduce delays at the intersection (e.g., traffic circle) would reduce the impact to a less than significant level.

(Less Than Significant Cumulative Impact with Mitigation Incorporated)

III. PROJECT ALTERNATIVES

A. Background. CEQA requires that an EIR identify a reasonable range of alternatives to a project as it is proposed, including a "No Project" alternative. The CEQA Guidelines specify that the EIR should identify alternatives that "will feasibly attain most of the basic objectives of the project but will avoid or substantially lessen any of the significant effects of the project." The purpose of the alternatives analysis is to determine whether there are alternatives of design, scope or location that will substantially lessen the significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives," or are more expensive. [Section 15126.6]

The range of alternatives selected for analysis is governed by the "rule of reason," which requires the EIR to discuss only those alternatives necessary to permit a reasoned choice. Although the alternatives do not have to meet every goal and objective set for the proposed project, they should "feasibly attain most of the basic objectives of the project." CEQA does not require that all possible alternatives be evaluated, only that "a range of feasible alternatives" be discussed to encourage both meaningful public participation and informed decision making. In selecting alternatives to be evaluated, consideration may be given to their potential for reducing significant unavoidable impacts, reducing significant

impacts that are mitigated by the project to less than significant levels, and further reducing less than significant impacts.

Regarding feasibility of alternatives, CEQA and the CEQA Guidelines, and case law on the subject have found that feasibility can be based on a wide range of factors and influences. CEQA's general definition of feasibility is "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." Among the factors that may be taken into account in considering the feasibility of an alternative are " ... site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. " [Section 15126.6 (f)(1)]

Consideration of a "No Project" alternative is mandatory. The alternatives evaluated in the EIR are listed and briefly discussed below. For comparative purposes, the objectives of the proposed Project are set forth in Section I.B. of these findings, and impacts of the proposed Project are described in Section II above.

1. No Project Alternative

The purpose of the No Project Alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project. Under the No Project Alternative, the alignments would remain unchanged. The No Project Alternative would avoid all of the environmental impacts that are anticipated to occur under the proposed project. All of the project impacts, however, would be reduced to a less than significant level with the mitigation measures included in the proposed project. None of the project objectives would be met under the No Project Alternative.

2. Open Graded Pavement Alternative

There are many causes of roadway noise, one of which is the air in the tire treads being trapped and compressed against the roadway surface. The trapped air is pushed out of the tire treads, which creates noise. The sound walls included in the proposed project would reduce roadway noise to a less than significant level. An alternative to the sound walls could be the use of open graded pavement. Open graded pavement allows the air in the tire treads to escape through the pavement, reducing noise. There are many factors to be considered to ensure open graded pavement is a viable alternative to sound walls (e.g., cost, availability, reduced noise reduction benefit over time, and maintenance). The use of open graded pavement for the Hale Avenue extension could avoid the need to construct the proposed sound walls and would incrementally reduce construction-related impacts, while achieving all of the project objectives.

3. Four-lane Monterey Road Alternative

The traffic analysis completed for the proposed project conservatively assumes Monterey Road through Downtown Morgan Hill is two lanes, one lane in each direction, which results in

higher traffic volumes on Hale Avenue. The purpose of the Four-lane Monterey Road Alternative is to determine if the noise and/or traffic impacts on Hale Avenue would be reduced by having Monterey Road remain four-lanes through Downtown. Traffic modeling completed for the Four-lane Monterey Road Alternative shows there would be very little change in traffic volumes on Hale Avenue. Peak-hour and average daily traffic (ADT) volumes on Hale Avenue would decrease up to six percent and one percent, respectively. Therefore, whether Monterey Road is two-lanes or four-lanes through Downtown, the impacts that would occur on Hale Avenue upon implementation of the proposed project, both Phase I and Phase II, would be the same, and all the project objectives would be met. The Four-lane Alternative does not have substantial environmental benefits for future impacts on Hale Avenue, compared to the scenario that assumes Monterey Road is reduced to two lanes, one in each direction.

IV. SUBSTANTIAL EVIDENCE SUPPORTING FINDINGS

Substantial evidence supporting each and every finding made herein is contained in the Final EIR and record of proceedings. Omission of reference in these findings to any evidence in the EIR and/or record of proceedings is not intended to exclude that evidence as supporting these findings.

In making these findings, the City Council has relied upon the expertise of a variety of independent technical and professional consultants to the City, and the expertise of the City's Staff. The City Council has also carefully considered the evidence submitted by property owners and other interested agencies and individuals. To the extent that evidence consists of expert opinions that differ from the opinions of the City's outside consultants and Staff, at most it represents a disagreement of experts, which is adequately reviewed in the EIR. Based on its review, the City Council has determined that the opinions of its outside consultants and Staff are valid and are hereby accepted. In some instances, the City Council has also relied on the expertise of other agencies who have provided comments on the Draft EIR and other actions related to the Project. To the extent that alternatives or mitigation measures were proposed by other agencies or interested persons that differ from the mitigation adopted herein, the City Council specifically rejects these proposals based on the substantial evidence in the record supporting the mitigation adopted as sufficient and necessary to mitigate impacts to a less than significant level.

V. MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

The proposed MMRP for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment, attached, is hereby adopted, and it and its provisions for mitigation measures will be implemented in conjunction with the proposed Project.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MORGAN HILL ADOPTING AN OFFICIAL PLAN LINE FOR
THE HALE AVENUE EXTENSION AND SANTA TERESA
CORRIDOR WIDENING AND REALIGNMENT PROJECT**

WHEREAS, the purpose of the Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project is to provide for the systematic execution of the Circulation Element of the General Plan of the City by designating the precise location of certain planned rights-of-way, limiting the location of buildings and other improvements with respect to planned rights of way, and prescribing setback lines along planned rights of way, and to provide an authentic source of information regarding the development of said City for residents and investors.

WHEREAS, the City Council may, from time to time, adopt by resolution official plan lines to be placed on the map to precisely identify the location of certain rights-of-way in the City.

WHEREAS, the City Council has determined that the Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project is consistent with the adopted General Plan Circulation Element, and

WHEREAS, the City of Morgan Hill is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval process to undertake the Project; and

WHEREAS, an Environmental Impact Report (EIR) (SCH Number 2016052076) was prepared for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Environmental Impact Report and related Findings of Fact and Mitigation Monitoring or Reporting Program for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public hearing on the adoption of this Resolution at which hearing the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS FOLLOWS:

Section 1. Recitals. The City Council does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

- a. That the Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project as described in the Staff Report, is hereby approved and adopted, and
- b. That the City Manager is hereby delegated authority to and is authorized and directed to execute the Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment project, substantially in the form attached hereto as Exhibit A.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 23rd day of August 2017 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:

IRMA TORREZ, City Clerk

APPROVED:

STEVE TATE, Mayor

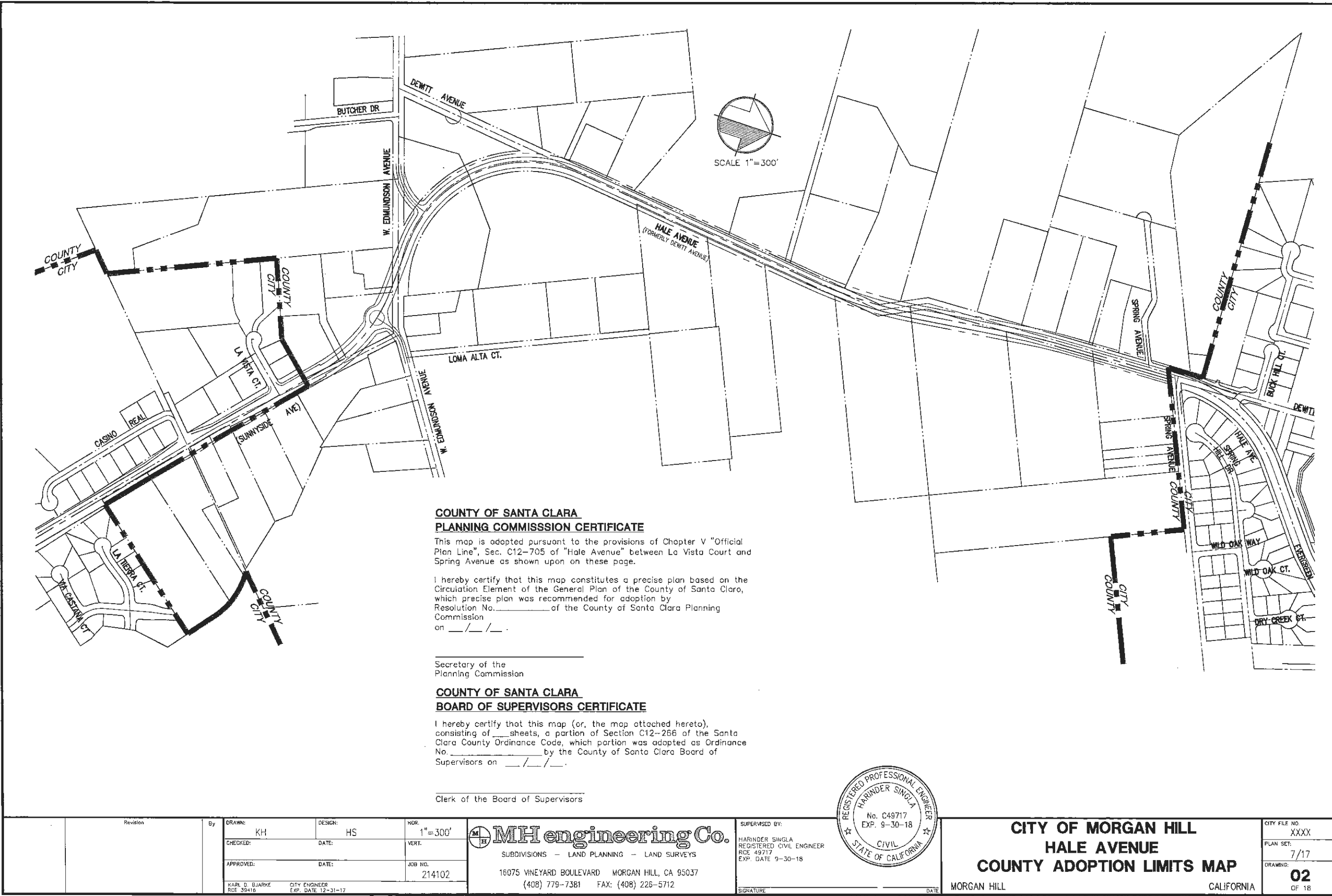
Attachment: Resolution-Hale Plan Line (1356 : Certify EIR and Adopt Hale Avenue Extension)

∞ 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 the meeting held on August 23, 2017.

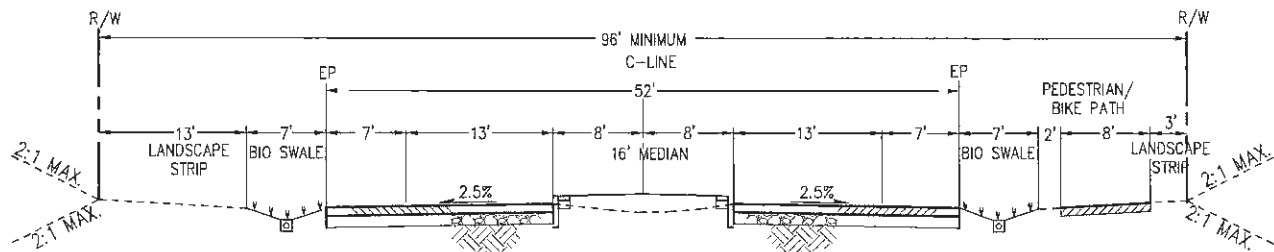
WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____
IRMA TORREZ, City Clerk

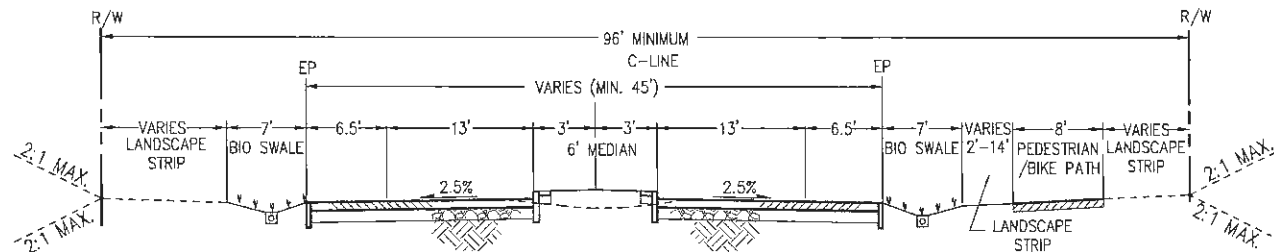


Attachment: Exhibit A to Reso Official Plan Line (1356 : Certify EIR and Adopt Hale Avenue Extension)

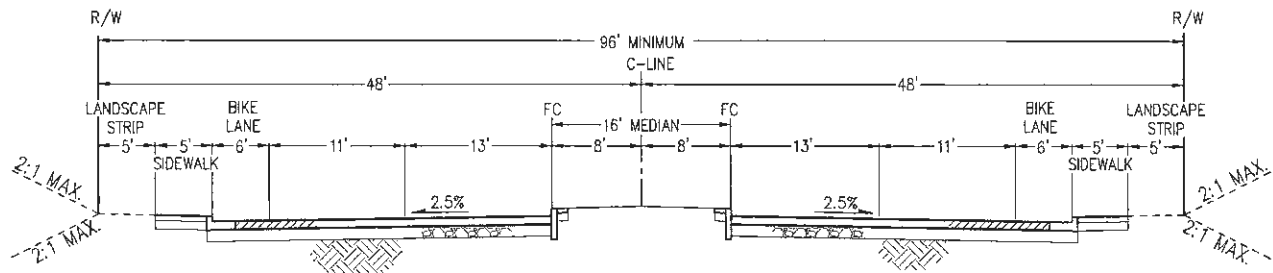
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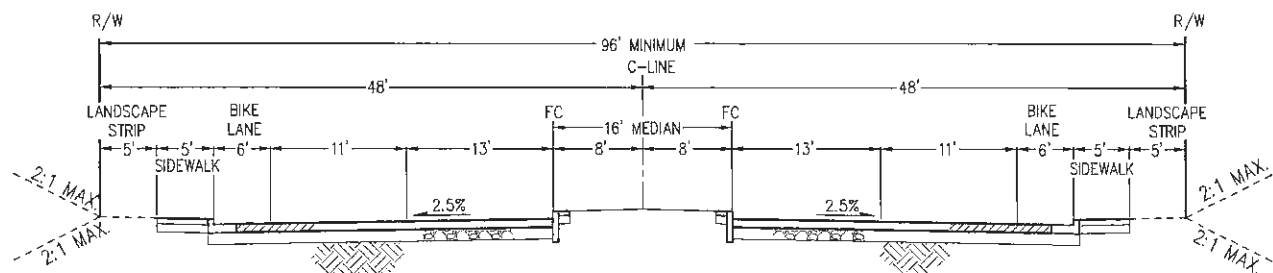
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(STA. 10+00 TO 113+00)
(LOOKING NORTH) N.T.S.



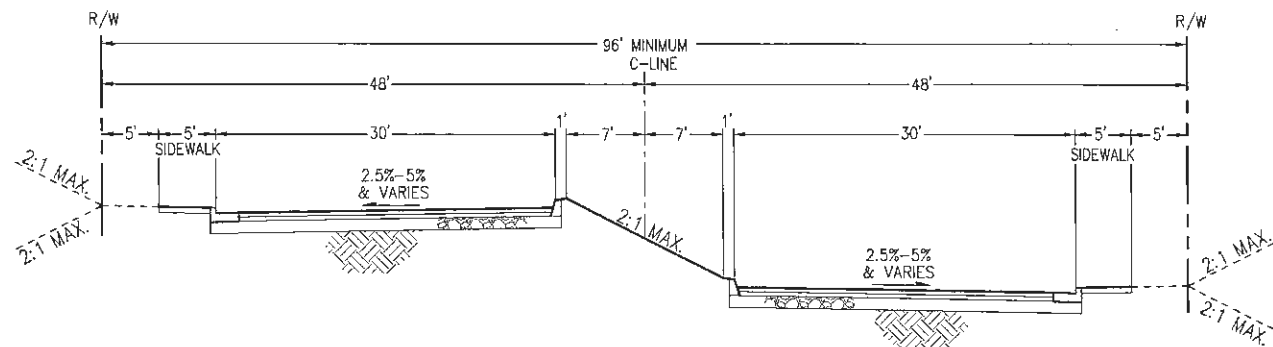
TYPICAL INTERIM SECTION: SPRING AVE. TO MAIN AVE.
(STA. 113+00 TO 161+00)
(LOOKING NORTH) N.T.S.



TYPICAL ULTIMATE SECTION: SPRING AVE. TO MAIN AVE.
(STA. 113+00 TO 161+00)
(LOOKING NORTH) N.T.S.



TYPICAL ULTIMATE SECTION: WATSONVILLE RD. TO APPLAN WAY (STA. 10+00 TO 36+00)
AND CASINO REAL TO W. EDMUNDSON AVE. (STA. 52+00 TO 71+00)
(LOOKING NORTH) N.T.S.



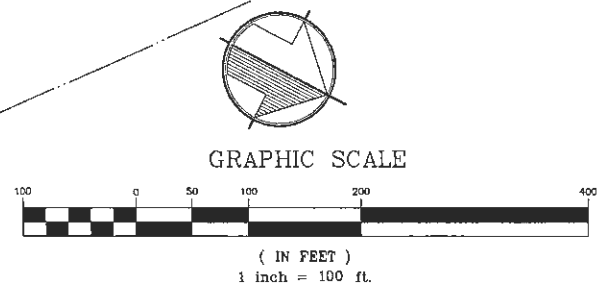
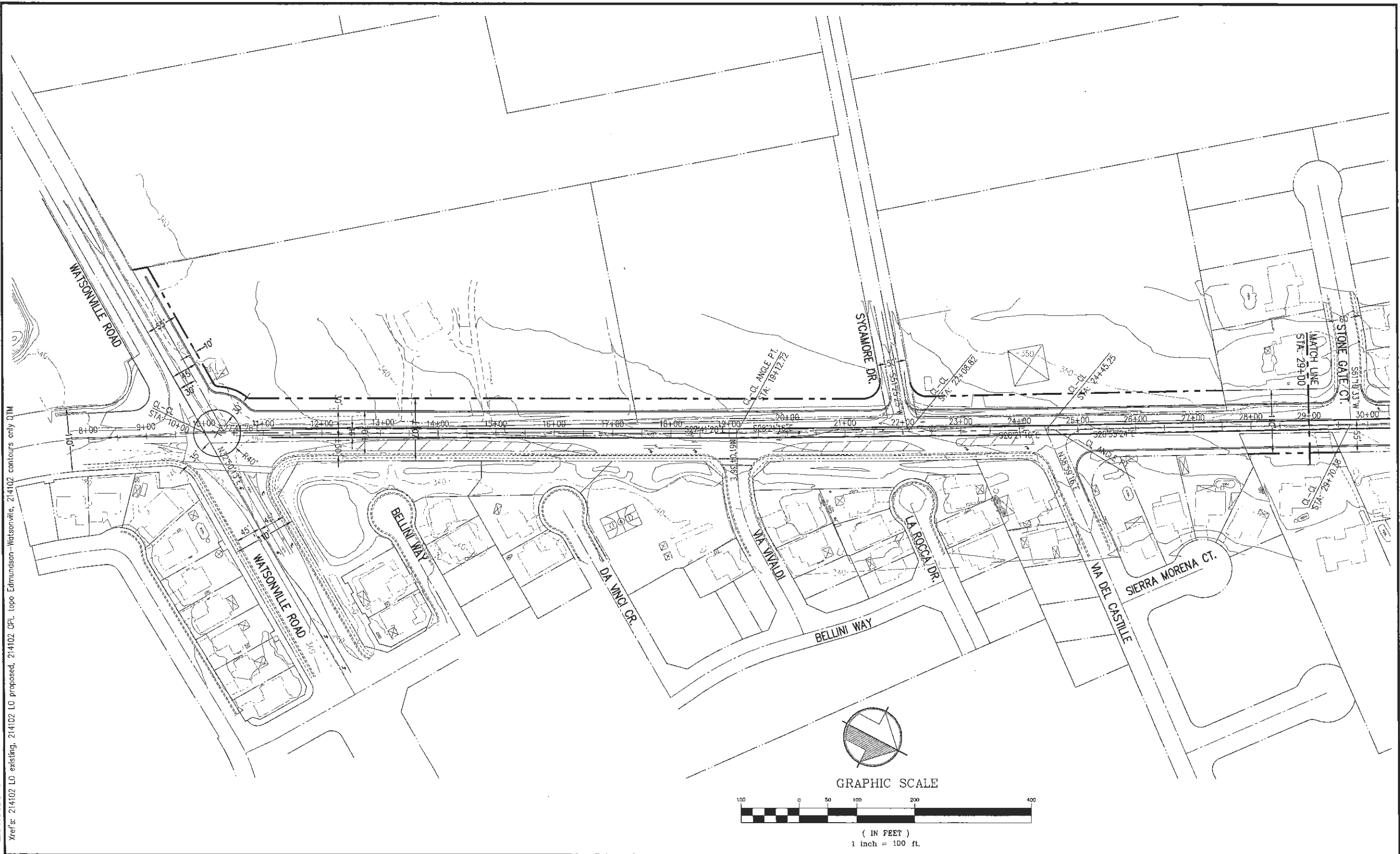
TYPICAL ULTIMATE SECTION: APPLAN WAY TO CASINO REAL
(STA. 36+00 TO 52+00)
(LOOKING NORTH) N.T.S.

TYPICAL STREET SECTIONS

City of Morgan Hill Public Works Department 17575 PEAK AVE. MORGAN HILL, CA 95037 (408) 778-6480 FAX (408) 779-7236	No.	Date	Revision	By	DRAWN: KH	DESIGN: HS	HOR. N.T.S.		
					CHECKED:	DATE:	VERT.		
					APPROVED:	DATE:	JOB NO. 214102		
					KARL D. BJARKE RCE 39416	CITY ENGINEER EXP. DATE 12-31-17			
					MH engineering Co. SUBDIVISIONS - LAND PLANNING - LAND SURVEYS 16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037 (408) 779-7381 FAX: (408) 226-5712			HALE AVENUE OFFICIAL PLAN LINE CITY OF MORGAN HILL MORGAN HILL CALIFORNIA	CITY FILE NO. XXXX PLAN SET: 7/17 DRAWING: 03 OF 18

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Xref: 214102 LO existing, 214102 LO proposed, 214102 OPL topo Edmundson-Watsonville, 214102 contours only DTM



No.		Date	Revision	By

City of Morgan Hill Public Works Department	
17575 PEAK AVE.	MORGAN HILL, CA 95037
(408) 778-6480	FAX (408) 778-7236

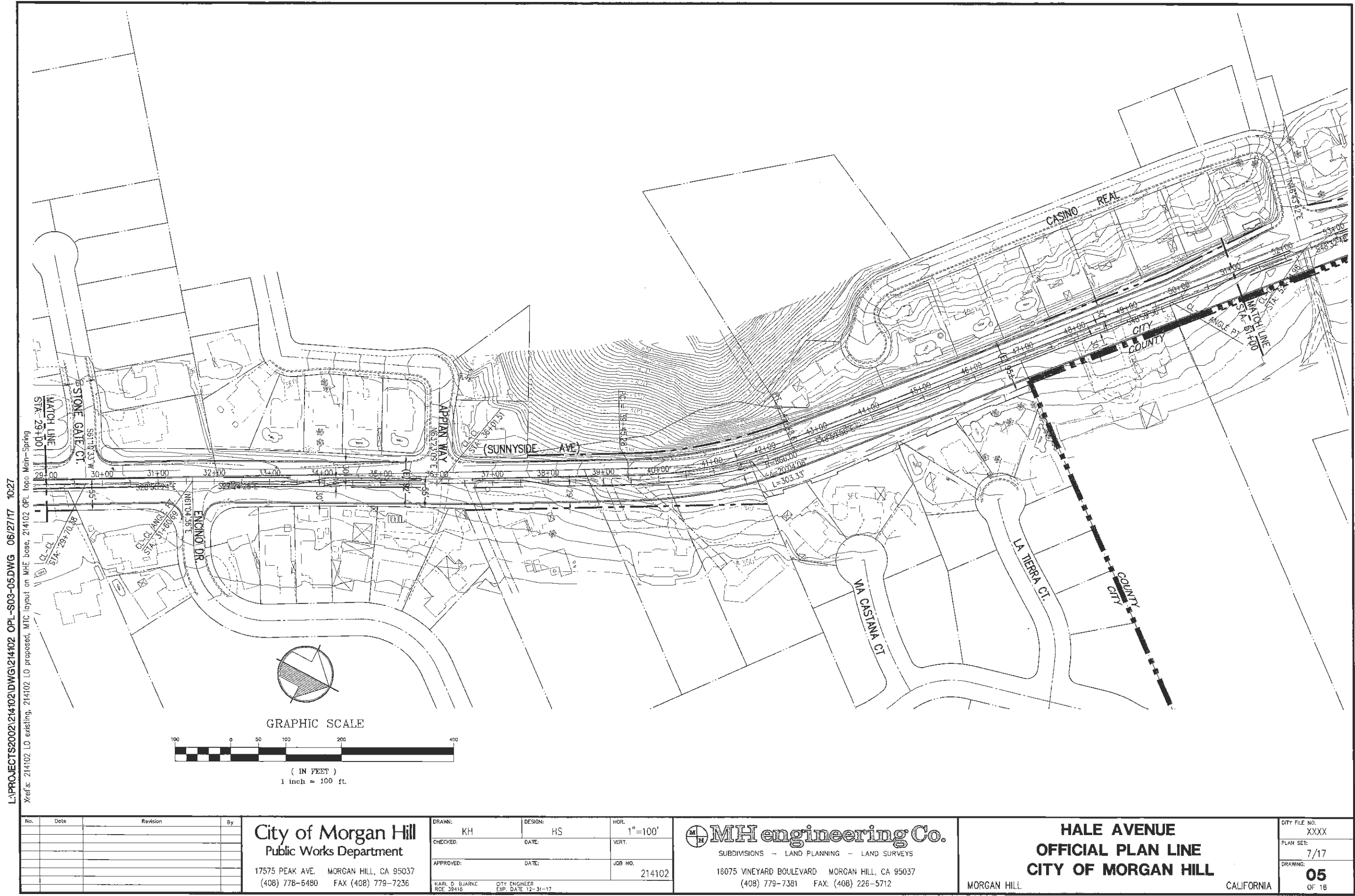
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CHECKED:	DATE:	VERT.
APPROVED:	DATE:	JOB NO. 214102
KARL D. BLARKE RCE 35416	CITY ENGINEER EXP. DATE 12-31-17	

 MH engineering Co.	
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS	
16075 VINEYARD BOULEVARD	MORGAN HILL, CA 95037
(408) 779-7381	FAX: (408) 226-5712

HALE AVENUE OFFICIAL PLAN LINE CITY OF MORGAN HILL	
MORGAN HILL	CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 7/17
DRAWING: 04
OF 18

Attachment: Exhibit A to Reso Official Plan Line (1356 : Certify EIR and Adopt Hale Avenue Extension)



COUNTY OF SANTA CLARA
PLANNING COMMISSION CERTIFICATE

This map is adopted pursuant to the provisions of Chapter V "Official Plan Line", Sec. C12-705 of "Hale Avenue" between La Vista Court and Spring Avenue as shown upon on these page.

I hereby certify that this map constitutes a precise plan based on the Circulation Element of the General Plan of the County of Santa Clara, which precise plan was recommended for adoption by Resolution No. _____ of the County of Santa Clara Planning Commission on ____/____/____.

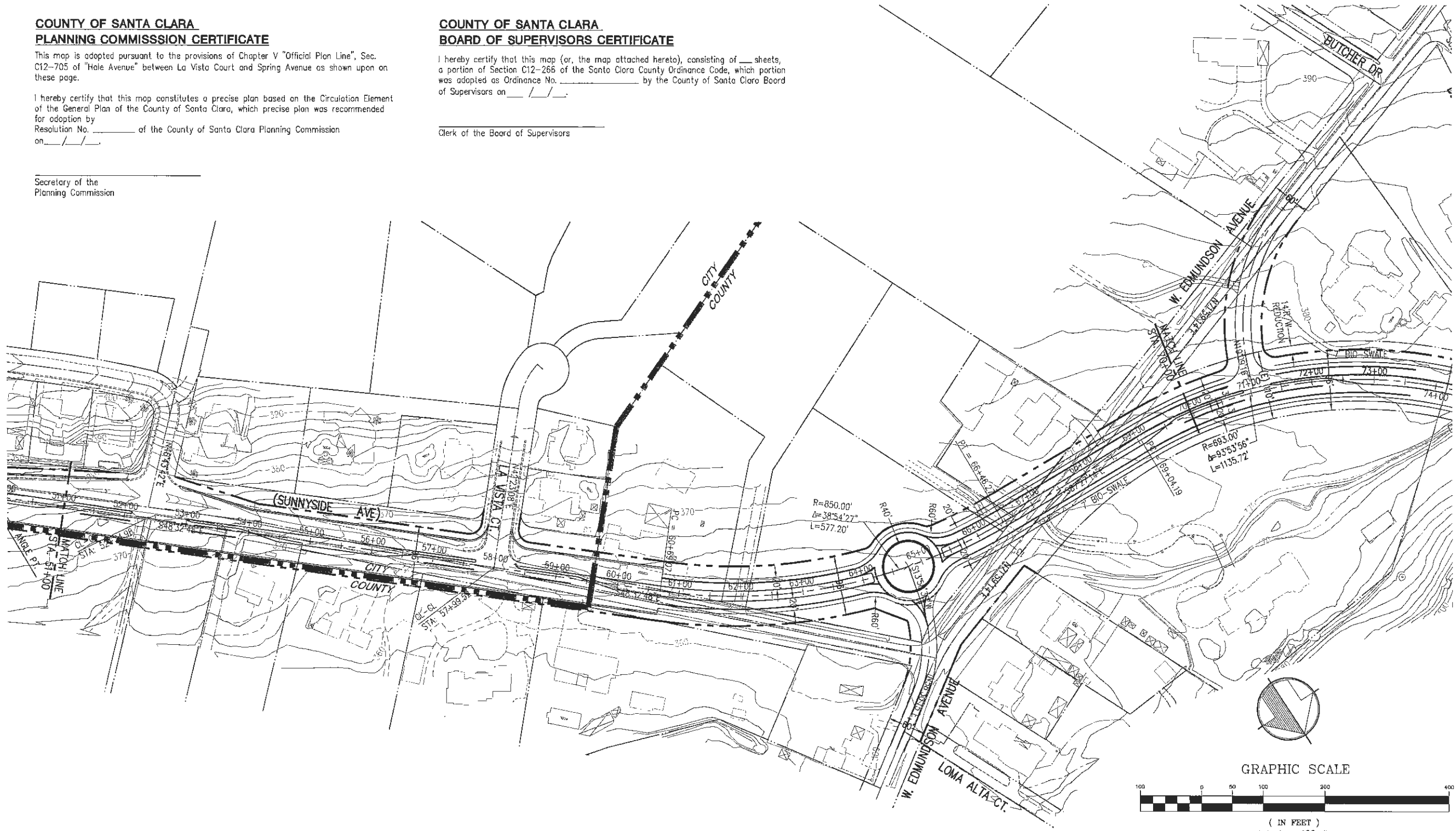
Secretary of the
Planning Commission

COUNTY OF SANTA CLARA
BOARD OF SUPERVISORS CERTIFICATE

I hereby certify that this map (or, the map attached hereto), consisting of ____ sheets, a portion of Section C12-266 of the Santa Clara County Ordinance Code, which portion was adopted as Ordinance No. _____ by the County of Santa Clara Board of Supervisors on ____/____/____.

Clerk of the Board of Supervisors

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Xref's: 214102 LO existing, 214102 LO proposed, MTC layout on MHE base, 214102 OPL topo Main-Spring



No.	Date	Revision	By

City of Morgan Hill
Public Works Department
17575 PEAK AVE. MORGAN HILL, CA 95037
(408) 778-6480 FAX (408) 779-7236

DRAWN: KH	DESIGN: HS	HOR. 1"=100'
CHECKED:	DATE:	VERT:
APPROVED:	DATE:	JOB NO. 214102
KARL D. BLARKE RCE 39416	CITY ENGINEER EXP. DATE 12-31-17	

MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL
MORGAN HILL CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 7/17
DRAWING: 06
OF 18

Attachment: Exhibit A to Reso Official Plan Line (1356 : Certify EIR and Adopt Hale Avenue Extension)

COUNTY OF SANTA CLARA
PLANNING COMMISSION CERTIFICATE

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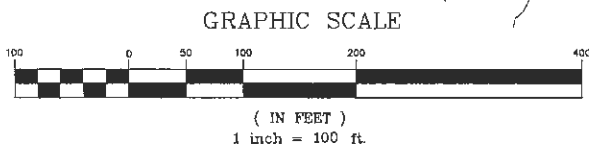
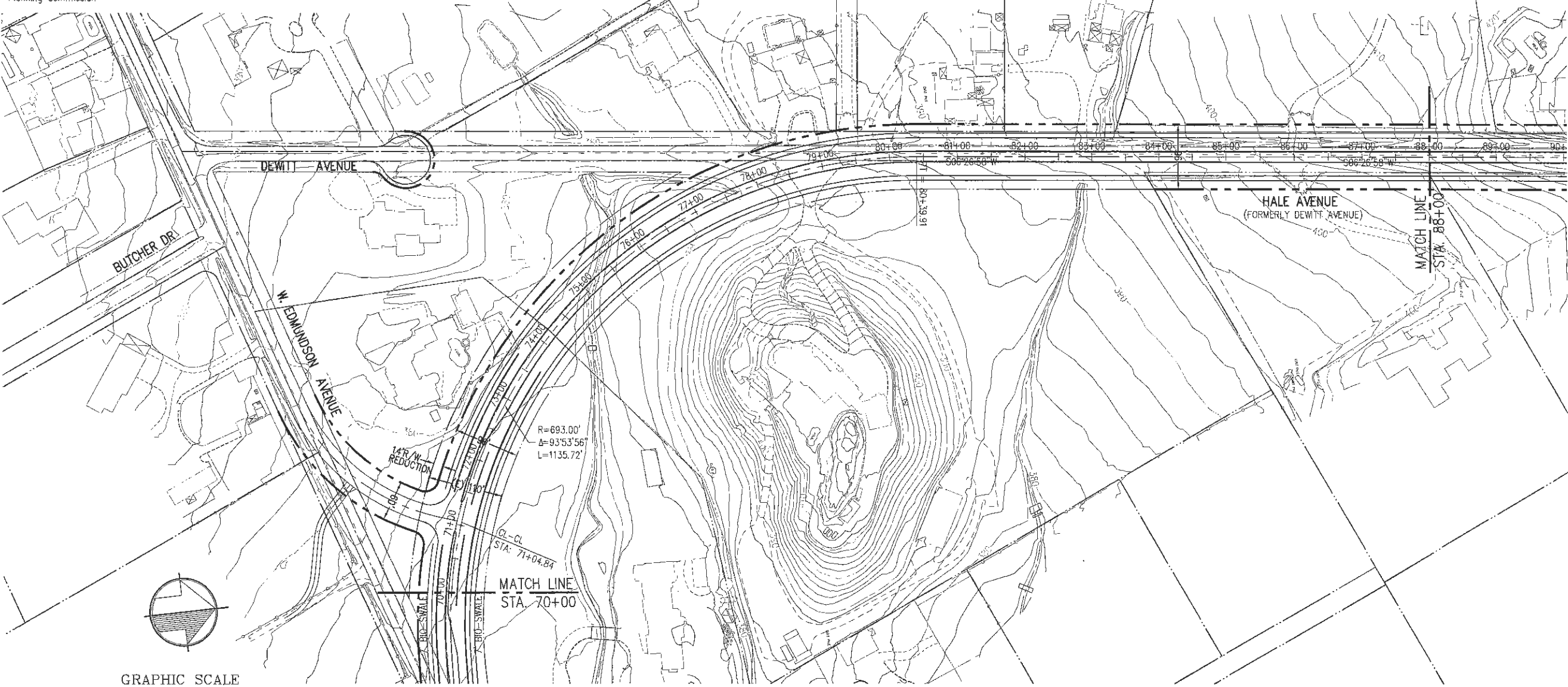
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Secretary of the
Planning Commission

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Clerk of the Board of Supervisors



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No.	Date	Revision	By

City of Morgan Hill
Public Works Department

17575 PEAK AVE. MORGAN HILL, CA 95037
(408) 778-6480 FAX (408) 779-7236

DRAWN: KH	DESIGN: HS	HOR. 1"=100'
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APPROVED:	DATE:	JOB NO. 214102
KARL D. BJARKE REC. 39416	CITY ENGINEER EXP. DATE 12-31-17	

MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS

16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL

MORGAN HILL

CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 7/17
DRAWING: 07 OF 18

COUNTY OF SANTA CLARA
PLANNING COMMISSION CERTIFICATE

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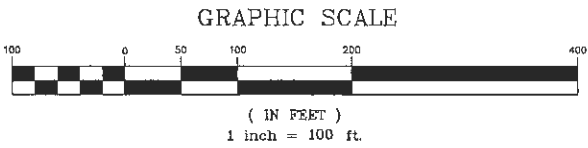
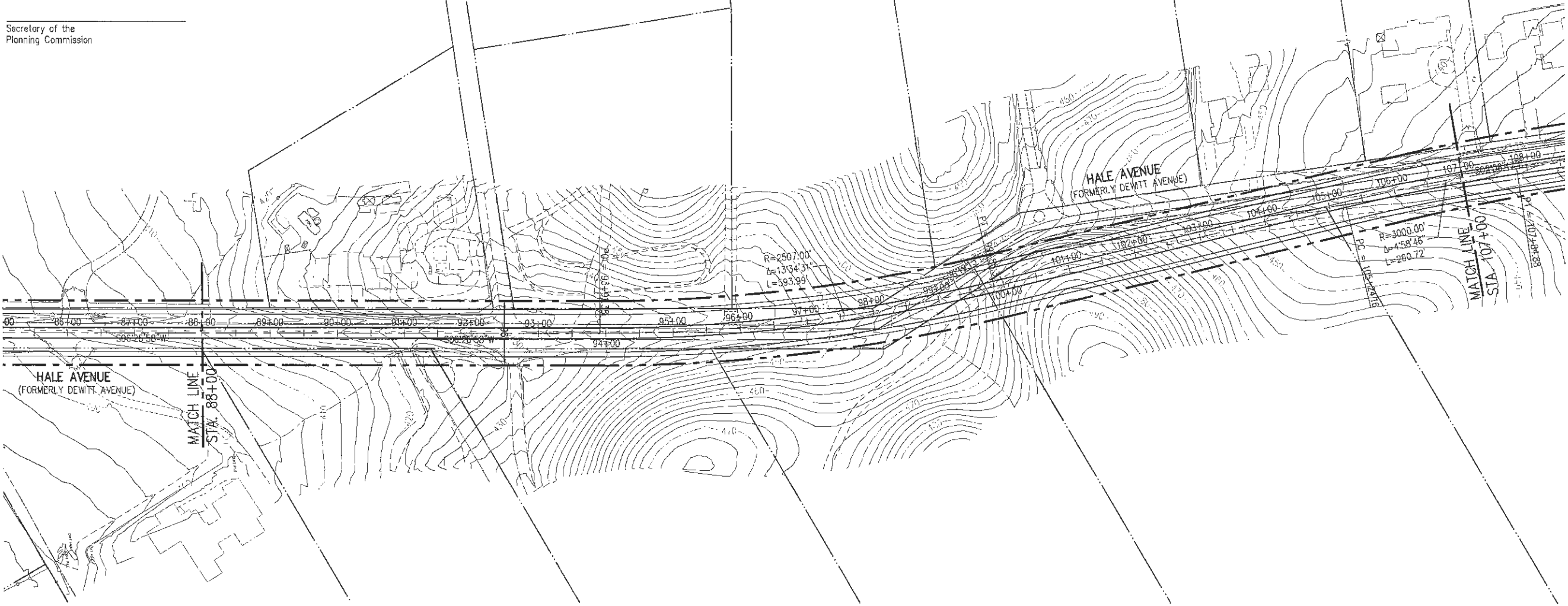
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Secretary of the
Planning Commission

COUNTY OF SANTA CLARA
BOARD OF SUPERVISORS CERTIFICATE

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Clerk of the Board of Supervisors



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City of Morgan Hill
Public Works Department
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(408) 778-6480 FAX (408) 779-7236

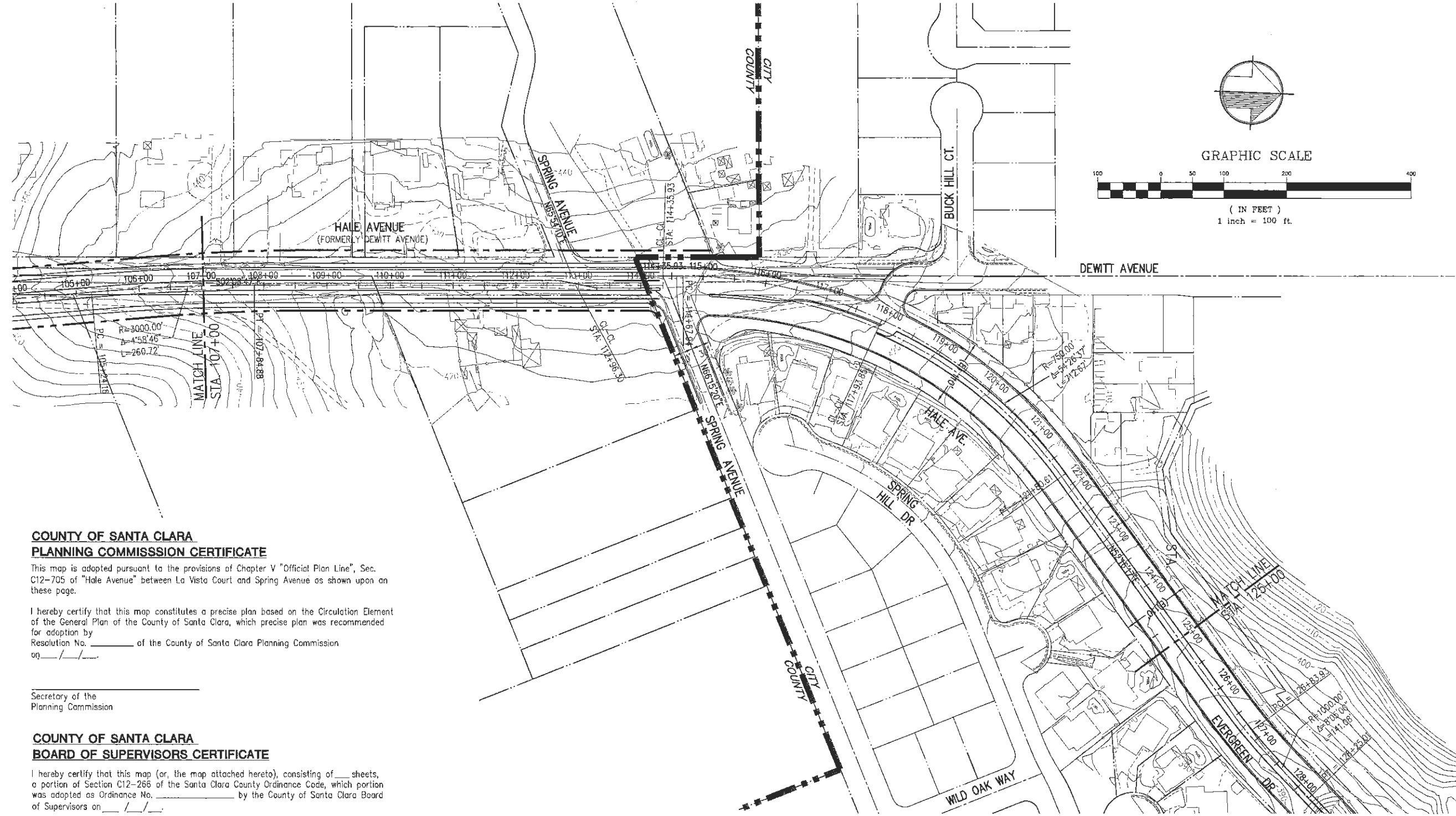
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CHECKED:	DATE:	VERT.
APPROVED:	DATE:	JOB NO. 214102
KARL D. BJARKE RCE 38416	CITY ENGINEER EXP. DATE 12-31-17	

MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

**HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL**
MORGAN HILL CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 7/17
DRAWING: 08 OF 18

L:\PROJECTS\2020\214102\DWG\214102 OPL-S07-08.DWG 07/28/17 14:5
Xref's: 214102 LO existing, 214102 LO proposed, 214102 OPL topo Spring-Edmundson, 214102 contours only DTM



**COUNTY OF SANTA CLARA
PLANNING COMMISSION CERTIFICATE**

This map is adopted pursuant to the provisions of Chapter V "Official Plan Line", Sec. C12-705 of "Hale Avenue" between La Vista Court and Spring Avenue as shown upon on these page.

I hereby certify that this map constitutes a precise plan based on the Circulation Element of the General Plan of the County of Santa Clara, which precise plan was recommended for adoption by Resolution No. _____ of the County of Santa Clara Planning Commission on ____/____/____.

Secretary of the Planning Commission

**COUNTY OF SANTA CLARA
BOARD OF SUPERVISORS CERTIFICATE**

I hereby certify that this map (or, the map attached hereto), consisting of _____ sheets, a portion of Section C12-266 of the Santa Clara County Ordinance Code, which portion was adopted as Ordinance No. _____ by the County of Santa Clara Board of Supervisors on ____/____/____.

Clerk of the Board of Supervisors

No.	Date	Revision	By

City of Morgan Hill Public Works Department	
17575 PEAK AVE.	MORGAN HILL, CA 95037
(408) 778-6480	FAX (408) 779-7236

DRAWN: KH	DESIGN: HS	HOR. 1"=100'
CHECKED:	DATE:	VERT.
APPROVED:	DATE:	JOB NO. 214102
KARL D. BLARKE RCE 39416	CITY ENGINEER EXP. DATE 12-31-17	

	MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS	
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037	
(408) 779-7381 FAX: (408) 226-5712	

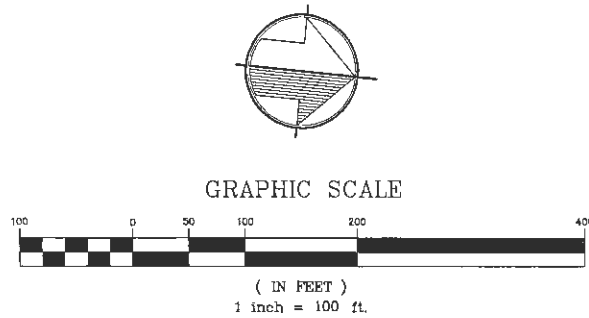
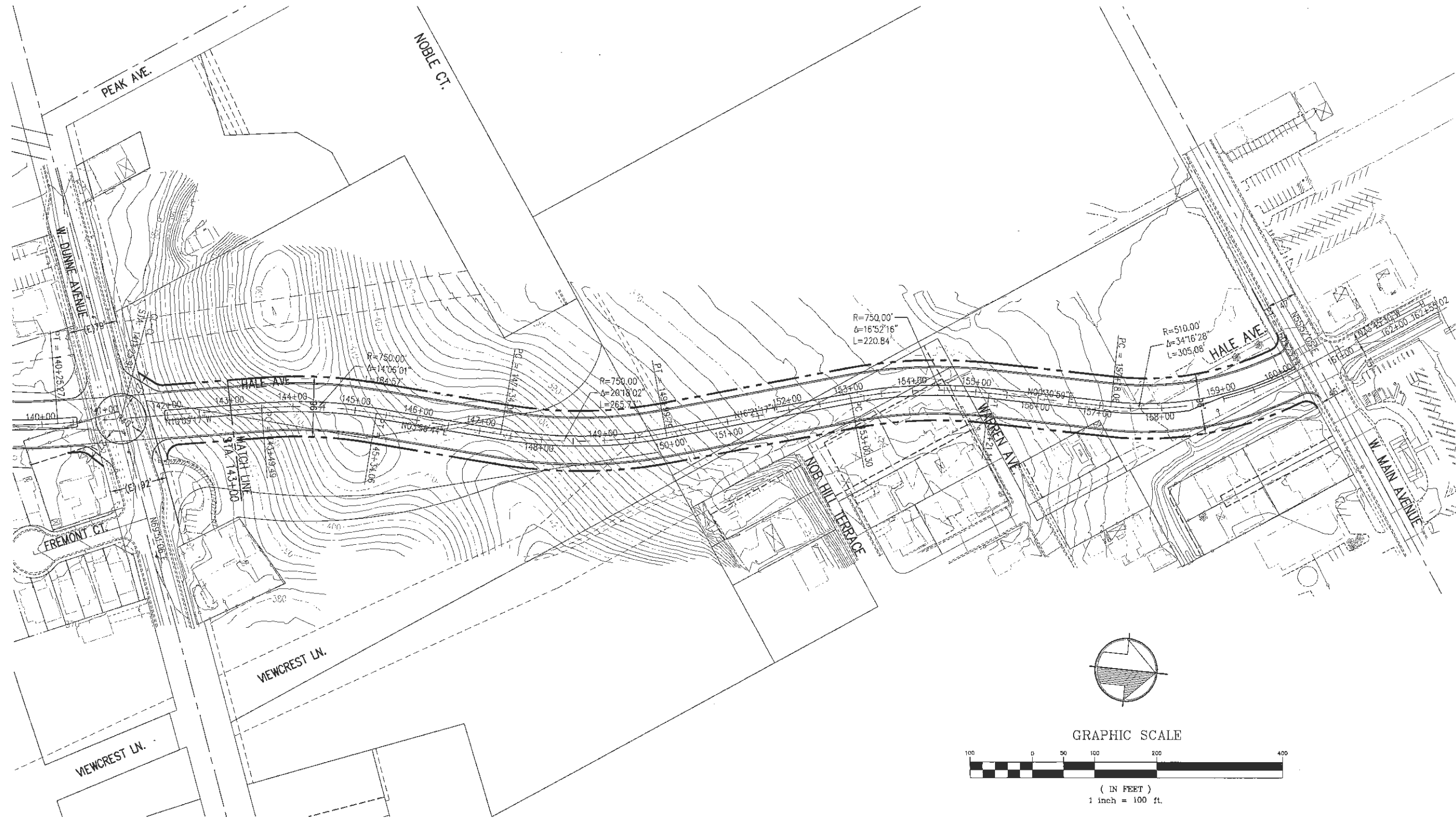
HALE AVENUE OFFICIAL PLAN LINE CITY OF MORGAN HILL	
MORGAN HILL	CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 7/17
DRAWING: 09
OF 18

Attachment: Exhibit A to Reso Official Plan Line (1356 : Certify EIR and Adopt Hale Avenue Extension)

L:\PROJECTS\2002\214102\DWG\214102 OPL-S08-10.DWG 06/27/17 11:01

Xref's: 214102 LO proposed, 214102 OPL topo Main-Spring, MTC LO proposed MHE base, 214102 LO existing, 214102 contours only DTM



90% SUBMITTAL

No.	Date	Revision	By

City of Morgan Hill
Public Works Department
17575 PEAK AVE. MORGAN HILL, CA 95037
(408) 778-6480 FAX (408) 779-7236

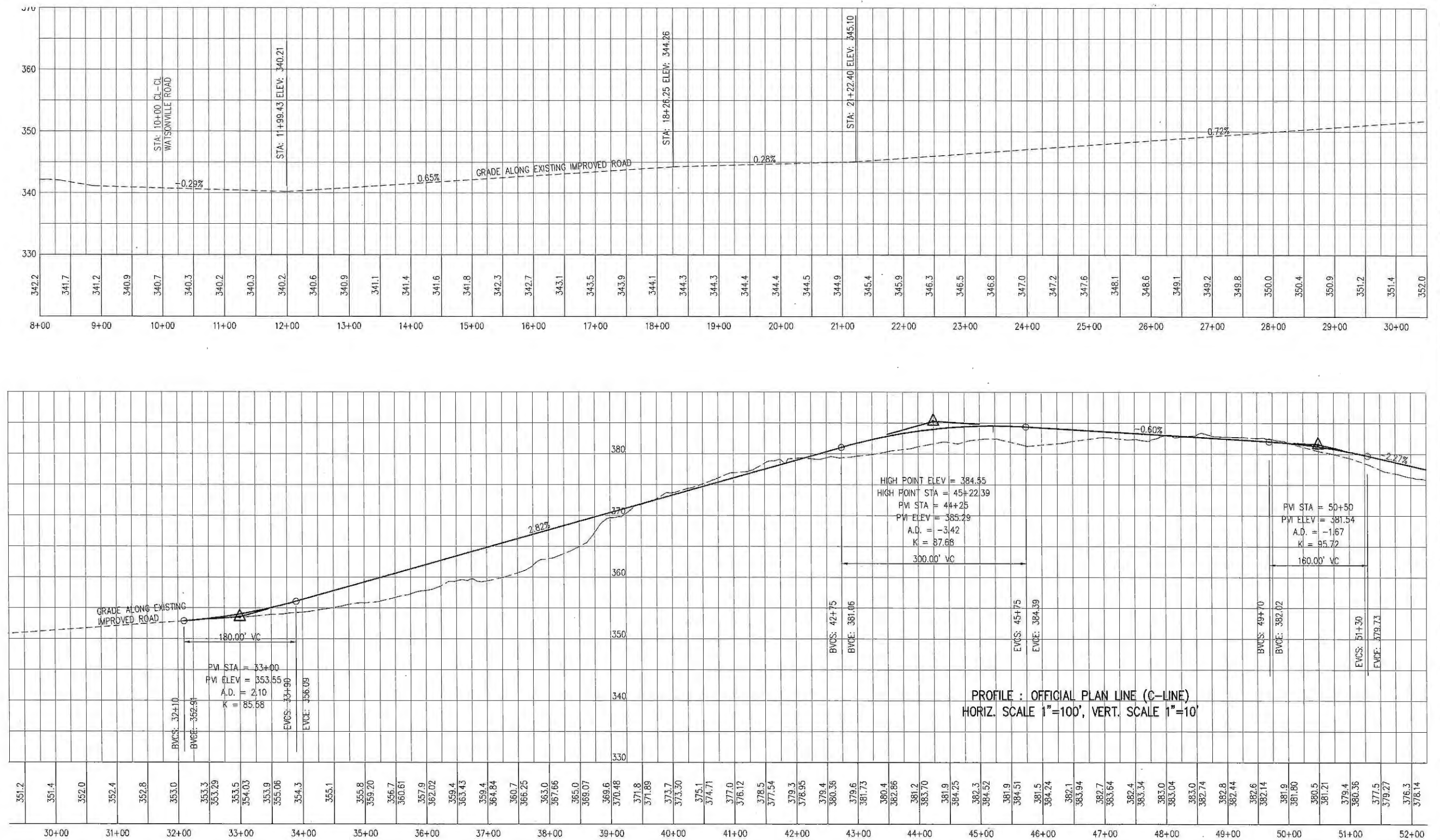
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APPROVED:	DATE:	JOB NO. 214102
KARL D. BJARNE RCE 39416	CITY ENGINEER EXP. DATE 12-31-17	

MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

**HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL**
MORGAN HILL CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 6/17
DRAWING: 10 OF 17

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Xref's: 214102 3D, 214102 LO existing, 214102 STA



PROFILE : OFFICIAL PLAN LINE (C-LINE)
HORIZ. SCALE 1"=100', VERT. SCALE 1"=10'

90% SUBMITTAL

No.	Date	Revision	By

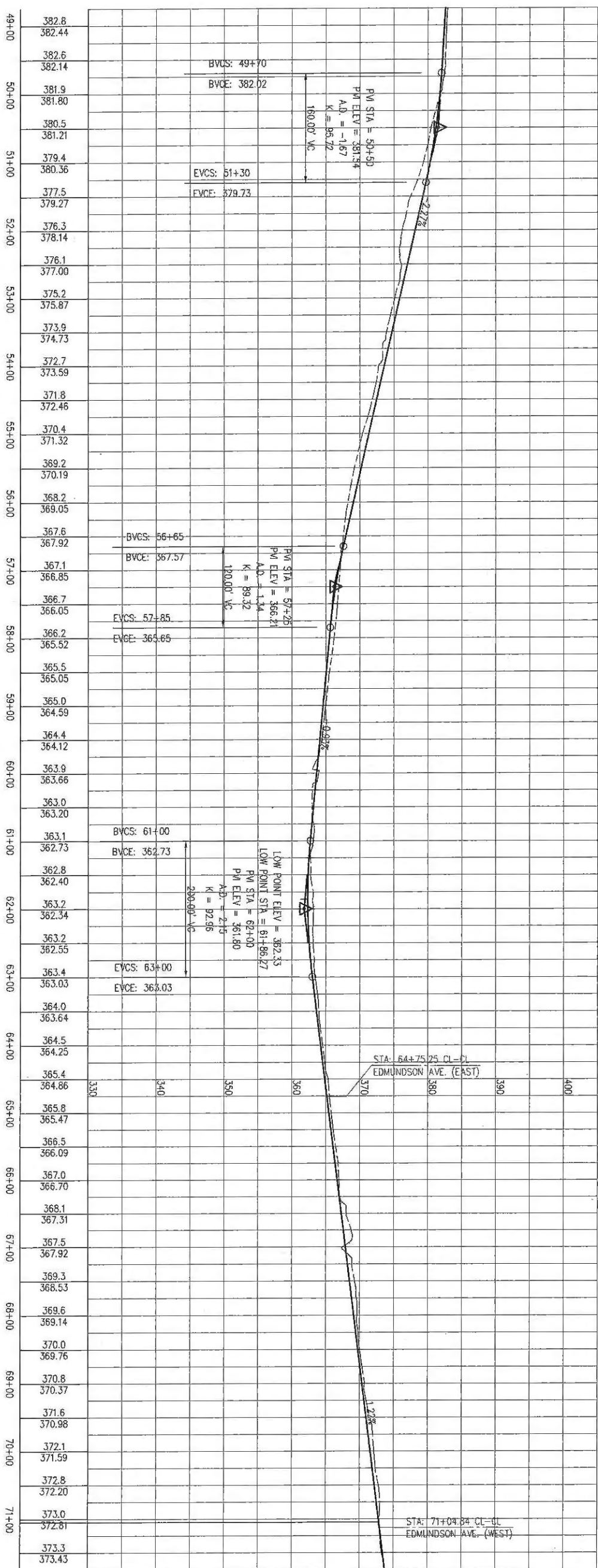
City of Morgan Hill
Public Works Department
17575 PEAK AVE. MORGAN HILL, CA 95037
(408) 778-6480 FAX (408) 779-7236

DRAWN: KH	DESIGN: HS	HOR. 1"=100'
CHECKED:	DATE:	VERT.
APPROVED:	DATE:	JOB NO. 214102
KARL D. BLARKE RCE 39416	CITY ENGINEER EXP. DATE 12-31-17	

MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

**HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL**
MORGAN HILL CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 6/17
DRAWING: 11 OF 17



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City of Morgan Hill
Public Works Department
17575 PEAK AVE. MORGAN HILL, CA 95037
(408) 778-6480 FAX: (408) 779-7226

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APPROVED:	DATE:	JOB NO. 214102
KATH D. BLUMBE REG. 36418 EXP. DATE 12-31-17 CITY PLANNER		

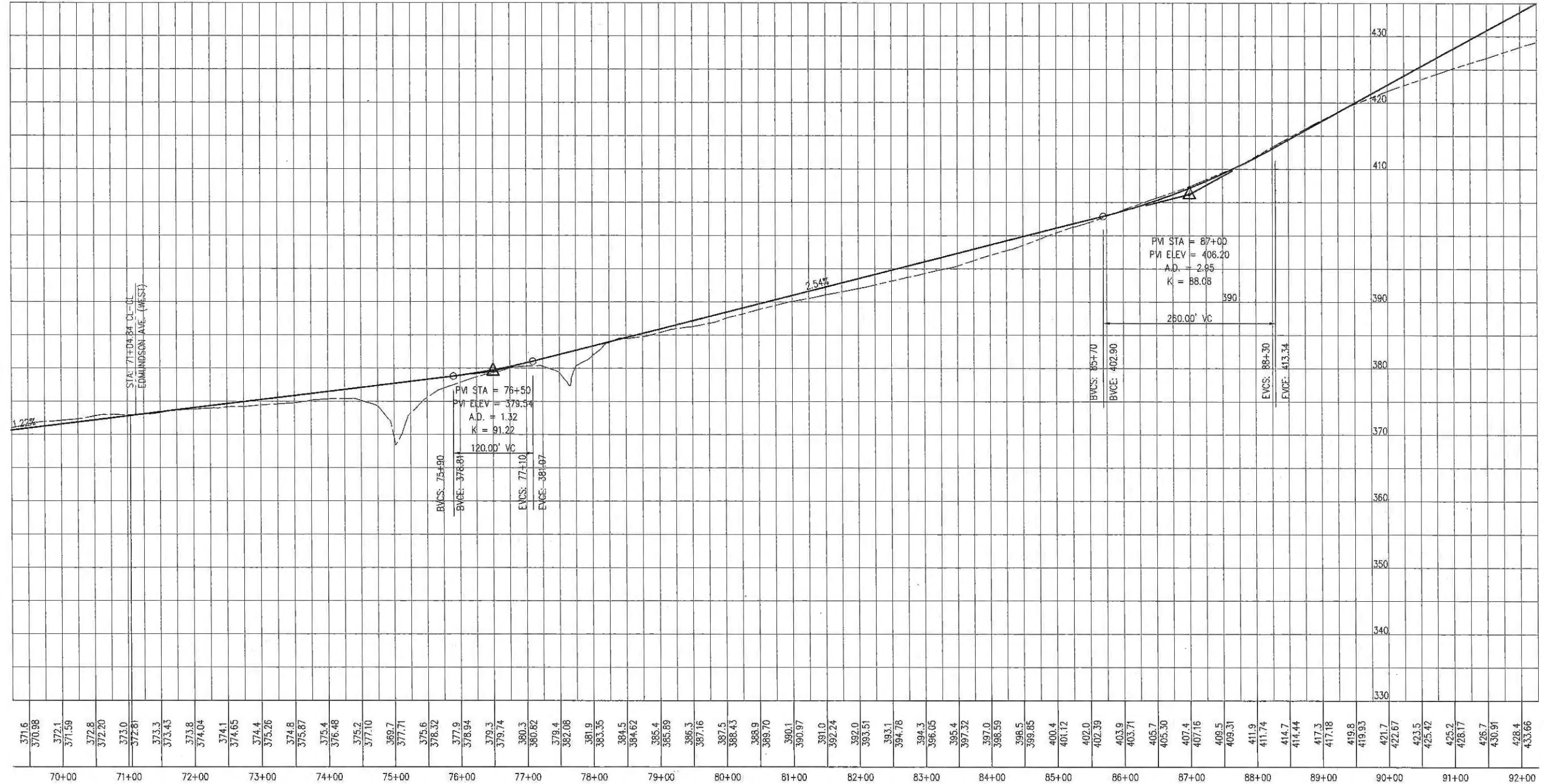
 **MH engineering Co.**
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 WINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

**HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL
MORGAN HILL**

CITY FILE NO.	XXXX
PLAN SET:	6/17
DRAWING:	12
OF 17	

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Xrefs: 214102 3D



90% SUBMITTAL

No.	Date	Revision	By

City of Morgan Hill
Public Works Department
17575 PEAK AVE. MORGAN HILL, CA 95037
(408) 778-6480 FAX (408) 779-7236

DRAWN: KH	DESIGN: HS	HOR. 1"=100'
CHECKED:	DATE:	VERT.
APPROVED:	DATE:	JOB NO. 214102
KARL D. BLARKE RCE 39416	CITY ENGINEER EXP. DATE 12-31-17	

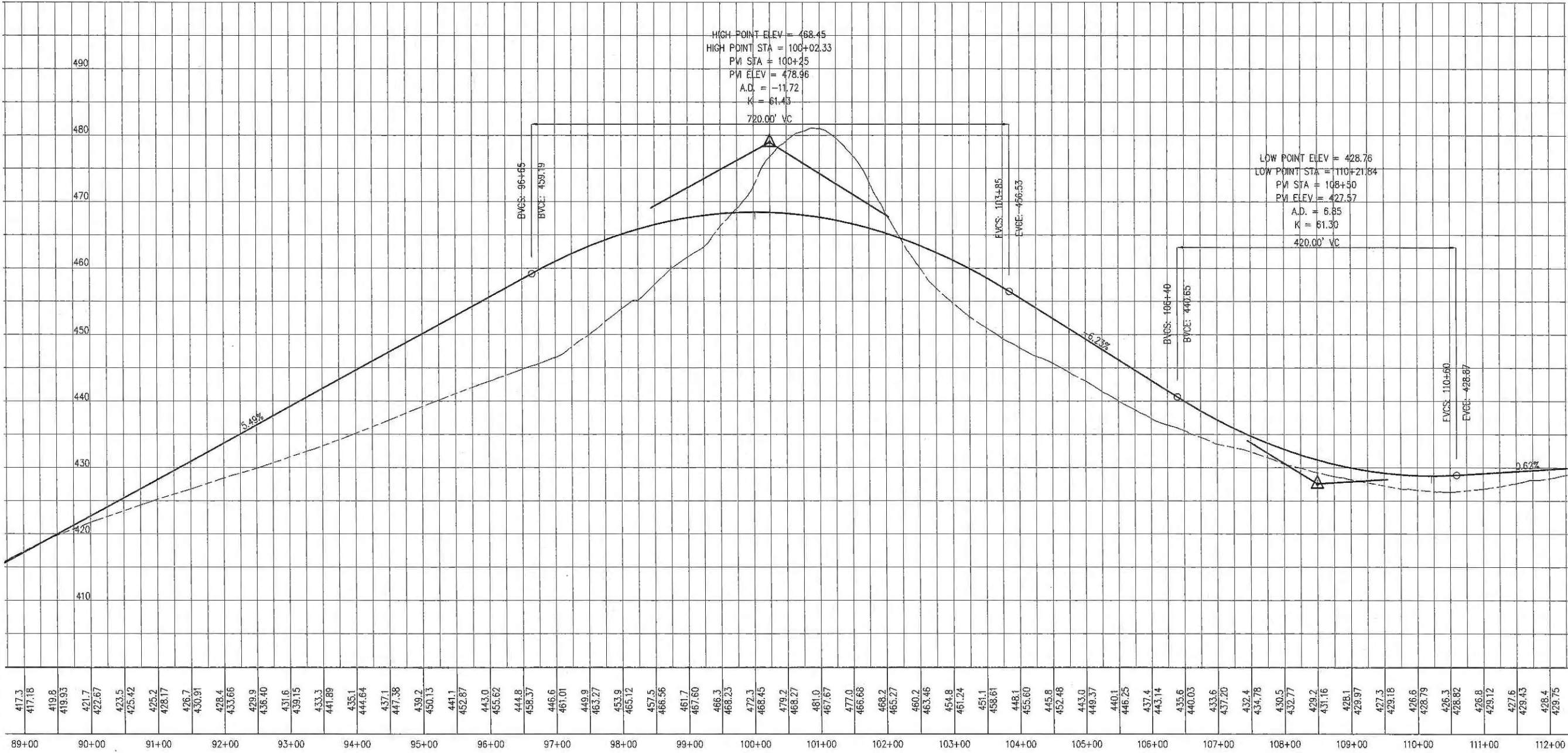
MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

**HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL**
MORGAN HILL CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 6/17
DRAWING: 13 OF 17

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Xref's: 214102 3D, 214102 LO existing, 214102 STA



90% SUBMITTAL

No.	Date	Revision	By

City of Morgan Hill
Public Works Department
17575 PEAK AVE. MORGAN HILL, CA 95037
(408) 778-6480 FAX (408) 779-7236

DRAWN: KH	DESIGN: HS	HOR. 1"=100'
CHECKED:	DATE:	VERT.
APPROVED:	DATE:	JOB NO. 214102
KARL D. SJARKE RCE 38416	CITY ENGINEER EXP. DATE: 12-31-17	

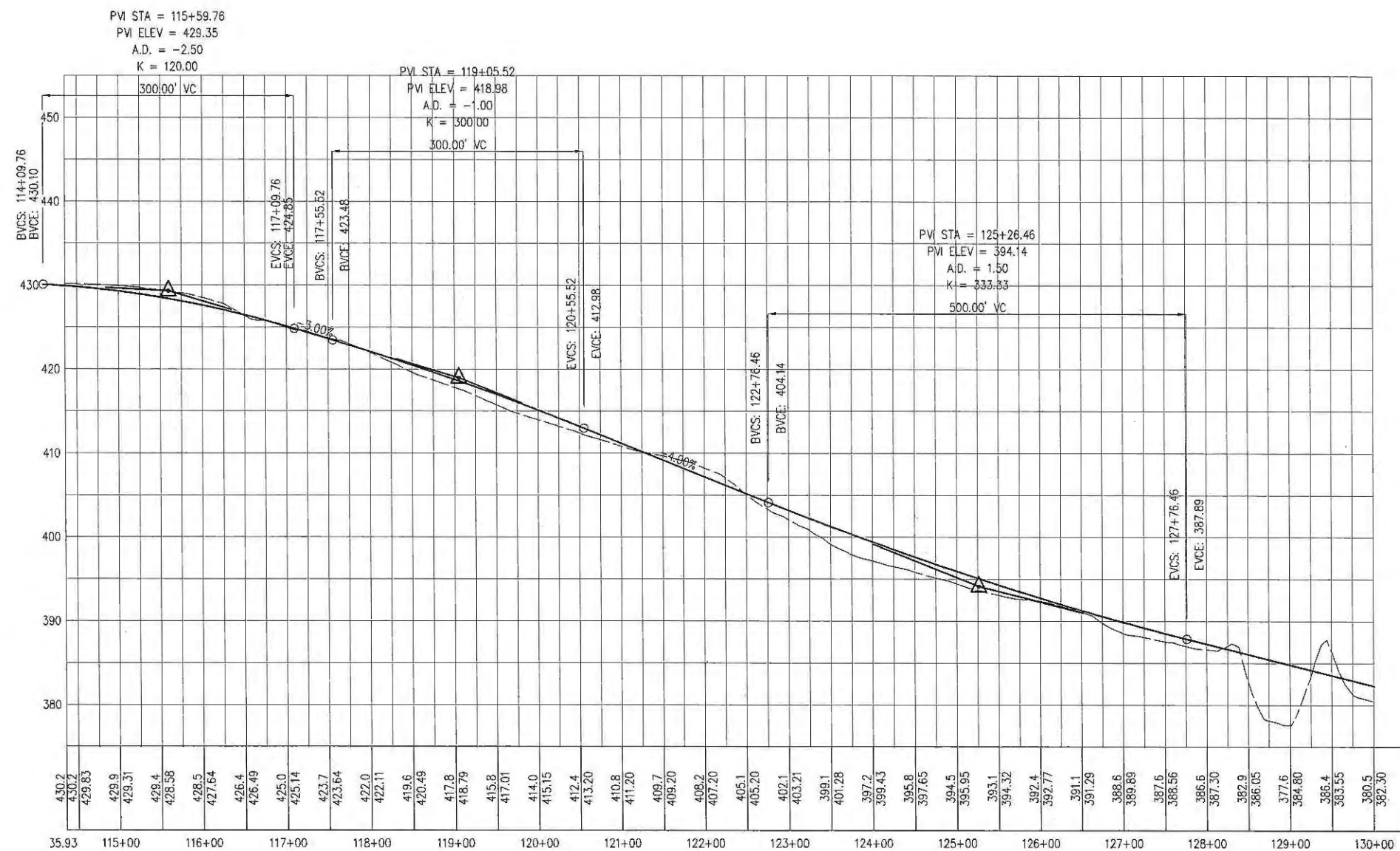
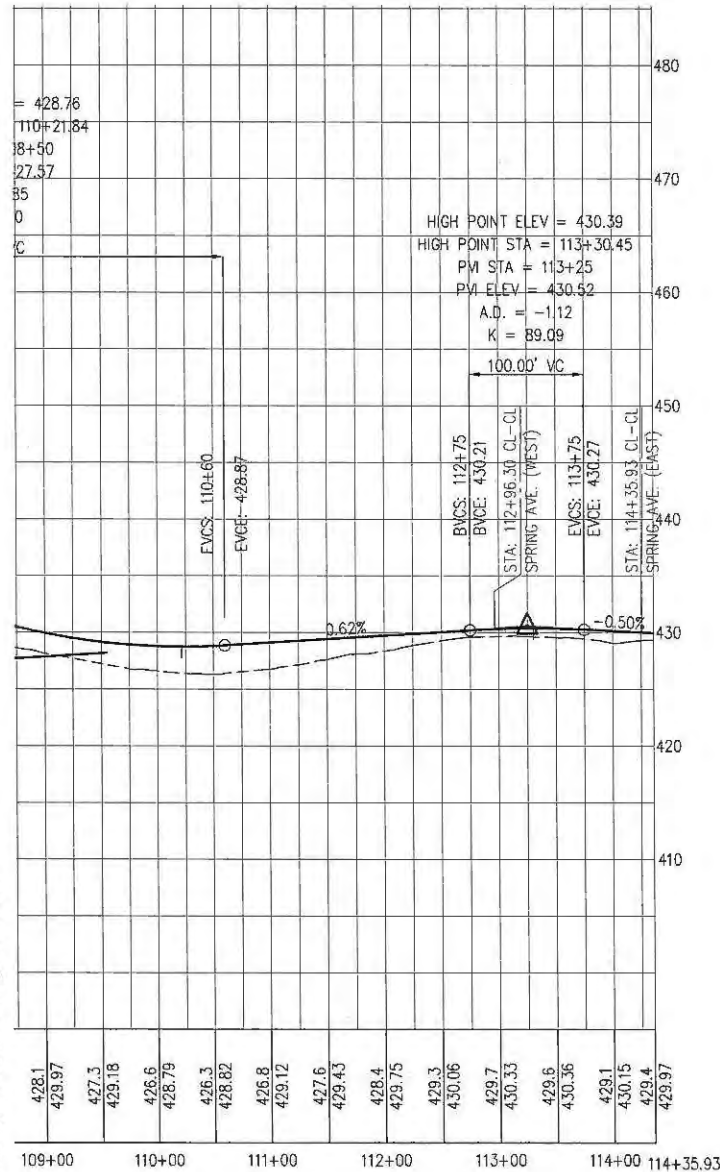
MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

**HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL**
MORGAN HILL CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 6/17
DRAWING: 14 OF 17

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Xref's: 214102 3D, 214102 LO existing, 214102 STA



90% SUBMITTAL

No.	Date	Revision	By

City of Morgan Hill
Public Works Department
17575 PEAK AVE. MORGAN HILL, CA 95037
(408) 778-6480 FAX (408) 779-7236

DRAWN: KH	DESIGN: HS	HOR. 1"=100'
CHECKED:	DATE:	VERT.
APPROVED:	DATE:	JOB NO. 214102
KARL D. BJARKE RCE 39416	CITY ENGINEER EXP. DATE 12-31-17	

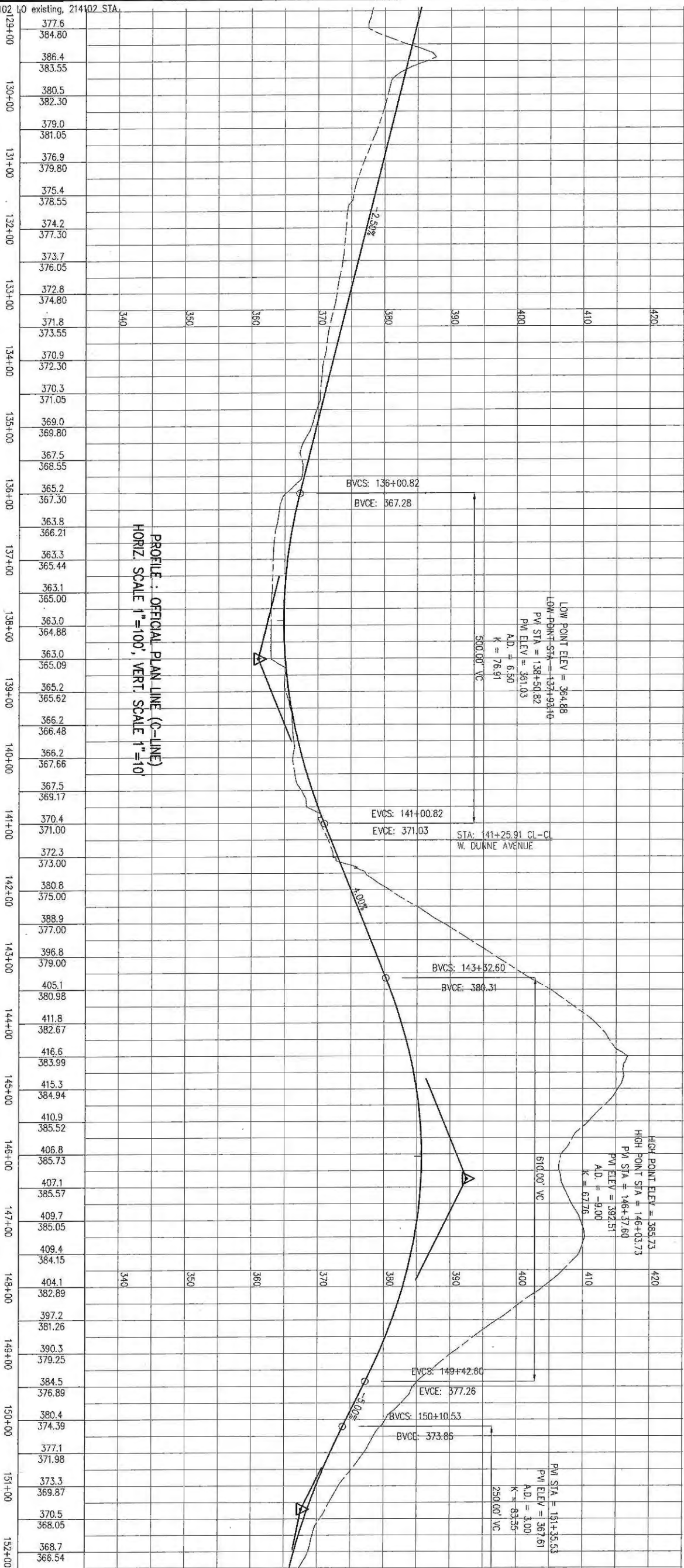
MH engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

**HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL**
MORGAN HILL CALIFORNIA

CITY FILE NO. XXXX
PLAN SET: 6/17
DRAWING: 15 OF 17

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Xref's: 214102 3D, 214102 LO existing, 214102 STA.



90% SUBMITTAL

No.	Date	Revision	By

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KH	HS	1"=100'
CHECKED:	DATE:	VERT. SCALE:
APPROVED:	DATE:	214102

CITY OF MORGAN HILL	Public Works Department
17575 PEAK AVE. MORGAN HILL, CA 95037	(408) 778-6480 FAX (408) 779-7236

ENGINEER	CITY ENGINEER
JOHN D. BAUNCE	JOHN D. BAUNCE
DATE: 12-31-12	DATE: 12-31-12

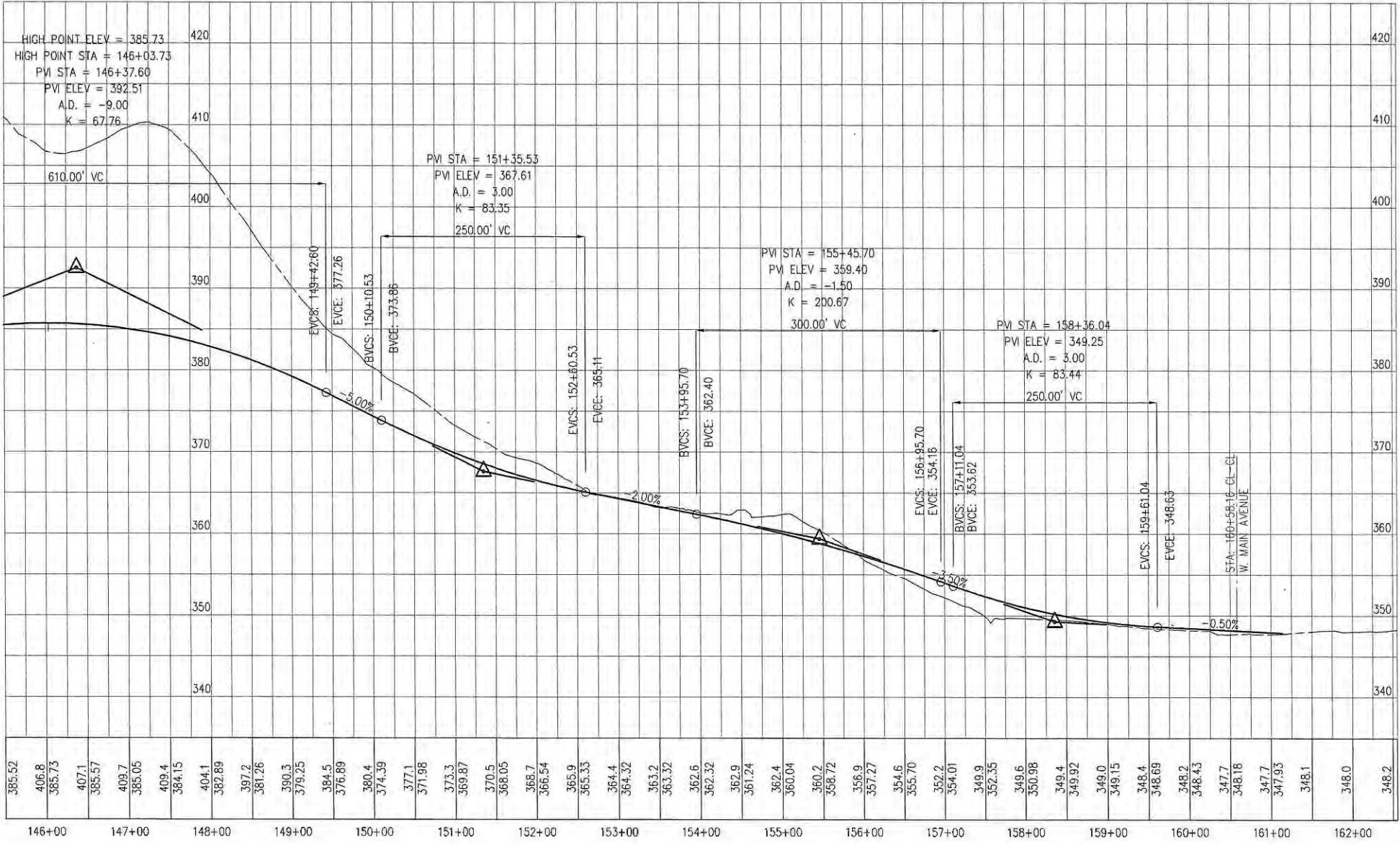
MI Engineering Co.
SUBDIVISIONS - LAND PLANNING - LAND SURVEYS
16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037
(408) 779-7381 FAX: (408) 226-5712

HALE AVENUE
OFFICIAL PLAN LINE
CITY OF MORGAN HILL
CALIFORNIA

CITY FILE NO.	PLAN SET
XXXX	6/17

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16
OF 17

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Xref's: 214102 3D, 214102 LO existing, 214102 STA



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No.		Date	Revision	By

City of Morgan Hill Public Works Department 17575 PEAK AVE. MORGAN HILL, CA 95037 (408) 778-6480 FAX (408) 779-7236		DRAWN: KH DESIGN: HS CHECKED: DATE: DATE: DATE: APPROVED: DATE: DATE: DATE: KARL D. BURKE CITY ENGINEER RCE 38416 EXP. DATE 12-31-17	HOR. 1"=100' VERT. 1"=10' JOB NO. 214102	MH engineering Co. SUBDIVISIONS - LAND PLANNING - LAND SURVEYS 16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037 (408) 779-7381 FAX: (408) 226-5712	HALE AVENUE OFFICIAL PLAN LINE CITY OF MORGAN HILL MORGAN HILL CALIFORNIA	CITY FILE NO. XXXX PLAN SET: 6/17 DRAWING: 17 OF 17
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CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Charlie Ha, Supervising Civil Engineer
APPROVED BY: City Manager

PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)

RECOMMENDATION(S)

1. Open/Close Public Hearing; and
2. Adopt resolution confirming the amended reassessments and directing actions with respect thereto Reassessment District No. 2015-2.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

REPORT NARRATIVE:

At the July 26, 2017 City Council meeting, the Council adopted Resolution 17-064 entitled "RESOLUTION ORDERING THE MAKING OF AMENDED REASSESSMENT PURSUANT TO PART 10 OF DIVISION 10 OF THE STREETS AND HIGHWAYS CODE AND DIRECTING ACTIONS WITH RESPECT THERETO," to authorize NBS, the City's Reassessment District administrator, and City Staff to amend the Reassessment District No. 2015-2 (Madrone Business Park) Amending Reassessment No. 7 diagram. The purpose of the amendment was to make changes to the existing diagram to reflect subdivision of the 5.14-acre parcel of land (formerly APN 726-35-007) located at the southeast corner of Butterfield Boulevard and Madrone Parkway (see attached site map) into two (2) parcels (APN 726-35-029 and APN 726-35-030). Council also authorized NBS and staff to charge NBS' apportionment fees and staff administrative cost associated with the change of parcels within the District No. 2015-2.

Staff and NBS have followed the required procedure to comply with the 1915 Act Assessment District to proceed with the amended reassessments. Notices of the public hearing were posted in the Morgan Hill Times on August 4, 2017 and San Jose Mercury News on August 16, 2017. A copy of the Reassessment Apportionment Report (see attached report) has been made available for public review. As of the writing of this staff report, the City has not received any verbal or written comments regarding the affected properties.

Adoption of the attached resolution following the public hearing is needed so that staff and NBS can proceed with the Reassessment District No. 2015-2 amendment process.

COMMUNITY ENGAGEMENT: Inform

To inform the public of the public hearing, the City Clerk placed public notices in the Morgan Hill Times on August 4th and in the Mercury News on August 16th regarding the Amended Reassessment hearing.

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On July 26, 2017, City Council approved: Ordering the Making of Amended Reassessments for Reassessment District No. 2015-2 (Madrone Business Park) Amending Reassessment No. 7.

FISCAL AND RESOURCE IMPACT:

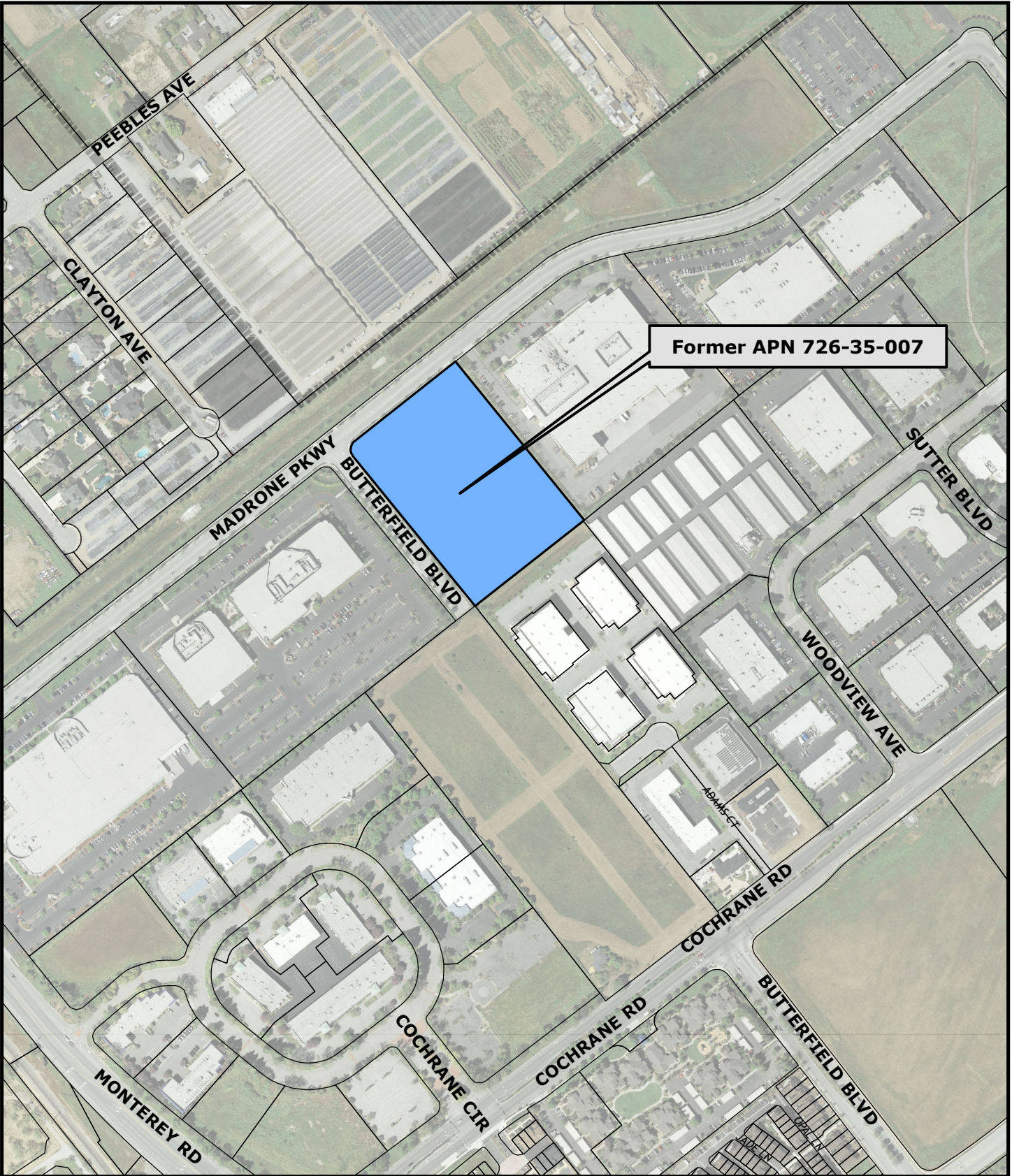
Assessment apportionment fees to pay for staff and NBS time shall be included in the apportionment of the parcels noted in the attached report.

CEQA (California Environmental Quality Act):

Categorical Exemption under Section 15314 of Guidelines for CEQA and Section 21083 of the Public Resources Code as a minor land division.

LINKS/ATTACHMENTS:

1. SITE MAP
2. Reassessment Apportionment Report
3. Resolution Confirming the Amended Reassessments and Directing Actions



CITY OF MORGAN HILL

**Department of Public Works
Engineering and Utilities Division**

G:\R-14\Proj\GIS\John\Charlie_MadronePkwyButterfield.mxd

**SITE MAP - PORTION OF
MADRONE BUSINESS PARK**



Attachment: SITE MAP (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE



DRAFT

CITY OF MORGAN HILL

Reassessment Apportionment Report Reassessment District No. 2015-2 (Madrone Business Park)

Amending Reassessment No. 7

July 2017

OFFICE LOCATIONS:

Temecula – Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592

San Francisco – Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102

California Satellite Offices
Atascadero, Davis
Huntington Beach,
Joshua Tree, Riverside
Sacramento, San Jose

Prepared by:



www.nbsgov.com

TABLE OF CONTENTS

1.	Apportionment of Reassessment	1
2.	Prior Parcel Map.....	2
3.	Current Parcel Map.....	3
4.	Notice to Bondholder	4
5.	Amended Reassessment Diagram	5
6.	Notice of Amended Reassessment	6

1. APPORTIONMENT OF REASSESSMENT

DRAFT



City of Morgan Hill
Reassessment District No. 2015-2 (Madrone Business Park)
Amending Reassessment No. 7

SERIES A

Prior APN	Reassessment Number	Acreage	Original Assessment	New APN	Assessment Number	Acreage	Original Assessment	Hearing Method Apportionment Fees
726-35-007	7	5.18	\$267,478.57	726-35-029	7A	2.44	\$125,993.77	\$1,062.25
				726-35-030	7B	2.74	\$141,484.80	\$1,062.25
TOTAL		5.18	\$267,478.57	TOTAL		5.18	\$267,478.57	\$2,124.50

SERIES B

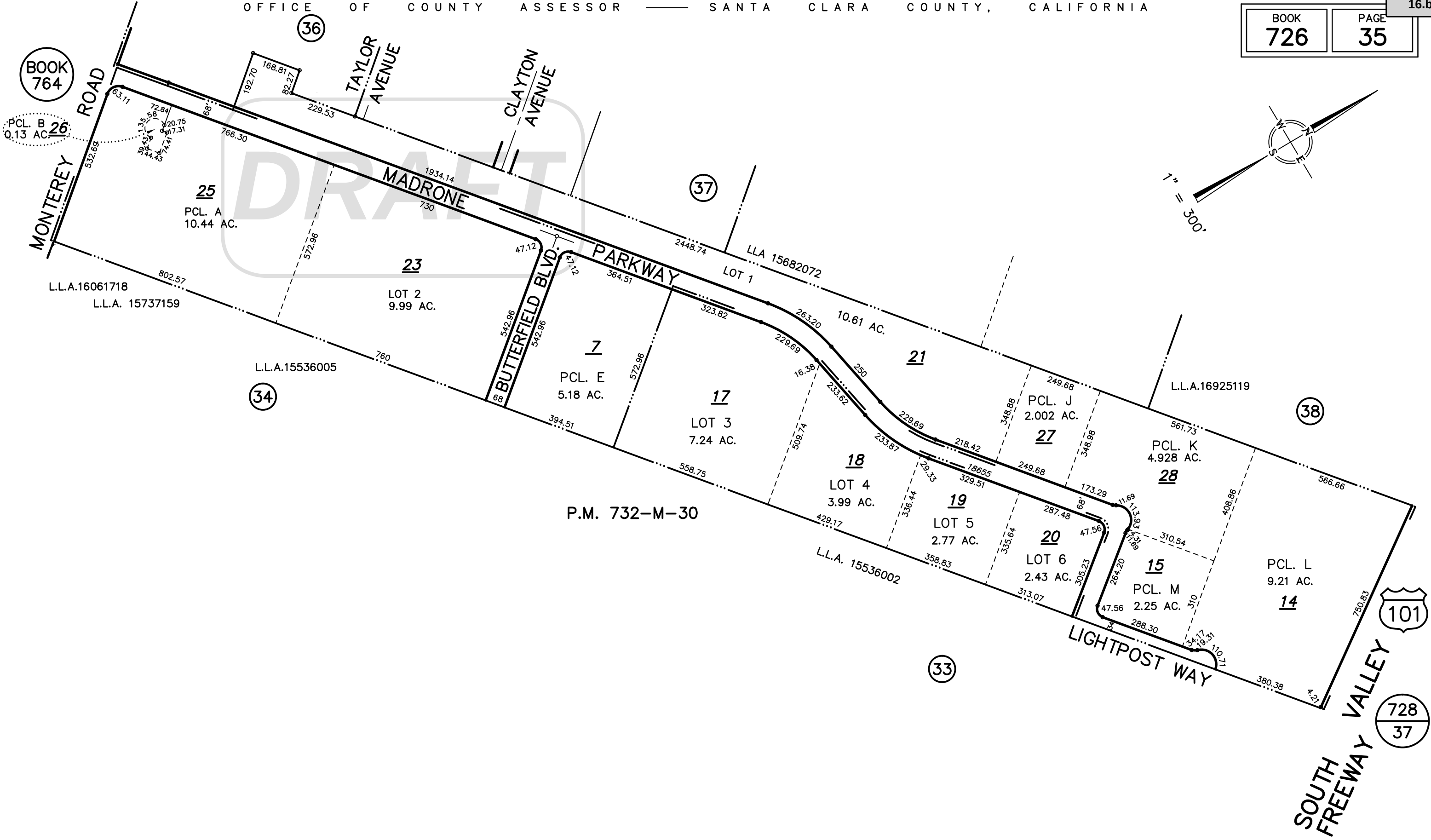
Prior APN	Reassessment Number	Acreage	Original Assessment	New APN	Assessment Number	Acreage	Original Assessment	Hearing Method Apportionment Fees
726-35-007	7	5.18	\$32,118.80	726-35-029	7A	2.44	\$15,129.32	\$1,062.25
				726-35-030	7B	2.74	\$16,989.48	\$1,062.25
TOTAL		5.18	\$32,118.80			5.18	\$32,118.80	\$2,124.50

Owner of Record: Cochrane Road Self-Storage

2. PRIOR PARCEL MAP

DRAFT





Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT

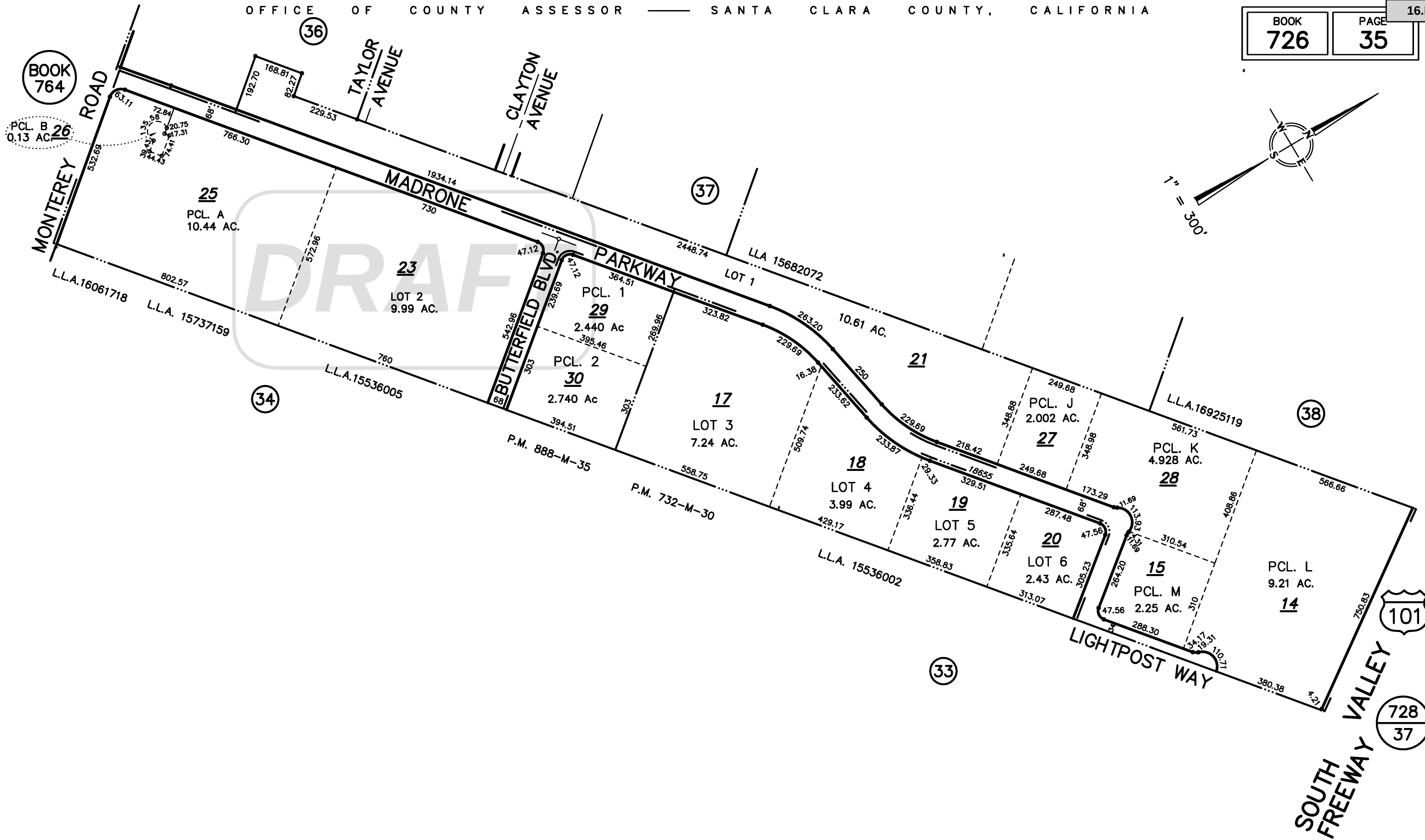
TRA DET. MAP 251, 252

LAWRENCE E. STONE — ASSESSOR
Cadastral map for assessment purposes only.
Compiled under R.
Effective Roll Year

3. CURRENT PARCEL MAP

DRAFT





Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT

4. NOTICE TO BONDHOLDER

DRAFT

Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT





32605 Temecula Parkway, Suite 100
Temecula, CA 92592

Toll free: 800.676.7516 (P) 951.296.1997
(F) 951.296.1998

nbsgov.com

Umpqua Bank
2998 Douglas Blvd, Ste 100
Roseville, CA 95661

VIA CERTIFIED MAIL

**NOTICE TO BONDHOLDER
DIVISION OF LAND AND ASSESSMENT
June 14, 2017**

NOTICE IS HEREBY GIVEN to you as the original purchaser of the bonds issued by the City of Morgan Hill to represent the unpaid assessments relating to the construction and/or acquisition of certain public improvements in the Reassessment District known and designated as "Reassessment District No. 2015-2 (Madrone Business Park)". Said bonds were issued pursuant to the terms and provisions of the Improvement Bond Act of 1915, commencing with Division 10 of the Streets and Highways Code of the State of California.

NOTICE IS HEREBY GIVEN that an apportionment has been made, as requested by a property owner within the district, relating to the assessments and parcels as indicated by the attached exhibit.

NOTICE IS HEREBY GIVEN that unless a request for a public hearing is received within fourteen (14) days from the date of this Notice, the above-apportioned assessments shall be recorded in the manner and form as required by law. If you have any questions, please contact the undersigned at (800) 676-7516, or the following person at the City of Morgan Hill:

City of Morgan Hill
Attn: Dat Nguyen
17575 Peak Avenue
Morgan Hill, CA 95037

This procedure is required pursuant to the provisions of Part 10.5 of Division 10 of the Streets and Highways Code of the State of California and is being performed on behalf of the County of Santa Clara.

Respectfully,

Kristin Harvey
Senior Consultant

EXHIBIT "A"

**CITY OF MORGAN HILL
 REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)
 AMENDING REASSESSMENT NO. 7**

Old APN	Reassessment Number	New APN	Reassessment Number
726-35-007	7	726-35-029	7A
		726-35-030	7B

Owner of Record: COCHRANE ROAD SELF-STORAGE

DRAFT

5. AMENDED REASSESSMENT DIAGRAM

DRAFT

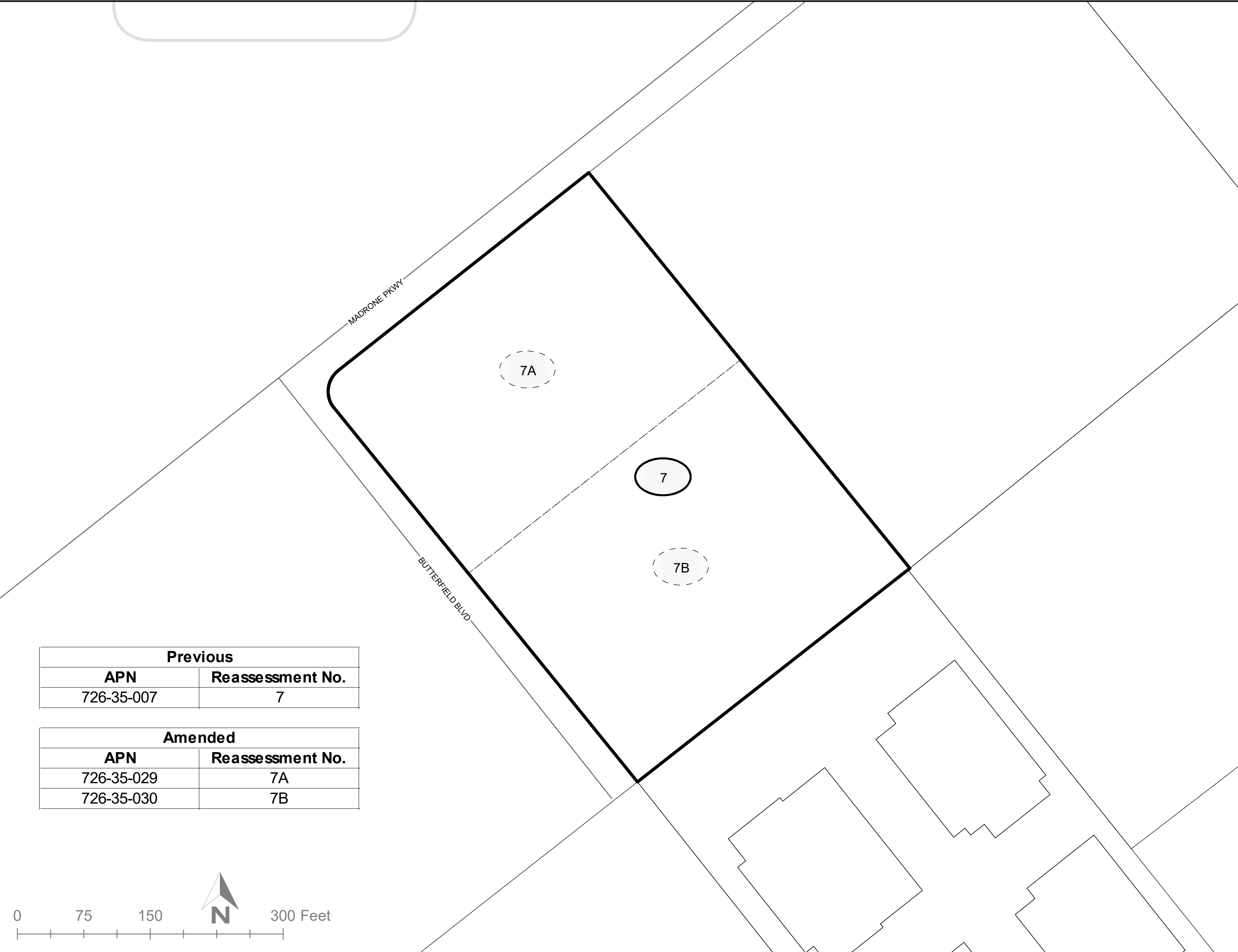


AMENDED REASSESSMENT DIAGRAM
CITY OF MORGAN HILL
REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)

CITY OF MORGAN HILL
COUNTY OF SANTA CLARA
STATE OF CALIFORNIA

AMENDING REASSESSMENT NO. 7

DRAFT



Previous	
APN	Reassessment No.
726-35-007	7

Amended	
APN	Reassessment No.
726-35-029	7A
726-35-030	7B

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORGAN HILL THIS _____ DAY OF _____, 200__.

CITY CLERK
CITY OF MORGAN HILL,
SANTA CLARA COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS _____ DAY OF _____, 200__.

DIRECTOR OF PUBLIC WORKS AND EX-OFFICIO
SUPERINTENDENT OF STREETS
CITY OF MORGAN HILL,
SANTA CLARA COUNTY, CALIFORNIA

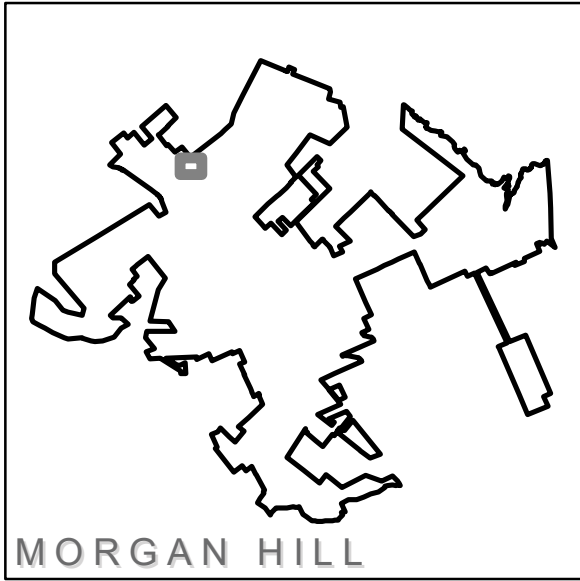
THIS AMENDED REASSESSMENT DIAGRAM AMENDS THE REASSESSMENT DIAGRAM OF CITY OF MORGAN HILL, REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK), CITY OF MORGAN HILL, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, WHICH WAS PRIOR RECORDED THE 20TH DAY OF NOVEMBER, 2015, IN BOOK 51 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGES 36 THROUGH 37 IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

CITY CLERK
CITY OF MORGAN HILL,
COUNTY OF SANTA CLARA, CALIFORNIA

FILED THIS _____ DAY OF _____, 200__, AT THE HOUR OF ____ O'CLOCK ____ M., IN BOOK _____, OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE _____, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

DEPUTY
COUNTY RECORDER
SANTA CLARA COUNTY, CALIFORNIA

FOR PARTICULARS OF THE LINES AND DIMENSIONS OF ASSESSOR PARCELS, REFERENCE IS MADE TO THE MAPS OF THE ASSESSOR OR THE COUNTY OF SANTA CLARA.



Previous Parcel Line

Previous Reassessment No.

Amended Parcel Line

Amended Reassessment No.

Data Source
Santa Clara County GIS

Projection
NAD 1983 StatePlane California III FIPS 0403 Feet

Geographic Coordinate System
GCS North American 1983



Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK))

6. NOTICE OF AMENDED REASSESSMENT

DRAFT

Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT



**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

Irma Torrez
City Clerk
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

DRAFT

NOTICE OF AMENDED REASSESSMENT

**CITY OF MORGAN HILL
REASSESSMENT DISTRICT NO. 2015-2
(MADRONE BUSINESS PARK)
AMENDING REASSESSMENT NO. 7**

Pursuant to the requirements of Section 3114 of the Streets and Highways Code of California, the undersigned CITY CLERK of the CITY OF MORGAN HILL, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, HEREBY GIVES NOTICE that an Amended Reassessment Diagram and Reassessment Roll were recorded in the office of the Superintendent of Streets of the City, as provided for in said Section, and relating to the real property more particularly described on the Amended Assessment Diagram filed in accordance with said Section on the _____ day of _____, 20__ in Book _____, Page(s) _____, Document No. _____ of Book of Maps of Assessment and Community Facilities Districts in the office of the County Recorder of the County of Santa Clara.

Said Amended Reassessment Diagram amends the Reassessment Diagram for Reassessment District No. 2015-2 (Madrone Business Park), City of Morgan Hill, County of Santa Clara, State of California filed for record in the office of said County Recorder of the County of Santa Clara on the 20th day of November, 2015, in Book 51 of Maps of Assessment and Community Facilities Districts, at Pages 36 through 37 thereof.

NOTICE IS FURTHER GIVEN that upon the recording of this Notice in the office of said County Recorder, the several Reassessments assessed on the lots, pieces and parcels as shown on said filed Amended Reassessment Diagram shall become a lien upon the lots or portions of lots assessed, respectively.

Reference is made to the Amended Reassessment Diagram and Reassessment Roll recorded in the office of said Superintendent of Streets of the City for the amount of each of the amended Assessments.

Exhibit "A" hereto attached, and by this reference incorporated herein, shows the parcels subject to the amended Reassessments.

Irma Torrez, City Clerk
City of Morgan Hill, County of Santa Clara

Date

Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT

EXHIBIT "A"

**CITY OF MORGAN HILL
 REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)
 AMENDING REASSESSMENT NO. 7**

Old APN	Reassessment Number	New APN	Reassessment Number
726-35-007	7	726-35-029	7A
		726-35-030	7B

Owner of Record: COCHRANE ROAD SELF-STORAGE

RESOLUTION NO. ____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CONFIRMING THE AMENDED REASSESSMENT AND DIRECTING ACTIONS WITH RESPECT THERETO REASSESSMENT DISTRICT NO. 2015-2**

WHEREAS, the City Council (the “Council”) of the City of Morgan Hill, a municipal corporation and general law city organized and existing under and pursuant to the Constitution and laws of the State of California (the “City”); and

WHEREAS, this Council adopted Resolution No.17-064, entitled “**RESOLUTION ORDERING THE MAKING OF AMENDED REASSESSMENT PURSUANT TO PART 10 OF DIVISION 10 OF THE STREETS AND HIGHWAYS CODE AND DIRECTING ACTIONS WITH RESPECT THERETO**,” in which the Council ordered the Superintendent of Streets to prepare and file with the City Clerk the Reassessment Apportionment Report (the “Report”), an Amended Reassessment Diagram and Amended Reassessment Roll of Reassessment Number 7, which was previously recorded on the 20th day of November, 2015 in Book 51 of Maps of Assessment and Community Facilities Districts, at Pages 36 through 37 thereof, Document No. 23152597, segregating and apportioning the unpaid installments of the original Reassessment in accordance with the benefits to the several parts of the original parcel; and

WHEREAS, said Report was duly made and filed, and duly considered by this Council and found to be sufficient in every particular, whereupon it was determined that said Report should stand as the Report for all subsequent proceedings under and pursuant to the aforesaid Resolution No. 17-064; and

WHEREAS, August 23, 2017, at the hour of 7 o’clock (p.m.), in the regular meeting place of this Council, was appointed as the time and place for hearing protests in relation to the Amended Reassessment Diagram and Amended Reassessment Roll of the parcel of land designated as Reassessment Number 7, which was previously recorded on the 20th day of November, 2015 in Book 51 of Maps of Assessment and Community Facilities Districts, at Pages 36 through 37 thereof, Document No. 23152597, segregating and apportioning the unpaid installments of the original Reassessment in accordance with the benefits of the several parts of the original parcel, plus costs and fees of making such apportionments, notices of which hearing were duly and regularly published; and

WHEREAS, said hearing was duly and regularly held, and all persons interested in the original Reassessment, or in the land affected thereby or in the bonds secured thereby desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to said Amended Reassessment was fully heard and considered by this Council, and all protests, both written and oral, were duly heard and considered;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

1. All written and oral protests are hereby overruled, and this Council has thereby acquired jurisdiction to order said Amended Reassessment and re-confirms said Amended Reassessment Diagram and Amended Reassessment Roll, referenced herein, and the costs and expenses thereof.
2. Said Amended Reassessment Diagram and said Amended Reassessment Roll, referenced herein, filed with the City Clerk pursuant to “**RESOLUTION ORDERING THE MAKING OF AMENDED REASSESSMENT PURSUANT TO PART 10 OF DIVISION 10 OF THE STREETS AND HIGHWAYS CODE AND DIRECTING ACTIONS WITH RESPECT THERETO**” is hereby, ratified, approved, and re-confirmed.
3. The City Clerk of the City of Morgan Hill shall forthwith:
 - a) approve an Amended Notice of Reassessment, amending the Notice of Reassessment which was previously recorded on the 20th day of November, 2015, Document No. 23152597 for the Reassessment Number 7, executed by the City Clerk of the City of Morgan Hill, that has been filed and recorded, in the office of the County Recorder of the County of Santa Clara and such Amended Notice of Reassessment to be in substantially the same form as provided in Section 3114 of the Streets and Highways Code of California;
 - b) approve an Amended Reassessment Diagram, amending the Reassessment Diagram which was previously recorded on the 20th day of November, 2015, Document No. 23152597 for the Reassessment Number 7, executed by the City Clerk of the City of Morgan Hill, that has been filed and recorded, in the office of the County Recorder of the County of Santa Clara and such Amended Reassessment Diagram to be in substantially the same form as provided in Section 3114 of the Streets and Highways Code of California;
 - c) deliver the Amended Reassessment Roll to the Superintendent of Streets, together with the Amended Reassessment Diagram, as approved and re-confirmed by this Council, with a certificate of such confirmation and the date thereof, executed by the City Clerk of the City of Morgan Hill thereon. The Superintendent of Streets will record the Amended Reassessment Diagram and Amended Reassessment Roll in his office in a suitable book to be kept for that purpose, and appended thereto his certificate of the date of such recording, and such recordation shall be and constitute the Amended Reassessment Roll herein.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 23rd day of August, 2017 by the following vote:

AYES:

COUNCIL MEMBERS:

Attachment: Resolution Confirming the Amended Reassessments and Directing Actions (1366 : PUBLIC HEARING ON AMENDED

NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, MAYOR

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 the meeting held on August 23, 2017.

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

DATE: _____

Irma Torrez, CITY CLERK



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Chris Ghione, Community Services Director
APPROVED BY: City Manager

BOYS AND GIRLS CLUB OF SILICON VALLEY AND THE HEALTHIER KIDS FOUNDATION ANNUAL REPORTS

RECOMMENDATION(S)

Receive annual reports from the Boys and Girls Club of Silicon Valley and the Healthier Kids Foundation.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

Since Fiscal Year 2013-14, the City Council has allocated \$20,000 annually to support the Healthier Kids Foundation (HKF), a program to increase the number of children within Morgan Hill that have health insurance. The City began partnering with the Boys and Girls Club in June 2014. The City provides for non-charge use of the El Toro Youth Center and \$15,000 annually to support operation of the Center. As part of the partnership with both organizations, reports are submitted to the City annually. Both annual reports are included as attachments.

COMMUNITY ENGAGEMENT: Inform

These programs were both initiated in response to a need identified by the City Council. The Healthier Kids Foundation works to inform the community about the availability of health insurance to all children and additionally performs dental and vision screenings throughout the community. The Boys and Girls Club provides outreach to the nearby area to identify and involve youth in its programs at the El Toro Youth Center.

ALTERNATIVE ACTIONS:

This report is informational and no Council action is necessary. The Council could provide input on the future direction of either of these programs.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council has approved \$20,000 in funding towards the Healthier Kids Foundation for support in Morgan Hill since Fiscal Year 2013-14. The City began partnering with the Boys and Girls Club in June 2014 to operate the El Toro Youth Center. Since that time,

the Council has approved free use of the building and \$15,000 annually to support operations at the Center.

FISCAL AND RESOURCE IMPACT:

Annual funding for both organizations is allocated from the City's General Fund.

CEQA (California Environmental Quality Act):

Not a Project

Since receiving the attached reports is an administrative program that will not result in a change to the physical environment, this action is not a project under the California Environmental Quality Act.

LINKS/ATTACHMENTS:

1. Attachment 1 - Healthier Kids Foundation Annual Report for FY 16-17
2. Attachment 2 - Boys and Girls Club Annual Report for FY 16-17



**Healthier Kids
Foundation
Santa Clara County**

HEALTHIER KIDS FOUNDATION
4010 Moorpark Avenue, Suite 118
San Jose, CA 95117
Phone: 408.564.5114
Fax: 408.326.2711
www.hkidsf.org

August 7, 2017

Chris Ghione
Community Services Director
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Re: Year-End Report on City of Morgan Hill Funding of Community Outreach to Enroll Uninsured Morgan Hill Children into Health Coverage for Fiscal Year 2016-2017 and Next Steps for Fiscal Year 2017-2018

Dear Chris,

On behalf of Healthier Kids Foundation (HKF), I am pleased to provide the City of Morgan Hill with a year-end report on the status of our efforts to identify uninsured Morgan Hill children and assist them with enrolling into subsidized health coverage; as well as next steps and goals for next fiscal year.

Background

In 2000, Santa Clara County became the first county in the nation to establish a county-wide initiative to reduce the number of uninsured children by (1) spearheading the movement to conduct aggressive outreach to enroll uninsured children into current health coverage programs, and (2) establishing the Healthy Kids program for those children who were ineligible for current programs. In 2001, one in six children was uninsured. Through the success of our county's Children's Health Initiative and Healthy Kids program over the past sixteen years, this number has been reduced to 2% (per U.S. Census).

HKF focused 2000-2013 on raising funds for the Children's Health Initiative and the Healthy Kids program in Santa Clara County. Through its leadership in raising the funding to provide almost 1.9 million months of coverage to low-income children enrolled in the Healthy Kids program, HKF has been a successful advocate for children obtaining and retaining health coverage, as well as accessing health services once they are insured. In 2012, HKF led and Santa Clara County passed an initiative that provided a stable funding source for the children currently enrolled in the Healthy Kids program, as well as those not yet enrolled and those children that qualified up to 400% FPL. As of May 2016, many of these children are now eligible for Medi-Cal and no longer need county funding.

With the goal of universal coverage for children accomplished, HKF emerged with a new vision and mission in 2013. At its core is a "Healthier Earlier" philosophy and a mission to ensure access to and advocacy for health care services for all children through family-centered and innovative approaches. HKF is focusing its programming on prevention and wellness.

Healthier Kids Foundation • Board of Directors

Leslie Hansen, Chair • Rolando Bonilla • Hon. Nora Campos • Hon. Dominic Caserta • Irene Chavez • Hon. Rich Constantine
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Kathleen M. King, Chief Executive Officer

HKF successfully partners with community-based organizations, public entities, and public school systems to: (a) provide health screenings (hearing, oral health, and vision) to low-income children; (b) connect parents to the appropriate preventative and intervention health services based on the outcome of their children's screening results; (c) identify uninsured children and assist their parents with enrolling them into subsidized health coverage; and (d) provide healthy lifestyle education to parents and caregivers that help to prevent and reduce childhood and adolescent obesity. In the past four years, HKF has connected with over 1,000 sites throughout Santa Clara County to deliver these services to large populations of children where they naturally gather as a means of connecting them to preventive health services that contribute to their health, well-being, and educational outcomes.

Since the inception of each program, HKF has:

- Visited 8,000 mothers in three participating hospitals and assisted with the enrollment of their newborns into Medi-Cal (Baby Gateway Program);
- Identified 5,000 uninsured children and assisted them with enrolling into subsidized health coverage (Community Outreach Program);
- Screened 62,000 children for vision issues (VisionFirst Program), 30,000 for oral health issues (DentalFirst Program), and 16,500 for hearing issues (HearingFirst); and
- Delivered healthy lifestyle parenting education to 6,500 parents and caregivers (10 Steps to a Healthier You Program).

HKF has confidence that the future of health care will focus on population preventive health versus health interventions and we have confidence that by focusing on early preventive screenings, education, and follow-up, our efforts will lead to healthy promotion of successful preventive approaches.

Health Coverage Enrollment in Morgan Hill

Between July 1, 2016 and June 30, 2017, HKF identified 31 uninsured Morgan Hill children. Of those children, 26 have successfully enrolled into a health coverage program. The remaining 5 children are still in the process of applying for and enrolling into health coverage.

Currently, Santa Clara County has successfully insured 98% of our children. The City of Morgan Hill has successfully decreased their number of uninsured children as well. As of 2016, the City of Morgan Hill has decreased the number of uninsured children ages 0-17 to 3.4% (U.S. Census Bureau, American Community Survey, 2016).

Now that the vast majority of children in Santa Clara County and Morgan Hill are enrolled into health coverage, HKF has shifted their focus in Morgan Hill to preventive health and outreach services.

Community Outreach

While the City provided funding for .33 FTE Outreach Specialist to focus on the Morgan Hill community, HKF provided additional staff to assist with building relationships among community-based organizations and schools. HKF staff conducted community outreach to the following organizations which resulted in HKF identifying more uninsured Morgan Hill children who need assistance obtaining health coverage:

- Boys & Girls Club
- Discovery Counseling

- Morgan Hill Values Youth Meetings and Event - MHUSD Liaison Office
- Morgan Hill CABB
- Cultural Center
- St. Catherine Catholic Church
- Migrant Education
- Panaderia Ortiz
- Health Markets of Morgan Hill
- Learning and Loving Education Center
- Fun in The Park
- Morgan Hill Library
- Voices Academy
- Starbucks
- Trader Joe's
- Jamba Juice
- Morgan Hill Friendly Inn
- LATI event

HKF's outreach efforts in Morgan Hill is primarily centered on establishing and maintaining a larger presence among and within the Morgan Hill community. Our South County Outreach and Educational Lead, Maria Padilla, has been a constant figure at Morgan Hill youth collaborative meetings and community gatherings. She assisted with the planning of and advocacy for the Morgan Hill Values Youth Fair and was on the planning committee for the LATI's Annual Community Event. Maria has created strong community relationships and has become a true advocate for children in the Morgan Hill Community.

Leveraged Services

While staff work with the Morgan Hill community to identify uninsured children, HKF was able to provide vision, dental, and hearing screening services to Morgan Hill children at the following sites:

- Migrant Education of Morgan Hill
- Nordstrom CDC
- PA Walsh CDC
- El Toro CDC
- Barrett Elementary
- Boys and Girls Club

Between July 1, 2016 and July 31, 2017, HKF:

- Vision screened 539 Morgan Hill children for undetected vision problems. Of those children screened, 15% (81 children) had a potential vision problem detected.
- Dental screened 469 Morgan Hill children for undetected dental issues. Of those children screened, 29% (138 children) had urgent or emergency dental needs.
- Hearing screened 55 Morgan Hill children for undetected hearing issues. Of those children screened, 5% (3 children) had a potential hearing problem detected.

HKF case managers provide follow up to all parents whose child's screening result indicates a potential issue to assist the child with accessing the appropriate treatment. HKF case managers explain the child's screening result in the parent's preferred language and connect them to clinics in their community that take their insurance. Moreover, HKF assists children with finding a dental, vision, and medical home so that they may access regular, preventative, health services. HKF is pleased to bring these additional services to the Morgan Hill community.

Next Steps

HKF's staff is committed to continuing its work assisting uninsured Morgan Hill children with obtaining health coverage and services. During fiscal year 2017-2018, HKF would like to shift its focus in the City of Morgan Hill toward preventive and intervention health services. Specifically, HKF is able to effectively and efficiently screen children for undetected health problems and

connect their families to appropriate resources; including, but not limited to, assistance with health coverage and enrollment, access to intervention services, and a vision, dental, or medical home which they may return to for routine care and treatment.

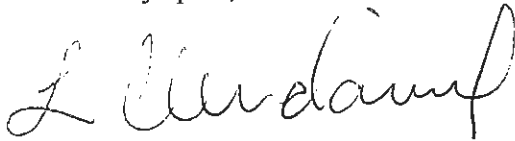
With funding from the City of Morgan Hill, HKF would like to provide the following services during fiscal year 2017-2018:

- Screen 500 children in the City of Morgan Hill for undetected vision issues and provide appropriate case management, as needed.
- Screen 250 children in the City of Morgan Hill for undetected dental problems and provide appropriate case management, as needed.
- Screen 250 children in the City of Morgan Hill for undetected hearing issues and provide appropriate case management, as needed.

HKF is extremely grateful to the City of Morgan Hill for its investment in our efforts to guarantee that Morgan Hill children have access to health coverage and preventative health services. We are looking forward to providing a report to the city in January of fiscal year 2017-2018 that summarizes our efforts to ensure Morgan Hill children become and remain healthy.

Do not hesitate to contact me should you have any questions or need additional information. I can be reached by email (laura@hkidsf.org) or by phone (408.564.5114x220)

In community spirit,



Laura Clendaniel
Development Associate
Healthier Kids Foundation



Number of Youth Served

Boys & Girls Clubs of Silicon Valley (BGCSV) served 65 youth at the Lori Escobar El Toro Clubhouse ("El Toro") during the summer of 2016 and 93 youth during the 2015-2016 school year.

Summer 2016 Programming

Our summer enrichment program at El Toro is in full swing. Between June 13 and July 29 (7:30a.m. – 6:00 p.m.), members are participating in a variety of engaging activities that focus on:

- Academic summer loss prevention
- Pro-social activities engagement
- Increased resistance skills and healthy lifestyle habit
- Good character and leadership
- FUN!

54 members are currently enrolled in El Toro's summer program, with an average daily attendance of 39 youth. El Toro currently employs five staff and six Junior Staff members between the ages of 14-17.

A highly successful returning component to our 2017 summer program is Read-to-Succeed, a daily reading and reflective writing program. El Toro also participates in tabling events at the Friday Night Music Series at Morgan Hill Community Center, Summer Fun in the Park at Galvan Park, and field trips to local amusement parks such as the Aquatic Center.

Fundraising

In addition to funding from the City of Morgan Hill, we have secured funding for the El Toro Clubhouse from the following sources: The Office of Justice Programs, Santa Clara County Community Development Block Program, Ross Stores, Santa Clara County Social Services Agency, and individual donors.

Programming

El Toro Clubhouse has done the following in the past year:

- Implemented Boys & Girls Clubs programming in the Core Areas of Education & Career Development; Character and Leadership; Health and Life Skills; Arts and Cultural Enrichment; and Sports, Fitness, and Recreation. El Toro members participated in the following programs:
 - **Skill Tech 1 and 2:** Members learn skills in various productivity software programs.
 - **My.Future:** Members learn about the benefits the Internet and media while helping them realize the importance of behaving responsibly in the online community.
 - **ArtisTech:** Digital arts program including web page and graphic design; photography and photo illustration; music composition and production; filmmaking and editing; and stop-motion animation.



-
- o **NeoSci:** Hands-on life, earth and physical science program.
 - o **KidzLit:** Develops literacy skills for a lifetime commitment to reading and learning.
 - o **MediaLitocracy:** Provides practical tools for navigating today's global media culture.
 - o **Game Tech:** Members learn how to create their own computer games and animations.
 - o **WeDo Robotics:** Members work in teams to build and program a LEGO model featuring working motors and sensors.
 - o **Khan Academy:** a Common Core-aligned math program that allows our members to practice and master skills through both small group and individual tutoring.
 - o **Junior Staff Career Development Program (JSCDP):** Designed to prepare youth ages 13-18 for employment by developing leadership and job-readiness skills.
 - o **Junior Achievement:** a business and economics education program meant to educate and inspire our members, ages 9-12, to value free enterprise, business and economics.
 - o **SMART Moves (Skills Mastery and Resistance Training):** life-skills training promoting self-efficacy and responsible behavior.
 - o **Torch Club (11-13) and Keystone Club (14-18):** chartered service clubs dedicated to citizenship, leadership and fellowship.

Highlights

Other recent highlights include:

- Hosted their second National Worldwide Day of Play where parents and members participated in activities together.
- Celebrated S.T.E.M. Decathlon, a week designed to encourage members to learn and get involved in science, technology, engineering and math.
- El Toro Member Daniel Echeverria was selected as the 2017 El Toro Clubhouse Junior Youth of the Year. Daniel has faced many struggles but has learned to make better decisions in life through participation in Club activities such as inter-club sports leagues, Passport to Manhood, and Street Smart.
- Participated in the Boys & Girls Clubs of Silicon Valley cook-off. Every year a specific ingredient is chosen as the theme for the competition. This year's ingredient was carrots. Clubhouses were judged based on verbal presentation of their recipe, poster display, overall table and dish display, overall taste and originality. El Toro Clubhouse made carrot cinnamon rolls, and won the "Originality" award.



2016-2017 El Toro Status Report

-
- Ran the Gamma Alpha Reading program every Tuesday, where several enthusiastic volunteers help our members improve their reading skills.
 - Hosted its 5th Annual Thanksgiving dinner and hosted over 200 members, families and friends.
 - Established sports leagues that compete with local Clubs, including flag football, basketball and soccer.
 - Established Teen Night to serve teens in the community; every Tuesday from 6:30-8:30pm, the program provides teens with a safe place and positive environment. Teens participate in activities including bowling, movie outings, hiking, miniature golfing and Santa Cruz beach trips, giving the group a sense of unity and belonging as members of El Toro Clubhouse.
 - Participated in Martin Luther King Day of Service. MLK Day of Service engages youth volunteers and volunteer leaders in events honoring the legacy of Dr. Martin Luther King, Jr. This year, members from our Torch Club, a leadership and service club for boys and girls ages 11 to 13, spent the day working on a beautification project at Guadalupe River Park Conservancy in downtown San Jose. We are proud of their community service contributions!
 - Worked closely with Gamma Alpha, Morgan Hill Rotary, Zuzu's Petals, Specialized, Morgan Hill Historical Society and Los Amigos Advisory Board to put on fun and enriching events for our members.
 - El Toro Clubhouse Director and BGCSV administrative staff participated in meetings with the Los Amigos Advisory Board on a monthly basis.



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Shane Palsgrove, Police Captain

APPROVED BY: City Manager

ANIMAL SHELTER ASSESSMENT

RECOMMENDATION(S)

1. Receive report, and
2. Continue contributing \$11,000 for housing and sheltering of cats at the San Martin Animal Shelter and \$5,000 for the County's spay and neuter program as included in the FY 17/18 budget.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

Maintaining Fiscal Responsibility

POLICY CONSIDERATIONS:

1. What should be the City's role in the control of stray or outdoor cats?
2. Should the City provide animal services that exceed the state-mandated responsibility?

REPORT NARRATIVE:

Background

The City Council has been engaged in an ongoing policy discussion about the level of services the City funds for housing stray or outdoor cats (\$11,000 annually) and providing financial assistance for the County's spay and neuter program (\$5,000 annually). The purpose of this report is to provide a follow-up from the previous animal services discussion in which there was potential confusion about the expenditure of the City's \$11,000 contribution.

The Morgan Hill Police Department currently provides for animal related services through our Multi-Service Officers (MSO) and Police Officers. MSOs provide non-emergency coverage six days a week ranging from 10 – 20 hours per day. Police Officers respond to life safety related calls at all times of the day and night. The City Council recently enhanced the City's animal services through the newly appropriated Animal Services Officer in the FY 2017-18 budget.

Base Level Services Provided

Council appropriated \$16,000 last fiscal year to enhance the City's response and services for dogs and cats. Prior to this appropriation, the following services were provided by Police Department teammates:

1. Responding to, temporary sheltering, and reunification/adoption of stray dogs
2. Responding to any injured animal (domestic or wild) on public property and providing care or euthanasia
3. Responding to any deceased animal (domestic or wild) on public property and arranging for pick-up by contractor
4. Investigation of dog bites, dogs off leash, and dangerous dogs

Limited spay and neuter services are available through the San Martin Animal Shelter for \$10 per animal during non-peak periods of the year and free during certain times of the year.

Under the base level of services, stray cats are not accepted at the shelter or Police Department. However, injured cats are picked up by the Police Department and care is provided by the City in the absence of the owner. The care for injured animals will continue without any additional funding.

Service Enhancements

On December 16, 2015, Council appropriated \$5,000 to offset the costs of the County spay and neuter program. As a result, residents can bring cats to the shelter or participating veterinarians for a cost of \$10.00 per animal. The \$45 difference between this amount and the program cost is paid from the \$5,000 appropriation. The City's \$5,000 appropriation supplements the residents' cost and replaces the County contribution. The City is not reimbursed for funds not used nor is it charged more if services exceed \$5,000.

On May 4, 2016, Council appropriated \$11,000 for FY 2016-17 for the housing of stray or abandoned cats at the San Martin Animal Shelter. These funds provided for the care of 110 cats and was mostly expended within 6 months. A review of the program found that there was loose oversight of the billing process within the shelter. County management staff committed to closer oversight moving forward.

The County also has proposed an annual contract fee of \$30,000 to provide for the sheltering of all animals and altering of domestic animals as a solution to mitigate the challenges associated with billing. A point of concern with entering into a contract with the County for \$30,000 and freely accepting all cats is the unintended consequence of separating domesticated cats from their human families without checks and balances to ensure the cat is truly lost or stray as opposed to wandering in the neighborhood.

When reviewing the housing invoices, teammates found that the City was billed erroneously for cats that were brought in by residents to be spayed/neutered even though the cat was released the same day. There were also several charges for cats brought in for spaying/neutering that were then housed because the caretaker chose not to care for the cat while it healed from the procedure. Teammates also found that the oversight of the program is time intensive to continue in its current practice.

Each of the following reasons to house a cat results in a \$110 flat fee regardless of the amount of time the cat is housed:

1. San Martin has a policy to hold all cats for 72 hours but tries to find alternatives to avoid overcrowding
2. The cat is injured and/or needs veterinarian care
3. Kitten needs care and feeding
4. Cats are brought in for spay/neuter and are left at shelter by caretaker
5. Cat is stray and brought in for sheltering and adoption

A benefit of sheltering stray cats is the increased opportunity for adoption from the shelter system after the shelter staff has altered and microchipped the animal. Shelter staff estimated a reunification rate of lost cats at only 1-2 per year.

A recognized drawback of accepting stray cats is the few number of cats that are microchipped as compared to dogs and the reality that domestic cats could be mistaken as a stray, trapped by a neighbor and taken to the shelter resulting in an unintentional separation from the family. Additionally, due to the free reign of outdoor cats, the Police Department has experienced neighbor disputes regarding cat defecation in neighbors' yards. These disputes could lead to the trapping of the cat and the cat being turned into the shelter as a "stray." Based on the low number of reported reunifications of lost cats, the service enhancement of accepting stray cats could lead to a greater number of separations from families than reunifications. Police Department staff met with representatives from the trap and release program and asked for a list of locations to evaluate the severity of feral cats in the City. However, caretakers of the cat colonies would not disclose their locations.

Prior to the increased sheltering contribution, Morgan Hill cats were not accepted at the San Martin Shelter. Residents were directed to go to the veterinarian clinics for spaying/neutering. The resident was then responsible for taking the cat home and caring for it until release. Likewise, if the Police Department responded to an injured cat the officer would take the cat to a veterinarian clinic with the costs of care funded from the existing operating budget.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform and update the community on Animal Services.

ALTERNATIVE ACTIONS:

1. Council could increase the annual contribution from \$11,000 for the housing and intake of cats and \$5,000 for the spay and neuter program.
2. Council could decrease the annual contribution per year for the housing and intake of cats.
3. Direct teammates to develop an agreement between the City of Morgan Hill and the San Martin Animal Shelter for City Council consideration in which the City pays a fixed rate of \$30,000 for the City of Morgan Hill and its residences to bring an unlimited number of domestic/feral animals to the shelter.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On November 18, 2015, Council heard a request during public comment asking the City to participate in Santa Clara County's Spay and Neuter Program.

On December 16, 2015, Council provided teammates direction to participate in the program by contributing \$5,000 a year.

On May 4, 2016, Council appropriated \$11,000 for FY 2016-17 for the housing of stray or abandoned cats at the San Martin Animal Shelter.

FISCAL AND RESOURCE IMPACT:

The FY 2016-17 adopted budget includes \$11,000 for the sheltering of cats and \$5,000 for the spay and neuter program. Funds for additional or expanded services would need to be appropriated from the General Fund's existing fund balance or through the re-appropriation of funds from another City service.

CEQA (California Environmental Quality Act):

Not a Project. Organizational or other administrative activities of governments that will not result in direct or indirect physical changes to the environment.

LINKS/ATTACHMENTS:

1. Spay and Neuter Program 12-16-15 staff report
2. Animal Control Svs 5-4-16 staff report



City of Morgan Hill

Legislation Text

File #: 15-830, Version: 1

CITY COUNCIL STAFF REPORT **MEETING DATE: DECEMBER 16, 2015**

PREPARED BY: Shane Palsgrove, Captain/Police Department

APPROVED BY: City Manager

SPAY AND NEUTER PROGRAM

RECOMMENDATION(S)

1. Accept report, and
2. Provide direction for participation in the Santa Clara County Spay and Neuter Program for Fiscal Year 16/17 budget development.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Enhancing public safety
Protecting the environment
Maintaining fiscal responsibility

FY 14/15 Focus Areas

Community Engagement Effectiveness

REPORT NARRATIVE:

At its meeting of November 18, 2015, Council heard a request during public comment asking the City to participate in Santa Clara County's Spay and Neuter Program. Subsequently, Council Member Librers requested to have this item on the agenda for Council discussion. The Police Department has prepared a report regarding Santa Clara County's Spay and Neuter Program ("Program") for cats. Staff has extensively researched the Program and the pros and cons of the City participating in the Program.

Program Guidelines and Background

The County of Santa Clara currently provides a subsidy for the spaying/neutering of cats. The Program pays \$30 per cat and the "guardian/Morgan Hill resident" pays a \$25 co-pay to have a cat spayed/neutered at designated private veterinary clinics located throughout the County. There is one Morgan Hill veterinary clinic who participates in the Program. In FY14-15, the County paid \$6,330 to

Attachment: Spay and Neuter Program 12-16-15 staff report (1322 : Animal Services Assessment)

have 211 Morgan Hill feral cats spayed/neutered. Many of these cats were brought in from non-profit organizations or feral cat advocates in Morgan Hill that trap, spay/neuter and release feral cats in the City limits. These groups or individuals capture a large quantity of cats that are taken to veterinarians to be spayed/neutered and then released back to their original location.

Participation by cities in the Program is optional. Cities choosing to participate in the Program pay \$45 per cat and the local “resident/guardian” pays a \$10 co-pay; as compared to \$25 if the city is not a participant.

Cities can participate without restriction or place a monetary limit on its contribution to participate in the Program. Program restrictions can also include a limit on the number of times a local “guardian/resident” can use the Program’s services. It should be noted that restrictions require oversight by city staff to conduct an audit of the veterinary services and the County’s records. In a restricted scenario, the Program would first exhaust all of the funds from the contributing city toward the spay/neutering costs prior to using County funds.

Therefore, if Morgan Hill contributed \$9,495 for the 211 cats in FY 14/15, the County would realize a savings of \$6,330 as they no longer have to contribute to the sterilization cost until the City’s funds were exhausted. While there is a \$15 savings to residents for each stray cat taken to be spayed/neutered, a participating city pays \$15 more than the County’s contribution.

The non-profit organizations would realize a benefit if the City were to participate in the Program with the reduction of operational costs. Based on the number of cats spayed/neutered in FY14/15, the non-profits would have realized a savings of \$3,165.

Below is a chart that reflects the number of times Morgan Hill residents took stray cats to be spayed/neutered at both private veterinary clinics and the San Martin Animal Shelter using the County program subsidy over the last nine years.

FY	Gilroy	Morgan Hill
FY16	187	57
FY15	351	211
FY14	333	314
FY13	620	131
FY12	639	118
FY11	403	84
FY10	480	133
FY9	658	175
FY8	357	197
FY7	296	397
FY6	184	212
total	4508	2029

Source: Chelsey Prow, Interim Supervisor/Santa Clara County San Martin Animal Shelter.

An alternative that is free to Morgan Hill residents is the San Martin Animal Shelter which provides a free spay/neutering service as time permits. During FY14/15, the Shelter provided free spay/neutering services to 130 cats. It is important to note that the shelter does however turn residents away during peak demand periods.

Participation of Other Cities

There are three out of fifteen cities in the County currently participating in the program: Gilroy, Mountain View and Sunnyvale.

Gilroy, population of approximately 52,000, allocates \$20,000 funds annually for this program from its Administration Services Department budget. They also have an analyst who audits the program.

Mountain View, population of approximately 75,000, allocates \$2,000 annually for program participation from the Police Department's budget.

Sunnyvale, population of approximately 150,000, allocates \$4,000 per year for this program from its Public Safety Department's budget. Sunnyvale plans to conduct a review of the program at the end of the year to evaluate the program's success and consider future participation.

Furthermore, the Police Department is evaluating a potential ordinance to prohibit the feeding of feral cats because this may cause environmental issues including, but not limited to, littering, attracting wildlife into populated areas, and pollution of lands and waterways. Staff will continue to evaluate and then decide if it will make a recommendation for Council consideration.

COMMUNITY ENGAGEMENT: Involve

Staff met with Ms. Geddes in May, June, and July 2015 to discuss Morgan Hill's current situation regarding feral cats. Captain Palsgrove offered to work with Ms. Geddes to research the feasibility of Morgan Hill's participation in the Spay and Neuter Program. Captain Palsgrove remained in touch with Ms. Geddes during the months of May, June, July, and August to share information and research regarding the Spay and Neuter Program. Staff has also requested to meet with Ms. Geddes to share this staff report prior to the Council meeting.

Staff researched the Program and participating agencies, including contact with Gilroy, Mountain View, Sunnyvale, Santa Clara County Animal Control, Santa Clara County Department of Agriculture and Environmental Management records and local participating veterinarian businesses as part of the research process.

ALTERNATIVE ACTIONS:

1. The City continues to not participate in the Program.

2. Provide direction for staff to return with a limited participation program to be implemented this fiscal year (a budget amendment would be required).
3. Participate fully without any restrictions or cap on number of cats eligible beginning either this fiscal year or FY 16/17 (a budget amendment would be required if implemented this fiscal year).

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Council discussed this item at its mid-year workshop. Subsequently, Council directed staff to report on this topic after a request during public comment at recent meetings.

FISCAL AND RESOURCE IMPACT:

The fiscal impact depends on the option Council selects, if any. Based on the historical volume of cats referred to the veterinarian, Morgan Hill's full participation in the Program would impact the Police Department operating budget by approximately \$9,500 annually based on an estimate received in FY14-15. This item is not budgeted in FY 15/16 budget.

CEQA (California Environmental Quality Act):

Project, Description of CEQA requirements

This project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule Exemption), which describes the General Rule that CEQA only applies to projects which "have the potential for causing a significant effect on the environment."

LINKS/ATTACHMENTS:

None



City of Morgan Hill

Legislation Text

File #: 16-266, Version: 1

CITY COUNCIL STAFF REPORT MEETING DATE: May 4, 2016

PREPARED BY: Shane Palsgrove / Police Captain
APPROVED BY: City Manager

ANIMAL CONTROL SERVICES REPORT

RECOMMENDATION(S)

1. Accept Report, and
2. Provide Any Further Direction for Animal Control Services.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Enhancing public safety
Protecting the environment
Maintaining fiscal responsibility

2016 Focus Areas

Enhancing Our Services
Improving Our Communication
Participate in Regional Issues

REPORT NARRATIVE:

The Morgan Hill Police Department provides full scale animal control services to the Morgan Hill community. The services provided by the Police Department regarding animal control meet or exceed those provided by other agencies within the County. The services satisfy the state-mandated responsibility for ensuring that all dogs in the City of Morgan Hill are licensed and have current rabies vaccinations and also include the following:

- Provide temporary shelter for lost and found dogs,
- Provide emergency medical care for stray animals that are seriously ill or injured,
- Provide a listing of lost and found pets on social media,
- Respond to reports of animal neglect and abuse,
- Track potentially dangerous animals that are at large within City limits, and
- Perform other related duties, including but not limited to, investigate code violations concerning animals, investigate complaints, resolve neighborhood disputes, investigate mountain lion sightings, catch rattlesnakes, euthanize critically injured wildlife, pick up stray, sick, injured and dead animals, investigate animal bites, and handle quarantine of sick

Attachment: Animal Control Svs 5-4-16 staff report (1322 : Animal Services Assessment)

animals.

The City contracts services with local veterinarians for emergency services and local shelters for longer term housing. When dogs are in the care of Animal Control Officers (ACOs), photos are posted on social media in an effort to locate the dogs' owners. While cities have an obligation to take in stray dogs pursuant to Food and Agricultural Code Sections 30501 and 31105, there is no similar obligation for cats.

In 2011, the Police Department transitioned from having one full-time ACO responsible for animal control services to three full-time Multi-Service Officers (MSOs) who perform these services as required. Police officers also respond to and perform animal control services when needed. The former ACO provided 40 hours of coverage Monday through Friday 8am to 5pm. In FY 2010-11, teammates evaluated the community's needs regarding animal control services and discerned that after-hours and weekend services were needed. The Police Department found increased efficiencies in combining the ACO and the MSO positions to have animal control services available during nights and weekends.

The Department currently has three full-time MSOs that report to the Field Operations Division. The MSO positions are non-sworn and work in partnership with sworn officers to conduct the following duties: booking arrestees, serving subpoenas, transporting prisoners, parking enforcement, vehicle and fleet support, and animal control. The three full-time MSOs have completed the same training required for the ACO position and provide the same services. There has been no lapse in animal control services since the Department transitioned to this model. The MSOs work a modified schedule according to call volume. Under the current model, the MSOs provide 100 hours of coverage Monday through Saturday from 7am-5am. Staff has found that this model meets the needs of our community.

To ensure the Police Department is helping to control the feral cat population, the City Council recently allocated \$1,500 from the current fiscal year's budget (FY 2015-16) toward participation in the Santa Clara County Spay and Neutering program. The Police Department has included \$5,000 per year in its recommended budget for FY 2016-17 and FY 2017-18 to continue participation in the program.

Staff has also learned from the community engagement process that there was interest in bringing an animal shelter to South Santa Clara County. Staff contacted the Santa Clara County Department of Agriculture and Environmental Management Director and was informed that the County has engaged a consultant and determined it wasn't feasible to raise the approximately \$22 million from private donations needed to build a new shelter. At this point, the County does not have a definite plan, but feel they are making progress and hope to have a plan and timeline soon. At that time, staff will request that the County make a formal presentation to the Council so that you and the community have an understanding of the County's plans.

COMMUNITY ENGAGEMENT: Inform

Teammates have reached out to several community groups and discussed the animal control needs of the community and services provided by the City. The following organizations and people have provided us with information: South County Tail Waggers, Towncats, Santa Clara County Animal Control, Santa Clara County Department of Agriculture and Environmental Management, Santa Clara County Animal Shelters, Jenifer Lepow, Bridget Crawford, Ava Geddes and others.

Staff was also informed of community needs and questions regarding animal control services by Mayor Tate following Coffee with Mayor in April 2016.

ALTERNATIVE ACTIONS:

1. Direct staff to evaluate the cost of contracting animal control with Santa Clara County Animal Control and/or conduct an analysis of total cost to reinstate the ACO position.
2. Hire a dedicated ACO to augment the existing animal control program.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

1. Council directed staff to follow up on animal services after citizen input at the Council's annual goal setting workshop.
2. Staff provided a report to Council on December 16, 2015 in which Council approved participation in the Santa Clara County Spay and Neuter Program in the amount of \$1,500 for FY 2015-16 and further participation in FY 2016-17 and 2017-18.

FISCAL AND RESOURCE IMPACT:

1. The current model will not accrue any further costs.
2. Staff has received a preliminary estimation from Santa Clara County Animal Control for contracting animal control services for \$600,000 annually. This includes all animal control services, sheltering services (including cats), dead animal pickups etc. The cost for the one full-time Santa Clara County ACO is approximately \$48,043.84 - \$57,996.64 annually (salary only, benefit estimates were not available).
3. If the City hired a full-time ACO, the cost would be approximately \$51,730 - \$66,040 annually (salary only, to keep consistent with County salary above). Full-time benefits add approximately 30% to the total employee cost.

CEQA (California Environmental Quality Act):

Not a Project

The receipt of this report is not a project, as defined in Section 15378 of the State CEQA Guidelines.

LINKS/ATTACHMENTS:

1. MSO Job Description
2. ACO Job Description
3. Spay and Neuter Program Staff Report December 16, 2015



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Rebecca Garcia, Housing Manager
APPROVED BY: City Manager

REPORT ON HOMELESSNESS AND AUTHORIZATION OF AGREEMENT WITH COUNTY OF SANTA CLARA TO CONDUCT THE HOMELESS CENSUS REPORTS.

RECOMMENDATION(S)

1. Authorize the City Manager to enter into a three-year agreement between the City of Morgan Hill and the County of Santa Clara retroactively reimbursing Morgan Hill's share of the cost for conducting the 2017 biennial Homeless Census and Survey and prospectively funding the 2019 and 2021 survey for a maximum amount not to exceed \$8,638;
2. Accept the County's 2017 Santa Clara County Homeless Census and Survey Report; and
3. Review and discuss several strategies for addressing homelessness, related community impact issues and enforcement and provide direction.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Supporting Our Youth
Seniors
and Entire Community
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness
Regional Initiatives

REPORT NARRATIVE:

Introduction:

Addressing homelessness with effective strategies that prove to reduce the number of individuals and families without a home is a complex issue that requires regional collaboration and a long-term focus. There is not a simple solution and often there can be unintended consequences of new programs or policies. The purpose of this report is to 1) continue the City Council's policy level discussions on addressing homelessness in Morgan Hill and South County, 2) provide the Council with an update on the County's most recent biennial Homeless Census and Survey Report which demonstrates an increase in homelessness countywide, with a significant increase in Morgan Hill, Gilroy and South County, 3) report on housing and homeless activities underway, and 4) discuss several strategies for consideration, such as a joint South County regional housing partnership, and the possibility of revising the existing "No Oversized Vehicle Parking" Ordinance to include commercial and industrial areas.

The County of Santa Clara released the attached 2017 Santa Clara County Homeless Census and Survey Report by Applied Survey and Research (ASR) on June 30th, with 1) the results of the biennial point-in-time sheltered and unsheltered counts of people experiencing homelessness on January 24th and 25th, as well as 2) the results of a comprehensive survey conducted with a sampling of the populations. As a whole, the County of Santa Clara saw a 13% increase in the number of people experiencing homelessness, with 7,394 counted in 2017, up from 6,556 in 2015. 26% of individuals counted were found in shelters; 74% of individuals were staying in unsheltered locations, countywide. While the total number of homeless persons countywide increased, there are notable differences between sub-populations. The count includes people living in cars, campers and Recreational Vehicles (RV's) on streets. ASR uses a multiplier between 1 and 2 depending on the vehicle type to approximate the number of people inside.

Countywide:

Homelessness, and related efforts to assist homeless, is categorized and discussed in this report by “sub-populations”. The County and many partners have invested significant housing and service resources in people experiencing “chronic homelessness”, and as a result the number of chronically homeless people continues to decline as it has since 2011, when the current system of care for the chronically homeless was launched. Homelessness among “veterans”, another sub-population that has seen a significant amount of dedicated resources, declined 6.5%, from 703 in 2015 to 660 in 2017. Certain sub-populations saw increases. The number of “homeless families with children” increased from 266 families with 908 members in 2015 to 294 families with 1,075 members in 2017. The most notable sub-population increase was “unaccompanied children” under the age of 18, and “transition-age youth” (TAY) between the ages of 18 and 24. The number of unaccompanied youth grew from 883 in 2015 to 2,530 in 2017. Due to the often-hidden nature of youth homelessness, there are limited data available on unaccompanied children and transition-age youth experiencing homelessness on the streets, in public shelters and aging out of foster care. Homelessness among children and transition-age youth is a difficult problem to identify as this population experiencing homelessness, prefers locations and times of day that make traditional efforts to count them at enumeration difficult. A separate youth count effort was put in place, relying on knowledge gathered from youth currently experiencing homelessness as well as their participation in the count itself.

There are many possible explanations for the increase in homeless youth. First, it is likely that the number of youth identified in 2015 was an undercount. Second, in 2017 the community focused efforts on preparing for and implementing the youth count by deploying more enumerators into a more expansive geographic area than in years past. Additionally, the school district provided a head count based on their knowledge of homeless families. Finally, transitional age youth are less likely to be able to afford the housing situations in which transitional age youth traditionally live, such as room rentals, moving in with roommates, and renting smaller dwellings., instead, those housing situations – which now rent at higher rates – are being occupied by households with higher incomes.

The City of Morgan Hill

The 2017 report concluded that the City of Morgan Hill's Homeless Count increased by 380%, up from 81 people in 2015 to 388 people today. It appears that there are also increases in similar sub-populations (youth, families with children), and decreases in others (chronically homeless and veterans), mirroring the measure of significant effort invested countywide. This year, there was a focus on improving efforts to count the youth by working with the school districts, targeting the countywide geographic area instead of sampling, and utilizing the help of homeless youth to identify their homeless peers. Of local note, the City of Gilroy also experienced a 64% increase in all homeless, from 439 people to 722 people. A "South County" regional report is being prepared to further detail this jump in South County numbers and is due to be released in late August. It should provide additional insight as it relates to South County. Efforts are also being made to compare findings from the 2017 Report to information in the County's Help Management Information System (HMIS) and other data sources to more fully understand homelessness, pinpoint areas for further study, and identify potential improvements to programs and institutional systems addressing homelessness.

The 2017 Report is just one tool for assessing and understanding homelessness in our community; it is a snapshot. Homelessness is a complex issue. The cause of homelessness and the solution to end homelessness for each household looks different. The Housing Team embraces working as a strong, supportive regional partner with those working countywide, while remaining sensitive to the uniqueness of the City and those homeless and affordable housing strategies which have been most successful in Morgan Hill. Ultimately, the goal is to work together to bring forward and implement housing policy and programs so that everyone can be successful.

Why is there an increase in South County?

Like all other areas of the County, Silicon Valley and the Bay Area, the cost of housing rents and mortgages continue to rise while wages have not kept up. The lack of affordable housing units and the elimination of Redevelopment Agencies (RDA's) statewide in 2012, California's single greatest affordable housing financing tool, has created the perfect storm that is pushing more residents into homelessness. Eliminating RDA's created a huge gap in the level of housing support and housing production at a time when lower income units were already underproduced everywhere. The City of Morgan Hill, for example previously had in excess of \$4M annually to spend on creation and maintenance on affordable housing of all types. Since then, housing affordability and housing availability has become California's statewide housing crisis; thus, leading to a variety of legislative proposals on the horizon aimed at increasing the production of units. The demand for affordability and solving homelessness are today's most challenging problems. Unfortunately, cities are faced with few rental vacancies, no housing inventories, limited resources and the expectation to create new housing.

California's Department of Housing and Community Development has issued a new assessment of the state's housing challenges, California's Housing Future: Challenges and Opportunities 2017, reporting that California families face a harder time finding a place to live than at any point in our history and that homeownership rates in California are at their lowest since the 1940s. More than 1.5 million households in California pay

more than half of their income toward rent, leading to an enormity of overcrowded and unhealthy rental homes and income instability in all communities. Homelessness and less than adequate housing solutions continue to grow and plague communities with singles and families seeking housing anywhere they can find it; doubling up in crowded conditions, Recreational Vehicle (RV) Parks and streets, motels/hotels, garages, cars, tents, and creeks. A variety of other conditions can compound the homeless issue, such as mental health, disabling conditions, lack of transportation, being further away from services, and difficulty navigating social service systems. It is clear the affordability issue is no longer only a low-income family issue, it has become an issue that impacts more and more families struggling everyday, including a large segment of our workforce population.

In Morgan Hill, as is the case in other cities, the City has seen a significant increase in RV parking on the streets. The closure of the Thousand Trails RV park located in the County north of town occurred January 6th, and further exacerbated the problem when the park was closed because of winter flooding. It is expected to re-open November 1st; however, the RV street parking issue existed prior to the closure, impacting business owners, tenants and creating health, safety and enforcement concerns.

Because there are fewer resources, services, and case managers in South County to resolve a family's homeless situation, when an individual or family becomes homeless it may take longer to remove the barriers that are preventing them from being housed, coupled with the fact that there are limited vacancies/opportunities. It is also possible that some families may initially be less visible in South County, as they park in rural areas that are more remote and less likely to be discovered. Additionally, families and youth may blend in, not appearing homeless to the untrained eye. Significant efforts were made during the count to work with the school district to count homeless families with children in school this year. It is also very likely that the count that took place two years ago, generating a result of 81 people, was an undercount. Regardless, based on feedback from Code Enforcement and Public Safety and the visual appearance of RVs, there is an obvious increase in homelessness or individuals living in RV's or campers, on streets or other non-permanent locations. Anecdotally, some area recreational RV parks are also now defacto permanent housing neighborhoods.

How are we responding to the need?

The City has a long history of creating affordable housing and has attempted to increase its efforts utilizing a variety of strategies to preserve and create housing opportunities and respond to the rise in homelessness.

- In November of 2016 Santa Clara County voters approved a \$950 million bond (Measure A) which will fund the development of 4,800 extremely low-income (ELI) housing units throughout the County serving the homeless. It is expected that the 4,800-unit goal will generate 10,000 new construction, affordable housing units countywide, by leveraging resources. Additionally, \$150 million of the Measure A funds will be set aside for workforce housing and down payment assistance. The County's goal is to create 4,800 affordable ELI units Countywide,

of which 92 units have been designated as the Measure A affordable housing goal for the City of Morgan Hill, over a ten-year period. The remaining balance is planned to be distributed throughout the County in the other cities equivalently, based on Regional Housing Needs Allocation (RHNA) methodology. The Housing team has actively participated in discussions regarding implementation of the bond program and provided program recommendations.

- City and County Partnership: July 1, 2017 two part-time homeless outreach workers began conducting interviews and assessments with homeless individuals in South County. Several referrals have been made. Outreach workers will begin full-time in September. This is a critical first step as the City is beginning to see homeless individuals assessed through a coordinated effort with the goal of connecting them to the appropriate case manager, program, service and housing opportunities. Without assessment, South County residents will not enter into the County Coordinated Assessment “queue” which is the first step towards case management, services and housing. Case management for each identified family or individual is still needed to make meaningful connections with services in South County. The City contributed \$50,000 to the larger countywide “outreach” effort for two years as a first step. Outreach workers are tasked with the goal of connecting the homeless to case managers and programs. The County Office of Supportive Housing has case managers; however it is unclear how many case managers are dedicated to working in the South County area.
- A City and County Partnership: August 1, 2017 was the launch of a Homeless Prevention and Rapid Rehousing (rental assistance) Program for families, targeting families with children in the school district at risk of homelessness. The City contributed \$25,000 to this larger countywide effort for two years.
- On August 15, 2017, The County approved the lending guidelines for Measure A. On August 16, the City and County met with developer UHC to discuss the process for applying for funding from County’s Measure A housing development bond for the 39-unit affordable housing development at the corner of Monterey and Bisceglia. They are seeking approximately \$5 million and will utilize a combination of Housing Trust, City, County Measure A, HOME Funds and federal tax credits; the City has pledged \$750,000 to this project contingent upon County funding.
- The Housing Team has been working with the County Planning Department to expedite the permit process to repair the Thousand Trails RV bridge that was closed due to winter flooding, permits have been issued and the target to re-open is November 1st.
- The Housing Team is discussing potential opportunities for farmworker agricultural housing in South County with the County Planning Department and the Office of Supportive Housing.

- The City permitted construction of 137 Senior affordable units at the Lodge on Barrett Avenue, now fully occupied and serving several previously homeless Veterans and others, for a total of 42 units with federal rental subsidies.
- The Housing Authority provides Section Eight federal rental assistance vouchers countywide. There are 283 vouchers in Morgan Hill; current average monthly housing assistance per household is \$1,423. The approximate annual amount funded by the Housing Authority in the City of Morgan Hill is \$4,832,508.
- The City permitted construction of 114 Senior affordable units at the Huntington, and conducted targeted local outreach efforts to daylight the opportunity to Morgan Hill and south County residents. The project is 100% leased.
- In April 2017, groundbreaking of the EAH three-site project launched the 41 unit, new construction affordable housing development scheduled to be completed in July 2018, and designated for families and Transitional Age Youth (TAY) aging out of foster care.
- Partnered with the Police Department, County Planning Department, and the faith based community, an eight space, pet welcome, Safe Parking Program was launched on July 8, 2017 at a local church for eight homeless families living in their cars where they are receiving coordinated assessment, services, meals, and support with the goal of providing some stability and getting them into permanent housing. The Program began serving eight families, 25 people and 8 children. Two families have found housing since, and one family has completed the family reunification process.
- In June 2017, the City conducted a loan closing to facilitate the major rehabilitation of the 1970's Village Avante, now known as Park Place development, a 112-unit multifamily development that is home to 420 people, currently undergoing major rehabilitation. As turn-over occurs in this development, some of the units are set aside for families transitioning out of temporary housing; thus, freeing up nearby temporary units to be vacated so that room can be available for homeless families.
- The Police Department is working with the County Office of Supporting Housing to refer homeless individuals into transitional housing programs where beds are reserved for re-entry clients.

The Housing Team, in partnership with the Police Department, is working side by side the County of Santa Clara to develop housing policy and strategies to reduce the number of families experiencing homelessness, as well as shaping the implementation efforts of Measure A. The City has a variety of housing policies that support the creation and preservation of affordable housing, including but not limited to: the 20% affordable unit set aside in the annual Residential Development Control System competition, and the 8% affordable benchmark for projects, a successful tool that has created one in eight homes as deed restricted at an affordable rate. The

City has aggressively protected its Below Market Rate (BMR) homes by litigating to enforce affordability covenants and to preserve the BMR homes, as well as support the administration costs necessary to maintain the integrity of the Program.

Additionally, the City permits secondary dwelling units, supports a minor home repair program through Rebuilding Together for Seniors and mobile home owners, preservation and protection of existing mobile home parks through the Mobile Home Ordinance, and incentivizes affordable housing development by offering zoning benefits, density or height or decreased parking requirements as required by state law. Most recently, the Council modified the affordable housing in-lieu fee establishing a fee formula based upon a projects total square footage based upon \$12.92 per square foot to support affordable housing.

Collectively, with permanently restricted rental and ownership units, mobile homes (affordable by design but not restriction) and RV's counted, more than 24% of the City's housing stock is affordable.

Other strategies to consider:

South County Housing Regional Partnerships: By definition, many homeless individuals cross jurisdictional boundaries from time to time. This is why it is important to have a coordinated regional approach to solve the problem and to continue to reduce new numbers by encouraging the participation of all cities in the County. At the same time, homeless families may be born and raised in the community they now find themselves homeless in, for the first time. It is a varied and diverse population. For example, of the eight families staying at the safe parking program, half of the households are employed, some have long term disabilities, some are working in agriculture, and all have been homeless for at least one year. Since the start of the Program, August 8th, two families have been permanently housed and one has relocated to permanent housing. Because homelessness does not know jurisdictional boundaries, and because both the City of Morgan Hill and the City of Gilroy are located geographically further from service centers and are also experiencing a reduction in transportation service, it may prove worthy to look for opportunities to collaborate with the City of Gilroy to create some consensus around a South County regional housing framework to address a variety of housing and homeless needs. This could help ensure that housing opportunities are evaluated in relationship to the availability and sustainability of supportive services; proximity to transportation services, presence of experienced property management, and regional coordination with the County and Cities. Morgan Hill could also benefit from economies of scale as we assess the need for various service providers in South County. Staff has had preliminary conversations at the staff level with the City of Gilroy. If the Council chooses to encourage this direction, staff will return to Council with some possible South County housing strategies and partnerships for both Cities to consider.

Parking RV/Trailer or Oversized Vehicle Parking Ordinance: Staff recognizes the complexities of homelessness and its various residual impacts upon the community.

Excessive Trailer/RV parking has caused enforcement issues and the increased need to respond to illegal dumping of trash and human waste on city streets. Recognizing that homelessness is a sensitive, complex, and a labor-intensive issue, the City's constituency includes, homeless, housed, business owners, and commercial renters and landlords who expect the City to ensure their safety, security, health and environmental quality. The City has received many complaints from business owners and tenants who are impacted by RV and trailer parking on the streets of their businesses. Other cities experience similar issues in their communities and have taken various approaches from treading lightly, to posting no overnight parking in commercial areas to banning RV parking on streets throughout their jurisdiction, and or limiting RV parking with conditions.

Currently, the City has a 1961 trailer ordinance (8,08.050) that restricts trailers (camp-car, trailer, trailer coach, or other vehicles designed for human habitation) while being occupied, to only reside in mobile home or trailer parks. There is a provision that allows the Chief of Police to consent and issue a permit allowing a trailer or oversized vehicle to occupy space outside of a mobile home or trailer park for up to 48 hours, and can be extended an additional 3 weeks or any amount of time upon consent from the City Council. Additionally, while parked (except for loading/unloading), a trailer must be attached to a vehicle capable of moving the trailer at all times.

The police department has likely not seen RVs in neighborhoods due to the oversized vehicle parking ordinance (10.40.210) which prohibits vehicles greater than 22 feet in length or 7 feet in height to park on a residential street for longer than 10 consecutive hours.

Although there are some existing restrictions in the municipal code, recent case law limits our ability to enforce provisions that prohibit sleeping in vehicles. In recent years the Police Department has taken a moderate and gentler approach to enforcement. Given the recent increase in complaints by concerned constituents, and environmental impacts, some policy discussion needs to occur to consider alternative approaches. There is a need to balance and value all constituents' rights to safety, security, health and environmental quality.

The City, in part, has responded to the Homeless needs by creating a small scale Safe Parking program; however, that is only one strategy to aid in a larger problem. At the request of constituents, the City is being asked to discourage and enforce trailer parking in commercial areas of Morgan Hill; it is already enforced in residential areas.

At this time, the Housing and Public Safety Team would like to consider ways in which enforcement could potentially be implemented, and the impacts of such an ordinance, and or an alternative.

Staff recognizes that enforcing or banning RV parking may displace the RV dwellers into surrounding pockets of the County jurisdiction, and acknowledges the need to employ additional strategies and solutions to ensure that our efforts are part of a larger comprehensive regional solution.

The Council could consider a variety of options:

- Pending legal guidance and modification of the current Ordinance, increase enforcement efforts to not permit occupied RVs and trailers other than approved mobile home parks and RV parks.
- Expand the Oversize Vehicle Parking ordinance beyond residential streets.
- Modify the existing ordinance to further limit oversized vehicle parking. For example, one possible strategy is to require vehicle dwellers complete the County's Coordinated Entry System (CES) registration process through the new homeless outreach workers to obtain temporary permits that must be renewed again and again every few months. This option would create a new program and affords limited vehicle lodging on streets in non-residential areas and, thus, strives to meet the goal to protect businesses and neighborhoods in a manner that is sensitive to the needs of the homeless. This version could prohibit vehicle lodging, but allow a person to obtain a pass to lodge in a vehicle on certain designated streets. These designated streets would be in non-residential areas, and the vehicle lodging pass would only be valid for a limited time and only after receiving homeless outreach services from an entity such as the County of Santa Clara and its regional service providers. The City Council could consider other limitations, including restricting the number of vehicles that can be used for vehicle lodging on any designated street. Staff would attempt to mainstream the vehicular residents, with the goal of finding (non-vehicular) housing and ultimately diminish the problem. This approach would be costly and staff intensive, and require the need for enforcement support.

Depending on the direction Council would like to go, staff would return with a more detailed report of options and cost analysis.

In conclusion, Staff is requesting direction from the City Council to:

- 1) Enforce, expand or modify restrictions related to oversized vehicle parking to include Public Streets in commercial areas.
- 2) Provide guidance about creating synergy behind a South County regional affordable housing and homeless strategy in partnership with the City of Gilroy.
- 3) Authorize the City Manager to enter into an agreement between the City and the County of Santa Clara to reimburse the County for the City's proportional share of the 2017 Census and Survey and to fund the 2019 and 2021 Biennial Homeless Census and Survey in an amount not to exceed \$8,638 from Fund 255 Housing.

COMMUNITY ENGAGEMENT: Inform

This report serves to provide an update to the community on homelessness and the recommendation to enter into an agreement with the County for the homeless census and survey.

ALTERNATIVE ACTIONS:

As an alternative to the staff recommendation, the City Council may not authorize the Homeless Census agreement.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On June 17, 2015, the City Council adopted a resolution to support the Community Plan to End Homelessness in Santa Clara County. On February 3, 2016, the Council adopted a resolution at the request of the County Housing Task Force to further affirm the City of Morgan Hill's commitment to affordable housing. On April 5, 2017, the Council authorized \$50,000 of the Housing Fund to support two new homeless programs as a partial match to the County's larger Program, a Rapid Rehousing Rental Assistance Program and Homeless Outreach Caseworker program. Subsequently, at the May 19, 2017 budget workshop the Council authorized an additional \$25,000; thus, \$50,000 towards outreach workers and \$25,000 towards rental assistance for a two-year period.

FISCAL AND RESOURCE IMPACT:

Upon City Council approval, the City would enter into an agreement with the Office of Supportive Housing for the biennial homeless census count for years 2017, 2019, and 2021. The total contract would not exceed \$8,638 and would be funded in FY 2017-2018 from budgeted appropriations in Fund 255 (Successor Housing Agency).

CEQA (California Environmental Quality Act):

Not a Project. This report is for informational and discussion purposes only, and will not result in any direct or indirect environmental impacts.

LINKS/ATTACHMENTS:

1. FY17-21 Morgan Hill_Homeless Census Agreement
2. 2017 Santa Clara County Homeless Census and Survey Report

**AGREEMENT BETWEEN THE CITY OF MORGAN HILL
AND THE COUNTY OF SANTA CLARA
FOR THE HOMELESS CENSUS AND SURVEY PROJECT
FOR FISCAL YEARS 2017, 2019 and 2021**

This Agreement (Agreement) is between the City of Morgan Hill (CITY) and the County of Santa Clara (COUNTY) on behalf of the Office of Supportive Housing (OSH).

Purpose

This Agreement pertains to a collaborative endeavor between the CITY, COUNTY, and the City of Morgan Hill. CITY will provide funding to COUNTY, for the 2017, 2019 and 2021 Homeless Census and Survey Project. The goal is to administer three surveys and census in 2017, 2019 and 2021 to determine the scope of homelessness in the County of Santa Clara. As of March 28, 2017, the County Executive, or designee, have been given delegation of authority to negotiate, execute, amend or terminate agreement with CITY for conducting the biennial Homeless Census and Survey in 2017, 2019, and, 2021. The delegation of authority shall expire on June 30, 2021.

This Agreement states the specific responsibilities of each party.

IT IS AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. CITY Responsibilities

- a. CITY shall provide COUNTY funds, in an amount described in Section 4 (Compensation) of this Agreement, for census services provided by Applied Survey Research Inc. (CONTRACTOR). CONTRACTOR will administer the 2017, 2019 and 2021 Homeless Census and Survey.

2. COUNTY Responsibilities

- a. COUNTY shall transfer the funds received from CITY to the contractor for the payment of CONTRACTOR's census and survey administrative services in connection with the 2017, 2019 and 2021 Homeless Census and Survey Project, which Project includes homeless census services within the City of Morgan Hill.

3. Term

The term of the Agreement is from December 1, 2016, up to and including, June 30, 2021.

4. Compensation

CITY shall provide COUNTY with a one-time payment of \$2,740 in 2017. It is estimated that there will be a 5% increase in cost in each subsequent survey. The reimbursements for 2019 and 2021 will be based on the actual costs incurred during the surveys. CITY will not be responsible for more than the Maximum Financial Obligation of \$8,638.

5. Termination

Either party may terminate this Agreement with or without cause upon 30-days written notice to the other party.

6. Amendments

This Agreement may be modified provided the County Executive, or designee, who have delegation of authority to amend this Agreement, approve the amendment, and provided the parties execute a written amendment reflecting the modification.

7. Notices

All notices prescribed by this Agreement must be in writing and must be deemed effective upon their deposit in the United States mail, postage prepaid with return receipt requested and addressed:

To COUNTY: Neena Batallones
Administrative Services Manager
Office of Supportive Housing
3180 Newberry Drive, Suite 150
San Jose, CA 95118

To CITY: Attn: Rebecca Garcia
Housing Manager
17575 Peak Avenue
Morgan Hill, CA 95037

8. 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 are not to be shared pro rata but instead the CITY and the COUNTY agree that pursuant to Government Code Section 895.4, each of the parties hereto must 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, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, board member, employee or agent thereof is responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of other parties hereto, their officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such other parties under this Agreement.

9. Insurance

Without limiting the indemnification of either party to this Agreement, each party shall maintain or cause to be maintained the following insurance coverage: (1) a policy of commercial general liability with limits of liability not less than one million dollars (\$1,000,000) per occurrence and one million dollars (\$1,000,000) annual aggregate; (ii) a policy of workers' compensation providing statutory coverage; (iii) a policy of professional errors and omissions liability with limits of liability not less than one million dollars (\$1,000,000) per occurrence/aggregate; and (iv) such other insurance or self-insurance as shall be necessary to insure it against any claim or claims for damages arising under the Agreement. Insurance afforded by the commercial general liability policy shall be endorsed to provide coverage to the other party of the Agreement as an additional insured. Each party to this Agreement shall provide a Certificate of Insurance certifying that coverage as required herein has been obtained. The requirements of this section may be satisfied by the provision of similar coverage through a self-insurance program.

Authorized to Self-Insure: Nothing in the Agreement shall preclude CONTRACTOR and CITY from self-insuring all requirements mentioned in this section.

10. Non-Discrimination

CITY and COUNTY must comply with all applicable federal, state, and local laws and regulations including Santa Clara County's policies concerning nondiscrimination and equal opportunity in contracting. Such laws include but are not limited to the following: Title VII of the Civil Rights Act of 1964 as amended; Americans with Disabilities Act of 1990; The Rehabilitation Act of 1973 (Sections 503 and 504); California Fair Employment and Housing Act (Government Code sections 12900 *et seq.*); and California Labor Code sections 1101 and 1102. CITY and COUNTY must not discriminate against any subcontractor, employee, or applicant for employment because of age, race, color, national origin, ancestry, religion, sex/gender, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status in the recruitment, selection for training including apprenticeship, hiring, employment, utilization, promotion, layoff, rates of pay or other forms of compensation. Nor must CITY and COUNTY discriminate in provision of services provided under this contract because of age, race, color, national origin, ancestry, religion, sex/gender, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status.

11. Miscellaneous

This Agreement will be binding upon the successors, assigns, heirs, and beneficiaries of the parties hereto, subject to the provisions of Section 17 (Assignment) of this Agreement. The paragraph headings used in this Agreement are intended solely for convenience of reference and will not in any way or manner amplify, limit, modify or otherwise be used in the interpretation of any of the provisions of this Agreement.

12. Entirety

This Agreement, including its exhibits, reflects the sole and entire Agreement between COUNTY and CITY with respect to the subject matter hereof and will supersede all prior agreements between the parties as of the effective date hereof. The parties acknowledge and agree that they have not made any other representations with respect to the subject matter of this Agreement, or any representations inducing its execution and delivery except such representations as are specifically set forth herein.

13. Severability

In the event any one or more of the provisions contained in this Agreement are, for any reason, held to be invalid, illegal, or unenforceable in any respect, it will not affect any other provision of this Agreement. This Agreement will be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

14. Governing Law/Venue

This Agreement has been executed and delivered in, and will be construed and enforced in accordance with, the law of the State of California. Venue will be in the County of Santa Clara, California.

15. Waiver

No delay or failure to require performance of any provision of this Agreement will constitute a waiver of that provision as to that or any other instance. Any waiver granted by a party must be in writing, and will apply to the specific instance expressly stated.

16. Counterparts.

This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original, but all of which together will constitute one and the same instrument.

17. Assignment

Rights and obligations under this Agreement may not be assigned or delegated, in whole or in part, without the prior written consent of the other party. CITY will give COUNTY a minimum of thirty (30) days to consider any request to assign, prior to the proposed effective date of such assignment.

Failure to obtain prior written consent to an assignment will be deemed a material breach of this Agreement. Upon an authorized assignment, CITY will ensure that the terms and conditions of this Agreement will inure to the benefit of COUNTY and be binding upon the successor and assignees, except such terms and conditions as may be expressly waived, in writing, by COUNTY.

18. MOU Execution

Unless otherwise prohibited by law or COUNTY policy, the parties agree that an electronic copy of a signed MOU, or an electronically signed MOU, has the same force and legal effect as a MOU executed with an original ink signature. The term “ELECTRONIC COPY OF A SIGNED MOU” refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed MOU in a portable document format. The term “ELECTRONICALLY SIGNED MOU” means a MOU that is executed by applying an electronic signature using technology approved by the County.

19. California Public Records Act

The County is a public agency subject to the disclosure requirements of the California Public Records Act (“CPRA”). If Contractor’s proprietary information is contained in documents or information submitted to County, and Contractor claims that such information falls within one or more CPRA exemptions, Contractor must clearly mark such information “CONFIDENTIAL AND PROPRIETARY,” and identify the specific lines containing the information. In the event of a request for such information, the County will make best efforts to provide notice to Contractor prior to such disclosure. If Contractor contends that any documents are exempt from the CPRA and wishes to prevent disclosure, it is required to obtain a protective order, injunctive relief or other appropriate remedy from a court of law in Santa Clara County before the County is required to respond to the CPRA request. If Contractor fails to obtain such remedy within the time the County is required to respond to the CPRA request, County may disclose the requested information.

Contractor further agrees that it shall defend, indemnify and hold County harmless against any claim, action or litigation (including but not limited to all judgments, costs, fees, and attorney’s fees) that may result from denial by County of a CPRA request for information arising from any representation, or any action (or inaction), by the Contractor.

20. Third Party Beneficiaries

This agreement does not, and is not intended to, confer any rights or remedies upon any person or entity other than the parties.

AGREEMENT between COUNTY OF SANTA CLARA on behalf of THE OFFICE OF SUPPORTIVE HOUSING and THE CITY OF MORGAN HILL FOR FISCAL YEARS 2017, 2019 and 2021

IN WITNESS WHEREOF, the parties have executed this Agreement as indicated below:

APPROVED:

 Ky Le Date
 Director, Office of Supportive Housing
 County of Santa Clara

 Steve Rymer Date
 City Manager
 City of Morgan Hill

APPROVED AS TO FORM AND LEGALITY:

 Lorraine Van Kirk Date
 Deputy County Counsel
 Santa Clara County

 Donald A. Larkin Date
 City Attorney
 City of Morgan Hill



SANTA CLARA COUNTY

2017

HOMELESS CENSUS & SURVEY

COMPREHENSIVE REPORT



Attachment: 2017 Santa Clara County Homeless Census and Survey Report (1362 : Homeless Census Report 2017)

REPORT PRODUCED BY ASR

ABOUT THE RESEARCHER

Applied Survey Research (ASR) is a social research firm dedicated to helping people build better communities by collecting meaningful data, facilitating information-based planning, and developing custom strategies. The firm was founded on the principle that community improvement, initiative sustainability, and program success are closely tied to assessment needs, evaluation of community goals, and development of appropriate responses.

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Acknowledgements

The 2017 Santa Clara County Census & Survey planning team would like to thank the many individuals and agencies who contributed to this project. The participation of community volunteers and partner agencies is critical to the success of the count. Hundreds of community volunteers, city and county employees, and local community-based organizations assisted with all aspects of the count, from the initial planning meetings, to the night of the count, to the publication of this report.

ASR would like to give special thanks to the individuals experiencing homelessness who acted as surveyors and guides during the count. Without their dedication and knowledge, the Santa Clara County Census and Survey would not be able to conduct these efforts. They provide access and knowledge about the community that is unobtainable without their support. These individuals took time from their day to participate in this effort and we owe them thanks.

PROJECT PLANNING COMMITTEE

Chris Malcom, Erin Stanton, Leila Qureishi, Michelle Covert, Vanessa Beretta

POINT-IN-TIME JURISDICTIONAL FUNDERS

City of Campbell	City of Morgan Hill
City of Cupertino	City of Mountain View
City of Gilroy	City of Palo Alto
City of Los Altos	City of San José
Town of Los Altos Hills	City of Saratoga
Town of Los Gatos	City of Santa Clara
City of Milpitas	City of Sunnyvale
City of Monte Sereno	County of Santa Clara

OTHER ACKNOWLEDGEMENTS

The following organizations were involved in the planning and data reporting process: Abode, Bill Wilson Center, Bitfocus, Destination:Home, City of San Jose, City of Sunnyvale, County Office of Supportive Housing, Diocese of San José, Gardner Family Health Network, HACSC, HomeFirst, Housing Choices Coalition, PATH, Sacred Heart Community Services, Santa Clara University, SCCOE, and St. Joseph's Family Center.

The following locations acted as deployment centers and we are very thankful for their participation and support during the count: Bill Wilson Drop-In Center, Emmanuel House, Salvation Army, Gilroy Compassion Center, City Team Ministries, Southside Community Center, West Valley Community Services, and Opportunity Health Center.

Introduction

Every two years, during the last ten days of January, communities across the country conduct comprehensive counts of the local population experiencing homelessness. These counts measure the prevalence of homelessness in each community, and collect information on individuals and families residing in emergency shelters and transitional housing, as well as people sleeping on the streets, in cars, in abandoned properties, or in other places not meant for human habitation.

The biennial Point-in-Time Census is the only source of nationwide data on sheltered and unsheltered homelessness, and is required by the U.S. Department of Housing and Urban Development (HUD) of all jurisdictions receiving federal funding to provide housing and services for individuals and families experiencing homelessness.

Continuums of Care report the findings of their local Point-in-Time Census in their annual funding application to HUD, which ultimately help the federal government better understand the nature and extent of homelessness nationwide. Count data also help to inform communities' local strategic planning, capacity building, and advocacy campaigns to prevent and end homelessness.

The Santa Clara County Continuum of Care (SCC CoC) worked in conjunction with Applied Survey Research (ASR) to conduct the 2017 Santa Clara County Homeless Census and Survey. ASR is a social research firm with extensive experience in homeless enumeration and needs assessment. ASR has partnered with the county since 2007, maintaining the same methodology and thus ensuring as much consistency as possible, from one year to the next.

The Homeless Census and Survey has two primary components: a point-in-time enumeration of unsheltered individuals and families experiencing homelessness and a comprehensive survey sampling of people experiencing homelessness.

The 2017 census was a comprehensive community effort. With the support of approximately 132 individuals with lived experience of homelessness, 215 community volunteers, staff from various city and county departments, and law enforcement, the entire county was canvassed between the hours of 5:30 a.m. and noon on January 24 and 25, 2017. Because of the size of Santa Clara County, the count is spread over two days, with Interstate 880 serving as the dividing line between day 1 and day 2. This resulted in a peer-informed visual count of unsheltered homeless individuals and families residing on the streets, in vehicles, makeshift shelters, encampments and other places not meant for human habitation. Shelters and facilities reported the number of homeless individuals and families who occupied their facilities on the night of January 24, 2017.

The SCC CoC also conducted a specialized count of unaccompanied children and transition-age youth under the age of 25 years old. This dedicated count is part of a nationwide effort, established and recommended by HUD, to improve our understanding of the scope of youth homelessness. Trained youth enumerators who are currently or recently have experienced

homelessness conducted the count in targeted areas where young people experiencing homelessness were known to congregate.¹ This is an important year for national data on young people experiencing homelessness, as HUD will use 2017 youth count results as a baseline for measuring progress toward ending youth homelessness by 2020.

In the weeks following the street count, an in-depth survey was administered to 587 unsheltered and sheltered homeless individuals. The survey gathered basic demographic details as well as information on service needs and utilization.

This report provides data regarding the number and characteristics of people experiencing homelessness in the Santa Clara CoC on two nights in January. Special attention is given to specific subpopulations, including chronically homeless individuals, veterans, families, unaccompanied children under the age of 18, and transition-age youth between the ages of 18 and 24.

To better understand the dynamics of homelessness over time, results from previous years (including 2013 and 2015) are provided where available and applicable.

PROJECT OVERVIEW AND GOALS

In order for the 2017 Santa Clara County Census and Survey to best reflect the experience and expertise of the community, ASR held regular planning meetings with city and county officials. These officials were drawn from city and county departments with experience in issues facing the population experiencing homelessness and many had participated in past counts. These individuals comprised the 2017 Planning Committee, and were instrumental to ensuring the 2017 Santa Clara County Homeless Census and Survey reflected the needs and concerns of the community.

The 2017 Planning Committee worked towards several important project goals:

- To preserve current federal funding for homeless services and to enhance the ability to raise new funds;
- To improve the ability of policy makers and service providers to plan and implement services that meet the needs of the local homeless population;
- To measure changes in the numbers and characteristics of the homeless population since the 2015 Santa Clara County Homeless Census and Survey, and to track progress toward ending homelessness;
- To increase public awareness of overall homeless issues and generate support for constructive solutions; and
- To assess the status of specific subpopulations, including veterans, families, unaccompanied children, transition-age youth, and those who are chronically homeless.

This report is intended to assist service providers, policy makers, funders, and local, state, and federal government in gaining a better understanding of the population currently

¹ Significant deduplication efforts were made in 2017 to ensure unaccompanied children and youth were not captured in both the youth and general street count efforts. For more information on these efforts and the overall count methodology, please see Appendix 1.

experiencing homelessness, measuring the impact of current policies and programming, and planning for the future.

FEDERAL DEFINITION OF HOMELESSNESS FOR POINT-IN-TIME COUNTS

In this study, the HUD definition of homelessness for the Point-in-Time Count is used. This definition includes individuals and families:

- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangement; or
- With a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

This definition does not include people living in unstable housing situations such as “couch surfing” or staying in motels or hotels.

Point-In-Time Census

The 2017 Santa Clara County Homeless Census and Survey included a complete enumeration of all unsheltered and sheltered homeless persons. The general street count was conducted on January 24 and 25, 2017 from approximately 5:30 a.m. to noon and covered all of the 1,307 square miles of Santa Clara County. The shelter count was conducted on the night of January 24, 2017, and included all individuals staying in: emergency shelters, transitional housing facilities for the homeless, and domestic violence shelters. The general street count and shelter count methodology were similar to those used in 2015, with some moderate improvements.

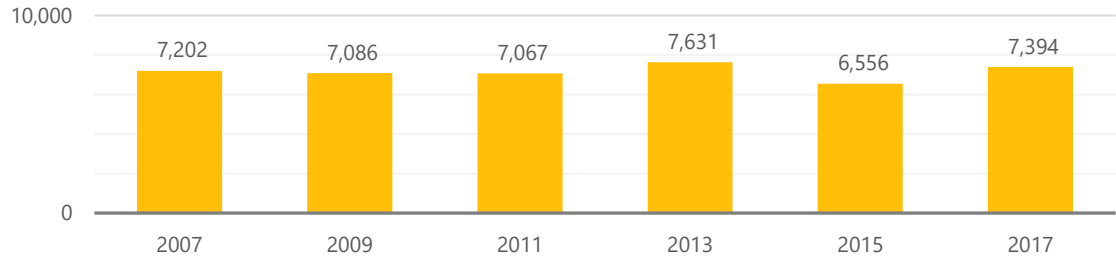
The methodology used for the 2017 Santa Clara County Homeless Census and Survey is commonly described as a “blitz count” since it is conducted by a large team over a very short period of time. In Santa Clara County the result of this method is an observation based count of individuals and families who appear to be homeless. The count is then followed by an in-person representative survey used to profile and estimate the condition and characteristics of the local homeless population. Information collected from the survey is used to fulfill HUD reporting requirements, and to inform local service delivery and strategic planning efforts.

In a continuing effort to improve data on the extent of youth homelessness, Santa Clara County also conducted a dedicated youth count similar to the one conducted in 2015. The dedicated youth count methodology was improved in 2017 to better ensure that unaccompanied children and transition-age youth were not double counted in both the general street and youth, to involve youth input and knowledge from the very beginning, and to make sure that more area was covered. For more information regarding the dedicated youth count, deduplication, and project methodology, please see Appendix 1.

NUMBER AND CHARACTERISTICS OF HOMELESS PERSONS IN SANTA CLARA COUNTY

The 2017 Santa Clara County Homeless Census and Survey found a total of 7,394 individuals experiencing homelessness on the night January 24th and 25th. This represents an increase of 13% since 2015.

FIGURE 1. TOTAL NUMBER OF HOMELESS INDIVIDUALS ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS WITH TREND, SANTA CLARA COUNTY



Source: Applied Survey Research. (2007-2017). Santa Clara County Homeless Census and Survey.

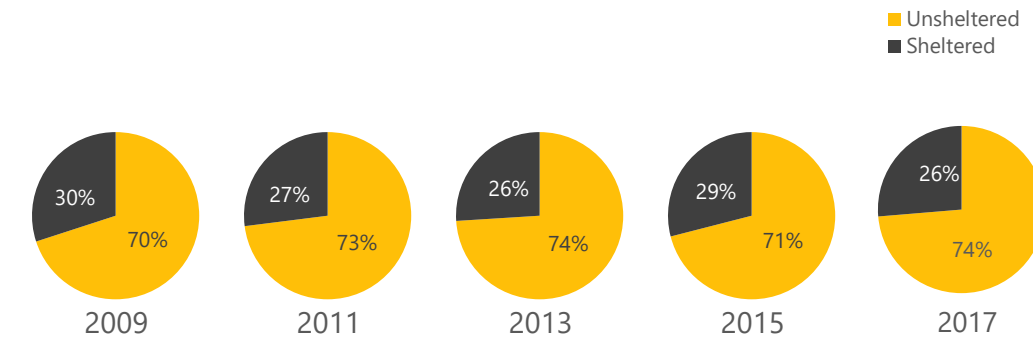
FIGURE 2. TOTAL NUMBER OF HOMELESS INDIVIDUALS ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS, SHELTERED VS. UNSHELTERED

Total Homeless Population: 7,394



Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

FIGURE 3. TOTAL HOMELESS CENSUS POPULATION BY SHELTER STATUS



	2009	2011	2013	2015	2017	'15-'17 % CHANGE
Sheltered	2,103	1,898	1,957	1,929	1,946	1%
Unsheltered	4,983	5,169	5,674	4,627	5,448	17%
Total	7,086	7,067	7,631	6,556	7,394	13%

Source: Applied Survey Research. (2009-2017). Santa Clara County Homeless Census and Survey.

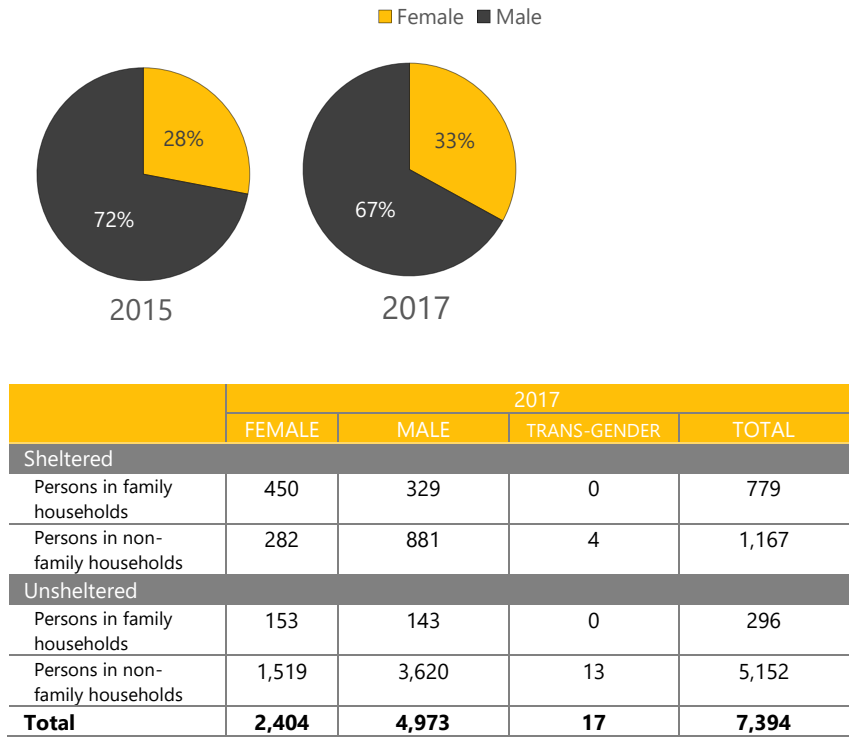
FIGURE 4. TOTAL NUMBER OF HOMELESS PERSONS BY JURISDICTION AND SHELTER STATUS

JURISDICTION	UNSHELTERED		SHELTERED		TOTAL		'15-'17 % CHANGE
	2015	2017	2015	2017	2015	2017	
Total Incorporated	4,204	5,259	1,817	1,775	6,021	7,034	17%
City of Campbell	53	94	0	0	53	94	77%
City of Cupertino	50	127	23	0	73	127	74%
City of Gilroy	179	295	260	427	439	722	64%
City of Los Altos	18	6	0	0	18	6	*
Town of Los Gatos	1	52	0	0	1	52	*
City of Milpitas	122	66	0	0	122	66	-46%
City of Monte Sereno	1	0	0	0	1	0	*
City of Morgan Hill	81	388	0	0	81	388	379%
City of Mountain View	271	411	5	5	276	416	51%
City of Palo Alto	203	256	16	20	219	276	26%
City of San José	2,810	3,231	1,253	1,119	4,063	4,350	7%
City of Santa Clara	150	199	227	73	377	272	-28%
City of Saratoga	10	12	0	0	10	12	*
City of Sunnyvale	255	122	33	131	288	253	-12%
Total Unincorporated	423	189	77	113	500	302	-40%
Confidential Locations	NA	NA	35	58	35	58	66%
Total	4,627	5,448	1,929	1,946	6,556	7,394	13%

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

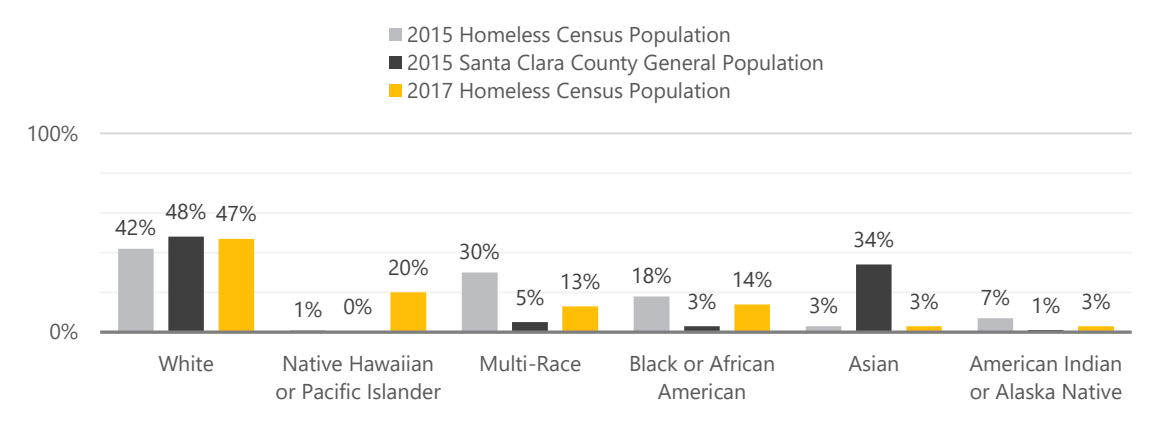
*Note: Percentage change was not calculated for jurisdictions with less than 50 individuals.

FIGURE 5. TOTAL HOMELESS CENSUS POPULATION BY GENDER



Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

FIGURE 6. TOTAL HOMELESS CENSUS POPULATION BY RACE



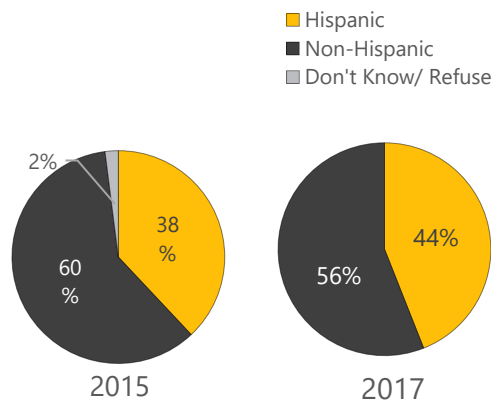
2015 n=6,556; 2017 n= 7,394

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

U.S. Census Bureau. (January 2017). American Community Survey 2015 1-Year Estimates, Table DP05: ACS Demographic and Housing Estimates. Retrieved from <http://factfinder2.census.gov>

Note: Multiple response question. Percentages may not add up to 100 due to rounding.

FIGURE 7. TOTAL HOMELESS CENSUS POPULATION BY HISPANIC/NON-HISPANIC



2015 N=6,556; 2017 N=7,394

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

Homeless Survey Findings

The methodology used for the 2017 Santa Clara County Homeless Census is described by HUD as a “blitz count and survey” in that it is conducted by numerous people over a very short period of time in an effort to avoid duplicate enumeration. The census is followed by a face-to-face representative survey. Importantly, the survey sample is then used to profile and estimate the condition and characteristics of the county’s homeless population and subpopulations for the purposes of HUD reporting and local service delivery and strategic planning. The results of the “blitz” census, combined with the survey, are used to provide estimates of the number of people affected by a given experience, while the survey provides the foundational data elements for the characteristics discussed in the following section of the report.

This section provides an overview of the findings generated from the survey component of the 2017 Santa Clara County Homeless Census and Survey. Surveys were administered to a sample of homeless individuals in the weeks following the census. This effort resulted in 587 complete and unique surveys. Based on a Point-in-Time Count of 7,394 homeless persons, with a randomized survey sampling process, these 587 valid surveys represent a confidence interval of +/- 4% with a 95% confidence level when generalizing the results of the survey to the estimated population of homeless individuals in Santa Clara County. In other words, if the survey were conducted again, we can be confident that the results would be within four percentage points of the current results.

In order to respect respondent privacy and to ensure the safety and comfort of those who participated, respondents were not required to complete all survey questions. Missing values are intentionally omitted from the survey results. Therefore, the total number of respondents for each question will not always equal the total number of surveys conducted.

SURVEY DEMOGRAPHICS

In order to gain a more comprehensive understanding of the experiences of individuals and families experiencing homelessness in Santa Clara, respondents were asked basic demographic questions including age, gender, sexual orientation, and race/ethnicity.

AGE OF SURVEY RESPONDENTS

Eight percent (8%) of survey respondents were under the age of 25 at the time of the survey. Twenty-three percent (23%) were between the ages of 25 and 40, 61% were between the ages of 41 and 60, and 9% were 61 years or older.

FIGURE 8. SURVEY RESPONDENTS BY AGE

Age Group	2015	2017
Less than 18 Years	1%	<1%
18-24 Years	12%	7%
25-30 Years	7%	7%
31-40 Years	20%	16%
41-50 Years	25%	27%
51-60 Years	26%	34%
61 Years or More	9%	9%

2015 n: 952; 2017 n: 587

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

GENDER AND AGE

Over one-third of survey respondents (34%) identified as female, 64% as male, and 1% as transgender. One percent did not identify as male, female, or transgender. Among the female population, 3% indicated that they were currently pregnant.

More than half (54%) of survey respondents indicated they were men and between the age of 25 and 60, followed by women in the same age group (28%).

FIGURE 9. GENDER BY AGE OF SURVEY RESPONDENTS

Gender	0-24	25-60	61 and Older
Male	5%	54%	5%
Female	2%	28%	3%
Transgender	1%	1%	0%
Other	1%	0%	0%

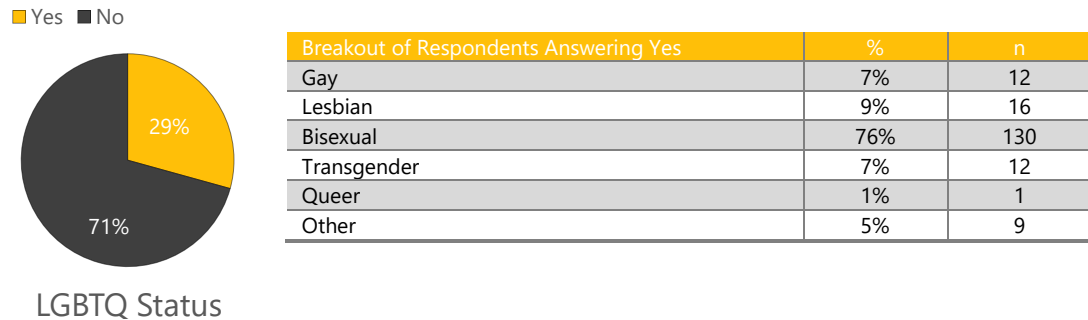
2017 n: 586

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

SEXUAL ORIENTATION

While there are limited data available on the number of lesbian, gay, bisexual, transgender, and queer (LGBTQ) individuals experiencing homelessness, nationwide data available suggest LGBTQ individuals experience homelessness at higher rates, especially those under the age of 25. Twenty-nine percent (29%) of homeless survey respondents identified as LGBTQ in 2017. Of those respondents, 76% identified as bisexual, 9% lesbian, 7% gay, 7% transgender, and 5% identified with another gender or sexual orientation.

FIGURE 10. SEXUAL ORIENTATION AND LGBTQ IDENTITY



LGBTQ 2017 n= 587; Breakout n=172 respondents offering 180 responses

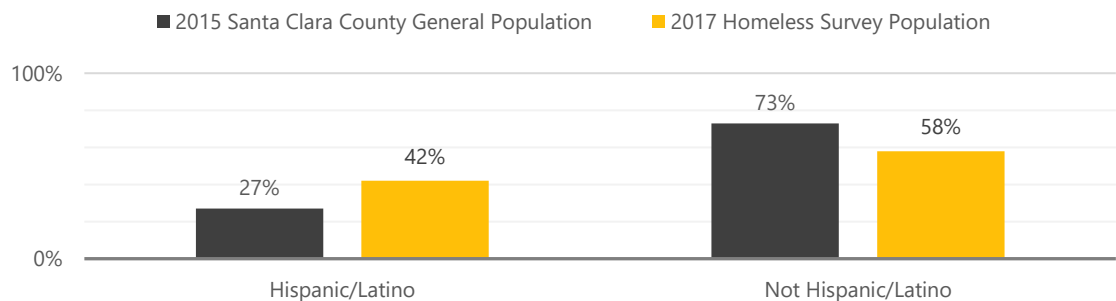
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

RACE/ETHNICITY

The U.S. Department of Housing and Urban Development (HUD) gathers data on race and ethnicity in two separate questions, similar to the U.S. Census. When asked if they identified as Hispanic or Latino, more than half (58%) of homeless survey respondents reported they did not identify as Hispanic or Latino. In comparison to the general population of Santa Clara County, a higher percentage of homeless respondents identified as Hispanic or Latino (42% compared to 27%).

FIGURE 11. HISPANIC OR LATINO ETHNICITY



2017 n = 577

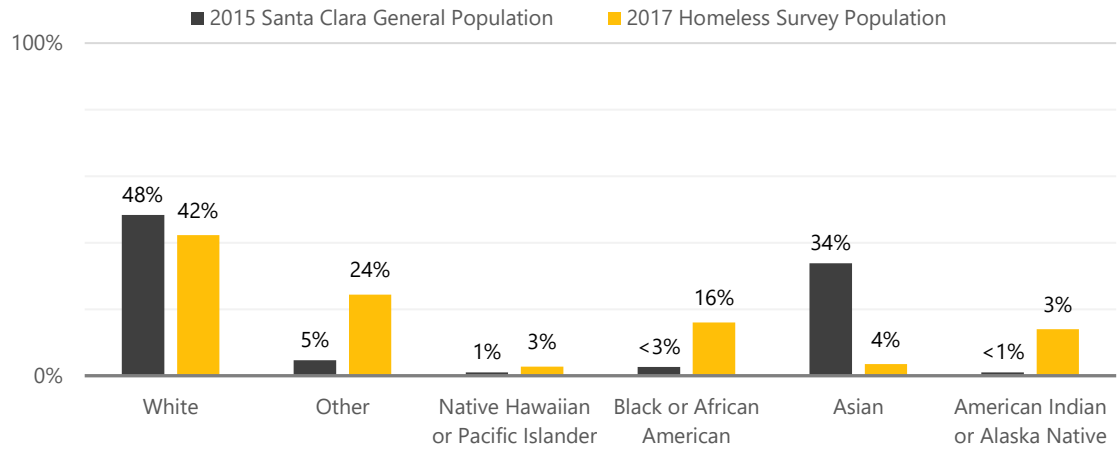
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

U.S. Count Bureau. (April 2015). American Community Survey 2015 1-Year Estimates. Table DP05: ACS Demographic and Housing Estimates. Retrieved from <https://factfinder.census.gov>.

Note: Percentages may not add up to 100 due to rounding.

In regards to racial identity, differences between the general population and those experiencing homelessness were more distinct. A much higher proportion of homeless survey respondents identified as Black or African-American (16% compared to 3%), whereas a very small percentage of the homeless survey population identified as Asian when compared to the general population (4% compared to 34%).

FIGURE 12. RACE



2017 n = 521

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

U.S. Count Bureau. (April 2015). American Community Survey 2015 1-Year Estimates. Table DP05: ACS Demographic and Housing Estimates. Retrieved from <https://factfinder.census.gov>.

Note: Percentages may not add up to 100 due to rounding.

HISTORY OF FOSTER CARE

It has been estimated that one in five former foster youth experience homelessness within four years of exiting the foster care system.² In the State of California, foster youth are now eligible to receive services beyond age 18. Transitional housing and supportive services for youth between 18-24 are provided with the hope that these additional supports, implemented in 2012, will assist foster youth with the transition to independence and prevent them from becoming homeless.

In 2017, 12% of respondents reported a history of foster care, lower than in 2015 (16%). The percentage of youth under the age of 25 who had been in foster care was much higher than adults over the age of 25 (45% compared to 10%).

FIGURE 13. HISTORY OF FOSTER CARE



2017 n: 566

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

²Fernandes, AL. (2007). Runaway and Homeless Youth: Demographics, Programs, and Emerging Issues. Congressional Research Services, January 2007, <http://www.endhomelessness.org/content/general/detail/1451>.

LIVING ACCOMMODATIONS

Where individuals lived prior to experiencing homelessness and where they have lived since impacts the way they seek services, as well as their ability to access support from friends or family. Previous circumstances can also point to gaps in the system of care, and reveal opportunities for systemic improvement and homeless prevention.

Survey respondents reported many different living accommodations prior to becoming homeless, although most lived in or around Santa Clara County with friends or family, or on their own in a home or apartment.

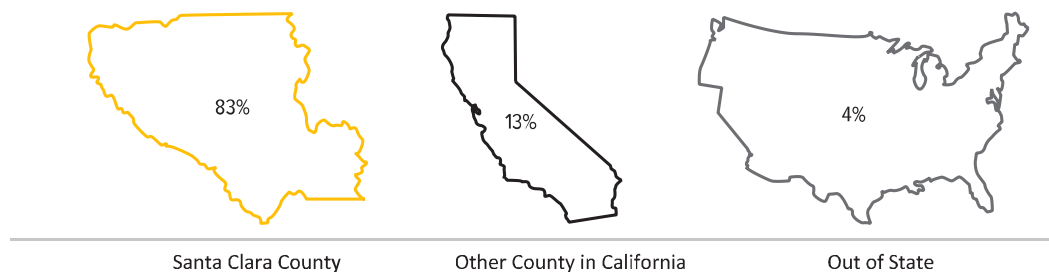
PLACE OF RESIDENCE

Knowing where individuals were living before they most recently lost their housing informs discussions regarding how local the homeless population is to the region. This information can also influence changes to available support systems if the Continuum of Care finds increasing numbers of individuals living locally before experiencing homelessness.

Eighty-three percent (83%) of respondents reported living in Santa Clara County at the time they most recently became homeless, similar to 2015 (84%). Among these respondents, over half (61%) had lived in Santa Clara County for 10 or more years; five percent (5%) had lived in Santa Clara for less than one year.

Four percent (4%) of respondents reported living out of state at the time they lost their housing, and 13% reported living in another county in California.

FIGURE 14. PLACE OF RESIDENCE AT TIME OF HOUSING LOSS



2017 n=580

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

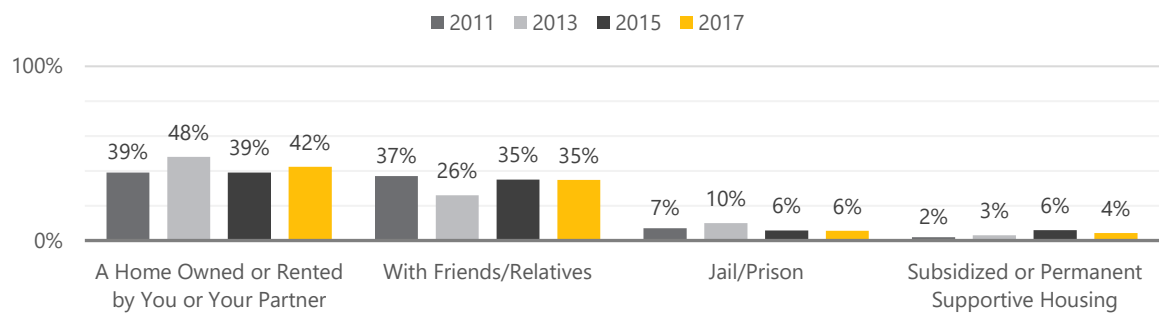
Homeless Survey Findings

PRIOR LIVING ARRANGEMENTS

Similar to previous place of residence, the type of living arrangements of individuals were in prior to experiencing homelessness provides a look into what types of homeless prevention services might be offered to help individuals maintain their housing.

Forty-two percent (42%) of survey respondents reported living in a home owned or rented by themselves or their partner prior to becoming homeless, slightly higher than 2015 (39%). Thirty-five percent (35%) reported living with friends or relatives, similar to 2015. Six percent (6%) reported they were living jail or prison, and four percent (4%) were staying in a subsidized housing or permanent supportive housing unit. Three percent (3%) of respondents reported they were in a hospital or treatment facility immediately prior to becoming homeless.

FIGURE 15. LIVING ARRANGEMENTS IMMEDIATELY PRIOR TO BECOMING HOMELESS



2011 n= 1,004; 2013 n= 811; 2015 n= 886; 2017 n= 575

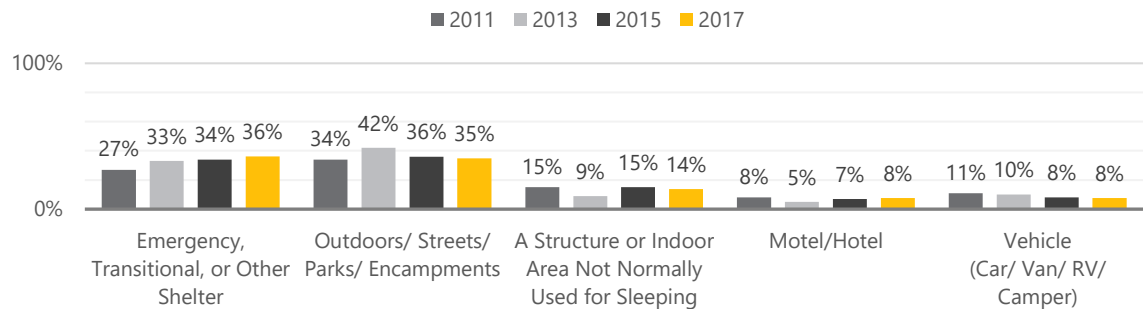
Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

CURRENT LIVING ARRANGEMENTS

While basic information on where individuals were observed during the general street count effort is collected, survey respondents are also asked about their usual nighttime accommodations. Understanding the types of places individuals experiencing homelessness are sleeping can help inform local outreach efforts.

Thirty-six percent (36%) reported staying in a public shelter (emergency shelter, transitional housing facility, or an alternative shelter environment). Over one-third (35%) of survey respondents reported currently living outdoors, either on the streets, in parks, or in encampment areas. Fourteen percent (14%) reported sleeping in public buildings, foyers, hallways, or other indoor locations not meant for human habitation, 8% were staying in a hotel or motel, and 8% were staying in a vehicle.

FIGURE 16. USUAL PLACES TO SLEEP AT NIGHT



2011 n= 1,012; 2013 n= 850; 2015 n= 926; 2017 n= 587

Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

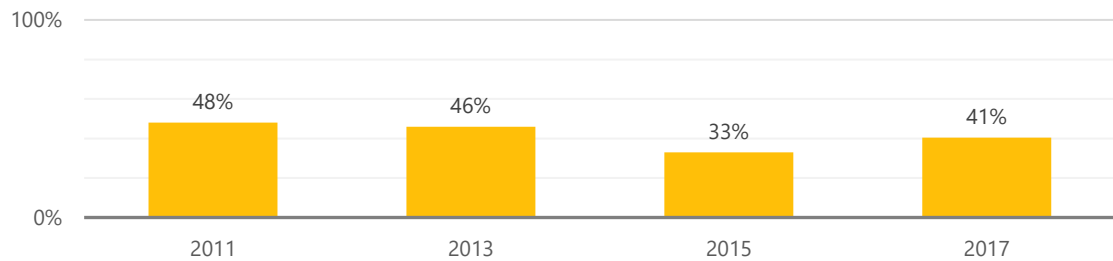
Note: 2013 response option specified that motel/hotel was paid for by an agency.

DURATION AND RECURRENCE OF HOMELESSNESS

Many individuals who experience homelessness will have several episodes over time. As some relapse and fall out of stable housing, it becomes important to keep track of the number of times they experience literal homelessness.

Unstable living conditions, poverty, housing scarcity, and many other issues often lead to individuals returning to homelessness. For many, the experience of homelessness is part of a long and recurring history of housing instability. More than half (60%) of 2017 survey respondents reported they had experienced homelessness previously.

FIGURE 17. FIRST TIME HOMELESS (RESPONDENTS ANSWERING “YES”)

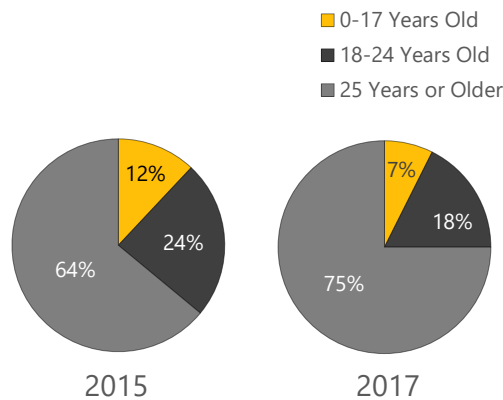


2011 n= 1,009; 2013 n= 855; 2015 n= 937; 2017 n= 585

Source: Applied Survey Research. (2009-2017). Santa Clara County Homeless Census and Survey.

In an effort to better understand the experiences and age distribution of those experiencing homelessness, respondents were asked how old they were the first time they experienced homelessness. In response, 7% of respondents reported that they were under the age of 18, 18% reported they were between the ages of 18 and 24, and 75% reported they were 25 or older.

FIGURE 18. AGE AT FIRST EXPERIENCE OF HOMELESSNESS



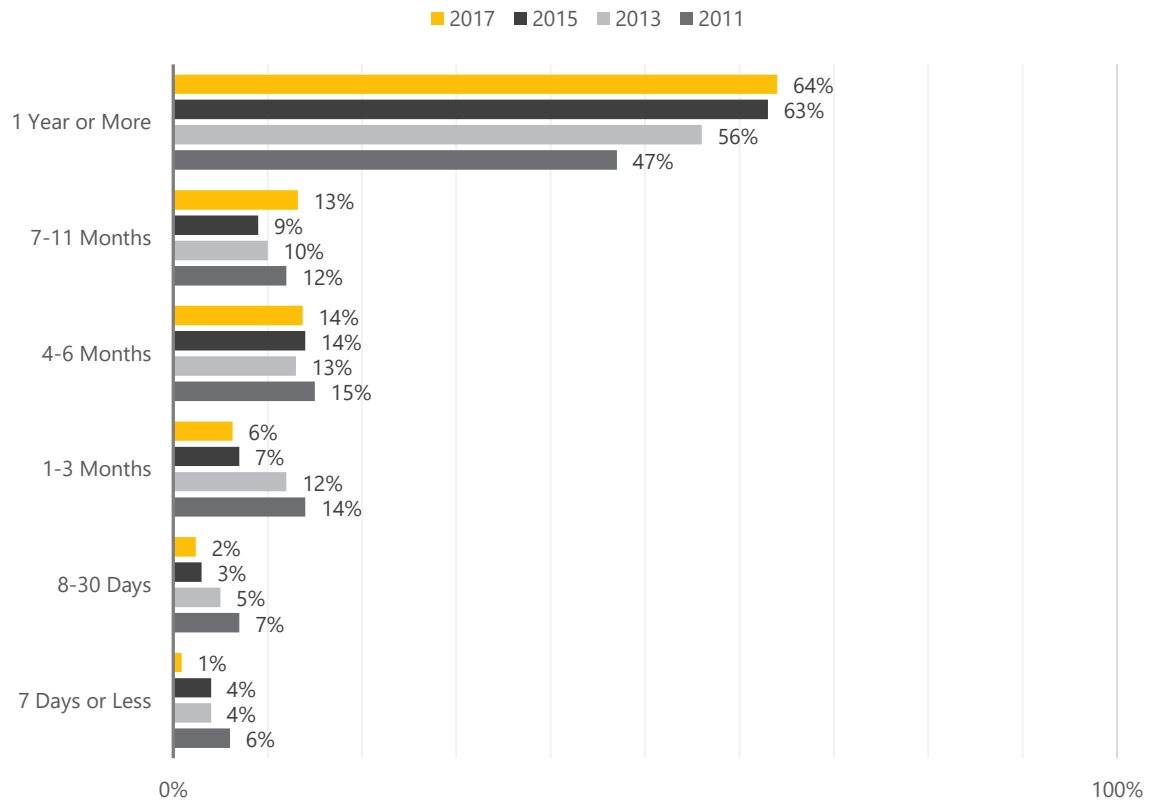
2015 n: 913; 2017 n: 557

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

DURATION OF HOMELESSNESS

When asked how long they had been homeless, over two-thirds (64%) of survey respondents reported they had been homeless for a year or more. These findings are similar to 2015, when 63% of respondents reported they had been homeless for a year or more.

FIGURE 19. LENGTH OF CURRENT EPISODE OF HOMELESSNESS



2011 n= 992; 2013 n= 836; 2015 n= 911; 2017 n= 585

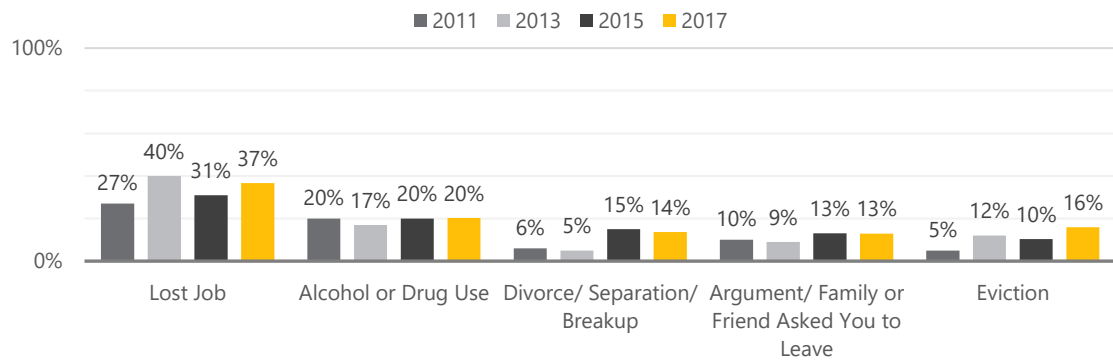
Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

PRIMARY CAUSE OF HOMELESSNESS

The primary cause of an individual's inability to obtain or retain housing is difficult to pinpoint, as it is often the result of multiple and compounding causes.

Over a third (37%) of survey respondents reported job loss as the primary cause of their homelessness, while twenty percent (20%) cited drug or alcohol use. Sixteen percent (16%) of respondents indicated eviction as the primary cause of their homeless, a much higher rate than in previous years. Fourteen percent (14%) of respondents reported a divorce or separation as the primary cause of their homelessness.

FIGURE 20. PRIMARY CAUSE OF HOMELESSNESS



2011 n: 997; 2013 n= 818 respondents offering 1,029; 2015 n= 920 respondents offering 1,326 responses; 2017 n= 580 respondents offering 793 responses.

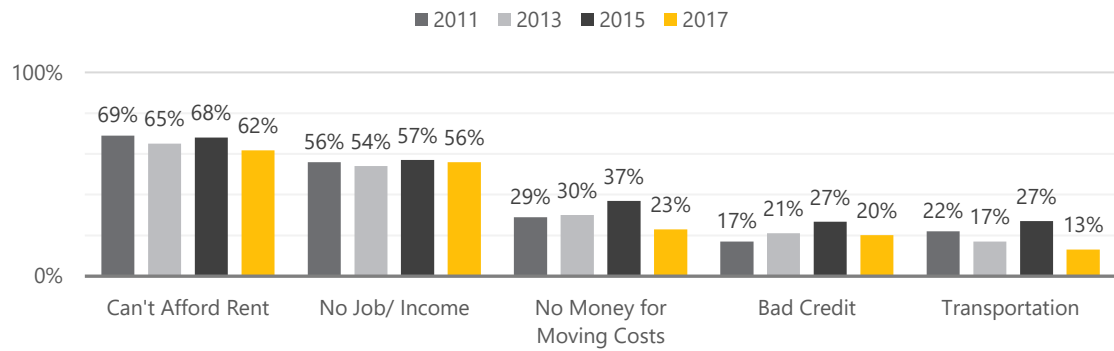
Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

OBSTACLES TO OBTAINING PERMANENT HOUSING

Many who are experiencing homelessness face significant barriers in obtaining permanent housing. These barriers can range from housing affordability and availability to accessing the economic and social supports (e.g. increased income, rental assistance, case management) needed to access and maintain permanent housing. An inability to secure adequate housing can lead to an inability to address other basic needs, such as healthcare and adequate nutrition.

Survey respondents were asked what prevented them from obtaining housing. The majority (62%) reported that they could not afford rent. Over one half (56%) reported a lack of job or income, followed by 23% who reported that they had no money for moving costs, and 20% who reported bad credit as an obstacle to obtaining permanent housing.

FIGURE 21. OBSTACLES TO OBTAINING PERMANENT HOUSING



2011 n= 999 respondents offering 2,412 responses; 2013 n= 774 respondents offering 1,831 responses; 2015 n= 896 respondents offering 3,012 responses; 2017 n= 571 respondents offering 1,382

Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

SERVICES AND ASSISTANCE

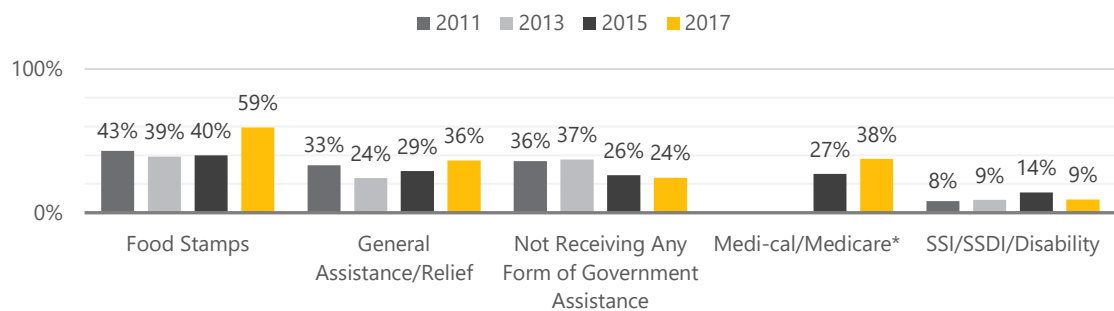
Santa Clara County provides services and assistance to those currently experiencing homelessness through federal and local programs. Government assistance and homeless services work to enable individuals and families to obtain income and support. However, many eligible individuals and families do not apply for services; many believe that they do not qualify for assistance. Connecting homeless individuals and families to these support services creates a bridge to mainstream support services and prevents future housing instability.

GOVERNMENT ASSISTANCE

There are a variety of forms of government assistance available to individuals experiencing homelessness. However, knowledge of services available, understanding of eligibility requirements, and perceived stigma of receiving governmental assistance can all impact the rate at which eligible individuals access these benefits.

Nearly two thirds (76%) of survey respondents in 2017 reported they were receiving some form of government assistance.

FIGURE 22. GOVERNMENT ASSISTANCE RECEIVED



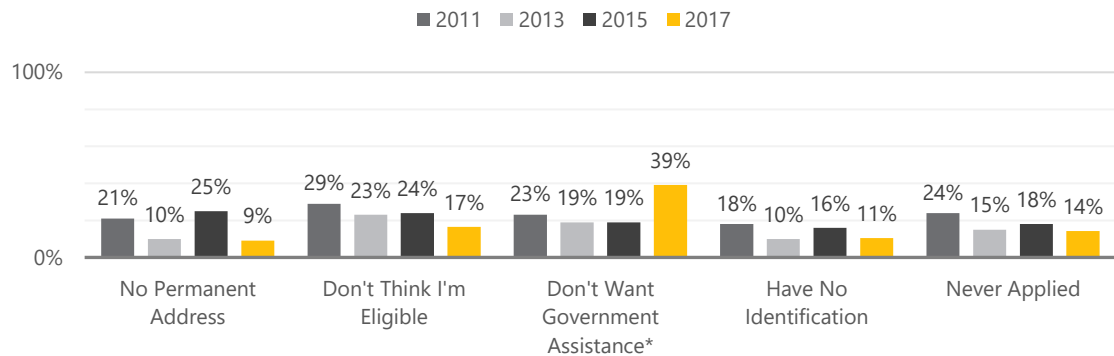
2011 n= 989 respondents offering 1,316 responses; 2013 n= 811 respondents offering 1,004 responses; 2015 n= 883 respondents offering 1,363 responses; 2017 n= 557 respondents offering 1,011 responses
 Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

* Medi-Cal/Medicare was added as a response option in 2015.

Of those who reported they were not receiving any form of government support, the greatest percentage reported they did want government assistance (39%), at a rate much higher than similar respondents in 2015 (19%). Seventeen percent (17%) did not think they were eligible (a decrease from 24% in 2015).

FIGURE 23. REASONS FOR NOT RECEIVING GOVERNMENT ASSISTANCE



2011 n= 341 respondents offering 630 responses; 2013 n= 289 respondents offering 382 responses; 2015 n= 206 respondents offering 335 responses; 2017 n= 133 respondents offering 164

Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

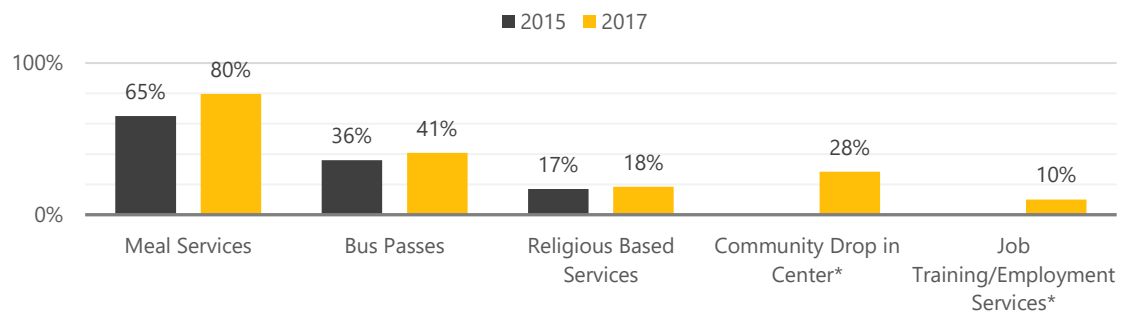
*In 2013 the response option changed from "do not need" to "do not want," which was an option in 2011.

SERVICES AND PROGRAMS

In addition to government assistance, there are numerous community-based services and programs available to individuals experiencing homelessness. These services range from day shelters and meal programs to job training and healthcare.

The majority of respondents reported using meal services (80%). Forty-one percent (41%) of respondents reported utilizing bus pass services, while approximately one in five respondents reported using religious based services. In 2017, two new options were offered to respondents; twenty-eight percent (28%) of respondents reported using community drop in centers, while 10% reported using job training/employment services.

FIGURE 24. SERVICES OR ASSISTANCE



2015 n= 875 respondents offering 1,960 responses; 2017 n= 570 respondents offering 1,247

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

* Community drop in center and job training/employment services response were added in 2017

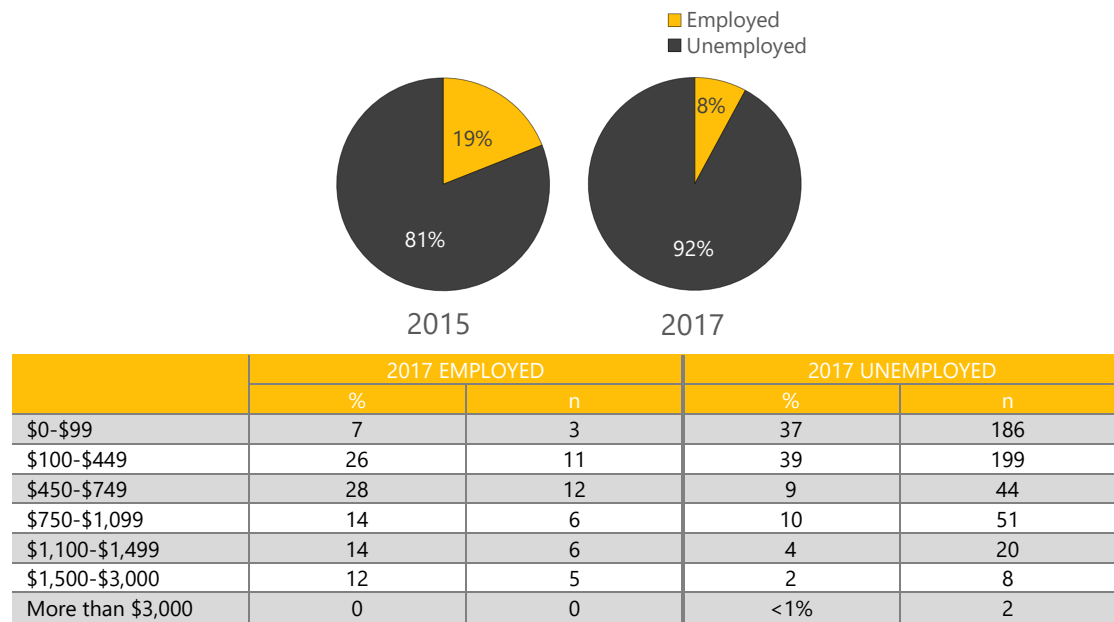
EMPLOYMENT AND INCOME

While the majority of survey respondents reported being unemployed, a number reported part-time or full-time work; many were receiving an income, either public or private. Despite some income, data suggest that employment and income were not enough to meet basic needs.

The unemployment rate in Santa Clara County in January 2017 was at 3.6%, slightly down from 4.7% during the same period in 2015.³ It is important to recognize that the unemployment rate represents only those who are unemployed and actively seeking employment. It does not represent all joblessness, nor does it address the types of available employment. The unemployment rate among homeless survey respondents was 92%, an increase from 81% in 2015. Fifty-five percent (55%) of unemployed respondents indicated that they were currently looking for work, 23% indicated they were currently unable to work, and nearly a quarter (22%) of respondents were currently not looking for work

Income from all sources varied between those with regular employment and those who were unemployed. Over one-third (37%) of unemployed respondents reported an income of \$99 or less per month, in comparison to 7% of those who were employed. Unemployed income is typically from government services, benefits, recycling, or panhandling. Overall income for those with employment was higher than those without. For example, 40% of employed respondents reported making \$750 or more per month, compared to 16% of unemployed respondents.

FIGURE 25. EMPLOYMENT AND MONTHLY INCOME



2017 employment status n: 560; Income employed n: 43; Income unemployed n: 510

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

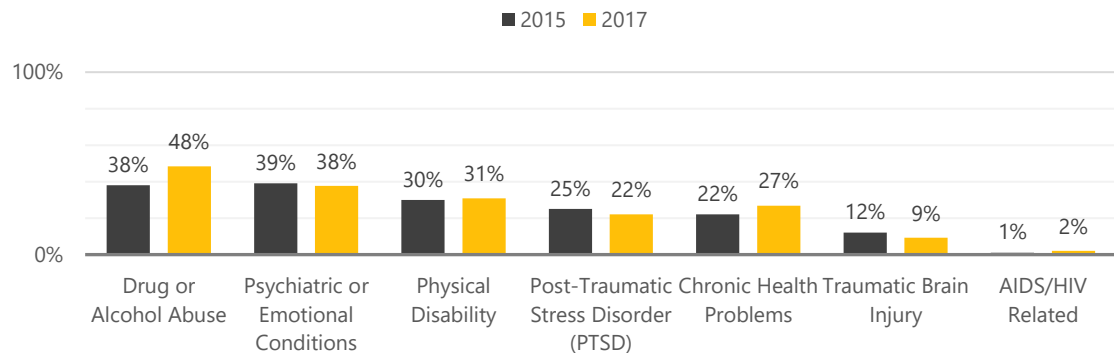
Note: Respondents were challenged by this income question and the low response for employed income is subject to a high margin of error.

³ State of California Employment Development Department. (2017). Unemployment Rates (Labor Force). Retrieved 2017 from <http://www.labormarketinfo.edd.ca.gov>

HEALTH

The average life expectancy for individuals experiencing homelessness is 25 years less than those in stable housing. Without regular access to healthcare and without safe and stable housing, individuals experience preventable illness and often endure longer hospitalizations. It is estimated that those experiencing homelessness stay four days (or 36%) longer per hospital admission than non-homeless patients.⁴ Drug or alcohol abuse among survey respondents was higher in 2017 than in 2015 (48% compared to 38%). Similarly, chronic health problems were cited more frequently in 2017 than in 2015 (27% and 22%, respectively).

FIGURE 26. HEALTH CONDITIONS



2015 n: 880-902; 2017 n: 548-570

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

⁴ Sharon A. Salit, M. E. (1998). *Hospitalization Costs Associated with Homelessness in New York City*. New England Journal of Medicine, 338, 1734-1740.

DOMESTIC/PARTNER VIOLENCE OR ABUSE

Histories of domestic violence and partner abuse are prevalent among individuals experiencing homelessness, and can be a primary cause of homelessness for many. Survivors often lack many of the financial resources required for housing due to a limited employment history or dependable income. Three percent (3%) of all survey respondents reported currently experiencing domestic/partner violence or abuse. When asked about experiences throughout their lifetime, 21% reported domestic/partner violence or abuse, a lower percentage of respondents than in 2015 (27%).

Domestic violence varied by gender, with 7% of female respondents reporting current experiences of domestic violence, compared to less than 1% of male respondents. Looking at domestic violence across the lifetime, 35% of female and 13% of male respondents reported previous experiences of domestic violence.

FIGURE 27. HISTORY OF DOMESTIC VIOLENCE



2017 n=575

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

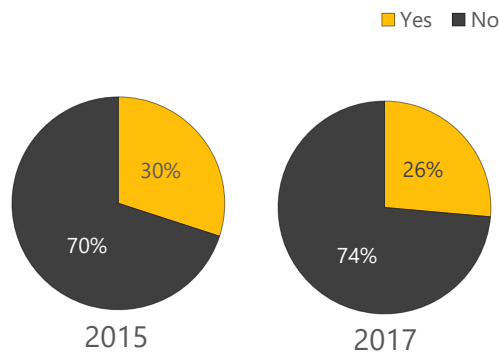
CRIMINAL JUSTICE SYSTEM

Homelessness and incarceration are often correlative. Individuals without stable housing are at greater risk of criminal justice system involvement, particularly those with mental health issues, veterans, and youth. Individuals with past incarceration face significant barriers to exiting homelessness due to stigmatization, and policies that affect both their ability to gain employment and access housing opportunities.⁵

INCARCERATION

When asked if they had spent a night in jail or prison in the last 12 months, approximately one in four (26%) survey respondents reported that they had, similar to 2015 findings (30%). Sixteen percent (16%) of respondents reported being on probation or parole at the time of the survey. Eight percent (8%) of respondents indicated they had accessed re-entry services.

FIGURE 28. SPENT A NIGHT IN JAIL OR PRISON IN THE LAST 12 MONTHS



2015 n= 903; 2017 n= 573

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

⁵ Greenberg, GA, Rosenheck, RA. (2008). Jail Incarceration, Homelessness, and Mental Health: A National Study. *Psychiatr Serv*, 2008 Feb;59(2): 170-7.

HUD Defined Subpopulations

Opening Doors: Federal Strategic Plan to Prevent and End Homelessness outlines national objectives and evaluative measures for ending homelessness in the United States. In order to adequately address the diversity within the population experiencing homelessness, the federal government identifies four subpopulations with particular challenges or needs. These four subpopulations include: individuals experiencing chronic homelessness, veterans, families, and unaccompanied children and transition-age youth. Consequently, these subpopulations represent important reportable indicators for measuring local progress toward ending homelessness.

The following sections examine each of these four subpopulations, identifying the number and characteristics of individuals included in the 2017 Santa Clara County Homeless Census and Survey.

Of the 587 surveys completed in 2017, the results represent 257 chronically homeless individuals, 49 homeless veterans, 19 individuals in homeless families,⁶ 42 unaccompanied children and transition-age youth. Surveys were completed in unsheltered environments, shelters, and transitional housing settings.

CHRONICALLY HOMELESS INDIVIDUALS

The Department of Housing and Urban Development defines a chronically homeless individual as someone who has experienced homelessness for a year or longer, or who has experienced at least four episodes of homelessness in the last three years, *and* also has a long-term disabling condition. This definition applies to individuals as well as heads of household who meet the definition.

The chronically homeless population represents one of the most vulnerable populations on the street; the mortality rate for those experiencing chronic homelessness is four to nine times higher than the general population.⁷ Data from communities across the country show that public costs incurred by those experiencing extended periods of homelessness include emergency room visits, interactions with law enforcement, incarceration, and regular access

⁶ Homeless families are somewhat underrepresented in Santa Clara's Homeless Survey data due sample execution issues. The majority of homeless families in Santa Clara are currently residing in shelters and transitional housing facilities. In 2017, shelter staff reported difficulties completing surveys of families, due to a variety of reasons.

⁷ United States Interagency Council on Homelessness. (2010). Supplemental Document to the Federal Strategic Plan to Prevent and End Homelessness: June 2010. Retrieved 2017 from https://www.usich.gov/resources/uploads/asset_library/BkgrdPap_ChronicHomelessness.pdf

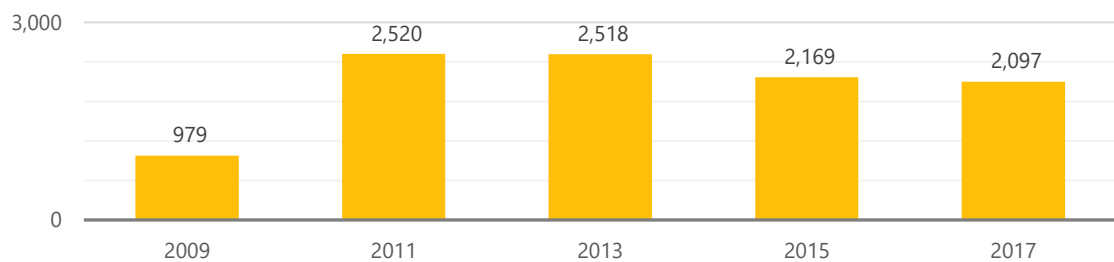
to social supports and homeless services. These combined costs are often significantly higher than the cost of providing individuals with permanent housing and supportive services.

The U.S. Department of Housing and Urban Development reported that roughly 22% of the national homeless population, or 77,486 individuals, was chronically homeless in 2016.⁸ Chronic homelessness has been on the decline in recent years, as communities across the country increase the capacity of their permanent supportive housing programs and prioritize those with the greatest barriers to housing stability. While the national decrease in chronic homelessness seems promising, federal budget constraints limit the amount of money available to support housing programs and services. As a result, *Opening Doors*, which began with a plan to end chronic homelessness by 2016, has extended the goal to 2017.⁹

CHRONICALLY HOMELESS INDIVIDUALS

There were a total of 2,097 individuals experiencing chronic homelessness, the lowest total since 2013. Individuals experiencing chronic homelessness made up 28% of the total homeless population.

FIGURE 29. TOTAL NUMBER OF CHRONICALLY HOMELESS INDIVIDUALS ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS WITH TREND



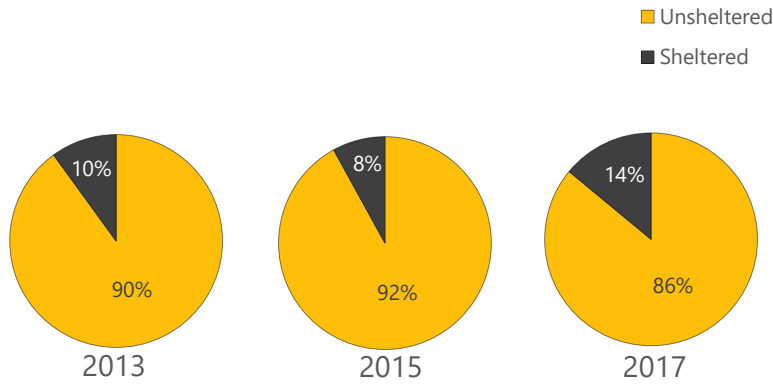
Source: Applied Survey Research. (2009-2017). Santa Clara County Homeless Census and Survey.

8 Department of Housing and Urban Development. (2016). Annual Assessment Report to Congress. Retrieved 2017 from <https://www.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

9 Cavallaro, E. (2017). Ending Chronic Homelessness, Now in 2017. National Alliance to End Homelessness. Retrieved 2017 from <http://www.endhomelessness.org>

HUD Defined Subpopulations

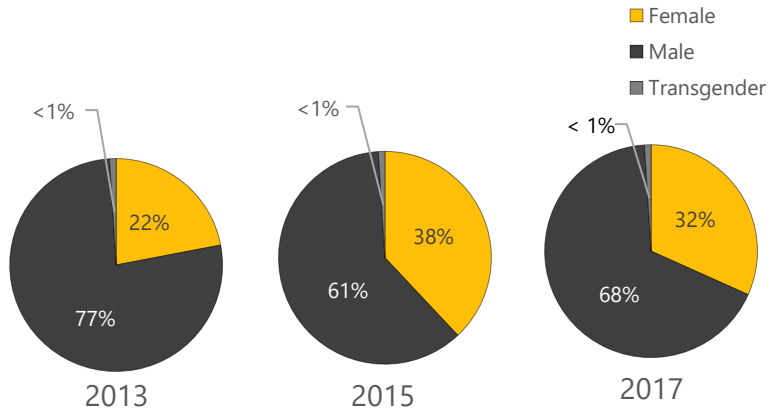
FIGURE 30. CHRONIC HOMELESS CENSUS POPULATION BY SHELTER STATUS



2013 n= 2,518; 2015 n= 2,169; 2017 n= 2,097

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

FIGURE 31. TOTAL CHRONIC HOMELESS CENSUS POPULATION BY GENDER



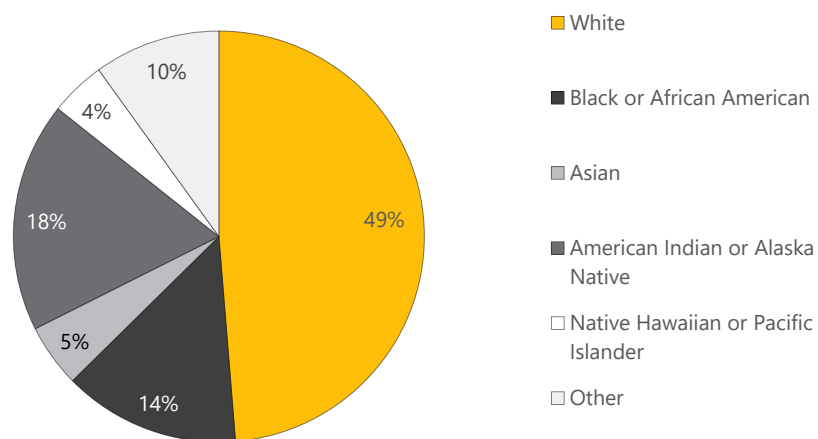
2013 n= 2,518; 2015 n= 2,169; 2017 n= 2,097

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

DEMOGRAPHICS OF CHRONICALLY HOMELESS SURVEY RESPONDENTS

The majority of chronically homeless survey respondents identified as male (68%), and at a slightly higher rate than the non-chronically homeless population (61%). A similar percentage of chronically homeless respondents identified as Hispanic or Latino compared to non-chronically homeless respondents (42% and 43%, respectively). Eight percent (8%) of chronically homeless respondents identified as veterans, similar to the non-chronic population.

FIGURE 32. RACE AMONG PERSONS EXPERIENCING CHRONIC HOMELESSNESS



Chronic n= 225

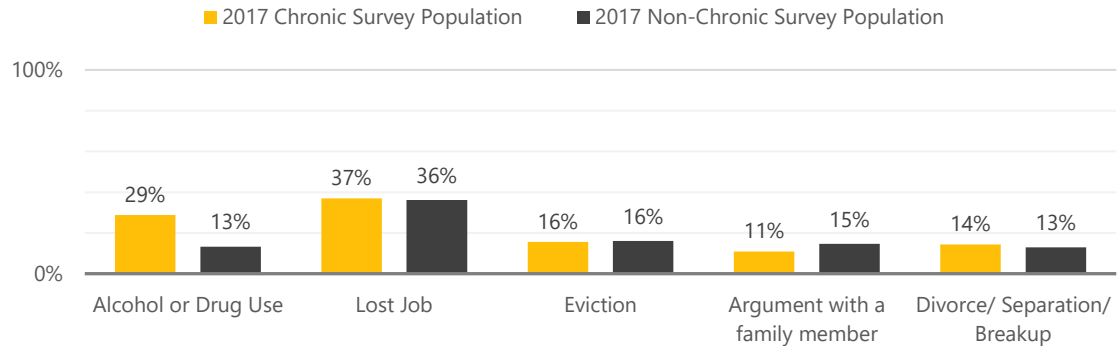
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Percentages may not add up to 100 due to rounding.

PRIMARY CAUSE OF HOMELESSNESS AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

Over one-third (37%) of chronically homeless survey respondents stated job loss as the primary cause of their homelessness, similar to 35% of respondents in 2015. Eleven percent (11%) of chronically homeless respondents cited an argument with a family member as the primary cause of their homelessness, compared to 15% of non-chronically homeless survey respondents.

FIGURE 33. PRIMARY CAUSE OF HOMELESSNESS, CHRONIC AND NON-CHRONIC COMPARISON



Chronic Survey Population= 257 respondents offering 391 responses; Non-Chronic Survey Population= 323 respondents offering 402 responses

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

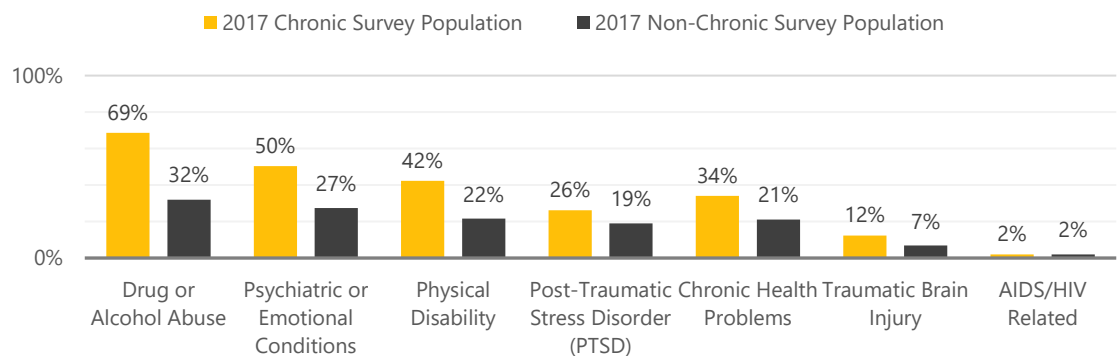
Note: Multiple response question. Percentages may not add up to 100.

HEALTH CONDITIONS AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

The definition of chronic homelessness requires a disabling condition, and many respondents reported experiencing multiple physical or mental health conditions. Sixty-nine percent (69%) of chronically homeless survey respondents reported alcohol or substance use, 50% reported an emotional or psychiatric health condition, and 42% reported a physical disability.

In general, higher rates of health conditions were reported among those who were chronically homeless compared to their non-chronically homeless counterparts.

FIGURE 34. HEALTH CONDITIONS, CHRONIC AND NON-CHRONIC COMPARISON



Chronic Survey Population: 239-255; Non-Chronic Survey Population: 309-318

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

ACCESS TO SERVICES AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

A lower percentage (10%) of chronically homeless respondents reported they were not using any local homeless services such as food and shelter services, compared to 17% of those who were not chronically homeless.

Sixteen percent (16%) of chronically homeless respondents reported they were not using government assistance, a decrease from 26% in 2015. Sixty-three percent (63%) reported receiving CalFresh (food stamps), 42% received Medi-Cal/Medicare, and 38% received General Assistance (GA).

Of chronically homeless respondents who were not receiving government services, nearly half (46%) reported that they did not want government assistance. Twenty percent (20%) reported never having applied.

INCARCERATION AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

A similar percentage of chronic and non-chronic homeless respondents (26% and 27%, respectively) reported they had spent one or more nights in jail or prison in the 12 months prior to the survey. Seventeen percent (17%) of chronically homeless survey respondents reported being on probation or parole at the time of the survey, similar to the non-chronic population (15%).

VETERANS

Many U.S. veterans experience conditions that place them at increased risk for homelessness. Veterans experience higher rates of post-traumatic stress disorder (PTSD), traumatic brain injury (TBI), sexual assault, and substance abuse. Veterans experiencing homelessness are more likely to live on the street than in shelters, and often remain on the street for extended periods of time.

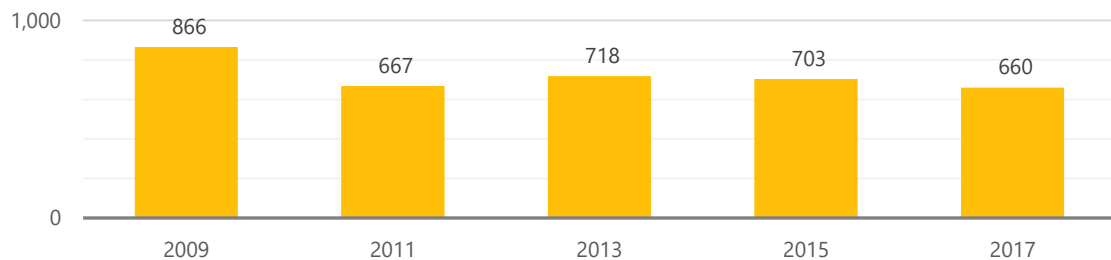
The U.S. Department of Veterans Affairs (VA) provides a broad range of benefits and services to veterans of the U.S. Armed Forces. These benefits can involve different forms of financial assistance, including monthly cash payments to disabled veterans, health care, education, and housing benefits. In addition to these supports, the VA and HUD partner to provide additional housing and support services to veterans' currently experiencing homelessness or at risk of experiencing homelessness.

Between 2009 and 2016, there has been a 48% decrease in the number of homeless veterans nationwide. According to data collected during the national 2016 Point-in-Time Count, 39,471 veterans experienced homelessness across the country on a single night in January 2016.¹⁰

HOMELESS VETERAN STATUS

There were 660 veterans identified during the 2017 Santa Clara County Homeless Census, the lowest number among the six cycles of the census.

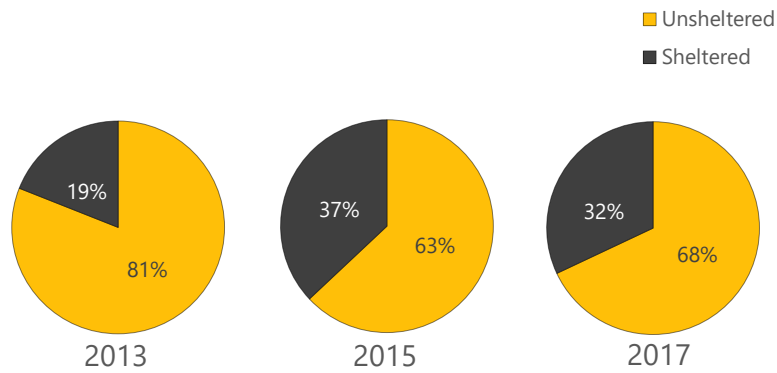
FIGURE 35. TOTAL NUMBER OF HOMELESS VETERANS ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS WITH TREND



Source: Applied Survey Research. (2009-2017). Santa Clara County Homeless Census and Survey.

¹⁰ Department of Housing and Urban Development. (2017). Annual Assessment Report to Congress. Retrieved 2017 from <https://www.hudexchange.info/resources/documents/2014-AHAR-Part1.pdf>

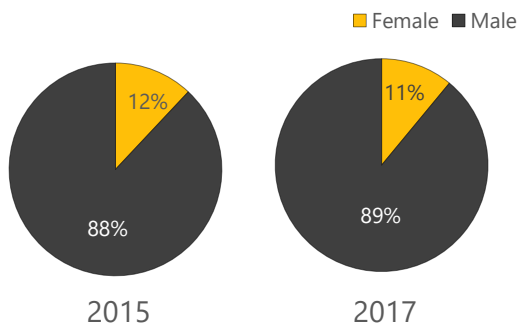
FIGURE 36. HOMELESS VETERAN CENSUS POPULATION BY SHELTER STATUS



2013 n= 718; 2015 n= 703; 2017 n= 660

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

FIGURE 37. TOTAL HOMELESS VETERAN CENSUS POPULATION BY GENDER



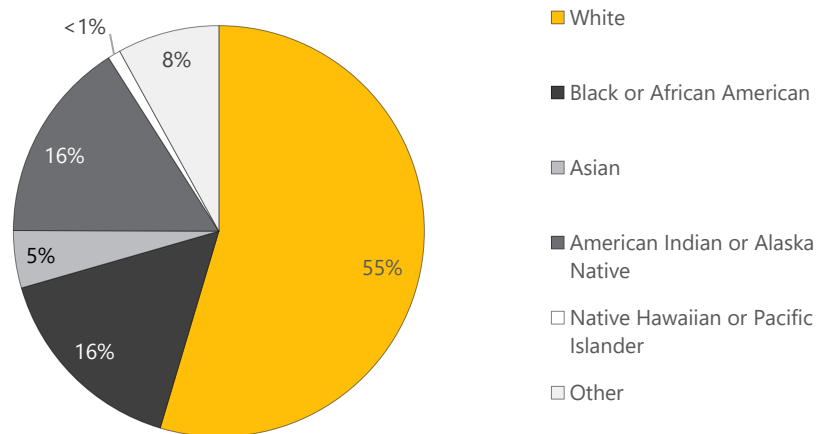
2015 n= 703; 2017 n= 660

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

DEMOGRAPHICS OF HOMELESS VETERANS

The majority of veteran homeless individuals identified as male (88%), higher than the non-veteran homeless population (62%). A similar percentage of veteran homeless respondents identified as Hispanic or Latino compared to non-veteran homeless respondents (43% and 42%, respectively).

FIGURE 38. RACE AMONG HOMELESS VETERANS



Veteran n= 44

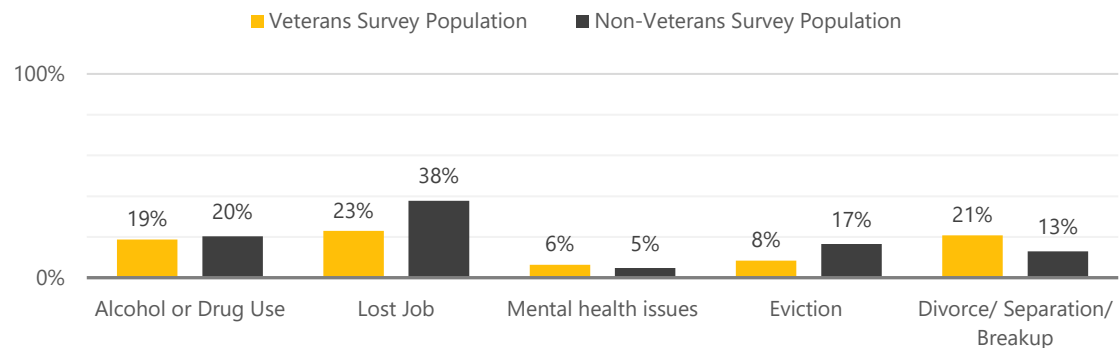
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Percentages may not add up to 100 due to rounding.

PRIMARY CAUSE OF HOMELESSNESS AMONG THOSE HOMELESS VETERANS

The most frequently cited cause of homelessness among veterans job loss, representing 23% of veteran survey respondents. Twenty-one percent (21%) reported divorce, separation or breakup as the primary cause of their homelessness, a notably higher rate when compared to the non-veteran population (13%). Alternatively, 8% of veteran respondents cited eviction as a primary cause of their homelessness, lower than the 17% of non-veteran survey population.

FIGURE 39. PRIMARY CAUSE OF HOMELESSNESS, VETERAN AND NON-VETERAN COMPARISON



Veterans Survey Population n= 48 respondents offering 59 responses; Non-Veteran Survey Population n= 532 respondents offering 734 responses

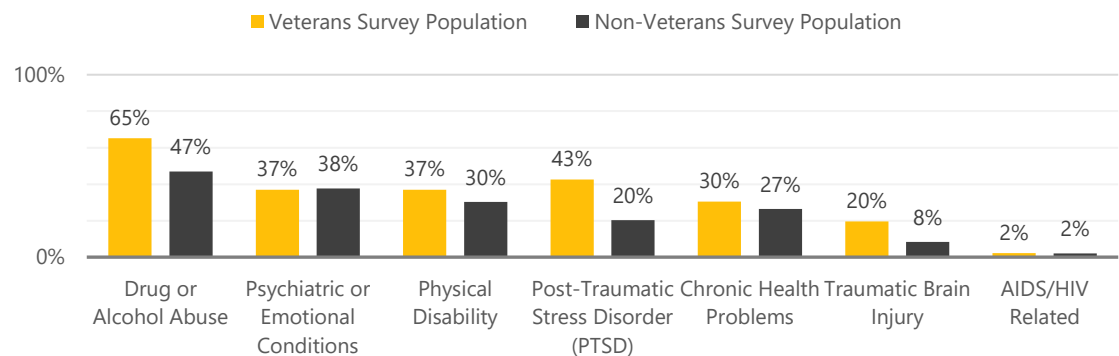
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

DISABLING CONDITIONS AMONG HOMELESS VETERANS

Forty-one percent (41%) of both veteran survey respondents and non-veteran survey respondents both reported having one or more disabling conditions.

FIGURE 40. HEALTH CONDITIONS, VETERAN AND NON-VETERAN COMPARISON



Veterans Survey Population n= 45-47; Non-Veteran Survey Population n= 503-524

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

ACCESS TO SERVICES AMONG VETERANS

Overall, the number of veterans connected to any form of government assistance was higher than the non-veteran population, 84% compared to 75%.

When asked about the specific services they are receiving, the most frequent responses were Food/Stamps/SNAP/WIC/CalFresh (41%) and General Assistance (23%). Twenty-seven percent (27%) of veteran survey respondents reported using a veteran specific benefit.

INCARCERATION AMONG HOMELESS VETERANS

Among those who are incarcerated, veterans are more likely than non-veterans to be first time offenders, to have committed a violent offense, and to have longer prison sentences. Veterans who are incarcerated may also face the loss of various VA benefits during this time.¹¹

A higher percentage of veterans (35%) reported having spent a night in jail in the last 12 months when compared to non-veterans (26%).

¹¹ Military Benefits. (2014). Incarcerated Veterans. Retrieved 2014 from <http://www.military.com/benefits/veteran-benefits/incarcerated-veterans.html>.

FAMILIES WITH CHILDREN

National data from 2016 suggest that 35% of all persons experiencing homelessness are persons in families. Very few families experiencing homelessness are unsheltered, as public shelters serve 90% of homeless families in the United States; this is a significantly higher proportion of the population compared to other subpopulations, including unaccompanied children and transition-age youth. Data on families experiencing homelessness suggest that they are not much different from families in poverty.

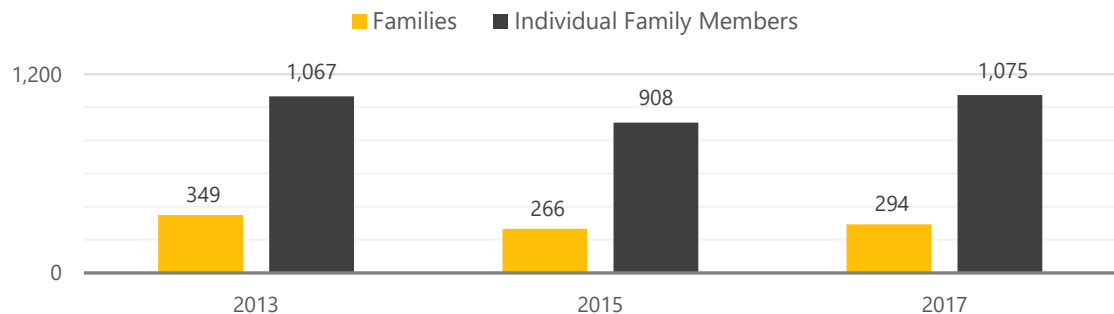
The risk of homelessness is highest among households headed by single women and families with children under the age of six.¹² Children in families experiencing homelessness have increased incidence of illness and are more likely to have emotional and behavioral problems than children with consistent living accommodations.¹³

HOMELESS FAMILIES WITH CHILDREN

There were a total of 294 families with children experiencing homelessness in 2017, a higher number than 2015, but a lower number than 2013. There were a total of 1,075 individuals living in these families. Twenty-eight percent of families were unsheltered, an increase from previous years. The greatly increased inclusion of data from McKinney-Vento representatives from the many participating school districts is one possible reason for this shift.

2017 saw the largest increase in participation in the history of the Census from local school representatives, thanks to the County Office of Education (COE). McKinney-Vento representatives have unparalleled access into families experiencing homelessness, a population that is difficult to enumerate without their help. While not all districts participated, far more participated than in past years, providing increased access to a frequently overlooked population. McKinney-Vento representatives also gather data on families that do not meet the federal definition of homelessness used in this count, or where it cannot be determined whether they meet the definition. These families are frequently staying in unconverted garages, hotels or motels, or other areas on private property that enumeration teams are unable to access.

FIGURE 41. TOTAL NUMBER OF HOMELESS FAMILIES WITH CHILDREN ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS, WITH TREND



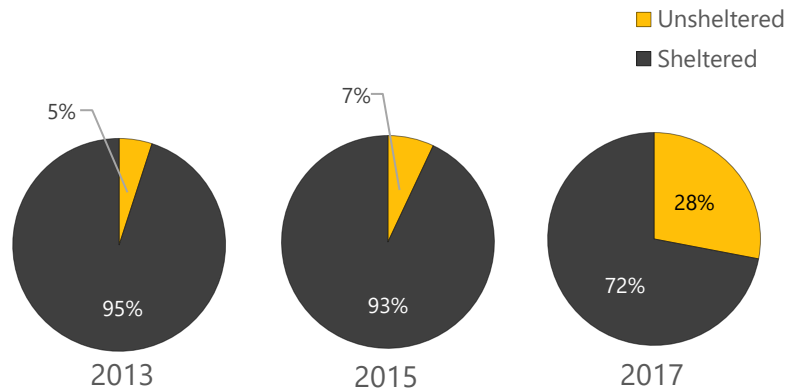
Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

¹² U. S. Department of Health and Human Services. (2007). Characteristics and Dynamics of Homeless Families with Children. Retrieved 2015 from <http://aspe.hhs.gov/>

¹³ U.S. Interagency Council on Homelessness. (2015). Opening Doors. Retrieved 2015 from <http://www.usich.gov/>

HUD Defined Subpopulations

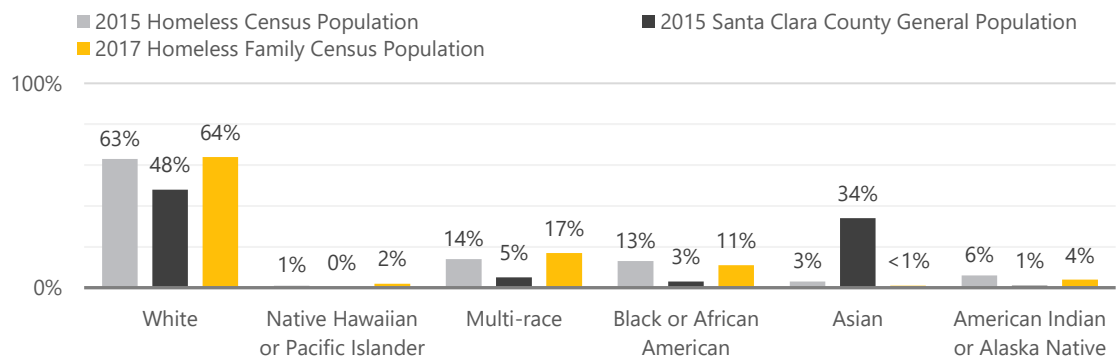
FIGURE 42. PERCENTAGE OF INDIVIDUALS IN HOMELESS FAMILIES WITH CHILDREN, BY SHELTER STATUS



2013 n=1,067; 2015 n=908; 2017 n=1,075

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

FIGURE 43. INDIVIDUALS IN HOMELESS FAMILIES WITH CHILDREN, CENSUS POPULATION BY RACE



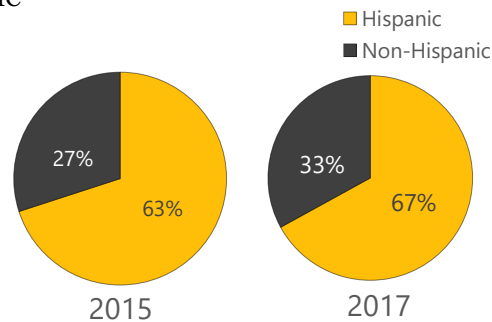
2015 n=908; 2017 n= 1075

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

U.S. Census Bureau. (May 2016). American Community Survey 2014 1-Year Estimates. Table DP05: ACS Demographic and Housing Estimates. Retrieved from <http://factfinder2.census.gov>.

Note: Multiple response question. Percentages may not add up to 100 due to rounding.

FIGURE 44. INDIVIDUALS IN HOMELESS FAMILIES WITH CHILDREN, CENSUS POPULATION BY HISPANIC/NON-HISPANIC



2015 n=908; 2017 n=1,075

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

DEMOGRAPHICS OF HOMELESS FAMILIES WITH CHILDREN

A small number of individuals in homeless families with children participated in the Santa Clara County Survey, a total of 19 respondents.¹⁴ Seventy-four percent (74%) of survey respondents in families identified as female, a higher percentage than survey respondents not in families (33%).

DOMESTIC VIOLENCE AMONG FAMILIES EXPERIENCING HOMELESSNESS

Thirty-three percent (33%) of individuals in families with children reported experiencing domestic violence in the past, and 6% reported they were currently experiencing domestic violence at the time of the survey.

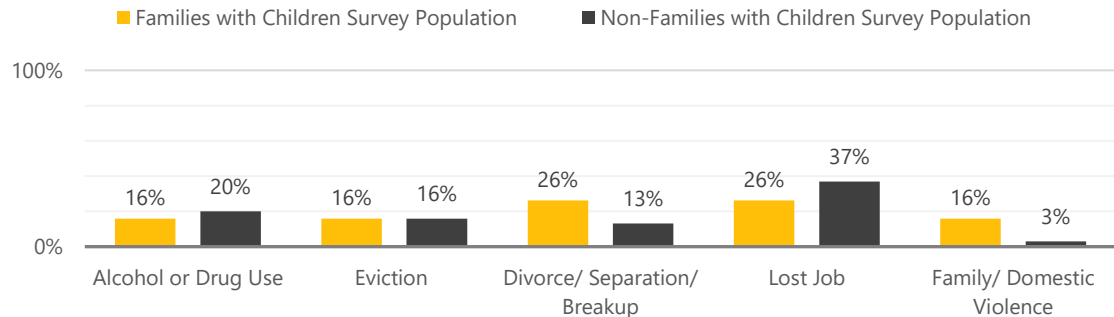
¹⁴ Caution should be used when interpreting these data due to small number of surveys conducted with homeless individuals in families with children

HUD Defined Subpopulations

PRIMARY CAUSE OF HOMELESSNESS AMONG HOMELESS FAMILIES WITH CHILDREN

Sixteen percent (16%) of survey respondents in families with children reported family or domestic violence as the primary cause of their homelessness, higher than non-family homeless respondents. Divorce, breakup and separation was also a much more common response among homeless families with children than non-families experiencing homelessness (26% compared to 13%).

FIGURE 45. PRIMARY CAUSE OF HOMELESSNESS, FAMILIES WITH CHILDREN AND NON-FAMILIES WITH CHILDREN COMPARISON



Family Survey Population n= 19 respondents offering 37 responses; Non-Family Survey Population n= 561 respondents offering 756 responses

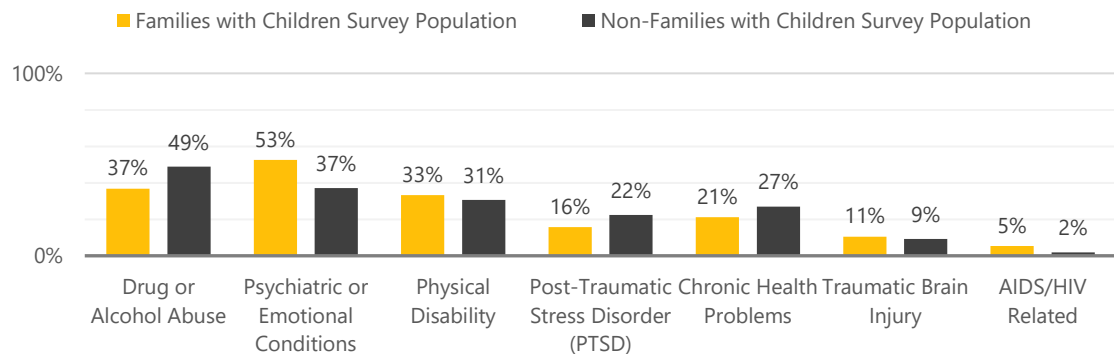
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

HEALTH CONDITIONS AMONG HOMELESS FAMILIES WITH CHILDREN

Among homeless families with children, a psychiatric or emotional condition was the most frequent health condition cited (53%). Alcohol or drug abuse was less common among homeless families than among all other survey respondents (37% and 49%, respectively).

FIGURE 46. HEALTH CONDITIONS, FAMILIES WITH CHILDREN AND NON-FAMILIES WITH CHILDREN COMPARISON



Family Survey Population n= 18-19; Non-Family Population n= 529-551

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

RECURRENCE AND LENGTH OF HOMELESSNESS AMONG FAMILIES WITH CHILDREN

Forty-seven percent (47%) of individuals in families with children reported experiencing homelessness for the first time, compared to 40% of non-family survey respondents. Seventy-seven percent of families had been experiencing homelessness for more than 6 months and 42% reported they were living in a home owned or rented by themselves or a partner prior to becoming homeless. Twenty-six percent had been staying with friends or family before experiencing homelessness, while 15% were staying in a hotel or motel.

GOVERNMENT ASSISTANCE FOR HOMELESS FAMILIES WITH CHILDREN

More than 94% of respondents reported receiving some form of government assistance. Approximately three-quarters reported that they were receiving CalFresh (food stamps) (72%) and receiving Medi-Cal/MediCare (72%).

UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Due to the often hidden nature of youth homelessness, there are limited data available on unaccompanied children and transition-age youth experiencing homelessness. Although largely considered an undercount, current federal estimates suggest there are 35,686 unaccompanied children and transition-age youth on the streets and in public shelters across the country.¹⁵ Young people experiencing homelessness have a harder time accessing services, including shelter, medical care, and employment due to the stigma of their housing situation, lack of knowledge of available resources, and a dearth of services targeted to young people.¹⁶

In 2012, the U.S. Interagency Council on Homelessness amended the federal strategic plan to end homelessness to include specific strategies and supports to address the needs of unaccompanied homeless children and transition-age youth. As part of this effort, the U.S. Department of Housing and Urban Development placed increased focus on gathering data on unaccompanied homeless children and youth during the Point-in-Time Census.

Santa Clara County implemented a dedicated youth census and survey in 2013 to improve data on unaccompanied children and youth in the county. These efforts were replicated in 2015. In 2017, efforts at enumerating unaccompanied youth and transition-age youth were expanded. This led to an increase in the number of enumeration teams, better training and preparation for those teams, increased participation from program staff, and expanded coverage of the areas youth frequent in Santa Clara County.

The following section provides an overview of the findings on unaccompanied children and youth identified in the Santa Clara County's general point-in-time census, as well as in the specific youth census.

UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

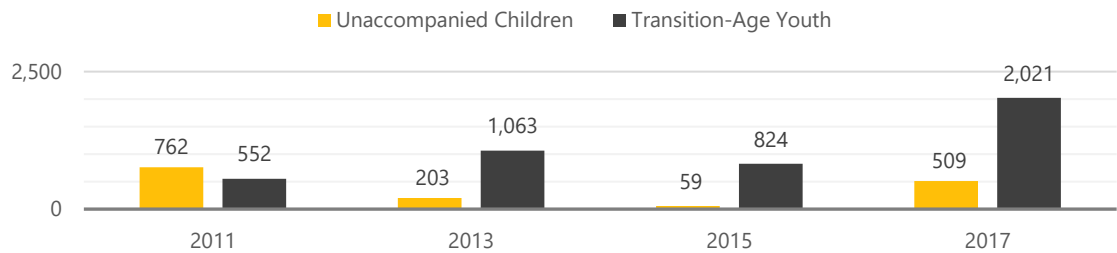
Homelessness among children and transition-age youth is a difficult problem to identify. Unaccompanied children and transition-age youth are less likely to be found among the adult population experiencing homelessness, preferring locations and times of day that make traditional efforts at enumeration difficult. Accordingly, a separate youth count effort was put in place, relying on knowledge gathered from youth currently experiencing homelessness as well as their participation in the count itself.

In 2017, the youth census effort, combined with the general count, identified 2,530 unaccompanied children and transition-age youth experiencing homelessness. This represents an increase of slightly more than 175% since 2015, and is nearly twice the amount of the next largest total identified (1,063 in 2013). Some caution must be used when interpreting this increase. While youth homelessness is on the rise nationally, the improved youth census effort represents a significant percentage of the overall increase in homelessness in Santa Clara County.

¹⁵ Department of Housing and Urban Development. (2016). Annual Assessment Report to Congress. Retrieved 2017 from <https://www.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

¹⁶ National Coalition for the Homeless. (2011). Homeless Youth Fact Sheet. Retrieved 2011 from <http://www.nationalhomeless.org>.

FIGURE 47. TOTAL NUMBER OF UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS, WITH TREND



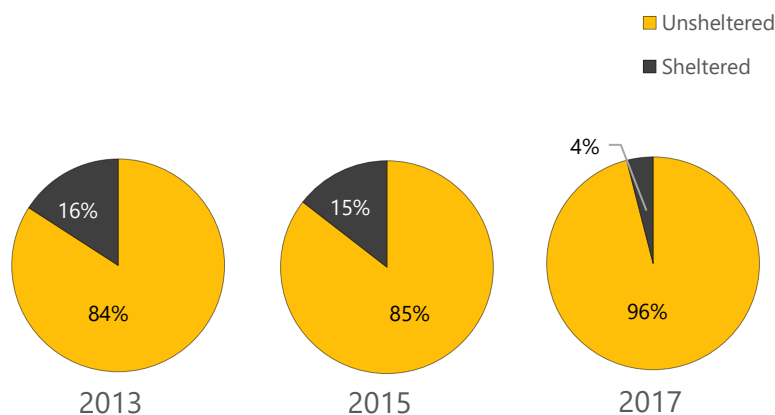
Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

FIGURE 48. UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH POPULATION ESTIMATES



Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

FIGURE 49. UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH CENSUS POPULATION BY SHELTER STATUS



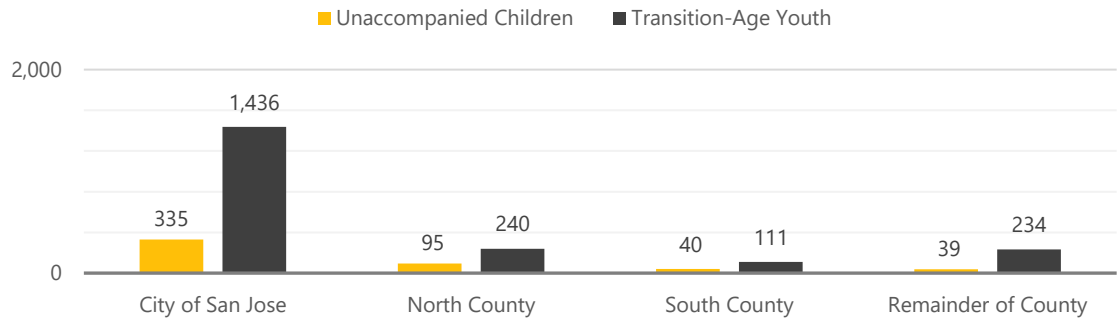
2013 n=1,266; 2015 n= 883; 2017 n=2,530

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

Note: Percentages may not add up to 100 due to rounding.

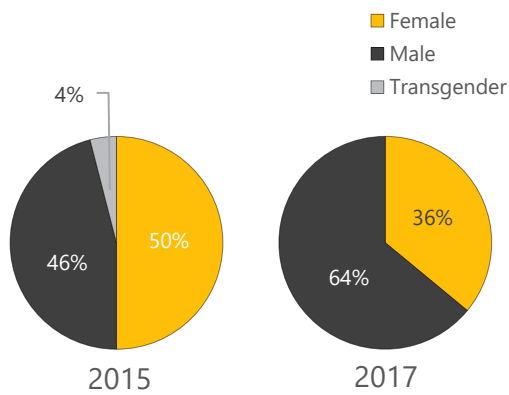
HUD Defined Subpopulations

FIGURE 50. UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH CENSUS POPULATION BY REGION



Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

FIGURE 51. UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH CENSUS POPULATION BY GENDER



2015 n= 944; 2017 n= 2,530

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

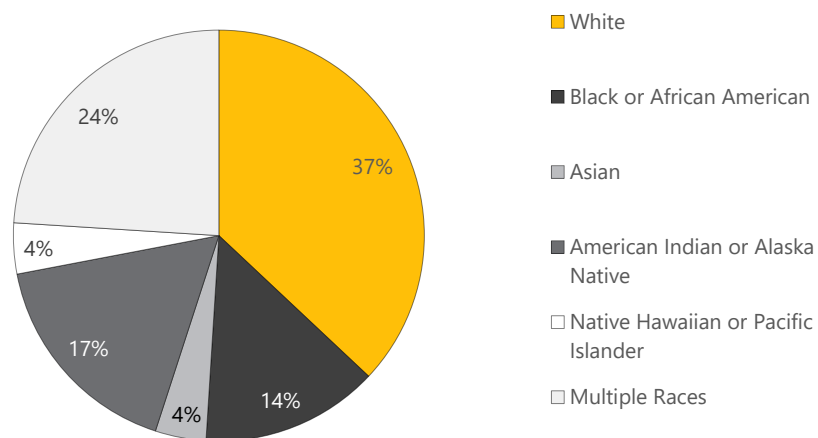
Note: Percentages may not add up to 100 due to rounding.

DEMOGRAPHICS OF UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Nearly two-thirds (62%) of youth survey respondents under the age of 25 identified as male, similar to the general population (64%). Five percent (5%) indicated that they do not identify as male, female, or transgender.

Forty-one percent (41%) of youth respondents identified as Hispanic or Latino, similar to 42% of respondents 25 years and over. The highest reported race among youth respondents was White (37%), although this was a significantly lower percentage compared to the adult survey population (47%).

FIGURE 52. RACE AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH



Unaccompanied Children and Transition-Age Youth n= 2,530

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

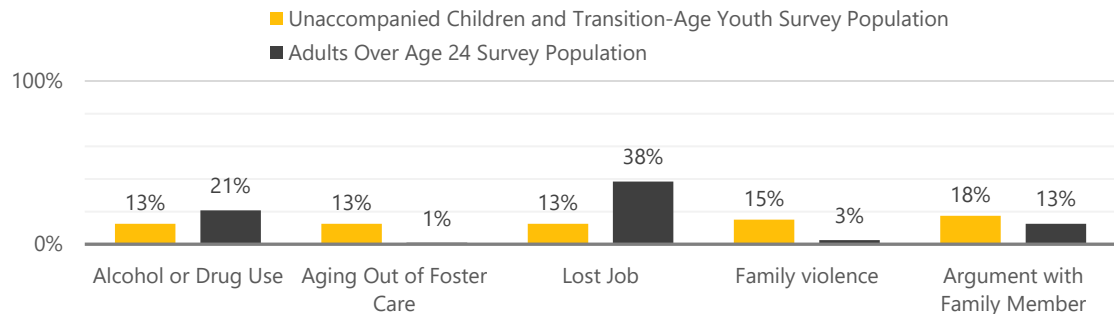
Note: Percentages may not add up to 100 due to rounding.

HUD Defined Subpopulations

PRIMARY CAUSE OF HOMELESSNESS AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Homeless youth survey respondents reported some differences in cause of homelessness compared to respondents age 25 years and over. Unaccompanied homeless children and transition-age youth were more likely to cite family violence, an argument with a family member, and aging out of foster care as the primary cause of their homelessness.

FIGURE 53. PRIMARY CAUSE OF HOMELESSNESS, UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH AND ADULTS OVER AGE 24 COMPARISON

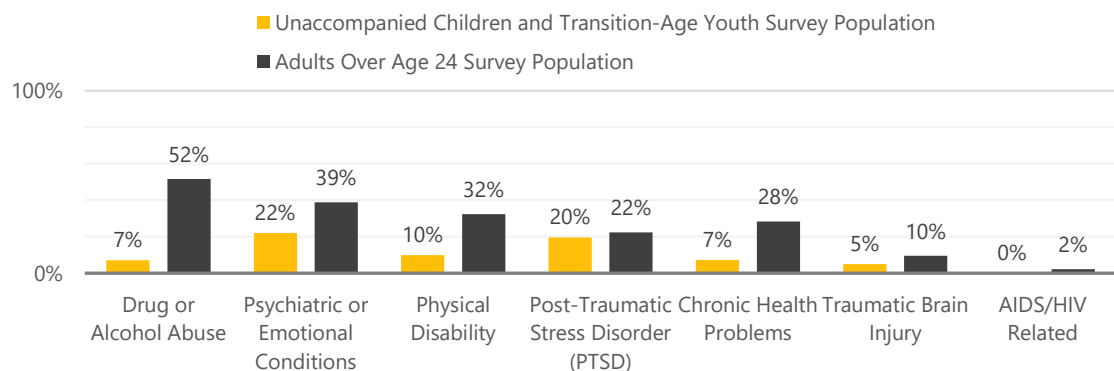


Unaccompanied Children and Transition-Age Youth Survey Population n: 40 respondents offering 48 responses;
Adults Over Age 24 Survey Population n: 540 respondents offering 745 responses
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.
Note: Multiple response question. Percentages may not add up to 100.

HEALTH CONDITIONS AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Though better than the general homeless population, health is still an issue for homeless youth. Homeless youth still struggled with psychiatric or emotional conditions (22%) as well as experiencing PTSD (20%).

FIGURE 54. HEALTH CONDITIONS, UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH AND ADULTS OVER AGE 24 COMPARISON



Unaccompanied Children and Transition-Age Youth Survey Population n: 40-42; Adults Over Age 24 Survey Population n: 508-529
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.
Note: Multiple response question. Percentages may not add up to 100.

SERVICES AND SOCIAL SUPPORT NETWORKS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

Forty-nine percent (49%) of youth survey respondents reported not currently receiving any government assistance, compared to 23% of adult homeless survey respondents. Similarly, youth respondents indicated they were less likely than adult respondents to access any type of services or assistance; seventy-seven percent (77%) of youth respondents reported receiving services compared to eighty-seven percent (87%) of adult respondents.

FOSTER CARE AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Nearly half (45%) of youth respondents reported they had been in the foster care system, and 13% of all youth respondents cited aging out of foster care as the primary cause of their homelessness.

FIGURE 55. HISTORY OF FOSTER CARE, UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



Unaccompanied Children and Transition-Age Youth Survey Population n=42

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Conclusion

Between 2015 and 2017, Santa Clara County and its provider partners have made significant investments and reforms to meet the needs of people experiencing homelessness, moving more people off of the streets and into housing. However, point-in-time data indicate an increased number of individuals experiencing homelessness when compared to 2015. There can be many reasons for the increase, including macroeconomic concerns and difficulties finding locations to live. Additionally, it is worthwhile to compare the increase in Santa Clara County's population to nearby counties, as well as to similarly sized counties across the country.

One large component of the increase stemmed from the numbers of unaccompanied children and transition-age youth experiencing homelessness enumerated in this year's count. Homelessness among youth is a different phenomenon than homelessness among adults, and the ability of communities to understand the actual scope of the issue has lagged behind traditional methods of measuring homelessness. As that understanding has improved, so too have methods of enumeration, leading to youth being enumerated when they would have been missed in past years. Recognizing the increased prevalence of youth homelessness nationwide, HUD has declared that 2017 will be the baseline number of youth homelessness for comparison in future years, and hopes to drive more funding and support towards ending youth homelessness.

There have been a number of accomplishments and improvements from 2015. Veterans experiencing homelessness and chronically homeless individuals have benefited from increased outreach and program efforts and have seen their numbers decrease. The data from the 2017 Santa Clara County Homeless Census and Survey can help educate the public, service providers, and policymakers on how to best serve the homeless population and help ensure that homelessness is a rare, brief, and one-time event. Numerous studies show that prevention, Housing First initiatives, and supportive services are the first steps in ending homelessness, and Santa Clara County is working diligently to develop these systems of change while addressing the interim needs of people currently unhoused.

Appendix 1: Methodology

OVERVIEW

The purpose of the 2017 Santa Clara County Homeless Census and Survey is to produce a point-in-time estimate of people who experience homelessness in Santa Clara County, a region that covers approximately 1,304 square miles. The results of the street count were combined with the results from the shelter count to produce the total estimated number of persons experiencing homelessness in Santa Clara County on any given night. The subsequent survey was used to gain a more comprehensive understanding of the experiences and demographics of those enumerated on the night of the count. A more detailed description of the methodology follows.

COMPONENTS OF THE HOMELESS CENSUS METHOD

The 2017 Santa Clara County Homeless Census and Survey methodology had three primary components:

- The general street count between the hours of 5:30am to noon on January 24th and 25th – an enumeration of unsheltered homeless individuals
- The youth street count between the hours of 3 pm and 8 pm – a targeted enumeration of unsheltered youth under the age of 25 on the 24th
- The shelter count was conducted on the night of the 24th, the evening before the 24th – an enumeration of sheltered homeless individuals staying in emergency shelter or transitional housing programs

The unsheltered and sheltered homeless counts were coordinated to occur within the same time period in order to minimize potential duplicate counting of homeless persons. The youth count does not take place at the same time as the adult count, leading to the importance of de-duplication efforts. Whenever youth teams and general teams presented data on youth in the same census tracts, youth data was prioritized.

STREET COUNT METHODOLOGY

DEFINITION

For the purposes of this study, the HUD definition of unsheltered homelessness for Point-in-Time Counts is used. This definition includes individuals and families with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground. HUD's definition of homelessness does not include those living in "double-up" or "couch surfing" situations, those staying with friends/family on a temporary basis, those who are happened to be staying a hotel or motel for the night, those in jail, or those admitted into a hospital.

RESEARCH DESIGN

The methodology used for the 2017 Santa Clara County Homeless Census and Survey is commonly described as a “blitz count and survey” since it is conducted by a large team over a very short period of time. As this method is conducted in Santa Clara County, the result is an observation based count of individuals and families who appear to be homeless. The count is then followed by an in-person representative survey, the results of which are used to profile and estimate the condition and characteristics of the local homeless population. Information collected from the survey is used to fulfill HUD reporting requirements, and to inform local service delivery and strategic planning efforts.

Continuing the same methodology from past efforts in Santa Clara County is an important part of the count methodology, and allows for relevant comparisons across the many years of the count. Accordingly, there were few changes to the methodology in 2017. Under advisement of the Planning Committee, a start time 30 minutes earlier than in 2015 was adopted. Five focus groups were held with individuals experiencing homelessness, so that “hot spots” could be identified and noted on maps for teams on count day.

VOLUNTEER AND GUIDE RECRUITMENT

Many individuals who live and/or work in Santa Clara County turned out to support efforts to enumerate the local population experiencing homelessness. More than 215 community volunteers and city and county staff participated in the 2017 general street count. The volunteer recruitment effort was led by the Planning Committee and was greatly aided by numerous shelters and day programs from throughout the county. Extensive outreach efforts were conducted, targeting local non-profits that serve the homeless and local volunteer programs, as well as other individuals who may be interested in participating in the count.

The Planning Committee sent a press release informing the community about the count and making an appeal for volunteer participation approximately two weeks before the count. Volunteers registered to participate, and received additional details on the count via a dedicated email account monitored and staffed by Applied Survey Research (ASR) support staff.

To recruit guides, shelters and day programs from throughout the county were asked to identify individuals experiencing homelessness with considerable knowledge of where to find individuals experiencing homelessness on the street, how to find encampments, how to identify if vehicles were being used as sleeping locations, and how to identify situations where safety was a concern. Additionally, shelter and program staff were asked to recommend guides who were reliable and interested in the process. All guides were paid for their time, earning \$15 per hour worked, including a mandatory one-hour training that was held in the days before the count.

STREET COUNT TEAMS

Teams were typically comprised of at least two individuals, one volunteer from the community and one guide who was generally an individual currently experiencing homelessness. Each team was assigned 1-4 census tracts as their assignment, depending on the size of the tracts. Teams were responsible for covering all areas that are accessible by the public, including parks, streets, business fronts, and wherever the guide believed there may be individuals experiencing homelessness. Teams were encouraged to have their community volunteer drive their vehicle, while the guide acted as a navigator and enumerator during the process. All teams were given a brief refresher training before heading out into the field.

SAFETY PRECAUTIONS

Safety is of the upmost importance during the count, and every effort was made to minimize potentially hazardous situations. Information regarding potentially dangerous encampment areas or other locations was shared when appropriate. Techniques for avoiding potentially dangerous situations were shared. The observational nature of the count was emphasized, which has been found to be highly successful in minimizing potentially dangerous situations in the past. Volunteers were given guidance on how to act when canvassing encampment areas, as well as how to respect a population that was likely to be sleeping. Additionally, the knowledge and experience of guides were valuable for safety reasons, and volunteers and teams were encouraged to listen to their guide when they give suggestions regarding safety. No safety incidents were reported to the research team.

STREET COUNT DEPLOYMENT

To achieve complete coverage of the county within the timeframe, the planning team identified six locations to serve as deployment centers on the morning of the count. Deployment centers were spread around the county, to give teams convenient locations from which to meet and then head to their assigned locations. Each deployment center was assigned a number of enumeration routes, also based on location, to assure timely deployment of enumeration teams into the field. Volunteers and guides were assigned deployment centers based on preference and the need to make sure that each center had the appropriate number of teams.

TARGETED STREET OUTREACH - YOUTH

The U.S. Department of Housing and Urban Development and the U.S. Interagency Council on Homelessness recognize that youth do not commonly co-mingle with homeless adults and are not easily identified by non-youth. It was determined that homeless youth would be more prominent on the street during afternoon and early evening hours, rather than in the early morning when the general count was conducted. The youth count was conducted from approximately 3 p.m. to 8 p.m. on January 24, 2017. Youth worked in teams of at least two to four youth, with teams coordinated and accompanied by at least two youth street outreach workers. One team was solely responsible for the South County area, one for the Palo Alto/North County area, and three teams were responsible for covering the San José /Central Santa Clara County area.

TARGETED STREET OUTREACH – ENCAMPMENTS

The City of San José and Santa Clara County have explored numerous service and outreach initiatives related to the burgeoning growth of encampments in urban locations near waterways, public works, and other general urban open space areas. The City of San José, in particular, funds a homeless outreach and engagement program with outreach worker staff dedicated to linking encamped homeless to services and housing. These teams frequent encampments and build relationships that encourage participation in local homeless service initiatives, whether it is housing or other supportive services.

Larger encampment areas in the City of San José were identified during a focus group with outreach staff prior to the census count and special teams of outreach workers, familiar with these areas, were organized to count those residing in these larger encampments on the dates of the count. Targeted encampment areas were identified on general street count maps, and homeless persons residing in those encampments were counted by the outreach workers rather than the census street teams. The result was the most comprehensive profile of homeless encampments in San José, using similar methods to past years. However, not all encampments in Santa Clara County were covered by outreach teams and general count

teams, when outside the areas covered by outreach teams, would enumerate when appropriate.

TARGETED STREET OUTREACH - VEHICLES

Identifying individuals residing in vehicles is difficult during the morning hours of the census count. By the time the sun rises, those residing in vehicles have often moved on to more remote locations or have found places where they blend in. North Santa Clara County recognized the need for targeted outreach and provided a dedicated outreach worker to enumerate vehicles prior to sunrise.

CENSUS UNDERCOUNT

For a variety of reasons, individuals experiencing homelessness generally do not want to be located, and make concerted efforts to avoid detection. Regardless of how successful outreach efforts are, an undercount of those experiencing homelessness will persist at varying levels, especially of hard-to-reach subpopulations such as unsheltered families, undocumented individuals, and unaccompanied children and youth.

The methods employed in a non-intrusive visual homeless enumeration, while academically sound, have inherent biases and shortcomings. Even with the assistance of dedicated homeless service providers and individuals with lived experience, the methodology cannot guarantee 100% accuracy. Many factors may contribute to missed opportunities, including:

- It is difficult to identify persons who may be sleeping in vans, cars, recreational vehicles, abandoned buildings, or structures unfit for human habitation.
- Individuals residing in isolated rural areas that are difficult to access or otherwise identify for the purposes of the count.
- Individuals whose physical appearance differs from traditional visual cues associated with people experiencing homelessness can be mistaken for housed individuals. This is especially true of unaccompanied children and youth, who often “hide in plain sight” and present similarly to their housed peers.
- Families with children experiencing homelessness often seek opportunities to stay on private property, rather than sleep on the streets, in vehicles, or makeshift shelters.

By counting the minimum number of individuals experiencing homelessness during a given point-in-time, the count methodology is conservative and therefore most likely results in an undercount of certain unsheltered individuals. A margin of error on the final count is not available, though the data presented is to be considered a minimum estimate. However, this conservative approach is necessary to preserve the integrity of the data collected. Even though the census is most likely an undercount of the population experiencing homelessness, the methodology employed is the most comprehensive approach available and provides invaluable data for local and federal service agencies.

SHELTER COUNT METHODOLOGY

GOAL

The goal of the shelter count was to gain an accurate count of the number of homeless persons who were being temporarily housed in shelters across Santa Clara County.

DATA COLLECTION

To collect data on individuals staying in shelters on the night of January 24th, ASR worked with BitFocus, the HMIS system administrators for Santa Clara County. BitFocus collected data on all emergency shelters, transitional housing programs, and Safe Havens operating in

the county. Data was collected on household status, age, gender, race and ethnicity, veteran status, chronic status, and if individuals had certain health conditions. There were a small, limited number of shelters that do not participate in the HMIS system. To gather their data, ASR collected the same data using a web-based system of reporting.

EFFORTS TO INCLUDE SCHOOL DISTRICT DATA

Significant efforts were made to include data from all school districts within Santa Clara County. ASR and partners from the county met with district representatives to prepare them for the count and train them in data collection procedures. District representatives were trained to call all families that met the HUD definition of homelessness and ask where they had been staying on the night of the count. That information was then included in the appropriate census tract. Twelve out of thirty-two school districts were included, a large increase from past years. Other districts were not able to participate due to a heavy workload.

SURVEY METHODOLOGY

PLANNING AND IMPLEMENTATION

The survey of 587 homeless persons was conducted in order to yield qualitative data about the homeless community in Santa Clara County. These data are used for the McKinney-Vento Continuum of Care Homeless Assistance funding application, and are important for future program development and planning. The survey elicited information such as gender, family status, military service, length and recurrence of homelessness, usual nighttime accommodations, causes of homelessness, and access to services through open-ended, closed-ended, and multiple response questions. The survey data bring greater perspective to current issues of homelessness and to the provision and delivery of services.

Surveys were conducted by homeless workers and shelter staff who were trained by Applied Survey Research. Training sessions led potential interviewers through a comprehensive orientation that included project background information and detailed instruction on respondent eligibility, interviewing protocol, and confidentiality. Homeless survey workers were compensated at a rate of \$7 per completed survey.

It was determined that survey data would be more easily collected if an incentive gift was offered to respondents in appreciation for their time and participation. Socks were given as an incentive for participating in the 2017 Homeless Survey. The socks were easy to obtain and distribute, were thought to have wide appeal, and could be provided within the project budget. This approach enabled surveys to be conducted at any time during the day. The gift proved to be successful, and was widely accepted among survey respondents.

SURVEY SAMPLING

Based on a point-in-time estimate of 7,394 homeless persons, with a randomized survey sampling process, the 587 valid surveys represent a confidence interval of +/- 4% with a 95% confidence level when generalizing the results of the survey to the estimated population of homeless individuals in Santa Clara County.

The 2017 survey continued the practice from 2007, 2009, 2011, 2013 and 2015 of a survey that was an integration of previous approaches and was administered in shelter/transitional housing facilities and on the street. Individuals residing in emergency shelters were reached through street surveys during the day when emergency shelters were closed.

Strategic attempts were made to reach individuals in various geographic locations and of various subset groups such as homeless youth, minority ethnic groups, military veterans, domestic violence victims, and families. One way to increase the participation of these groups was to recruit peer survey workers. Like past surveys, the 2017 survey also prioritized a peer-

Appendix 1: Methodology

to-peer approach to data collection by increasing the number of currently homeless surveyors.

In order to increase randomization of sample respondents, survey workers were trained to employ an “every third encounter” survey approach. Survey workers were instructed to approach every third person they encountered whom they considered to be an eligible survey respondent. If the person declined to take the survey, the survey worker could approach the next eligible person they encountered. After completing a survey, the randomized approach was resumed. It is important to recognize that while efforts are made to randomize the respondents, it is not a random sample methodology.

DATA COLLECTION

Care was taken by interviewers to ensure that respondents felt comfortable regardless of the street or shelter location where the survey occurred. During the interviews, respondents were encouraged to be candid in their responses and were informed that these responses would be framed as general findings, would be kept confidential, and would not be traceable to any one individual.

DATA ANALYSIS

To avoid potential duplication of respondents, the survey requested respondents’ initials and date of birth, so that duplication could be avoided without compromising the respondents’ anonymity. Upon completion of the survey effort, an extensive verification process was conducted to eliminate duplicates. This process examined respondents’ date of birth, initials, gender, ethnicity, and length of homelessness, and consistencies in patterns of responses to other questions on the survey.

SURVEY ADMINISTRATION DETAILS

- The 2017 Santa Clara County Homeless Survey was administered by the trained survey team in the weeks following the count.
- In all, the survey team collected 587 unique surveys

SURVEY CHALLENGES AND LIMITATIONS

The 2017 Santa Clara County Homeless Survey did not include an equal representation of all homeless experiences. For example, a lesser number of surveys were conducted among transitional housing residents than in previous years. There may be some variance in the data that the homeless individuals self-reported. However, using a peer interviewing methodology is believed to allow the respondents to be more candid with their answers and may help reduce the uneasiness of revealing personal information. Further, service providers and city and county staff members recommended individuals who would be the best to conduct interviews and they received comprehensive training about how to conduct interviews. Surveys that were considered incomplete or containing false responses were not accepted.

There were a few challenges in collecting surveys and survey data throughout Santa Clara County. First and foremost was the weather and its impact. The series of storms that impacted Santa Clara County and the Bay Area during the survey period caused a variety of difficulties related to data collection. Surveyors repeatedly mentioned difficulties finding enough respondents because many were not in their normal sleeping locations due to weather related movement. Staff members at participating shelters and programs frequently mentioned the added difficulties that the inclement weather contributed, specifically dealing with the large influx of families experiencing homelessness after flooding drove dozens of families to seek shelter, necessitating the creation of a temporary shelter for families that had to be staffed by shelter staff.

Appendix 2: Definitions & Abbreviations

Chronic homelessness – Defined by the U.S. Department of Housing and Urban Development as an unaccompanied individual or head of a family household with a disabling condition who has either continuously experienced homelessness for a year or more, or has experienced at least four episodes of homelessness in the past three years.

Disabling condition – Defined by the U.S. Department of Housing and Urban Development as a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury that is expected to be long-term and impacts the individual's ability to live independently; a developmental disability; or HIV/AIDS.

Emergency shelter – The provision of a safe alternative to the streets, either in a shelter facility or through the use of stabilization rooms. Emergency shelter is short-term, usually for 90 days or fewer. Domestic violence shelters are typically considered a type of emergency shelter, as they provide safe, immediate housing for survivors and their children.

Family – A household with at least one adult and one child under the age of 18.

Homeless – Under the Category 1 definition of homelessness in the HEARTH Act, includes individuals and families living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements, or with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

HUD – Abbreviation for the U.S. Department of Housing and Urban Development.

Sheltered homeless individuals – Individuals who are living in emergency shelters or transitional housing programs.

Single individual – An unaccompanied adult over the age of 18.

Transition-age-youth – Young people between the ages of 18 and 24 years old who are not accompanied by a parent or guardian and are not a parent presenting with or sleeping in the same place as their own child(ren).

Transitional housing – Housing in which homeless individuals may live up to 24 months and receive supportive services that enable them to live more independently. Supportive services – which help promote residential stability, increased skill level or income, and greater self-determination – may be provided by the organization managing the housing, or coordinated by that organization and provided by other public or private agencies. Transitional housing can be provided in one structure or several structures at one site, or in multiple structures at scattered sites.

Unaccompanied children – Children under the age of 18 who are not accompanied by a parent or guardian and are not a parent presenting with or sleeping in the same place as their own child(ren).

Unsheltered homeless individuals – Individuals who are living on the streets, in abandoned buildings, storage structures, vehicles, encampments, or any other place unfit for human habitation.

Appendix 3: Survey Questions

19.b

2017 Santa Clara Housing Survey

Interview Date: Neighborhood or City:

Refusals: Interviewer's Name: (tally)

Shade Circles Like This--> Not Like This-->

Section A: Demographics

1. What are your initials? First Middle Last
2. What is your birth date? Month Day Year
3. What is your gender? Male Female Transgender
4. Are you Hispanic or Latino? Yes No Don't know
5. Which racial group do you identify with most? (Shade all that apply)
6. Do you consider yourself...? Straight Lesbian Bisexual Gay Queer Other
7. Are you currently pregnant? Yes No Don't know
8. Have you ever been in foster care? Yes No Don't know
Section B: Veterans Status
1. Have you served in the U.S. Armed Forces? (Army, Navy, Air Force, Marine Corps, or Coast Guard)
2. Were you ever called into active duty as a member of the National Guard or as a Reservist?
3. Have you ever received health care or benefits from a VA (Veterans Administration) center?
4. What is your discharge status?
5. Is anyone else in your household a Veteran?

Section C: Accommodation

1. Where were you staying on the night of January 24th? (Shade 1)
2. Is this the first time you have been homeless?
3. How long have you been homeless this current time? (Shade 1)
4. How many different times have you been homeless in the past 3 years, including this current time? (Shade 1)
5. Have you been living in an emergency shelter and/or on the streets (including bus stations, underpasses, encampments, abandoned buildings, etc.) for the past year (12 months) or more?
6. In addition to right now, how long would you say you have stayed in these kinds of places (total) in the past 3 years?
7. How old were you the first time you experienced homelessness?
8. Do you have a pet (currently living with you)?

Section D: Household Members

1. How many people are in your household, excluding yourself?
2. Do you have any children under age 18?
3. Are all of your children under 18 currently living with you?
4. Do you live alone or with other household members?
I am going to ask you a few questions about the people in your household that were staying with you on January 24th. I'll ask about each person, one at a time. In order for us to keep track of who we are talking about I am going to ask you for the first and last initial of each person.
What are their initials? (A) (B) (C) (D) (E) (F)
5. How are they related to you? Child Spouse Non-married partner Other family member Other non-family member
6. How old are they? Under 18 18 - 24 25 or older
7. How do they identify their gender? Male Female Transgender Don't identify as male, female, or transgender
8. Are they Hispanic or Latino? Yes No Don't know
9. Which racial group do they identify with most? (Shade all that apply) White Black or African American Asian American Indian or Alaska Native Native Hawaiian or Pacific Islander Other Don't know

Section E: Residency

1. Where were you living at the time you most recently became homeless? (Shade 1)
- ☐ Santa Clara County ☐ Other County in CA ☐ Out of State
2. How long have you lived in Santa Clara County? (Shade 1)
- ☐ Less than 1 year ☐ 1-4 years ☐ 5-9 years ☐ 10 years or more
3. Immediately before you became homeless, where were you living? (Shade 1)
- ☐ A home owned or rented by you or your partner ☐ Foster care
- ☐ Subsidized housing or permanent supportive housing ☐ Jail or prison
- ☐ Hospital or treatment facility ☐ Motel/hotel
- ☐ A home owned or rented by friends/relatives ☐ Other: _____
- ☐ Juvenile Justice Facility

Section F: Cause and Prevention

1. What do you think is the primary event or condition that led to your homelessness? (Shade 1)
- ☐ Lost job ☐ Divorce/separation/break up ☐ Mental health issues
- ☐ Eviction ☐ Landlord raised rent ☐ Hospitalization/treatment
- ☐ Foreclosure ☐ Argument with family or friend ☐ Aging out of foster care
- ☐ Incarceration ☐ Spousal/partner violence ☐ Other: _____
- ☐ Alcohol or drug use ☐ Family violence ☐ Don't know
- ☐ Illness/medical problem ☐ Probation/parole restrictions
2. What might have prevented you from becoming homeless? (Shade all that apply)
- ☐ Mental health services ☐ Help accessing benefits ☐ Other: _____
- ☐ Health insurance/services ☐ Employment assistance
- ☐ Legal assistance ☐ Rent/mortgage assistance
- ☐ Alcohol/drug counseling ☐ Case management after leaving hospital/jail/prison/juvenile justice facility
- ☐ Transportation benefits
3. What is keeping you from getting permanent housing? (Shade all that apply)
- ☐ Can't afford rent ☐ Criminal record ☐ Immigration issues
- ☐ No job/not enough income ☐ No ID/P/openwork ☐ Restrictions from probation/parole
- ☐ No money for moving costs ☐ Medical/health issues ☐ Housing process is too difficult
- ☐ No housing available ☐ Bad credit ☐ Child care costs
- ☐ No transportation ☐ Eviction record ☐ Other: _____
4. If you are not using any type of shelter service, why not? (Shade all that apply)
- ☐ They are full ☐ I can't stay with my partner/family
- ☐ They are far away ☐ I can't stay with my friends
- ☐ They are too crowded ☐ There is nowhere to store my stuff
- ☐ Germs ☐ There are too many rules
- ☐ Bugs ☐ They don't accept my pet
5. If affordable permanent housing became available tomorrow, would you accept it?
- ☐ Yes ☐ No ☐ Don't know

Section G: Income and Employment

1. What is your total monthly income from all sources?
- ☐ \$0-\$99 ☐ \$450-\$749 ☐ \$1,100-\$1,499
- ☐ \$100-\$449 ☐ \$750-\$1,099 ☐ \$1,500-\$3,000
- 2a. What is your current employment status? (Shade 1)
- ☐ Unemployed
- ☐ Employed full-time
- ☐ Employed part-time
- ☐ Employed seasonal/sporadic
- 2b. Are you currently...
- ☐ Unable to work
- ☐ Looking for work
- ☐ Not looking for work
- ==> Skip to Section H

Section H: Health

1. Do you experience any of the following:
- | | Yes | No | Refuse |
|---|-----------------------|-----------------------|-----------------------|
| a. Any chronic health problem or medical condition (diabetes, cancer) | ☐ | ☐ | ☐ |
| b. Post-Traumatic Stress Disorder (PTSD) | ☐ | ☐ | ☐ |
| c. Any psychiatric or emotional conditions (depression, schizophrenia) | ☐ | ☐ | ☐ |
| d. A physical disability | ☐ | ☐ | ☐ |
| e. A traumatic brain injury to your brain from a bump, blow or wound to the head? | ☐ | ☐ | ☐ |
| f. Drug or alcohol abuse (including prescription drugs not prescribed for you) | ☐ | ☐ | ☐ |
| g. An AIDS or an HIV related illness? | ☐ | ☐ | ☐ |
2. Does it keep you from holding a job, if stable housing or taking care of yourself?
3. If you live with a spouse, a significant other or parent, do any of the following conditions prevent them from maintaining work or housing? (Shade all that apply)
- ☐ Chronic health problem ☐ Physical disability
- ☐ PTSD ☐ Traumatic brain injury
- ☐ Drug or alcohol abuse ☐ Psychiatric or emotional condition
- ☐ Dementia/Alzheimers ☐ Developmental disability
4. Are you currently experiencing home/domestic violence or abuse?
- ☐ Yes ☐ No ☐ Decline to state
5. Have you ever been physically, emotionally or sexually abused by a relative, or another person you have stayed with (spouse, partner, sibling, parent)?
- ☐ Yes ☐ No ☐ Decline to state
6. Do you receive any disability benefits such as Social Security Disability Income, or Veterans Disability Benefits?
- ☐ Yes ☐ No ☐ Decline to state
7. Where do you usually go for medical care?
- ☐ VHHH/Homeless Clinic/Mobile Van ☐ Emergency Room
- ☐ Primary care ☐ VA Hospital/Clinic ☐ None of the above
8. How many times have you seen the same medical provider in the last 12 months? _____ times
9. Have you taken the VASPDAT/Coordinated Entry?
- ☐ Yes ☐ No ☐ Don't know

Section I: Services and Assistance

1. Are you currently using any of the following services/assistance? (Shade all that apply)
- ☐ Free meals
- ☐ Bus passes
- ☐ Job training/employment services
- ☐ Community drop in center
- ☐ Legal assistance
- ☐ Immigration services
- ☐ Behavioral health services
- ☐ Religious based services
- ☐ Outreach services
- ☐ Other: _____
2. Are you currently receiving any of the following forms of government assistance? (Shade all that apply)
- ☐ General Assistance (GA)/CAAP
- ☐ Food Stamps/SNAP/MC/Calfresh
- ☐ Any VA Disability Compensation
- ☐ Other Veterans benefits (GI, Health)
- ☐ Social Security
- ☐ SS/SSDI/Disability
- ☐ Medi-cal/Medicare
- ☐ CalWORKS/TANF
- ☐ Not receiving any form of government assistance
3. If you are not receiving any government assistance, why not? (Shade all that apply)
- ☐ Don't think you are eligible
- ☐ Don't have ID
- ☐ No permanent address
- ☐ Never applied
- ☐ Benefits were cut-off
- ☐ Immigration issues
- ☐ Paperwork too difficult
- ☐ Don't know where to go
- ☐ Turned down
- ☐ Applied and waiting for response
- ☐ Other: _____
- ☐ Don't want government assistance

Section J: Criminal Justice System

1. Have you spent a night in jail in the last 12 months? ☐ Yes ☐ No
2. Are you currently on probation or parole? ☐ Yes ☐ No
3. Have you accessed re-entry services? ☐ Yes ☐ No



SANTA CLARA COUNTY

2017 HOMELESS CENSUS & SURVEY

COMPREHENSIVE REPORT





CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Karl Bjarke, Public Works Director

APPROVED BY: City Manager

WATER, WASTEWATER AND STORM DRAINS WORKSHOP

RECOMMENDATION(S)

The purpose of this workshop is to review with staff the recently completed Administrative Drafts of the Utilities Master Plan Documents. The workshop will help the Council understand the future build out of the City's water and wastewater systems.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the environment

Maintaining fiscal responsibility

Preserving and cultivating a public trust

Infrastructure

Regional Initiatives

LINKS/ATTACHMENTS:

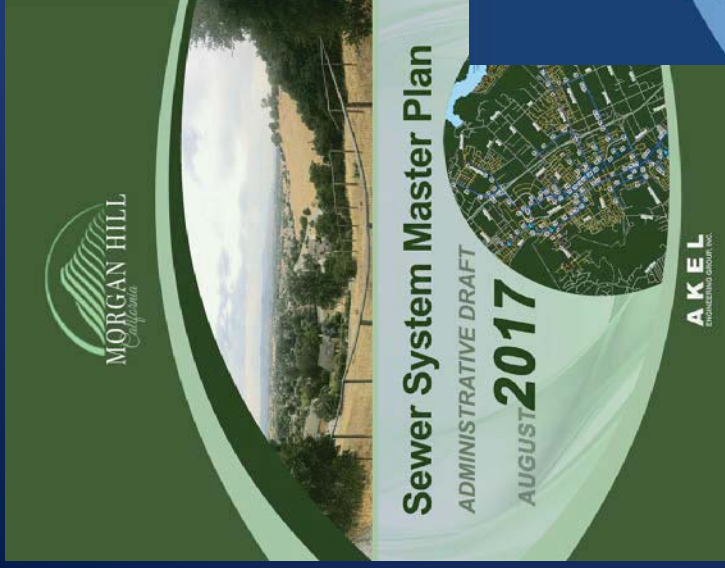
1. Workshop Presentation
2. Water System Master Plan 2017 (weblink)
3. Sewer System Master Plan 2017 (weblink)

City Council Workshop

2017

Infrastructure Master Plans

August 23, 2017



Introduction

- Master Plans previously completed in 2002
- Update to the Master Planning process
- Meet new regulatory requirements
- Quantify and prioritize system needs
 - New and Existing
- Master Plans become Guiding Document
 - A Business Plan
 - Capital Improvement Planning and Budgeting
 - Meets Assembly Bill AB1600

Workshop Goals

- Introduce Master Plans for:
 - Water Infrastructure
 - Sewer Infrastructure
- Brief Discussion on Methodology
- Existing Infrastructure
- Future Capacity Needs
- Repair and Replacements Needs
- Capital Improvements Costs

2017 ASCE REPORT CARD SUMMARY

- Existing infrastructure is aging (failure rates increasing)
- Failures have adverse consequences:
 - Customer service interruptions
 - Costly Repairs
- Replacing infrastructure should be considered in Master Planning efforts

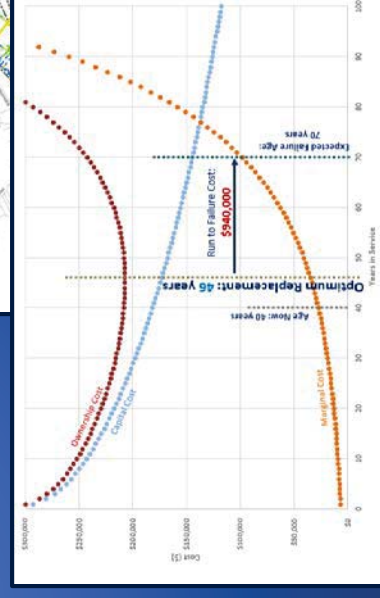
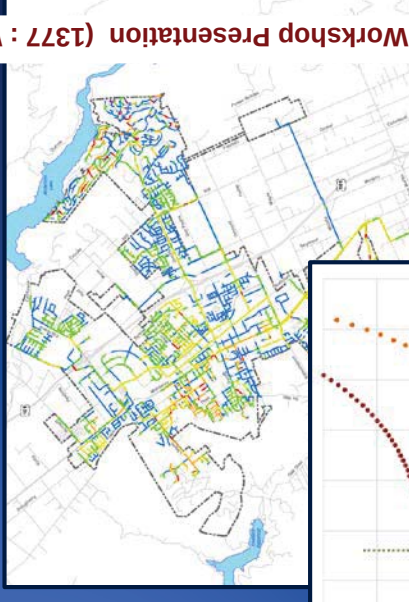
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Renewal and Replacement Plan Benefits

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- Move from reactive to proactive: replace infrastructure at the right time
- Justify annual financial investments
- Maintain consistent level of service
- Reduce infrastructure life cycle costs



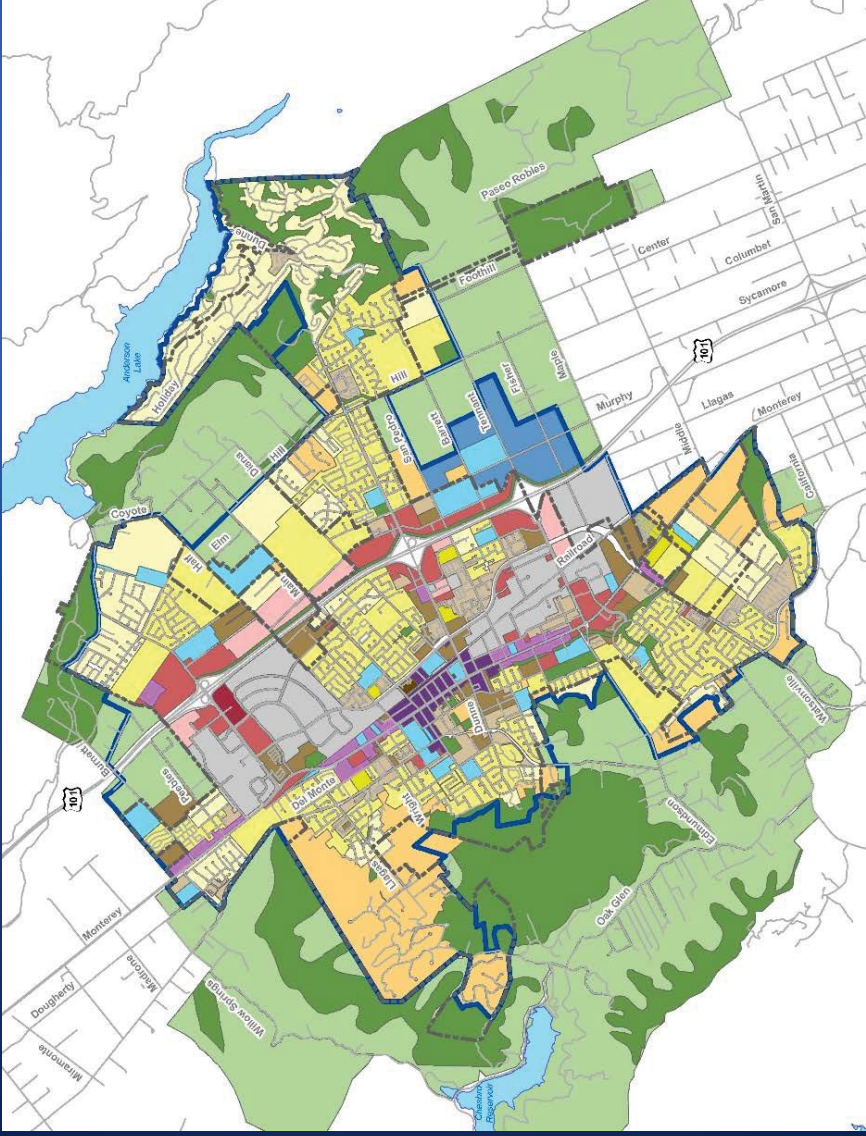
Attachment: Workshop Presentation (1377 : WATER, WASTEWATER AND STORM DRAINS

Master Plans Methodology

- Identify improvements to service growth in Morgan Hill 2035 General Plan
- Develop flows and demands
- Calibrate the hydraulic models
- Evaluate existing system capacities
- Recommend improvements to mitigate existing deficiencies
- Identify Rehabilitation and Replacement needs
- Develop Capital Improvement Program

Future System: Morgan Hill 2035 General Plan

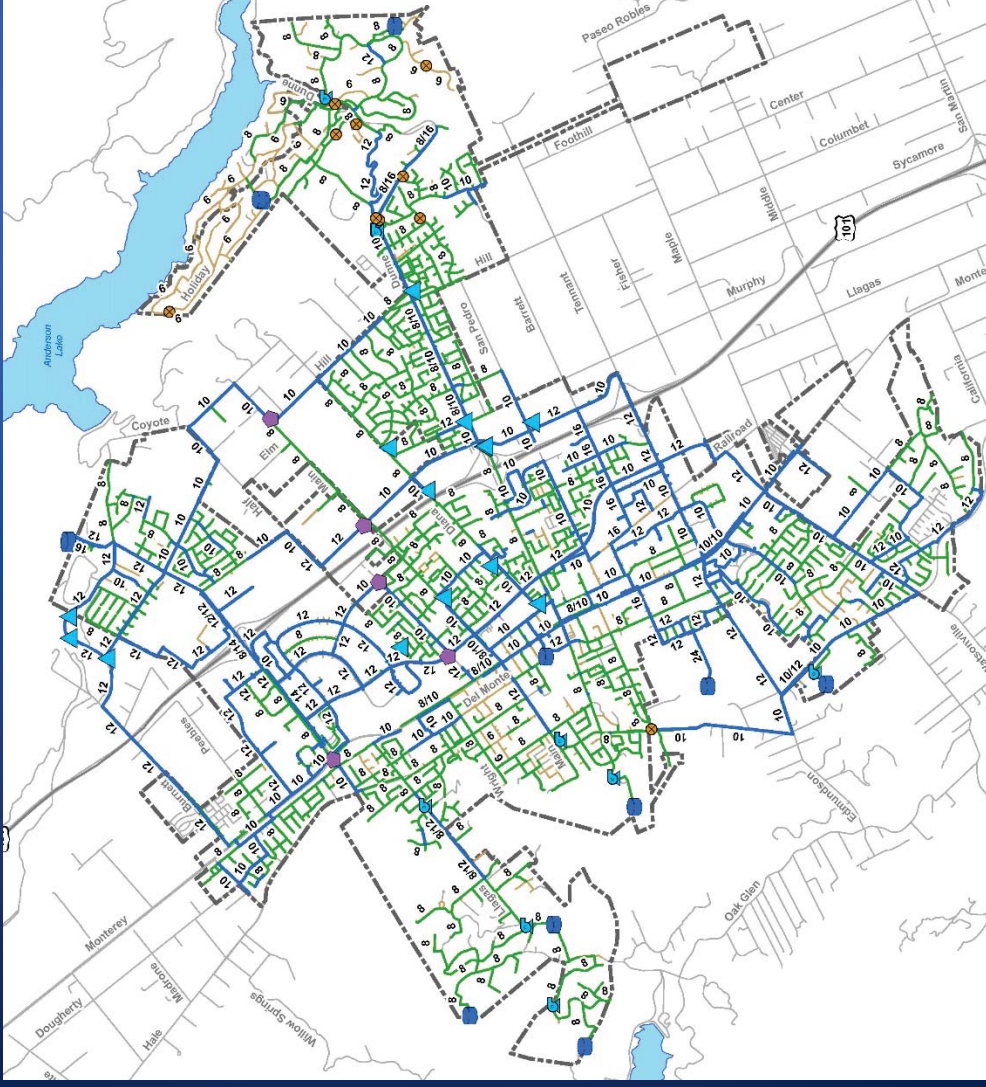
- Newly Adopted 2035 General Plan Land Use
- Updated Population Projections



WATER MASTER PLAN

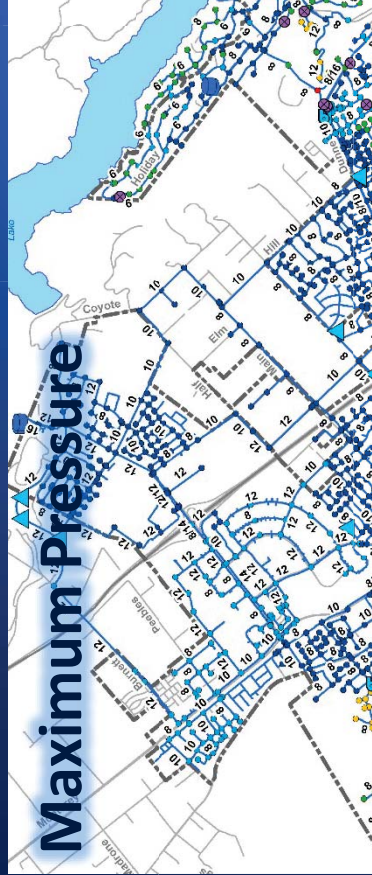
Existing Water System

- 191 miles of Pipeline
- 14 Wells
- 10 Booster Stations
- 12 Storage Reservoirs

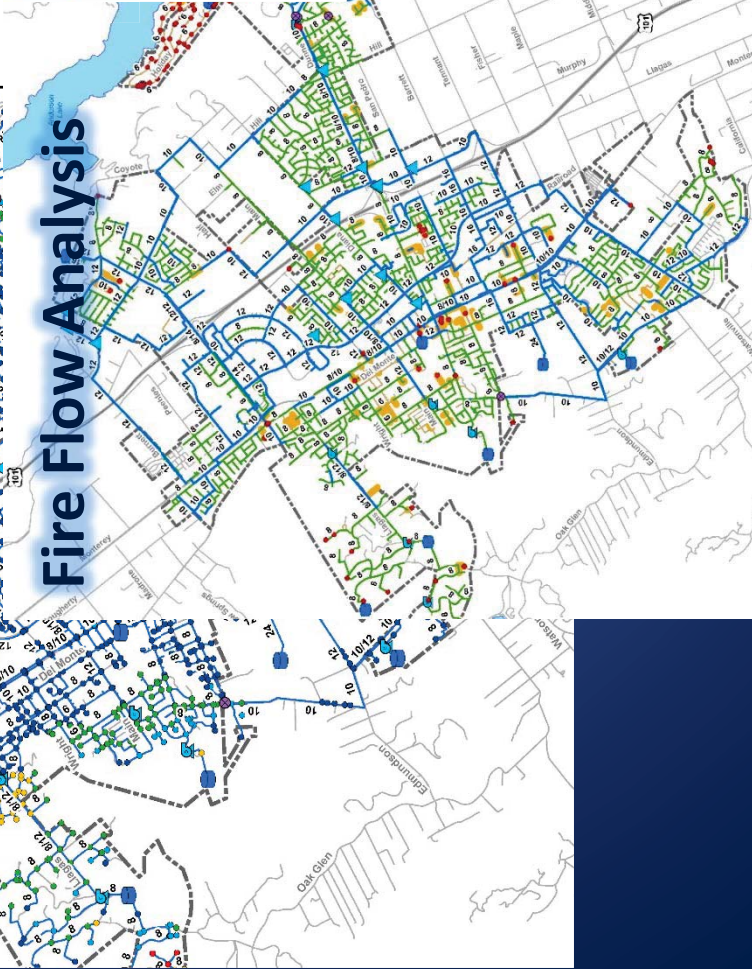


Existing System Evaluations

Maximum Pressure



Fire Flow Analysis



Supply Capacity		Year	
		2025	2035
Projected Demands - Population Method			
Projected Population	42,382	48,000	54,800
Average Day Demands	7.6	8.2	8.7
Maximum Day Demands	15.2	15.3	17.4
Peak Hour Demands	22.8	22.9	25.1
Projected Demands - Land Use Method			
Average Day Demands	6.0	6.9	7.7
Maximum Day Demands	12.0	13.7	15.4
Peak Hour Demands	18.0	20.6	23.1
Supply vs. Demand Analysis		8.5	9.4
		17.1	18.8
		25.6	28.2

Rehabilitation and Replacement

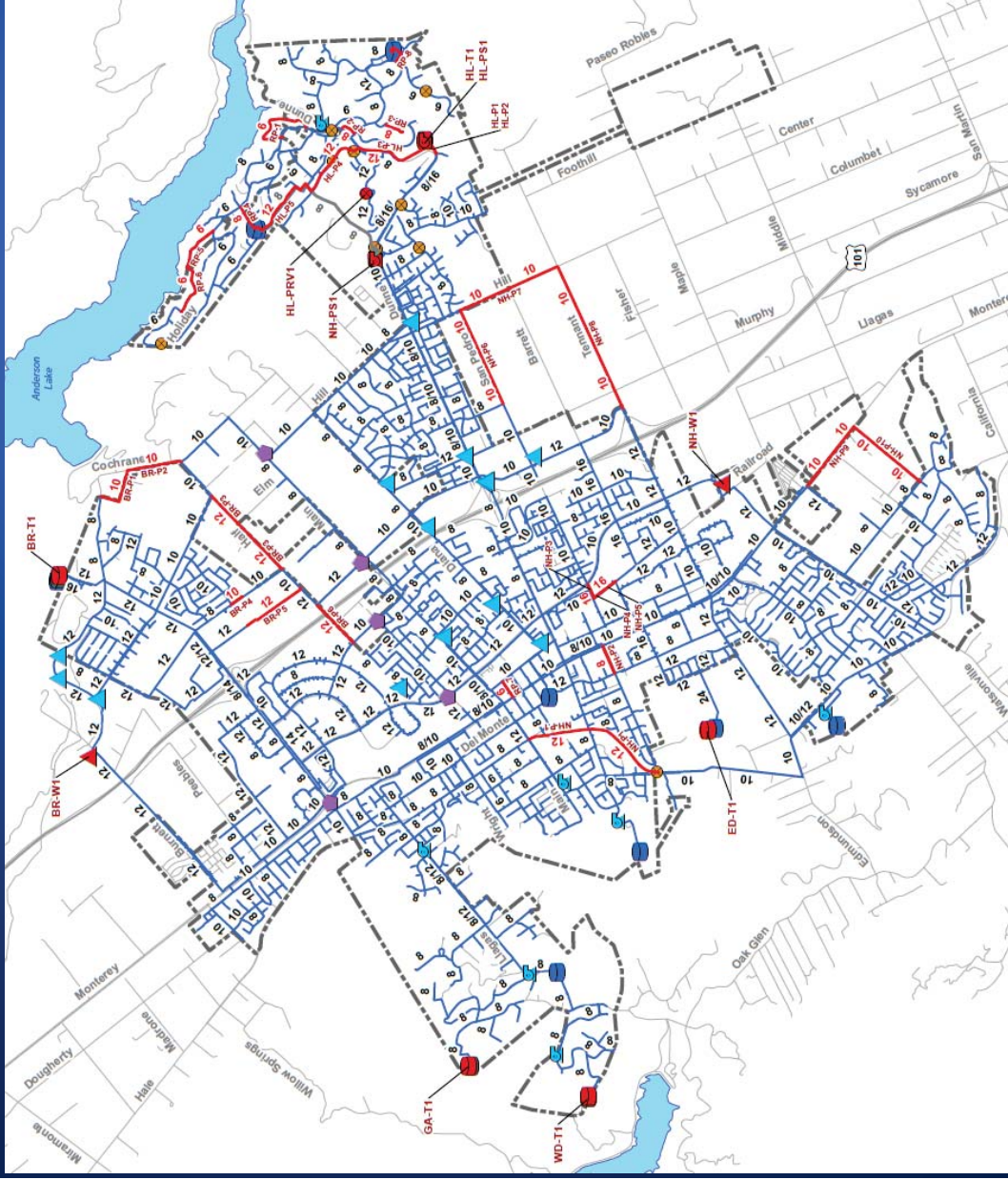
Item	Existing	Rehabilitation	Replacement
RP-1	Holiday Lake	Shady Ln	From Holiday Dr to Holiday Dr
RP-2	Jackson Oaks	Hill Top Ct	From Jackson Oaks Dr to approx 550' rd/o
RP-3	Jackson Oaks	Oak View Ct	From Jackson Oaks Dr to approx 700' s/o
RP-4	Holiday Lake	Holiday Tank Site	From Holiday Lake Tanks to Manzanita Dr
RP-5	Holiday Lake	Manzanita Dr	From Holiday Dr to end of Manzanita Dr
RP-6	Holiday Lake	Raccoon Ct	From Holiday Ct to end of Manzanita Dr
RP-7	Nob Hill	First St	From Monterey Rd to Depot St

Storage Capacity

Item	Existing	Rehabilitation	Replacement
RP-1	Holiday Lake	Shady Ln	From Holiday Dr to Holiday Dr
RP-2	Jackson Oaks	Hill Top Ct	From Jackson Oaks Dr to approx 550' rd/o
RP-3	Jackson Oaks	Oak View Ct	From Jackson Oaks Dr to approx 700' s/o
RP-4	Holiday Lake	Holiday Tank Site	From Holiday Lake Tanks to Manzanita Dr
RP-5	Holiday Lake	Manzanita Dr	From Holiday Dr to end of Manzanita Dr
RP-6	Holiday Lake	Raccoon Ct	From Holiday Ct to end of Manzanita Dr
RP-7	Nob Hill	First St	From Monterey Rd to Depot St

Capital Improvements

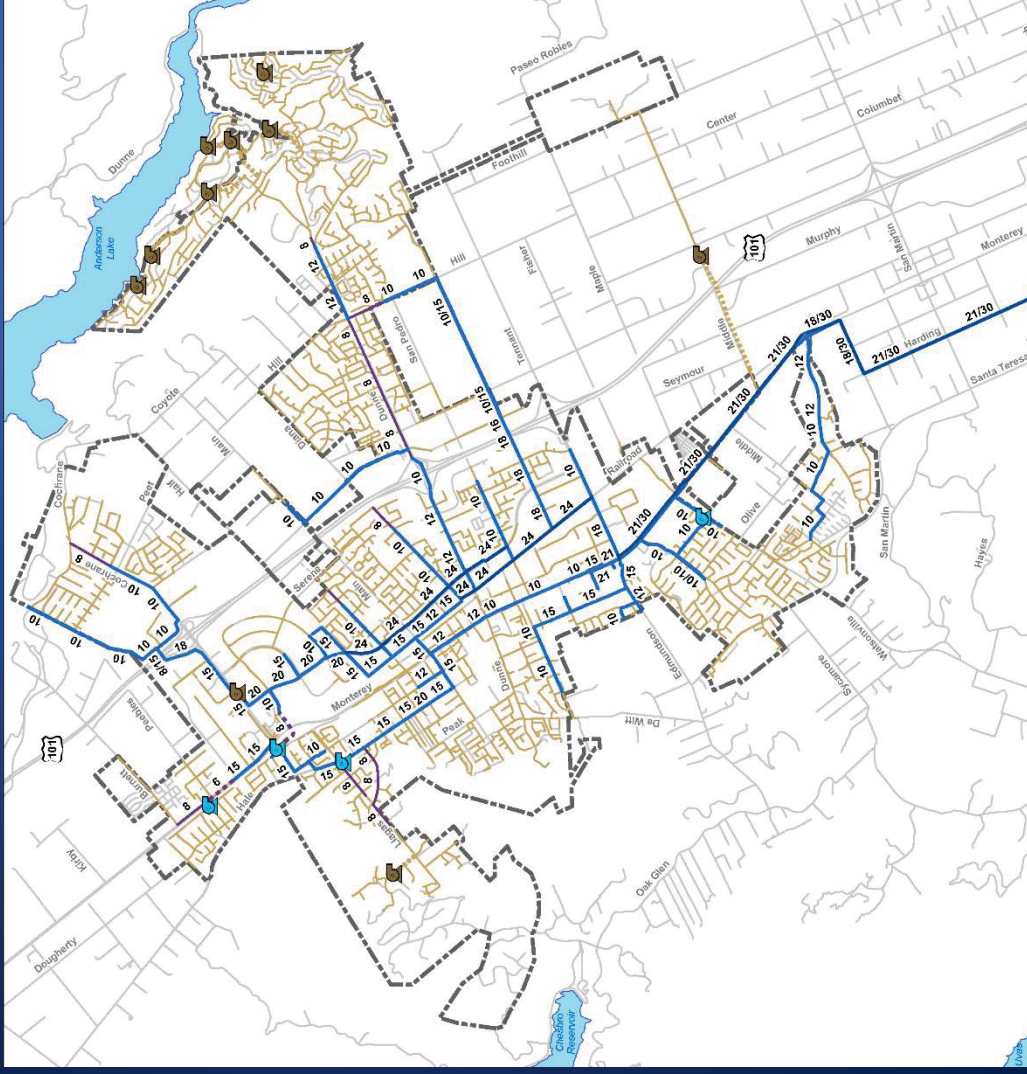
- Existing and Future
- Itemized for a Near-Term and GP Horizon
- Consistent with General Plan
- Consistent with UWMP
- Meets AB1600



SEWER MASTER PLAN

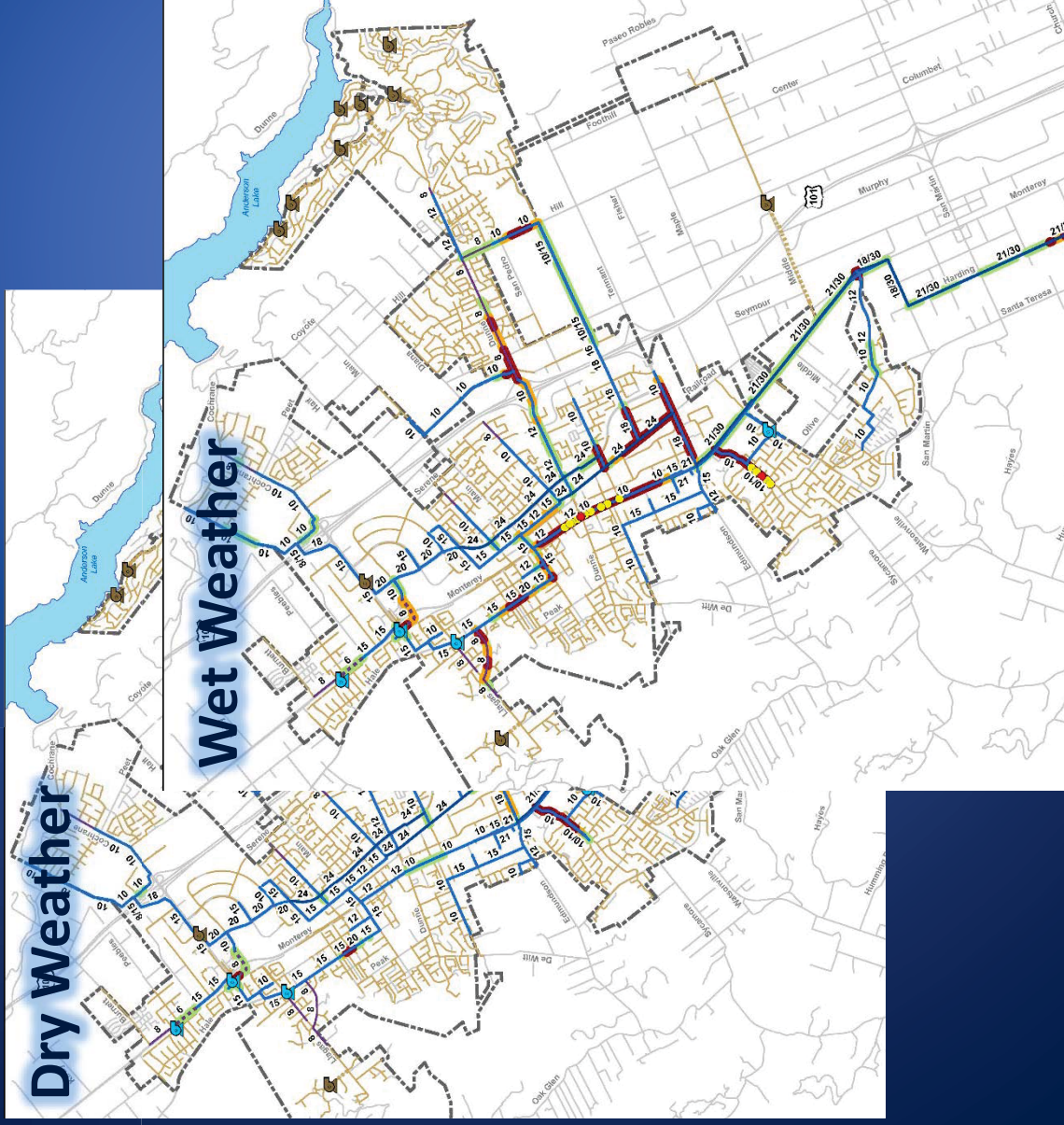
Existing Sewer System

- Collection System: Approx. 160 miles
- Trunk System: Approx. 16 miles
- 14 Lift Stations
- 2.9 miles of Force Main
- SCRWA Treatment Plant



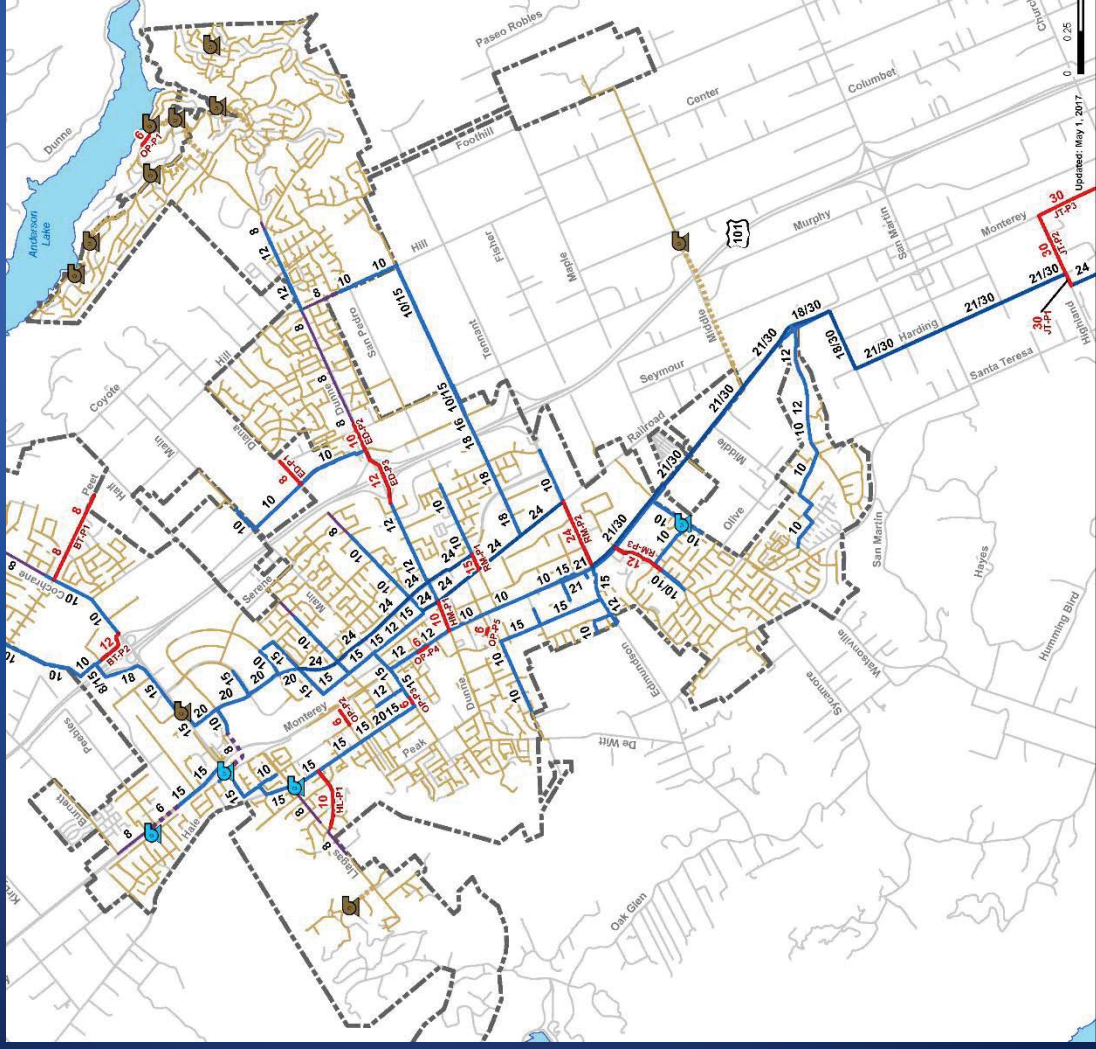
Existing System Evaluations

- Dry Weather flow evaluation
- Wet Weather flow evaluation
- Document deficiencies



Capacity Improvements

- Existing and Future
- Itemized for a Near-Term and GP Horizon
- Consistent with General Plan
- Meets AB1600



Condition Assessment

Major Structural Defects

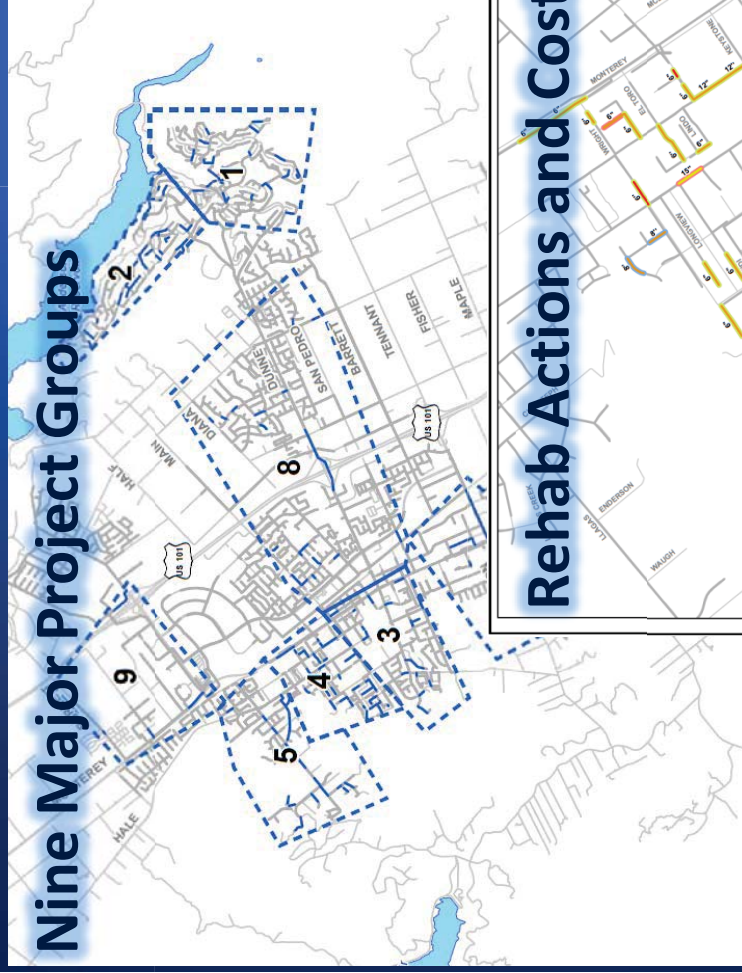
- Major Structural Defects
- Points of Infiltration

Infiltration and Inflow Defects

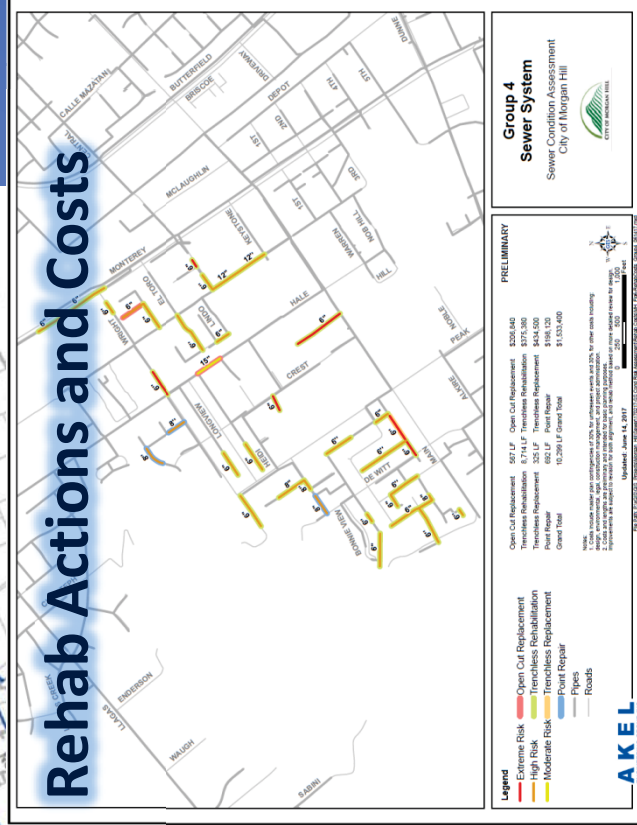
Rehabilitation and Replacement Improvements

- Replace Aging Infrastructure
- 246 unique rehabilitations

Nine Major Project Groups

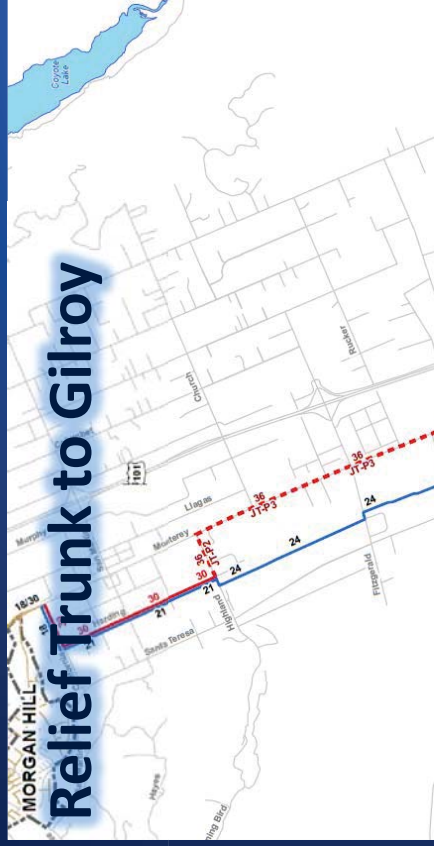


Rehab Actions and Costs

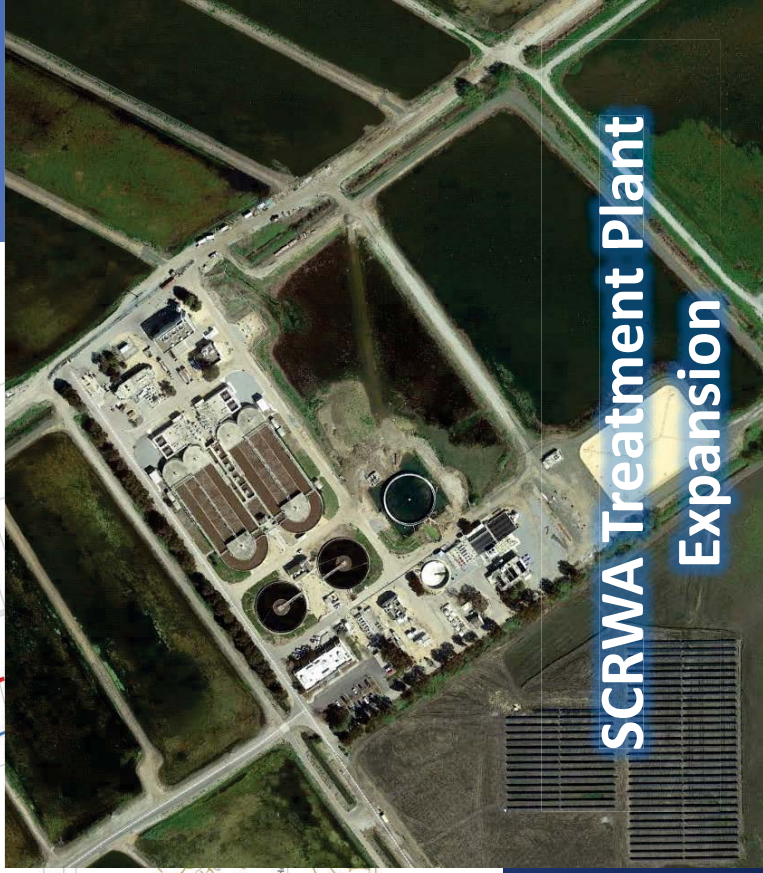


Other Planned Improvements

Relief Trunk to Gilroy



- New Trunk Line to Gilroy (\$21M)
- Treatment Plant Expansion (\$32.7M)



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Attachment: Workshop Presentation (1377 : WATER, WASTEWATER AND STORM DRAINS

	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605	1604	1603	1602	1601	1600	1599	1598	1597	1596	1595	1594	1593	1592	1591	1590	1589	1588	1587	1586	1585	1584	1583	1582	1581	1580	1579	1578	1577	1576	1575	1574	1573	1572	1571	1570	1569	1568	1567	1566	1565	1564	1563	1562	1561	1560	1559	1558	1557	1556	1555	1554	1553	1552	1551	1550	1549	1548	1547	1546	1545	1544	1543	1542	1541	1540	1539	1538	1537	1536	1535	1534	1533	1532	1531	1530	1529	1528	1527	1526	1525	1524	1523	1522	1521	1520	1519	1518	1517	1516	1515	1514	1513	1512	1511	1510	1509	1508	1507	1506	1505	1504	1503	1502	1501	1500	1499	1498	1497	1496	1495	1494	1493	1492	1491	1490	1489	1488	1487	1486	1485	1484	1483	1482	1481	1480	1479	1478	1477	1476	1475	1474	1473	1472	1471	1470	1469	1468	1467	1466	1465	1464	1463	1462	1461	1460	1459	1458	1457	1456	1455	1454	1453	1452	1451	1450	1449	1448	1447	1446	1445	1444	1443	1442	1441	1440	1439	1438	1437	1436	1435	1434	1433	1432	1431	1430	1429	1428	1427	1426	1425	1424	1423	1422	1421	1420	1419	1418	1417	1416	1415	1414	1413	1412	1411	1410	1409	1408	1407	1406	1405	1404	1403	1402	1401	1400	1399	1398	1397	1396	1395	1394	1393	1392	1391	1390	1389	1388	1387	1386	1385	1384	1383	1382	1381	1380	1379	1378	1377	1376	1375	1374	1373	1372	1371	1370	1369	1368	1367	1366	1365	1364	1363	1362	1361	1360	1359	1358	1357	1356	1355	1354	1353	1352	1351	1350	1349	1348	1347	1346	1345	1344	1343	1342	1341	1340	1339	1338	1337	1336	1335	1334	1333	1332	1331	1330	1329	1328	1327	1326	1325	1324	1323	1322	1321	1320	1319	1318	1317	1316	1315	1314	1313	1312	1311	1310	1309	1308	1307	1306	1305	1304	1303	1302	1301	1300	1299	1298	1297	1296	1295	1294	1293	1292	1291	1290	1289	1288	1287	1286	1285	1284	1283	1282	1281	1280	1279	1278	1277	1276	1275	1274	1273	1272	1271	1270	1269	1268	1267	1266	1265	1264	1263	1262	1261	1260	1259	1258	1257	1256	1255	1254	1253	1252	1251	1250	1249	1248	1247	1246	1245	1244	1243	1242	1241	1240	1239	1238	1237	1236	1235	1234	1233	1232	1231	1230	1229	1228	1227	1226	1225	1224	1223	1222	1221	1220	1219	1218	1217	1216	1215	1214	1213	1212	1211	1210	1209	1208	1207	1206	1205	1204	1203	1202	1201	1200	1199	1198	1197	1196	1195	1194	1193	1192	1191	1190	1189	1188	1187	1186	1185	1184	1183	1182	1181	1180	1179	1178	1177	1176	1175	1174	1173	1172	1171	1170	1169	1168	1167	1166	1165	1164	1163	1162	1161	1160	1159	1158	1157	1156	1155	1154	1153	1152	1151	1150	1149	1148	1147	1146	1145	1144	1143	1142	1141	1140	1139	1138	1137	1136	1135	1134	1133	1132	1131	1130	1129	1128	1127	1126	1125	1124	1123	1122	1121	1120	1119	1118	1117	1116	1115	1114	1113	1112	1111	1110	1109	1108	1107	1106	1105	1104	1103	1102	1101	1100	1099	1098	1097	1096	1095	1094	1093	1092	1091	1090	1089	1088	1087	1086	1085	1084	1083	1082	1081	1080	1079	1078	1077	1076	1075	1074	1073	1072	1071	1070	1069	1068	1067	1066	1065	1064	1063	1062	1061	1060	1059	1058	1057	1056	1055	1054	1053	1052	1051	1050	1049	1048	1047	1046	1045	1044	1043	1042	1041	1040	1039	1038	1037	1036	1035	1034	1033	1032	1031	1030	1029	1028	1027	1026	1025	1024	1023	1022	1021	1020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- Packet Pg. 30

Public Input & Questions

Next Steps

- Bring Master Plans forward for formal approval and adoption
- Initiate Impact Fee Studies
- Continue to evaluate new development standards to reduce water use and waste flow
- As necessary, update fees to account for efficiencies
- Update CIP to reflect Master Plan goals
- Increase frequency of Master Plan updates

WORKSHOP

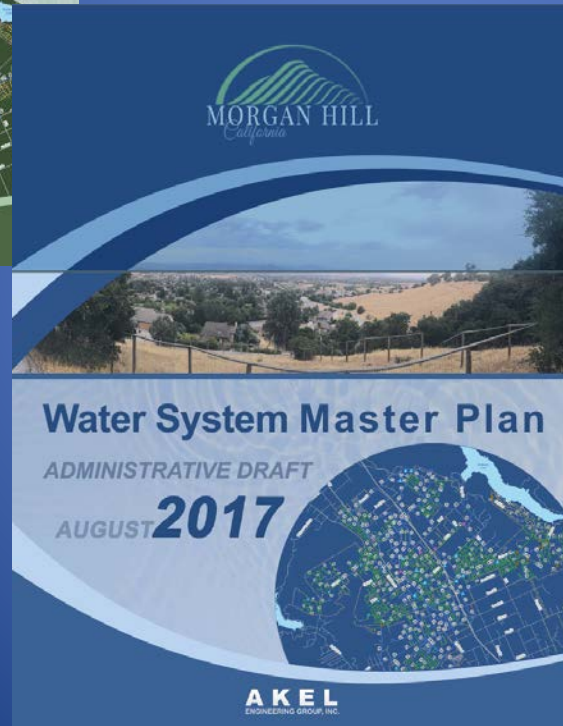
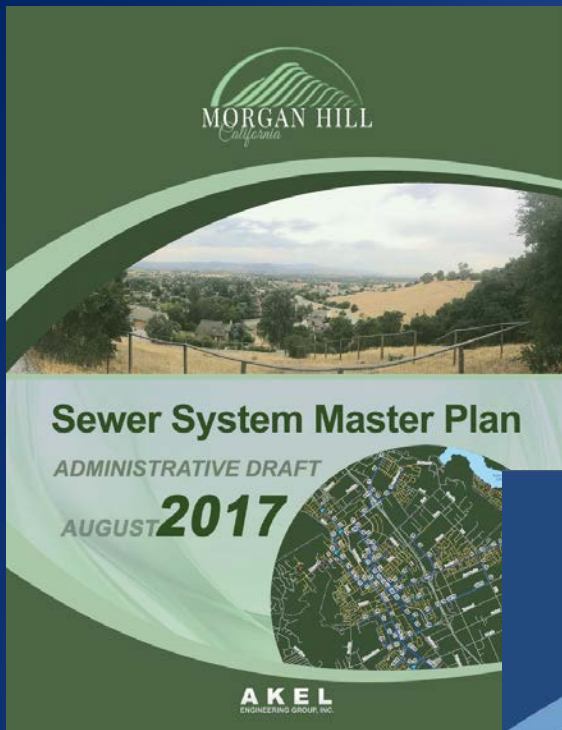
AGENDA DATE: 08/23/17
STAFF PRESENTATION

City Council Workshop

2017

Infrastructure Master Plans

August 23, 2017



Introduction

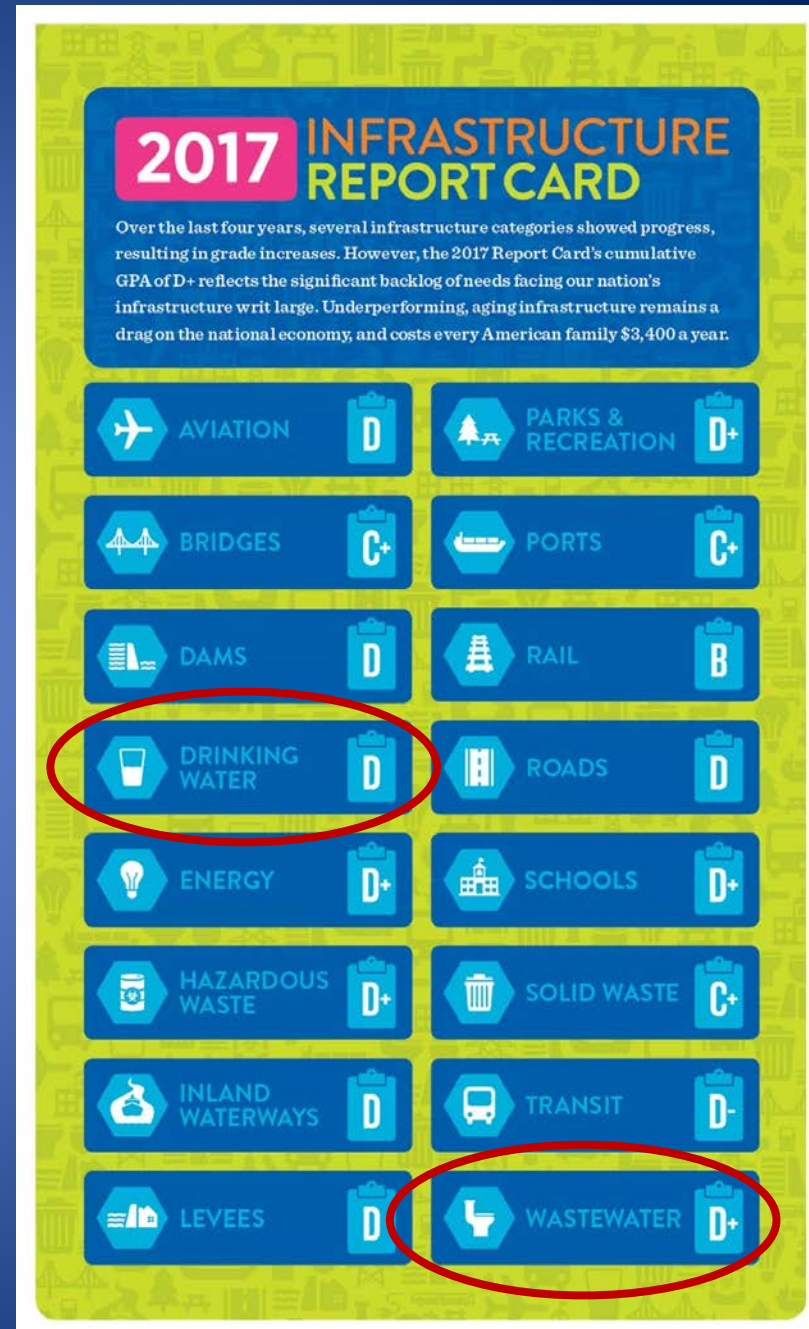
- Master Plans previously completed in 2002
- Update to the Master Planning process
- Meet new regulatory requirements
- Quantify and prioritize system needs
 - New and Existing
- Master Plans become Guiding Document
 - A Business Plan
 - Capital Improvement Planning and Budgeting
 - Meets Assembly Bill AB1600

Workshop Goals

- Introduce Master Plans for:
 - Water Infrastructure
 - Sewer Infrastructure
- Brief Discussion on Methodology
- Existing Infrastructure
- Future Capacity Needs
- Repair and Replacement Needs
- Capital Improvements Costs

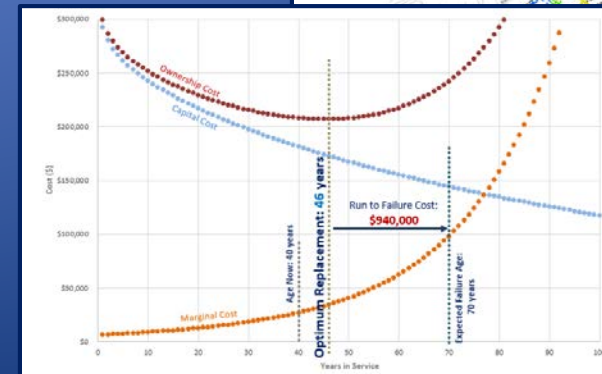
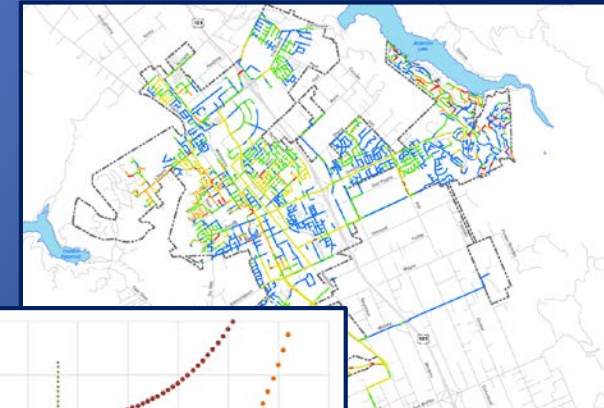
2017 ASCE REPORT CARD SUMMARY

- Existing infrastructure is aging (failure rates increasing)
- Failures have adverse consequences:
 - Customer service interruptions
 - Costly Repairs
- Replacing infrastructure should be considered in Master Planning efforts



Renewal and Replacement Plan Benefits

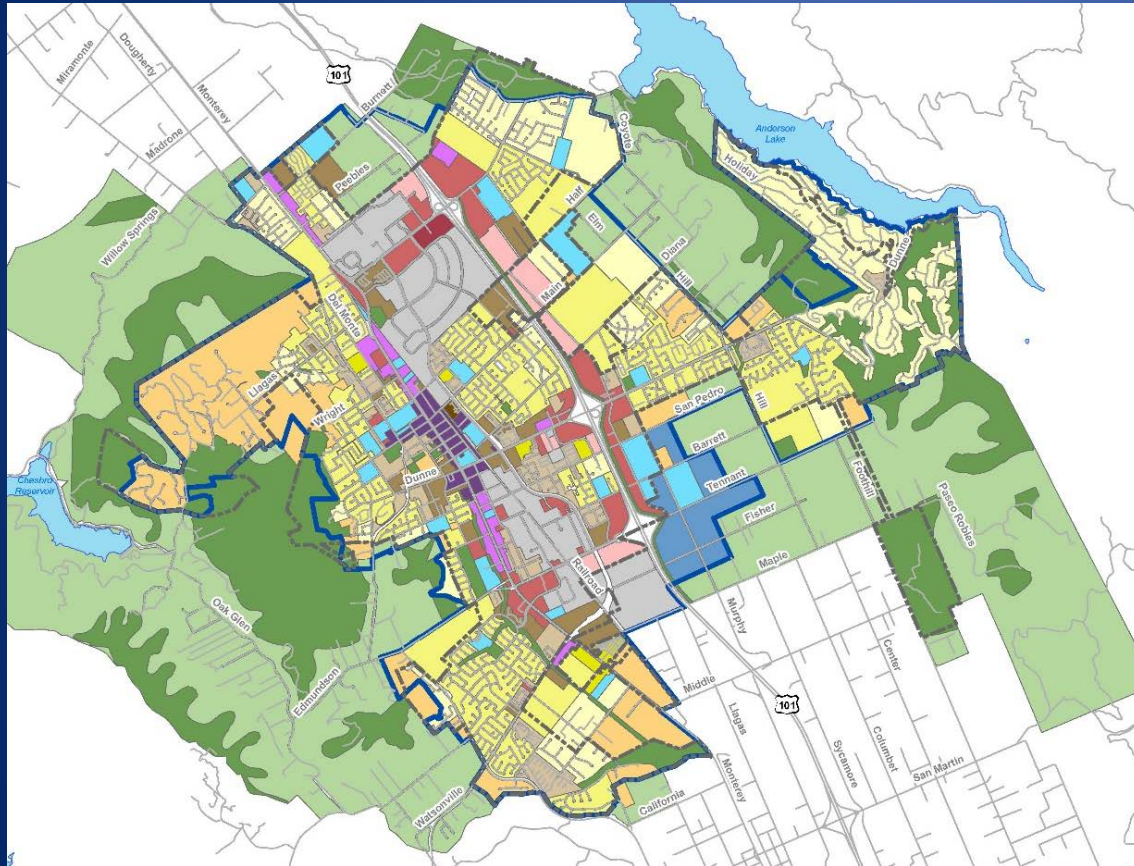
- Move from reactive to proactive: replace infrastructure at the right time
- Justify annual financial investments
- Maintain consistent level of service
- Reduce infrastructure life cycle costs



Master Plans Methodology

- Identify improvements to service growth in Morgan Hill 2035 General Plan
- Develop flows and demands
- Calibrate the hydraulic models
- Evaluate existing system capacities
- Recommend improvements to mitigate existing deficiencies
- Identify Rehabilitation and Replacement needs
- Develop Capital Improvement Program

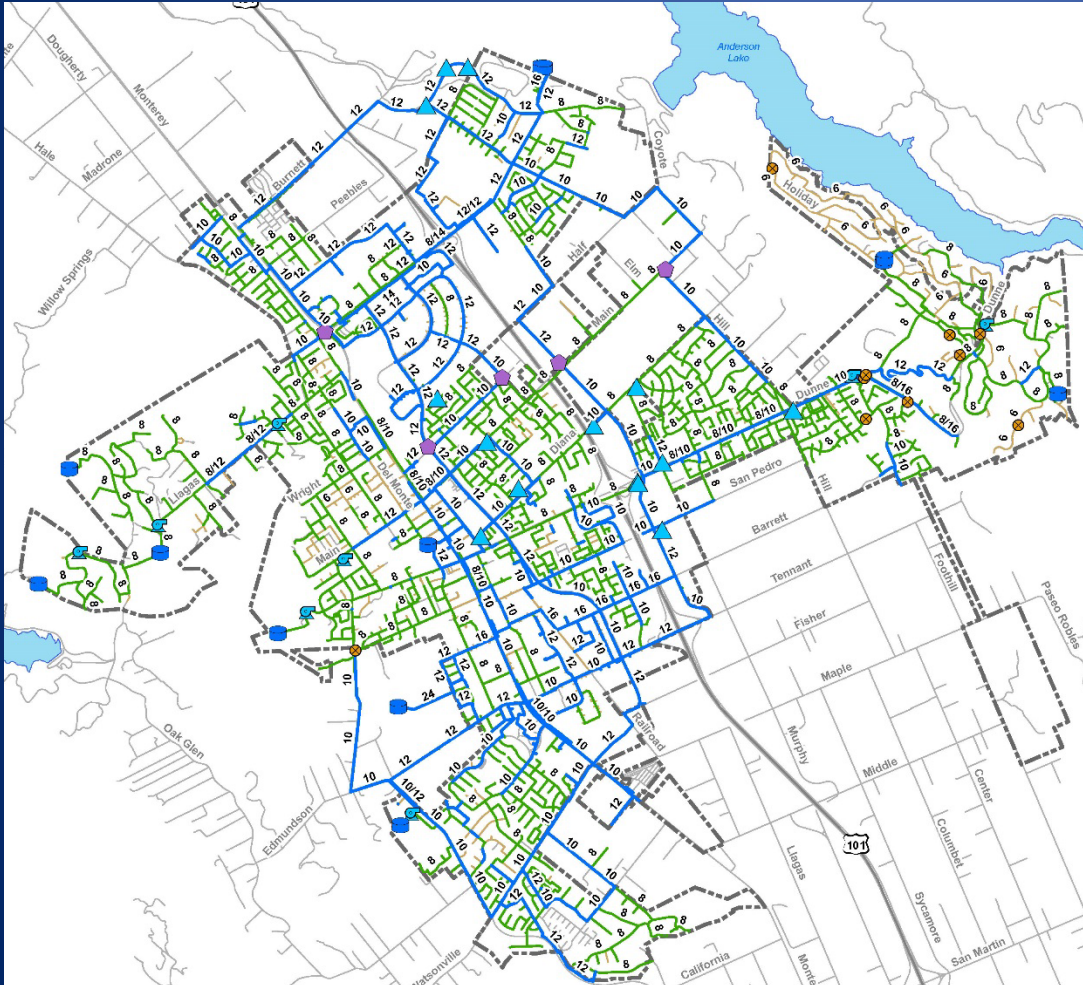
Future System: Morgan Hill 2035 General Plan



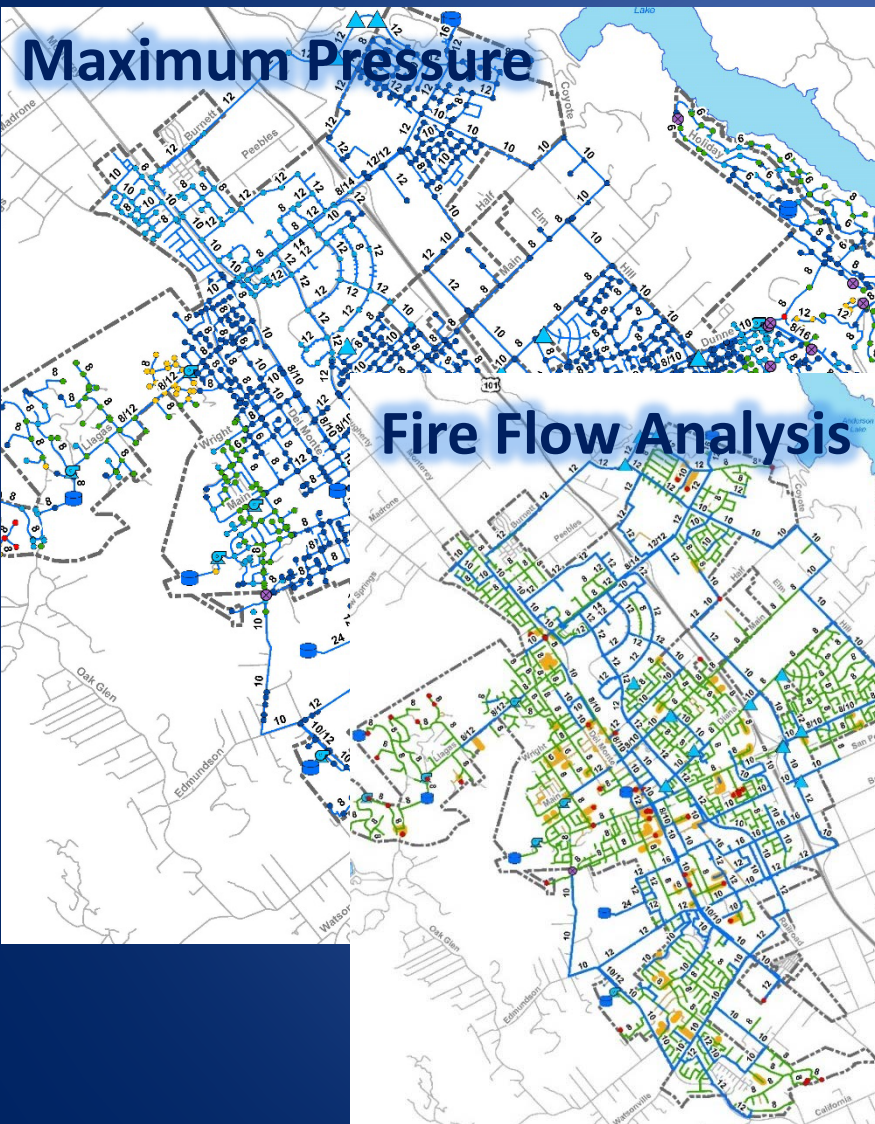
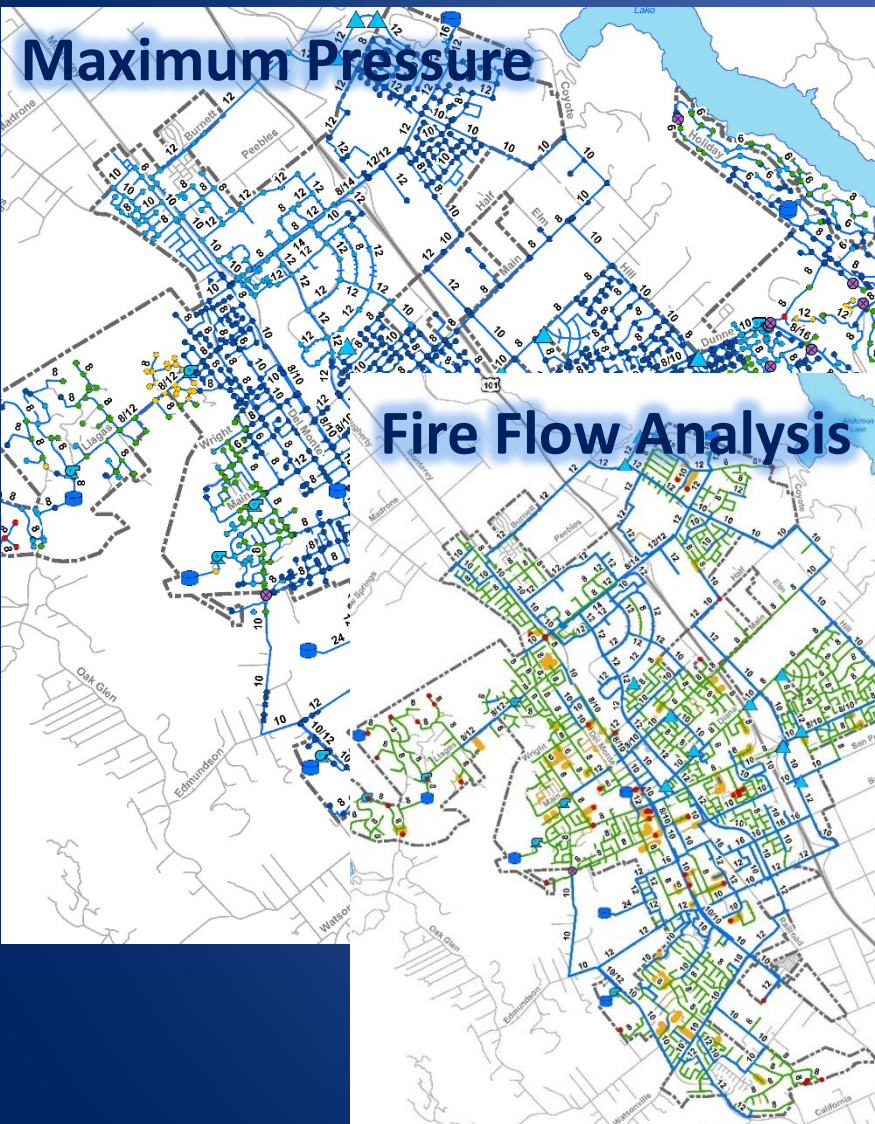
- Newly Adopted 2035 General Plan Land Use
- Updated Population Projections

WATER MASTER PLAN

Existing Water System



- 191 miles of Pipeline
- 14 Wells
- 10 Booster Stations
- 12 Storage Reservoirs

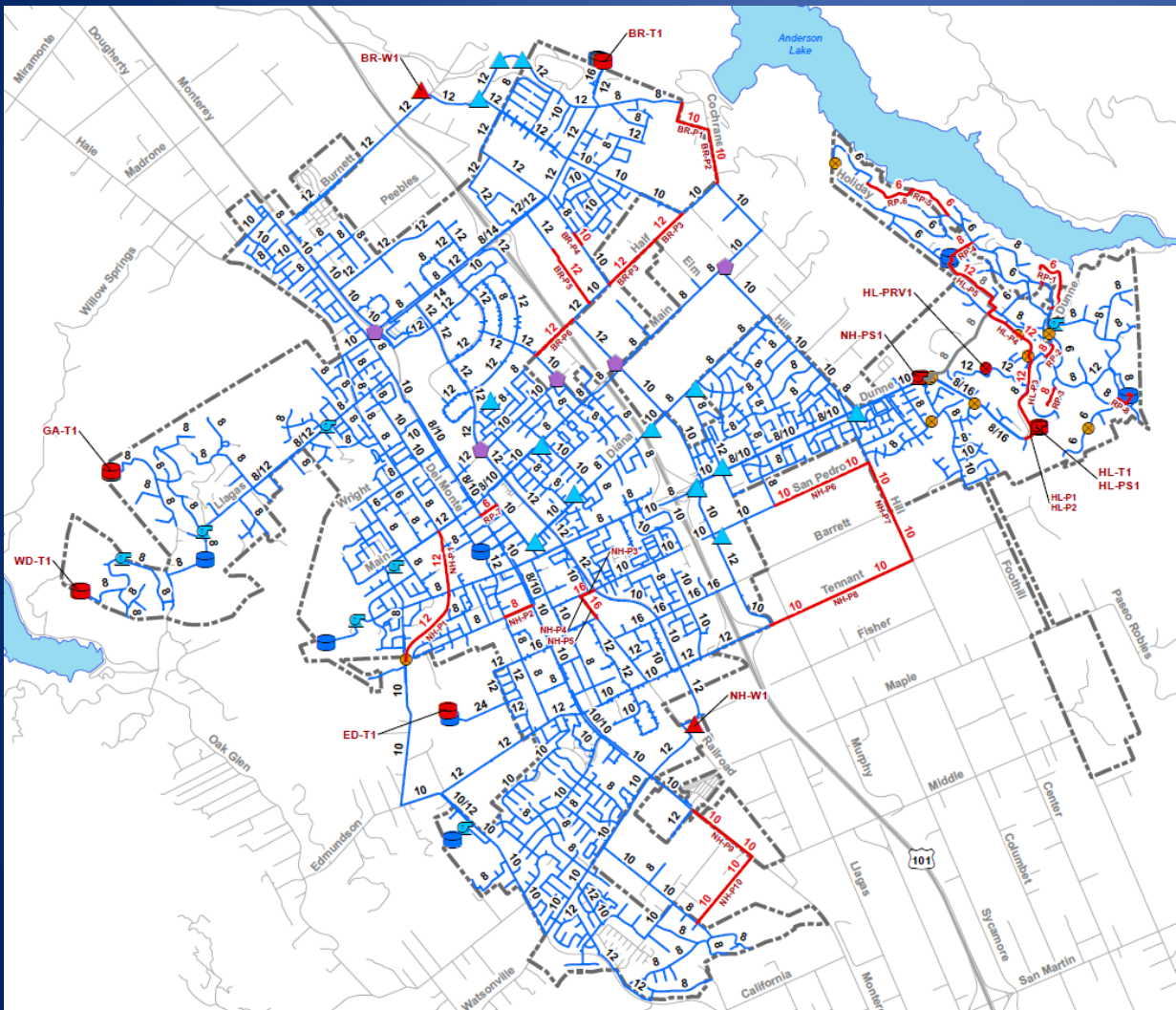


Demand Category	Year				
	2020	2025	2030	2035	
	(MGD)	(MGD)	(MGD)	(MGD)	
Projected Demands - Population Method					
Projected Population	42,382	48,000	51,400	54,800	58,200
Average Day Demands	7.6	7.6	8.2	8.7	9.3
Maximum Day Demands	15.2	15.3	16.3	17.4	18.5
Peak Hour Demands	22.8	22.9	24.5	26.1	27.8
Projected Demands - Land Use Method					
Average Day Demands	6.0	6.9	7.7	8.5	9.4
Maximum Day Demands	12.0	13.7	15.4	17.1	18.8
Peak Hour Demands	18.0	20.6	23.1	25.6	28.2
Supply vs. Demand Analysis					

Rehabilitation and Replacement				Existing	Pipeline Improvements		
Imp. No.	Imp. Name	Imp. Loc.	Imp. Description	(#)	Imp. Type	(#)	(ft)
RP-1	Holiday Lake	Shady Ln	From Holiday Dr to Holiday Dr	6	Replace	6	2,550
RP-2	Jackson Oaks	Hill Top Ct	From Jackson Oaks Dr to approx 550' ne/o Jackson Oaks Dr	8	Replace	8	550
RP-3	Jackson Oaks	Oak View Ct	From Jackson Oaks Dr to approx 700' s/o Jackson Oaks Dr	8	Replace	8	700
RP-4	Holiday Lake	Holiday Tank Site	From Holiday Lake Tanks to Manzanita Dr	8	Replace	8	800
RP-5	Holiday Lake	Manzanita Dr	From Holiday Dr to end of Manzanita Dr	6	Replace	6	1,650
RP-6	Holiday Lake	Raccoon Ct	From Holiday Ct to end of Manzanita Dr	6	Replace	6	1,700
RP-7	Nob Hill	First St	From Monterey Rd to Depot St	6	Replace	6	600

[illegible]

Capital Improvements



- Existing and Future
- Itemized for a Near-Term and GP Horizon
- Consistent with General Plan
- Consistent with UWMP
- Meets AB1600

Capital Improvement Program

Table 8.2 Capital Improvement Program
Water System Master Plan
City of Morgan Hill

PRELIMINARY																		
Improv. No.	Pressure Zone	Alignment	Limits	Pipeline Improvements		Infrastructure Costs				Baseline Contr. Costs	Estimated Const. Costs	Capital Improv. Costs	Suggested Expenditure Budget	Construction Trigger	Suggested Cost Allocation		Cost Sharing	
				Existing Diameter	Prop./Feet/ft	Diameter	Length	Last Cost	Est. Cost						Existing Users	Future Users	Existing Users	Future Users
Pipeline Improvements																		
Boys Ranch Pressure Zone																		
BR-P1	Boys Ranch	ROW	Cochran Rd to approx 2,100' n/a/o Cochran Rd	-	New	12	2,100	229	480,508	480,508	624,661	822,059	2026-2030	As development occurs	0%	100%	0	822,059
BR-P2	Boys Ranch	ROW	Cochran Rd to Coyote Rd	-	New	20	1,900	207	391,992	391,992	493,512	546,965	2026-2030	As development occurs	0%	100%	0	546,965
BR-P3	Boys Ranch	Coyote Rd	Half Rd to approx 1,700' n/a/o Half Rd	-	New	20	1,700	207	392,476	392,476	498,191	509,026	2026-2030	As development occurs	0%	100%	0	509,026
BR-P4	Boys Ranch	Half Rd	Mission View Dr to Reed Rd	-	New	22	1,150	229	250,793	250,793	398,992	2,218,080	2026-2030	As development occurs	0%	100%	0	2,218,080
BR-P5	Boys Ranch	Mission View Dr	Avenida de los Pinos to approx 150' s/o Avenida de los Pinos	8	Replace	20	450	207	93,356	93,356	121,363	157,772	2018-2020	Immediate	100%	0%	157,772	0
BR-P6	Boys Ranch	De Paul Rd	Half Rd to 2,100' n/a/o Half Rd	-	New	12	2,100	229	480,508	480,508	624,661	822,059	2026-2030	As development occurs	0%	100%	0	822,059
BR-P7	Boys Ranch	Half Rd	Sereno Dr to Conduit Rd	-	New	12	1,600	229	377,342	377,342	490,809	688,047	2026-2030	As development occurs	0%	100%	0	688,047
Subtotal - Boys Ranch Pressure Zone										2,837,288	3,688,475	4,795,017					157,772	4,637,245
Neb Hill Pressure Zone																		
NH-P1	Neb Hill	Falle Ave Extension	Spring Ave to Main Ave	-	New	12	4,550	229	1,041,102	1,041,102	1,353,482	1,759,462	2021-2025	As development occurs	100%	0%	1,759,462	0
NH-P2	Neb Hill	Spring Ave	Del Monte Ave to Monterey Rd	4	Replacement	8	950	350	373,000	373,000	222,800	288,990	2018-2020	As development occurs	100%	0%	288,990	0
NH-P3	Neb Hill	San Pedro Ave	Butterfield Rd to Railroad Ave	10	Replacement	16	550	275	441,856	441,856	197,418	255,837	2023-2025	As development occurs	100%	0%	255,837	0
NH-P4	Neb Hill	Hill Road Ave	San Pedro Ave to approx 600' n/a/o Hill Rd	10	Replacement	16	350	275	96,636	96,636	125,620	163,314	2023-2025	As development occurs	0%	100%	0	163,314
NH-P5	Neb Hill	Fullwood Ave	Approx 620' n/a/o Main St. to Main St.	6	Replacement	16	600	276	165,851	165,851	215,359	278,967	2023-2025	As development occurs	0%	100%	0	278,967
NH-P6	Neb Hill	San Pedro Ave	Presbyterian Dr to Hill Rd	-	New	20	3,200	207	668,891	668,891	889,028	1,121,391	2023-2025	As development occurs	0%	100%	0	1,121,391
NH-P7	Neb Hill	Hill Rd	San Pedro Ave to Tennant Ave	-	New	20	3,300	207	684,810	684,810	889,999	1,126,991	2023-2025	As development occurs	0%	100%	0	1,126,991
NH-P8	Neb Hill	Tennant Ave	Hill Rd to Conduit Rd	-	New	10	4,850	207	1,005,169	1,005,169	1,308,020	1,700,426	2021-2025	As development occurs	0%	100%	0	1,700,426
NH-P9	Neb Hill	Monterey Rd	John Wilkins Way to Middle Ave	-	New	10	2,350	207	487,525	487,525	633,783	823,918	2021-2025	As development occurs	0%	100%	0	823,918
NH-P10	Neb Hill	ROW	Monterey Rd to Conduit Ave	-	New	10	2,700	207	560,130	560,130	726,170	946,029	2021-2025	As development occurs	0%	100%	0	946,029
OP-7	Neb Hill	Finner St	From Monterey Rd to Depot St	6	Replace	6	600	340	90,090	90,090	124,800	162,240	2018-2020	Immediate	100%	0%	162,240	0
Subtotal - Neb Hill Pressure Zone										5,124,559	6,661,927	8,660,595					2,467,328	6,193,177
Holiday Pressure Zones																		
HL-P1	Holiday 1	Dunne Ave	Flaming Oak Ln to Proposed E Dunne Tank	-	New	16												
HL-P2	Holiday 1	Dunne Ave	Proposed E Dunne Tank to Flaming Oak Ln	-	New	12												
HL-P3	Holiday Lake	Dunne Ave	Proposed E Dunne Tank to Flaming Oak Ln	-	New	12												
HL-P4	Holiday Lake	Oak Leaf Dr	Dunne Ave to 650' w/o Oak Dr	-	New	12												
HL-P5	Holiday Lake	Lake View Dr	Oak Leaf Dr to Holiday Lake Tanks	8	Replacement	12												
OP-1	Holiday Lake	Shady Ln	From Holiday Dr to Holiday Dr	6	Replace	6												
OP-4	Holiday Lake	Holiday Tank Site	From Holiday Lake Tanks to Mainline Dr	8	Replace	8												
OP-5	Holiday Lake	Mainline Dr	From Holiday Dr to end of Mainline Dr	6	Replace	6												
OP-6	Holiday Lake	Raccoon Cr	From Holiday Cr to end of Mainline Dr	6	Replace	6												
Subtotal - Holiday Pressure Zones																		
Jackson Oaks Pressure Zones																		
OP-2	Jackson Oaks	1-18 Top Ct	From Jackson Oaks Dr to approx 150' n/a/o Jackson Oaks Dr	8	Replace	8												
OP-3	Jackson Oaks	Oak View Ct	From Jackson Oaks Dr to approx 700' n/a/o Jackson Oaks Dr	8	Replace	8												
OP-8	Hydrogeographic Zone	Oak Canyon Dr	From Jackson Oaks Dr to approx 150' n/a/o Jackson Oaks Dr	8	Replace	8												
Subtotal - Jackson Oaks Pressure Zones																		
Subtotal																		
Subtotal																		

- Pipeline Improvements: 10.2
- New Storage Reservoirs: 5
- New Well Improvements: 2
- Pump Station Improvements: 1
- Pressure Reducing Valve Stations: 1

- Pipeline Improvements: 10.2 miles
- New Storage Reservoirs: 5
- New Well Improvements: 2
- Pump Station Improvements: 2
- Pressure Reducing Valve Station: 1

Total Cost: \$48.4 million

Existing Users: \$16.8 million

Future Users: \$31.6 million

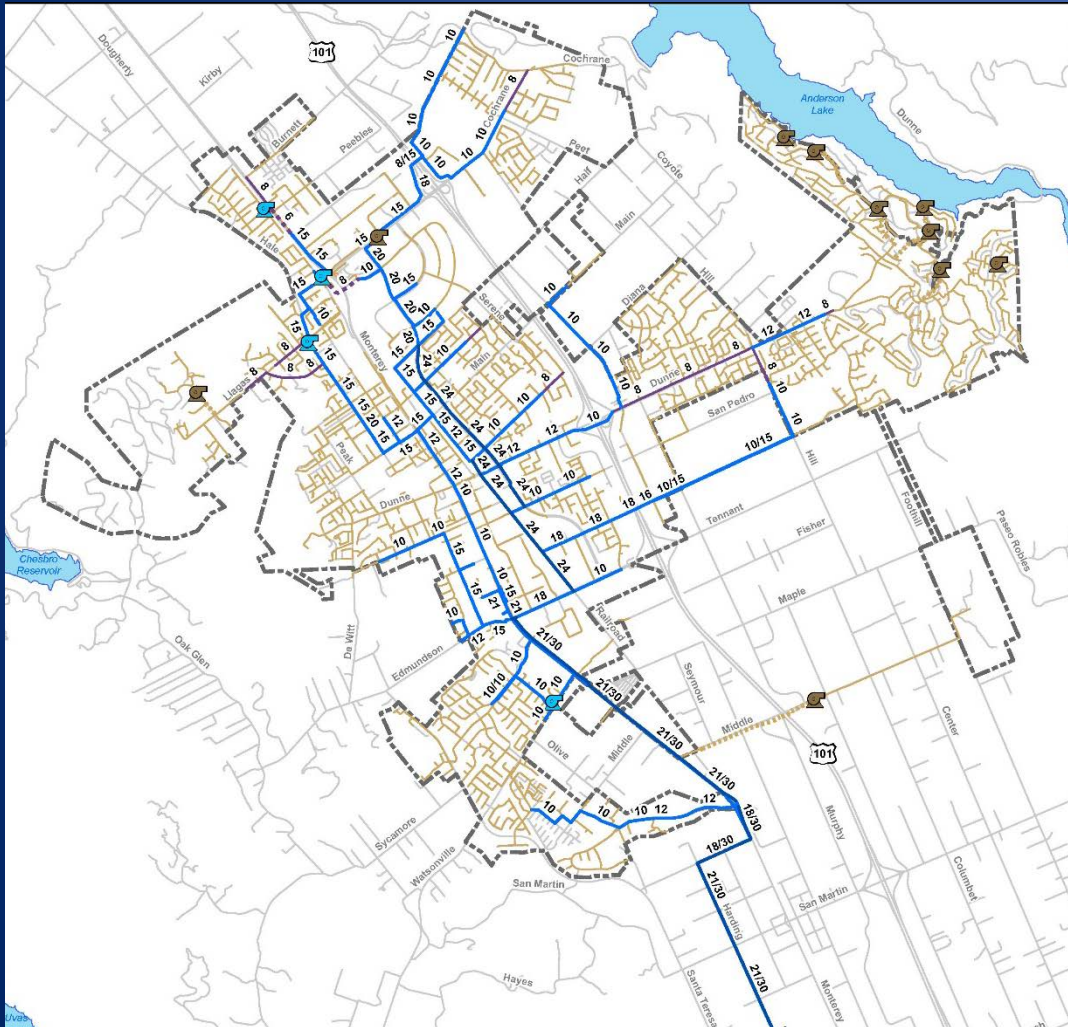
PRELIMINARY	
Cost Sharing	
Existing Users	Future Users
1,048,150	2,441,017
817,801	30,812
0	8,240,223
635,681	272,435
1,223,038	1,852,567
3,734,174	7,926,039
0	1,316,848
0	1,316,848
0	2,633,696
870,180	1,318,710



AKEL
Engineering & Construction
1. AKEL is the design engineer for the City of Morgan Hill Water System Master Plan. AKEL is not responsible for the design of the water system or the construction of the water system. AKEL is responsible for the design of the water system and the construction of the water system.

SEWER MASTER PLAN

Existing Sewer System



- Collection System: Approx. 160 miles
- Trunk System: Approx. 16 miles
- 14 Lift Stations
- 2.9 miles of Force Main
- SCRWA Treatment Plant

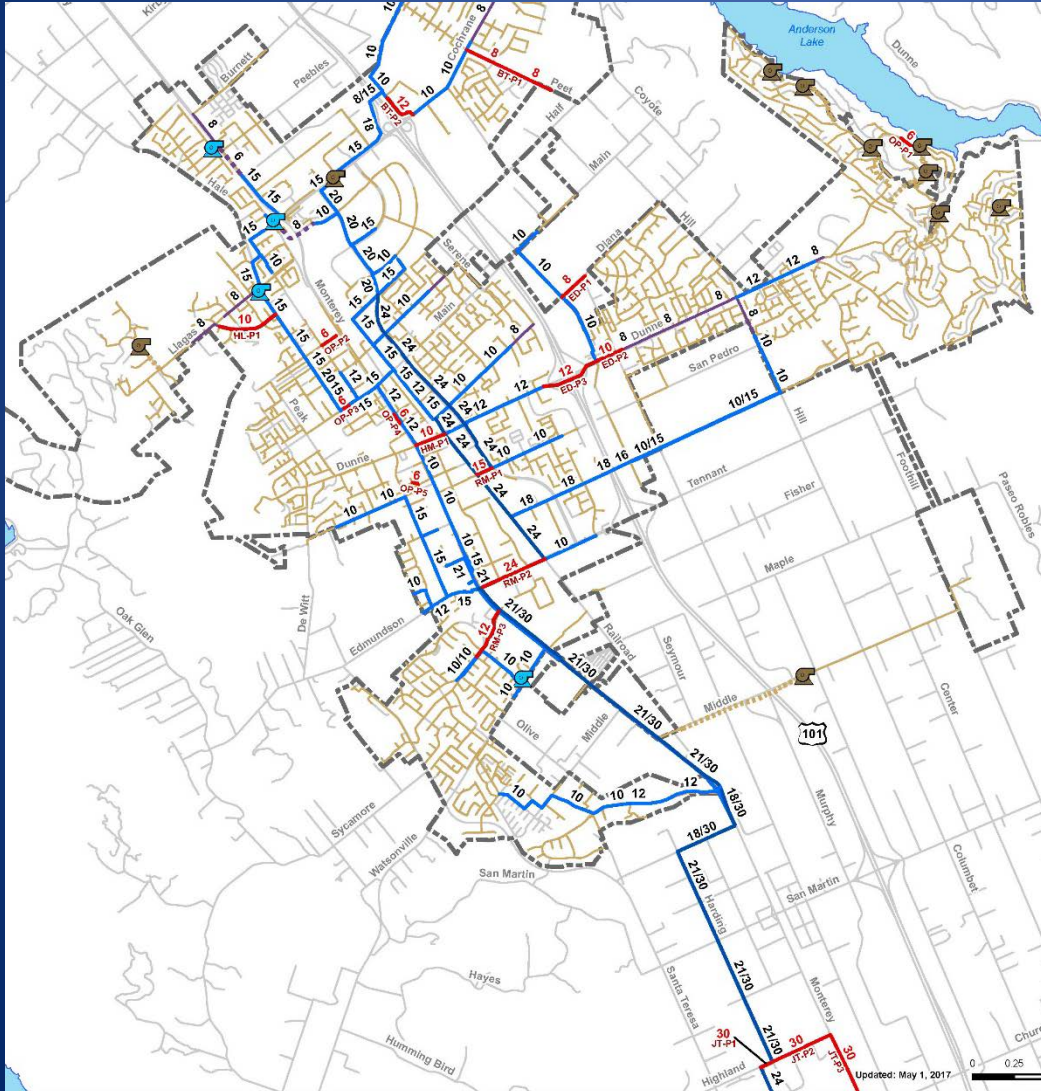
Existing System Evaluations

Dry Weather

Wet Weather

- Dry Weather flow evaluation
- Wet Weather flow evaluation
- Document deficiencies

Capacity Improvements



- Existing and Future
- Itemized for a Near-Term and GP Horizon
- Consistent with General Plan
- Meets AB1600

Condition Assessment

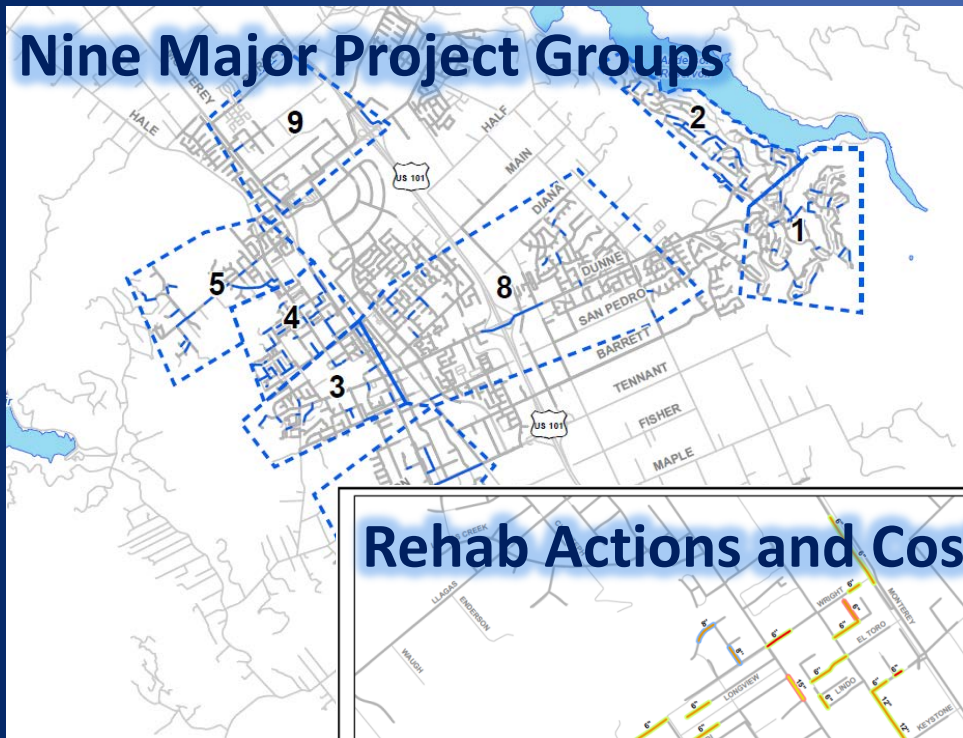
Major Structural Defects

- Major Structural Defects
- Points of Infiltration

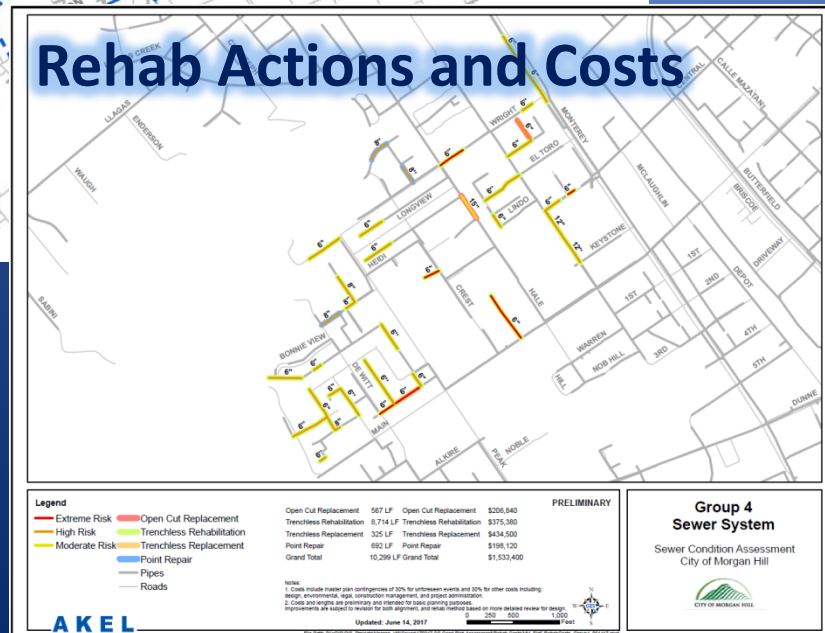
Infiltration and Inflow Defects



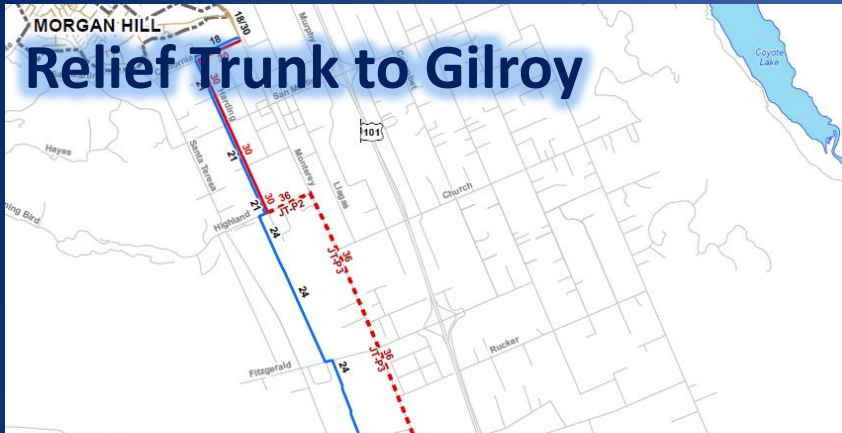
Rehabilitation and Replacement Improvements



- Replace Aging Infrastructure
- 246 unique rehabilitations



Other Planned Improvements



- New Trunk Line to Gilroy (\$21M)
- Treatment Plant Expansion (\$32.7M)



Capital Improvement Program

Table 8.2 Capital Improvement Program
Sewer System Master Plan
City of Morgan Hill

Improv. No.	Type of Improvement	Alignment	Limits	Pipeline Improvements		Infrastructure Costs				Existing Costs (\$)	Estimated Costs (\$)	Capacity Improv. Cost (\$)	Suggested Improvement Budget	Construction Trigger	Suggested Cost Allocation		Cost Allocation	
				Existing Diameter (in)	New/Replace/Reline	Diameter (in)	Length (ft)	Unit Cost (\$)	Est. Cost (\$)						Existing Users (%)	Future Users (%)	Existing Users (\$)	Future Users (\$)
Pipeline Capacity Improvements																		
Butterfield Trunk																		
BT-P1	Gravity Main	Pleasant Rd	From approximately 3,000 L/s to Cochran Rd to Cochran Rd	-	New	8	9,000	1/1	\$11,415	\$11,415	\$46,219	\$54,993	2020-2020	-	0%	100%	0	\$54,993
BT-P2	Gravity Main	Along NB US 101	From 900 ft to Cochran Rd to intersection of Cochran Rd and NB US 101	10	Replacement	12	1,200	199	238,814	238,814	\$310,439	\$40,555	2020-2020	1,000	51%	49%	104,471	199,113
Subtotal - Butterfield Trunk										750,560	975,727	1,268,446						
Hale-Ligas Trunk																		
HL-P1	Gravity Main	Hale Creek Dr	From Eagle Springs Ct to Hale Ave	8	Replacement	10	1,950	185	360,354	360,354	\$468,460	\$68,998	2020-2020	675	73%	27%	415,981	173,077
Subtotal - Hale-Ligas Trunk										360,354	468,460	608,998						
East Dunne Trunk																		
ED-P1	Gravity Main	Dunne Ave	From Murphy Ave to Cordell Rd	-	New	8	1,000	1/1	170,582	170,582	\$221,799	\$88,289	2020-2020	-	0%	100%	0	\$88,289
ED-P2	Gravity Main	Dunne Ave	From 2301 L/s to Murphy Ave to Cordell Rd	8	Replacement	10	950	185	175,557	175,557	\$238,224	\$56,691	2020-2020	1,523	83%	17%	247,539	49,052
ED-P3	Gravity Main	Dunne Ave	From Cordell Rd to 130 ft to Walnut Street Dr	8/10	Replacement	12	1,950	199	388,073	388,073	\$504,445	\$75,844	2020-2020	2,408	47%	53%	309,081	344,762
Subtotal - East Dunne Trunk										734,212	954,476	1,240,619						
Hale-Monterey Trunk																		
HM-P1	Gravity Main	Dunne Ave	From Monterey Rd to Railroad Ave	-	New	10	1,000	185	184,797	184,797	\$468,936	\$17,387	2018-2020	0	80%	20%	350,909	47,498
OP-P2	Gravity Main	Wright Ave	From 2301 L/s to Garden Ave to Del Norte Ave	8	Replacement	6	500	136	68,062	68,062	\$111,862	\$15,393	2018-2020	0	100%	0%	143,953	0
OP-P3	Gravity Main	Muir Ave	From 130 ft to Hale Ave to 300 ft to Hale Ave	6	Replacement	6	175	156	27,364	27,354	\$35,373	\$6,345	2018-2020	0	100%	0%	46,245	0
OP-P4	Gravity Main	Monterey Rd	From 3rd to 4th Street	6	Replacement	6	350	156	54,728	54,728	\$71,147	\$9,891	2018-2020	0	100%	0%	92,491	0
OP-P5	Gravity Main	RDW	Right of Way to Manor Ct to 450 ft to Monterey Rd and Bluebell Ave	6	Replacement	6	200	136	27,279	27,279	\$40,165	\$5,821	2018-2020	0	100%	0%	52,892	0
Subtotal - Hale-Monterey Trunk										384,164	499,414	649,238						
Railroad-Monterey Trunk																		
RM-P1	Gravity Main	San Pedro Ave	From Butterfield Blvd to Railroad Ave	10	Replacement	13	500	270	138,548	138,548	\$199,119	\$51,407	2020-2020	2,000	58%	42%	148,309	104,587
RM-P2	Gravity Main	Contra Ave	From Railroad Ave to Monterey Rd	18	Replacement	24	2,200	426	938,199	938,199	\$1,219,356	\$181,357	2020-2020	3,175	61%	39%	969,933	615,634
RM-P3	Gravity Main	La Gracia Dr / Vineyard Blvd	From La Gracia Dr to Monterey Rd	10	Replacement	12	1,700	199	338,520	338,520	\$455,817	\$71,762	2020-2020	0	90%	10%	527,409	44,252
Subtotal - Railroad-Monterey Trunk										1,425,068	1,852,589	2,438,365						
Hill-Barrett Trunk																		
OP-P1	Gravity Main	RDW	Along Hillside Dr to Oak Ln	8	Replacement	6	400	136	54,347	54,347	\$81,611	\$16,704	2018-2020	0	100%	0%	106,701	0
Subtotal - Hill-Barrett Trunk										62,547	81,311	105,704						

Relief Trunk Improvements	
JP-P1	Gravity Main
JP-P2	Gravity Main
JP-P3	Gravity Main
JP-P4	Gravity Main
JP-P5	Gravity Main
JP-P6	Gravity Main
JP-P7	Gravity Main
JP-P8	Gravity Main

Sewer S
Sewer S
Sewer R
On-G
CCTV
Current

- Pipeline Capacity Improvements: \$34.8 million
 - Condition Assessment Improvements: \$17.8 million
 - Plan Updates: \$1.6 million
 - Other Planned Improvements (including SCRWA Plant): \$53.6 million
- Total Cost: \$107.8 million**
- Existing Users: \$50.8 million
- Future Users: \$57.0 million

PRELIMINARY

Cost Allocation	
Existing Users (\$)	Future Users (\$)
180,772	1,411,816
9,321,154	26,666,188
700,000	0
200,000	0
6,775	0
24,413	0
4,104	0
11,753	0
334,733	0
11,771	0
334,733	0
15,896	0
33,541	0
15,896	0
782,921	0
16,785,048	0
1,040,000	560,000
2,280,960	0

PRELIMINARY

Cost Allocation	
Existing Users (\$)	Future Users (\$)
3,534,659	2,746,909
9,321,154	26,666,188
200,000	0
782,921	0
16,785,048	0
1,040,000	560,000
2,280,960	0

Public Input & Questions

Next Steps

- Bring Master Plans forward for formal approval and adoption
- Initiate Impact Fee Studies
- Continue to evaluate new development standards to reduce water use and waste flow
- As necessary, update fees to account for efficiencies
- Update CIP to reflect Master Plan goals
- Increase frequency of Master Plan updates

From: [Michelle Wilson](#)
To: [Michelle Wilson](#)
Subject: FW: A Public Relations Nightmare for Future Latino Candidates
Date: Wednesday, August 23, 2017 3:21:48 PM

From: Carl McCaw [<mailto:carlmccaw@charter.net>]
Sent: Monday, August 21, 2017 9:13 AM
To: Steve Tate <Steve.Tate@morganhill.ca.gov>; Rich Constantine <Rich.Constantine@morganhill.ca.gov>; larrycarr@morganhill.ca.gov; Rene Spring <Rene.Spring@morganhill.ca.gov>; Caitlin Jachimowicz <Caitlin.Jachimowicz@Morgan-Hill.ca.gov>
Subject: A Public Relations Nightmare for Future Latino Candidates

Dear Friends,

1.
The replay of Morgan Hill City Council meetings on TV seems to be stuck on July 19.

What happened to July 26?

2.
Why is continuous effort being spent on this misdirection effort of generating and comparing district maps that have basically insignificant differences? And THEY DO NOT SOLVE the Latino election problem!
All the hype is about as useful as the hype about the eclipse. Totally Useless!

3.
This lawsuit reminds me of the useless positioning between Kim Jong-un and Donald Trump. It is all about one-ups-man-ship! One of Trump's cabinet advises, "Don't start a War if You can't win it!"

4.
Why have the Morgan Hill voters NOT been educated to the real effects of shifting to District elections, which diminish their rights?
A. The voters would no longer have FIVE council members protecting them because it will be reduced to two?
Do they agree that is in their interest? They don't even know about it!!!!!! They have NEVER been informed!
B. Consultant Douglas Johnson pointed out that You all live in a small local area so that means that in the next election You will be competing with one another and so about three of You will be knocked out.
That is a tragedy of good wasted talent and experience!

5.
Have You discussed with the three Latino plaintiffs that when the voters find out what has been done to their rights, then the new Latino candidates will have to deal with a Public Relations nightmare? How many years will it take for them to recover from that

mistake that those candidates never made themselves?

I appreciate the responses I have gotten from You.

I got the following from one of You.

“We are being held hostage by a law firm (and a few individuals in our city who hired the firm.)”

I have picked up on the fact that You ALL feel trapped and do not have heartfelt agreement with the lawsuit solution.

The solution for You is to reveal to the voters what is REALLY happening and stop working on show place-patches which greatly damage the rights of the voters and ruin the changes for new Latino candidates.

Those candidates need to be advised on how to improve their qualifications and how to better sell themselves!

Thank You,

Carl McCaw
3300 Quail Lane
Morgan Hill
CA 95037
(408) 779-4566

CarlMcCaw@Charter.Net



1

Animal Shelter Services Assessment

Agenda Item 18: – Shane Palsgrove, Police Captain Presenting

Purpose of this Report

- **Inform the Council of Animal Services**
- **Provide Direction for Animal Services**

Enhanced Services

2015

\$5,000 Housing Dogs
\$3,000 Vet Bill Dogs and Cats

2016

\$4,000 Housing Dogs
\$3,000 Vet Bill Dogs and Cats
\$11,000 Housing Cats
\$5,000 Spay and Neutering Program

2017

\$4,000 Housing Dogs
\$3,000 Vet Bill Dogs and Cats
\$11,000 Housing Cats
\$5,000 Spay and Neutering Program
\$100,000 Animal Services Officer

Agenda Item 18: – Animal Shelter Services

Spay/Neuter
\$5,000

- Release to Caretaker
- Return to Colony

Housing Cats
\$11,000

- House
- Adopt
- Euthanize

Recommendations

- Continue contributing:
 - \$11,000 for housing and sheltering of cats at the San Martin Animal Shelter
 - \$5,000 for the County's spay and neuter program as included in the FY 17/18 budget.

Agenda Item 18: – Animal Shelter Services



Good evening, Council. Thank you for this opportunity to address the Council regarding funding for animal services.

My name is Ava Geddes. I am a Morgan Hill City resident, and am active in animal welfare, rescue, and especially spay/neuter activities in South County.

To emphasize the improvements our Morgan Hill City Council enacted since dialogue began in 2015:

1. The Council joined several other area cities in providing funding for the Santa Clara County Low-cost Spay/Neuter Fund, which affords our City residents reduced spay/neuter costs for owned dogs and cats, and unowned community cats. Budget: \$5K annually.
2. The Council approved increased funding for general animal services such as animals picked-up as strays, animals found by City residents, and injured animals. Budget: \$11K annually.
3. The Council approved the position reinstatement for one (1) dedicated Animal Services Officer (ASO) within the Morgan Hill Police Department. Budget: \$100K annually.

It is important to note that a separate fund is used to support animal services for dogs. Budget: \$4K annually.

MHPD also has a separate budget for veterinarian bills, food, supplies, etc. Budget: Unknown amount.

I request additional funding for cats, which I recently learned the \$11K was for, not all animals as I and others understood. The Staff Report indicates the \$11K was expended by December 2016, leaving a gap of six

(6) months from January - June 2017. This shortfall indicates additional funding is needed to cover a full year of animal services for cats.

It is important to note that baby season is in full swing from April through September each year, so higher demands for services and associated costs are indicated during this timeframe. This increased need must be taken into consideration and further justifies additional funding.

From the Staff Report, Santa Clara County Animal Care and Control is apparently on-board with helping Morgan Hill with animal services requirements. Contracting with the County for animal services, and fully funding these services, is the most cost-effective and cost-efficient means of meeting our expanding animal services requirements. As Morgan Hill continues to grow and the population increases, animal services demands will inevitably increase. Preparing for this now will address these increased needs.

We hope the video link sent to you on 17 July 2017 answered some questions you have about community cats, including stray, feral, and owned cats. We must point out that exact locations weren't disclosed due to caretakers' concerns about colony safety, vandalism, and animal cruelty.

Thank you for your consideration and anticipated approval of increased funding for animal services.

PURPOSE

- Provide the Council with an update on the County of Santa Clara 2017 Homeless Census and Survey Report
- Provide update on Morgan Hill housing and homeless activities underway

COUNTYWIDE HOMELESS CENSUS AND SURVEY RESULTS

- 13% increase countywide, with 7,394 counted in 2017, (6,556 in 2015)
- 26% of individuals counted were found in shelters
- 74% of individuals were staying in unsheltered locations, countywide
- Chronically homeless declined, (2,169 in 2015) (2,097 in 2017)

COUNTYWIDE HOMELESS CENSUS AND SURVEY RESULTS

- Homeless families with children increased from 266 families with 908 members in 2015 to 294 families with 1,075 members in 2017.
- Increase in unaccompanied children (children under the age of 18) and “transition-age youth” (TAY) between the ages of 18 and 24 grew from 883 in 2015 to 2,530 in 2017.

SOUTH COUNTY RESULTS

- City of Morgan Hill's Homeless Count increased by 380%, up from 81 people in 2015 to 388 people
- City of Gilroy's Homeless Count increased 64%, up from 439 people to 722 people

WHY?

- Cost of housing: a statewide crisis
- Elimination of Redevelopment Agencies (RDA's) statewide in 2012; greatest source of affordable housing dollars, \$4 Million annually in Morgan Hill.
- Limited housing inventories at all price levels
- Significant increase in RV parking on the streets
- Significant efforts were made to coordinate with the school district to count homeless families with children in school (2015 count was likely an undercount, 81 people)

LOCAL RESPONSE

- \$950 million Measure A to produce 4,800 extremely low-income units (likely to generate 10,000 new units, countywide) Goal for Morgan Hill is 92/10 years.
- \$150 million Measure A to fund workforce housing and down payment assistance
- Morgan Hill and County Partnership: July 1, 2017, Homeless Outreach Team
- Morgan Hill and County Partnership: August 1, 2017, Homeless Prevention and Rapid Rehousing (temporary rental assistance) Program

LOCAL RESPONSE

- 39-unit affordable development at the corner of Monterey and Bisceglia, Morgan Hill \$750,000; UHC to apply for Measure A, Housing Trust, HOME and tax credits
- Evaluating opportunities for farmworker agricultural housing
- Permitted construction of 137 Senior affordable units at the Lodge
- 283 Housing Authority Section 8 federal rental assistance vouchers citywide, annual amount funded is \$4,832,508.

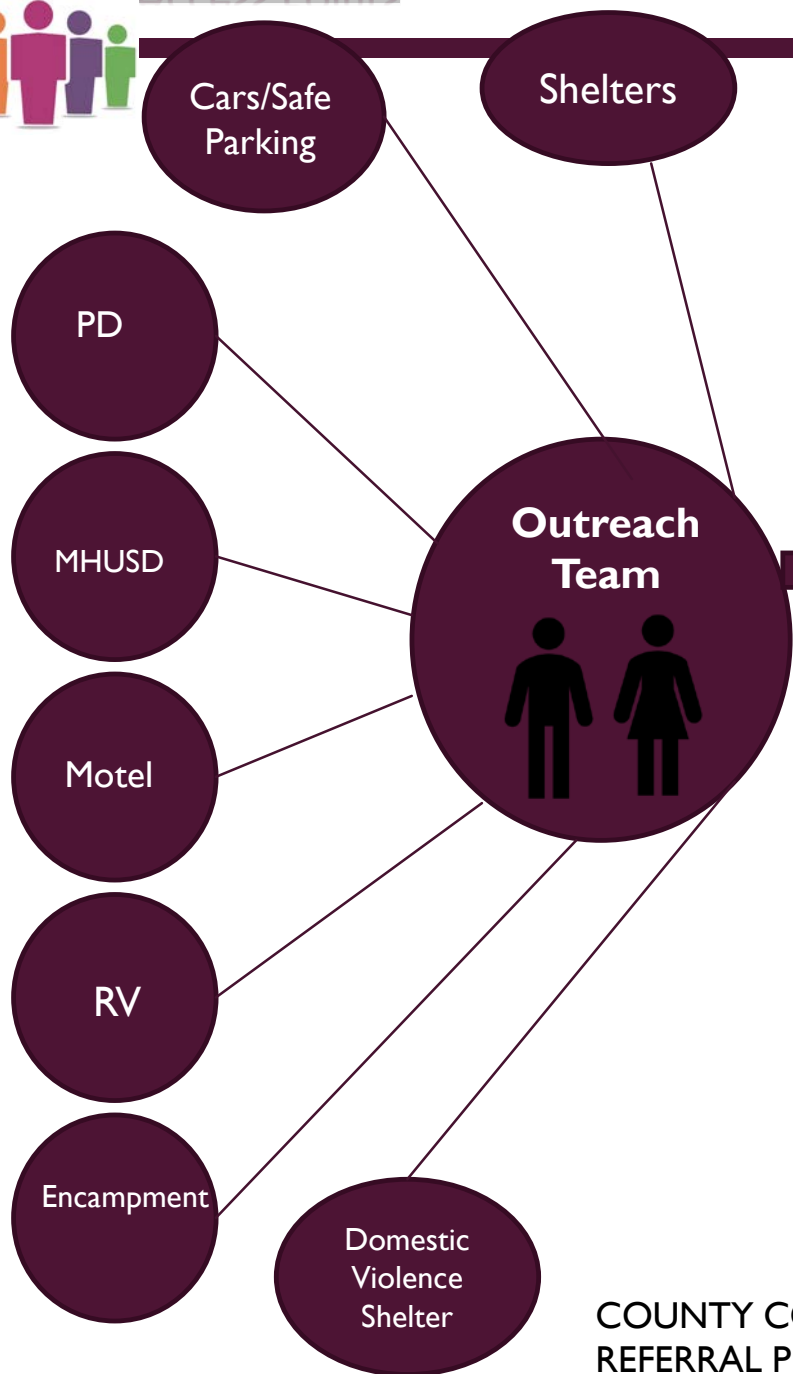
LOCAL RESPONSE

- Permitted construction of 114 Senior affordable units at the Huntington
- April 2017, broke ground for the scattered site 41 unit EAH affordable development for families and Transitional Age Youth (TAY) Morgan Hill and County partnership
- July 2017, Pilot Safe Parking Program, eight families in eight spaces (partnership, faith based community, Public Safety, San Jose State University)

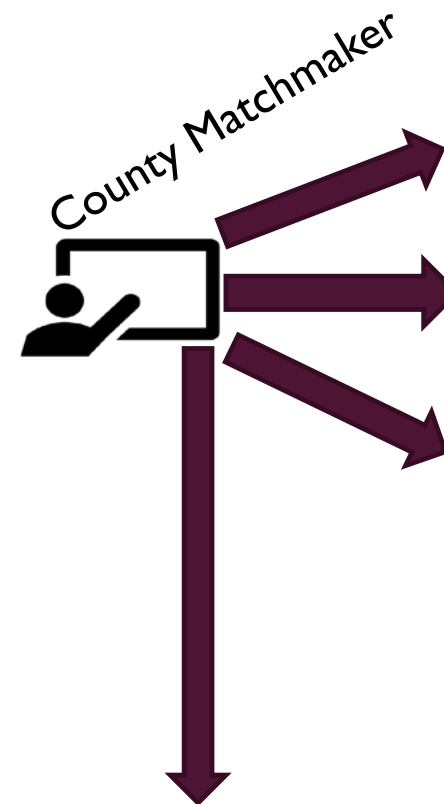
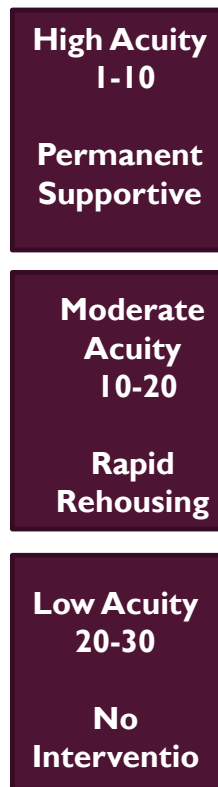
LOCAL RESPONSE

- June 2017, reconstruction of 1970's Park Place (Village Avante); 112-unit multifamily-deeply affordable development home to 420 people, set aside turnover unit for families transitioning out of temporary housing
- Housing policies that support the creation and preservation of affordable housing (20% set aside in the annual Residential Development Control System competition, and the 8% affordable benchmark for projects)

Homeless Access Points



Type of Housing/Service Needed



Case Manager



COUNTY COORDINATED ASSESSMENT & CONFIDENTIAL REFERRAL PROCESS

FURTHER DIRECTION/GUIDANCE

- A South County regional housing strategy
- Employ “No Oversized Vehicle Parking” Ordinance to protect commercial industrial zones

CONCLUSION

- Provide initial guidance on enforcement, expansion or modification restrictions related to oversized vehicle parking
- Provide guidance about creating synergy behind a South County regional affordable housing and homeless strategy
- Authorize the City Manager to contract with the County for a proportionate share of 2017, 19, 21 Homeless Census



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, August 23, 2017 5:30 PM

Council Chamber

17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(5:30 P.M. Workshop/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

5:30 P.M.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2

(Deputy City Clerk Wilson)

WORKSHOP

WATER, WASTEWATER AND STORM DRAINS WORKSHOP

Recommendation:

The purpose of this workshop is to review with staff the recently completed Administrative Drafts of the Utilities Master Plan Documents. The workshop will help the Council understand the future build out of the City's water and wastewater systems.

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

Mayor Tate

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PROCLAMATIONS

Proclaiming the week of August 21-27, 2017 as Women's Equality Week

Proclaiming the month of September as Childhood Cancer Awareness Month

RECOGNITIONS

Amy Whelan - Art A La Cart

Morgan Hill Pony Baseball Shetland All Start Team- Norcal World Series Winners

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. LEADERSHIP MORGAN HILL 2017 PUPS IN NEED - MORGAN HILL POLICE DEPARTMENT KENNEL MAKEOVER DONATION

Recommendation:

Adopt resolution accepting a donation from the Leadership Morgan Hill Class of 2017 for the Pups in Need - Morgan Hill Police Department Kennel Makeover Donation.

2. ASSET SEIZURE FUNDS FOR PURCHASE OF IA PRO SOFTWARE AND STOP STICKS

Recommendation:

Adopt resolution for the approval of:

1. Appropriation of \$11,595 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of 23 Stop Stick tire deflation devices and one Stop Stick training device; and
2. Appropriation of \$15,000 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of IA Pro Professional Standards Software and Blue Team Field Support Web applications, one year software support and 5 days of training.

3. ADOPT RESOLUTION APPROVING USE OF GOVERNMENT CRIME INSURANCE POLICY FOR CITY OFFICERS AND EMPLOYEES

Recommendation:

Adopt resolution approving the use of Government Crime Insurance Policy in lieu of bonds for City officers and employees.

4. AWARD HIGHLAND AVENUE SEWER UPGRADE PROJECT

Recommendation:

1. Approve Highland Avenue Sewer Upgrade Project plans and specifications;
2. Award contract to Monterey Peninsula Engineering for the Highland Avenue Sewer Upgrade Project in the amount of \$547,900;
3. Authorize expenditure of construction contingency funds not to exceed \$54,790; and
4. Authorize the City Manager to execute and administer the construction contract with Monterey Peninsula Engineering.

5. DOWNTOWN PARKS ART APPROVAL

Recommendation:

1. Approve art proposal for bronze fox art sculpture by Evelyn Davis;
2. Authorize the City Manager to negotiate, execute, and administer an artist agreement with Evelyn Davis; and
3. Authorize the City Manager to finalize exact location of the sculpture within the Downtown Creek Park.

6. COMMUNITY PLAYHOUSE LICENSE AGREEMENT WITH SOUTH VALLEY CIVIC THEATRE

Recommendation:

Authorize the City Manager to execute and administer license agreement through December 2020 with South Valley Civic Theatre.

7. **FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406**

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvement Agreement with Presidio Van Daele Watsonville 37, LLC;
3. Authorize the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorize the recordation of the Final Map, Subdivision Improvement Agreement, and the Stormwater BMP Operation and Maintenance Agreement.

8. **CITY SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES PUBLIC SAFETY RESOLUTIONS**

Recommendation:

1. Authorize the City's voting delegate(s) to vote on the two public safety resolutions to be considered at the League of California Cities (LOCC) annual conference; and
2. Direct staff to participate in advocacy efforts related to the two public safety resolutions: 1) Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws and 2) Local Control for Emergency Medical Response.

9. **APPROVE THE JULY 19, 2017 MEETING MINUTES**

Recommendation:

Approve Minutes.

10. **APPROVE THE JULY 26, 2017 MEETING MINUTES**

Recommendation:

Approve Minutes.

11. **APPROVE THE JULY 31, 2017 MEETING MINUTES**

Recommendation:

Approve Minutes.

12. **APPROVE THE AUGUST 16, 2017 MEETING MINUTES**

Recommendation:

Approve Minutes.

PUBLIC HEARING

13. CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

Recommendation:

1. Review and discuss draft maps and election sequencing;
2. Open/close the public hearing;
3. Waive the first and second reading of the ordinance; and
4. Introduce ordinance selecting the preferred district map and setting the election sequencing.

Estimated Time: 75 Minutes

14. ELECTRIC VEHICLE CHARGING STATION ORDINANCE

Recommendation:

1. Open/close public hearing;
2. Waive the first and second reading of the ordinance; and
3. Introduce the ordinance.

Estimated Time: 5 Minutes

15. CERTIFY ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT AND ADOPT HALE AVENUE PLAN LINE

Recommendation:

1. Open/close public hearing;
2. Adopt resolution certifying that the Final Environmental Impact Report (EIR) for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project (Project) is found to be complete, correct, and in substantial compliance with the requirements of the California Environmental Quality Act (CEQA), which includes adopting the Mitigation and Monitoring Program (MMRP) for the Project; and
3. Adopt resolution approving an Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project.

Estimated Time: 10 Minutes

16. PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)

Recommendation:

1. Open/Close Public Hearing; and
2. Adopt resolution confirming the amended reassessments and directing actions with respect thereto Reassessment District No. 2015-2.

Estimated Time: 5 Minutes

OTHER BUSINESS

17. BOYS AND GIRLS CLUB OF SILICON VALLEY AND THE HEALTHIER KIDS FOUNDATION ANNUAL REPORTS

Recommendation:

Receive annual reports from the Boys and Girls Club of Silicon Valley and the Healthier Kids Foundation.

Estimated Time: 10 Minutes

18. ANIMAL SHELTER ASSESSMENT

Recommendation:

1. Receive report, and
2. Continue contributing \$11,000 for housing and sheltering of cats at the San Martin Animal Shelter and \$5,000 for the County's spay and neuter program as included in the FY 17/18 budget.

Estimated Time: 30 Minutes

19. REPORT ON HOMELESSNESS AND AUTHORIZATION OF AGREEMENT WITH COUNTY OF SANTA CLARA TO CONDUCT THE HOMELESS CENSUS REPORTS.

Recommendation:

1. Authorize the City Manager to enter into a three-year agreement between the City of Morgan Hill and the County of Santa Clara retroactively reimbursing Morgan Hill's share of the cost for conducting the 2017 biennial Homeless Census and Survey and prospectively funding the 2019 and 2021 survey for a maximum amount not to exceed \$8,638;
2. Accept the County's 2017 Santa Clara County Homeless Census and Survey Report; and
3. Review and discuss several strategies for addressing homelessness, related community impact issues and enforcement and provide direction.

Estimated Time: 60 Minutes

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

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

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: August 23, 2017

PREPARED BY: Karl Bjarke, Public Works Director

APPROVED BY: City Manager

WATER, WASTEWATER AND STORM DRAINS WORKSHOP

RECOMMENDATION(S)

The purpose of this workshop is to review with staff the recently completed Administrative Drafts of the Utilities Master Plan Documents. The workshop will help the Council understand the future build out of the City's water and wastewater systems.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the environment

Maintaining fiscal responsibility

Preserving and cultivating a public trust

Infrastructure

Regional Initiatives

LINKS/ATTACHMENTS:

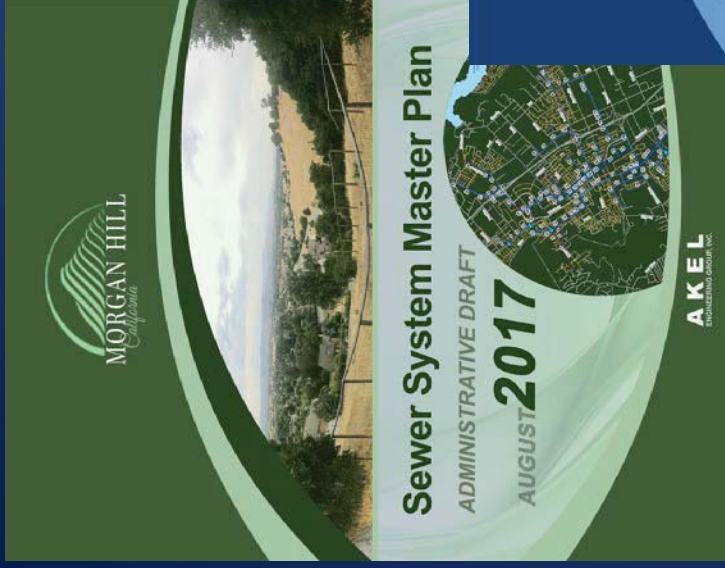
1. Workshop Presentation
2. Water System Master Plan 2017 (weblink)
3. Sewer System Master Plan 2017 (weblink)

City Council Workshop

2017

Infrastructure Master Plans

August 23, 2017



Introduction

- Master Plans previously completed in 2002
- Update to the Master Planning process
- Meet new regulatory requirements
- Quantify and prioritize system needs
 - New and Existing
- Master Plans become Guiding Document
 - A Business Plan
 - Capital Improvement Planning and Budgeting
 - Meets Assembly Bill AB1600

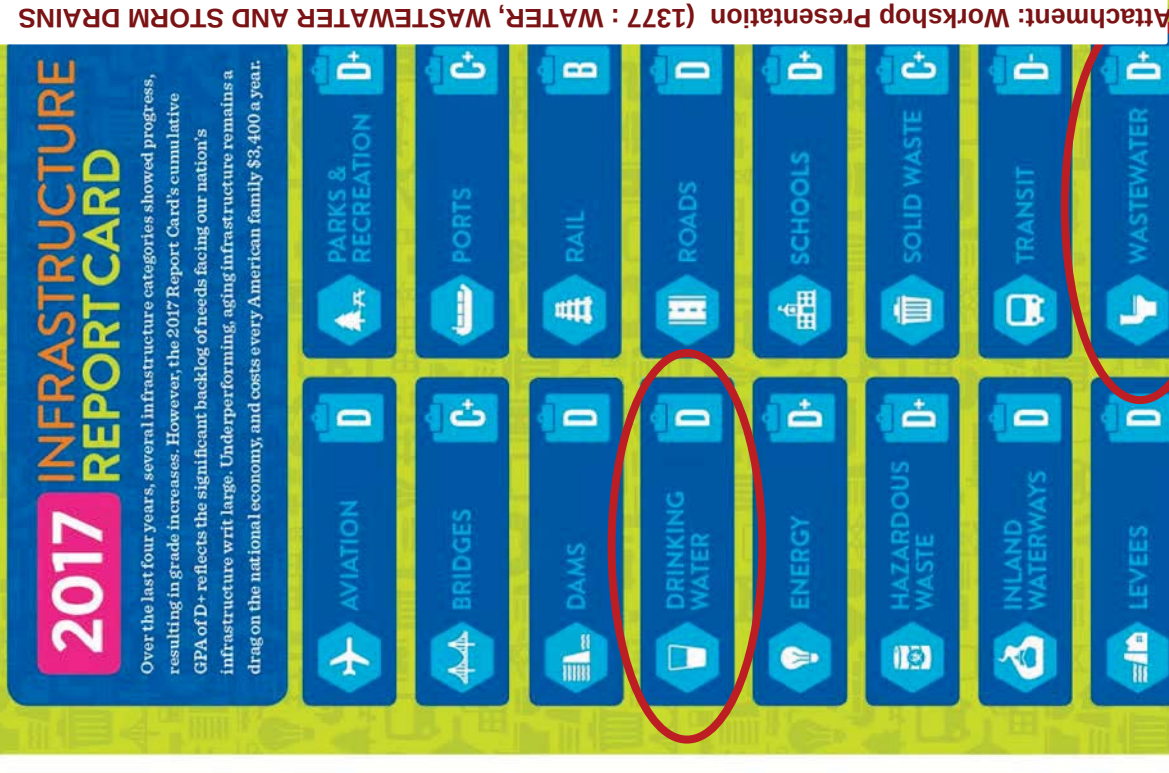
Workshop Goals

- Introduce Master Plans for:
 - Water Infrastructure
 - Sewer Infrastructure
- Brief Discussion on Methodology
- Existing Infrastructure
- Future Capacity Needs
- Repair and Replacements Needs
- Capital Improvements Costs

2017 ASCE REPORT CARD SUMMARY

- Existing infrastructure is aging (failure rates increasing)
- Failures have adverse consequences:
 - Customer service interruptions
 - Costly Repairs
- Replacing infrastructure should be considered in Master Planning efforts

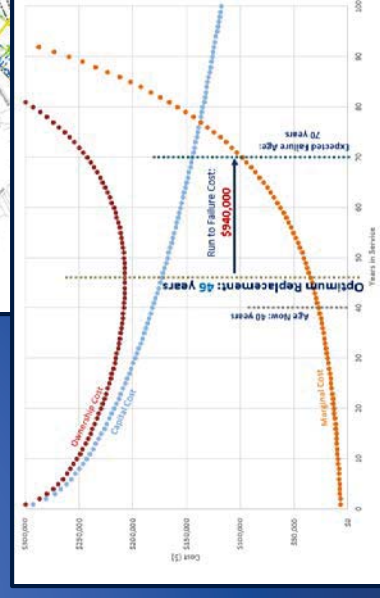
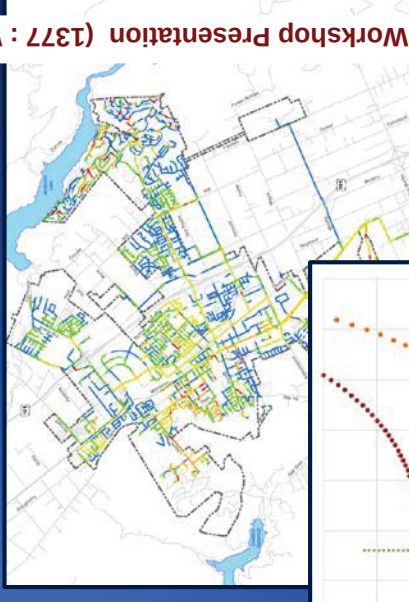
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Renewal and Replacement Plan Benefits

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- Move from reactive to proactive: replace infrastructure at the right time
- Justify annual financial investments
- Maintain consistent level of service
- Reduce infrastructure life cycle costs



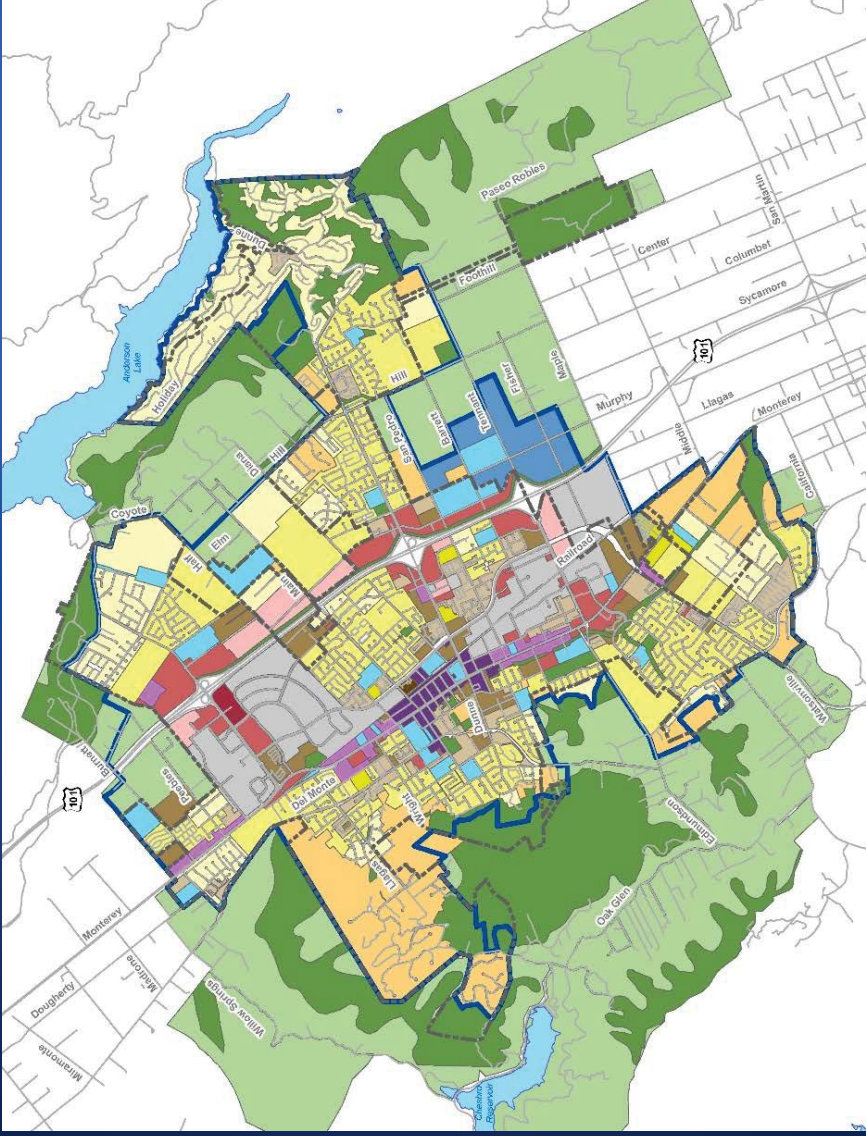
Attachment: Workshop Presentation (1377 : WATER, WASTEWATER AND STORM DRAINS

Master Plans Methodology

- Identify improvements to service growth in Morgan Hill 2035 General Plan
- Develop flows and demands
- Calibrate the hydraulic models
- Evaluate existing system capacities
- Recommend improvements to mitigate existing deficiencies
- Identify Rehabilitation and Replacement needs
- Develop Capital Improvement Program

Future System: Morgan Hill 2035 General Plan

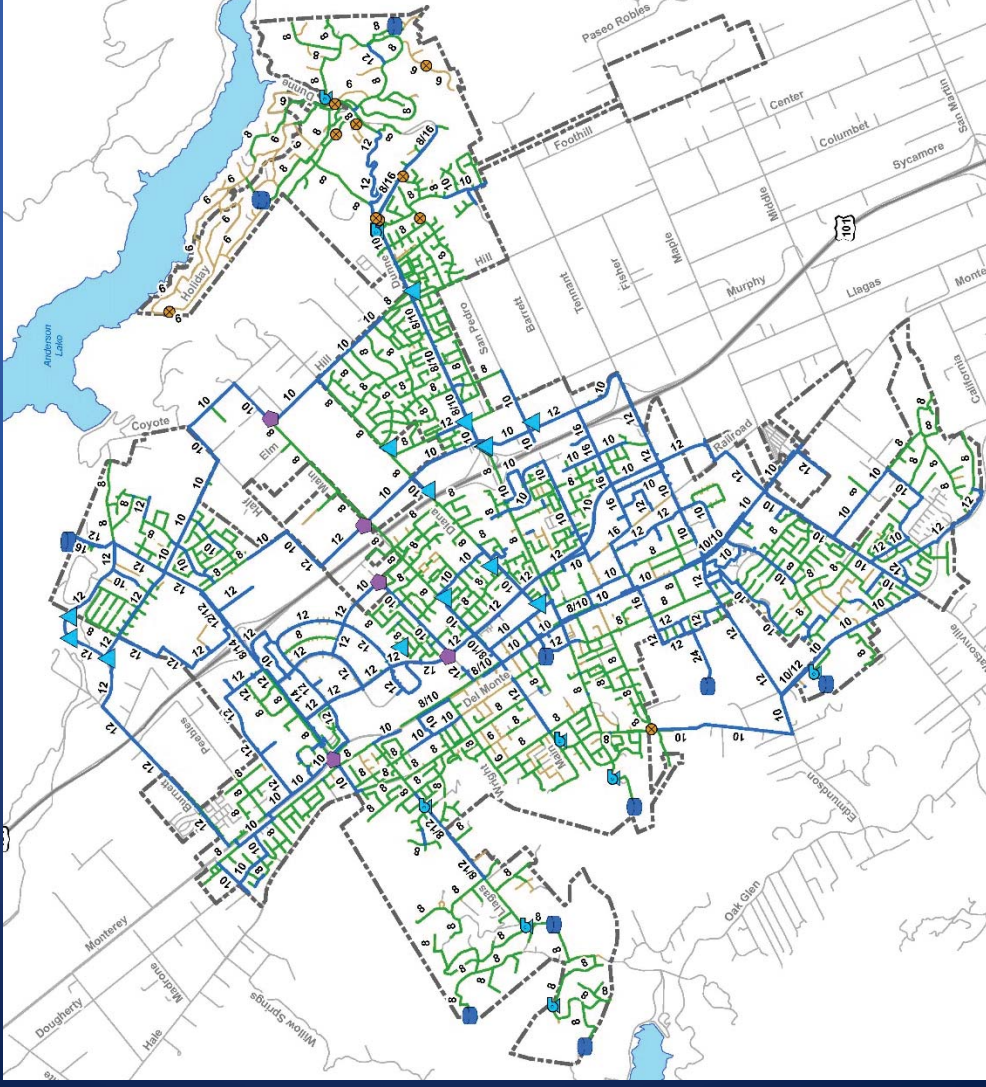
- Newly Adopted 2035 General Plan Land Use
- Updated Population Projections



WATER MASTER PLAN

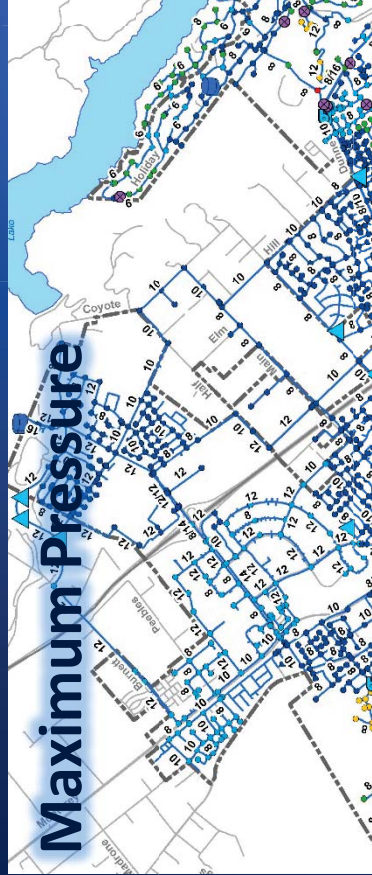
Existing Water System

- 191 miles of Pipeline
- 14 Wells
- 10 Booster Stations
- 12 Storage Reservoirs

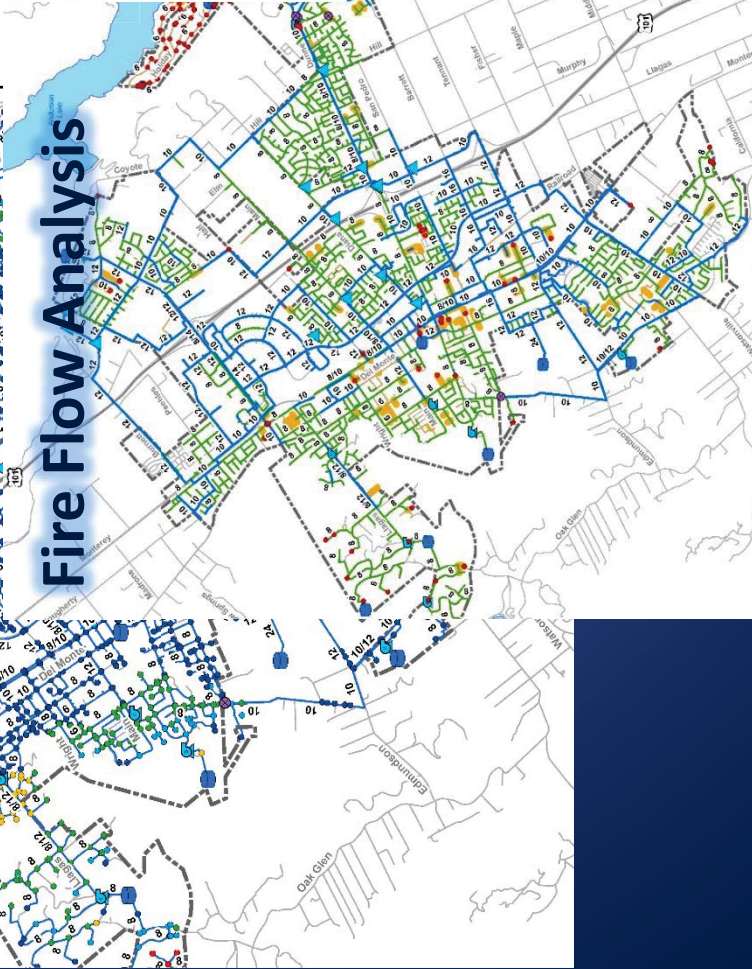


Existing System Evaluations

Maximum Pressure



Fire Flow Analysis



Supply Capacity				
	Year		2035	
	(MGD)	(MGD)	(MGD)	(MGD)
Projected Demands - Population Method				
Projected Population	42,382	48,000	51,400	58,200
Average Day Demands	7.6	7.6	8.2	9.3
Maximum Day Demands	15.2	15.3	16.3	18.5
Peak Hour Demands	22.8	22.9	24.5	27.8
Projected Demands - Land Use Method				
Average Day Demands	6.0	6.9	7.7	9.4
Maximum Day Demands	12.0	13.7	15.4	18.8
Peak Hour Demands	18.0	20.6	23.1	28.2
Supply vs. Demand Analysis				

Rehabilitation and Replacement

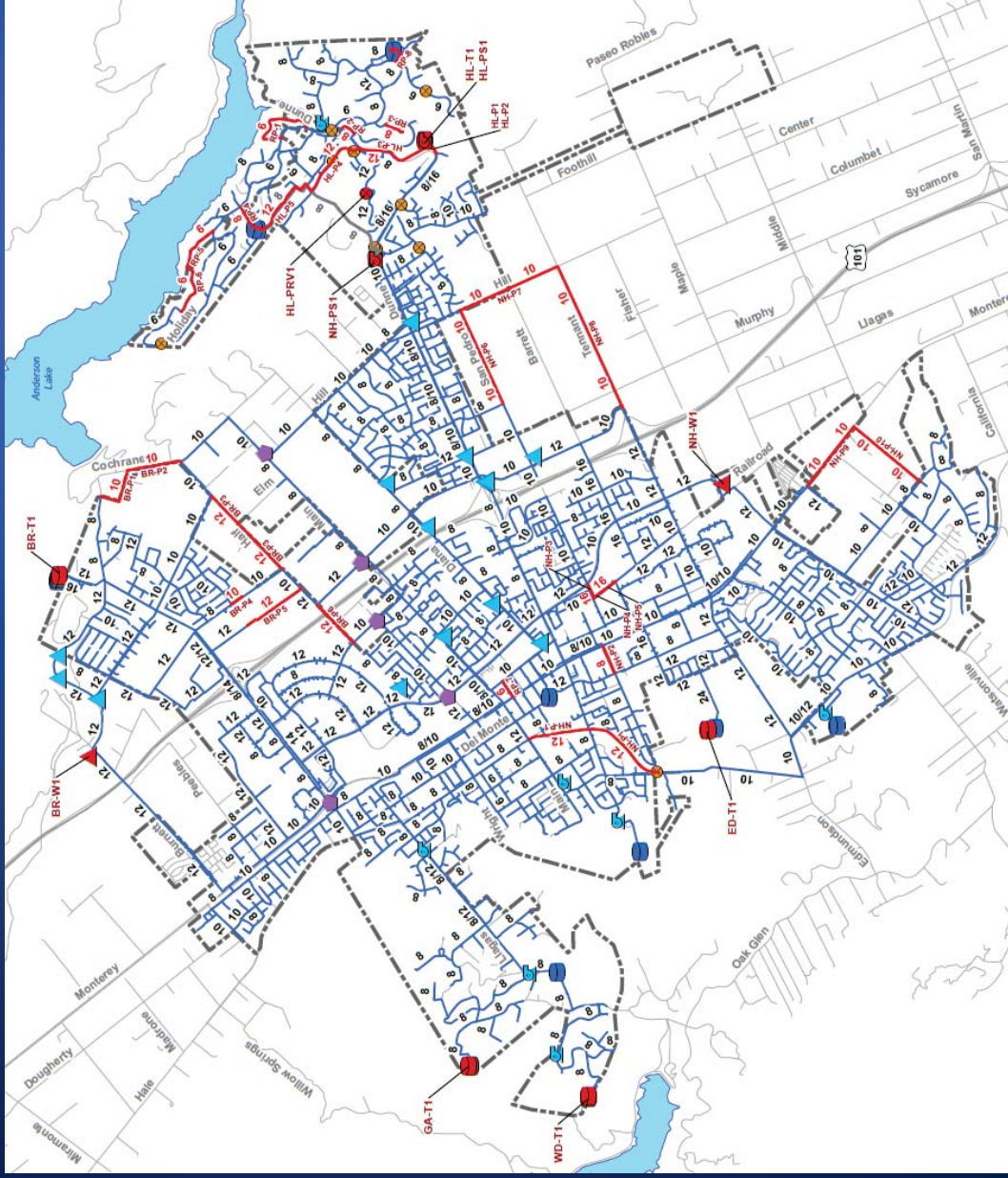
Item	Existing	Rehabilitation	Replacement
RP-1	Holiday Lake	Shady Ln	From Holiday Dr to Holiday Dr
RP-2	Jackson Oaks	Hill Top Ct	From Jackson Oaks Dr to approx 550' rd/o
RP-3	Jackson Oaks	Oak View Ct	From Jackson Oaks Dr to approx 700' s/o
RP-4	Holiday Lake	Holiday Tank Site	From Holiday Lake Tanks to Manzanita Dr
RP-5	Holiday Lake	Manzanita Dr	From Holiday Dr to end of Manzanita Dr
RP-6	Holiday Lake	Raccoon Ct	From Holiday Ct to end of Manzanita Dr
RP-7	Nob Hill	First St	From Monterey Rd to Depot St

Storage Capacity

Storage Capacity									
Central Zones (Nob Hill and Boys Ranch Pressure Zones)									
Area not shown	4.39	8.77	4.39	8.77	2.19	4.39	2.19	7.58	7.58
Area shown	8.78	17.56	8.78	17.56	4.39	8.78	4.39	13.17	13.17
Subtotal	13.17	26.35	13.17	26.35	6.58	13.17	6.58	20.75	20.75
West Side Pressure Zones									
Lighter Zone	0.12	0.24	0.12	0.24	0.12	0.24	0.12	0.24	0.24
Medium Zone	0.12	0.24	0.12	0.24	0.12	0.24	0.12	0.24	0.24
Heavier Zone	0.12	0.24	0.12	0.24	0.12	0.24	0.12	0.24	0.24
Area not shown	0.12	0.24	0.12	0.24	0.12	0.24	0.12	0.24	0.24
Area shown	0.12	0.24	0.12	0.24	0.12	0.24	0.12	0.24	0.24
Subtotal	0.24	0.48	0.24	0.48	0.24	0.48	0.24	0.48	0.48
East Side Pressure Zones									
Area not shown	0.12	0.24	0.12	0.24	0.12	0.24	0.12	0.24	0.24
Area shown	0.12	0.24	0.12	0.24	0.12	0.24	0.12	0.24	0.24
Subtotal	0.24	0.48	0.24	0.48	0.24	0.48	0.24	0.48	0.48
AKEL	5.98	11.96	5.98	11.96	5.98	11.96	5.98	11.96	11.96

Capital Improvements

- Existing and Future
- Itemized for a Near-Term and GP Horizon
- Consistent with General Plan
- Consistent with UWMP
- Meets AB1600



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[illegible][illegible]

1. BUILDING CODES 2005 & 2006, BY THE AMERICAN INSTITUTE OF ARCHITECTS
2. FOR MORE INFORMATION, VISIT www.aia.org OR CONTACT AIA AT 1-800-368-5848

Downloaded from <https://www.cambridge.org/core>. University of Cambridge, on 01 Jun 2018 at 11:01:00, subject to the Cambridge Core terms of use, available at <https://www.cambridge.org/core/terms>. <https://doi.org/10.1017/9781315326478.007>

Total Cost: \$48.4 million

Existing Users: \$16.8 million

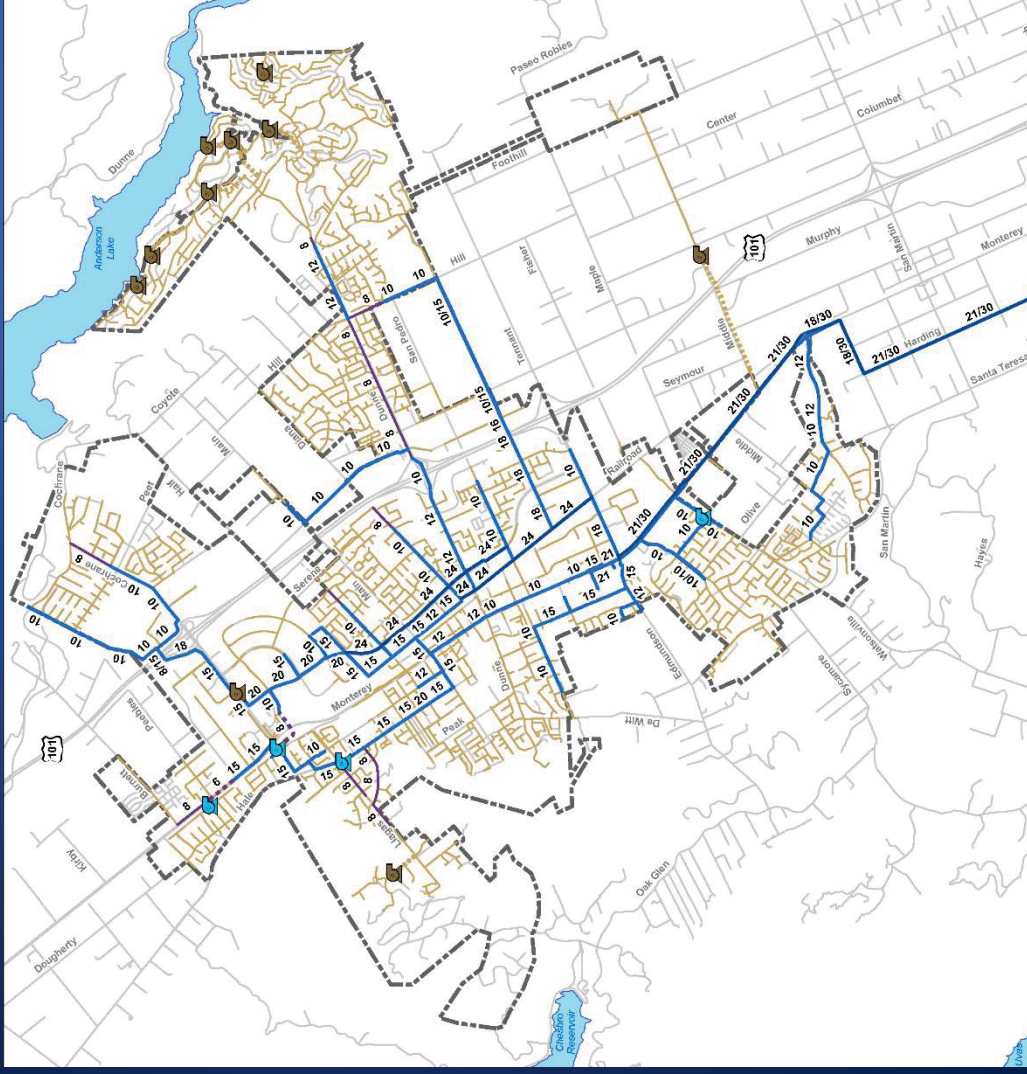
Future Users: \$31.6 million

Packet Pg. 22

SEWER MASTER PLAN

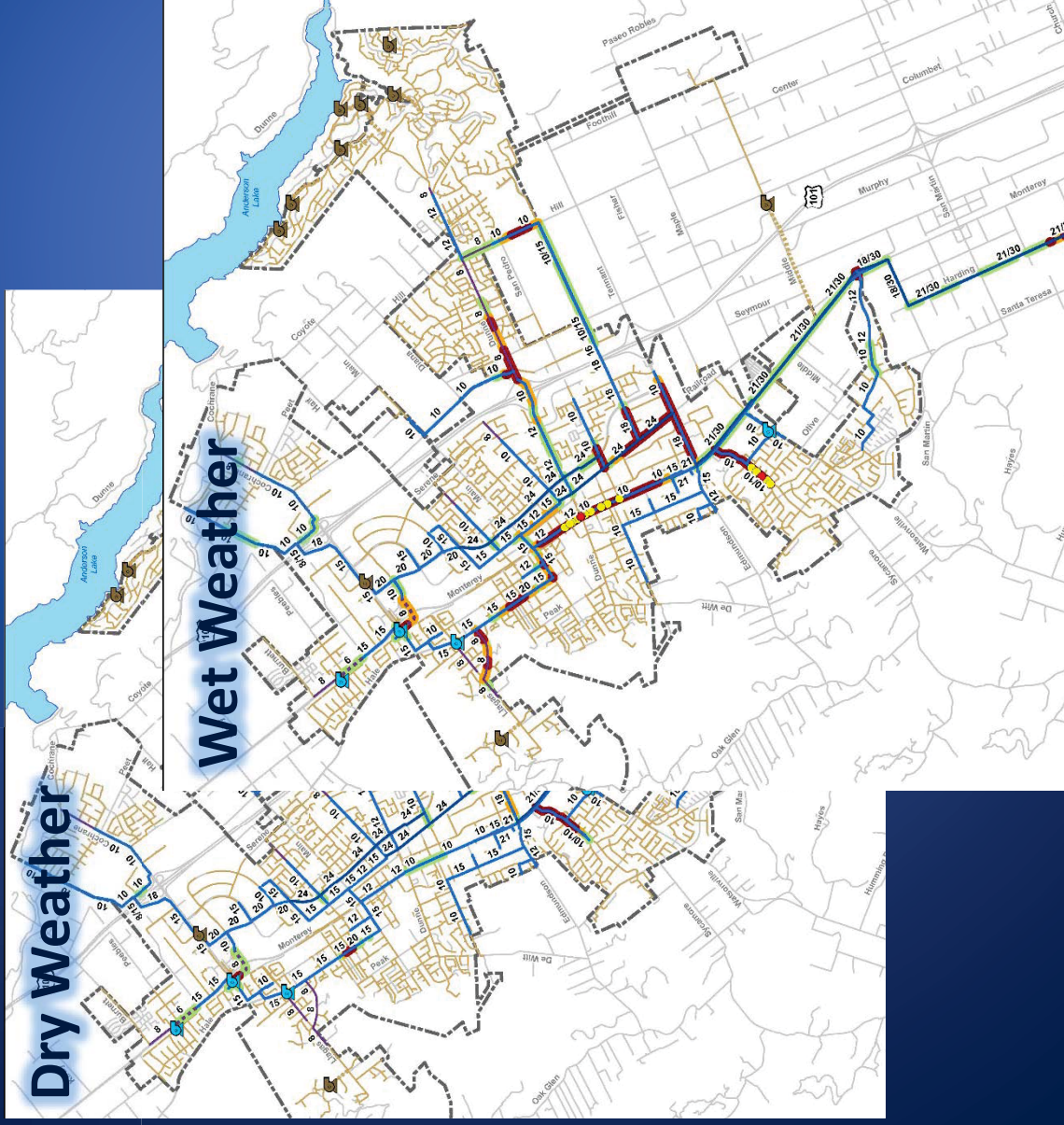
Existing Sewer System

- Collection System: Approx. 160 miles
- Trunk System: Approx. 16 miles
- 14 Lift Stations
- 2.9 miles of Force Main
- SCRWA Treatment Plant



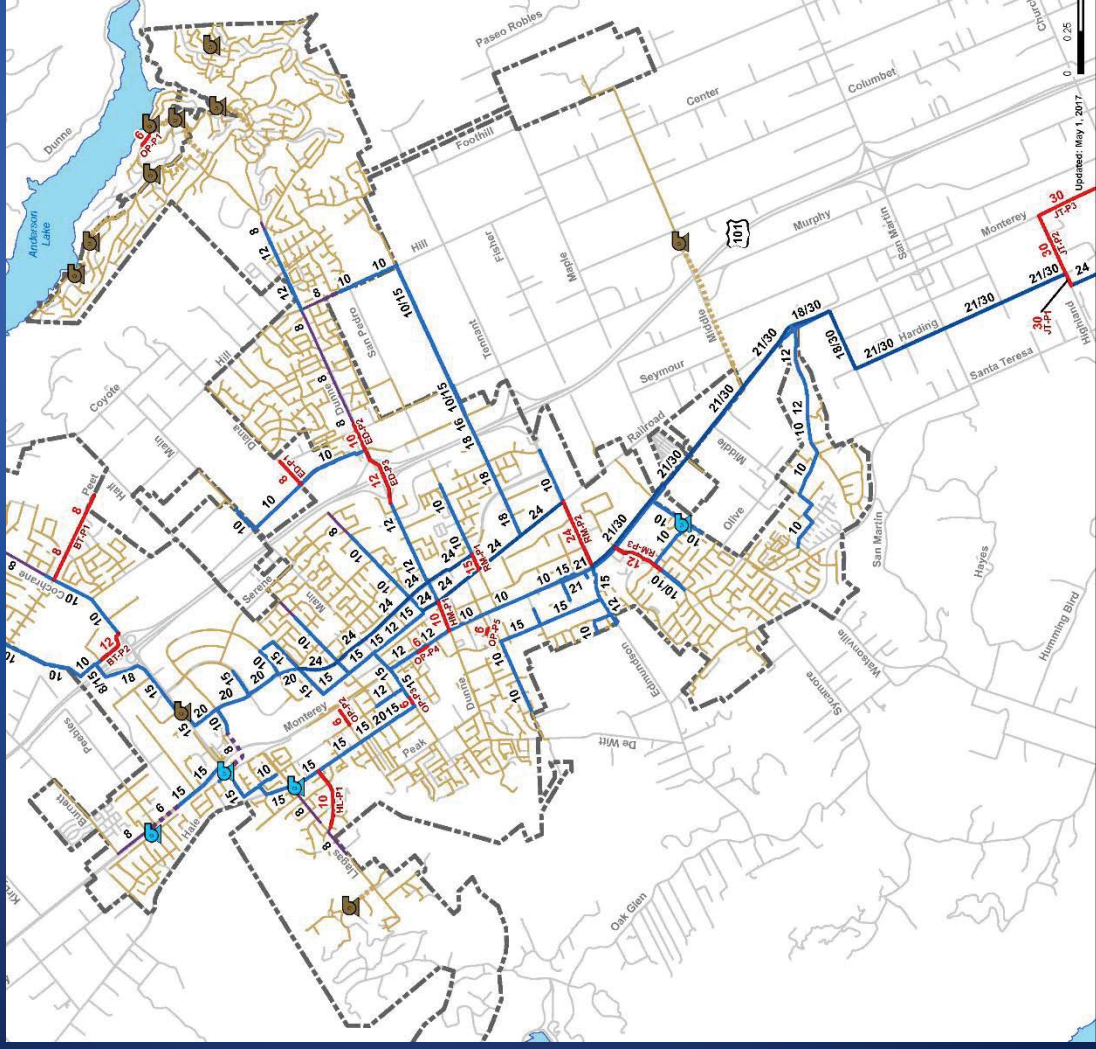
Existing System Evaluations

- Dry Weather flow evaluation
- Wet Weather flow evaluation
- Document deficiencies



Capacity Improvements

- Existing and Future
- Itemized for a Near-Term and GP Horizon
- Consistent with General Plan
- Meets AB1600



Condition Assessment

Major Structural Defects

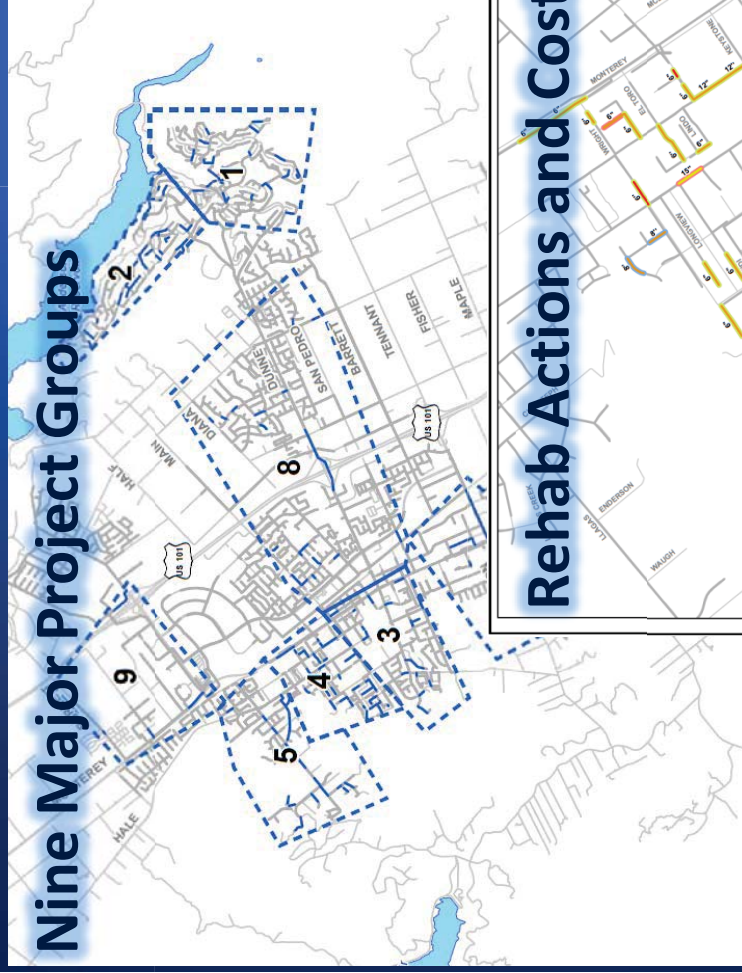
- Major Structural Defects
- Points of Infiltration

Infiltration and Inflow Defects

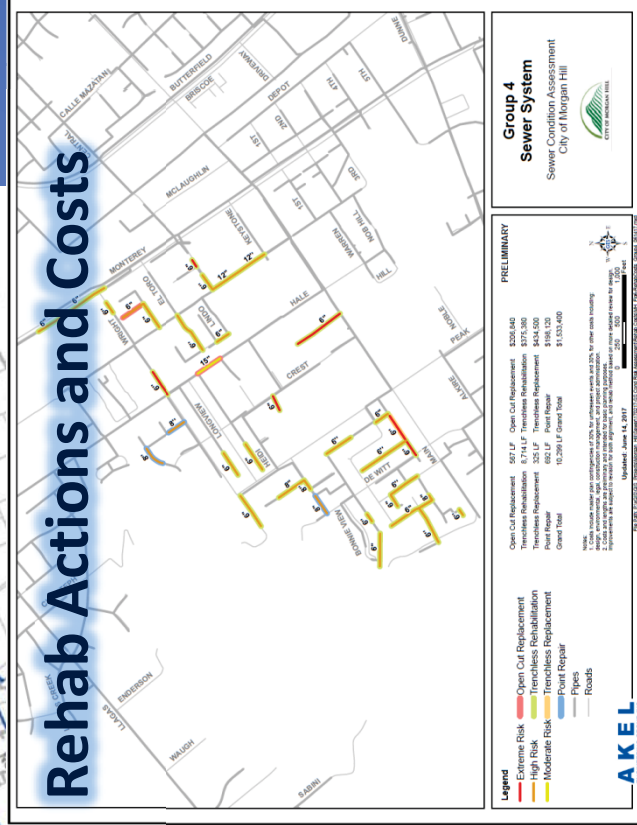
Rehabilitation and Replacement Improvements

- Replace Aging Infrastructure
- 246 unique rehabilitations

Nine Major Project Groups



Rehab Actions and Costs



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Attachment: Workshop Presentation (1377 : WATER, WASTEWATER AND STORM DRAINS

	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605	1604	1603	1602	1601	1600	1599	1598	1597	1596	1595	1594	1593	1592	1591	1590	1589	1588	1587	1586	1585	1584	1583	1582	1581	1580	1579	1578	1577	1576	1575	1574	1573	1572	1571	1570	1569	1568	1567	1566	1565	1564	1563	1562	1561	1560	1559	1558	1557	1556	1555	1554	1553	1552	1551	1550	1549	1548	1547	1546	1545	1544	1543	1542	1541	1540	1539	1538	1537	1536	1535	1534	1533	1532	1531	1530	1529	1528	1527	1526	1525	1524	1523	1522	1521	1520	1519	1518	1517	1516	1515	1514	1513	1512	1511	1510	1509	1508	1507	1506	1505	1504	1503	1502	1501	1500	1499	1498	1497	1496	1495	1494	1493	1492	1491	1490	1489	1488	1487	1486	1485	1484	1483	1482	1481	1480	1479	1478	1477	1476	1475	1474	1473	1472	1471	1470	1469	1468	1467	1466	1465	1464	1463	1462	1461	1460	1459	1458	1457	1456	1455	1454	1453	1452	1451	1450	1449	1448	1447	1446	1445	1444	1443	1442	1441	1440	1439	1438	1437	1436	1435	1434	1433	1432	1431	1430	1429	1428	1427	1426	1425	1424	1423	1422	1421	1420	1419	1418	1417	1416	1415	1414	1413	1412	1411	1410	1409	1408	1407	1406	1405	1404	1403	1402	1401	1400	1399	1398	1397	1396	1395	1394	1393	1392	1391	1390	1389	1388	1387	1386	1385	1384	1383	1382	1381	1380	1379	1378	1377	1376	1375	1374	1373	1372	1371	1370	1369	1368	1367	1366	1365	1364	1363	1362	1361	1360	1359	1358	1357	1356	1355	1354	1353	1352	1351	1350	1349	1348	1347	1346	1345	1344	1343	1342	1341	1340	1339	1338	1337	1336	1335	1334	1333	1332	1331	1330	1329	1328	1327	1326	1325	1324	1323	1322	1321	1320	1319	1318	1317	1316	1315	1314	1313	1312	1311	1310	1309	1308	1307	1306	1305	1304	1303	1302	1301	1300	1299	1298	1297	1296	1295	1294	1293	1292	1291	1290	1289	1288	1287	1286	1285	1284	1283	1282	1281	1280	1279	1278	1277	1276	1275	1274	1273	1272	1271	1270	1269	1268	1267	1266	1265	1264	1263	1262	1261	1260	1259	1258	1257	1256	1255	1254	1253	1252	1251	1250	1249	1248	1247	1246	1245	1244	1243	1242	1241	1240	1239	1238	1237	1236	1235	1234	1233	1232	1231	1230	1229	1228	1227	1226	1225	1224	1223	1222	1221	1220	1219	1218	1217	1216	1215	1214	1213	1212	1211	1210	1209	1208	1207	1206	1205	1204	1203	1202	1201	1200	1199	1198	1197	1196	1195	1194	1193	1192	1191	1190	1189	1188	1187	1186	1185	1184	1183	1182	1181	1180	1179	1178	1177	1176	1175	1174	1173	1172	1171	1170	1169	1168	1167	1166	1165	1164	1163	1162	1161	1160	1159	1158	1157	1156	1155	1154	1153	1152	1151	1150	1149	1148	1147	1146	1145	1144	1143	1142	1141	1140	1139	1138	1137	1136	1135	1134	1133	1132	1131	1130	1129	1128	1127	1126	1125	1124	1123	1122	1121	1120	1119	1118	1117	1116	1115	1114	1113	1112	1111	1110	1109	1108	1107	1106	1105	1104	1103	1102	1101	1100	1099	1098	1097	1096	1095	1094	1093	1092	1091	1090	1089	1088	1087	1086	1085	1084	1083	1082	1081	1080	1079	1078	1077	1076	1075	1074	1073	1072	1071	1070	1069	1068	1067	1066	1065	1064	1063	1062	1061	1060	1059	1058	1057	1056	1055	1054	1053	1052	1051	1050	1049	1048	1047	1046	1045	1044	1043	1042	1041	1040	1039	1038	1037	1036	1035	1034	1033	1032	1031	1030	1029	1028	1027	1026	1025	1024	1023	1022	1021	1020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Public Input & Questions

Next Steps

- Bring Master Plans forward for formal approval and adoption
- Initiate Impact Fee Studies
- Continue to evaluate new development standards to reduce water use and waste flow
- As necessary, update fees to account for efficiencies
- Update CIP to reflect Master Plan goals
- Increase frequency of Master Plan updates



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: John Lang, Economic Development Coordinator
APPROVED BY: City Manager

LEADERSHIP MORGAN HILL 2017 PUPS IN NEED - MORGAN HILL POLICE DEPARTMENT KENNEL MAKEOVER DONATION

RECOMMENDATION(S)

Adopt resolution accepting a donation from the Leadership Morgan Hill Class of 2017 for the Pups in Need - Morgan Hill Police Department Kennel Makeover Donation.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

During the past 20 years, every Leadership Morgan Hill class has developed and implemented a hands-on community project that takes place over the duration of the 9-month program. For this year's project, the class chose to improve the six kennel Morgan Hill Police Department's Animal Impound Facility with additional amenities providing greater comfort for impounded canines. The name of the project is "Pups in Need - Morgan Hill Police Department Kennel Makeover." The Leadership Morgan Hill Board of Directors approved the proposed class project at its board meeting on April 3, 2017. The City Council approved the proposed class project at its April 19, 2017 meeting.

The Leadership Morgan Hill class held fundraising events and promotional activities with a goal to raise \$7,000 to purchase and install new chew proof beds, self-warming and cooling pads, new food and water bowls, garden hoses with nozzles, new dog houses and kennels, and upgrade the storage area. The Leadership Morgan Hill class met its fundraising goals from donations from the community. The Leadership Morgan Hill class is now able to purchase the materials and fixtures for the kennel facility.

In accordance with the City of Morgan Hill's Administrative policies and procedures V009, Donation Policy, it is recommended that the City Council approve a resolution to accept the donation of cash, materials, and fixtures from the Leadership Morgan Hill Class of 2017 to the Morgan Hill Police Department Animal Impound Facility totaling \$7,000.

The financial breakdown of the donation:

- \$2,000 to be a special deposit for future facility needs of the Morgan Hill Police Department Kennel
- \$5,000 in materials and fixtures to be installed in the facility

COMMUNITY ENGAGEMENT: Involve

In addition to improving the Animal Impound Facility, the class project also involved raising awareness within the pet community of the importance of microchipping and other healthy programs for pets in Morgan Hill.

ALTERNATIVE ACTIONS:

None

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

City Council approved the concept for the Pups in Need - Morgan Hill Police Department Kennel Makeover at its meeting on April 19, 2017.

FISCAL AND RESOURCE IMPACT:

The materials and fixtures cost \$5,000 and fundraising efforts specific to this project were undertaken by the Leadership Morgan Hill 2017 class. In addition, \$2,000 from the fundraising will be on deposit for future facility needs of the Morgan Hill Police Department Kennel.

CEQA (California Environmental Quality Act):

Categorically Exempt: As a minor alteration of an existing facility, this project is categorically exempt from CEQA. CEQA Guideline §15301.

LINKS/ATTACHMENTS:

1. Resolution to Accept Donation for Animal Impound Facility

RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL ACCEPTING A DONATION FROM LEADERSHIP MORGAN HILL OF CASH, NEW MATERIALS, AND FIXTURES TO BE INSTALLED AT THE MORGAN HILL POLICE DEPARTMENT ANIMAL IMPOUND FACILITY**

WHEREAS, Leadership Morgan Hill is a not for profit organization dedicated to training and developing future leaders to community service; and

WHEREAS, Leadership Morgan Hill Class of 2017 worked to raise funds for the purchase of materials and fixtures to provide additional comfort and well-being to animals detained in the facility; and

WHEREAS, Leadership Morgan Hill Class of 2017 has raised sufficient funds for the purchase of fixtures and materials for the animal impound facility; and

WHEREAS, Leadership Morgan Hill wishes to donate the materials and fixtures to the City of Morgan Hill to enhance the animal impound facility; and

WHEREAS the City wishes to accept the donation from Leadership Morgan Hill for this project.

THEREFORE, BE IT RESOLVED by the City Council of the City of Morgan Hill that:

Section 1. The recitals, findings and determinations set forth above are true and correct and are incorporated by reference herein.

Section 2. The City Council hereby accepts the donation of cash, materials, and fixtures for animal impound facility valued at \$7,000 from Leadership Morgan Hill.

Section 3. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this resolution is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution and each section, subsection, subdivision, sentence, clause, phrase, word or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivision, sentences, clauses, phrases, words, or portions thereof be declared invalid.

Section 4. This Resolution shall become effective immediately upon adoption.

City of Morgan Hill
Resolution No.
Page 2 of 2

PASSED AND ADOPTED by the City Council of Morgan Hill at the meeting held on this 23rd day of August 2017 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, MAYOR

∞ 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.XXX X, adopted by the City Council at the meeting held on August 23, 2017.

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

DATE: _____

Irma Torrez, CITY CLERK



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Jerry Neumayer, Police Captain
APPROVED BY: City Manager

ASSET SEIZURE FUNDS FOR PURCHASE OF IA PRO SOFTWARE AND STOP STICKS

RECOMMENDATION(S)

Adopt resolution for the approval of:

1. Appropriation of \$11,595 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of 23 Stop Stick tire deflation devices and one Stop Stick training device; and
2. Appropriation of \$15,000 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of IA Pro Professional Standards Software and Blue Team Field Support Web applications, one year software support and 5 days of training.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

Maintaining Fiscal Responsibility

REPORT NARRATIVE:

The City maintains an Asset Seizure and Forfeiture (ASF) fund for cash seized that has been deemed proceeds from a crime or cash used to facilitate a crime. The forfeiture of the funds occurs after judicial review and finding. The Police Department is a participating law enforcement agency eligible to receive ASF funds from the US Department of Justice, State of California, and County of Santa Clara. The purpose of ASF funds is to remove the proceeds of a crime or other asset relied upon by criminals and their associates to further criminal activity. ASF occurs when cash and other assets are confiscated by the court and then allocated among law enforcement agencies responsible for the arrest and conviction of criminals associated with seized proceeds. The funds are then used by law enforcement agencies to enhance public safety and security. Permissible uses of ASF funds include the purchase of equipment and supplies to increase public safety and assist in investigations.

The current fund balance in the ASF Fund is \$136,000. The Police Department recommends the purchase of equipment and software that will enhance the safety of our officers and community and increase trust and confidence in the Police Department.

By purchasing the Stop Sticks, our officers will have an additional resource in attempting to stop vehicle pursuits. Currently the only resource that our officers have in

stopping a vehicle pursuit is the ability to PIT (Pursuit Intervention Technique). Only the marked patrol vehicles equipped with PIT bars are approved to implement this technique. Currently, there are 17 vehicles in our fleet approved to implement this procedure. Unmarked vehicles are not authorized to conduct this maneuver. Having 23 department vehicles (patrol and unmarked) equipped with Stop Sticks, even those without PIT bars, will allow officers to assist in attempting to stop a pursuit in a safer manner and limiting the chances of further damage to public property or worse, injury or death to a member of the public and department members. The Police Department is requesting 23 Stop Sticks to equip all marked and unmarked police vehicles.

In 2016 the Center for Public Safety Management (CPSM) assessed the Police Department staffing and operations. They provided 39 recommendations to improve the operations of our department. One of CPSM's recommendations was for MHPD to create a Professions and Standards unit. The new unit would be responsible for internal affairs, training, employment services/personnel, policy development, and use of force review. While the Department will not establish the unit now, we are taking steps to lay the foundation by implementing several CPSM's recommendations; including the purchase of a reliable and user friendly administrative investigation and tracking system to provide a risk management tool to aid in the early identification of officers with a higher than average incidences of certain behaviors. Currently our department uses LE Administrative Suite, to document citizen and internally generated complaints; in addition to LE Administrative Suite, we use a combination of Microsoft Word and Microsoft Excel to document and track our internal investigations and use of force incidents. CPSM also reviewed our Use of Force policy and procedures and recommended a computer program that would track all Use of Force and Pursuits with an early warning system. The IAPro software accomplishes each of the recommendations by tracking all complaints, use of force incidents, and vehicle pursuits.

IAPro has the following platforms:

- IAPro –
 - o Early identification and intervention for use of force incidents and vehicle pursuits.
 - o Case management for caseloads with automatic timers reminding supervisors of time sensitive cases.
 - o Allows many files to be attached such as MS Word, video, audio, Acrobat, and digital images.
 - o Broad range of statistical reports and charts are provided which include aggregate, trends, exception, and comparative formats.
 - o Access and security controls for use of program.
- BlueTeam –
 - o Manages incidents of use of force, field level discipline, complaints, vehicle collisions, and pursuits.
 - o Early intervention dashboard for supervisors
- EIPRO – An early intervention platform to be used by front-line supervisory, command and analytical staff.

COMMUNITY ENGAGEMENT: Inform

This staff report serves to inform the community of the department's intention to purchase and implement the IAPro software system and Stop Sticks tire deflation devices for pursuit intervention.

ALTERNATIVE ACTIONS:

If it is decided not to use Asset Forfeiture funds to purchase IA Pro Software, the City could do the following:

1. Continue using LE Administrative Suite program, Microsoft Word, and Excel to document and track citizen complaints, internal affairs investigations, and incidents of use of force.
2. Use resources from the General Fund to purchase requested items.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None

FISCAL AND RESOURCE IMPACT:

Staff recommends the appropriation of \$26,595 from the Asset Seizure and Forfeiture un-appropriated fund balance (Fund 225) to include:

- \$13,000 initial fee that includes IA Pro software and on-site training
- \$2,000 initial annual fee for maintenance
- \$11,595 for 23 Stop Sticks kits and 1 training kit

A Budget Scorecard is included as Attachment B.

The annual \$2,000 software maintenance fee for IA Pro will be paid from the Police Department operating budget in future years.

CEQA (California Environmental Quality Act):

Not a Project. Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

LINKS/ATTACHMENTS:

1. IA Software and Spike Sticks Resolution
2. Asset Seizure Fund Budget Scorecard
3. Transfer to General Fund Budget Scorecard

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO THE CITY'S FISCAL YEAR 17-18 BUDGET APPROPRIATING \$26,595.00 FROM THE ASSET SEIZURE AND FORFEITURE FUND TO THE GENERAL FUND FOR THE PURCHASE OF IAPRO SOFTWARE AND SPIKE STICK TIRE DEFLATION DEVICE AND APPROPRIATE \$26,595.00 THEREFOR

WHEREAS, the City of Morgan Hill, 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"), is authorized to enter into contracts and agreements for the benefit of the City; and

WHEREAS, the reasons supporting the purchase described in, and that is the subject of, this Resolution are set forth in detail in that certain City Council Staff Report entitled "Appropriations of Asset Seizure and Forfeiture Funds for the Purchase of IA Pro Software and Stop Stick Tire Deflation Device" submitted for City Council consideration at its meeting of August 23, 2017 submitted to the City Council by the City Manager (the "Staff Report"), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, recommended amendments are needed and proposed to the City's previously adopted Annual Budget for Fiscal Year 17-18, as set forth on Exhibit A to this Resolution, to appropriate the requisite funds to implement the actions authorized by this Resolution; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public meeting at which meeting the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

WHEREAS, the activities allowed under this Resolution do not constitute a project under the provisions of California Environmental Quality Act of 1970; and

WHEREAS, the City Council determines that adoption of this Resolution is in the public interest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Recitals. The City Council does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

- a. That the City is in support of the purchase of IA Pro Software and Spike Stick Tire Deflation Devices to further public safety and security; and
- b. That the City's previously adopted Fiscal Year 17-18 Budget, as the same has been amended to date, is hereby further amended in accordance with and as reflected on Exhibit A attached hereto and incorporated herein by this reference; and
- c. That the City Clerk is hereby authorized and directed to forward a copy of this Resolution to the City's Finance Director, who is hereby authorized and directed to take all actions necessary to implement the terms of this Resolution pertaining to the Fiscal Year 17-18 Budget of the City; and
- d. That the City Manager is hereby delegated authority to and is authorized to take all other ministerial actions that may be necessary or appropriate to implement the provisions of this Resolution.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 23rd day of August 2017 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, MAYOR

∞ **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.XXXX , adopted by the City Council at the meeting held on August 23 , 2017.

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

DATE: _____

Irma Torrez, CITY CLERK

AGENDA BUDGET SCORECARD

FISCAL YEAR 2017-18

ADJUSTMENT #

007

FUND:

225 Asset Seizure Fund

DEPARTMENT:

6800 Asset Seizure

OBJECT:

00000 -

AGENDA DATE:

07/26/17

AGENDA ITEM TITLE:

IA Pro Software and Stop Stick Tire Deflation Device

	07/01/17 PROJECTED BEGINNING FUND BALANCE	ESTIMATED REVENUES	AMENDED APPROPRI- ATIONS	06/30/18 PROJECTED ENDING FUND BALANCE
ORIGINAL BUDGET	136,168	250	-	136,418
CUMULATIVE REVISIONS PRIOR TO RECOMMENDED ACTION	-	-	-	-
RECOMMENDED ACTION	-	-	26,595	(26,595)
RESULT OF RECOMMENDED ACTION	136,168	250	26,595	109,823

AGENDA BUDGET SCORECARD

FISCAL YEAR 2017-18

ADJUSTMENT #

008

FUND:

010 General Fund

DEPARTMENT:

3210 Police-Patrol

OBJECT:

42248 OTHER SUPPLIES

AGENDA DATE:

07/26/17

AGENDA ITEM TITLE:

IA Pro Software and Stop Stick Tire Deflation Device

	07/01/17 PROJECTED BEGINNING FUND BALANCE	ESTIMATED REVENUES	AMENDED APPROPRI- ATIONS	06/30/18 PROJECTED ENDING FUND BALANCE
ORIGINAL BUDGET	15,178,811	37,137,688	39,033,006	13,283,493
CUMULATIVE REVISIONS PRIOR TO RECOMMENDED ACTION	-	-	-	-
RECOMMENDED ACTION	-	26,595	26,595	-
RESULT OF RECOMMENDED ACTION	<u>15,178,811</u>	<u>37,164,283</u>	<u>39,059,601</u>	<u>13,283,493</u>



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Cynthia Hasson, Assistant City Attorney
APPROVED BY: City Manager

ADOPT RESOLUTION APPROVING USE OF GOVERNMENT CRIME INSURANCE POLICY FOR CITY OFFICERS AND EMPLOYEES

RECOMMENDATION(S)

Adopt resolution approving the use of Government Crime Insurance Policy in lieu of bonds for City officers and employees.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

REPORT NARRATIVE:

Section 2.08.030B of the Municipal Code of the City of Morgan Hill requires the City Manager be bonded. Government Code section 36518 requires that the City Clerk and City Treasurer be bonded. Pursuant to Government Code section 1463, the City may use insurance policies in lieu of bonds subject to the approval of the City Council.

The City's current plan with the Association of Bay Area Governments (ABAG) provides for a Governmental Crime Policy to provide coverage for the officers and employees of the City of Morgan Hill rather than individual bonds or master bonds. This is considered a more cost-effective approach to coverage because the insurance provides a higher level of coverage for the City and eliminates the need to purchase one or more individual bonds. The ABAG plan provides for up to \$2 million in coverage for those individuals who are required to be bonded individually, while bonds generally have limits of \$100,000.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community of the insurance covering the City employees and officers.

ALTERNATIVE ACTIONS:

Alternatively, the Council could direct the purchase of individual bonds or a master bond to cover the employees.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

There is no record of previous actions taken.

FISCAL AND RESOURCE IMPACT:

There are no fiscal impacts associated with the Governmental Crime Insurance Policy in lieu of the bonds. Insurance costs are currently budgeted. Insurance provides higher coverage and eliminates the need to purchase bonds, thereby saving the City money.

CEQA (California Environmental Quality Act):

The purchase of insurance is not a project: The organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment are not a project under CEQA.

LINKS/ATTACHMENTS:

1. Reso for government crime insurance policy

RESOLUTION NO. 17-**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING THE GOVERNMENT CRIME INSURANCE POLICY FOR CITY OFFICERS AND EMPLOYEES**

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, Government Code section 36518 requires that City Clerks and City Treasurers be bonded; and

WHEREAS, section 2.08.030B of the Municipal Code of the City of Morgan Hill requires the City Manager be bonded; and

WHEREAS, Government Code section 1463 allows cities to use government crime insurance policies as an alternative to bonds for officers and employees upon approval of the City Council; and

WHEREAS, the government crime insurance policy is considered more cost effective than procuring bonds.

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 does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. The City Council does hereby approve the use of government crime insurance policy to cover officers and employees who are required to be bonded.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the __ day of August, 2017.

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

APPROVED:

ATTEST:

Attachment: Reso for government crime insurance policy (1321 : Approve the use of Governmental Crime policy in lieu of bonds)

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. 17-, adopted by the City Council at a regular meeting held on August __, 2017.

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

DATE: _____

IRMA TORREZ, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: David Gittleson, Associate Engineer
APPROVED BY: City Manager

AWARD HIGHLAND AVENUE SEWER UPGRADE PROJECT

RECOMMENDATION(S)

1. Approve Highland Avenue Sewer Upgrade Project plans and specifications;
2. Award contract to Monterey Peninsula Engineering for the Highland Avenue Sewer Upgrade Project in the amount of \$547,900;
3. Authorize expenditure of construction contingency funds not to exceed \$54,790; and
4. Authorize the City Manager to execute and administer the construction contract with Monterey Peninsula Engineering.

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 remains committed to providing its residents and those in surrounding communities with a reliable and well maintained sewer system. On March 15, 2017, City Council received a report on two sewer spill incidents near the intersection of Harding and Highland Avenues in unincorporated Santa Clara County. As directed by the City Council, staff is in the process of addressing that problem with a variety of projects, including the dual trunk line to Gilroy and repairing pipe and manhole systems to reduce storm water infiltration. The Highland Avenue Sewer Upgrade project will provide additional trunk capacity near the intersection of Harding and Highland Avenues. The scope of the project involves the replacement of 460 linear feet of existing 21-inch diameter sewer pipe in Highland Avenue with new 30-inch diameter pipe and the construction of three new manholes. The bid opening for the project was held on August 10, 2017 and the bids received are listed below.

Monterey Peninsula Engineering	\$547,900
Pacific Underground Construction	\$640,500

The low bidder, Monterey Peninsula Engineering is an experienced contractor with this type of work. Monterey Peninsula Engineering recently completed the East Dunne Water Main Project and is currently performing punch list work for the Oak Canyon Booster Station Project. Monterey Peninsula Engineer's bid amount of \$547,900 was slightly less than the engineer's estimate of \$565,000. Thus, staff recommends award

of the contract to Monterey Peninsula Engineering in the amount of \$547,900. The project is scheduled to begin in September 2017 and be completed by December 2017.

The project plans and specifications can be found on the City's web page in the Community Projects link (<http://www.morgan-hill.ca.gov/1436/Project-Plans-Specifications-and-Bid-Res>).

COMMUNITY ENGAGEMENT: Inform

The Highland Avenue sewer trunk improvement site is in San Martin, unincorporated Santa Clara County, and located adjacent to residences. Staff will provide email and door notifications prior to construction activities. Staff will also provide updated construction information weekly through Nextdoor and on the City's website.

ALTERNATIVE ACTIONS:

City Council could elect to not award this construction contract. However, this would leave the existing sewer trunk line more vulnerable to sewer spills during significant rain events.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- o On March 15, 2017, City Council received a report on the recent sewer spills, approved a First Amendment to the laboratory services agreement with Alpha Analytical Laboratories, Inc. to amend the scope of services, and directed staff to return to the Council with a plan for accelerating the sewer trunk line to Gilroy improvements.
- o On April 19, 2017, City Council approved staff implementation of projects to repair leaking sewer manholes and sewer pipes, and maximize flow in the existing sewer trunk line on Highland Avenue (Highland Avenue Sewer Upgrade Project). City Council also approved a First Amendment to the professional services agreement with HydroScience Engineers, Inc. to provide the design for the second phase of the new sewer trunk improvements from Cohansey Avenue to Renz Lane in Gilroy.

FISCAL AND RESOURCE IMPACT:

If approved, the total authorization for this project would be \$602,690, which includes a 10% contingency of \$54,790. The construction costs are sufficiently funded in the Fiscal Year 2017-18 Capital Improvement Program (CIP) budget under CIP Project 302000 -Sanitary Sewer Rehabilitation, utilizing Sewer CIP Funds (643).

CEQA (California Environmental Quality Act):

Categorical Exemption

The activities described in this Staff Report are categorically exempt under CEQA, specifically pursuant to Section 15303(d) of the CEQA Guidelines (New construction or conversion of small structures), as the subject work involves the construction of sewer trunk improvements within an existing paved roadway to connect to the City's existing sewer trunk system.

LINKS/ATTACHMENTS:

1. Project Location Map
2. Project Plans, Specifications, and Bid Results (weblink)



County of Santa Clara, The Sanborn Map



CITY OF MORGAN HILL
Public Works Department
Engineering and Utilities Division

G:\R-14\Proj\GIS\John\Lynn_HardingSewerUpgradeProject.mxd

HIGHLAND AVE. SEWER UPGRADE PROJECT

0 160 320 640 960 1,280
 Feet



Attachment: Project Location Map (1363 : Award Highland Avenue Sewer Upgrade Project)



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Chris Ghione, Community Services Director

APPROVED BY: City Manager

DOWNTOWN PARKS ART APPROVAL

RECOMMENDATION(S)

1. Approve art proposal for bronze fox art sculpture by Evelyn Davis;
2. Authorize the City Manager to negotiate, execute, and administer an artist agreement with Evelyn Davis; and
3. Authorize the City Manager to finalize exact location of the sculpture within the Downtown Creek Park.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community

REPORT NARRATIVE:

On February 22, 2017, the City Council approved the Downtown Parks Project and included funding for Public Art within that project. City staff worked with the Library, Culture and Arts Commission (LCAC or Commission) to develop a Call for Artists to select artists to complete three art projects within the Downtown Parks.

- Artistic Bike Rack Art Contest - \$15,000
- Mural on the Railroad Park Sound Wall - \$20,000
- Sculpture or Other Art for the Downtown Creek Park - \$15,000

Outreach for the projects focused on finding local artists to complete the artwork. Proposals were due on June 30. The City received five proposals, including two proposals from Evelyn Davis for the sculpture in the Downtown Creek Park and three proposals for work to create the mural. An art review panel convened on July 24th to review the proposals. This panel was made up of two members of the Library, Culture and Arts Commission, two members of the Parks and Recreation Commission, the Project Manager for the Downtown Parks Project, and the City's Maintenance Coordinator.

The action requested of Council tonight is only in relation to the sculpture component of Downtown Parks Art Program. The sound wall mural component is still being reviewed by the Commission. It is anticipated that a recommended finalist for the sound wall mural will be brought to the Council in October. Since no applications were received for

the artistic bike rack, the City staff is working with the Commission to issue a revised call for artists for that specific project.

After the initial review, the panel recommended the Commission move forward with reviewing and approving the Evelyn Davis Bronze Fox Sculpture Number 1. The panel recommended moving forward based on the following reasons:

- The artist's past work with the City has been outstanding;
- Evelyn Davis is a local artist;
- The artist has committed to supporting the City by providing recommendations on maintenance and care of the art.

The Commission concurred with the panel and on August 1 recommended that the City Council approve the Bronze Fox Sculpture (listed as number 1 found in Attachment 2). The proposal meets the guidelines of the City's Public Art Policy. The art piece will be a small bronze sculpture and can be incorporated into the maintenance plan with the City's other bronze sculptures.

The location of the proposed art is yet to be determined within the Downtown Creek Park. It is envisioned within the next 60 days that the park will be developed enough to decide on a final location. Moving forward with the approval now would allow the City and artist to finalize the artist agreement, work on the project to commence, and completion of the art by the opening of the parks in November.

COMMUNITY ENGAGEMENT: Involve

A "Call for Artists" was promoted through the community and targeted towards local artists. The proposed art was designed by local artist Evelyn Davis. A selection panel made up of City teammates, LCAC Commissioners, and Parks and Recreation Commissioners reviewed the projects and made an initial recommendation to the full Library, Culture and Arts Commission. The LCAC reviewed the proposal during its regular meeting allowing for public comment.

ALTERNATIVE ACTIONS:

The Council could choose to not approve the proposal and provide alternative direction for City staff and the Commission.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

February 22, 2017 – The City Council approved the Downtown Parks Project and included funding for public art.

August 1, 2017 – The Library, Culture and Arts Commission recommended approval of the Bronze Fox art proposal by Evelyn Davis.

FISCAL AND RESOURCE IMPACT:

The funding for the Bronze Fox Sculpture is \$15,000 which was previously approved as a component of the Downtown Parks Project. Overall project funding sources include grant funding, Park Impact (301) funds, and Public Facilities (346) funds.

CEQA (California Environmental Quality Act):
Project

The installation of the bronze sculpture is a component of the Downtown Creek Park. As a component of overall project approval, an initial study was prepared and a mitigated negative declaration was adopted.

LINKS/ATTACHMENTS:

1. Evelyn Davis Park Art Agreement - Draft
2. Attachment 2 - ED Fox Proposal

**GRANT AGREEMENT BY AND BETWEEN
THE CITY OF MORGAN HILL AND
EVELYN A. DAVIS FOR A DOWNTOWN PARKS ART**

This GRANT AGREEMENT ("Agreement") is made and entered into by and between the City of Morgan Hill, a municipal corporation of the State of California ("City") and Evelyn A. Davis, an individual ("Grantee") as of this _____ day of _____, 2017 (the "Effective Date"). City and Grantee may be collectively referred to as "Parties" and individually referred to as a "Party."

Recitals

- A. The City desires to enliven the new Downtown Park Space of the City of Morgan Hill (Downtown Creek Park) and has held a public art review process to generate ideas to animate the Park Space.
- B. The City has invited persons to submit ideas for art projects as part of a City program intended to enliven the Downtown Park Space and has made some limited grant funding available for those projects.
- C. A team of reviewers selected by City conducted a preliminary review of all applications submitted to ensure conformance with the selection criteria of the program, and the team made recommendations to City's Library, Culture and Arts Commission for work to be selected for implementation, including the grant of supporting funds for those recommended works.
- D. The Library, Culture and Arts Commission recommended for approval this art work.
- E. The grantee submitted art proposal was approved by the City Council on August 23, 2017.
- F. Grantee is in need of financial assistance for costs and expenses to implement Grantee's art work.

NOW, THEREFORE, in consideration of the facts set forth above and below and for adequate consideration, the receipt and sufficiency of which are hereby acknowledged, City and Grantee agree as follows:

Agreement

1. Grant. City hereby grants to Grantee the amount of Fifteen Thousand Dollars (\$15,000) (the "Grant Award"). Grantee agrees to use the Grant Award only for those costs related to Grantee's placemaking work described in Exhibit "A" entitled "Project Description, Performance and Payment Schedule," attached hereto and incorporated herein by this reference (the "Work"). City shall make disbursements of the Grant Award to Grantee in accordance with the schedule set forth in Exhibit "A", the Project Description, Performance and Payment Schedule.
2. Work. Other than the Grant Award, Grantee will create the Work at Grantee's cost and expense. On or before December 31, 2017, Grantee will:
 - a. Deliver to the City (at a location determined by the City) the Work.
 - b. Work shall include all necessary installation materials for installation at the location approved by the City (the "Display Site").
 - c. Upon delivery, City and Grantee agree that the Work shall be the property of City. City shall be responsible for the installation of the Work. City may remove the Work at any time; provided, however, that City and Grantee understand that City intends the Work to be on display at the Display Site for at least five years.

3. Grantee's Representations. Grantee represents and warrants to the City the following:
 - a. The individuals signing below have full legal power and authority to sign for and bind the Grantee to all obligations under this Agreement. There is no consent needed from any third party for Grantee to enter into this Agreement.
 - b. Grantee will timely obtain all necessary permits and perform all work pursuant to this Agreement in full compliance with all permits obtained, as well as all other applicable laws. Grantee warrants that it will continue to comply with all permits obtained and laws applicable to its activities pursuant to this Agreement during the term of this Agreement.
4. Waiver of Artist Rights.
 - a. Grantee expressly acknowledges the provisions of and agrees to fully and completely waive any and all rights that Grantee may have pursuant to Title 17 U.S.C. Section 101 *et seq* (commonly known as the "Visual Artists Rights Act of 1990 "), pursuant to Section 987 *et seq* of the California Civil Code (the "California Art Preservation Act "), or pursuant to any other law, statute, policy or regulation, to the extent any such right may exist, in connection with the Work.
 - b. Grantee further agrees that City shall have the right to remove, relocate, modify, reproduce, store, dispose of, loan or provide to others, or take any other actions upon the Work as City may determine to be reasonable or appropriate.
 - c. Grantee agrees that City, without charge to City, may make photographs or other reproductions of the Work without payment of royalty or other payment to Grantee.
5. Term of Agreement. This Agreement is effective as of the Effective Date first set forth above and shall be subject to earlier termination by a Party as set forth in Section 10(d) below.
6. Notices. Notices and other communications shall be in writing and personally delivered to or mailed via first class United States mail to a Party as follows:

City: City of Morgan Hill
 17575 Peak Avenue
 Morgan Hill, CA 95037
 Attention: Chris Ghione

Grantee: Evelyn Davis
 13415 Chaparral Rd
 Morgan Hill, CA 95037

or to such other address as a Party may designate by providing notice as required by this section to the other Party.

7. Independent Contractor. Grantee is an independent contractor and shall furnish all supervision, labor, materials, equipment, supplies and other incidentals in connection with the Work and shall be entitled to no benefits, insurance, compensation or other entitlement whatsoever as a City employee.
8. No Assignment. Grantee understands that the grant provided by City for the work provided under this Agreement by Grantee in connection with the Work is personal to Grantee and may not be assigned, delegated or transferred.
9. Indemnification and Release. Grantee hereby releases CITY from, and waives all claims against CITY for, any and all liability in connection with the Work and all activities of Grantee under this Agreement. Grantee shall save, defend, and hold harmless City, its officers, employees and agents, from any and all causes of action, legal suits, claims, demands or liability of any nature

arising out of or in connection with any act or omission of Grantee or any agent of Grantee arising out of this Agreement to the fullest extent allowed by law, excepting only those resulting solely from the intentional and willful or grossly negligent acts of City. This provision shall survive expiration or termination of this Agreement.

10. General.

- a. The Parties agree to comply with all applicable laws in the performance of their respective tasks and obligations under this Agreement.
- b. Grantee shall procure and maintain in full force and effect all required licenses, permits or other approvals necessary to perform Grantee's work under this Agreement and shall comply with the terms and conditions thereof.
- c. This Agreement shall be interpreted and construed in accordance with the laws of the State of California. The venue for any action arising out of this Agreement shall be the courts of Santa Clara County, California.
- d. Either Party may terminate this Agreement by providing at least seven (7) days' advance notice to the other Party; provided, however, that Grantee shall return all unexpended grant funds to City prior to the effective date of such termination and the obligation to return said grant funds to City shall survive any termination of this Agreement.
- e. This Agreement constitutes the entire agreement of the Parties as to the matters discussed herein. This Agreement may be modified by the Parties in a writing duly executed by both Parties.

WITNESS THE EXECUTION HEREOF on the day and year first herein above written.

CITY OF MORGAN HILL, a municipal
corporation:

Grantee:

Steve Rymer
City Manager

Evelyn Davis

Approved as to form:

City Attorney

EXHIBIT A**PROJECT DESCRIPTION, PERFORMANCE AND PAYMENT SCHEDULE**

Grantee will sculpt, cast and provide to the City a fox sculpture. The size of the art piece shall be approximately 24 inches in height.

Grantee shall provide maintenance instructions for the City begin providing maintenance on the structure immediately.

Performance and Payment Schedule

Task 1 – Submit Full Color Design of Artwork – Completion Date August 30 – Payment \$7,500

Task 2 – Provide Sculpture to City for Installation – Completion Date December 31 – Payment \$7,500

Grant Award not to exceed \$15,000.

Application – Call for Artists Morgan Hill Downtown Parks Project

Contact Name: Evelyn Davis

Address: 13415 Chaparral Rd, Morgan Hill, CA 95037

Email: evelyndavisart@gmail.com

Phone Numbers: 408-858-5555

Name of Artist: Evelyn Davis

Art Proposal Area (Check One)

☐ Artistic Bike Rack ☐ Sound Wall Mural ☒ **Wildlife Sculpture**

Description of Art Being Proposed (200 words max)

I propose to create and provide a bronze sculpture of a sitting fox. The artwork would be fabricated using the lost-wax method. The fox would be approximately 24” tall. The bronze statue would be mounted directly into the ground using concrete and rebar. The completed work of art would have a traditional bronze patina. The cost would be \$15,000. The project would require 50% at the start of the project and 50% upon completion.

Required Documents (Provide as Additional Attachments)

- ☒ Artist Resume (max 2 pages)
- ☒ Concept Sketch or Design of Art Being proposed
- ☒ Statement of Interest (max 1 page)
- ☒ Optional Documents (Provide as Additional Attachments)
- ☒ Samples of Representative Work (Up to 10 projects with photos of work)
- ☒ Other documents necessary to provide artist or proposal background (max 2 pages)

Evelyn Davis

PROFILE

Evelyn Davis is a working sculptor living in Morgan Hill, CA. She is affiliated with the Morgan Hill Wildlife, Education and Rehabilitation Center (WERC) where she is able to study and appraise local, native species of wildlife and apply that knowledge to her artworks. Evelyn is a life-member of Morgan Hill's Valle del Sur Art Guild.

RELEVANT EXPERIENCE

CURRENT WORK

Evelyn Davis is nearly finished with her current public art piece: a life-size bronze owl. The owl, "Loki" has been commissioned as a tribute to Sue Howell, founder of Morgan Hill's WERC. "Loki" will be placed on the wildlife trail near the Centennial Recreation Center in 2017.

MOST RECENT PROJECT COMPLETED

In 2016, Evelyn Davis was commissioned to create a grouping of three, life-size deer for the city of Morgan Hill. "Dear Family", representing the wholesome family life of both the wild and human families of Morgan Hill, is installed in downtown Morgan Hill.

2014-2015

Evelyn teamed up with Landscape Architect, Allen Gross, in Phoenix, AZ. Together they won a commission to design an "Art in the Railroad Plaza" train park for the city of Casa Grande, AZ (letter of reference attached). Cooperating with several city departments and presenting several public information meetings, the duo created the winning design. It included several bronze and other train-related artworks with interpretive information, a trail system and all the attached research and accoutrements. Having completed the initial design phase, the project is awaiting funding.

PRIOR PUBLIC ART PROJECTS

Name: *"Liberty"*

Location: Near the Morgan Hill (CA) Centennial Recreation Center on West Llagas Creek Trail.

Description: Larger-than-life-sized bronze bobcat sculpture, mounted on a boulder adorned with a bronze relief memorial plaque depicting a swimming bobcat and the names of contributors to the project.

Name: *"Once Upon a Mushroom"*

Location: In front of the Morgan Hill Public Library on 660 W Main Ave, Morgan Hill, CA

Description: Bronze sculpture. Sitting on top of a rather large mushroom (Morgan Hill is home to the “Mushroom Mardi-Gras”) is a life-sized child reading a book with a tortoise and toad eavesdropping below.

Name: *“African Antelope”*

Location: W.E. Mason Historic Carousel (Oak Meadow Park, Los Gatos, CA).

Description: A large acrylic painting of an African antelope on permanent display within the revolving carousel.

Name: *“Savannah River Magic”*

Location: Exterior wall of Augusta Water Works, Iris Dr, Augusta, GA

Description: 40 ft public mural. Through the non-profit organization, The Art Factory (letter of reference attached), Evelyn led a group of “first offender” teens in designing and creating a mural depicting the local Savannah River and its wildlife. It was painted with professional acrylic mural paint and sealant.

Name: *“History of Augusta”*

Location: Inside Augusta’s Savannah River Canal Building, 1450 Greene St, Augusta, GA

Description: Through her work with The Art Factory, Evelyn worked with another artist in the development and installation of a ceramic tile relief mural based on the history of Augusta, GA

SKILLS

Evelyn has working relationships with the local Bay Area foundries known for their high quality bronze sculptures. All bronze sculptures awarded to Evelyn will be fabricated by a foundry with a proven track record of producing high quality outdoor bronze artwork that withstands the test of time and familiarity with, Bay Area resources which are necessary to provide the genuine quality of outdoor, bronze artwork which will stand the test of time.

Evelyn also has a record of carrying out required timelines and otherwise fulfilling contracts, as well as for making herself available for follow-up questions.

REFERENCES

Letters of reference included.

FOX

5.b

Clay maquette for proposed bronze statue
by Evelyn Davis

Images 1 & 2 are examples of pose choices- with or
without butterfly; head up, or head alert.



Image 3 includes a second,
playfully rolling fox, which
can be added at a later date,
if requested. Meanwhile the
sitting fox will look alert and
regal on its own.

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)

Evelyn Davis

STATEMENT OF INTEREST

Saratoga Springs, New York, is where I spent my formative years. Bronze art was around me everywhere and it carved a deep impression on my young life. It is fundamentally important to me to contribute to the tradition of bronze as public art; art which represents the community's values, history, and environment; art of which the townspeople can feel ownership for. I am committed to using my bronze-art-ability to make current and future generations smile.

A long-time resident of Morgan Hill, I raised my daughter here. She attended Paradise Valley Elementary School and later, Gavilan College. I've hiked and travelled on horseback throughout the local hills, biked the roads and trails, contributed to the local Valle del Sur Art Guild as a member, and happily spent time volunteering with Morgan Hill's Wildlife Education and Rehabilitation Center (WERC).

I was instrumental in getting the first portion of the trail along Morgan Hill's Little Llagas Creek adopted as a Wildlife Trail in 2005 (City Council Resolution 5896 "Wildlife Education and Interpretive Area Designation").

I have a deep, personal investment in this city and I am proven capable of creating a quality work of art that will contribute to the continuing richness of our community.

I have been working on several clay maquettes of indigenous wildlife. You will see one as part of this proposal packet. Please think of the photo of the maquette as a quick sketch. The final product would be meticulously sculpted and completed in bronze.

Thank you for considering my proposal.

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)



September 25, 2014

To Whom It May Concern:

It is with great pleasure that I recommend the team of Evelyn A. Davis, Artist and Allen W. Gross, Landscape Architect, as artists, planners and designers of public spaces. I am the City Clerk for the City of Casa Grande, Liaison Staff and Project Manager for the Casa Grande Arts & Humanities Commission's "Art in the Railroad Park" project and the City of Casa Grande Railroad Park Development.

Not only did the Team meet our requirements and expectations, we feel they far exceeded what was asked for in the original project parameters. The resulting art work and park design was a perfect response to the public and the Casa Grande Arts & Humanities Commission's vision for the Railroad Art Plaza. The work has received many positive and supportive comments from the general public, elected officials and City Staff.

I recommend Davis and Gross, Artist Design Team without reservation. They listened, understood, responded in a very positive manner. The project was on schedule and on budget. The Team is very professional and fun to work with, making every possible effort to take our project above and beyond what was requested.

If I may assist you in any way, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Remilie S. Miller', written in a cursive style.

Remilie S. Miller, MMC
City Clerk

Telephone: 520/421-8600 - Telefacsimile: 520/421-8602 - TDD: 520/421-8623
City Hall: 5210 East Florence Boulevard - Casa Grande, Arizona 85122

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)

The Art Factory

September 20, 2012

To Whom It May Concern:

RE: Evelyn Davis

As the Executive Director of the Art Factory, a non-profit arts education outreach organization in Augusta, Georgia, I had the pleasure of meeting Evelyn in 2010. The Art Factory provided artist residencies for various organizations including the school district, Boys & Girls Clubs, etc. At the time, the Art Factory was embarking on a public art project that worked with at risk teens and juvenile 1st offenders in mounting large scale murals. Evelyn was hired to serve as a mural instructor for one of the teen groups as they worked to design and paint their mural. The project was a huge community success and remains a source of pride for these young 'artists.'

Evelyn also taught visual art classes for the women of Hope House, a residential facility for women struggling with addictions. In addition, Evelyn taught for 2 summers in our school district's summer enrichment academy for low income students, which integrated the arts with all academic content. She also worked with another artist in the development and installation of a ceramic tile relief mural based on the history of Augusta. All of these efforts were a part of the Art Factory's outreach programs.

In every instance, Evelyn was the consummate art teacher – dedicated to bringing professional quality instruction to her students in a calm, respectful classroom setting. Evelyn's peaceful manner in dealing with her students was highly effective in teaching challenging students. The quality of the artwork produced by her students was exceptional, further illustrating her attention to detail and to ensuring that each student felt supported.

It has been a rewarding experience to work with Evelyn and I highly recommend her for any teaching position, working with adults or children. Should you require any further information, please feel free to contact me.

Best,

Cindy O'Brien

Cindy O'Brien
Retired, Executive Director
The Art Factory
Cindyobrien2012@gmail.com



CITY OF MORGAN HILL

17555 Peak Avenue, Morgan Hill, California 95037-4128 • phone (408) 779-7259 • fax (408) 779-3117

MORGAN HILL CITY COUNCIL

Mayor Dennis Kennedy
Council Member Larry Carr
Council Member Mark Grzan
Council Member Greg Sellers
Council Member Steve Tate

August 31, 2007

To Whom It May Concern:

It is with great pleasure and pride that I am writing to recommend Ms. Evelyn Davis as an artist. I am a Councilman for the City of Morgan Hill, and prior to my election was also quite involved with a number of community task forces, advisory committees and alike. I am currently engaged in a number of projects including art for our community. I hope my perspective will be helpful to you as you evaluate this exceptional individual.

I came in contact with Ms. Davis years ago while she was working with a local wildlife organization. Working with this group of dedicated individuals has certainly influenced Evelyn and her art. She drew tremendous strength and understanding of form while handling raptors and mammals. This unique understanding is quite evident in her work.

In the Fall of 2006, the City of Morgan Hill installed a magnificent and well balanced sculpture "Liberty", in front of its new multi-million dollar Centennial Recreation Center. The piece, a depiction of a local bobcat sculpted and cast in heavy bronze is exquisitely displayed. It has been well received, with many delightful comments from elected officials and the general public. I also have to state that it is truly an inspirational piece, representing and capturing that which we are and what we value in our community.

Evelyn followed that with a brilliant outdoor sculpture, again in heavy bronze of a life sized child, sitting on top of a giant mushroom, reading a book. This wonderful piece was placed in front of the City's and the County of Santa Clara's newest public library which opened in July of 2007. The whimsical sculpture is representative of Evelyn's artistic breadth and knowledge of human form.

Ms Evelyn Davis is an accomplished artist and consummate professional. She is passionate about her work, focused on details and timelines as well as grasping the needs of the community. While the City found an artist, we also found an individual who was forthcoming, warm, friendly and a pure pleasure to work with. It is without reservation that I recommend Evelyn Davis for any endeavor for which she would be considered. I hold her in the very highest regard and quite confident that she will exceed your expectations as she has ours.

Please do not hesitate in contacting me personally, if I can assist you in any way.

Sincerely,

Mark Grzan
Councilmember
City of Morgan Hill
grzan.fm@charter.net

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)



“Once Upon a Mushroom”



“Liberty”

Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)

Bronze Fox Pair
(no base)



Bronze Moose
(on a "puddle" base)



Bronze Wolves with Cubs
(on a built-up, bronze base)



Attachment: Attachment 2 - ED Fox Proposal (1369 : Downtown Parks Art Approval)



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Jennie Tucker, Community Services Supervisor
APPROVED BY: City Manager

COMMUNITY PLAYHOUSE LICENSE AGREEMENT WITH SOUTH VALLEY CIVIC THEATRE

RECOMMENDATION(S)

Authorize the City Manager to execute and administer license agreement through December 2020 with South Valley Civic Theatre.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility
Supporting Our Youth
Seniors
and Entire Community

REPORT NARRATIVE:

South Valley Civic Theatre (SVCT) has provided theatrical entertainment to the Morgan Hill Community since 1969. The City recognizes the contributions made by SVCT to supporting culture and arts in Morgan Hill, and has partnered with South Valley Civic Theater to serve as the home company for the Community Playhouse since it opened.

SVCT has leased the Community Playhouse for its ongoing theatrical performances since December 2002 and all past license agreements have designated the organization as the "Home Company" for the Playhouse. This has been a positive and mutually beneficial arrangement for both the City and SVCT, providing SVCT with primary use of the facility over other users, allowing the City to receive stable rent revenue for the facility, and providing local performing arts opportunities for the Community. The City has strived to maintain the Playhouse and all of its recreation facilities at a high level, and has a \$140,000 renovation project at the Playhouse that will replace all of the seats and carpeting within the facility planned for January 2018.

The license agreement with SVCT was most recently renewed in August 2014 for the period of 2015 through 2017. During that contract renewal process, significant discussion went into the annual base rental payment. At that time, the annual base rent had not increased significantly for several years. City staff expressed the need to increase the base rent annually by the Consumer Price Index (CPI) to help support ongoing efforts at cost recovery. During negotiations, SVCT representatives requested that these increases not be implemented. Both parties agreed to begin the CPI

implementation during 2017. City staff further expressed the intent to continue the CPI increases going forward in support of cost recovery for operations.

It is important to recognize that the SVCT is the most significant customer at the Playhouse, due to the high levels of use by the organization. In the previous fiscal year, SVCT utilized the playhouse for 1,320 hours (77% of total usage) compared to 400 hours by all other users of the facility. The SVCT license provided approximately \$25,000 (57%) of \$43,600 in total annual revenue attributed to Playhouse use during the last fiscal year. Estimated costs for operation and maintenance of the playhouse are approximately \$85,000 annually.

The current license agreement with SVCT is for a term of 3 years, expiring on December 31, 2017. The annual base rent payment for the first two years was \$24,720 and the third year was \$25,461. The total payments for the three most recent license terms is outlined below:

January 2009-December 2011	\$72,000
January 2012-December 2014	\$72,538
January 2015-December 2017	\$74,901

After negotiating the attached agreement with SVCT representatives, staff recommends renewing the agreement for another three (3) year term, January 1, 2018 through December 31, 2020. Minor changes to the terms of the agreement have been made to support requests from both the City staff and SVCT. The proposed agreement would increase the current base rent payment of \$25,461 beginning January 1, 2018 by the percentage equal to the average annual increase in the San Francisco-Oakland-San Jose Consumer Price Index for all urban consumers for the prior calendar year, but not to exceed 3.1%. The CPI cap was proposed by SVCT to help prevent extreme spikes in its base rent. This CPI increase will occur annually in January each year of the license term.

In June, SVCT representatives provided public comment to both the City Council and the Library, Culture and Arts Commission expressing a desire for the City to further support performing arts and its program specifically. The request was for programmatic funding. The Council did not provide funding through the budget process. The Library, Culture and Arts Commission added an item to its Work Plan to work with SVCT on improving support for performing arts. This Work Plan item is not specifically focused on funding.

COMMUNITY ENGAGEMENT: Collaborate

This request is an opportunity to collaborate by providing a venue for a local non-profit with a mission to provide high quality community theater to the residents of Morgan Hill and South Santa Clara County. The process of negotiating this agreement was done in collaboration with SVCT a community based organization.

ALTERNATIVE ACTIONS:

One alternative the Council could explore, would be to direct staff to renegotiate the license agreement to decrease the base rent for SVCT. Any decrease would reduce revenue generated, that supports the Recreation Division's goal of balancing cost recovery with community access. The limited fee increases for several years have caused revenue from use of the Playhouse to remain relatively flat, while costs continued to increase with inflation. Staff believes that the current base rent with CPI increases can be accommodated by SVCT.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- August 6, 2014 – The Council authorized the City Manager to execute the 2015-2017 playhouse license agreement with SVCT.
- December 7, 2011 – The Council authorized the City Manager to execute the 2012-2014 playhouse license agreement with SVCT.

FISCAL AND RESOURCE IMPACT:

The terms of the new agreement include total base rent of \$76,383 over a three-year term (\$25,461 each year), with a CPI increase each year, not to exceed 3.1% each year. Revenue supports the City's General Fund (Fund 010) and supports cost recovery for the Recreation and Community Services Division.

CEQA (California Environmental Quality Act):

Categorical Exemption.

The planned maintenance and management of city facilities falls within the CEQA categorical exemption of Class 1, Existing Facilities.

LINKS/ATTACHMENTS:

1. 2018 Playhouse License Agreement

**AGREEMENT BETWEEN CITY OF MORGAN HILL
AND SOUTH VALLEY CIVIC THEATRE REGARDING LICENSING OF
MORGAN HILL COMMUNITY PLAYHOUSE
AND HOME COMPANY STATUS**

This Agreement is entered into on _____, 2017, by and between CITY OF MORGAN HILL, a municipal corporation, hereinafter referred to as "City," and SOUTH VALLEY CIVIC THEATRE, a California Corporation, hereinafter referred to as "Home Company."

RECITALS

WHEREAS, City is the owner of the Morgan Hill Community Playhouse ("Premises"), located at 1 7090 Monterey Road, Morgan Hill, California; and;

WHEREAS, South Valley Civic Theatre has provided theatrical entertainment to the Morgan Hill community since 1969, and wishes to continue doing so in appropriate facilities; and,

WHEREAS, City recognizes the long-term contributions made by South Valley Civic Theatre to the culture and entertainment resources of the city, and wishes to encourage South Valley Civic Theatre to continue to provide high-quality entertainment to the citizens of Morgan Hill, and City therefore designates South Valley Civic Theatre company as "Home Company" of the Morgan Hill Community Playhouse; and

WHEREAS, Home Company wishes to use the Premises on a non-exclusive basis; and,

WHEREAS, City wishes to grant another license to Home Company for use of the Premises on the terms and conditions set forth in this Agreement.

NOW, THEREFORE, City hereby grants a license to Home Company, and Home Company agrees to such license on the terms and conditions set forth in this Agreement.

AGREEMENT

1. Licensing of Premises. City hereby grants to Home Company a license, on a non-exclusive basis, to the premises commonly known as Morgan Hill Community Playhouse located at 17090 Monterey Road for uses set forth in this Agreement.

2. Term; Termination

2.1 Term. The term of the Agreement shall commence on January 1, 2018 and end on December 31, 2020, unless terminated earlier pursuant to the terms of this Agreement.

2.2 Termination.

(a) Should City determine, in its sole discretion, that use of Premises by Home Company is causing undue damage or wear and tear to Premises, then City may terminate this Agreement upon ninety (90) days' written notice of the cause and intent to terminate, unless, within forty-five (45) days following the notice, the Home Company cures the cause for termination by appropriate repair or replacement (as reasonably determined by the City). Should City determine, in its sole discretion, that Home Company's use of Premises is incompatible with other uses, actual or intended, of Premises, then City may terminate this Agreement upon one hundred eighty (180) days' written notice without further responsibility to Home Company, or if less than one hundred eighty (180) days' notice is given, City shall elect either to reimburse Home Company's projected loss of net income based upon relevant historic data related to Home Company's recent, previous performances from performance days that are canceled as a result of the termination based on its then-current budget, or else find and fund a reasonable alternative venue for any show scheduled for performance within the one hundred eighty (180) days.

(b) If either party determines, in its sole discretion, that it is unable or unwilling to continue this Agreement under the terms hereof, each party reserves the right to terminate the Agreement without future obligation upon providing one hundred eighty (180) days written notice to the other party, with the exception that Home Company may terminate the Agreement by giving ninety (90) days written notice if City changes the operating hours of Premises, as defined in Paragraph 6.7, below, from those in place at date of this Agreement or exercises its right to preempt the Home Company's use, to the point where Home Company determines, in its sole discretion, that it will be impaired in exercising its rights or meeting its obligations under this Agreement.

2.3 Surrender of Premises

(a) On the termination date or the end of any extension or renewal of this Agreement, Home Company shall promptly surrender and deliver Premises to City in as good condition as they are as of the date of first occupancy under this Agreement; reasonable wear and tear excepted.

(b) Any property of Home Company which remains on Premises following the termination date, and which remains on Premises for five (5) days after Home Company has been notified to retrieve it, shall become the property of City, and City shall be entitled to retain or dispose of such property as it deems appropriate.

3. New Agreement. Prior to negotiating with any other potential home company, City agrees to negotiate with Home Company regarding a potential new agreement upon expiration of this Agreement. Notice of intent to commence negotiation must be given by Home Company to City at least twelve (12) months prior to the expiration of this Agreement

4. Scheduling.

4.1 City and Home Company agree to the following uses in each general annual production season, defined as January through December of each year of this Agreement, consisting of the following:

- (a) Five (5) theatrical productions per year, and
- (b) Approximately ten (10) but no less than seven (7) performance days per theatrical production over a four (4) week period, for a total not to exceed fifty (55) performance days per year, and
- (c) a maximum of fourteen (14) rehearsal days per theatrical production, not to exceed seventy (70) rehearsal days per year and,
- (d) one (1) day for an awards show production, one (1) day for an annual meeting, and one (1) day immediately at the end of each theatrical production to strike the set and load-out of Premises.

4.2 City and Home Company may agree in writing on a production season exceeding five (5) theatrical productions per year according to terms and conditions determined by both parties, and Home Company may elect to perform at a different venue no more than one (1) contemplated theatrical production during the term of this Agreement.

4.3 Home Company agrees to provide to City in a timely manner the specific productions for each booking period and a comprehensive master schedule of the dates and times it requests for any and all activities, including performances, rehearsals and technical run-throughs. City shall provide a Master Playhouse Calendar to Home Company within two (2) weeks following the receipt of the master schedule. The booking periods and corresponding due dates are as follows:

- (a) First booking period: January 1, 2018 through December 31, 2018. Schedule of dates and times due on or before January 1, 2017.
- (b) Second booking period: January 1, 2019 through December 31, 2019. Schedule of dates and times due on or before January 1, 2018.
- (c) Third Booking Period: January 1, 2020 through December 31, 2020. Schedule of dates and times due on or before January 1, 2019.

4.4 In initially setting the Master Playhouse Calendar, Home Company shall have priority over any other user aside from pre-existing City contracts. It is acknowledged and agreed that for dates not on the Master Playhouse Calendar, Home Company shall not have priority over any other user in booking or reserving such dates.

4.5 Should Home Company wish to change dates on the Master Playhouse Calendar after it has been issued by City, a written request for such change must be submitted to City. City reserves the right to accept or deny such change at its sole discretion. City shall respond in writing to Home Company's request to change dates within ten (10) working days of receipt of the request. If City denies such request, Home Company is responsible for the full facility fee and all additional expenses. However, provided City leases the space for the cancelled date(s) to another user, Home Company will receive a rebate based on the new facility fees paid, up to the maximum of the original Home Company facility fees.

4.6 City shall not be responsible to Home Company, or to any artist, booking agent, individual or organization, etc., for promises, contracts, representations, commitments, or promotions of any kind relating to a date for use of the Premises that has not yet received written approval from, and been scheduled by, City.

4.7 City shall provide Home Company with a Master Playhouse Calendar of all reserved facility uses, including those with other individuals or entities for Premises upon reasonable request.

5. Fees and Charges.

5.1 Base Rent Payments. Home Company shall pay an annual fixed base rent payment of Twenty Five Thousand Four Hundred Sixty One Dollars (\$25,461) ("Base Rent") beginning January 1, 2018 and ending December 31, 2020. Rent payments are to be paid on a pro rata monthly basis, and are due and payable on the first day of each month of the lease, with the first payment due and payable on January 1, 2018.

5.2 Increase in Base Rent. Base Rent shall be increased annually beginning January 1, 2018 by the percentage equal to the average annual increase in the San Francisco-Oakland-San Jose Consumer Price Index for all urban consumers for the prior calendar year, but not to exceed 3.1%.

5.3 Additional Service Fees. Home Company shall be responsible for payment for any requested additional services provided by City, not otherwise provided for in this Agreement.

(a) Home Company shall pay One Hundred Dollars (\$100.00) per day for each additional rental day for performances or rehearsals or other Home Company events not included in Paragraph 4.1 above. Any additional rental days must be requested by Home Company in writing and approved by City.

(b) Other additional services requested of City by Home Company may include, but are not limited to, extra stage crew, extended ticket office hours, additional City staff hours, special requests, processing mailing lists, equipment rentals, piano use, online ticket services, etc. Costs for such services will be estimated by City in writing prior to providing the requested service.

5.4 Due Date. Fees owed City under Paragraphs 5.2 and 5.3, as well as any other fees or charges in other Paragraphs of the Agreement, are due and payable within thirty (30) days of invoice by City.

5.5 Late Charges; Default Interest. Home Company acknowledges that late payment of sums due under this Agreement may cause City to incur additional costs not contemplated by the Agreement, the amount of which will be difficult to ascertain. Therefore, if any sum due from Home Company is not received by City within thirty (30) days from the due

date, then without any requirement for notice to Home Company, Home Company shall pay to City a sum equal to three percent (3%) of the overdue sum.

5.6 Reduction in Rent Upon Timely Election. If Home Company elects to perform one of its productions at another venue pursuant to paragraph 4.2 above and only if the Home Company gives City at least one hundred eighty (180) days' advance notice of that election, then Home Company shall be entitled to a reduction of Two Thousand Five Hundred Dollars (\$2,500) in Base Rent in each of the installments in the Base Rent for the final two (2) months of that calendar year. In this event, Home Company also shall not be responsible for any Additional Payments as defined in Paragraph 5.3 above on the production performed at the alternative venue.

6. Use of Premises.

6.1 Non-Exclusive Use. Exclusive use of Premises is not granted. City intends to and will allow other entities, including City, to use Premises, and performance, support, and access spaces will be shared. This includes the limited concurrent use of Premises as outlined in Paragraph 9.1 below. The utmost performance etiquette is required of Home Company, including consideration to the space and storage needs of other users

6.2 Permitted Use. Home Company shall use Premises for the purpose of producing, rehearsing, staging and public performance of live theater productions and for uses normally incidental to such use, and for no other purpose unless previously authorized by City in writing. Home Company agrees to comply with all terms and conditions, including the Policies and Procedures, laws, ordinances, rules, regulations, and any other policies applicable to Premises, including those imposed or required by City's insurers. Home Company further agrees to comply with the direction of the City Manager or his/her designee with respect to use of Premises.

6.3 Sale and Consumption of Food and Beverages. Home Company may provide any food and beverage concessions for their productions and performances. The sale and consumption of food on Premises must be in compliance with the Santa Clara County Health Department and all other applicable laws. This compliance is solely the responsibility of Home Company. The sale and consumption of alcoholic beverages on Premises must be approved by the City Manager or his/her designee in writing at least thirty (30) days in advance of the sale and/or consumption date; or approved in accordance with applicable policies and procedures duly established for the Community and Cultural Center. Home Company must provide the required alcohol license and host liquor liability insurance acceptable to the City Manager or his/her designee twenty-one (21) days before the sale and/or consumption date.

6.4 Restrictions on Use. Home Company shall use and maintain Premises in a clean, orderly, and safe manner. Home Company shall not commit any waste or any public or private nuisance upon Premises.

6.5 Interference with Exits. Home Company shall not in any way interfere with exits and exit signs, including panic hardware. All exit signs and exit paths shall be kept clear and illuminated.

6.6 "Good Neighbor" Provision. Home Company shall not interfere with the use of any properties adjacent to or in the immediate vicinity of Premises, and shall endeavor to

maintain good relations with the owners and/or tenants of such properties. Home Company shall use reasonable efforts to mitigate the effects on such properties from parking, lights, and sound incurred in its use of Premises.

6.7 Hours of Operation. On non-performance days, Home Company agrees to use Premises only during the hours of operation of Premises ("Hours of Operation"), which hours shall be established from time to time by the City Manager, but shall not end earlier than 11:00 pm. On performance days, Home Company agrees that the performance will be concluded by the end of the Hours of Operation and that the audience will have exited and Premises will be secured no later than one hour after the end of the Hours of Operation.

6.8 Operating Policies and Procedures. Home Company agrees to abide by the general Operating Policies and Procedures for the Morgan Hill Community Playhouse, except that provisions of this agreement shall prevail over conflicting provisions within the Operating Policies and Procedures.

7. Tenant Improvements; Additions; Alterations. Home Company shall not make any tenant improvements, additions, or alterations to Premises without prior written approval of City.

8. Obligations of the City.

8.1 Facility. City agrees to provide a clean, safe, ready for use, fully stocked, functional facility suitable for performances, rehearsals, and technical run-throughs.

8.2 Miscellaneous Services. In exchange for rent payments outlined in Paragraph 5.1 above, the following services shall be provided by City:

(a) Space in City publications and at the Community and Cultural Center to advertise productions; subject to availability as determined at City's sole discretion.

8.3 Master Calendar. City shall maintain a Master Playhouse Calendar for Premises. This calendar shall list all events of which City is aware, and has made commitments to Home Company and other licensees and users.

9. Obligations of the Home Company.

9.1 On contracted dark (non-performance/non-rehearsal) days, Home Company shall provide front stage access (forward of the front curtain and ceiling screen) to City and upon forty eight (48) hours notice shall be responsible to move as necessary, or permit City to move, theatrical sets and other equipment behind the front curtain in order to accommodate other use. On contracted performance/rehearsal days, excluding Sundays, Home Company may, at Home Company option, provide to City front stage access only not less than two (2) hours before or after a scheduled performance/rehearsal. On contracted Sundays, Home Company agrees that front stage only may be used by other contracted Users between the hours of 8:00 a.m. to 12:00 noon.

9.2 Home Company shall ensure that Premises are free from general clutter and trash after each performance, rehearsal, technical run-through, or other use. Following any use of Premises, Home Company shall promptly surrender Premises in a clean, orderly, and safe condition to City or other users. Home Company shall promptly remove all Home Company personal property without damage to the Premises one day following the end of each production as stated in Paragraph 4.1 above.

9.3 Home Company shall provide City with written proof of its current 501(c)(3) status at the time of signing this Agreement, and shall provide by April 1ST of each year of this Agreement a list of the current officers and board members, and designated individuals for contact purposes for emergencies and non-emergencies.

9.4 Home Company shall keep accurate records of all ticket sales, and City shall have the right to inspect and/or audit same.

9.5 Home Company agrees to include a reference in all promotional material, when possible, that it is the “Resident Company of the Morgan Hill Community Playhouse”.

9.6 Home Company agrees to attend, upon reasonable notice, meetings called by the City Manager or his/her designee to discuss issues relating to and compliance with the provisions of the Agreement.

9.7 Home Company shall assure that the stage area and any City-owned equipment, including but not limited to sound and lighting equipment, is available to other facility users at all times, with the exception of a pre-identified subset of the stage, lighting instruments, and sound adjustments as approved by the City.

9.8 Home Company shall provide one (1) individual to act as a site manager (“Site Manager”), who is trained by City in the operation of City equipment on Premises. City shall provide Home Company’s designated Site Manager with three (3) sets of keys to Premises. City shall provide the keys to Site Manager at the beginning of a production. Site Manager shall return the keys to City within forty eight (48) hours of the end of the production. The keys shall not be duplicated. Site Manager shall be responsible and be accountable to the City to unlock and lock the facility and necessary rooms, utility, and storage areas only for scheduled performances, rehearsals, and technical run-throughs. Site Manager, or current production management as designated in writing to the City, shall be present during all performances, rehearsals, and technical run-throughs, which privilege may be revoked at City’s discretion and subject to the conditions imposed. Site Manager will be the point of contact with City staff, and will be responsible to notify City of any emergencies. City shall provide Site Manager with information about contacting City staff in an emergency, and, as necessary, information about the systems of Premises. Should Home Company not be able to provide a Site Manager in conformance with this paragraph, City reserves the right to provide a Site Manager at additional cost to Home Company.

9.9 Home Company shall provide all performance related services on the date of the performances, including providing an open box office at least one (1) hour before

each performance. Home Company shall also provide all necessary technical and support staff for performances, including lighting technicians, ushers, and musicians.

9.10 Home Company has the right to offer the following items for sale on Premises during performances: food and beverages, as outlined in Paragraph 6.3, above, and programs and logo items

9.11 Home Company is responsible for the security, maintenance, and sufficient insurance of all their equipment and possessions stored at Premises.

9.12 Home Company shall endeavor to ensure that its patrons utilize Community and Cultural Center parking, or readily available public parking.

9.13 Home Company shall be responsible to ensure its activities comply with all applicable laws, regulations, and other agreements which govern its performances, including but not limited to copyright and trademark laws and trade union agreements.

9.14 Home Company shall leave all City lights ready and available for use for other entities at the end of each performance. Home Company shall include a minimum of 8 lights on stage left, a minimum of 8 lights on stage right, and a minimum of 12 lights in the audience facing the stage area. Three Light Bars in the back of the stage must be available to renters at all times. Home Company may leave remaining lights as long as they are plugged in and usable to other renters. City Staff will notify Home Company if there are no pre-scheduled rentals between shows one week prior to move-out and in that case Home Company will be allowed to leave non-City owned lights as they wish.

10. Maintenance; Repairs; and Utilities.

10.1 Payment of Costs. City shall provide and pay for the routine costs of maintenance and utilities. "Maintenance and Utilities" includes (a) regularly scheduled custodial services; (b) routine maintenance of City-owned equipment and facility necessary for the City's performance of this Agreement and repair of said equipment or facility for normal wear and tear and of damages not caused by the Home Company, its personnel, volunteers or invitees, (c) utilities, including deposits and monthly charges for gas, electricity, and water; (d) routine landscaping costs, (e) routine charges for maintenance and repair of parking lots and accessory structures, including but not limited to paving and painting; and (f) routine charges for maintenance and repair of HVAC systems.

10.2 Duty to Report Damage and Maintenance Requests: Home Company shall, as soon as practical, report all damage to City equipment or facilities to City by email to appropriate staff personnel at the Community and Cultural Center. Home Company shall also request routine maintenance and repairs as specified in Paragraph 10.1 to be completed by the City by email to appropriate staff personnel at Community and Cultural Center. City shall respond to routine maintenance or repair requests by Home Company which do not involve a bona fide safety hazard within three (3) working days. City shall provide immediate emergency maintenance, service on an on-call basis. During the weeks of performances, rehearsals and technical run-throughs as set forth on the Master Playhouse Calendar, Home Company's trained technicians may perform such minor maintenance as replacing and repairing theater light bulbs,

defective detachable audio cables, light and sound equipment, touch-up painting and the like using existing City stock. If these items are not available in the existing City stock, Home Company may purchase and will be reimbursed by City, upon submitting a receipt, for those costs. For purchases over Three Hundred Fifty Dollars (\$350.00), Home Company must seek prior authorization from City.

10.3 Duty to Maintain Interior. Except for damage caused by the negligence of City or normal wear, Home Company will keep and maintain the interior of Premises in good condition and repair, including but not limited to the walls, structural elements, light and sound systems, paint, carpets, flooring, plumbing, and electrical components of the building. Home Company shall have the right to refinish the stage floor in a manner approved by the City, using its own labor and City's materials at least once during the term of this Agreement, and, with the consent of City, on other occasions as needed.

10.4 Capital Repairs. City shall be responsible for charges for major capital repairs, including roof replacement, to Premises.

10.5 Repairs to Damage Caused by Home Company. Home Company shall use Premises in a careful, safe, and proper manner. Home Company agrees to pay City on demand for any damages to Premises, equipment or facilities caused by Home Company, its personnel, volunteers or invitees.

10.6 Waiver of Civil Code Sections 1941 and 1942. In light of the provisions of paragraph 10.2 above, Home Company waives the provisions of California Civil Code sections 1941 and 1942, and any other law that would require City to maintain Premises in a tenable condition or would provide Home Company with the right to make repairs and deduct the cost of those repairs from the rent.

11. Signs. Home Company shall not place, maintain, nor permit on any door, wall, or window of Premises any sign, awning canopy, marquee, or other advertising, without the express written consent of City. If City consents to placement of such items, Home Company agrees to maintain said item in good appearance and repair at all times, and to comply with City's direction as to time limits for display of such items, Home Company agrees that if any item is not removed in accordance with City's direction, City has the right to, without damage or liability, remove and/or destroy such item in its discretion.

12. Assignment and Subletting. Home Company may not assign this Agreement, nor sublet any portion of Premises, without City's prior written consent which it may withhold in its sole discretion

13. Non-Discrimination; Non-Violation. Home Company covenants there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, disability, national origin, or ancestry, in any activity pursuant to this Agreement. Home Company further covenants that its activities and use of Premises shall comply with the Americans with Disabilities Act.

14. Abandonment. Should the Home Company abandon, be dispossessed, surrender or otherwise vacate Premises, the City at City's option, may immediately terminate this Agreement and enter Premises and remove all persons and property.

15. Site Walkthrough. Home Company and City agree to hold a joint walkthrough of Premises at the beginning and end of each Home Company production run in order to identify the condition of the facility.

16. Damage to or Destruction of Premises. If any portion of Premises, fixtures, equipment or facilities are damaged or destroyed by Home Company due in part or whole to the negligence of Home Company, or if such damage is incurred during Home Company's use of Premises and/or arising from Home Company's use of Premises due in part or whole to the negligence of Home Company, the damage shall be repaired, replaced or restored at City's discretion, and Home Company shall be responsible for its proportionate share of the full cost and expenses of repairs, replacement or restoration based on its comparative fault, including but not limited to cost of any janitorial, cleaning or other services. It is the responsibility of the Home Company to properly store and protect from damage its own property and equipment. If, and only if, any equipment or property belonging to Home Company is damaged or destroyed due to the sole negligence of City, the damage shall be repaired, replaced or restored by the City at the Home Company's discretion. Partial destruction or other unavailability of Premises shall not void this Agreement, except that Home Company shall be entitled to a proportionate reduction of rent while the repairs are being made. Such reduction shall be in proportion to the interference with the Home Company's business at Premises. If the repairs cannot be reasonably made within ninety (90) days, this Agreement may be terminated at the option of either party. In the event Premises suffer the destruction of more than twenty-five percent (25%) of the replacement cost or in the event insurance proceeds are not sufficient to cover at least ninety five percent (95%) of the cost of repairs and restoration, City may elect to terminate this Agreement. City shall not be obligated to replace any of Home Company's personal property which may be damaged or destroyed, unless City is solely responsible for such damage or destruction.

17. Exemption from Liability. City shall not be liable for damages to Home Company's property arising from the failure of the supply of water, gas, electricity, or power, nor from the stoppage of any machinery and equipment.

18. Hazardous Materials. Home Company shall not keep or maintain any Hazardous Substance, other than ordinary cleaning supplies, small quantities of latex paint and waste, on or in Premises without City's prior written approval. Home Company shall promptly give notice to City of any Hazardous Substance dispersal or spill, or Hazardous Materials claim, of which it is aware. Home Company shall indemnify and hold City harmless from any and all claims, costs, damages, penalties, or liabilities arising out of the Home Company's use or release of any Hazardous Substance at, in or on Premises. The term "Hazardous Substance" as used in this Agreement shall mean any product, substance, chemical, material, or waste whose presence, nature, quantity, and/or intensity of existence, use, manufacture, disposal, transportation, spill, release, or effect, either by itself or in combination with other materials expected to be on Premises, is either (a) potentially injurious to the public health, safety, or welfare, the environment, or Premises, (b) regulated or monitored by any governmental authority, or (c) a basis for liability of City to any governmental agency or third party under any applicable statute or common law theory.

Hazardous Substance shall include, but not be limited to, hydrocarbons, MTBE, petroleum, gasoline, crude oil, or any products, by-products, or fractions thereof.

19. Inspection. City may enter Premises at all reasonable times to inspect, maintain and repair the property.

20. Liens. Home Company shall keep Premises free from any and all liens arising out of any work performed, materials furnished, or obligations incurred by or for Home Company; and Home Company agrees to defend City at its sole cost and expense against any and all lawsuits arising from such lien upon receipt of notice of opportunity to defend from City.

21. Insurance.

21.1 Definition. For purposes of this Paragraph, the following definition applies: City of Morgan Hill includes the duly elected or appointed officers, agents, employees and volunteers of the City of Morgan Hill, individually or collectively.

21.2 Comprehensive General Liability. In furtherance of its obligations pursuant to this Agreement, Home Company agrees to obtain and maintain during the term of this Agreement comprehensive general liability protecting Home Company in an amount of not less than One Million Dollars (\$1,000,000) per occurrence, including bodily injury and property damage, as a combined single limit or equivalent. Such insurance shall name the City of Morgan Hill, as defined above, as an additional insured by endorsement to the insurance policy. Coverage shall be in accordance with the limits specified above and the provisions indicated herein. Claims-made policies are not acceptable. When an umbrella or excess coverage is in effect, it must follow the form of the underlying coverage.

Such insurance policy or policies shall be stated to be primary and noncontributing with any insurance that may be carried by City and shall state that the insurer waives the right of subrogation against City and City's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers. Such insurance shall not be canceled or materially altered to reduce coverage without giving City at least thirty (30) days advance written notice of such cancellation or change, and it shall be the responsibility of Home Company and Home Company's insurer to notify City of such change or cancellation.

21.3 Workers Compensation Insurance. If and to the extent Home Company has individuals which may be subject to workers' compensation law, it agrees to obtain and maintain Statutory Workers Compensation and employer's liability in an amount not less than One Million Dollars (\$1,000,000) and furnish City with a certificate showing proof of such coverage.

21.4 Certificates of Insurance with Endorsements. Home Company shall file the required original Certificate of Insurance with endorsements with the City Attorney of the City of Morgan Hill prior to any use of Premises. The Certificates shall be subject to City's approval and shall clearly state:

(a) Policy number; name of insurance company; name, address and telephone number of the agent or authorized representative; name, address and telephone number of insured; show title and producer; policy expiration date; and specific coverage amounts; and

(b) That thirty (30) days' cancellation notice is required, unqualified as to the acceptance of liability for failure to notify City; and

21.5 Deductibles, Self-Insured Retentions, and Proof of Insurance. Prior to commencing any use of Premises, deductibles, and self-insured retentions acceptable to City must be stated on Certificates of Insurance, and the Certificate of Insurance must be approved by City.

21.6 Absence of Insurance. The absence of in-force insurance or reduction below limits as specified in this article shall cause revocation of permission to use Premises; any delays or expenses caused due to change of insurance shall be considered Home Company's delay and shall not affect City.

21.7 Insurance Companies. Insurance provided pursuant to this contract must be from insurance companies admitted in California and rated at least A:VII in the latest Best's Insurance Guide; or such other insurance companies as are acceptable to City in its sole and unfettered discretion.

22. Defense, Hold Harmless and Indemnification. Home Company agrees to indemnify, defend and hold harmless the City, members of the City Council, officers, employees and agents, from and against all liabilities, losses, suits, claims, demands, judgments, damages, costs and expenses (including attorney's fees and costs) for damage to Premises, or injury to or death of any person resulting from or arising out of the Home Company's use, operation, occupancy, or maintenance of the Premises or any improvements thereto, or the acts or omissions of the Home Company's officers, agents, employees, contractors, subcontractors, invitees, subtenants or licensees ("Claim"). Home Company is not required to indemnify or defend any Claim that a court of competent jurisdiction determines with finality that not less than fifty percent (50%) of the Claim is caused by the City's negligence or willful misconduct; provided however that the Home Company's duty to indemnify, defend and hold harmless the City arise immediately at the time that any Claim is alleged against the City, whether or not such Claim includes allegations of negligence or willful misconduct by the City until such time that a court determines with finality that not less than fifty percent (50%) or the entirety of the Claim is caused by the City's negligence or willful misconduct of the City. Upon such a determination of the court and only if such determination is made, the liability and defense costs shall be allocated among the City and the Home Company according to the proportionate responsibility as determined by the court.

23. Time of Essence. Time is of the essence in the performance of this Agreement by Home Company and City.

24. Default; Remedies.

24.1 Default. In the event of a non-monetary default, the non-defaulting party shall give written notice thereof to defaulting party. In the event that the defaulting party shall

not have cured the default within thirty (30) days of the notice, or if the default is of a monetary nature or of a nature which cannot reasonably be cured within thirty (30) days and the defaulting party shall not have commenced to cure the default and be diligently pursuing such cure to completion within such thirty (30) day period, then the non-defaulting party, besides any other right or remedies that it may have, shall have the right to terminate this Agreement.

24.2 Remedies. Should City or Home Company at any time terminate this Agreement for any breach by the other party, in addition to any other remedy the aggrieved party may have, it may recover from the other party all damages it may incur by reason of such breach, including as appropriate, but not limited to: (a) the cost of recovering Premises; (b) all rent due and unpaid as of the date of such termination, plus interest on said sum at the rate of five percent (5%) per annum; (c) amounts that would have fallen due as rent between the time of termination of this Agreement and the time of the judgment, or other award, less the avails of all relettings and attornments, plus interest on the balance at five percent (5%) per year; (d) the worth at the time of the judgment or other award, of the amount by which the unpaid rent for the balance of the term exceeds the amount of such rental loss that Home Company proves could be reasonably avoided; (e) production costs and ticket revenue losses, and (f) any other amount necessary to compensate the aggrieved party for all the detriment proximately caused by the other party's failure to perform its obligations under this Agreement or which in the ordinary course of things would be likely to result therefrom.

25. Force Majeure. In the event and to the extent that the performance of any of the covenants of this Agreement shall be prevented by an act of God, the acts or regulations of public authorities other than acts or regulations of City, labor unions, labor difficulties, strikes, civil tumults, war, epidemic, or any other cause beyond the parties' control, the parties will be relieved of their obligations under this Agreement; and further, upon such event, neither party shall be obligated for any expenses incurred by the other party, including, but not limited to, any and all expenses incurred for promotion, artists' fees or preparation costs.

26. Waiver of Breach. Any express or implied waiver of a breach of any term of this Agreement, or acceptance of any late payment, shall not waive any rights of either party, and shall not constitute a waiver of any further breach of the same or other term of 'the Agreement, except and unless the waiver is in writing by the party to be charged.

27. Notices. All notices shall be in writing, personally delivered or mailed via certified mail return receipt requested to the below listed mail address. These addresses also shall be used for delivery of service of process.

- (a) Address of Home Company is as follows:
South Valley Civic Theatre
P.O. Box 1555
Gilroy, CA 95021

- (b) Address of City is as follows:
 City Manager
 City of Morgan Hill
 17575 Peak Avenue
 Morgan Hill, CA 95037

With a copy to:

City Clerk, and Community Services Director

Either party may change its address for notices by giving written notice to that effect.

28. Entire Agreement; Amendment. This Agreement constitutes the entire Agreement of the parties as to Premises, the licensing of Premises, and the specified license term. Any agreement or representations respecting Premises or their licensing not expressly set forth herein are void. This Agreement may only be amended by written agreement signed by both parties.

29. Governing Law; Venue; Mediation of Disputes. This Agreement shall be construed and enforced pursuant to the laws of the State of California. Santa Clara County shall be the venue for any legal proceedings arising out of this Agreement. The parties agree to pre-litigation mediation of any dispute arising out of this Agreement.

30. Attorneys' Fees. If any action at law or in equity is brought to recover any rent or other sums under this Agreement, or for or on account of any breach of or to enforce or interpret any of the covenants, terms, or conditions of this Agreement, or for the recovery of the possession of Premises, the prevailing party shall be entitled to recover from the other party their reasonable costs and attorneys' fees, the amount of which shall be fixed by the court and made a part of any judgment rendered.

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

32. No Third Party Beneficiaries. This Agreement is for the benefit of City and Home Company, and is not intended to, and does not, create any rights, responsibilities or obligations on behalf of third parties.

33. Authority to Execute. Each person signing this License Agreement on behalf of the indicated party declares that he/she has the authority to bind that party. In the event that the signatory lacks such duly granted authority, said undersigned signatory personally assumes all liability for fees, costs and damages.

ATTEST:

THE CITY OF MORGAN HILL

City Clerk

Date: _____

APPROVED:

Risk Manager

Date: _____

APPROVED AS TO FORM:

By: _____

City Attorney

Date: _____

City Manager

Date: _____

SOUTH VALLEY CIVIC THEATRE



President

Date: 10 AUGUST 2017



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Charlie Ha, Supervising Civil Engineer
APPROVED BY: City Manager

FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406

RECOMMENDATION(S)

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvement Agreement with Presidio Van Daele Watsonville 37, LLC;
3. Authorize the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorize the recordation of the Final Map, Subdivision Improvement Agreement, and the Stormwater BMP Operation and Maintenance Agreement.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment

2017 Strategic Priorities

Infrastructure

REPORT NARRATIVE:

Lands of Young – Tract No. 10406 is a 37-lot subdivision located on the northwest corner of Monterey and Watsonville Road (see attached site map). The developer, Presidio Van Daele Watsonville 37, LLC, has completed all the conditions specified by the Planning Commission in the approval of the Tentative Map on April 12, 2016.

The City Council is required to approve the map if it conforms to all the requirements of the Subdivision Map Act, and any conditions of approval for the Tentative Map.

The developer has furnished the City with the necessary documents to complete the processing of the Final Map and has made provisions with a title company to provide the City with the required fees, security, and insurance prior to recordation of the Final Map. The Final Map conforms to the requirements of the Subdivision Map Act, and conditions of approval have been met. Staff recommends that City Council authorize the City Manager to sign a Subdivision Improvement Agreement on behalf of the City and sign a Stormwater BMP Operation and Maintenance Agreement pending review and approval by the City Attorney.

COMMUNITY ENGAGEMENT: Involve

On April 12, 2016, the Planning Commission approved the Tentative Map. Residents within a 300 feet radius were informed of the Planning Commission's intent to approve the Tentative Map for the project, in which a public hearing was held to allow the public

to be involved and voice their concerns over Tentative Map requirements.

ALTERNATIVE ACTIONS:

There is no feasible alternative action as the developer has met the requirements of the tentative map conditions approved by the Planning Commission to file for a final map approval.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On May 4, 2016, the City Council approved the Development Agreement.

FISCAL AND RESOURCE IMPACT:

Development review costs for this project are paid for from development processing fees.

CEQA (California Environmental Quality Act):

Project - Mitigated Negative Declaration and Monitoring and Reporting Program was approved on April 12, 2016.

LINKS/ATTACHMENTS:

1. Site Map
2. Final Map
3. Tract 10406 Subdivision Improvements Agreement
4. Stormwater BMP Operation and Maintenance Agreement



**TRACT 10406
MONTEREY-YOUNG**

Attachment: Site Map (1368 : FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406)



CITY OF MORGAN HILL

**Department of Public Works
Engineering and Utilities Division**

G:\R-14\Proj\GIS\John\Charlie_MontereyYoung.mxd

SITE MAP MONTEREY-YOUNG



0 110 220 440 660 880
Feet

TRACT No. 10406

BEING A PORTION OF LOT 1 OF THE MAP OF THE PARTITION OF THE FITZGERALD TRACT AS SHOWN ON THAT MAP THEREOF FILED IN BOOK 1-1 OF MAPS AT PAGE 5, SANTA CLARA COUNTY RECORDS LYING WITHIN THE CITY OF MORGAN HILL, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA
AUGUST 2017

LEGEND

- FOUND STANDARD CITY MONUMENT, AS INDICATED
- FOUND 3/4" IRON PIPE, TAGGED R.C.E. 24893
- UNLESS NOTED OTHERWISE
 - SET 3/4" IRON PIPE, TAGGED P.L.S. 8347
 - X - CHISEL MARK IN CURB CONCRETE
- BDM FOUND MONUMENT
- L.E. FOUND LANDSCAPE EASEMENT
- P.S.E. PUBLIC SERVICE EASEMENT
- (r) RADIAL BEARING

CENTERLINE
DISTINCTIVE BOUNDARY LINE
EASEMENT LINE
EXISTING LOT LINE /RIGHT-OF-WAY LINE
NEW LOT LINE

NOTES

- 1) THE DISTINCTIVE BOUNDARY LINE INDICATES THE BOUNDARIES OF THE LAND SUBDIVIDED BY THIS FINAL MAP.
- 2) THE AREA WITHIN THE DISTINCTIVE BOUNDARY IS 9.36 ACRES (GROSS).
- 3) ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- 4) A GEOTECHNICAL STUDY HAS BEEN PREPARED BY BERLOGAR STEVENS & ASSOCIATES, DATED SEPTEMBER 06, 2016, PROJECT NO. 3602.100.
- 5) THE PROPERTY OWNER IS PROVIDING CONSTRUCTIVE NOTICE HEREIN THAT EACH LOT IS SUBJECT TO REQUIREMENTS OF A DEVELOPMENT AGREEMENT, PERMITTED BY THE PROPERTY OWNER TO DEVELOP, MUST BE FULFILLED BY THE SUBSEQUENT PROPERTY OWNERS/OWNER.

LINE TABLE

LINE	LENGTH	BEARING
L4	13.84'	S87°02'21"W
L5	16.40'	N18°15'50"E
L6	20.92'	N63°31'37"E
L7	52.79'	S33°39'00"W
L8	105.86'	S31°52'28"W
L9	47.06'	N43°31'32"E
L10	13.71'	N62°47'42"E
L11	19.04'	N38°03'04"W

CURVE TABLE

CHORD	LENGTH	RADIUS	DELTA
C8	41.53'	48.00'	49°34'16"

GRAPHIC SCALE



REFERENCE RECORD DATA

- R1 TRACT NO. 8719 BOOK 663 MAPS, PGS. 41-44
- R2 BOOK NO. 9085 PGS. 54-55
- R3 RECORD OF SURVEY BOOK 680 MAPS, PGS. 16-22
- R4 TRACT NO. 10174 BOOK 663 MAPS, PGS. 51-54

EASEMENTS OF RECORD

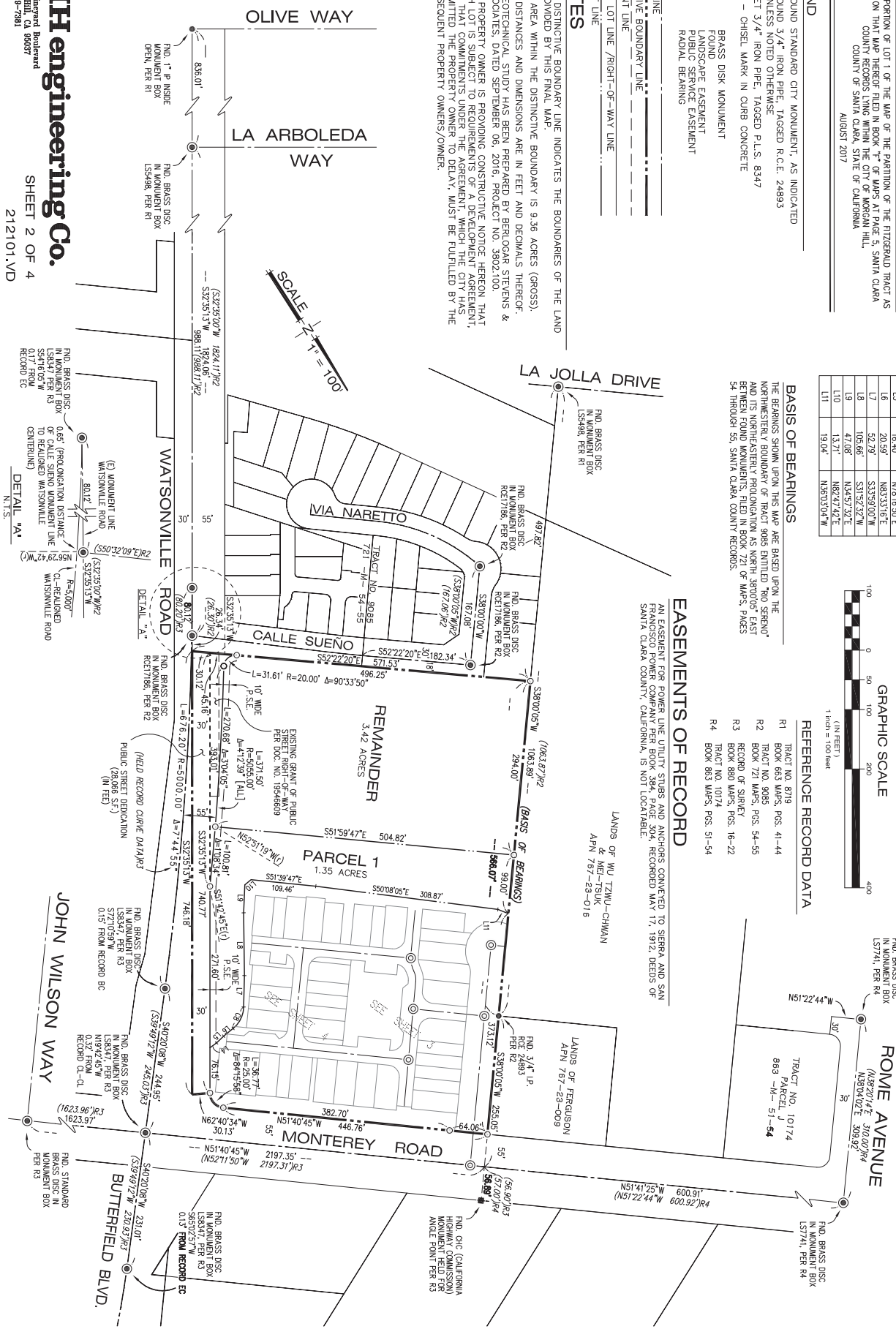
AN EASEMENT FOR POWER LINE UTILITY STRIPS AND ANCHORS CONVEYED TO SERRA AND SAN FRANCISCO POWER COMPANY PER BOOK 384, PAGE 304, RECORDED MAY 17, 1972, DEEDS OF SANTA CLARA COUNTY, CALIFORNIA, IS NOT LOCATABLE.

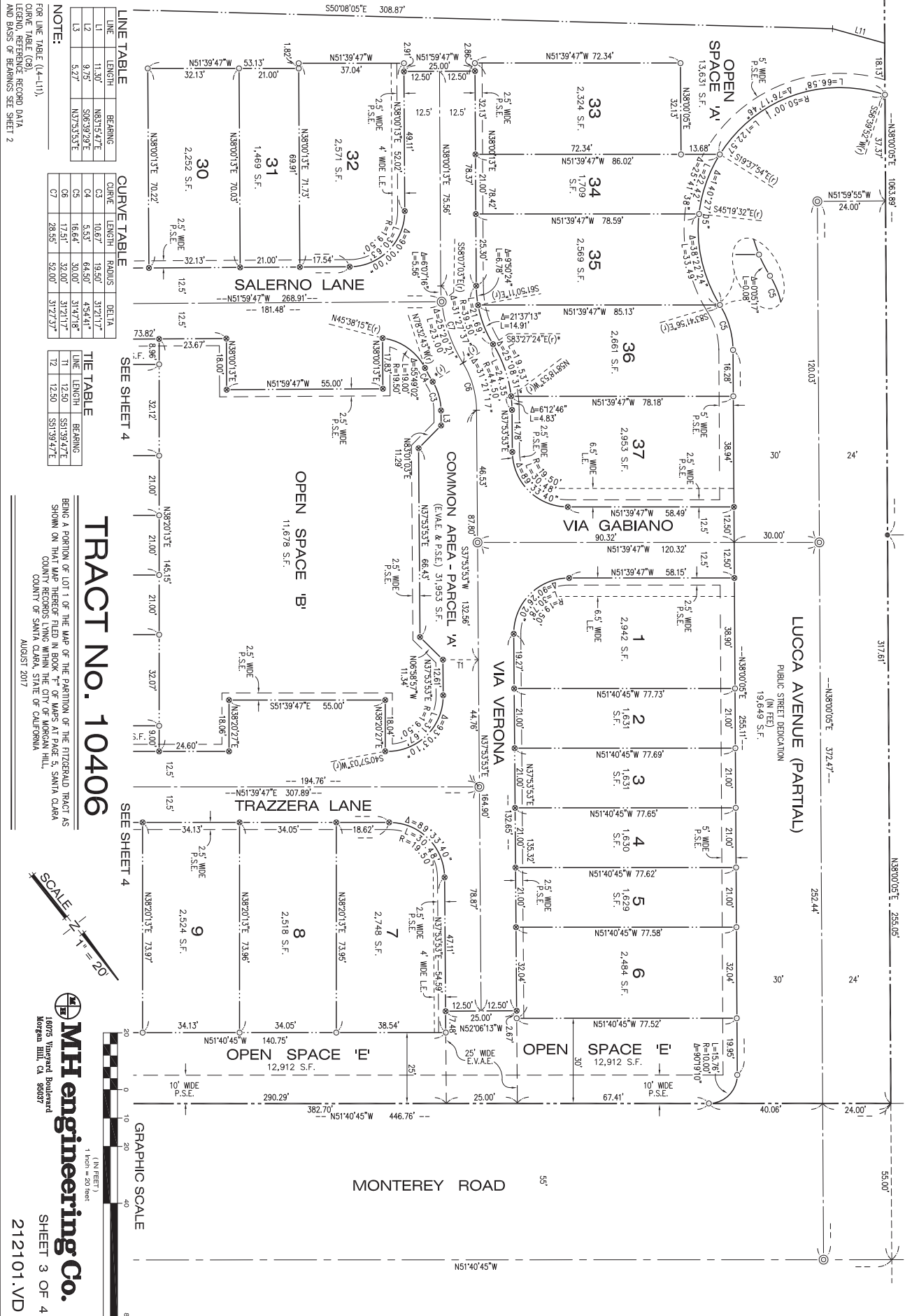
LANDS OF WU TZUW-CHWAN
APN 767-23-016

LANDS OF FERGUSON
APN 767-23-009

MH engineering Co.
16075 Vinograd Boulevard
Morgan Hill, CA 95057
(408) 778-7801

SHEET 2 OF 4
212101.VD





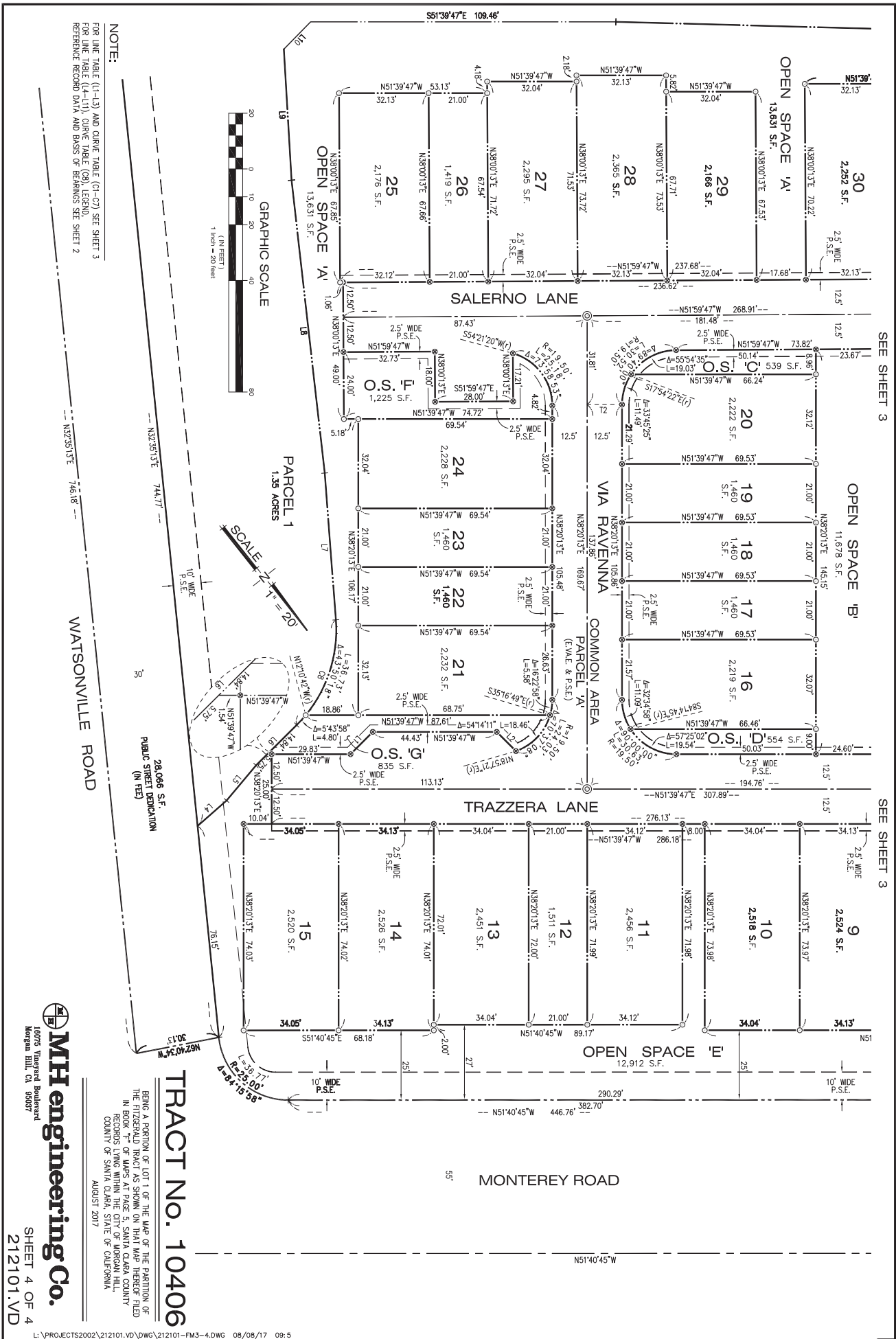


EXHIBIT B

RECORDING REQUESTED BY
WHEN RECORDED RETURN TO

CITY OF MORGAN HILL
City Clerk's Office
17575 PEAK AVENUE
MORGAN HILL, CA 95037

(RECORD AT NO FEE PURSUANT TO
GOVERNMENT CODE SECTION 27383)

THE AREA ABOVE IS RESERVED FOR RECORDER'S USE

SUBDIVISION IMPROVEMENTS AGREEMENT

PRESIDIO VAN DAELE WATSONVILLE 37, LLC

LANDS OF YOUNG – TRACT NO. 10406

This Subdivision Improvements Agreement ("Agreement") between the City of Morgan Hill, a municipal corporation ("City"), and Presidio Van Daele Watsonville 37, LLC, a Delaware limited liability company ("Subdivider"), is entered into this _____ day of _____, 2017. City and Subdivider hereby acknowledge the following:

1. Subdivider has filed a Tentative Subdivision Map and supporting documents for Tract No.10406, the subdivision known as Lands of Young ("Map").
2. City desires, as part of the conditions of approval ("Conditions") of the Final Tract Map or Parcel Map ("Final Map"), that certain improvements be installed by Subdivider ("Improvements") as shown on the City Engineer approved and signed Subdivision Improvement Plans entitled "Improvement Plans for, Lands of Young, Tract No. 10406" ("Plans").
3. Subdivider has been unable to complete, prior to filing of the Final Map, all of the improvements required by City to the satisfaction of the City Engineer.
4. Subdivider is required by the terms of the Morgan Hill Municipal Code ("Municipal Code"), to improve all streets, highways, or public areas which are part of the development, including but not limited to necessary paving, curbs, sidewalks, catch basins, water mains, culverts, storm drains, and sanitary sewers, in accordance with the plans and specifications on file with the City Engineer and to post certain securities to secure the completion of the Improvements.
5. To assure City that Subdivider will construct, install and complete all Improvements required for the Subdivision, the parties have entered into this Agreement.

EXHIBIT B

6. This Agreement is executed pursuant to California Government Code Section 66410, et seq., and Chapter 17.32 of the Municipal Code in order to provide for the manner in which Improvements shall be constructed and completed.

NOW, THEREFORE, and in consideration of the approval of the Final Map, and in order to ensure satisfactory performance by Subdivider of Subdivider's obligations under the Conditions, the Subdivision Map Act, and applicable ordinances of City, the parties hereto, for themselves, their successors, and assigns, hereby agree as follows:

Section 1. Incorporation by Reference

The Development Agreement between Subdivider and City, if applicable, Subdivider's Map application, the Conditions, the Map, all Plans as referenced in Section 2 below and all items submitted to the Planning Department, Planning Commission and City Council, all are incorporated herein by reference. In the event of any inconsistency between their representations in any incorporated documents and this Agreement, this Agreement shall govern.

Section 2. Construction of Improvements

(a) Subdivider shall construct to the approval of City, and as provided for in the Conditions, the Improvements as shown fully executed in the Plans entitled "Improvement Plans for Lands of Young".

(b) Acquire and dedicate, or pay the cost of acquisition by City, of all rights-of-way, easements, and other interests in real property for the construction or installation of the Improvements, free and clear of all liens and encumbrances.

(c) Survey Monumentation:

(1) Subdivider shall place survey monumentation as described on the Map.

(2) Subdivider shall replace or repair all survey monumentation that is destroyed or damaged as a result of Subdivider's activities. Any such repair or replacement shall be to the satisfaction and subject to the approval of City.

Section 3. Modification of Plans

Subdivider agrees that, if during the construction of the Improvements, it is determined by City that revisions to the Plans are necessary in the interest of the public, Subdivider will undertake such design and construction changes required by City. Said changes, if any, shall be confined to the premises owned by Subdivider.

Section 4. Security

(a) Pursuant to California Government Code Section 66499.3(a), and the Municipal Code, Subdivider shall, concurrently with the execution hereof, furnish a surety bond in an amount equal to at least one hundred percent (100%) of the estimated construction cost of the Improvements as security guaranteeing the faithful performance of the Improvements and this Agreement ("Performance Bond").

EXHIBIT B

Improvements and the City Engineer's Estimated Costs of Improvements as of July 2017 are attached hereto as Exhibit "A".

The Performance Bond shall be in a form substantially the same as Exhibit "B".

(b) Pursuant to California Government Code Section 66499.3(b), Subdivider shall, concurrently with the execution hereof, furnish a surety bond in an amount equal to one hundred percent (100%) of the estimated construction cost of the Improvements (as listed in Section 4(a) above) as security guaranteeing the payment to the contractors, subcontractors and persons furnishing labor, materials, or equipment in connection with this Agreement ("Labor and Materials Bond"). The Labor and Materials Bond shall be in a form substantially the same as Exhibit "C".

(c) Subdivider shall, upon completion of the Improvements, furnish a surety bond in an amount equal to fifty percent (50%) of the estimated construction cost of the Improvements (as listed in Section 4(a) above) to secure the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof by the City Council ("Warranty Period") against any defective work or labor performed, or defective materials furnished by Subdivider in connection with this Agreement ("Warranty Bond"). The Warranty Bond shall be in a form substantially the same as Exhibit "D".

(d) Pursuant to Government Code Section 66499.9, any liability upon the security given for faithful performance of any act or agreement shall be limited to:

(1) The performance of the work covered by the Agreement or the performance of the required act.

(2) The performance of any changes or alterations in such work; provided that all changes or alterations do not exceed ten percent of the original estimated cost of the Improvements.

(3) The guarantee and warranty of the work for a period of one year following completion and acceptance thereof, against any defective work or labor done or defective materials furnished in the performance of the Agreement or the performance of the act.

(4) Costs and reasonable expenses and fees, including reasonable attorneys' fees.

(e) The surety on each bond and the form thereof shall be satisfactory to City. The surety shall be furnished by a surety company authorized to write the same in the State of California and that is approved and accepted by the City's risk manager.

(f) Subdivider agrees to furnish any bonds required by the State or County for Improvements outside the City's jurisdiction.

(g) The release of any securities shall be governed by the provisions of Government Code Section 66499.7.

Section 5. Inspections

EXHIBIT B

At least fifteen (15) calendar days prior to the commencement of any work hereunder, Subdivider shall notify City in writing of the fixed start date of construction so that City shall be able to provide inspection services. Subdivider shall at all times maintain proper facilities and provide safe access to all parts of the work site(s) for City inspections, including any workshops or plants where work related to the Improvements is being conducted.

Subdivider shall pay and reimburse City for all expenses incurred by City for inspecting and checking all work to be performed under the provisions of the Municipal Code or this Agreement. City Engineering plan checking and field improvement inspection costs are included in the Department of Public Works Fee Schedule which may be revised from time to time.

Section 6. Timing of Performance

Subdivider agrees to perform and complete all Improvements within eighteen (18) months from the date of the recording of the Final Map; provided however, the City Manager may extend the deadline for completion by not more than six (6) months at his reasonable discretion and determination that granting the extension will not be detrimental to the public welfare. No extension of this deadline for completion shall be made except upon the basis of a written application made by Subdivider stating fully the ground for the application and the facts relied upon for an extension.

It is further agreed by and between Subdivider and City that any extension granted shall in no way affect the validity of this Agreement or release the surety (ies) on any bond attached hereto or the financial institution guaranteeing the same. Subdivider further agrees to maintain the securities described in Section 4 above in full force and effect during the terms of this Agreement, including any extensions of time as may be granted, and until such time as the Improvements have been accepted for maintenance by City

Section 7. Work Performance and Warranty

(a) Subdivider shall construct, at Subdivider's own expense, all of the Improvements in a good and workmanlike manner, and furnish all required materials incident thereto, in accordance with the Plans and to the satisfaction of City, including any changes required by City which in City's opinion are necessary to complete the Improvements.

(b) All work shall be conducted and completed in accordance with the Plans and federal, state, Municipal Code, laws, ordinances, and regulations. For any Improvements partially completed prior to this Agreement, Subdivider agrees to complete the Improvements in accordance with this Agreement.

(c) Neither Subdivider, nor any of Subdivider's agents or contractors in connection with Subdivider's obligations under this Agreement are, or shall be considered to be, employees or agents of City.

(d) The work performance for the Improvements shall not be deemed complete until such time as such Improvements have been accepted for maintenance by the City Council.

(e) Subdivider warrants that: (1) it has investigated the work to be performed under this agreement, (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the difficulties and restrictions of the work under this Agreement. Should Subdivider discover any conditions materially differing from those inherent in the Improvements or work or as represented by

EXHIBIT B

City, it shall immediately inform City and shall not proceed, except at Subdivider's risk, until written instructions are received from City.

(f) Subdivider guarantees and warrants the work required by this Agreement and agrees to remedy any defects in the Improvements or work arising from faulty or defective materials or construction occurring within one year after its acceptance. Following notice, Subdivider shall, without delay or cost to City, repair, replace, or construct any defective or unsatisfactory portion of the Improvements. City may, at its sole option, perform the repair or replacement itself if Subdivider or its surety has failed to commence repair within twenty (20) days after City has mailed written notice to Subdivider. In such event, Subdivider or its surety agrees to pay the cost of repair and replacement to City, plus fifteen percent (15%); and City may recover such costs as a lien against the Subdivision. City may proceed immediately to make repairs should an emergency arises.

Section 8. Acquisition and Dedication of Easements or Rights-of-Way

(a) No construction or installation of the Improvements shall be commenced before:

(1) The offer of dedication to City of appropriate rights-of-way, easements, or other interests in real property for the Improvements, which offer of dedication shall be irrevocable and remain open pursuant to California Government Code Section 66477.2, and authorization from the property owner to allow construction or installation of Improvements, or

(2) The dedication to, and acceptance by, City of appropriate rights-of-way, easements, or other interests in real property, as determined by the City Engineer, or

(3) The issuance by a court of competent jurisdiction pursuant to state Eminent Domain Law of an order of possession.

(b) Except as otherwise provided by this Agreement, City rejects all lands, rights-of-way, and easements offered for dedication on the Final Map of the Subdivision. All such offers shall, however, remain open, and shall constitute irrevocable offers of dedication in accordance with Government Code Section 66477.2. All such offers may be accepted by City in its sole discretion at any later date without further notice to Subdivider as provided by law. By way of explanation only, it is the current intention of City to accept all or part of the irrevocable offers to dedicate upon acceptance of the Improvements called for in this Agreement.

(c) Nothing in this Section 8 shall be construed as authorizing or granting an extension of time to Subdivider.

Section 9. Indemnity

Subdivider hereby agrees to save harmless and indemnify, including, without limitation, City's defense costs (including reasonable attorney's fees), from and against any and all suits, actions, or claims, of any character whatever, brought for, or on account of any injuries or damages sustained by any person or property resulting or arising, or alleged to have resulted or arisen, from Subdivider or Subdivider's contractors, subcontractors, agents, or employees activities, omissions or operations pursuant to this Agreement. Should City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of this Agreement, or its performance,

EXHIBIT B

Subdivider will defend City, (at City's request and with counsel satisfactory to City) and will indemnify City for any judgment rendered against it or any sums paid out in settlement or otherwise.

Subdivider shall defend, indemnify, and hold harmless the City and its elective and appointive boards, officials, officers, agents, employees and volunteers from any claim, action, or proceeding to review, set aside, void, or annul an approval of the City concerning the Map and acts made in respect thereof, provided any such action is brought within the time period provided for in California Government Code Section 66499.37.

City shall promptly notify Subdivider of any claim, action, or proceeding, and cooperate fully in the defense of any claim, action, or proceeding.

It is expressly understood and agreed that this Subsection (a) will survive termination of this Agreement.

Section 10. Insurance

Concurrent with the execution of this Agreement, Subdivider is required to procure and provide proof of the insurance coverage required by this section in the form of certificates and endorsements. The required insurance must cover the activities of Subdivider and its Subcontractors relating to or arising from the performance of work associated with the Improvements, and must remain in full force and effect at all times during the period covered by the Agreement, including any extensions of time as may be granted, and until such time as the Improvements have been accepted for maintenance by the City. The coverages may be arranged under a single policy for the full limits required or by a combination of underlying policies with the balance provided by excess or "umbrella" policies, provided each such policy complies with the requirements set forth herein. If the Subdivider will utilize the services of a General Contractor to perform all of the work associated with the Improvements, then Subdivider may opt to have all coverages provided by Subdivider's General Contractor. If Subdivider fails to provide any of the required coverage in full compliance with the requirements outlined in this Agreement City shall issue a stop work order, or terminate the Agreement for default. Subdivider further understands that the City reserves the right to modify the insurance requirements set forth herein, with thirty (30) days' notice provided to Subdivider, at any time as deemed necessary to protect the interests of the City.

(a) Policies and Limits. The following insurance policies and limits are required for this Agreement:

- (1) Commercial General Liability Insurance ("CGL"): Subdivider shall maintain CGL and shall include coverage for liability arising from Subdivider's or its Subcontractor's acts or omissions in the performance of work associated with the Improvements against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) five million dollars (\$5,000,000.00) for bodily injury or death to any one person for any one accident or occurrence and at least five million dollars (\$5,000,000.00) for property damage, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. Further, if CGL coverage is being provided by Subdivider's General Contractor pursuant to Section 10, General Contractor may elect to insure the CGL exposures under an "Owners and Contractors Protective Liability Policy (OCP)" on which the City is included as an additional insured.

EXHIBIT B

a. CGL policy may not exclude explosion, collapse, underground excavation hazard, or removal of lateral support.

b. CGL policy must include contractor's protected coverage, blanket contractual, and completed operations.

(2) Workers' Compensation Insurance and Employer's Liability: Subdivider shall maintain Workers Compensation coverage, as required by law. The policy must comply with the requirements of the California Workers' Compensation Insurance and Safety Act and provide protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) for any one accident or occurrence, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. If Subdivider is self-insured, Subdivider must provide its Certificate of Permission to Self-Insure, duly authorized by the State of California Department of Industrial Relations.

(3) Automobile Liability: Subdivider shall maintain Automobile Liability covering all owned, non-owned and hired automobiles (if Subdivider does not own automobiles, then Subdivider shall maintain Hired/Non-owned Automobile Liability) against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) for bodily injury or death to any one person for any one accident or occurrence and at least one million dollars (\$1,000,000.00) for property damage, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

(4) Pollution (Environmental) Liability: The performance of Subdivider's work or service under this Agreement involves handling of hazardous materials, contaminated soil disposal, and/or a risk of accidental release of fuel oil, chemicals or other toxic gases or hazardous materials. Subdivider shall procure and maintain Pollution Liability covering the Subdivider's liability for bodily injury, property damage and environmental damage resulting from pollution and related cleanup costs arising out of the work or services to be performed under this Agreement. Coverage shall be provided for both work performed on site, as well as during the transport of hazardous materials. Such coverage shall be in the minimum amount of: (i) one million dollars (\$1,000,000.00) for any one accident or occurrence, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

(b) Required Endorsements. Subdivider shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below. Further, if coverages are being provided by Subdivider's General Contractor pursuant to Section 10, endorsements may not be restricted to work performed "under a written contract" (i.e. "blanket endorsements")

(1) ALL Policies:

"Waiver of Subrogation" - Each required policy must include an endorsement providing that the carrier agrees to waive any right of subrogation it may have against the City of

EXHIBIT B

Morgan Hill and the City's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.

(2) ALL Policies except Workers Compensation:

- a. "Additionally Insured" - The City of Morgan Hill, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers are named as additional insureds.

(3) General Liability:

- a. "Primary and Non-Contributing" - Insurance shall be primary non-contributing;

- b. "Separation of Insureds" - The inclusion of more than one insured will not operate to impair the rights of one insured against another, and the coverages afforded will apply as though separate policies have been issued to each insured.

(c) Subcontractors. Subdivider must ensure that each Subcontractor is required to maintain the same insurance coverage required under this Section 10 as appropriate based on each subcontractor's scope of work, with respect to its performance of work associated with the Improvements, including those requirements related to the additional insureds and waiver of subrogation.

(d) Qualification of Insurers. All insurance required pursuant to this Agreement must be issued by a company licensed and admitted, or otherwise legally authorized to carry out insurance business in the State of California, and each insurer must have a current A.M. Best's financial strength rating of "A" or better and a financial size rating of "VIII" or better.

(e) Certificates. Subdivider shall furnish City with copies of all policies or certificates as outlined herein, whether new or modified, promptly upon receipt. No policy subject to the Subdivider's agreement with the City shall be reduced, canceled, allowed to expire, or materially changed except after thirty (30) days' notice by the insurer to City, unless due to non-payment of premiums, in which case ten (10) days written notice must be made to City. Certificates, including renewal certificates, may be mailed electronically to riskmgmt@morganhill.ca.gov or delivered to the Certificate Holder address provided herein.

Certificate Holder address:

City of Morgan Hill
Attn: Risk Management
17575 Peak Avenue
Morgan Hill, CA 95037

Section 11. Permits and Requisite Fees

- (a) Subdivider shall pay all current fee obligations in the total amount of **\$1,833,934** due under City Resolution No. 5592, as amended, in accordance with the Department of Public Work fee schedule, as follows:

EXHIBIT B

- (1) **\$605,312** payable at the time of recording of the Final Map, and
- (2) **\$1,228,622** payable on a pro-rata basis for each individual lot in the Subdivision prior to final inspection of each and every residence.
- (3) All fees payable pursuant to this Subsection (a) constitutes valid and due consideration for City's approval of the Final Map, and amounts set forth are estimates that are subject to change prior to the issuance of building permit(s), subject to resolution or ordinance of the City Council.
- (b) Subdivider shall, at its expense, obtain all necessary permits and licenses for the construction of the Improvements, give all necessary notices, and pay all fees and taxes required by law.
- (c) Subdivider shall obtain a City of Morgan Hill Business License.
- (d) Subdivider agrees to procure, at its expense, any necessary permits for Improvements outside the City's jurisdiction.

Section 12. On-Site Supervision

Subdivider shall designate an on-site supervisor, satisfactory to City, who shall be on the work site(s) at all times during the construction of the Improvements, and who has the authority to act on behalf of Subdivider when communicating with City personnel.

Section 13. Waiver

Waiver by City or Subdivider of any breach of any of the provisions of the Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of the same or any other provision of this Agreement. Acceptance by City of any work by Subdivider shall not be a waiver of any of the provisions of this Agreement.

Section 14. 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. Notices shall be effective five (5) days after date of mailing, or upon date of personal delivery.

- | | |
|--|--|
| <ol style="list-style-type: none"> a. Address of Subdivider is as follows:
Presidio Van Daele Watsonville 37, LLC
5927 Balfour Court, #208
Carlsbad, CA 92008 b. Address of City is as follows:

Public Works Director
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037 | <p>With a copy to:</p> <p>City Clerk
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037</p> |
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EXHIBIT B

Section 15. Noncompliance

If City determines that Subdivider is in violation of any federal, state, County or City laws, ordinances, rules, regulations, and requirements, and/or the terms and provisions of this Agreement, it may issue a cease and desist order, stop work order, or other action City deems necessary.

Section 16. Notice of Breach and/or Default

City may serve written notice upon Subdivider and surety of breach of this Agreement or of any portion thereof, and default of Subdivider for any of the following circumstances:

- (a) Subdivider refuses or fails to complete the Improvements as required in Section 6 above.
- (b) Subdivider refuses or fails to perform or cure any defects in the Improvements as required in Section 7.
- (c) Subdivider is insolvent, is subject to a receivership, or files any petition in bankruptcy, either voluntary or involuntary which Subdivider fails to discharge within thirty (30) days.
- (d) The commencement of a foreclosure action against the Subdivision or any portion thereof, or any conveyance in lieu of or in avoidance of foreclosure.
- (e) Subdivider or any of Subdivider's contractors, subcontractors, agent, or employees materially violates any of the provisions of this Agreement and not cure the violation within a reasonable time.

Section 17. Performance by Surety or City

- (a) In the event of a material breach and/or default by Subdivider, Subdivider's surety shall have the duty to take over and complete the Improvements.
- (b) If the surety, within a reasonable time after receiving notice of Subdivider's default does not provide City written notice to take over the performance of this Agreement or if the surety does not commence performance thereof within the time specified in such notice to City, City may take over the construction of the Improvements and prosecute the same to completion, by contract or by any method City may deem advisable, on behalf and at the expense of Subdivider, and Subdivider's surety shall be liable to City for any excess cost or damages incurred by City thereby. In such event, City, without liability for so doing, may take possession of and utilize such materials, appliances, and other property belonging to Subdivider as may be on the work site(s) and necessary therefore to complete the Improvements.
- (c) City shall have the right to draw upon or utilize the appropriate security provided for in Section 4 to recover costs and damages to City damages. The right of City to draw upon or utilize the security is additional and not in lieu of any other remedy available to City at law or in equity. The parties agree that the estimated costs and security amounts may not reflect the actual cost of construction or installation of Improvements, and therefore, City damages for Subdivider's default shall be measured by the cost of completing the required Improvements.

EXHIBIT B

(d) Failure of Subdivider to comply with terms of this Agreement shall constitute consent to filing by City of a notice of violation against all lots in the Subdivision, or to rescind the approval or otherwise revert the Subdivision to acreage. The remedies provided in this Subsection (d) are in addition to and not in lieu of other remedies available to City.

(e) In the event that Subdivider fails to perform any obligation under this Agreement, Subdivider agrees to pay all costs and expenses incurred by City in securing performance of such obligation, including the costs of suit and reasonable attorney's fees.

(f) The failure by City to take an enforcement action with respect to a default, or to declare a breach, shall not be construed as a waiver of that default or breach or subsequent default or breach.

Section 18. Successors in Interest

This Agreement shall inure to the benefit of, and be binding upon, the successors and assigns of the parties. It shall be recorded in the Office of the Recorder of Santa Clara County concurrently with the Final Map of the Subdivision and shall constitute a covenant running with the land and an equitable servitude upon the real property within the Subdivision. It shall be the responsibility of City to cause the executed Agreement to be recorded.

Section 19. Effective Date

This Agreement shall be effective as of the date and year first above written.

Section 20. Amendment of Agreement

This Agreement may only be amended by mutual consent of the original parties or their successors in interest, provided that any such amendment is executed in writing by the parties to be bound thereby.

Section 21. Execution

By signing this Agreement, the person signing states that he or she is authorized to enter into contracts on behalf of Subdivider. The undersigned, on behalf of Subdivider, binds Subdivider, its partners, successors, executors, administrators, and assigns with respect to the terms and conditions of this Agreement.

Section 22. 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.

Section 23. Law to Govern: Venue

The law of the State of California shall govern this Agreement. In the event of litigation between the parties, the action must be filed in the Santa Clara County Superior Court.

EXHIBIT B

Section 24. Limitations Upon Subcontracting and Assignment.

Neither this Agreement or any portion shall be assigned by Subdivider without prior written consent of City.

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Attachment: Tract 10406 Subdivision Improvements Agreement (1368 : FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406)

EXHIBIT B

Section 25. Miscellaneous

(a) Compliance with Law: Subdivider shall comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local government.

(b) Non-Discrimination. Subdivider covenants there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, disability, national origin, ancestry, or sexual orientation in any activity pursuant to this Agreement.

(c) Conflict of Interest and Reporting. Subdivider shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.

(d) Time of Essence. Time is of the essence in the performance of this Agreement.

(e) Interpretation. This Agreement shall be interpreted as though prepared by both parties.

(f) 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.]

CITY OF MORGAN HILL

"Subdivider"

**Presidio Van Daele Watsonville 37,
LLC**

By: _____

Steve Rymer, City Manager

Date: _____

ATTEST:

By: _____

Michelle Wilson, Deputy City Clerk

Date: _____

By: _____

Print Name

(If Corporation, must be Chairperson of the Board, President, or Vice President)

Date: _____

By: _____

Print Name

EXHIBIT B

APPROVED AS TO FORM:

By:

Donald A. Larkin, City Attorney

Date: _____

(If Corporation, must be Secretary, Assistant
Secretary, CFO, or Assistant Treasurer)

Date: _____

Attachment: Tract 10406 Subdivision Improvements Agreement (1368 : FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406)

EXHIBIT “A”
IMPROVEMENTS AND
ESTIMATED COSTS OF IMPROVEMENTS
AS OF JULY 2017

Attachment: Tract 10406 Subdivision Improvements Agreement (1368 : FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406)

**Engineers Cost Estimate for
YOUNG (Tr#10406) Public Improvements Only**

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
<u>Schedule I - Streets and Earthwork</u>					
1	Clearing and grubbing of construction site (excluding structural demo and tree removal)	1	LS	\$ 5,000.00	\$ 5,000.00
2	Street grading	2,013	CY	\$ 6.00	\$ 12,078.00
3	Street finish grading	19,132	SF	\$ 0.20	\$ 3,826.40
4	Public street pavement (5" AC on 14" AB)	12,740	SF	\$ 7.00	\$ 89,180.00
5	Temporaray Cul-de-sac pavement (4"AC on 8"AB)	1,672	SF	\$ 4.00	\$ 6,688.00
6	6" AC Berm @ Temp. Cul-de-sac pavement	120	LF	\$ 14.00	\$ 1,680.00
7	City std sidewalk on agg base	2,782	SF	\$ 7.00	\$ 19,474.00
8	City std.curb & gutter on agg. Base	650	LF	\$ 25.00	\$ 16,250.00
9	City Std. A-11 PCC Cross gutter	200	SF	\$ 10.00	\$ 2,000.00
10	20' wide EVA turf block pavement on 8" AB	662	SF	\$ 6.00	\$ 3,972.00
6	City Std. Street Barricade	68	LF	\$ 50.00	\$ 3,400.00
8	Street name signs	2	EA	\$ 400.00	\$ 800.00
9	Street monuments	3	EA	\$ 400.00	\$ 1,200.00
10	Electrolliers include conduit & pullboxes	3	EA	\$ 3,200.00	\$ 9,600.00
11	Stop sign & legends	1	EA	\$ 600.00	\$ 600.00
Total Schedule I					\$ 175,748.40
<u>Schedule II - Water</u>					
1	8" D.I.P. water main (incl. valves & fittings)	379	LF	\$ 38.00	\$ 14,402.00
2	Fire hydrant assembly complete	2	EA	\$ 2,800.00	\$ 5,600.00
3	City 1.5" landscape water stub-out with angle stop for backup to well water (No meter or RBPF)	1	EA	\$ 1,200	\$ 1,200.00
Total Schedule II					\$ 21,202.00
<u>Schedule III - Sanitary Sewer</u>					
1	8" PVC (SDR-26)	242	LF	\$ 38.00	\$ 9,196.00
2	City std. Manholes	2	EA	\$ 2,800.00	\$ 5,600.00
Total Schedule III					\$ 14,796.00
<u>Schedule IV - Storm Drainage</u>					
1	15" RCP	165	LF	\$ 65.00	\$ 10,725.00
2	12" RCP	64	LF	\$ 38.00	\$ 2,432.00
3	City Std. manholes	3	EA	\$ 2,700.00	\$ 8,100.00
4	City std. curb inlets	4	EA	\$ 2,000.00	\$ 8,000.00
Total Schedule IV					\$ 29,257.00
<u>Schedule V - Monterey Road Improvements</u>					
1	Demo existing bus stop pad, curb, gutter & sidewalk	1	LS	\$ 8,000.00	\$ 8,000.00
2	Street Grading	13,315	SF	\$ 1.00	\$ 13,315.00
3	Street widening pavement (6"AC on 16" AB)	4,484	LF	\$ 8.00	\$ 35,872.00
4	City std curb & gutter on agg base	432	LF	\$ 25.00	\$ 10,800.00
5	City std sidewalk on agg base	2,518	SF	\$ 7.00	\$ 17,626.00

6	Fire hydrant	1	EA	\$ 2,800.00	\$ 2,800.00
7	Electroliers incl. Conduit and pullboxes	2	EA	\$ 3,200.00	\$ 6,400.00
8	Pavement Grind and overlay with minimum 2" AC	19,162	SF	\$ 2.00	\$ 38,324.00
9	Street Striping	1	LS	\$5,000	\$ 5,000.00
10	Street Signs	10	EA	\$350	\$ 3,500.00
Total Schedule VI					\$ 125,137.00
Estimated Const Cost (I-V)					\$ 366,140.40

**Engineer's Cost Estimate for
Watsonville Road Widening**

Item Description	Quantity	Unit	Unit Price	Total
1 Clearing and grubbing	1	LS	\$5,000.00	\$5,000.00
2 Site demolition (incl. concrete culvert, barricade, head wall and and haul off)	1	LS	\$30,000.00	\$30,000.00
3 existing fence relocation	538	LF	\$25.00	\$13,450.00
4 Existing electrolier relocation	1	LS	\$1,000.00	\$1,000.00
5 Existing rock rip rap relocation	1	LS	\$5,000.00	\$5,000.00
6 Existing catch basin and storm drain removal	1	LS	\$1,500.00	\$1,500.00
7 Grade adjustment on existing sewer manhole rim	1	LS	\$500.00	\$500.00
8 Grade adjustment on existing water valve	1	LS	\$500.00	\$500.00
9 Existing 'Flood Warning Sign' relocation	1	LS	\$2,000.00	\$2,000.00
10 Existing 'NO PARKING' sign relocation	1	LS	\$500.00	\$500.00
11 Sawcut existing pavement	750	LF	\$1.50	\$1,125.00
12 City std. curb and gutter	757	LF	\$25.00	\$18,925.00
13 Grind and overlay with asphalt concrete	6,727	SF	\$1.50	\$10,090.50
14 City std. sidewalk	4,055	SF	\$6.00	\$24,330.00
15 4.5" AC on 14.5" AB pavement	7,568	SF	\$6.00	\$45,408.00
16 4' high retaining wall w/ cyclone fence	105	LF	\$100.00	\$10,500.00
17 Erosion control	1	LS	\$8,000.00	\$8,000.00
18 City std. electroliers	3	EA	\$3,500.00	\$10,500.00
19 18" RCP storm drain	105	LF	\$58.00	\$6,090.00
20 City std. curb inlet	1	EA	\$3,500.00	\$3,500.00
21 Signing and striping	1	LS	\$10,000.00	\$10,000.00
22 4'x10' RBCB extension	45	LF	\$2,500.00	\$112,500.00
23 Existing pole and anchor relocation By PG&E	1	LS	\$5,000.00	\$5,000.00
24 Existing gas main relocation	1	LS	TBD	
Subtotal - I				\$325,418.50
10% Contingency				<u>\$32,541.85</u>
Total Construction Cost				\$357,960.35

TRACT PUBLIC IMPROVEMENTS	\$366,140
WATSONVILLE ROAD PUBLIC IMPROVEMENTS	\$357,960
TOTAL	\$724,100

EXHIBIT "B"
PERFORMANCE BOND
(100% of Engineer's Estimate)

Bond No.: _____

Premium: _____

Whereas, the City Council of the City of Morgan Hill, State of California, and _____ (hereinafter designated as "principal") have entered into a Subdivision Improvement Agreement:

PRESIDIO VAN DAELE WATSONVILLE 37, LLC
LANDS OF YOUNG – TRACT NO. 10406

whereby principal agrees to install and complete certain designated public improvements, which said agreement, dated _____, 20_____, and identified as project **LANDS OF YOUNG – TRACT NO. 10406**, is hereby referred to and made a part hereof; and

Whereas, said principal is required under the terms of said agreement to furnish a bond for the faithful performance of said agreement.

Now, therefore, we, the principal and _____, as surety, are held and firmly bound unto the City of Morgan Hill hereinafter called ("City"), in the penal sum of **seven hundred twenty four thousand one hundred dollars (\$724,100)** lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The Surety's office is located at _____,

Telephone No. _____; the Surety is licensed to do business in the State of California; and the California Insurance Agent's License No., address, and telephone number are as follows:

License No.: _____

Address: _____

Telephone No.: _____ .

The non-resident agent for the Surety, if any, is a party to the transaction:

Name of non-resident _____

agent:

Non-resident agent's office
address:

Telephone
No.:

The condition of this obligation is such that if the above bounded principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

Executed this _____ day of _____, 20____.

Principal

Principal

By:

Surety

By:

Attorney-in Fact

By:

California Resident Agent

By:

Non-resident Agent - Attorney-in-Fact

APPROVED:

Karl Bjarke, Public Works Director

Date:

APPROVED AS TO FORM:

By:

Donald A. Larkin, City Attorney

Date:

(Acknowledgment on following page.)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

EXHIBIT "C"
LABOR AND MATERIAL BOND
(100% of Engineer's Estimate)

Bond No.: _____

Premium: _____

Whereas, the City Council of the City of Morgan Hill, State of California, and [ENTER Subdivider NAME] (hereinafter designated as "the principal") have entered into a Subdivision Improvement Agreement:

PRESIDIO VAN DAELE WATSONVILLE 37, LLC
LANDS OF YOUNG – TRACT NO. 10406

whereby the principal agrees to install and complete certain designated public improvements, which agreement, dated _____, 20_____, and identified as project **LANDS OF YOUNG – TRACT NO. 10406**, is hereby referred to and made a part hereof; and

Whereas, under the terms of the agreement, the principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Morgan Hill to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California.

Now, therefore, the principal and the undersigned as corporate surety, and their successors and assigns are held firmly bound unto the City of Morgan Hill and all contractors, subcontractors, laborers, material suppliers, and other persons employed in the performance of the agreement and referred to in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code in the sum of **seven hundred twenty four thousand one hundred dollars (\$724,100)**, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City of Morgan Hill in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety's office is located at _____,

Telephone No. _____; the Surety is licensed to do business in the State of California; and the California Insurance Agent's License No., address, and telephone number as follows:

License No.:

Address:

Telephone No.:

The following non-resident agent, if any, for the Surety is a party to the transaction:

Name of non-resident agent: _____,

Non-resident agent's office address:

Telephone No.:

The surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

Executed this _____ day of _____, 20____.

Principal

Principal

By:

Surety

By:

Attorney-in Fact

By:

California Resident Agent

By:

Non-resident Agent - Attorney-in-Fact

APPROVED:

Karl Bjarke, Public Works Director

Date:

APPROVED AS TO FORM:

By:

Donald A. Larkin, City Attorney

Date:

(Acknowledgment on following page.)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

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State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

**EXHIBIT “D”
WARRANTY BOND
(50% of Engineer’s Estimate)**

Bond No.:

Premium: _____

Whereas, the City Council of the City of Morgan Hill, State of California (hereinafter designated as “City”), and [ENTER Subdivider NAME] (hereinafter designated as “Principal”) have entered into a Subdivision Improvement Agreement (hereinafter “Agreement”):

**PRESIDIO VAN DAELE WATSONVILLE 37, LLC
LANDS OF YOUNG – TRACT NO. 10406**

whereby the Principal agrees to install and complete certain designated public improvements (hereinafter “Improvements”), which said Agreement, dated _____, 20_____, and identified as project **LANDS OF YOUNG – TRACT NO. 10406**, is hereby referred to and made a part hereof; and

Whereas, under the terms of said Agreement, the Principal is required to furnish a bond to guarantee and warrant the work required by said Agreement for a period of one year following the completion and acceptance by the City of the Improvements, against any defective work or labor performed, or defective materials furnished by Principal.

Now, therefore, we, the Principal and _____ as Surety, are held and firmly bound unto the City of Morgan Hill in the penal sum of **three hundred sixty thousand forty dollars (\$362,050)** for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

If Principal faithfully carries out and performs its guarantee and warranty under the Agreement, and, on due notice from City, repairs and make good at its sole expense any and all defects in materials and workmanship in the Project which are discovered during the Warranty Period, or if Principal promptly reimburses City for all loss and damage that City sustains because of Principal’s failure to makes such repairs in accordance with the Agreement requirements, then Surety’s obligations under this Bond will be null and void. Otherwise, Surety’s obligations will remain in full force and effect.

Surety waives the provisions of Civil Code Sections 2819 and 2845. Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement

or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

Any notice to Surety may be given in the manner specified in the Agreement and delivered or transmitted to Surety as follows:

Attn: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Email: _____

This Bond will be governed by California law, and any dispute pursuant to this Bond will be venued in the Superior Court of Santa Clara County, and no other place. Surety will be responsible for City's attorneys' fees and costs in any action to enforce the provisions of this Bond.

In witness whereof, this instrument has been duly executed by the principal and surety above named.

SURETY:

Principal:

Date: _____

Date: _____

s/ _____

s/ _____

Name: _____

Name: _____

Title: _____

Title: _____

(Attach Acknowledgment with Notary

Seal and Power of Attorney)

APPROVED AS TO FORM:

By: _____

Donald A. Larkin, City Attorney

Date: _____

END OF WARRANTY BOND

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

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State of **California**
County of **Santa Clara**

On _____ 20__, before me, _____ a Notary Public in and for said County and State, personally appeared _____ proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

EXHIBIT C

RECORDING REQUESTED BY:

CITY OF MORGAN HILL

WHEN RECORDED MAIL DOCUMENT TO:

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

RECORD AT NO FEE PER
GOVERNMENT CODE SECTIONS 6103
& 27383

SPACE ABOVE THIS LINE FOR RECORDER'S
USE

**STORMWATER BEST MANAGEMENT PRACTICES,
OPERATION, AND MAINTENANCE AGREEMENT**

THIS STORMWATER BEST MANAGEMENT PRACTICES OPERATION, AND MAINTENANCE AGREEMENT ("AGREEMENT") is made and entered into this _____ day of _____, 2017, by **Presidio Van Daele Watsonville 37, LLC**, (hereinafter referred to as "COVENANTOR") and the City of Morgan Hill ("CITY"). CITY and COVENANTOR may be referred to individually as a "Party" or collectively as the "Parties" throughout this AGREEMENT.

RECITALS:

This AGREEMENT is made and entered into with reference to the following facts:

- A. CITY is authorized and required to regulate and control the disposition of storm and surface waters as set forth in CITY's National Pollutant Discharge Elimination System permit.
- B. COVENANTOR is the owner of a certain tract or parcel of land more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "PROPERTY").
- C. COVENANTOR desires to construct certain improvements of the kind or nature described in Morgan Hill Municipal Code Chapter 18.71 (the "ORDINANCE") on the PROPERTY that may alter existing stormwater conditions on both the PROPERTY and adjacent lands.
- D. To minimize adverse impacts due to these anticipated changes in existing storm and surface water flow conditions, COVENANTOR is required by CITY to implement Best Management Practices ("BMPs") and to build and maintain, at COVENANTOR's expense, stormwater management facilities ("FACILITIES"), more particularly described and shown in the **Stormwater Runoff Management Plan for Monterey-Young, Tract 10406** prepared by **M.H. Engineering Co.** and dated **December 8, 2016**, which plans and any amendments thereto, are on file with CITY's Public Works Department, and are hereby incorporated by this reference.
- E. CITY has reviewed and approved the Stormwater Runoff Management Plan (the "PLAN") subject to the execution of this AGREEMENT.

EXHIBIT C

NOW, THEREFORE, in consideration of the benefit received and to be received by COVENANTOR, its successors, and assigns, as a result of CITY's approval of the Stormwater Runoff Management Plan, COVENANTOR, hereby covenants and agrees with CITY as follows:

1. Covenants Running With the Land; Property Subject to Agreement: All of the real property described in Exhibit "A" shall be subject to this AGREEMENT. It is intended and determined that the provisions of this AGREEMENT shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in the real PROPERTY or any portion thereof and shall be for the benefit of each owner of any of said parcels or any portion of said PROPERTY and shall inure to the benefit of and be binding upon each successor in interest of the owners thereof. Each and all of the limitations, easements, obligations, covenants, conditions, and restrictions contained herein shall be deemed to be, and shall be construed as, equitable servitudes, enforceable by any of the owners of any of the PROPERTY subject to this AGREEMENT against any other owner, tenant or occupant of the said PROPERTY, or any portion thereof.
2. Responsibility for Installation, Operation, and Maintenance: At its sole expense, COVENANTOR, its successors, and assigns, shall construct, operate, and perpetually maintain the FACILITIES in strict accordance with the PLAN and any amendments thereto that have been approved by CITY or required by the ORDINANCE.
3. Facility Modifications: At its sole expense, COVENANTOR, its successors, and assigns, shall make such changes or modifications to the FACILITIES as may be determined as reasonably necessary by CITY to ensure that the FACILITIES are properly maintained and continue to operate as originally designed and approved. COVENANTOR agrees that it shall not modify the BMPs and shall not allow BMP maintenance activities to alter the designed function of the FACILITIES from its original design unless approved by CITY prior to the commencement of the proposed modification or maintenance activity.
4. Facility Inspections by CITY: At reasonable times and in a reasonable manner as provided in the ORDINANCE, CITY, its agents, employees, and contractors shall have the right of ingress and egress to the FACILITIES and the right to inspect the FACILITIES in order to ensure that the FACILITIES are being properly maintained, are continuing to perform in an adequate manner, and are in compliance with the ORDINANCE, the PLAN and any amendments thereto approved by CITY.
5. Failure to Perform Required Facility Repairs or Modifications: Should either COVENANTOR or its successors and assigns fail to implement the BMPs, maintain the facilities, or correct any defects in the FACILITIES in accordance with the approved design standards and/or the PLAN, and in accordance with the law and applicable regulations of the ORDINANCE, after thirty (30) days from the date of the written notice from CITY, CITY shall have the right to enter the PROPERTY to perform remedial work, for which CITY will collect reimbursement for such work from COVENANTOR. Additionally, conditions from failure to implement the BMPs or to maintain or correct the FACILITIES shall be deemed a nuisance subject to abatement of such conditions as provided in Chapter 1.18 of the Morgan Hill Municipal Code. In addition, CITY may pursue other such remedies as provided by law, including, but not limited to, such civil and criminal remedies set forth in the ORDINANCE.
6. Indemnity: COVENANTOR, its successors, and assigns, shall defend, indemnify, and hold CITY harmless of and from any and all claims, liabilities, actions, causes of action, and damages for personal injury and property damage, including, without limitation,

EXHIBIT C

reasonable attorneys' fees, arbitration fees, or costs and court costs, arising out of or related to COVENANTOR's, its successors', and/or assigns' construction, operation, or maintenance of the FACILITIES except claims, liabilities, actions, causes of action, and damages that arise out of CITY's sole negligence or willful misconduct or the sole negligence or willful misconduct of any of CITY'S employees, agents, representatives, contractors, vendors, or consultants.

7. Obligations and Responsibilities of COVENANTOR: Initially, COVENANTOR is solely responsible for the performance of the obligations required hereunder and, to the extent permitted under applicable law, the payment of any and all fees, fines, and penalties associated with such performance or failure to perform under this AGREEMENT. Notwithstanding any provisions of this AGREEMENT to the contrary, upon the recordation of a deed or other instrument of sale, transfer or other conveyance of fee simple title to the PROPERTY or any portion thereof (a "Transfer") to a third party (the "Transferee"), COVENANTOR shall be released of all of its obligations and responsibilities under this AGREEMENT accruing after the date of such Transfer to the extent such obligations and responsibilities are applicable to that portion of the PROPERTY included in such Transfer, but such release shall be expressly conditioned upon the Transferee assuming such obligations and responsibilities by recorded written agreement for the benefit of CITY. Such written agreement may be included in the Transfer deed or instrument, provided that the Transferee joins in the execution of such deed or instrument. A certified copy of such deed, instrument, or agreement shall be provided to CITY. The provisions of the preceding three sentences shall be applicable to the original COVENANTOR and any successor Transferee who has assumed the obligations and responsibilities of COVENANTOR under this AGREEMENT as provided above.
8. Property Transfer: Nothing herein shall be construed to prohibit a transfer by COVENANTOR to subsequent owners and assigns.
9. Attorneys' Fees: In the event that any Party institutes legal action or arbitration against the other to interpret or enforce this AGREEMENT, or to obtain damages for any alleged breach hereof, the prevailing party in such action or arbitration shall be entitled to reasonable attorneys' or arbitrators' fees in addition to all other recoverable costs, expenses, and damages.
10. Further Documents: The Parties covenant and agree that they shall execute such further documents and instructions as shall be necessary to fully effectuate the terms and provisions of this AGREEMENT.
11. Entire Agreement: This AGREEMENT constitutes the entire agreement of the Parties with respect to the subject matter contained herein and supersedes all prior agreements, whether written or oral. There are no representations, agreements, arrangements, or undertakings, oral or written, that are not fully expressed herein.
12. Severability: In the event any part or provision of this AGREEMENT shall be determined to be invalid or unenforceable under the laws of the State of California, the remaining portions of this AGREEMENT that can be separated from the invalid, unenforceable provisions shall, nevertheless, continue in full force and effect.
13. No Waiver: The waiver of any covenant contained herein shall not be deemed to be a continuing waiver of the same or any other covenant contained herein.

EXHIBIT C

14. Amendment: This AGREEMENT may be amended in whole or in part only by mutual written agreement. Any such amendment shall be recorded in Santa Clara County, California. In the event any conflict arises between the provisions of any such amendment and any of the provisions of any earlier document or documents, the most recently duly executed and recorded amendment shall be controlling.
15. Authority to Execute: The persons executing this AGREEMENT on behalf of the parties warrant that they are duly authorized to execute this AGREEMENT.
16. In the event that CITY shall determine, at its sole discretion, at any future time, that the FACILITIES are no longer required, then at the written request of COVENANTOR, its successors, and/or assigns, CITY shall execute a release of this AGREEMENT which COVENANTOR, its successors, and/or assigns, shall record in the Recorder's Office, at its expense.

Executed the day and year first above written.

COVENANTOR:

By: _____

Name: _____

Title: _____

CITY OF MORGAN HILL:

By: _____

Name: STEVE RYMER

Title: CITY MANAGER, CITY OF MORGAN HILL

APPROVED AS TO FORM:

By: _____

Name: DONALD A. LARKIN

Title: CITY ATTORNEY, CITY OF MORGAN HILL

EXHIBIT C

EXHIBIT "A"

All that real property situated in the City of Morgan Hill, Santa Clara County, State of California being more particularly described as follows:

Parcel A, Open Spaces 'A', 'B', 'C', 'D', 'E', 'F', 'G' as shown on that Map for Tract No. 10406 thereof

filed in Book _____ of Maps at Pages _____, Santa Clara County Records.



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Hilary Holeman, Administrative Analyst
APPROVED BY: City Manager

CITY SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES PUBLIC SAFETY RESOLUTIONS

RECOMMENDATION(S)

1. Authorize the City's voting delegate(s) to vote on the two public safety resolutions to be considered at the League of California Cities (LOCC) annual conference; and
2. Direct staff to participate in advocacy efforts related to the two public safety resolutions: 1) Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws and 2) Local Control for Emergency Medical Response.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Supporting Our Youth
Seniors
and Entire Community
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

Each year, the LOCC accepts resolutions from member cities and elected officials to be voted on at its annual conference. This year, two resolutions have been introduced for consideration at the conference in Sacramento, CA, September 13-15, 2017, and referred to appropriate LOCC Policy Committees (Attachment 1).

Resolution No. 1 – Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws

This Resolution seeks to address increases in crime in the wake of AB 109 (2011), Proposition 47 (2014), which reclassified a host of felony offenses as misdemeanors, and Proposition 57 (2016), which revised the rules of parole for what are designated “non-violent” offenders under the California Penal Code, but in fact comprise a number of criminal acts that are violent in nature, or may be committed to facilitate a violent outcome (e.g. discharging a firearm from a motor vehicle).

This Resolution would direct staff to seek legislation expanding the term “violent felony” as defined in the California Penal Code; to tighten the criteria for the release of non-

violent, non-serious, non-sex offender inmates; to mandate consideration of an inmate's entire criminal history as part of the deliberations involving whether to grant an individual parole; and to consider creation of a task force that would be charged with issuing a report recommending further changes in law, and supported by documentation collected by local agencies and other key stakeholders.

Resolution No. 2 – Local Control of Emergency Medical Response

This resolution calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

It is a longstanding goal of the City to enhance public safety and participate in regional issues. Voting in support of both resolutions provides a range of important reforms that would enhance public safety in the community.

By approving the recommendation, our LOCC representatives, Mayor Pro Tem Larry Carr (delegate) and Council Members Rich Constantine and Caitlin Robinett Jachimowicz (alternates), will have the Council's general guidance for the vote to be taken on the resolution and are authorized to vote on amendments in the manner they deem to be in the best interest of the City.

COMMUNITY ENGAGEMENT: Inform

ALTERNATIVE ACTIONS:

Council could not support the recommended position or further exploration.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

At the June 7, 2017 Council Meeting, Mayor Pro Tem, Larry Carr was appointed LOCC delegate and Council Members Rich Constantine and Caitlin Robinett Jachimowicz were designated as the alternates.

FISCAL AND RESOURCE IMPACT:

No fiscal impact at this time.

CEQA (California Environmental Quality Act):

Not a Project – Proposals for legislation to be enacted by State Legislature.

LINKS/ATTACHMENTS:

1. LOCC 2017 Resolutions Packet



***Annual Conference
Resolutions Packet***

2017 Annual Conference Resolutions



***Sacramento, California
September 13 – 15, 2017***

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, two resolutions have been introduced for consideration by the Annual Conference and referred to the League policy committees.

POLICY COMMITTEES: One policy committee will meet at the Annual Conference to consider and take action on the resolutions referred to it. The committee is Public Safety. The committee will meet from 9:00 – 11:00 a.m. on Wednesday, September 13, at the Hyatt Regency. The sponsors of the resolutions have been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 14, at the Hyatt Regency in Sacramento, to consider the report of the policy committee regarding the resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:30 p.m. on Friday, September 15, at the Sacramento Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:30 p.m., Thursday, September 14. Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principles around which more detailed policies may be developed by policy committees and the board of directors.
 - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, September 13
Hyatt Regency Sacramento
1209 L Street, Sacramento
9:00 – 11:00 a.m.: Public Safety

General Resolutions Committee

Thursday, September 14, 1:00 p.m.
Hyatt Regency Sacramento
1209 L Street, Sacramento

Annual Business Meeting and General Assembly Luncheon

Friday, September 15, 12:30 p.m.
Sacramento Convention Center
1400 J Street, Sacramento

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3
		1 - Policy Committee Recommendation to General Resolutions Committee		
		2 - General Resolutions Committee		
		3 - General Assembly		

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws			
2	Local Control for Emergency Medical Response			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

KEY TO ACTIONS TAKEN ON RESOLUTIONS *(Continued)*

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- | | |
|-----|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |
| a | Amend+ |
| Aa | Approve as amended+ |
| Aaa | Approve with additional amendment(s)+ |
| Ra | Refer as amended to appropriate policy committee for study+ |
| Raa | Additional amendments and refer+ |
| Da | Amend (for clarity or brevity) and Disapprove+ |
| Na | Amend (for clarity or brevity) and take No Action+ |
| W | Withdrawn by Sponsor |

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League's website by clicking on this link: [Resolution Process](#).

2017 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

1. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSION WITH LEAGUE AND OTHER PUBLIC SAFETY STAKEHOLDERS TO IDENTIFY AND IMPLEMENT STRATEGIES THAT WILL REDUCE THE UNINTENDED NEGATIVE IMPACTS OF EXISTING CRIMINAL LAW

Source: City of Whittier

Concurrence of five or more cities/city officials: Cities: La Mirada; Lakewood; Monrovia; Pico Rivera; Rolling Hills; Santa Fe Springs; and South Gate

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, during the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Many of those changes have been needed and necessary, as not all crimes should be punished with jail sentences; and

WHEREAS, California cities, counties, and the State, however, are facing increased crime which endangers the health and safety of police officers, residents, business owners, and property due to some of these legislative changes which created a situation where violent and career criminals are serving little to no prison time; and

WHEREAS, negative impacts from State legislative changes have been far reaching and crime rates and the number of victims are skyrocketing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders; and

WHEREAS, incentives for offenders to voluntarily enroll in substance abuse programs have diminished, which has had the effect of eroding the safety of our communities; and

WHEREAS, AB 109 transferred nearly 45,000 felons from the State prison system to local jail facilities, which were not designed to house criminals on a long-term basis and were unprepared for such an increase in incarcerations, resulting in lower-level criminals being released early, directly impacting rising property crime rates throughout the State; and

WHEREAS, many probationers who have severe mental illness are released into communities where they continue to commit crimes that adversely impact the safety of community members and drain the resources of probation departments and police departments throughout the state; and

WHEREAS, Proposition 47, The Safe Neighborhoods and Schools Act, downgraded a number of serious crimes from felonies to misdemeanors—drug possession, repeated shoplifting, forging checks, gun theft, and possession of date-rape drugs; and

WHEREAS, Proposition 57 categorizes rape by intoxication, rape of an unconscious person, human trafficking involving sex with minors, drive-by shooting, assault with a deadly weapon, domestic violence, hate crime causing physical injury, and corporal injury to a child as “non-violent” felonies and offenders convicted of violating such laws are able to avoid appropriate prison sentences; and

WHEREAS, under Proposition 57, criminals who commit multiple crimes against multiple victims will be eligible for release at the same time as offenders who only committed a single crime against a single victim and allows repeat criminals to be eligible for release after the same period of incarceration as first time offenders; and

WHEREAS, cities must join together to voice their concerns for these legislative changes that have created an adverse impact on the safety of residents and businesses in local communities.

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 15, 2017, to:

1. Direct League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent and future criminal law based on appropriate documentation by local agencies to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.
2. Promote an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.
3. Continue to advocate to place into law that for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following:
 - Murder or voluntary manslaughter.
 - Mayhem.
 - Rape.
 - Sodomy by force, violence, duress, menace, or threat of great bodily harm.
 - Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
 - Lewd acts on a child under the age of 14 years.
 - Any felony punishable by death or imprisonment in the state prison for life.
 - Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven.
 - Attempted murder.
 - Assault with intent to commit rape or robbery.

- Assault with a deadly weapon or instrument on a peace officer.
 - Assault by a life prisoner on a non-inmate.
 - Assault with a deadly weapon by an inmate.
 - Arson.
 - Exploding a destructive device or any explosive with intent to injure.
 - Exploding a destructive device or any explosive causing great bodily injury.
 - Exploding a destructive device or any explosive with intent to murder.
 - Robbery.
 - Kidnapping.
 - Taking of a hostage by an inmate of a state prison.
 - Attempt to commit a felony punishable by death or imprisonment in the state prison for life.
 - Any felony in which the defendant personally used a dangerous or deadly weapon.
 - Escape from a state prison by use of force or violence.
 - Assault with a deadly weapon.
 - Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22.
 - Carjacking.
 - Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft.
 - Throwing acid or flammable substances with intent to injure.
 - Continuous sexual abuse of a child.
4. Request the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.
 5. Encourage the collection and organization of real world data from cities and counties on the universe of post-release community supervision (PRCS) offenders.
 6. Encourage cities throughout California to join in these advocacy efforts to mitigate the unintended negative impacts of recent policy changes to the criminal justice system.
 7. Call for the Governor and the Legislature to work with the League and others stakeholders to consider and implement such criminal justice system reforms.

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Background Information on Resolution No. 1

Source: City of Whittier

Background:

During the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Some changes have been needed, as not all crimes should be punished with jail sentences. These changes included AB 109 as well as Propositions 47 and 57.

Approved in 2011, AB 109 was approved, transferring nearly 45,000 felons from the State prison system to local jail systems, resulting in lower-level criminals being released early. Then, Proposition 47, so called The Safe Neighborhoods and Schools Act, was approved by California voters in 2014. It reclassified and downgraded a number of serious crimes from felonies to misdemeanors. Similarly, Proposition 57, called The Public Safety and Rehabilitation Act, was approved by voters in 2016 and allows the State to provide for the release of up to 30,000 criminals convicted of "non-violent" felonies, including rape by intoxication, driveby shooting, human trafficking involving sex act with minors, assault with a deadly weapon, to name a few. Additionally, under Prop 57 repeat criminals are eligible for release after the same period of incarceration as first time offenders.

Now, California cities and counties are facing increasing crime rates which are being connected to these legislative actions which created a situation where violent and career criminals are serving little to no prison time while low-level offenders commit multiple crimes with limited consequences. This increasing level of crime endangers the health and safety of our residents, police officers, and property. Negative impacts from these State legislative changes have been far reaching, and crime rates and the number of victims are increasing throughout California. The negative impacts of these laws were unintended when voters and legislators approved the laws, which were instead intended to help lower the prison population in California prisons and appropriately rehabilitate non-violent offenders.

As an example, the Public Policy Institute of California reports since 2015:

- California has experienced an uptick in overall crime
- Property crime is up 145%, violent crime up 54%
- One in four Californians view violence and street crime in their community as a substantial problem
- Arrests dropped 31% for property crimes and 68% for drug offenses (due to Prop. 47)
- The report concludes auto theft increase is a direct result of AB109

To make matters even worse, during the past two years we've seen officers shot, wounded and killed in communities throughout California including Whittier, Downey, Lancaster, Palm Springs, San Diego, Stanislaus County, and Modoc County. Further, the number of U.S. police officers killed in the line of duty hit a five-year high in 2016. The National Law Enforcement Officers Memorial Fund's preliminary report shows that this year's 135 fatalities were a 10% increase over the 123 officers who died in the line of duty last year.

When taken together the increases in crime in our communities and reductions in arrests for many crimes plus violent attacks against police officers underscores the need for a call to action amongst California's state and local leaders. This conference resolution is an important first step and seeks to initiate both a dialogue as well as actions to begin reforming California's criminal justice system by requesting that League staff analyze the negative impacts of recent criminal law, identify necessary changes, and work with stakeholders to promote support for such advocacy efforts. The resolution also calls on the Governor, Legislature, cities, and other stakeholders to work together toward reforms.

The resolution contains three specific reforms:

1. Address Issues with AB 109

The conference resolution promotes the amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.

2. Revise the Definition of Violent Crime

The resolution calls for the League to advocate to place into law for the purposes of Section 32 of Article I of the California Constitution, a violent offense includes any of the following crimes:

- Murder or voluntary manslaughter
- Mayhem
- Rape
- Sodomy by force, violence, duress, menace, or threat of great bodily harm
- Oral copulation by force, violence, duress, menace, or threat of great bodily harm
- Lewd acts on a child under the age of 14 years
- Any felony punishable by death or imprisonment in the state prison for life
- Any other felony in which the defendant inflicts great or serious bodily injury on any person, other than an accomplice, that has been charged and proven, or any felony in which the defendant uses a firearm which use has been charged and proven
- Attempted murder
- Assault with intent to commit rape or robbery
- Assault with a deadly weapon or instrument on a peace officer
- Assault by a life prisoner on a non-inmate
- Assault with a deadly weapon by an inmate
- Arson
- Exploding a destructive device or any explosive with intent to injure
- Exploding a destructive device or any explosive causing great bodily injury
- Exploding a destructive device or any explosive with intent to murder
- Robbery
- Kidnapping
- Taking of a hostage by an inmate of a state prison

- Attempt to commit a felony punishable by death or imprisonment in the state prison for life
- Any felony in which the defendant personally used a dangerous or deadly weapon
- Escape from a state prison by use of force or violence
- Assault with a deadly weapon
- Extortion as defined in Penal Code section 518, or threats to victims or witnesses as defined in Penal Code section 136.1, which would constitute a felony violation of Penal Code section 186.22
- Carjacking
- Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft.
- Throwing acid or flammable substances with intent to injure.
- Continuous sexual abuse of a child.

3. Data Sharing

The resolution requests the State to improve the Smart Justice platform to provide an effective statewide data sharing to allow state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

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League of California Cities Staff Analysis on Resolution No. 1

Staff: Tim Cromartie
Committee: Public Safety

Summary:

This Resolution seeks to address increases in crime in the wake of AB 109 (2011), Proposition 47 (2014), which reclassified a host of felony offenses as misdemeanors, and Proposition 57 (2016), which revised the rules of parole for what are designated “non-violent” offenders under the California Penal Code, but in fact comprise a number of criminal acts that are violent in nature, or may be committed to facilitate a violent outcome (for example, discharging a firearm from a motor vehicle).

This Resolution would direct staff to seek legislation expanding the term “violent felony” as defined in the California Penal Code; to tighten the criteria for the release of non-violent, non-serious, non-sex offender inmates; to mandate consideration of an inmate’s entire criminal history as part of the deliberations involving whether to grant individual parole; and to consider creation of a task force that would be charged with issuing a report recommending further changes in law, and supported by documentation collected by local agencies and other key stakeholders.

Background:

Since 2011, changes in state law, starting with AB 109, altered the fabric of California's criminal justice system. In 2011, AB 109 began to shift nearly 45,000 felons from the state prison system to local county jails. Prior to AB 109, many of California's more heavily populated counties already had jail systems that were operating under court-ordered or self-imposed population caps. As a result, AB 109 implementation triggered changes in that county jails experienced over time an influx of a rougher class of offender, and many lower level petty criminals committing new offenses were simply booked and released, serving no jail time at all.

Proposition 47 followed in 2014, reclassifying a host of felony offenses as misdemeanors and increasing the threshold amount for a felony charge of grand theft from \$450.00 to \$900.00. The effect of this change was to significantly stimulate the volume of petty theft, shoplifting, auto theft, and organized retail theft (shoplifting involving multiple persons with cell phones, designated getaway drivers, and a pre-determined escape route often involving a short trip to a major highway). Proposition 57, approved by voters in 2016, facilitates the potential early release of a large number of "non-violent" offenders by providing that inmates are eligible for parole once they have served 100% of their base sentence, without regard to any time served as a result of any sentencing enhancements. The universe of "non-violent" offenders could include individuals who have committed the following offenses: rape by intoxication, attempted drive-by shooting, assault with a deadly weapon, throwing acid with the intent to disfigure, to name but a few offenses. Since current law defines a "non-violent offender" based on the individual's most recent commitment offense, even if the individual is a repeat offender, the State Parole Board must still consider that person's parole application.

This state of affairs includes factors such as a higher proportion of offenders at large on our city streets, many of whom have had little in the way of rehabilitation programming while incarcerated, some with drug habits, who are more violent now than when initially incarcerated. Unless they engage in major illegal activity (murder, rape, arson, armed robbery), the available sanctions for any violations they commit, such as flash incarceration, i.e. temporary incarceration for 48-72 hours in a city or county jail, scarcely provide a meaningful deterrent to further criminal activity.

Communities in California are now facing increasing crime rates which can be linked to these recent legislative changes, which probation officers and local law enforcement are struggling to monitor and contain a situation in which a dramatically increase universe of offenders are at large in our communities.

The Public Policy Institute of California reports that since 2015:

- California has experienced an increase in overall crime
- Property crime is up 145%
- Violent crime is up 54%
- One in four Californians view violence and street crime in their community as a substantial problem
- Arrests dropped 31% for property crimes and 68% for drug offenses (due to Prop. 47)
- The report concludes auto theft increase is a direct result of AB 109

Support:

Cities of La Mirada, Lakewood, Monrovia, Pico Rivera, Rolling Hills, Santa Fe Springs, and South Gate

Opposition:

None received.

Fiscal Impact:

The collective and cumulative effect of the current criminal justice policies has led to increased pressure on county general funds for increased resources for probation supervision and incarceration in county jails, as well as identical pressure on municipal general funds related to increased law enforcement activity and in some areas, increased emergency medical services calls. Should the objectives outlined by the resolution be achieved, those pressures will be alleviated to a significant but undetermined amount.

Comment:

This measure is a response to a trend of rapidly mounting frustration among cities beset by calls for more law enforcement resources as a result of ongoing, sustained criminal activity. There is a growing sense among law enforcement professionals and local elected officials that current policies which have reduced criminal penalties, reclassified felonies as misdemeanors and facilitated what amounts to early release of many offenders who are not truly non-violent, will in time result in a high-profile tragedy involving significant loss of life.

Existing League Policy:

In regard to incarceration policy, the League supports stiffer penalties for violent offenders. In 2014, the League joined the California Police Chiefs in opposing Proposition 47, which reduces sentencing penalties for specified non-serious and non-violent drug and property crimes. It directed that the following offenses would be treated as misdemeanors, in most instances irrespective of the circumstances:

- Commercial Burglary
- Forgery
- Passing Bad Checks
- Grand Theft
- Receipt of Stolen Property
- Petty Theft with a Prior Offense
- Drug Possession

In 2013, the League Board of Directors approved a resolution pertaining to AB 109 (2011), which implemented Public Safety Realignment and brought significant changes to the state's incarceration policy. Specifically, it provided that specified categories of felony offenders previously sentenced to state prison, would prospectively be sentenced to terms in county jails.

The League's Resolution had two significant components relevant to this resolution:

- 1) It urged the Governor's office to adjust the implementation of Public Safety Realignment so that the criteria examined to evaluate the appropriateness of release of non-violent, non-serious, non-sex offender inmates would include their total criminal and mental

history, instead of merely the most recent criminal conviction for which they are currently committed; and

- 2) It urged the Governor's office to expedite the development of an effective statewide data sharing mechanism allowing state and local law enforcement agencies too rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

Finally, the League in 2016 opposed Proposition 57, which altered rules for parole eligibility for non-violent felons, potentially facilitating parole before an individual has served any time toward a sentencing enhancement, and ushered in new rules for good time behavior seeking to incentivize inmates to undergo rehabilitation programming of an educational/vocational nature.

RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE

2. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING LEGISLATION AMENDING GOVERNMENT CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS

Source: City of Tracy

Concurrence of five or more cities/city officials: Cities: Lathrop, Lodi, Manteca, Stockton, and Consumnes Fire Department (Cities of Elk Grove and Galt)

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee:

WHEREAS, Government Code Section 38611 was last amended in 1957 and does not contain language clarifying the broad scope of emergency services as provided by present day fire departments; and

WHEREAS, Government Code Section 38611 requires further definition for general law and charter cities in determining service levels for the delivery of emergency services commensurate with the resources provided by the local government body; and

WHEREAS, pursuant to Section 7 of Article XI of the California Constitution, municipal governments are vested with police power which imposes on the responsibility to protect public safety and public health and municipal governments must provide or contract for fire and/or emergency medical services; and

WHEREAS, the local provision of fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and other services relating to the protection of lives and property is critical to the public peace, health, and safety of the state; and

WHEREAS, local fire and/or emergency medical services are financed by local taxpayers and the availability and use of such services is determined by the local governing body of the jurisdiction to which services are directly provided; and

WHEREAS, amending Government Code Section 38611 would provide the chief of a fire department specific authority to protect public safety and public health within the jurisdictional boundaries of the fire department.

RESOLVED, that the League of California Cities General Assembly, assembled at the League Annual Conference on September 15, 2017 in Sacramento, calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

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Background Information on Resolution No. 2

Source: City of Tracy

Background:

In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. The EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate an EMS System. The statute also includes language that establishes *“The medical direction and management of an emergency medical services system shall be under the medical control of the medical director of the local EMS Agency.”* In each county, the local EMS Agency sets local EMS policy, administers and provides medical oversight for cities and special fire districts to deliver EMS services within the county.

In the late 1970’s, as the EMS Act was being developed, the League of California Cities weighed heavily concerning the impact of the proposed EMS Act on cities. The League of California Cities argued against depriving a city of local control over EMS service levels. The League of California Cities wrote, *“We believe (local control) is important because city taxpayers financially support (EMS) programs and city management is responsible for their efficient utilization. The city council is responsible for the level of service and the cost of the program, wholly unrelated to the medical questions.”* Based on that argument, additional language was included in the EMS policy that allowed local agencies that were providing EMS service to continue (and even obligated) them to continue to provide EMS services at the same levels as prior to 1980. This addition to the EMS Act (Section 1797.201 – became known as “201

Rights”) has been very controversial and has led to several lawsuits between cities/special districts and local EMS Agencies.

The City of Tracy in San Joaquin County has become the epicenter on the issue of local control as it relates to who has the authority to determine which resources will respond to medical emergencies. Several incidents have been noted where poor patient outcomes were the result of a failed county policy (SJCEMS Agency Policy 3202) that restricts local fire departments from responding to “low-level” emergencies. The EMS policy decisions within San Joaquin County have potential implications on every local community within the state of California and increasingly threaten local control.

Proposed Amendment

The proposed amendment to Government Code Section 38611 would clarify local control and allow the local governing bodies to determine which services are directly provided within their respective jurisdictions. The existing law is extremely limited in scope having been last amended in 1957, at a time when fire departments did not routinely provide many of the specialized services of today. Changes in services provided include but are not limited to hazardous materials response, specialized rescue, and emergency medical services. The amendment aims to support the long-standing tradition in California of local control over the types, levels, and availability of these services.

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League of California Cities Staff Analysis on Resolution No. 2

Staff: Tim Cromartie
Committee: Public Safety

Summary:

This resolution calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Background:

In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. The EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate an EMS System.

The statute also includes language that establishes “*The medical direction and management of an emergency medical services system shall be under the medical control of the medical director*”

of the local EMS Agency.” In each county, the local EMS Agency sets local EMS policy, administers and provides medical oversight for cities and special fire districts to deliver EMS services within the county.

In the late 1970’s, as the EMS Act was being developed, the League of California Cities weighed heavily concerning the impact of the proposed EMS Act on cities. The League argued against depriving a city of local control over EMS service levels. The League wrote, “*We believe (local control) is important because city taxpayers financially support (EMS) programs and city management is responsible for their efficient utilization. The city council is responsible for the level of service and the cost of the program, wholly unrelated to the medical questions.*” Based on that argument, additional language was included in the EMS policy that allowed local agencies that were providing EMS service to continue (and even obligated) them to continue to provide EMS services at the same levels as prior to 1980. This addition to the EMS Act (Section 1797.201 – became known as “201 Rights”) has been very controversial and has led to several lawsuits between cities/special districts and local EMS Agencies.

The City of Tracy in San Joaquin County has become one of the epicenters on the issue of local control as it relates to who has the authority to determine which resources will respond to medical emergencies. Several incidents have been noted where poor patient outcomes have been attributed by some observers to a county policy (SJCEMS Agency Policy 3202) that restricts local fire departments from responding to “low-level” emergencies. The EMS policy decisions within San Joaquin County have potential implications on every local community within the state of California and increasingly threaten local control.

Support:

Cities of Lathrop, Lodi, Manteca, City of Stockton, and Consumnes Fire Department (Cities of Elk Grove and Galt)

Opposition:

None received.

Fiscal Impact:

This resolution, if its directive can be achieved, will have no direct fiscal impact on cities. It will however, provide an atmosphere in which cities that have invested significant resources in building up and maintaining an independent EMS capability can have confidence that it will be deployed as intended.

Comment:

While this resolution calls for very specific action to clarify the rules governing emergency medical services, ideally it would be more generally worded to allow greater flexibility in pursuing legislative and other solutions to a problem that has existed for decades, spawning both legislation and multiple incidents of litigation.

However, it accurately expresses the legitimate frustration of cities in their efforts to provide emergency medical services (EMS) while abiding by the directives of their local emergency medical services authorities (LEMSA’s), which are county entities. Counties have broad

discretion under existing case law in how they administer EMS under the doctrine of medical control. To the degree there is dissatisfaction on the part of cities within a given county or counties, the following should be noted:

- 1) A task force convened by the California Emergency Medical Services Authority, the state entity with jurisdiction over this subject matter, made significant headway in crafting regulations governing the provision of ground emergency medical transport -- until disputes over local control and the criteria under which a local (municipal) agency could lay claim to the exclusive right to provide EMS in a specific operating area led to a lawsuit being filed by the California Fire Chiefs Association. That suit effectively suspended the work of the Task Force.
- 2) Over the past two decades, multiple attempts at legislation to resolve this issue have been tried, most without success. It was in part the multiple attempts at legislation that triggered the formation of the above-referenced task force.

Existing League Policy:

The League supports the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc. as well as cities' authority and discretion to provide all emergency services to their communities.

The League supports and strives to ensure local control of emergency medical services by authorizing cities and fire districts to prescribe and monitor the manner and scope of pre-hospital emergency medical services, including transport through ambulance services, all provided within local boundaries for the purpose of improving the level of pre-hospital emergency medical service.

The League supports legislation to provide the framework for a solution to longstanding conflict between cities, counties, the fire service and LEMSA's particularly by local advisory committees to review and approve the EMS plan and to serve as an appeals body. Conflicts over EMS governance may be resolved if stakeholders are able to participate in EMS system design and evaluation and if complainants are given a fair and open hearing.

The League opposes legislation, regulations and standards that impose minimum staffing and response time standards for city fire and EMS services since such determinations should reflect the conditions and priorities of individual cities.

The League supports Emergency 911 systems to ensure cities and counties are represented on decisions affecting emergency response.

LETTERS OF CONCURRENCE

Resolution No. 1

**Implement Strategies to Reduce Negative Impacts of
Recent Changes to Criminal Laws**



CITY OF LA MIRADA

DEDICATED TO SERVICE

13700 La Mirada Blvd.
La Mirada, California 90638

8.a

P.O. Box 828
La Mirada, California 90637-0828

Phone: (562) 943-0131 Fax: (562) 943-1414
www.cityoflamirada.org

July 11, 2017

LETTER OF SUPPORT

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

SUBJECT: 2017 CONFERENCE RESOLUTION STRATEGIES TO IMPROVE NEGATIVE IMPACTS OF CRIMINAL LAW

Dear Committee:

The City of La Mirada supports the League of California Cities Annual Conference Resolution proposed by the City of Whittier calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of La Mirada has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. Specifically, since 2014 the City of La Mirada has seen property crime increase by 41 percent. The proposed resolution seeks to correct these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include one's total criminal and mental health history instead of only the most recent criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms to enhance public safety in our community. For these reasons, the City of La Mirada strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

CITY OF LA MIRADA

Ed Eng
Mayor

EE:JB:vdr

Ed Eng
Mayor

Lawrence P. Mowles
Mayor Pro Tem

Steve De Ruse, D. Min.
Councilmember

John Lewis
Councilmember

Andrew Sarega
Councilmember

Packet Pg. 150

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)



July 10, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution – Notice of Support
Strategies to Improve Negative Impacts of Criminal Law**

Dear Committee:

The City of Lakewood supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

Like other cities, Lakewood has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts. These include:

- Request League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes and work with key stakeholders to promote support for resulting advocacy efforts.
- Promote an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent."
- Request that the State improve the "Smart Justice" platform to allow state and local law enforcement agencies to rapidly share information to track offenders and encourage data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Lakewood strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

Diane DuBois
Mayor

Lakewood



July 11, 2017

President JoAnne Mounce
The League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Letter of Support for the Resolution Brought Forward by the City of Whittier Regarding the Unintended Negative Consequences of Recent Legislative Changes to California's Criminal Justice System

Dear Ms. Mounce:

The City of Monrovia strongly supports the Resolution brought forth by the City of Whittier, which asks the League of California Cities (League) to initiate and facilitate further discussion between the Governor, the State Legislature, and other key public safety stakeholders regarding the legislative changes that have been made to California's criminal justice system during the past few years.

Taken together, Assembly Bill 109, Proposition 47, and Proposition 57 have reshaped how we approach public safety issues in our State. And certainly, the identified measures have resulted in measurable and positive impacts to California's criminal justice system, such as a decrease in the State prison system population. However, the cumulative effect of these legislative actions have had several significant unintended consequences, which have resulted in California cities now needing to address increasingly complex public safety challenges.

For example, in the City of Monrovia, violent and property crimes increased by 19% when comparing 2016 crime levels against 2015 rates. On-the-street information being provided by our Police Officers seems to correlate that the increasing levels of crime are connected with the legislative changes that have been enacted in California during the past several years. Additionally, the public safety issues we are experiencing in Monrovia are not occurring in a vacuum, as other neighboring jurisdictions are reporting similar concerns that impact our region as a whole.

Given these factors, we believe that California's overall criminal justice system needs to be carefully reexamined for potential methods to mitigate these emerging public safety issues. The City of Whittier's Resolution represents a positive first step, which includes the formation of a task force to examine possible criminal justice system modifications in greater detail. We believe that such a step would be a move in the right direction for California.

For these reasons, the City of Monrovia strongly supports the Resolution brought forth by the City of Whittier. Of course, please feel free to contact me if I can provide any additional information. I can be reached at (626) 932-5501, or via email at ochi@ci.monrovia.ca.us.

Best regards,

Oliver Chi
City Manager

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

City CouncilBob J. Archul
MayorGustavo V. Camacho
Mayor Pro TemDavid W. Armer
CouncilmemberGregory Salcido
CouncilmemberBrent A. Tercero
Councilmember**René Bobadilla, P.E.**
City Manager

City of Pico Rivera

OFFICE OF THE CITY MANAGER

6615 Passons Boulevard · Pico Rivera, California 90660

(562) 801-4379

Web: www.pico-rivera.org · e-mail: rbobadilla@pico-rivera.org

July 12, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support**

Dear Committee:

The City of Pico Rivera supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of Pico Rivera has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. Following are some specific impacts provided by the Pico Rivera Sheriff's Department:

Part I crimes

Robbery is up 10.26% in 2017 compared to 2016

Larceny Theft is up 4.09% in 2017 compared to 2016

Part II crimes

Weapon Law is up 9.68% in 2017 compared to 2016

Felony Transport & or Sales of controlled substance (except Marijuana) is up 44.44% compared to 2016

Misdemeanor Possession of a Controlled Substance (excluding Marijuana) is up 56.06% compared to 2016

Under the influence of Narcotic is up 28.57% in 2017 compared to 2016

The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

General Resolutions Committee

2017 Conference Resolution – Strategies to Improve Negative Impacts of Criminal Law

Notice of Support

July 12, 2017

Page 2

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make “violent offenses” include crimes that meet the plain language definition of “violent”.

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Pico Rivera strongly supports this resolution to strategically address criminal justice reforms.

Best regards,



René Bobadilla, P.E.
City Manager
City of Pico Rivera



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
ROLLING HILLS, CALIF. 90274
(310) 377-1521
FAX: (310) 377-7288

July 12, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support**

Dear Members of the General Resolutions Committee:

As a member of the Rolling Hills City Council, I support the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and with other public safety stakeholders to identify and implement strategies that will relieve the unintended negative impacts of existing criminal law.

The City of Rolling Hills has seen increases in burglaries, mail/package theft and other property related crime that may have resulted from a combination of legislative actions and voter-approved initiatives. The City has also seen a significant jump in identity theft. The proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

General Resolutions Committee

July 12, 2017

Re: 2017 Conference Resolution Strategies to Improve Negative Impacts of Criminal Law -
Notice of Support

Page 2

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, I strongly support this resolution to strategically address criminal justice reforms.

Sincerely,



Bea Dieringer
Councilmember
City of Rolling Hills

RC:BD:hl

07-12-17League Resolution Support.docx



11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org

"A great place to live, work, and play"

July 11, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 Conference Resolution
Strategies to Improve Negative Impacts of Criminal Law
Notice of Support**

Dear Committee:

The City of Santa Fe Springs supports the League of California Cities Annual Conference Resolution calling on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

The City of Santa Fe Springs has seen increases in property crime that may have resulted from a combination of legislative actions and voter-approved initiatives. In addition, the City of Santa Fe Springs contracts with the Whittier Police Department for Law Enforcement Services. In February, Whittier Police Department Officer Keith Boyer was gunned down by a AB 109 offender in a heinous act of indiscriminate violence. We feel strongly that AB 109 and the loosening of oversight and control over recidivist offenders was at least partially responsible in Officer Boyer's death. We believe that the proposed annual conference resolution seeks to turn around these negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The resolution directs League staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impacts of recent criminal law to identify necessary changes, working with key stakeholders to promote support for resulting advocacy efforts.

The resolution also promotes an amendment of appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction. It encourages continued advocacy to make "violent offenses" include crimes that meet the plain language definition of "violent".

The resolution further asks the State to improve the Smart Justice platform to allow state and local law enforcement agencies to rapidly share information to track offenders, and encourages data collection on post-release community supervision offenders.

William K. Rounds, Mayor • Jay Sarno, Mayor Pro Tem
City Council
Richard J. Moore • Juanita Trujillo • Joe Angel Zamora
City Manager
Thaddeus McCormack

July 10, 2017

Page 2

2017 Conference Resolution

The passage of this resolution would provide a range of important reforms that would enhance public safety in our community. For these reasons, the City of Santa Fe Springs strongly supports this resolution to strategically address criminal justice reforms.

Sincerely,

A handwritten signature in blue ink that reads "William K. Rounds".

William K. Rounds, Mayor
City of Santa Fe Springs

William K. Rounds, Mayor • Jay Sarno, Mayor Pro Tem
City Council
Richard J. Moore • Juanita Trujillo • Joe Angel Zamora
City Manager
Thaddeus McCormack

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)



City of South Gate

8650 CALIFORNIA AVENUE + SOUTH GATE, CA 90280-3075 + (323) 563-9543
WWW.CITYOFSOUTHGATE.ORG FAX (323) 569-2678

MARIA DAVILA, Mayor
MARIA BELEN BERNAL, Vice Mayor
DENISE DIAZ, Council Member
JORGE MORALES, Council Member
AL RIOS, Council Member

July 11, 2017

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2017 ANNUAL CONFERENCE RESOLUTION: STRATEGIES TO IMPROVE
NEGATIVE IMPACTS OF CRIMINAL LAW-NOTICE OF SUPPORT**

Dear Committee:

As a Council Member of the City of South Gate, and a Member of the League's Public Safety Policy Committee, I am writing to express my support of the City of Whittier's 2017 Annual Conference Resolution (Resolution.) The proposed Resolution calls on the Governor and Legislature to enter into discussion with the League and other public safety stakeholders, to identify and implement strategies that will improve the unintended negative impacts of existing criminal law.

Cities in Los Angeles County have experienced increases in property crimes that may have resulted from a combination of legislative actions and voter-approved initiatives. The proposed Resolution seeks to remedy many of the negative impacts from existing criminal law and considers proactive measures that could reduce such impacts.

The passage of this Resolution would provide a range of important League directives to address the growing public safety concerns in these communities. For these reasons, I strongly support this Resolution to strategically address criminal justice reforms.

Sincerely,

Jorge Morales
Council Member

LETTERS OF CONCURRENCE

Resolution No. 2

Local Control for Emergency Medical Response


COSUMNES FIRE DEPARTMENT

10573 E Stockton Blvd.
Elk Grove, CA 95624

(916) 405-7100
Fax (916) 685-6622
www.yourcsd.com

July 13, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street
Sacramento, California 95814

**RE: RESOLUTION THAT SUPPORTS LEGISLATION TO AMEND GOVERNMENT
CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL**

Dear President Mounce,

The Cosumnes CSD Fire Department, which encompasses the Cities of Elk Grove and Galt supports the proposed resolution that would support legislation to amend Government Code Section 38611 to clarify the definition of local control as it pertains to emergency services.

A core function of local government is the ability to determine and provide the appropriated level of emergency response resources. Allowing Local Emergency Medical Services Agencies (LEMSAs) to determine when and how local fire agencies respond to emergencies circumvents the role of Fire Chiefs and municipal and special fire district legislative bodies. It should be the role of the Fire Chief to determine the required service levels and the role of the local legislative bodies to support the Fire Chief's recommendations based on community expectations, community risk reduction strategies and available resources.

Therefore, the Cosumnes CSD Fire Department supports the proposed resolution and future legislation that would serve to ensure local government determines their emergency response service levels. If further clarification is required, please let me know.

Sincerely,

Michael W. McLaughlin
Fire Chief



Office of the City Manager

390 Towne Centre Dr. – Lathrop, CA 95331
 Phone (209) 941-7220 – fax (209) 941-724
www.ci.lathrop.ca.us

July 14, 2017

The Honorable JoAnne Mounce, President
 League of California Cities
 1400 K Street
 Sacramento, CA 95814

Sent to Via Email to: Meg Desmond mdesmond@cacities.org <<mailto:mdesmond@cacities.org>>

**Re: RESOLUTION THAT SUPPORTS LEGISLATION TO AMEND GOVERNMENT
 CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL**

Dear President Mounce,

The City of Lathrop supports the proposed resolution that would support legislation to amend Government Code Section 38611 to clarify the definition of local control as it pertains to emergency services.

A core function of local government is the ability to determine and provide the appropriated level of emergency response resources. Allowing Local Emergency Medical Services Agencies (LEMSAs) to determine when and how local fire agencies respond to emergencies circumvents the role of Fire Chiefs and municipal and special fire district legislative bodies. It should be the role of the Fire Chief to determine the required service levels and the role of the local legislative bodies to support the Fire Chief's recommendations based on community expectations, community risk reduction strategies and available resources.

Therefore, the City of Lathrop supports the proposed resolution and future legislation that would serve to ensure local government determines their emergency response service levels. If further clarification is required, please let me know.

Thank you,

Stephen J. Salvatore
 City Manager

Cc: Members of the City of Lathrop City Council
 Lathrop Manteca Fire Chief, Gene Neely
 Tracy City Manager, Troy Brown
 Tracy Fire Chief, Randall Bradley
 Central Valley Regional Public Affairs Manager LOCC, Stephen Qualls

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

CITY COUNCIL
DOUG KUEHNE, Mayor
ALAN NAKANISHI,
Mayor Pro Tempore
MARK CHANDLER
BOB JOHNSON
JOANNE MOUNCE

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702 / FAX (209) 333-6807
www.lodi.gov cityclerk@lodi.gov

STEPHEN SCHWABAUER
City Manager

JENNIFER M. FERRAILOLO
City Clerk

JANICE D. MAGDICH
City Attorney

July 19, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING
LEGISLATION AMENDING GC §38611 TO CLARIFY DEFINITION OF LOCAL
CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL
OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT
EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS**

The City of Lodi supports the proposed resolution to support legislation amending Government Code §38611 to clarify the definition of local control providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Accordingly, we concur in the submission of the resolution for consideration by the League of California Cities General Assembly at its annual meeting on September 15, 2017.

Government Code Section 38611 does not contain language clarifying the broad scope of emergency services as provided by present day fire departments. The code requires further definition for general law and charter cities in determining service levels for the delivery of emergency services commensurate with the resources provided by the local government body. Amending Government Code Section 38611 would provide the chief of a fire department specific authority to protect public safety and public health within the jurisdictional boundaries of the fire department.

The City of Lodi is in strong support of providing statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Sincerely,



Doug Kuehne
Mayor, City of Lodi

DK/JMF

cc: Larry Rooney, Fire Chief, City of Lodi
Randall Bradley, City of Tracy, randall.bradley@ci.tracy.ca.us
Stephen Qualls, League of California Cities, squalls@cacities.org



CITY OF MANTECA - FIRE DEPARTMENT

1154 S. UNION ROAD • MANTECA, CA 95337
(209) 456-8300 • FAX (209) 923-8936

July 13, 2017

League of California Cities
1400 K Street, Suite 400
Sacramento CA 95814

RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES SUPPORTING LEGISLATION AMENDING GOVERNMENT CODE SECTION 38611 TO CLARIFY THE DEFINITION OF LOCAL CONTROL PROVIDING BROAD STATUTORY AUTHORITY FOR LOCAL OFFICIALS TO DETERMINE EMERGENCY SERVICE LEVELS AND DIRECT EMERGENCY MEDICAL RESPONSE WITHIN THEIR JURISDICTIONS

To Whom It May Concern:

This letter confirms that the City of Manteca supports the resolution on Emergency Medical Services submitted to the League of California cities by the City of Tracy. The City of Manteca believes that local control of Emergency Services is critical to ensure that the best possible service and protection of our citizens/taxpayers is provided.

We appreciate the City of Tracy's willingness to bring this crucial issue to the forefront.

Respectfully,


Greg Showerman, Acting City Manager

Date: 13 July 2017


Kyle Shipherd, Fire Chief

Date: 13 July 2017

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

MICHAEL TUBBS
Mayor

ELBERT HOLMAN
Vice Mayor
District 1



CITY OF STOCKTON

OFFICE OF THE CITY COUNCIL
CITY HALL • 425 N. El Dorado Street • Stockton, CA 95202
209 / 937-8244 • Fax 209 / 937-8568

DAN WRIGG
District 2

SUSAN LOFTHUS
District 3

SUSAN LENZ
District 4

CHRISTINA FUGAZI
District 5

JESÚS ANDRADE
District 6

8.a

July 13, 2017

The Honorable JoAnne Mounce, President
League of California Cities
1400 K Street
Sacramento, CA 95814

**SUBJECT: Resolution of the League of California Cities Supporting Legislation
Providing Broad Statutory Authority for Local Officials to Determine
Emergency Service Levels - SUPPORT**

Dear President Mounce,

On behalf of the City of Stockton, I wish to voice our support of the City of Tracy proposed resolution for consideration by League membership. Stockton supports this resolution for the following reasons:

- 1) The City of Stockton Legislative Program seeks the broadest authority for the City Council to make decisions locally, particularly related to the local exercise of police powers;
- 2) The City of Stockton Legislative Program advocates for efforts that impact the City's ability to enhance the well-being, quality of life, health, and safety of residents;
- 3) The City of Stockton has experienced challenges and frustrations in delivering the highest quality of emergency medical services to our residents due to provision of the Emergency Medical Services (EMS) Act.
- 4) Amendments to the EMS Act would clarify local control and allow governing bodies to determine which services are directly provided within their respective jurisdictions.

For these reasons, the City of Stockton concurs with and supports the City of Tracy proposed resolution for consideration by League membership.

MICHAEL TUBBS
MAYOR

MT:cc

cc: Stockton City Councilmembers
Kurt Wilson, Stockton City Manager

Attachment: LOCC 2017 Resolutions Packet (1360 : City Support of the League of California Cities Public Safety Resolutions)

DRAFT



Meeting Minutes City Council

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

Wednesday, July 19, 2017 5:15 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(5:15 P.M. Closed Session/ 6:00 P.M. Workshop/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

5:15 P.M.

CALL TO ORDER

Mayor Tate called the Special meeting to order at 5:15 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Wilson called the roll.

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

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2

Deputy City Clerk Michelle Wilson declared the posting of the agenda.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 5:16 p.m.

There being no requests to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 5:17 p.m.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Authority: Government Code Section 54956.8

a. Property: APN 767-03-036

Agency Negotiators: Steve Rymer and Karl Bjarke

Negotiating Parties: Farideh Betpolice

Under Negotiation: Price and Terms of Payment

b. Property: APN 767-03-039, 041, 042

Agency Negotiators: Steve Rymer and Karl Bjarke

Negotiating Parties: Lieu Van Tran & Hgan Thi Tran

Under Negotiation: Price and Terms of Payment

c. Property: APN 767-01-052

Agency Negotiators: Steve Rymer and Karl Bjarke

Negotiating Parties: Rocke and Glenda Garcia

Under Negotiation: Price and Terms of Payment

d. Property: APN 767-12-024, 310 West Dunne Avenue

Agency Negotiators: Steve Rymer and Karl Bjarke

Negotiating Parties: John Howard

Under Negotiation: Price and Terms of Payment

Minutes Acceptance: Minutes of Jul 19, 2017 5:15 PM (CONSENT CALENDAR)

- e. Property: APN 767-05-024, 205 Warren Avenue
 Agency Negotiators: Steve Rymer and Karl Bjarke
 Negotiating Parties: Susan and Robert Kerr
 Under Negotiation: Price and Terms of Payment

- f. Property: APN 767-05-037
 Agency Negotiators: Steve Rymer and Karl Bjarke
 Negotiating Parties: John A. Giancola
 Under Negotiation: Price and Terms of Payment

- g. Property: APN 767-06-034, 035, 272 Warren Avenue
 Agency Negotiators: Steve Rymer and Karl Bjarke
 Negotiating Parties: County of Santa Clara
 Under Negotiation: Price and Terms of Payment

- h. Property: APN 767-05-001 and 767-04-009
 Agency Negotiators: Steve Rymer and Karl Bjarke
 Negotiating Parties: PG&E/Water District
 Under Negotiation: Price and Terms of Payment

RECONVENE

The special meeting reconvened at 6:01 p.m.

WORKSHOP

PRESENTATION

Development User Fee Study

The purpose of this workshop is to provide a high-level overview of the methodology and process followed in the development of the City's Development User Fees. The goal is to receive fee setting policy direction from the City Council.

Assistant City Manager for Administrative Services Christina Turner, Community Development Director Jennifer Carman, Finance Director Dat Nguyen, and Stacey Shell with NBS facilitated the workshop.

The public comment was opened at 6:51 p.m. The following people were called to speak.

Dick Oliver

Rocke Garcia

Gary Hansen

There being no further requests to speak, the public comment was closed.

REGULAR MEETING

7:00 P.M.

Mayor Tate convened the regular meeting at 7:01 p.m.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Constantine shared that none of his committees have met and wished everyone a wonderful summer.

CITY MANAGER'S REPORT

PRESENTATION

Quarterly Teammate Recognitions

New Hires

Cynthia Hasson- Assistant City Attorney
 Gilbert Bailon- Utility Worker I
 Alfredo Balajadia- Electrician
 Pam van der Leeden - GIS/Land Use Data Administrator
 Clint Byrum- Utilities Operations Manager
 Inga Alonzo- Management Analyst (Utilities)
 Vicky Rossi- Business Assistant

Promotions

Christie Thomas- Housing Program Coordinator

Retirements

Angela Rivera- Accounting Assistant II
 Kat Corrales- Business Assistant

City Manager Steve Rymer recognized the City of Morgan Hill's newly hired, promoted, and retired teammates.

He announced that the City will be holding its second free residents day at the Aquatics Center on Friday, July 21st from 11:30 am to 6:00 pm. The last free residents day will be on August 18, 2017. On the district elections work that we have been doing, he shared that we have received about 11 maps and encouraged the residents to review and comment on those maps, as well as, to submit maps of their own. This is an opportunity for the community to participate in how the districts will be created here in the City of Morgan Hill.

He concluded by speaking to the evening's supplements and presentations.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin reported that there was no reportable action for the closed session that took place earlier in the evening.

OTHER REPORTS

Mayor Tate announced that the Library will be holding a celebration for its 10th birthday this Saturday at 1:00 pm.

PRESENTATIONS

YAC PRESENTATION - ASSET # 7 - COMMUNITY VALUES YOUTH

PROCLAMATIONS

Proclaiming the Month of July 2017 as Parks and Recreation Month

PUBLIC COMMENT

The public comment was opened at 7:24 p.m.

There being no requests to speak, the public comment was closed.

ADOPTION OF AGENDA

MOTION

Adopting the agenda moving item 16 to directly follow the consent calendar.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 2 through 11.

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

1. **ITEM PULLED FOR DISCUSSION**
2. **APPROVE PURCHASE OF CENTENNIAL RECREATION CENTER FITNESS EQUIPMENT**

Recommendation:

1. Approve the purchase of \$82,731 in fitness equipment for the Centennial Recreation Center using YMCA pricing;
2. Determine that a competitive bid would not likely result in a lower price pursuant to Morgan Hill Municipal Code Section 3.04.150(B); and
3. Delegate authority to the City Manager to execute documents to affect such purchase.

3. **PURCHASE OF FOUR POLICE FORD EXPLORERS**

Recommendation:

1. Adopt resolution authorizing the purchase (including build-out) of four patrol 2017 Ford Explorers for an amount not to exceed \$237,444; and
2. Authorize the salvage of 2011 Crown Victoria Patrol #131 (vin# 2761) and auction/salvage of three 2011 Crown Victoria Patrol Vehicles as necessary following their temporary use assignments.

4. FIRST AMENDMENT TO AGREEMENT WITH ASSOCIATED RIGHT OF WAY SERVICES, INC. FOR HALE AVENUE EXTENSION PROJECT

Recommendation:

Approve and authorize the City Manager to execute a First Amendment to the agreement with Associated Right of Way Services, Inc. in the amount of \$75,000, for a total contract amount not to exceed \$145,000 to continue with property acquisitions efforts for the Hale Avenue Extension Project.

5. ACCEPTANCE OF SUBDIVISION PUBLIC IMPROVEMENTS FOR CAMPOLI - TRACT NO. 10215

Recommendation:

Adopt resolution:

1. Accepting the subdivision public improvements for Campoli – Tract No. 10215;
2. Authorizing the Public Works Director to sign a Notice of Completion; and
3. Directing the City Clerk to file the Notice of Completion with the Recorder of Santa Clara County.

6. ACCEPTANCE OF SUBDIVISION PUBLIC IMPROVEMENTS FOR TILTON PARK-TRACT NO. 10228

Recommendation:

Adopt resolution:

1. Accepting the subdivision public improvements for Tilton Park – Tract No. 10228;
2. Authorizing the Public Works Director to sign a Notice of Completion; and
3. Directing the City Clerk to file the Notice of Completion with the Recorder of Santa Clara County.

7. APPROVAL OF PRICE DRIVE SUBDIVISION STORMWATER BEST MANAGEMENT PRACTICES (BMP) OPERATION AND MAINTENANCE AGREEMENTS

Recommendation:

Adopt resolution:

1. Approving four (4) Subdivision Stormwater Best Management Practices (BMP) Operation and Maintenance Agreements; and
2. Authorizing the City Manager to execute the Stormwater BMP Operation and Maintenance Agreements pending review and approval by the City Attorney.

8. FINAL MAP APPROVAL FOR MADISON GATE PHASE 2 - TRACT NO. 10418

Recommendation:

Adopt resolution:

1. Approving the Final Map; and
2. Authorizing the recordation of the Final Map.

9. MAY 2017 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

10. APPROVE THE JUNE 21, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

11. APPROVE THE JUNE 28, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEMS PULLED FOR DISCUSSION**1. INDIAN ASSOCIATION OF SOUTH COUNTY FLAG RAISING AT COMMUNITY AND CULTURAL CENTER REQUEST**

Recommendation:

Approve request from Indian Association of South County to raise the Flag of India at the Community and Cultural Center.

The public comment was opened at 7:26 p.m.

Brian Faircloth was called to speak.

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

PUBLIC HEARING**16. 2017 HAZARDOUS VEGETATION PROGRAM CHARGES**

Recommendation:

1. Open/Close Public Hearing;
2. Adopt resolution A ordering the Final Report on the 2017 Weed and Brush Abatement Program Assessment Report – Program Charges to be transmitted to the Santa Clara County Assessor's Office and that liens be posted against the properties on the report, excluding Assessor Parcel Numbers (APN) struck out of the attached list; and
3. Adopt resolution B ordering the Final Report on the 2017 Weed and Brush Abatement Program Assessment Report – Program Charges to be transmitted to the Santa Clara County Assessor's

Office and that liens be posted against the properties on the report, excluding Assessor Parcel Numbers (APN) struck out of the attached list.

Program Administrator Anthony Eulo presented the report.

The public hearing was opened at 7:43 p.m. The following people were called to speak.

Alan Bicho

Jon Cronk

Wu Chun (Jeff) Hsu

Jose Hernandez

There being no further requests to speak, the public hearing was closed.

MOTION:

Adopting resolution A asking that the County of Santa Clara waive the fees for Mr. Cronk's property.

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

Mayor Tate excused himself from the dais.

MOTION:

Adopting resolution B.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Rene Spring, Council Member
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Carr, Constantine, Jachimowicz, Spring
RECUSED:	Tate

OTHER BUSINESS

A recess was called at 8:28 p.m.

The meeting was reconvened at 8:40 p.m.

12. PROPOSITION 64 (MARIJUANA) UPDATE

Recommendation:

1. Open and Close the Public Hearing on the revised marijuana ordinance;
2. Waive the first and second reading;
3. Introduce ordinance revising the Municipal Code restrictions on medical marijuana to restrict both medical and recreational marijuana activities; and
4. Provide direction on a future facilitated marijuana workshop.

Police Chief David Swing presented the report.

The public comment was opened at 8:49 p.m. The following people were called to speak.

Joy Joyner

Doug Muirhead

Brian Faircloth

Mike Robinson

There being no further requests to speak, the public comment was closed.

MOTION:

Waiving the first and second reading of the ordinance.

RESULT:	WAIVED [4 TO 1]
MOVER:	Rich Constantine, Council Member
SECONDER:	Larry Carr, Mayor Pro Tem
AYES:	Tate, Carr, Constantine, Jachimowicz
NAYS:	Spring

MOTION

Introducing the ordinance.

RESULT:	INTRODUCED [4 TO 1]
MOVER:	Rich Constantine, Council Member
SECONDER:	Larry Carr, Mayor Pro Tem
AYES:	Tate, Carr, Constantine, Jachimowicz
NAYS:	Spring

13. BIKEWAYS, TRAILS, PARKS AND RECREATION MASTER PLAN ADOPTION

Recommendation:

1. Adopt the Bikeways, Trails, Parks and Recreation Master Plan Update;
2. Approve an amendment to the General Plan Environmental Impact Report for the Master Plan Update; and
3. Provide staff direction on next steps for the utilization of the Friendly Inn Non-Profit Center and El Toro Youth Center.

Community Services Director Chris Ghione, along with Ellie Fiore with MIG, presented the report.

The public comment was opened at 9:24 p.m. The following people were called to speak.

Kyle Windsor
 Brian Faircloth
 Mark Washbrush
 Kathy Sullivan
 Bill Haskell

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

14. INCLUSIVE PLAYGROUND CONSULTANT SERVICES AGREEMENT WITH MAGICAL BRIDGE

Recommendation:

Authorize the City Manager to execute, further negotiate, and subsequently administer an agreement with the Magical Bridge Foundation for services up to \$600,000 related to the development of an inclusive playground in Morgan Hill.

Community Services Director Chris Ghione presented the report.

The public comment was opened at 10:07 p.m. The following people were called to speak.

Greg Wolff
Kathy Sullivan
Ron Locicero

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

RESULT:	AUTHORIZED [UNANIMOUS]
MOVER:	Rene Spring, Council Member
SECONDER:	Rich Constantine, Council Member
AYES:	Tate, Carr, Constantine, Jachimowicz, Spring

15. OUTDOOR SPORTS CENTER UPDATE

Recommendation:

1. Direct staff to issue a Request for Proposals for operations at the Outdoor Sports Center;
2. Provide staff with direction on the guiding principles of the Request for Proposals; and
3. Adopt resolution amending the Fiscal Year 2017-18 Budget appropriating \$1,350,000 from the Park Maintenance Fund (302) for replacement of the artificial turf fields at the Outdoor Sports Center.

Community Services Director Chris Ghione presented the report.

The public comment was opened at 10:55 p.m.

Jeff Dixon was called to speak.

There being no further requests to speak, the public comment was closed.

MOTION:

Extending the meeting to 11:30 p.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Tate, Carr, Constantine, Jachimowicz, Spring

MOTION

Approving the recommended action.

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

PUBLIC HEARING

16. MOVED UP TO DIRECTLY FOLLOW THE CONSENT CALENDAR

17. IMPACT FEE FINANCING AGREEMENT-COCHRANE CO-BRANDS II, INC.

Recommendation:

Adopt resolution authorizing the City Manager to execute a Sewer and Traffic Impact Fee Financing Agreement, consistent with the Sewer and Traffic Impact Fee Deferral Program and Government Code section 53083, with Cochrane Co-Brands II, Inc. for the development of a 76 Gas Station and Burger King restaurant at Cochrane Commons.

Economic Development Coordinator John Lang presented the report.

The public hearing was opened at 11:22 p.m.

There being no request to speak, the public hearing was closed.

MOTION:

Approving the recommended action.

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

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Jachimowicz shared that she has been working with the Chamber on a week of events leading up to National Women's Equality Day and marks the passage of the 19th amendment. In light of our inclusiveness initiative we have put together some touchstone events for the week. On Monday, August 21st Cinelux will provide a screening of the movie Hidden Figures and we are trying to get Wonder Woman as well, at matinee prices. On Thursday, August 24th there will be a panel discussion on women in professional fields held here in the Council Chamber. Congresswoman Zoe Lofgren will be participating, as well as, VP for Kaiser Irene Chavez, Assistant City Manager Christina Turner, Architect Lesley Miles, and Judge Jacqueline Duong. We will be reaching out to the High Schools to encourage them to attend and participate. On Sunday, August 27th we will be holding a mixer at Grinds, Vines, and Automobiles (GVA), people of all ages are encouraged to attend and we are hoping that women will come dressed as they would for work. She has asked the Historical Society to see if they can do something on Saturday at the Museum around the women of Morgan Hill. She has asked if the library can put together a display of women's history. She requested that the City prepare and present a proclamation for the August 23, 2017 meeting and invite all women teammates to come when we present the proclamation so that we can thank them for all of the work that they do.

City Manager Steve Rymer shared that regarding the weed abatement program, there are other cities that have more of an administrative process that we can explore and will bring forward.

ADJOURNMENT

The meeting adjourned at 11:30 p.m.

Minutes prepared by:

Minutes Acceptance: Minutes of Jul 19, 2017 5:15 PM (CONSENT CALENDAR)

Michelle Wilson, Deputy City Clerk

Minutes Acceptance: Minutes of Jul 19, 2017 5:15 PM (CONSENT CALENDAR)



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.

DRAFT



Meeting Minutes City Council

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

Wednesday, July 26, 2017 5:30 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(5:30 P.M. Workshop/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

5:30 P.M.

CALL TO ORDER

Mayor Tate called the special meeting to order at 5:30 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Wilson called the roll.

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

Minutes Acceptance: Minutes of Jul 26, 2017 5:30 PM (CONSENT CALENDAR)

DECLARATION OF POSTING AGENDA

Deputy City Clerk Michelle Wilson declared the posting of the agenda.

WORKSHOP

Transition to District Elections Workshop

The purpose of this Community Workshop is to:

Host a public forum for discussion of the district election process and map-drawing criteria;

Present the initial draft maps;

Gather feedback from the community; and

Review and discussion by City Council and community of initial draft maps.

Following this Community Workshop, the third public hearing will be held on the same evening (July 26, 2017), to formalize direction to staff and National Demographics Corporation (NDC) for the development of the final maps and the election sequencing.

The initial draft maps are not necessarily the final maps; draft maps can be submitted until August 14, 2017. At the August 23, 2017 City Council meeting, the City Council will review any maps submitted through August 14th and introduce an ordinance selecting the district maps and setting the election sequencing.

Deputy City Clerk Michelle Wilson introduced Douglas Johnson with NDC who facilitated the workshop.

The public comment was opened at 6:03 p.m. The following people were called to speak.

Doug Muirhead

Joe Mueller

Brian Faircloth

Theresa Guerrero Daley

Kathy Sullivan

John Horner

Yvonne

There being no further requests to speak, the public comment was closed.

Mayor Tate called a recess at 7:05 p.m.

REGULAR MEETING

7:00 P.M.

Mayor Tate convened the regular meeting at 7:13 p.m.

Minutes Acceptance: Minutes of Jul 26, 2017 5:30 PM (CONSENT CALENDAR)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Jachimowicz shared that one of the things that she has been tasked with is tracking legislation. There is one bill in particular that has advanced very quickly that concerns her, SB649. It's the wireless telecommunications facilities bill. The League of California Cities has strongly opposed it. The bill would require cities to lease out public property to wireless companies and caps how much the Cities can lease the property for.

She announced that the City has partnered with the Chamber of Commerce for a week honoring women and Women's Equality, August 21st through the 27th. We have a lot of fun events planned from a screening of Hidden Figures at Cinelux on Monday to a panel discussion here on Thursday with Congresswoman Zoe Lofgren, one of our local judges Jacqueline Duong, as well as, some other leading women in our community, about what it means to be a woman in the professional realm. She encouraged everyone to participate and help celebrate the women who work behind the scenes to be the Wonder Women we have in Morgan Hill.

CITY MANAGER'S REPORT

Acting City Manager Christina Turner spoke to the evening's supplements and presentations. She announced that the City is hosting a free outdoor movie night tomorrow night at Galvan Park at 8:00 p.m. The featured movie will be Sing. She shared that next Tuesday night, August 1st starting at 5:30 p.m. we will be holding the National Night Out event in our downtown which is an annual event. She announced that the City has available on-line a transit survey; to date over five hundred surveys have been completed. We will also have the survey available at some of the community events including the downtown parking meeting, as well as the Station Area Masterplan meeting. This survey is an opportunity for us to learn from the community what their transportation needs are. This stems in part from Valley Transportation Authority's (VTA) Measure B in which we will be receiving funds. Also related, she recognized Tiffany Brown for her outstanding work with both the VTA and the High Speed Rail. She has exemplified the core values of innovation and meeting challenges.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin had no reports.

OTHER REPORTS

None.

PUBLIC COMMENT

The public comment was opened at 7:20 p.m.

There being no requests to speak, the public comment was closed.

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1 through 7.

Council Member Constantine recused himself on item 5.

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

1. APPROVE HEALTHY PLAY GRANT APPLICATION AND CONSIDER BUDGET AMENDMENT FOR MATCHING FUNDS UPON SCOPE COMPLETION

Recommendation:

1. Authorize City Staff to apply for a Healthy Play Grant for new play equipment; and
2. Direct staff to return to the Council with a budget amendment authorizing a matching appropriation from the Park Impact, Park Maintenance, and/or General Fund Budget once the exact final project cost and scope are complete.

2. LETTER OF SUPPORT FOR FUNDING PACHECO RESERVOIR EXPANSION

Recommendation:

Direct staff to prepare and submit a letter supporting the funding for the expansion of Pacheco Reservoir.

3. AWARD FIVE-YEAR AGREEMENT WITH POTABLE DIVERS, INC FOR RESERVOIR CLEANING AND INSPECTION

Recommendation:

1. Approve the execution of a five-year maintenance service agreement with Potable Divers, Inc. in the amount of \$20,600 for reservoir cleaning and inspection; and
2. Authorize the City Manager to execute the five-year maintenance service agreement with Potable Divers, Inc.

4. EIGHTH SEMI-ANNUAL REPORT ON POST-ISSUANCE COMPLIANCE FOR TAX ADVANTAGED BONDS

Recommendation:

Receive Report.

5. ITEM REMOVED FROM CONSENT FOR SEPARATE VOTE**6. PURCHASE OF A NEW COMPACT EXCAVATOR AND UTILITY TILT BED TRAILER**

Recommendation:

1. Approve purchase of a new compact excavator and utility tilt bed trailer from Pape Machinery, Inc., in the amount of \$71,277.66; and
2. Authorize City Manager to approve purchase order in the amount of \$71,277.66 with Pape Machinery, Inc.

7. ORDERING THE MAKING OF AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK) AMENDING REASSESSMENT NO.7

Recommendation:

Adopt the following:

1. Resolution Ordering the Making of the Amended Reassessments Pursuant to Part 10 of The Streets and Highway Code and Directing Actions with Respect Thereto Reassessment District No. 2015-2; and
2. Resolution Ordering Preliminarily Approving Amended Reassessment, Ordering the Public Hearing, and Directing Actions with Respect Thereto Reassessment District No. 2015-2.

8. ITEM PULLED FOR DISCUSSION**ITEMS PULLED FOR DISCUSSION****5. AWARD EAST MAIN AVENUE WELL PROJECT**

Recommendation:

1. Approve the East Main Avenue Well Project plans and specifications;
2. Award contract to Conco West, Inc. for the East Main Avenue Well Project in the amount of \$1,603,500;
3. Authorize expenditure of construction contingency funds not to exceed \$160,350; and
4. Authorize the City Manager to execute and administer the construction contract with Conco West, Inc.

MOTION:

Approving the recommended action.

RESULT:	APPROVED [4 TO 0]
MOVER:	Larry Carr, Mayor Pro Tem
SECONDER:	Caitlin Jachimowicz, Council Member
AYES:	Tate, Carr, Jachimowicz, Spring
RECUSED:	Constantine

8. ADOPT ORDINANCE 2257, NEW SERIES, AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING THE TITLE OF CHAPTER 9.16 (MEDICAL MARIJUANA) AND SECTIONS 9.16.010 (INTENT), 9.16.020 (DEFINITIONS), AND 9.16.030 (PROHIBITED ACTIVITIES) OF TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE MORGAN HILL MUNICIPAL CODE PROHIBITING MARIJUANA CULTIVATION, MARIJUANA DELIVERY SERVICES, AND MARIJUANA DISPENSARIES

Recommendation:

Waive the reading, adopt Ordinance No. 2257, 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.

Mayor Tate opened the public comment at 7:23 p.m. The following people were called to speak.

Brian Faircloth

Theresa Guerrero Daley

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Larry Carr, Mayor Pro Tem
SECONDER:	Rich Constantine, Council Member
AYES:	Tate, Carr, Constantine, Jachimowicz
NAYS:	Spring

PUBLIC HEARING

9. CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

Recommendation:

1. Open/close the public hearing;
2. Discuss initial draft maps; and
3. Provide direction on next steps for draft maps and election sequencing.

Deputy City Clerk Michelle Wilson provided the staff report. Douglas Johnson with National Demographics Corporation continued the presentation.

The public hearing was opened at 7:39 p.m. The following people were called to speak.

Marby Lee

Bob Benevento

Liam Downey

Carl McCaw

Armando Benavides

Brian Faircloth

There being no further requests to speak, the public hearing was closed.

RESULT:	NO ACTION TAKEN
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10. RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCE) COMPETITION CATEGORIES AND ALLOTMENT DISTRIBUTION

Recommendation:

Adopt resolution establishing Competition Categories and Distribution of Allotments for the 2017 Residential Development Control System (RDCE) Competition.

Interim Principal Planner John Baty, Interim Principal Planner Gina Paolini, and Community Development Director Jennifer Carman presented the report.

The public hearing was opened at 8:51 p.m.

John Horner was called to speak.
There being no further requests to speak, the public hearing was closed.

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

11. UPDATE ON TELECOMMUNICATIONS PLANNING PROCESS

Recommendation:

1. Receive update report; and
2. Direct staff to schedule a City Council workshop on public/private business models with telecommunications providers and local businesses as the next step to advance the City Council's 2017 Telecommunications Strategic Priority.

Mayor Tate called a recess at 8:59 p.m.
The meeting was reconvened at 9:07 p.m.

Economic Development Coordinator John Lang presented the report.

The public comment was opened at 9:35 p.m. The following people were called to speak.

Doug Muirhead

Trevor Bacolini

John Horner

Liam Downey

There being no further requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

RESULT:	DIRECTED [UNANIMOUS]
MOVER:	Caitlin Jachimowicz, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Tate, Carr, Constantine, Jachimowicz, Spring

12. RESPONSE TO GRAND JURY REGARDING LAFCO DENIALS: A HIGH SCHOOL CAUGHT IN THE MIDDLE

Recommendation:

Approve the response letter to the Santa Clara County Civil Grand Jury.

Acting City Manager Christina Turner presented the report.

The public comment was opened at 9:52 p.m.
There being no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

13. ADOPTION OF WAGE THEFT PREVENTION POLICY

Recommendation:

1. Adopt wage theft policy; and
2. Direct staff to return to City Council in September 2017 with an ordinance implementing additional wage theft prevention measures.

City Attorney Donald Larkin presented the report.

The public comment was opened at 9:56 p.m.

There being no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action with the following changes to the policy; Mandatory Disclosure paragraph at the top of page two, changing "has" to "has not" in the third sentence and changing the word "affirms" to "affirm" in the first paragraph on page three, line seven.

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

14. AIRCRAFT NOISE MITIGATION ENTITY DISCUSSION

Recommendation:

1. Discuss the City's involvement in the south bay aircraft noise mitigation entity; and
2. Consider appointing one member and one alternate from the Council to serve on the committee, once established.

Mayor Tate presented the report.

The public comment was opened at 10:03 p.m.

Trevor Bacolini was called to speak.

There being no further requests to speak, the public comment was closed.

RESULT:	NO ACTION TAKEN
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CLOSED SESSION

City Attorney Donald Larkin announced the closed session.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 10:15 p.m.

There being no requests to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 10:15 p.m.

LIABILITY CLAIMS

Authority:	Pursuant to Government Code Section 54956.95
Claimant:	Goldstein, Borgen, Dardarian & Ho
Agency claimed against:	City of Morgan Hill

RECONVENE

Mayor Tate reconvened the meeting at 10:22 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Donald Larkin announced that there was no reportable action.

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Carr would like to have the LAFCO response to Grand Jury Letter brought back to a future meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:23 p.m.

Minutes Prepared By:

Michelle Wilson, Deputy City Clerk



Sustainable Morgan Hill Vision

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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

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Regional Initiatives

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DRAFT



Meeting Minutes City Council

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

Monday, July 31, 2017 6:30 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL MEETING

A Special Meeting of the City Council was called at 6:30 p.m. for the purpose of conducting a closed session.

CALL TO ORDER

Mayor Tate called the special meeting to order at 6:30 p.m.

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

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Angie Gonzalez declared the posting of the agenda.

CLOSED SESSION

Minutes Acceptance: Minutes of Jul 31, 2017 6:30 PM (CONSENT CALENDAR)

OPPORTUNITY FOR PUBLIC COMMENT

Mayor Tate opened the public comment at 6:30 p.m.

Doug Muirhead was called to speak.

Hearing no further request to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting was adjourned to closed session at 6:33 p.m.

PUBLIC EMPLOYMENT

Authority: Govt Code Section 54957

Title: City Manager

RECONVENE

The meeting was reconvened at 7:15 p.m.

CLOSED SESSION ANNOUNCEMENT

Mayor Tate announce that there was no reportable action.

ADJOURNMENT

There being no further business, Mayor Tate adjourned the meeting at 7:16 p.m.



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DRAFT



Meeting Minutes City Council

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

Wednesday, August 16, 2017 6:00 PM

City Hall - Grand Conference Room
17575 Peak Avenue, Morgan Hill, CA 95037

SPECIAL MEETING

A Special Meeting of the City Council is called at 6:00 p.m. for the purpose of conducting a closed session.

CALL TO ORDER

Mayor Tate called the meeting to order at 6:01 p.m.

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

DECLARATION OF POSTING OF AGENDA

Deputy City Clerk Michelle Wilson declared the posting of the agenda.

CLOSED SESSION

City Attorney Donald Larkin announced the closed session items.

OPPORTUNITY FOR PUBLIC COMMENT

Mayor Tate opened the public comment at 6:03 p.m.

There being no requests to speak, the public comment was closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:04 p.m.

PUBLIC EMPLOYMENT

Authority: Govt Code Section 54957

Title: City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Authority: Government Code Section 54956.8

Property: APN 726-14-042, 85 E. First Street

Agency Negotiators: Steve Rymer and Leslie Little

Negotiating Parties: Estate of Gary Robert Weber aka Gary Robert Bonnoyer

Under Negotiation: Price and Terms of Payment

RECONVENE

The meeting was reconvened at 7:41 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Donald Larkin announced that there was no reportable action.

ADJOURNMENT

The meeting was adjourned at 7:42 p.m.

Minutes prepared by:

Michelle Wilson, Deputy City Clerk



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CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Michelle Wilson, Deputy City Clerk
APPROVED BY: City Manager

CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

RECOMMENDATION(S)

1. Review and discuss draft maps and election sequencing;
2. Open/close the public hearing;
3. Waive the first and second reading of the ordinance; and
4. Introduce ordinance selecting the preferred district map and setting the election sequencing.

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 City has hosted a series of public meetings to engage the community during this transition.

The purpose of this meeting is for the City Council to review and discuss the draft maps, select the preferred map, and set the election sequencing. The election sequencing will determine which two districts will be up for election in the upcoming 2018 election and which two districts will be up for the 2020 election.

Staff has recommended 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

In addition to the engagement efforts called out in the engagement plan, teammates attended the Friday Music Series on July 7th to share information with the community about the process. The team also held a community workshop on July 10th to share information on the process and how to use the various mapping tools.

As the City Council directed, we have had a focused effort on outreaching to our Spanish speaking community. All information has and will continue to be provided in both English and Spanish. Translators and translation equipment will be available at all public meetings.

We are working with NDC to support and provide expertise. They have provided and managed the www.drawmh.org website that is 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 the maps submitted has been uploaded and is available for viewing on this site. The site is directly linked to our website for ease of access.

We are utilizing all of our communication channels and 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.

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, 2017 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
- June 28, 2017 City Council public hearing to receive input from the community
- July 26, 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 executed 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. Comments on Maps
2. Election Year Sequence Options
3. Draft Maps 8-18-17
4. District Election Ordinance
5. District Based Election Timeline
6. Community Engagement Strategy
7. July 26, 2017 City Council District Elections Staff Report (weblink)
8. June 28, 2017 City Council District Elections Staff Report (weblink)
9. June 21, 2017 City Council District Elections Staff Report (weblink)
10. June 7, 2017 City Council District Elections Staff Report (weblink)
11. Map Comments

Citywide Contiguous and Population-Balanced Maps

Plan Name	Type	Submitter Comments
Pinwheel 1	Citywide map	Drawn by NDC based on Council and public feedback at July 26 hearing. Based on “pinwheel” approach of Green, Mueller, Muirhead and Benevento 1 maps, with multiple districts downtown and multiple districts on Monterey corridor. Adjusted to follow railroad tracks as district border in the north; to improve compactness in the center of the city, and to avoid splitting the southern part of the city. Pairs Councilmembers Constantine and Carr.
Pinwheel 2	Citywide map	Same as Pinwheel 1 except adjusted to avoid pairing Councilmembers.
Vertical 1	Citywide map	Drawn by NDC based on Council and public feedback at July 26 hearing. Based on Orange map with a district running north and south between Hwy 101 and Monterey Rd. / Railroad Rd., and District D unifying everything east of Hwy 101. Pairs Councilmembers Constantine and Carr.
Vertical 2	Citywide map	Same as Vertical 1 except adjusted to avoid pairing Councilmembers.
Horizontal 1	Citywide map	Drawn by NDC based on Council and public feedback at July 26 hearing. Based on “Lee 1b” map, adjusted to be more compact in the center of the city and to unify areas east of Hwy 101 in District D, with the three western districts ‘stacked’ vertically. Pairs Councilmembers Constantine and Spring.
Aragon 1b	Citywide map	Aragon 1 adjusted by NDC to avoid point contiguity and to make smallest possible changes to reach population balance.
Benevento 1	Citywide map	The population of each district is within specified parameters and each council member is in a separate district, unlike Mr. Muirhead (Carr/Constantine together). I am a bit concerned regarding the southern section, particularly Pop. Unit #s 35, 36 and 43 and contiguous nature of those population units in sections C & D.
Benevento 2b	Citywide map	Benevento 2 adjusted by NDC. District A is now contiguous, District B shifts west, and District C is still 51% Latino by total population.
Green	Citywide map	NDC-drawn map drawing heavily from Benevento 2.
Lee 1b	Citywide map	Lee 1 adjusted by NDC to make it contiguous with minimal changes to retain population balance. (Population units 33 and 34 traded between A and B.)
Mueller 1	Citywide map	One incumbent in each of four districts. I tried to provide one district with a majority Hispanic population. District C is 46.7% Hispanic.
Mueller 2	Citywide map	A slight revision to Map JoeM17-01 which raises the Hispanic population in District C.
Muirhead 1	Citywide map	This plan creates a South City District and divides the rest of the City into West, North and East districts. Since all 4 incumbents live north of Dunne, this forces them into 3 Districts.
Orange	Citywide map	NDC-drawn map. Keeps D entirely east of Hwy 101; B entirely between 101 and Monterey Rd.; C entirely west of Monterey Rd.

NDC Morgan Hill Plans and Submitter Comments

Plan Name	Type	Submitter Comments
Yellow	Citywide map	NDC-drawn map. Compact. Map logic apart from physical area and population target requirements: My logic is based on areas that have unique challenges and issues or have activities and impacts that are a common interest. Areas that have high industrial, agricultural, residential only, or future growth and challenges like construction HSR traffic agriculture or downtown activity. In my opinion downtown should be bigger on my map but can't do that due to population limits per district. A. Paradise and South West. Primarily residential low commercial engaged and active neighborhood some agricultural impacts. B. Dunne Ave Area. Primarily East of freeway. Mainly residential good mix of SF and MF agricultural impacts and activity. C. Cochrane Area - primarily the industrial commercial area but also the east side is highly populated and has development and future development growth and has to deal with Anderson Dam. D. Downtown Area. Unique area high commercial and retail high population concentration of low to moderate income high development impacts traffic impacts. I m open to edits as long as the objectives are met
Downey 1 (7/26)	Citywide map	

Single-District Maps

Plan Name	Type	Submitter Comments	NDC Notes
Muirhead 2	Single-district map	This plan, which is not population balanced, focuses on Monterey corridor as an extended PDA transit high-density housing and jobs. It does support incumbent protection. Creating compact and contiguous districts when neither the City boundaries nor the census blocks have well-behaved shapes is seriously annoying and I leave that to you professionals to make right. The concept of a PDA core is important."	Not population balanced.
Muirhead 3	Single-district map	This plan attempts to implement the Monterey Corridor as defined in the MH General Plan 2035. With a population of 7000 it is too small to be an actual district. The corridor has a higher percentage of the Hispanic population than other parts of the City this plan population is 60% Hispanic. Other considerations for the corridor are MTC ABAG Plan Bay Area 2040 and Priority Development Areas transit jobs dense housing . It does include one Council Member residence."	Not population balanced.

Morgan Hill Plans and Submitter Comments

NDC

Maps that are Not Contiguous or Not Population-Balanced

Plan Name			Submitter Comments	NDC Notes
Aragon 1	Citywide map		This is based on voter neighborhoods, where voting would naturally affect them individually, properly. A = North; B = East of Hwy 101; C = Downtown corridor; D = Southern	Not population balanced. Only point contiguity (and contiguous across county islands).
Lee 1	Citywide map		It attempts to keep neighborhoods of similar interests/concerns together in a district. It is not ideal due to population requirements - there is at least one neighborhood that is in a different district than what I think it should be. But after spending time working on various maps, this is the one that I think works the best based on the requirements.	Population balanced but not contiguous.
Benevento 2	Citywide map		It again has all four council seats in separate districts. However District C now has a Hispanic majority [total] population and a Hispanic majority VAP. I am concerned regarding the physical nature of District A however. Also District A is below the ideal population parameters.	Population balanced but not contiguous.

NDC

Morgan Hill Election Year Sequence Options by Plan
(Only contiguous, population-balanced plans are eligible for adoption and thus listed here)

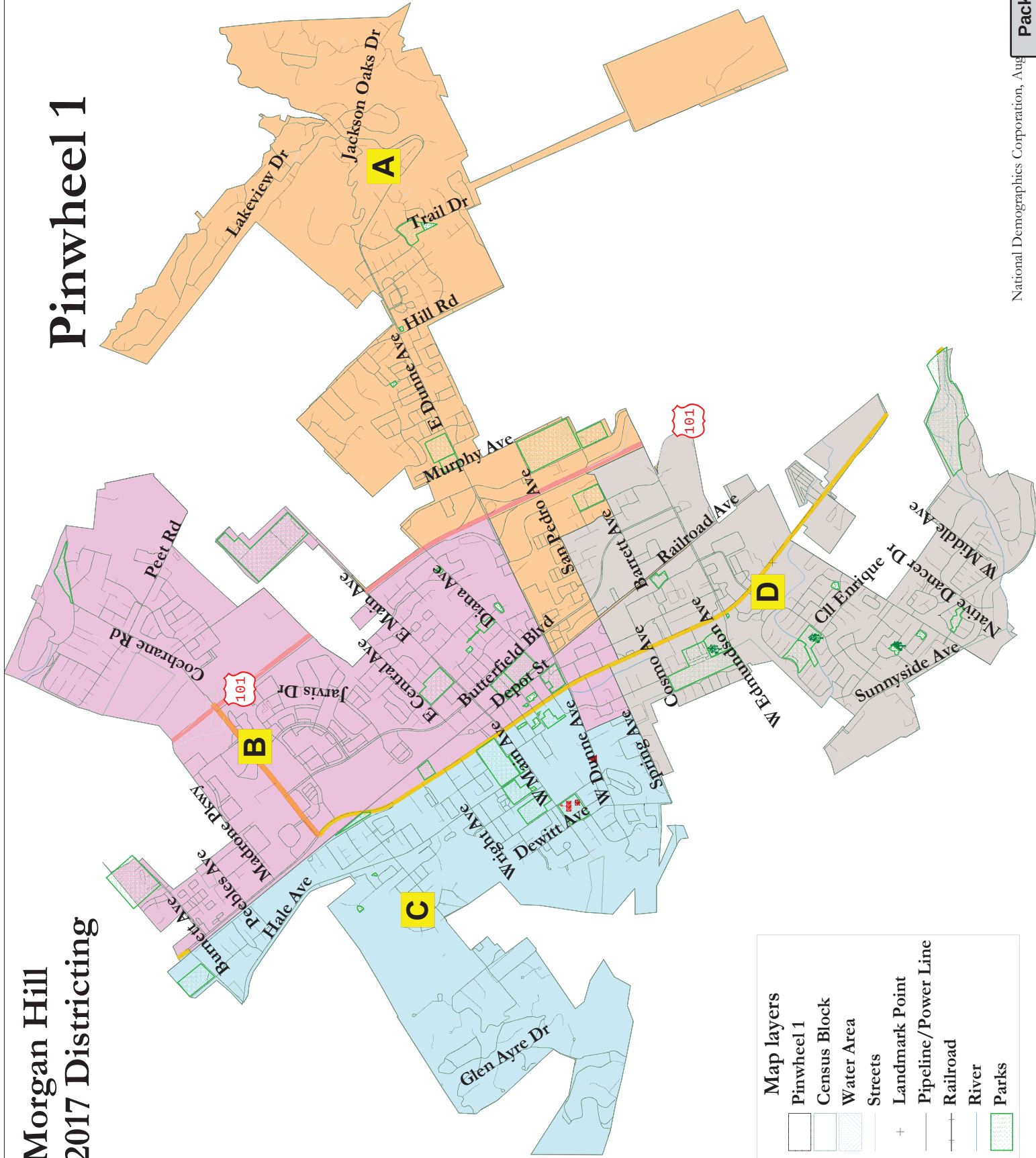
Plan Name	District A	District B	District C	District D
Pinwheel 1	2018 (Jachimowicz)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	2020 (Spring)	Option 1: 2020 Option 2: 2018 (Vacant)
Pinwheel 2	2018 (Jachimowicz)	2018 (Constantine)	2020 (Spring)	2020 (Carr)
Vertical 1	Option 1: 2020 Option 2: 2018 (Vacant)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	2020 (Spring)	2018 (Jachimowicz)
Vertical 2	2020 (Carr)	2018 (Constantine)	2020 (Spring)	2018 (Jachimowicz)
Horizontal 1	Option 1: 2020 Option 2: 2018 (Vacant)	2020 (Carr)	Option 1: 2018 Option 2: 2020 (Constantine/Spring)	2018 (Jachimowicz)
Aragon 1b	2020 (Spring)	2018 (Jachimowicz)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	Option 1: 2020 Option 2: 2018 (Vacant)
Benevento 1	2020 (Spring)	2018 (Constantine)	2020 (Carr)	2018 (Jachimowicz)
Benevento 2b	2020 (Vacant)	2018 (Constantine)	2020 * (Carr/Spring)	2018 (Jachimowicz)
Green	2020 (Carr)	2018 (Constantine)	2020 (Spring)	2018 (Jachimowicz)
Lee 1b	Option 1: 2020 Option 2: 2018 (Vacant)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	2020 (Spring)	2018 (Jachimowicz)

Mueller 1	2018 (Jachimowicz)	2018 (Constantine)	2020 (Spring)	2020 (Carr)
Mueller 2	2018 (Jachimowicz)	2018 (Constantine)	2020 (Spring)	2020 (Carr)
Muirhead 1	Option 1: 2020 Option 2: 2018 (Vacant)	2020 (Spring)	Option 1: 2018 Option 2: 2020 (Constantine/Carr)	2018 (Jachimowicz)
Orange	2020 (Carr)	2018 (Constantine)	2020 (Spring)	2018 (Jachimowicz)
Yellow	2020 (Constantine)	2018 (Spring)	2020 (Carr)	2018 (Jachimowicz)
Downey 1 (7/26)	2018 (Vacant)	2018 * (Constantine /Jachimowicz)	2020 (Spring)	2020 (Carr)

* District contains two Councilmembers, but both are on the same election cycle.

Morgan Hill 2017 Districting

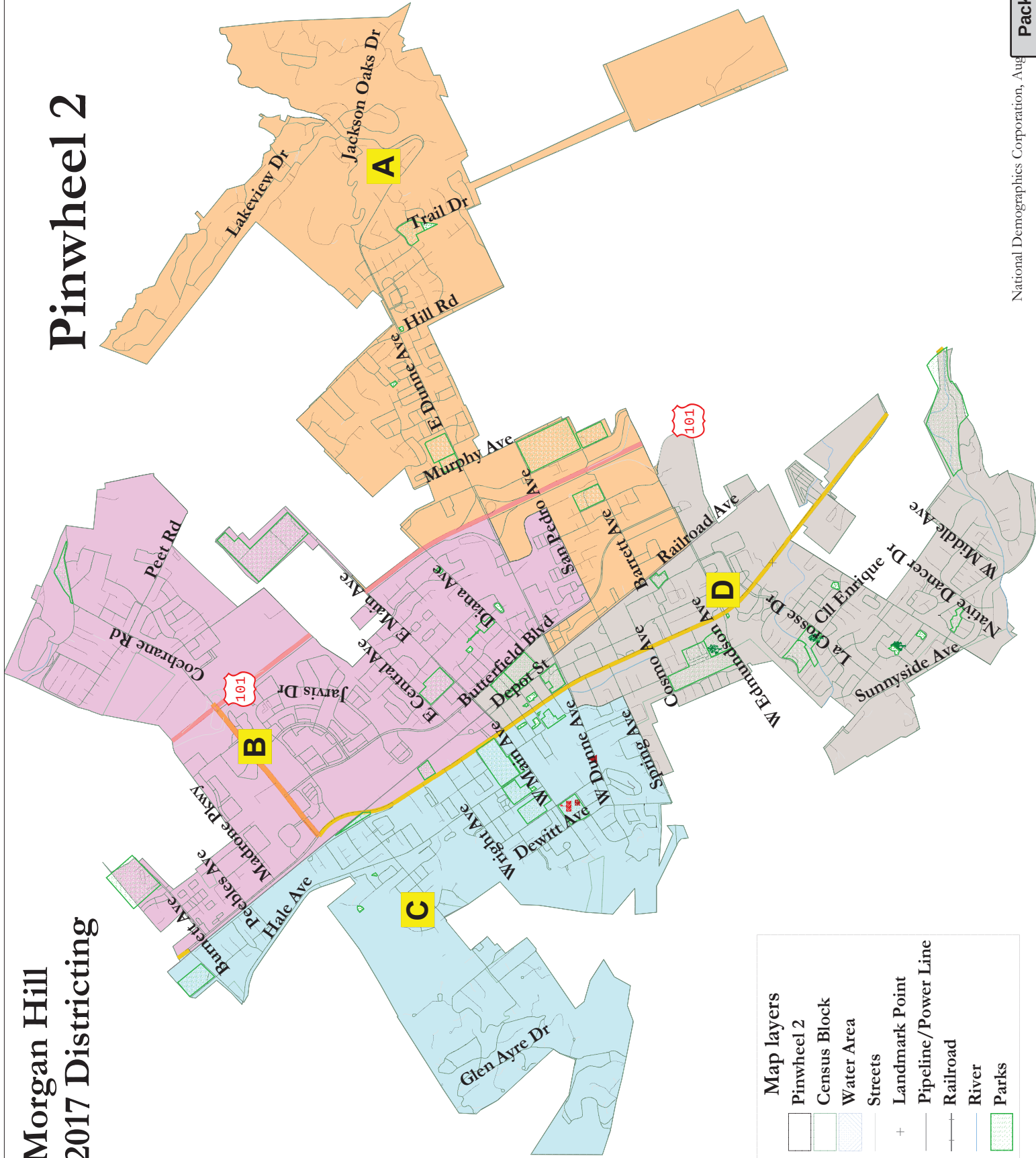
Pinwheel 1



Morgan Hill - Pinwheel 1 map						
District		A	B	C	D	Total
Ideal	Total Pop	9,698	9,585	9,151	9,448	37,882
7,576	Deviation from ideal	227	114	-320	-23	547
	% Deviation	2.40%	1.20%	-3.38%	-0.24%	5.78%
Total Pop	% Hisp	26%	35%	41%	34%	34%
	% NH White	57%	46%	44%	53%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	14%	11%	9%	11%
Voting Age Pop	Total	7,034	6,661	6,698	6,651	27,044
	% Hisp	23%	32%	36%	30%	30%
	% NH White	61%	51%	49%	57%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	13%	11%	8%	11%
Citizen Voting Age Pop	Total	6,889	7,266	6,567	5,926	26,648
	% Hisp	22%	30%	27%	24%	26%
	% NH White	63%	55%	59%	59%	59%
	% NH Black	3%	6%	4%	2%	4%
	% Asian/Pac.Isl.	11%	8%	10%	13%	10%
Voter Registration (Nov 2014)	Total	5,738	4,978	4,383	4,707	19,806
	% Latino est.	17%	23%	25%	20%	21%
	% Asian-Surnamed	7%	7%	6%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	16%	21%	22%	18%	19%
	% NH White est.	73%	55%	62%	71%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,949	2,189	2,027	2,423	9,588
	% Latino	13%	17%	18%	16%	16%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	11%	15%	16%	14%	14%
	% NH White est.	78%	61%	69%	76%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	4,662	3,854	3,614	3,838	15,968
	% Latino	16%	21%	24%	19%	20%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	19%	21%	17%	18%
ACS Pop. Est.	% NH White est.	76%	59%	63%	71%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	10,528	10,110	9,535	9,922	40,095
	age0-19	31%	29%	24%	31%	29%
	age20-60	51%	55%	57%	50%	53%
Immigration	age60plus	18%	16%	19%	19%	18%
	immigrants	19%	18%	22%	17%	19%
Language spoken at home	naturalized	58%	57%	55%	47%	54%
	english	73%	71%	63%	71%	69%
	spanish	18%	17%	28%	20%	21%
	asian-lang	5%	6%	4%	5%	5%
	other lang	5%	6%	5%	3%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	9%	14%	11%	11%
Education (among those age 25+)	hs-grad	50%	50%	51%	53%	51%
	bachelor	23%	25%	20%	24%	23%
	graduateddegree	17%	14%	14%	13%	14%
Child in Household	child-under18	40%	38%	33%	34%	37%
Work (percent of pop age 16+)	employed	62%	66%	61%	60%	62%
	Commute on Public Transit	1%	4%	4%	3%	3%
Household Income	income 0-25k	13%	13%	17%	17%	15%
	income 25-50k	14%	10%	19%	14%	14%
	income 50-75k	11%	14%	11%	14%	12%
	income 75-200k	43%	42%	39%	41%	42%
	income 200k-plus	19%	22%	14%	14%	17%
Housing Stats	single family	86%	87%	76%	79%	82%
	multi-family	14%	13%	24%	21%	18%
	vacant	2%	4%	0%	3%	2%
	occupied	98%	96%	100%	97%	98%
	rented	28%	24%	36%	31%	30%
	owned	72%	76%	64%	69%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

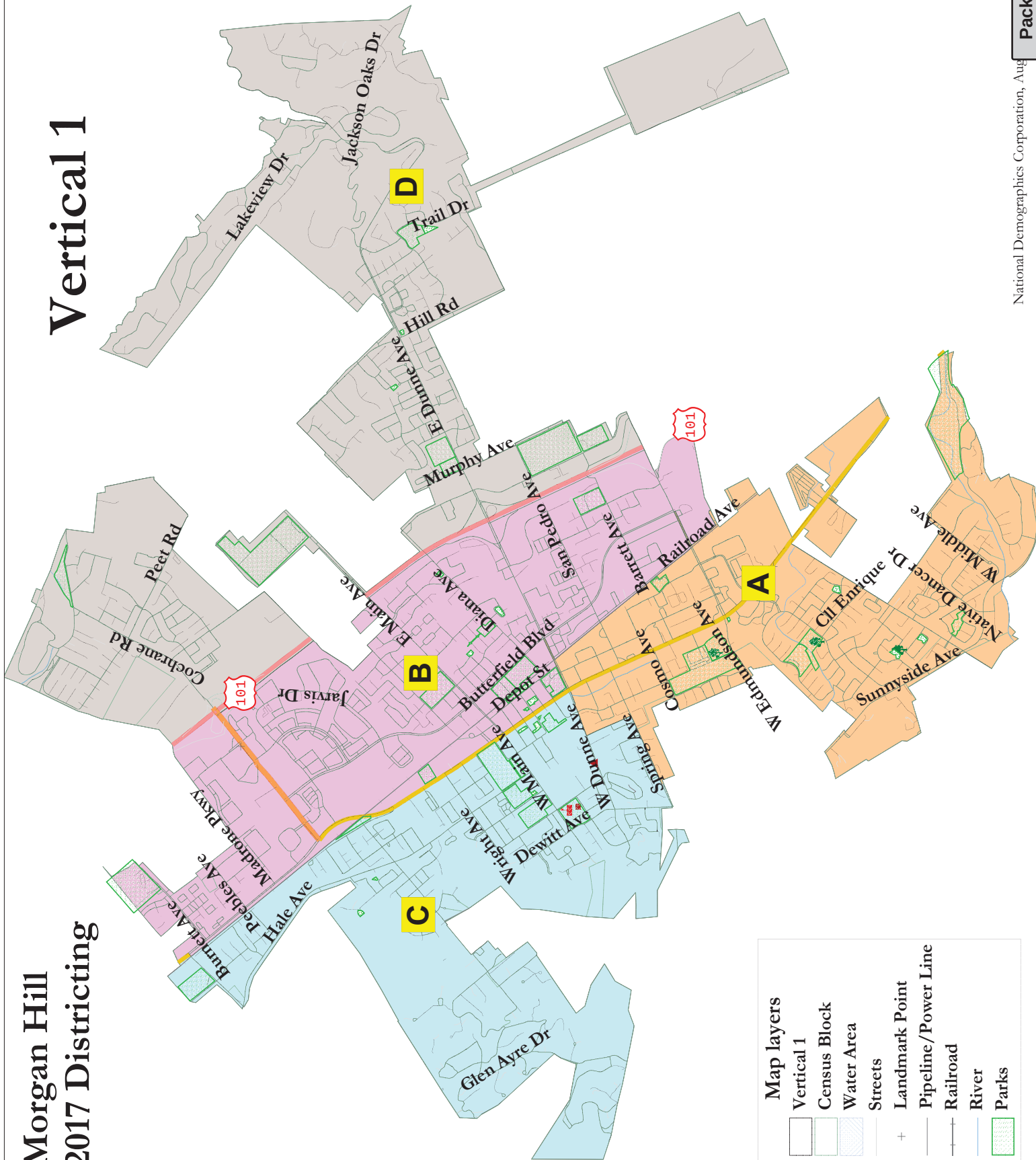
Pinwheel 2



Morgan Hill - Pinwheel 2 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,193	9,592	9,684	9,413	37,882
7,576	Deviation from ideal	-278	121	213	-58	491
	% Deviation	-2.94%	1.28%	2.25%	-0.61%	5.18%
Total Pop	% Hisp	24%	33%	41%	37%	34%
	% NH White	59%	47%	44%	52%	50%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	12%	15%	11%	7%	11%
Voting Age Pop	Total	6,610	6,641	7,114	6,679	27,044
	% Hisp	22%	30%	36%	32%	30%
	% NH White	62%	51%	49%	57%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	15%	11%	7%	11%
Citizen Voting Age Pop	Total	6,438	7,220	7,024	5,966	26,648
	% Hisp	19%	30%	28%	26%	26%
	% NH White	65%	54%	59%	60%	59%
	% NH Black	3%	5%	4%	2%	4%
	% Asian/Pac.Isl.	11%	9%	9%	11%	10%
Voter Registration (Nov 2014)	Total	5,502	4,898	4,550	4,856	19,806
	% Latino est.	16%	22%	25%	21%	21%
	% Asian-Surnamed	7%	8%	6%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	20%	23%	19%	19%
	% NH White est.	74%	58%	62%	67%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,837	2,174	2,099	2,478	9,588
	% Latino	12%	17%	18%	17%	16%
	% Asian-Surnamed	6%	7%	5%	3%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	11%	15%	16%	15%	14%
	% NH White est.	79%	63%	69%	73%	72%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2012)	Total	4,451	3,776	3,785	3,955	15,968
	% Latino	15%	21%	24%	19%	20%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	19%	21%	17%	18%
	% NH White est.	76%	61%	63%	69%	68%
	% NH Black est.	2%	5%	5%	2%	3%
ACS Pop. Est.	Total	9,972	10,155	10,111	9,857	40,095
Age	age0-19	30%	30%	24%	30%	29%
	age20-60	51%	54%	57%	51%	53%
	age60plus	19%	16%	19%	19%	18%
Immigration	immigrants	18%	19%	22%	16%	19%
	naturalized	59%	61%	53%	45%	54%
Language spoken at home	english	73%	71%	63%	71%	69%
	spanish	17%	16%	28%	21%	21%
	asian-lang	5%	6%	4%	5%	5%
	other lang	5%	6%	5%	3%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	9%	9%	14%	11%	11%
Education (among those age 25+)	hs-grad	49%	52%	51%	52%	51%
	bachelor	23%	24%	20%	24%	23%
	graduatedegree	17%	13%	14%	13%	14%
Child in Household	child-under18	40%	38%	34%	34%	37%
Work (percent of pop age 16+)	employed	62%	65%	62%	61%	62%
	Commute on Public Transit	1%	3%	4%	3%	3%
Household Income	income 0-25k	11%	14%	17%	16%	15%
	income 25-50k	13%	11%	19%	14%	14%
	income 50-75k	11%	14%	11%	14%	12%
	income 75-200k	44%	41%	39%	41%	42%
	income 200k-plus	20%	20%	14%	15%	17%
Housing Stats	single family	88%	88%	74%	79%	82%
	multi-family	12%	12%	26%	21%	18%
	vacant	2%	4%	1%	3%	2%
	occupied	98%	96%	99%	97%	98%
	rented	25%	25%	38%	30%	30%
	owned	75%	75%	62%	70%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

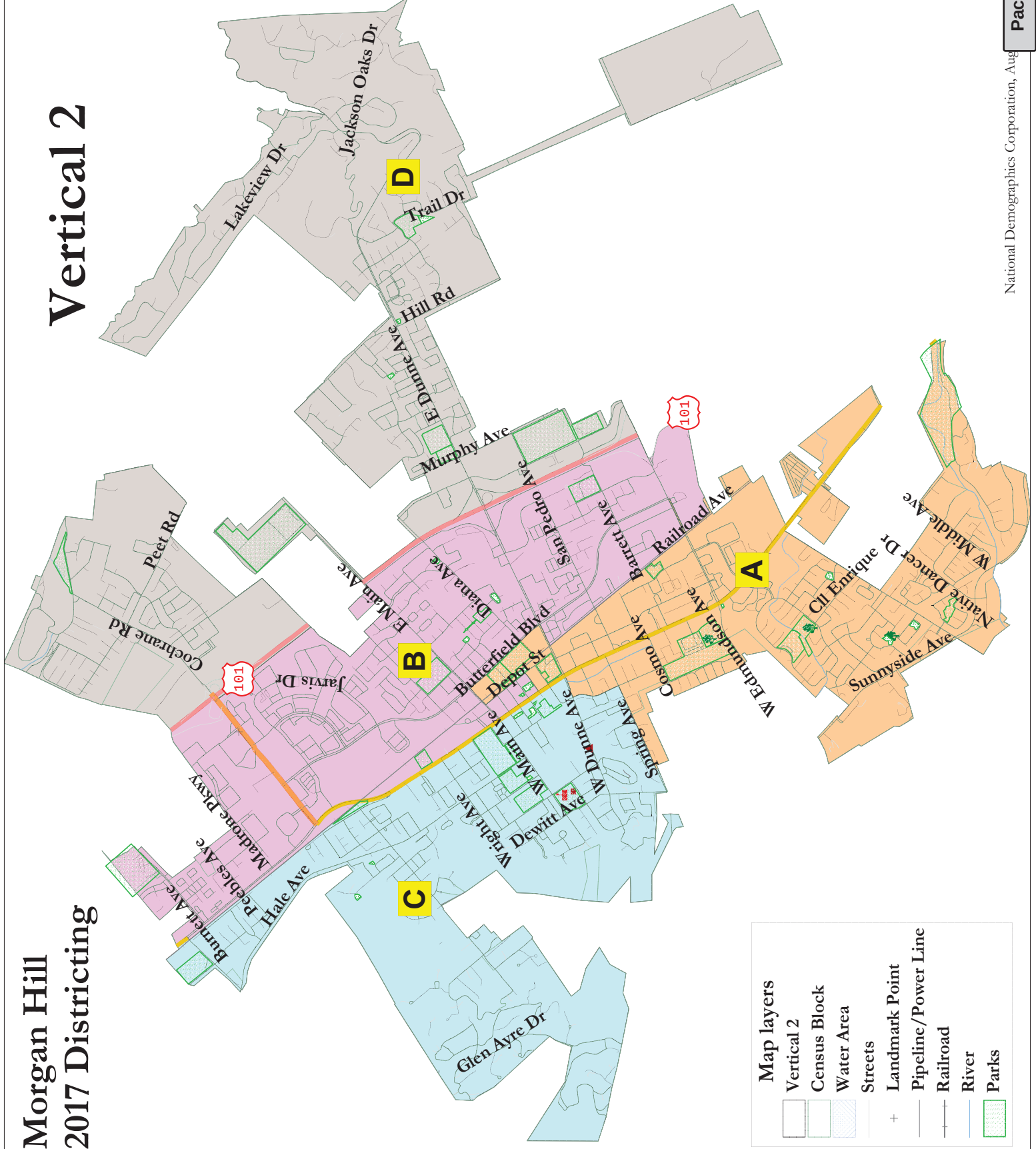
Vertical 1



Morgan Hill - Vertical 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,686	9,212	9,147	9,837	37,882
7,576	Deviation from ideal	215	-259	-324	366	690
	% Deviation	2.27%	-2.73%	-3.42%	3.86%	7.29%
Total Pop	% Hisp	36%	37%	41%	22%	34%
	% NH White	52%	46%	44%	59%	50%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	15%	11%
Voting Age Pop	Total	6,906	6,456	6,696	6,986	27,044
	% Hisp	32%	33%	36%	19%	30%
	% NH White	57%	50%	49%	62%	55%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	14%	11%
Citizen Voting Age Pop	Total	6,240	6,499	6,566	7,343	26,648
	% Hisp	27%	29%	27%	21%	26%
	% NH White	59%	52%	59%	65%	59%
	% NH Black	2%	6%	4%	3%	4%
	% Asian/Pac.Isl.	11%	12%	10%	8%	10%
Voter Registration (Nov 2014)	Total	4,928	4,467	4,381	6,030	19,806
	% Latino est.	21%	25%	25%	15%	21%
	% Asian-Surnamed	4%	7%	6%	8%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	19%	22%	22%	14%	19%
	% NH White est.	67%	56%	62%	74%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,518	1,938	2,026	3,106	9,588
	% Latino	16%	18%	18%	12%	16%
	% Asian-Surnamed	3%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	17%	16%	10%	14%
	% NH White est.	73%	62%	69%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	4,060	3,284	3,612	5,011	15,968
	% Latino	19%	24%	24%	14%	20%
	% Asian-Surnamed	4%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	17%	21%	21%	13%	18%
ACS Pop. Est.	% NH White est.	69%	58%	63%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	10,165	9,711	9,531	10,688	40,095
	age0-19	30%	31%	24%	29%	29%
	age20-60	51%	55%	57%	51%	53%
Immigration	age60plus	19%	14%	19%	20%	18%
	immigrants	17%	20%	22%	17%	19%
Language spoken at home	naturalized	43%	57%	55%	62%	54%
	english	70%	68%	63%	76%	69%
	spanish	22%	20%	28%	14%	21%
	asian-lang	5%	6%	4%	5%	5%
Language Fluency	other lang	3%	6%	5%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	11%	14%	7%	11%
Education (among those age 25+)	hs-grad	52%	55%	51%	46%	51%
	bachelor	24%	22%	20%	25%	23%
	graduateddegree	13%	10%	14%	20%	14%
Child in Household	child-under18	35%	37%	33%	40%	37%
Work (percent of pop age 16+)	employed	61%	65%	61%	62%	62%
	Commute on Public Transit	4%	4%	4%	1%	3%
Household Income	income 0-25k	16%	16%	17%	10%	15%
	income 25-50k	14%	13%	19%	11%	14%
	income 50-75k	14%	14%	11%	10%	12%
	income 75-200k	42%	41%	39%	45%	42%
	income 200k-plus	15%	16%	14%	24%	17%
Housing Stats	single family	77%	82%	76%	93%	82%
	multi-family	23%	18%	24%	7%	18%
	vacant	3%	4%	0%	2%	2%
	occupied	97%	96%	100%	98%	98%
	rented	32%	33%	36%	18%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	68%	67%	64%	82%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

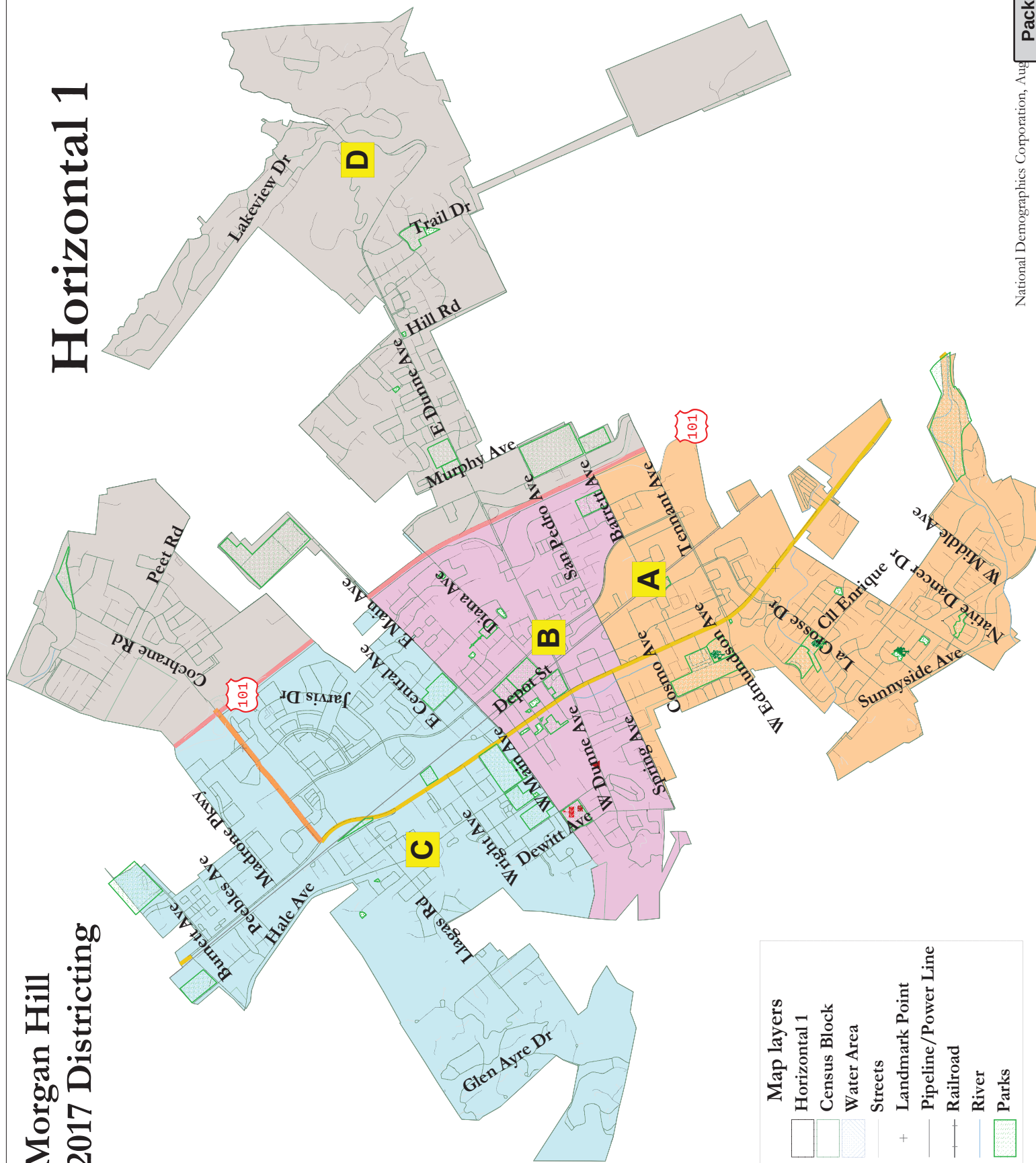
Vertical 2



Morgan Hill - Vertical 2 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,244	9,121	9,680	9,837	37,882
7,576	Deviation from ideal	-227	-350	209	366	716
	% Deviation	-2.40%	-3.70%	2.21%	3.86%	7.56%
Total Pop	% Hisp	36%	37%	41%	22%	34%
	% NH White	53%	46%	44%	59%	50%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	15%	11%
Voting Age Pop	Total	6,556	6,390	7,112	6,986	27,044
	% Hisp	32%	33%	36%	19%	30%
	% NH White	57%	50%	49%	62%	55%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	14%	11%
Citizen Voting Age Pop	Total	5,843	6,438	7,023	7,343	26,648
	% Hisp	26%	30%	28%	21%	26%
	% NH White	60%	52%	59%	65%	59%
	% NH Black	2%	6%	4%	3%	4%
	% Asian/Pac.Isl.	12%	12%	9%	8%	10%
Voter Registration (Nov 2014)	Total	4,805	4,423	4,548	6,030	19,806
	% Latino est.	21%	24%	25%	15%	21%
	% Asian-Surnamed	4%	7%	6%	8%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	19%	22%	23%	14%	19%
	% NH White est.	68%	56%	62%	74%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,461	1,923	2,098	3,106	9,588
	% Latino	16%	18%	18%	12%	16%
	% Asian-Surnamed	3%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	16%	16%	10%	14%
	% NH White est.	73%	62%	69%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	3,919	3,254	3,784	5,011	15,968
	% Latino	19%	24%	24%	14%	20%
	% Asian-Surnamed	4%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	17%	21%	21%	13%	18%
	% NH White est.	69%	58%	63%	76%	68%
ACS Pop. Est.	% NH Black est.	2%	5%	5%	2%	3%
	Total	9,682	9,618	10,107	10,688	40,095
Age	age0-19	30%	31%	24%	29%	29%
	age20-60	51%	55%	57%	51%	53%
	age60plus	19%	14%	19%	20%	18%
Immigration	immigrants	16%	20%	22%	17%	19%
	naturalized	44%	57%	53%	62%	54%
Language spoken at home	english	71%	68%	63%	76%	69%
	spanish	21%	20%	28%	14%	21%
	asian-lang	5%	6%	4%	5%	5%
	other lang	3%	6%	5%	5%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	11%	11%	14%	7%	11%
Education (among those age 25+)	hs-grad	52%	56%	51%	46%	51%
	bachelor	24%	22%	20%	25%	23%
	graduateddegree	13%	10%	14%	20%	14%
Child in Household	child-under18	34%	37%	34%	40%	37%
Work (percent of pop age 16+)	employed	61%	65%	62%	62%	62%
	Commute on Public Transit	3%	4%	4%	1%	3%
Household Income	income 0-25k	16%	16%	17%	10%	15%
	income 25-50k	14%	13%	19%	11%	14%
	income 50-75k	14%	14%	11%	10%	12%
	income 75-200k	41%	41%	39%	45%	42%
	income 200k-plus	15%	16%	14%	24%	17%
Housing Stats	single family	79%	82%	74%	93%	82%
	multi-family	21%	18%	26%	7%	18%
	vacant	3%	4%	1%	2%	2%
	occupied	97%	96%	99%	98%	98%
	rented	30%	32%	38%	18%	30%
	owned	70%	68%	62%	82%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

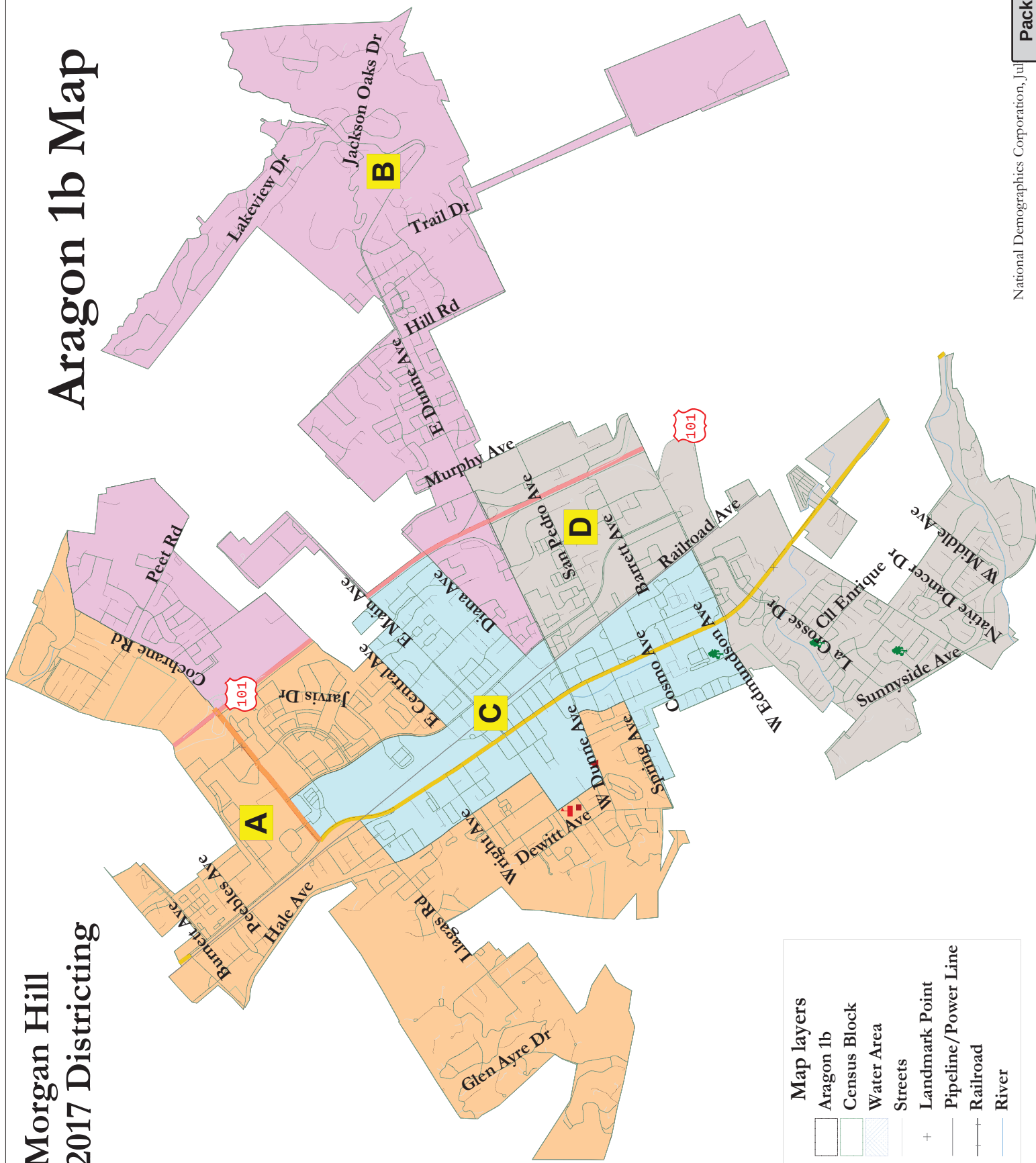
**Morgan Hill
2017 Districting**

Horizontal 1

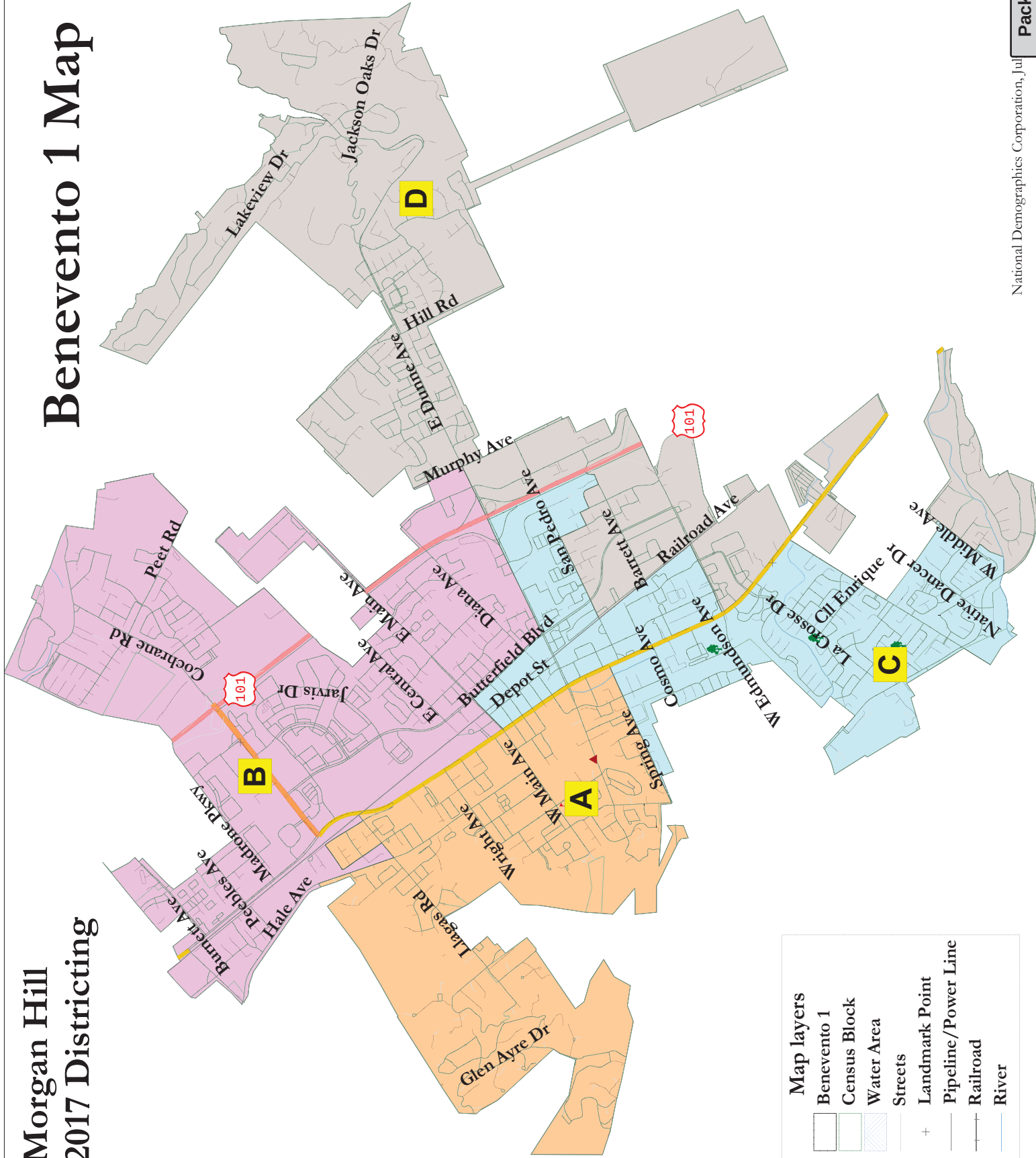


Morgan Hill - Horizontal 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,001	9,235	9,809	9,837	37,882
7,576	Deviation from ideal	-470	-236	338	366	836
	% Deviation	-4.96%	-2.49%	3.57%	3.86%	8.83%
Total Pop	% Hisp	34%	41%	40%	22%	34%
	% NH White	54%	45%	44%	59%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	10%	12%	15%	11%
Voting Age Pop	Total	6,354	6,642	7,062	6,986	27,044
	% Hisp	30%	37%	35%	19%	30%
	% NH White	58%	49%	49%	62%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	10%	12%	14%	11%
Citizen Voting Age Pop	Total	5,623	6,873	6,809	7,343	26,648
	% Hisp	23%	33%	26%	21%	26%
	% NH White	61%	53%	56%	65%	59%
	% NH Black	2%	5%	4%	3%	4%
	% Asian/Pac.Isl.	13%	8%	12%	8%	10%
Voter Registration (Nov 2014)	Total	4,535	4,327	4,914	6,030	19,806
	% Latino est.	20%	27%	24%	15%	21%
	% Asian-Surnamed	4%	6%	7%	8%	6%
	% Filipino-Surnamed	1%	2%	2%	1%	1%
	% Spanish-Surnamed	18%	24%	22%	14%	19%
	% NH White est.	71%	58%	57%	74%	66%
	% NH Black	2%	4%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,353	1,912	2,218	3,106	9,588
	% Latino	16%	18%	18%	12%	16%
	% Asian-Surnamed	3%	6%	6%	7%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	14%	16%	17%	10%	14%
	% NH White est.	76%	67%	62%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	4%	6%	2%	3%
	Total	3,706	3,381	3,870	5,011	15,968
	% Latino	19%	25%	23%	14%	20%
	% Asian-Surnamed	4%	5%	6%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	17%	23%	20%	13%	18%
ACS Pop. Est.	% NH White est.	71%	60%	60%	76%	68%
	% NH Black est.	2%	4%	6%	2%	3%
Age	Total	9,430	9,893	10,084	10,688	40,095
	age0-19	30%	31%	25%	29%	29%
	age20-60	50%	57%	56%	51%	53%
Immigration	age60plus	19%	13%	20%	20%	18%
	immigrants	16%	22%	21%	17%	19%
Language spoken at home	naturalized	47%	47%	61%	62%	54%
	english	72%	65%	65%	76%	69%
	spanish	20%	26%	23%	14%	21%
	asian-lang	5%	4%	6%	5%	5%
Language Fluency	other lang	3%	5%	6%	5%	5%
	Speaks Eng. "Less than Very Well"	10%	13%	12%	7%	11%
Education (among those age 25+)	hs-grad	53%	55%	51%	46%	51%
	bachelor	25%	19%	22%	25%	23%
	graduateddegree	13%	10%	15%	20%	14%
Child in Household	child-under18	34%	41%	31%	40%	37%
Work (percent of pop age 16+)	employed	60%	65%	62%	62%	62%
	Commute on Public Transit	3%	4%	4%	1%	3%
Household Income	income 0-25k	16%	18%	15%	10%	15%
	income 25-50k	14%	17%	15%	11%	14%
	income 50-75k	14%	12%	13%	10%	12%
	income 75-200k	41%	41%	39%	45%	42%
	income 200k-plus	15%	13%	17%	24%	17%
Housing Stats	single family	80%	70%	85%	93%	82%
	multi-family	20%	30%	15%	7%	18%
	vacant	3%	2%	3%	2%	2%
	occupied	97%	98%	97%	98%	98%
	rented	29%	45%	26%	18%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	71%	55%	74%	82%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Aragon 1b Map



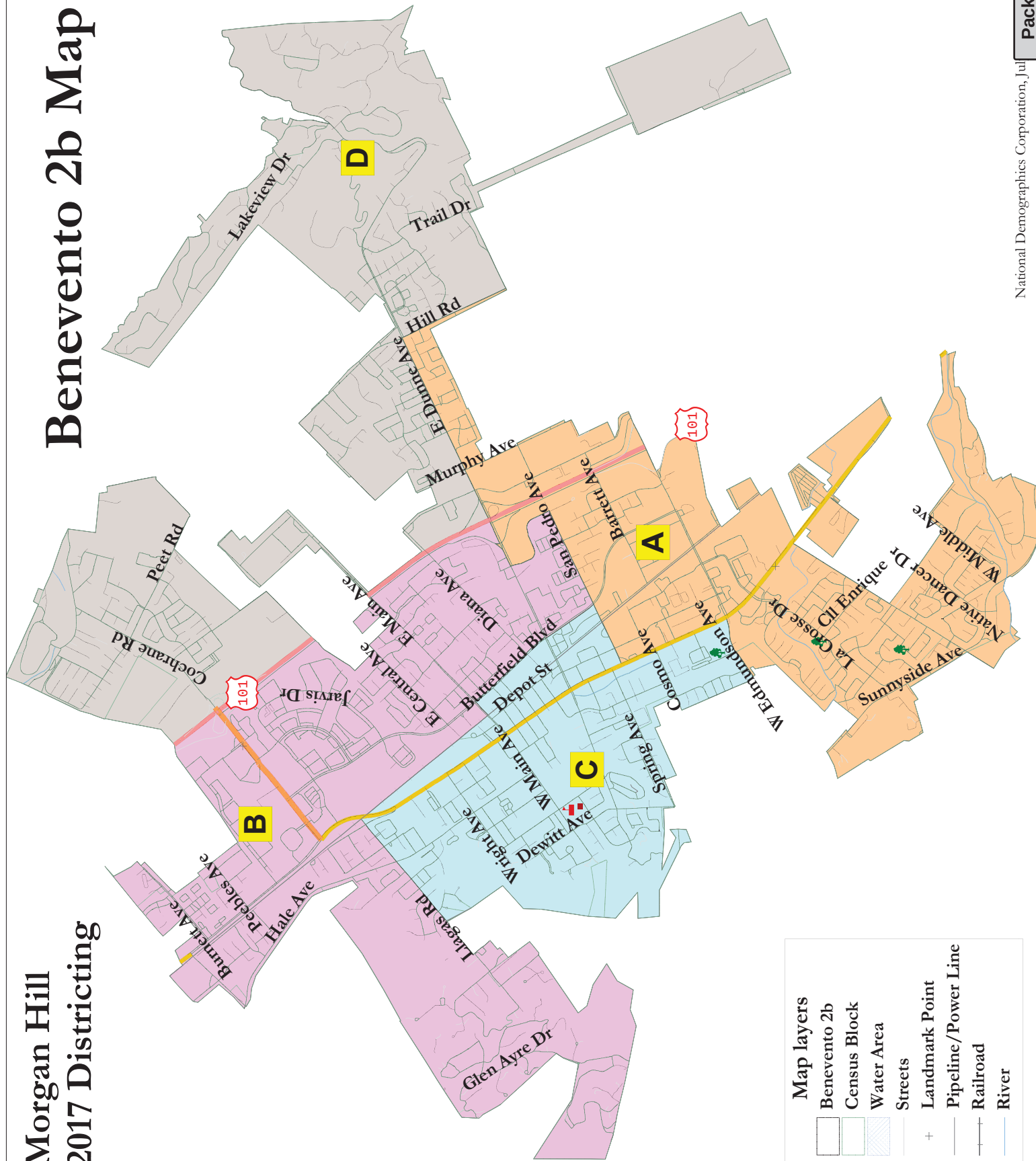
Morgan Hill - Aragon 1b map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,615	9,828	9,065	9,374	37,882
7,576	Deviation from ideal	144	357	-406	-97	763
	% Deviation	1.52%	3.77%	-4.29%	-1.02%	8.06%
Total Pop	% Hisp	32%	22%	53%	29%	34%
	% NH White	50%	60%	35%	55%	50%
	% NH Black	2%	2%	3%	2%	2%
	% Asian-American	13%	14%	7%	11%	11%
Voting Age Pop	Total	7,030	7,075	6,198	6,741	27,044
	% Hisp	28%	20%	48%	26%	30%
	% NH White	55%	63%	39%	59%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	13%	13%	8%	10%	11%
Citizen Voting Age Pop	Total	7,040	7,214	5,742	6,652	26,648
	% Hisp	23%	20%	35%	27%	26%
	% NH White	61%	66%	51%	56%	59%
	% NH Black	4%	4%	6%	2%	4%
	% Asian/Pac.Isl.	10%	9%	7%	14%	10%
Voter Registration (Nov 2014)	Total	4,722	6,013	4,025	5,046	19,806
	% Latino est.	22%	16%	29%	19%	21%
	% Asian-Surnamed	6%	7%	6%	6%	6%
	% Filipino-Surnamed	2%	1%	2%	1%	1%
	% Spanish-Surnamed	20%	14%	26%	17%	19%
	% NH White est.	61%	74%	52%	71%	66%
	% NH Black	5%	2%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,245	3,086	1,680	2,577	9,588
	% Latino	17%	12%	21%	15%	16%
	% Asian-Surnamed	6%	6%	5%	5%	6%
	% Filipino-Surnamed	2%	1%	2%	1%	1%
	% Spanish-Surnamed	15%	11%	19%	14%	14%
	% NH White est.	66%	79%	60%	76%	72%
Voter Turnout (Nov 2012)	% NH Black est.	5%	2%	5%	2%	3%
	Total	3,946	4,999	3,003	4,020	15,968
	% Latino	21%	15%	27%	18%	20%
	% Asian-Surnamed	6%	6%	5%	5%	6%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% Spanish-Surnamed	19%	13%	25%	16%	18%
ACS Pop. Est.	% NH White est.	62%	76%	56%	71%	68%
	% NH Black est.	5%	2%	5%	2%	3%
Age	Total	10,050	10,658	9,513	9,874	40,095
	age0-19	26%	29%	28%	32%	29%
	age20-60	55%	52%	58%	49%	53%
Immigration	age60plus	19%	19%	14%	19%	18%
	immigrants	21%	17%	21%	17%	19%
Language spoken at home	naturalized	56%	61%	47%	55%	54%
	english	65%	76%	64%	72%	69%
	spanish	24%	14%	27%	18%	21%
	asian-lang	6%	4%	4%	6%	5%
	other lang	5%	5%	4%	4%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	12%	7%	13%	11%	11%
Education (among those age 25+)	hs-grad	50%	48%	51%	56%	51%
	bachelor	22%	25%	21%	23%	23%
	graduateddegree	15%	19%	12%	12%	14%
Child in Household	child-under18	34%	40%	38%	34%	37%
Work (percent of pop age 16+)	employed	63%	62%	65%	58%	62%
	Commute on Public Transit	4%	2%	4%	3%	3%
Household Income	income 0-25k	15%	9%	16%	19%	15%
	income 25-50k	15%	11%	16%	16%	14%
	income 50-75k	12%	11%	12%	14%	12%
	income 75-200k	41%	45%	40%	39%	42%
	income 200k-plus	18%	24%	15%	12%	17%
Housing Stats	single family	81%	93%	74%	80%	82%
	multi-family	19%	7%	26%	20%	18%
	vacant	2%	2%	3%	3%	2%
	occupied	98%	98%	97%	97%	98%
	rented	30%	19%	38%	33%	30%
	owned	70%	81%	62%	67%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						



Map layers	
	Benevento 1
	Census Block
	Water Area
	Streets
	Landmark Point
	Pipeline/Power Line
	Railroad
	River

Morgan Hill - Benevento 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,125	9,218	9,873	9,666	37,882
7,576	Deviation from ideal	-346	-253	402	195	748
	% Deviation	-3.65%	-2.67%	4.24%	2.06%	7.90%
Total Pop	% Hisp	43%	32%	38%	23%	34%
	% NH White	45%	47%	48%	61%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	17%	9%	11%	11%
Voting Age Pop	Total	6,740	6,336	6,963	7,005	27,044
	% Hisp	38%	29%	34%	21%	30%
	% NH White	50%	50%	53%	65%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	17%	9%	11%	11%
Citizen Voting Age Pop	Total	6,675	6,868	6,414	6,692	26,648
	% Hisp	30%	28%	28%	18%	26%
	% NH White	59%	54%	55%	67%	59%
	% NH Black	3%	6%	3%	3%	4%
	% Asian/Pac.Isl.	7%	11%	13%	11%	10%
Voter Registration (Nov 2014)	Total	4,363	4,721	4,986	5,736	19,806
	% Latino est.	25%	22%	22%	16%	21%
	% Asian-Surnamed	5%	8%	5%	6%	6%
	% Filipino-Surnamed	1%	2%	2%	1%	1%
	% Spanish-Surnamed	23%	19%	20%	15%	19%
	% NH White est.	62%	58%	67%	74%	66%
	% NH Black	4%	5%	1%	2%	3%
Voter Turnout (Nov 2014)	Total	2,017	2,095	2,468	3,007	9,588
	% Latino	18%	16%	17%	12%	16%
	% Asian-Surnamed	5%	7%	4%	6%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	16%	15%	15%	11%	14%
	% NH White est.	69%	63%	73%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	5%	6%	2%	2%	3%
	Total	3,600	3,665	3,981	4,723	15,968
	% Latino	24%	20%	21%	15%	20%
	% Asian-Surnamed	5%	7%	5%	5%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	21%	18%	19%	13%	18%
ACS Pop. Est.	% NH White est.	64%	61%	68%	76%	68%
	% NH Black est.	4%	6%	1%	2%	3%
	Total	9,531	9,703	10,417	10,444	40,095
Age	age0-19	25%	28%	31%	30%	29%
	age20-60	58%	54%	51%	51%	53%
	age60plus	17%	17%	18%	19%	18%
Immigration	immigrants	23%	18%	18%	18%	19%
	naturalized	50%	64%	47%	59%	54%
Language spoken at home	english	62%	72%	69%	74%	69%
	spanish	30%	14%	22%	17%	21%
	asian-lang	4%	6%	5%	5%	5%
	other lang	4%	7%	3%	5%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	15%	8%	12%	9%	11%
Education (among those age 25+)	hs-grad	50%	51%	54%	49%	51%
	bachelor	19%	26%	23%	24%	23%
	graduateddegree	13%	15%	12%	17%	14%
Child in Household	child-under18	35%	36%	35%	39%	37%
Work (percent of pop age 16+)	employed	62%	65%	61%	61%	62%
	Commute on Public Transit	4%	3%	3%	1%	3%
Household Income	income 0-25k	17%	11%	18%	12%	15%
	income 25-50k	19%	8%	15%	13%	14%
	income 50-75k	11%	14%	14%	11%	12%
	income 75-200k	39%	43%	40%	44%	42%
	income 200k-plus	14%	23%	13%	20%	17%
Housing Stats	single family	72%	93%	77%	88%	82%
	multi-family	28%	7%	23%	12%	18%
	vacant	1%	4%	2%	2%	2%
	occupied	99%	96%	98%	98%	98%
	rented	40%	18%	35%	24%	30%
	owned	60%	82%	65%	76%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

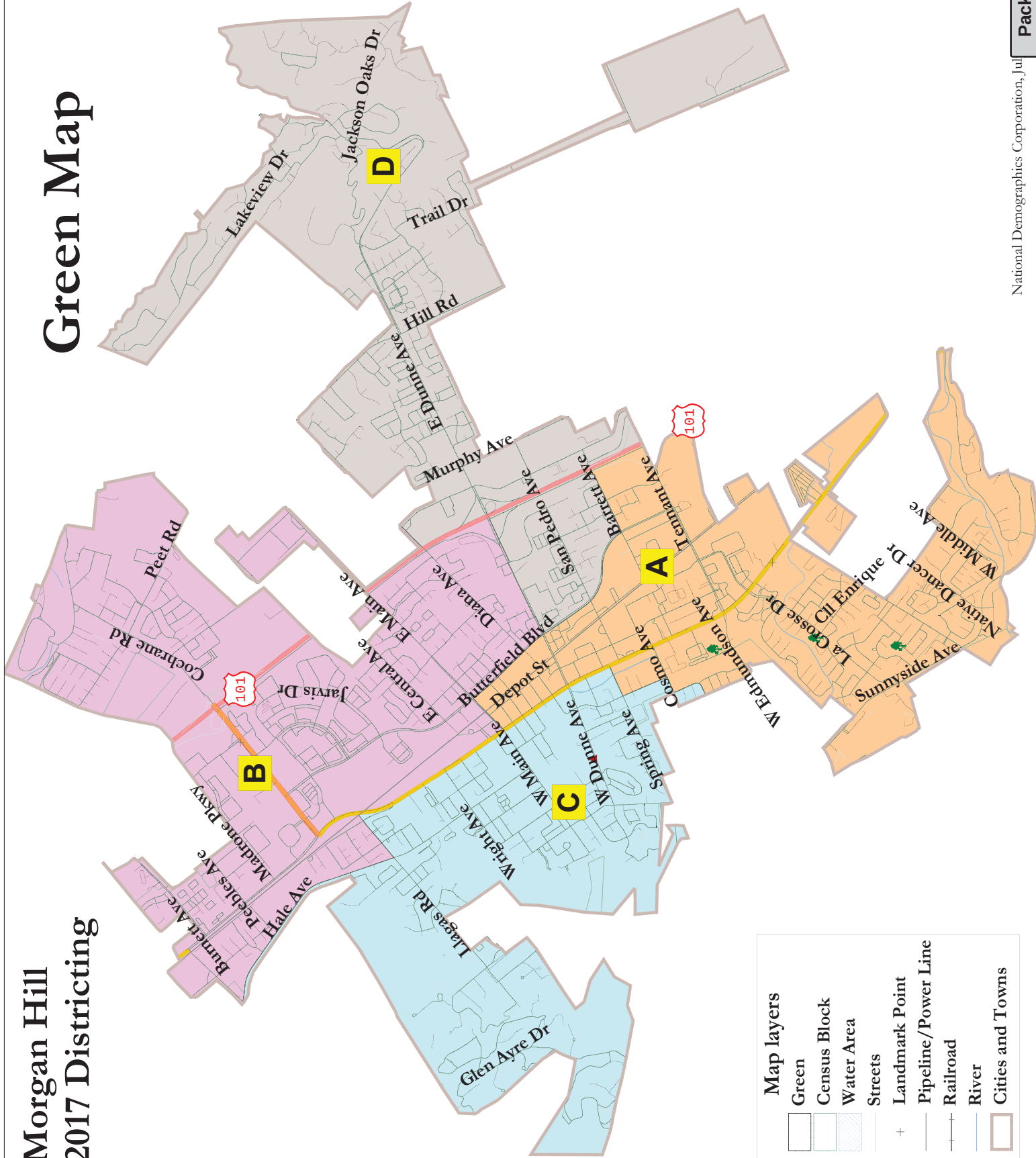
Benevento 2b Map



Morgan Hill - Benevento 2b map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,189	9,915	9,582	9,196	37,882
7,576	Deviation from ideal	-282	444	111	-275	726
	% Deviation	-2.98%	4.69%	1.17%	-2.90%	7.67%
Total Pop	% Hisp	29%	33%	51%	22%	34%
	% NH White	56%	49%	38%	59%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	10%	13%	7%	15%	11%
Voting Age Pop	Total	6,573	7,099	6,828	6,544	27,044
	% Hisp	26%	29%	45%	20%	30%
	% NH White	60%	54%	43%	62%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	10%	13%	8%	14%	11%
Citizen Voting Age Pop	Total	6,176	7,224	6,331	6,917	26,648
	% Hisp	24%	24%	36%	21%	26%
	% NH White	59%	57%	54%	66%	59%
	% NH Black	2%	6%	4%	3%	4%
	% Asian/Pac.Isl.	14%	13%	6%	9%	10%
Voter Registration (Nov 2014)	Total	5,063	5,041	3,971	5,731	19,806
	% Latino est.	19%	23%	29%	15%	21%
	% Asian-Surnamed	5%	6%	5%	8%	6%
	% Filipino-Surnamed	1%	2%	2%	1%	1%
	% Spanish-Surnamed	17%	20%	26%	14%	19%
	% NH White est.	71%	59%	56%	74%	66%
	% NH Black	2%	6%	3%	2%	3%
Voter Turnout (Nov 2014)	Total	2,589	2,294	1,760	2,945	9,588
	% Latino	15%	17%	20%	12%	16%
	% Asian-Surnamed	4%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	15%	18%	10%	14%
	% NH White est.	76%	64%	64%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	6%	4%	2%	3%
	Total	4,170	3,904	3,235	4,658	15,968
	% Latino	18%	22%	27%	14%	20%
	% Asian-Surnamed	5%	6%	4%	6%	6%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% Spanish-Surnamed	16%	20%	24%	13%	18%
ACS Pop. Est.	% NH White est.	71%	61%	59%	76%	68%
	% NH Black est.	2%	6%	4%	2%	3%
Age	Total	9,633	10,394	10,057	10,010	40,095
	age0-19	31%	28%	27%	29%	29%
	age20-60	50%	55%	58%	50%	53%
Immigration	age60plus	20%	17%	15%	20%	18%
	immigrants	16%	19%	23%	17%	19%
Language spoken at home	naturalized	53%	63%	42%	63%	54%
	english	73%	69%	60%	76%	69%
	spanish	18%	17%	34%	14%	21%
	asian-lang	5%	6%	3%	5%	5%
	other lang	4%	7%	3%	5%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	10%	9%	16%	7%	11%
Education (among those age 25+)	hs-grad	54%	55%	49%	46%	51%
	bachelor	24%	23%	19%	25%	23%
	graduateddegree	13%	13%	11%	20%	14%
Child in Household	child-under18	33%	33%	39%	41%	37%
Work (percent of pop age 16+)	employed	59%	64%	64%	62%	62%
	Commute on Public Transit	3%	4%	4%	1%	3%
Household Income	income 0-25k	16%	12%	20%	10%	15%
	income 25-50k	14%	11%	21%	11%	14%
	income 50-75k	14%	14%	11%	10%	12%
	income 75-200k	41%	43%	37%	44%	42%
	income 200k-plus	14%	20%	11%	25%	17%
Housing Stats	single family	82%	89%	64%	94%	82%
	multi-family	18%	11%	36%	6%	18%
	vacant	3%	4%	1%	2%	2%
	occupied	97%	96%	99%	98%	98%
	rented	28%	24%	47%	18%	30%
	owned	72%	76%	53%	82%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

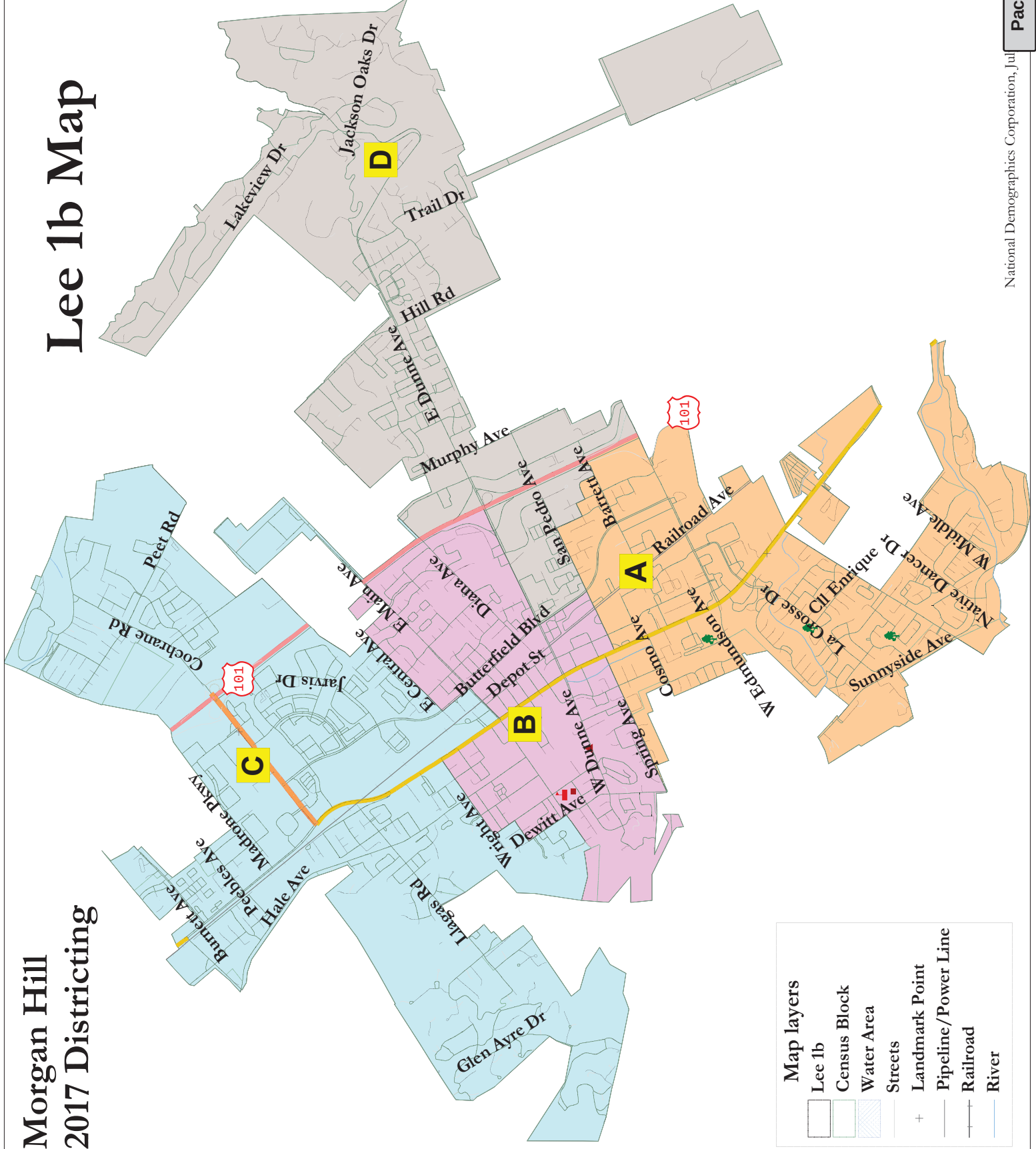
Green Map



Morgan Hill - Green map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,501	9,573	9,060	9,748	37,882
7,576	Deviation from ideal	30	102	-411	277	688
	% Deviation	0.32%	1.08%	-4.34%	2.92%	7.26%
Total Pop	% Hisp	36%	32%	43%	25%	34%
	% NH White	52%	47%	45%	58%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	17%	8%	13%	11%
Voting Age Pop	Total	6,689	6,602	6,668	7,085	27,044
	% Hisp	32%	29%	38%	23%	30%
	% NH White	56%	50%	50%	61%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	7%	16%	8%	13%	11%
Citizen Voting Age Pop	Total	6,016	7,147	6,551	6,934	26,648
	% Hisp	26%	27%	30%	21%	26%
	% NH White	58%	55%	60%	64%	59%
	% NH Black	2%	6%	3%	3%	4%
	% Asian/Pac.Isl.	12%	11%	6%	11%	10%
Voter Registration (Nov 2014)	Total	4,696	4,909	4,285	5,916	19,806
	% Latino est.	21%	22%	25%	17%	21%
	% Asian-Surnamed	4%	8%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	19%	20%	23%	16%	19%
	% NH White est.	68%	58%	62%	73%	66%
	% NH Black	2%	6%	4%	2%	3%
Voter Turnout (Nov 2014)	Total	2,402	2,177	1,987	3,022	9,588
	% Latino	16%	17%	18%	13%	16%
	% Asian-Surnamed	4%	7%	5%	6%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	15%	16%	11%	14%
	% NH White est.	74%	63%	69%	78%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	6%	5%	2%	3%
	Total	3,816	3,813	3,540	4,799	15,968
	% Latino	19%	21%	24%	16%	20%
	% Asian-Surnamed	4%	7%	5%	6%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	17%	19%	22%	14%	18%
ACS Pop. Est.	% NH White est.	69%	60%	64%	75%	68%
	% NH Black est.	2%	6%	4%	2%	3%
Age	Total	9,965	10,076	9,471	10,583	40,095
	age0-19	30%	28%	25%	31%	29%
	age20-60	51%	54%	58%	51%	53%
Immigration	age60plus	19%	18%	17%	18%	18%
	immigrants	17%	18%	23%	19%	19%
Language spoken at home	naturalized	48%	64%	48%	58%	54%
	english	71%	72%	61%	73%	69%
	spanish	20%	15%	31%	18%	21%
	asian-lang	5%	6%	4%	5%	5%
Language Fluency	other lang	3%	7%	4%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	8%	15%	9%	11%
Education (among those age 25+)	hs-grad	53%	51%	50%	50%	51%
	bachelor	24%	25%	19%	23%	23%
	graduateddegree	13%	15%	13%	17%	14%
Child in Household	child-under18	34%	35%	36%	40%	37%
Work (percent of pop age 16+)	employed	60%	65%	62%	62%	62%
	Commute on Public Transit	3%	3%	4%	1%	3%
Household Income	income 0-25k	17%	11%	18%	13%	15%
	income 25-50k	14%	9%	19%	14%	14%
	income 50-75k	14%	14%	11%	11%	12%
	income 75-200k	41%	43%	39%	43%	42%
	income 200k-plus	14%	23%	13%	19%	17%
Housing Stats	single family	79%	93%	70%	86%	82%
	multi-family	21%	7%	30%	14%	18%
	vacant	3%	4%	1%	2%	2%
	occupied	97%	96%	99%	98%	98%
	rented	31%	18%	41%	28%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	69%	82%	59%	72%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

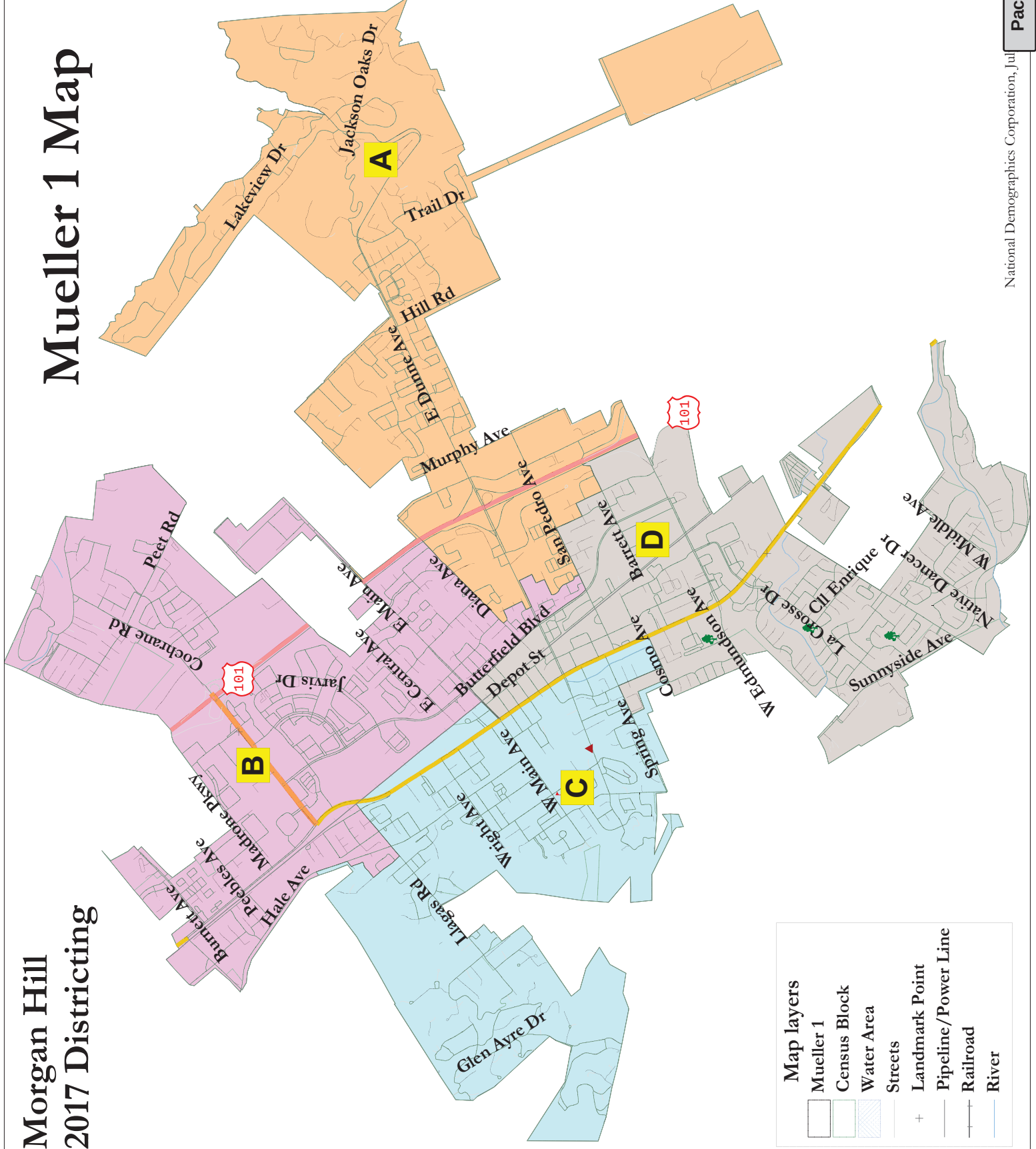
Lee 1b Map



Morgan Hill - Lee 1b map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,582	9,486	9,649	9,165	37,882
7,576	Deviation from ideal	111	15	178	-306	484
	% Deviation	1.17%	0.16%	1.88%	-3.23%	5.11%
Total Pop	% Hisp	34%	44%	33%	25%	34%
	% NH White	53%	45%	45%	59%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	9%	8%	17%	12%	11%
Voting Age Pop	Total	6,752	6,801	6,806	6,685	27,044
	% Hisp	30%	39%	30%	22%	30%
	% NH White	57%	49%	50%	62%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	9%	8%	16%	12%	11%
Citizen Voting Age Pop	Total	6,029	6,874	7,219	6,525	26,648
	% Hisp	24%	33%	27%	20%	26%
	% NH White	59%	56%	57%	65%	59%
	% NH Black	2%	5%	4%	3%	4%
	% Asian/Pac.Isl.	14%	6%	11%	11%	10%
Voter Registration (Nov 2014)	Total	4,779	4,223	5,138	5,666	19,806
	% Latino est.	20%	27%	22%	17%	21%
	% Asian-Surnamed	4%	5%	8%	7%	6%
	% Filipino-Surnamed	1%	2%	2%	1%	1%
	% Spanish-Surnamed	18%	24%	19%	15%	19%
	% NH White est.	71%	58%	58%	73%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,453	1,867	2,349	2,919	9,588
	% Latino	16%	19%	17%	13%	16%
	% Asian-Surnamed	4%	5%	7%	6%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	14%	17%	15%	11%	14%
	% NH White est.	76%	66%	64%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	3,892	3,409	4,059	4,608	15,968
	% Latino	19%	25%	20%	15%	20%
	% Asian-Surnamed	4%	4%	8%	6%	6%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% Spanish-Surnamed	17%	22%	18%	14%	18%
ACS Pop. Est.	% NH White est.	71%	61%	61%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	10,069	9,989	10,095	9,942	40,095
	age0-19	31%	28%	26%	30%	29%
	age20-60	50%	58%	53%	51%	53%
Immigration	age60plus	19%	14%	21%	19%	18%
	immigrants	17%	21%	20%	18%	19%
Language spoken at home	naturalized	47%	48%	64%	59%	54%
	english	71%	66%	68%	73%	69%
	spanish	20%	26%	19%	17%	21%
	asian-lang	6%	4%	6%	5%	5%
Language Fluency	other lang	3%	5%	6%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	13%	10%	9%	11%
Education (among those age 25+)	hs-grad	53%	52%	50%	49%	51%
	bachelor	24%	21%	24%	23%	23%
	graduateddegree	13%	11%	16%	17%	14%
Child in Household	child-under18	34%	39%	33%	40%	37%
Work (percent of pop age 16+)	employed	60%	65%	62%	62%	62%
	Commute on Public Transit	3%	4%	3%	1%	3%
Household Income	income 0-25k	17%	16%	14%	12%	15%
	income 25-50k	14%	16%	13%	14%	14%
	income 50-75k	14%	12%	12%	11%	12%
	income 75-200k	41%	41%	40%	44%	42%
	income 200k-plus	14%	15%	20%	20%	17%
Housing Stats	single family	79%	74%	89%	87%	82%
	multi-family	21%	26%	11%	13%	18%
	vacant	3%	2%	2%	2%	2%
	occupied	97%	98%	98%	98%	98%
	rented	31%	39%	23%	26%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	69%	61%	77%	74%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

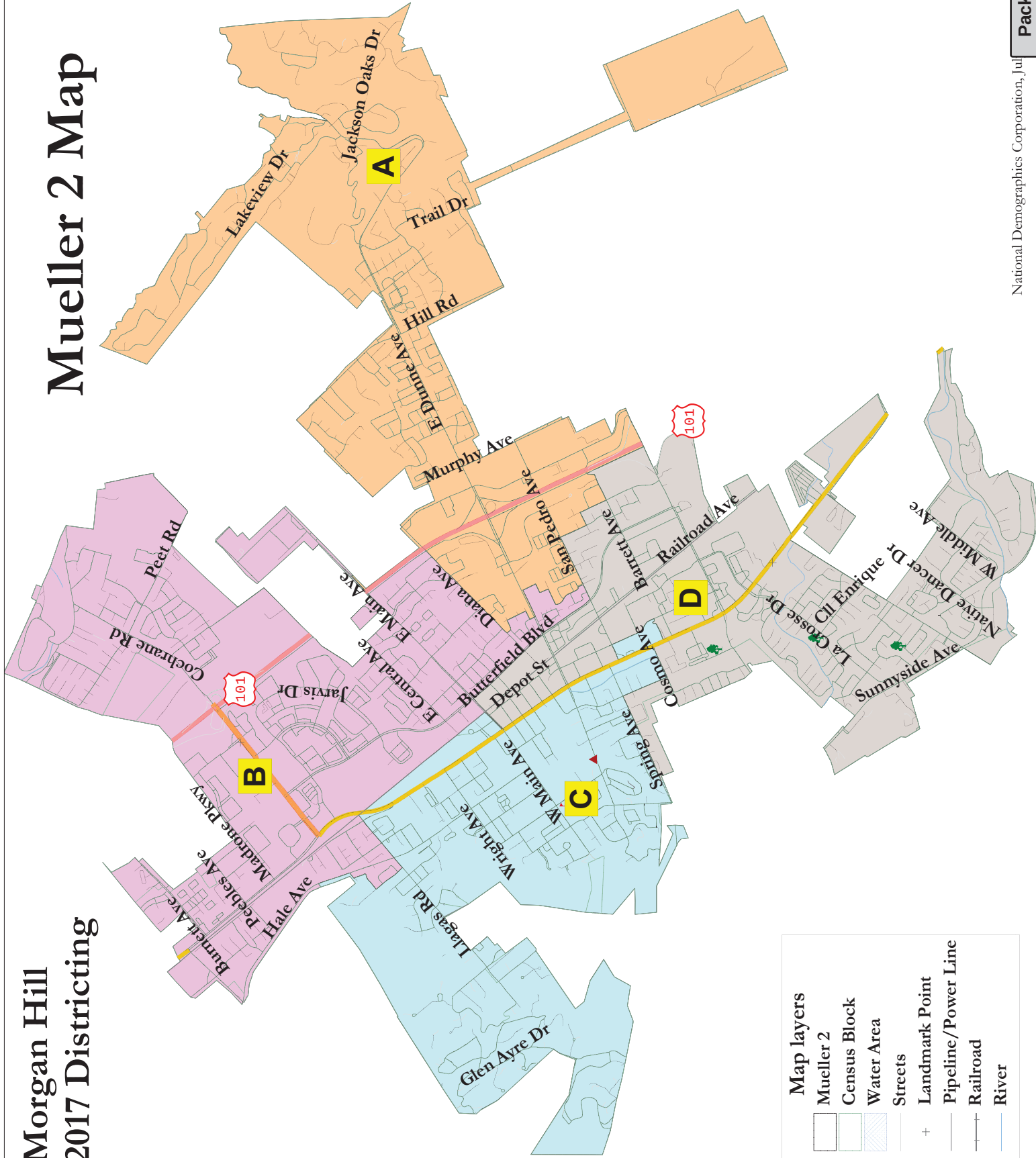
Mueller 1 Map



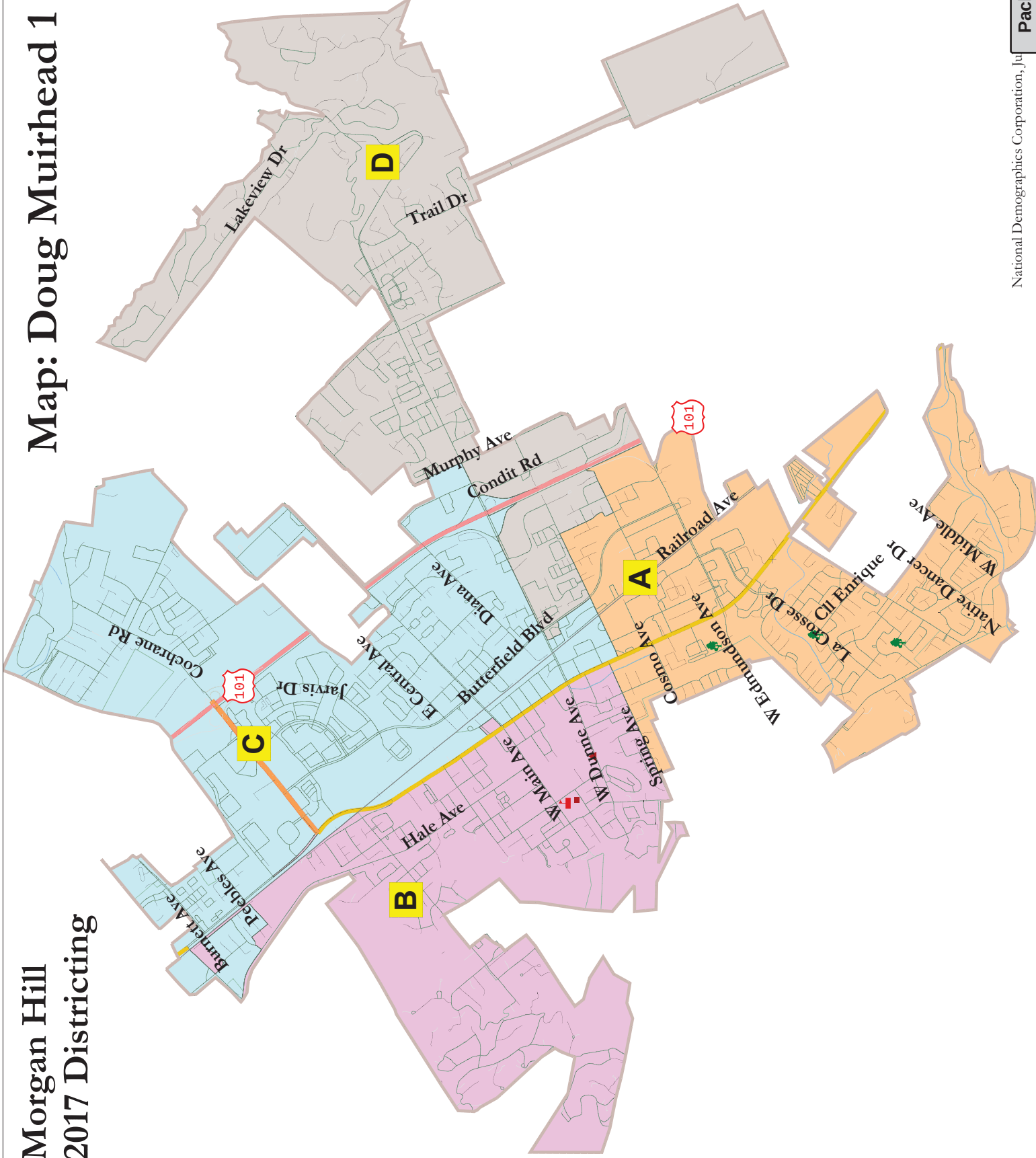
Morgan Hill - Mueller 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,176	9,530	9,655	9,521	37,882
7,576	Deviation from ideal	-295	59	184	50	479
	% Deviation	-3.11%	0.62%	1.94%	0.53%	5.06%
Total Pop	% Hisp	23%	33%	47%	32%	34%
	% NH White	61%	45%	42%	54%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	18%	7%	9%	11%
Voting Age Pop	Total	6,743	6,527	7,004	6,770	27,044
	% Hisp	21%	30%	41%	29%	30%
	% NH White	64%	49%	47%	58%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	11%	17%	8%	9%	11%
Citizen Voting Age Pop	Total	6,580	7,073	6,639	6,356	26,648
	% Hisp	18%	28%	31%	26%	26%
	% NH White	68%	53%	59%	58%	59%
	% NH Black	3%	6%	3%	2%	4%
	% Asian/Pac.Isl.	10%	12%	6%	13%	10%
Voter Registration (Nov 2014)	Total	5,798	4,696	4,352	4,960	19,806
	% Latino est.	17%	22%	26%	21%	21%
	% Asian-Surnamed	7%	9%	5%	5%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	20%	23%	19%	19%
	% NH White est.	74%	57%	61%	68%	66%
	% NH Black	2%	6%	4%	2%	3%
Voter Turnout (Nov 2014)	Total	2,973	2,099	2,004	2,513	9,588
	% Latino	13%	17%	18%	16%	16%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	11%	15%	16%	15%	14%
	% NH White est.	79%	63%	68%	74%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	6%	5%	2%	3%
	Total	4,729	3,634	3,591	4,013	15,968
	% Latino	16%	20%	25%	19%	20%
	% Asian-Surnamed	6%	8%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	18%	22%	17%	18%
ACS Pop. Est.	% NH White est.	76%	60%	62%	69%	68%
	% NH Black est.	2%	6%	4%	2%	3%
Age	Total	9,936	10,053	10,108	9,998	40,095
	age0-19	30%	28%	26%	31%	29%
	age20-60	52%	54%	58%	50%	53%
Immigration	age60plus	19%	18%	16%	19%	18%
	immigrants	18%	18%	23%	17%	19%
Language spoken at home	naturalized	59%	64%	46%	50%	54%
	english	74%	71%	61%	71%	69%
	spanish	16%	15%	32%	20%	21%
	asian-lang	4%	7%	4%	6%	5%
Language Fluency	other lang	5%	7%	4%	4%	5%
	Speaks Eng. "Less than Very Well"	8%	8%	15%	11%	11%
Education (among those age 25+)	hs-grad	49%	52%	50%	54%	51%
	bachelor	23%	25%	19%	24%	23%
	graduateddegree	18%	15%	13%	13%	14%
Child in Household	child-under18	40%	35%	37%	34%	37%
Work (percent of pop age 16+)	employed	62%	64%	63%	60%	62%
	Commute on Public Transit	2%	3%	4%	3%	3%
Household Income	income 0-25k	11%	12%	18%	17%	15%
	income 25-50k	13%	9%	20%	15%	14%
	income 50-75k	11%	14%	11%	14%	12%
	income 75-200k	45%	43%	39%	40%	42%
	income 200k-plus	21%	23%	13%	13%	17%
Housing Stats	single family	89%	93%	69%	79%	82%
	multi-family	11%	7%	31%	21%	18%
	vacant	2%	4%	1%	3%	2%
	occupied	98%	96%	99%	97%	98%
	rented	24%	20%	42%	32%	30%
	owned	76%	80%	58%	68%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

Mueller 2 Map



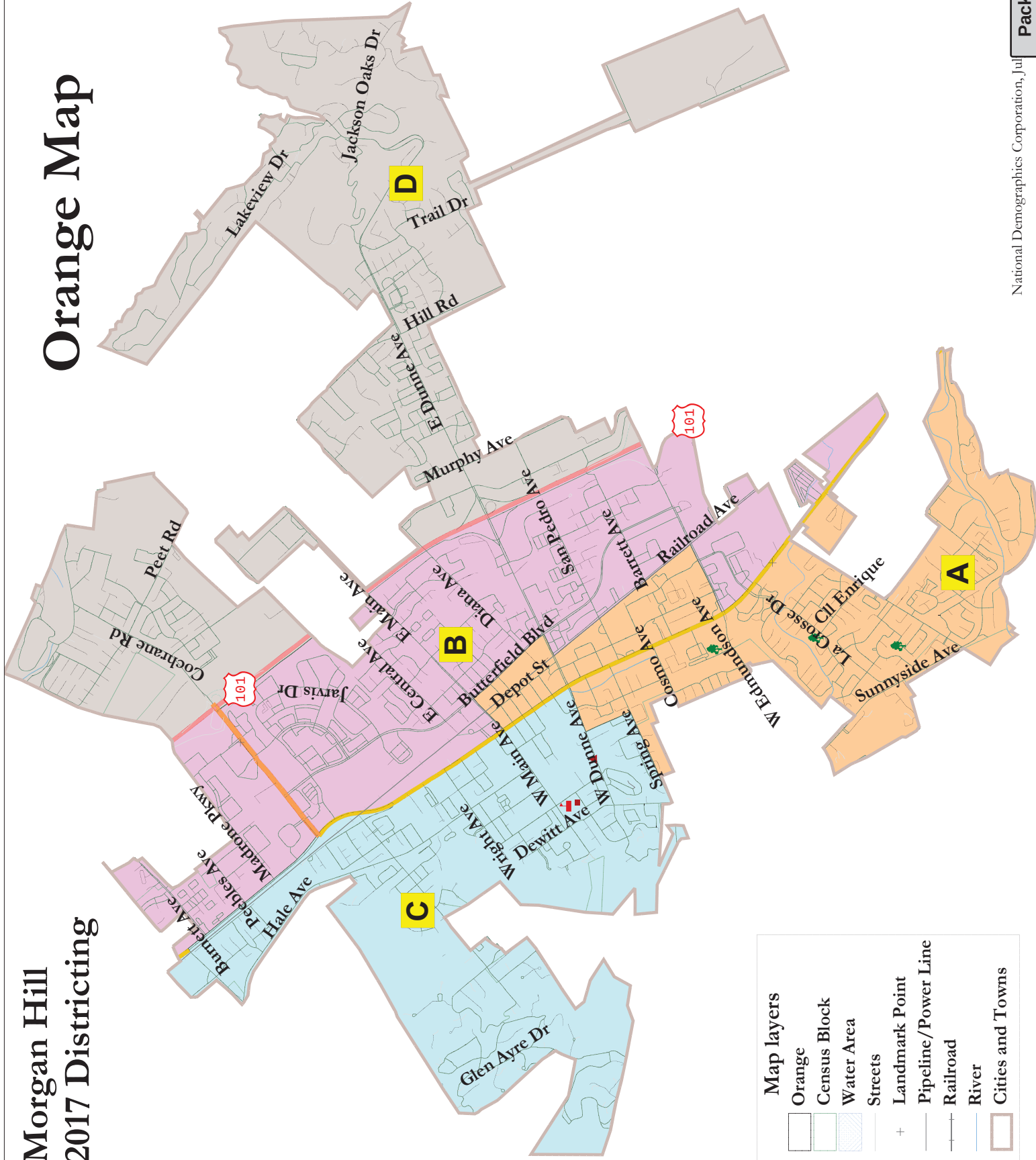
Morgan Hill - Mueller 2 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,176	9,530	9,835	9,341	37,882
7,576	Deviation from ideal	-295	59	364	-130	659
	% Deviation	-3.11%	0.62%	3.84%	-1.37%	6.96%
Total Pop	% Hisp	23%	33%	48%	31%	34%
	% NH White	61%	45%	41%	55%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	12%	18%	7%	9%	11%
Voting Age Pop	Total	6,743	6,527	7,108	6,666	27,044
	% Hisp	21%	30%	42%	28%	30%
	% NH White	64%	49%	46%	59%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	11%	17%	8%	9%	11%
Citizen Voting Age Pop	Total	6,580	7,073	6,650	6,345	26,648
	% Hisp	18%	28%	32%	25%	26%
	% NH White	68%	53%	58%	58%	59%
	% NH Black	3%	6%	4%	2%	4%
	% Asian/Pac.Isl.	10%	12%	6%	13%	10%
Voter Registration (Nov 2014)	Total	5,798	4,696	4,340	4,972	19,806
	% Latino est.	17%	22%	26%	21%	21%
	% Asian-Surnamed	7%	9%	5%	5%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	20%	23%	19%	19%
	% NH White est.	74%	57%	61%	68%	66%
	% NH Black	2%	6%	4%	2%	3%
Voter Turnout (Nov 2014)	Total	2,973	2,099	1,999	2,519	9,588
	% Latino	13%	17%	18%	16%	16%
	% Asian-Surnamed	6%	7%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	11%	15%	16%	15%	14%
	% NH White est.	79%	63%	68%	74%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	6%	5%	2%	3%
	Total	4,729	3,634	3,580	4,024	15,968
	% Latino	16%	20%	25%	19%	20%
	% Asian-Surnamed	6%	8%	5%	4%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	14%	18%	22%	17%	18%
ACS Pop. Est.	% NH White est.	76%	60%	62%	69%	68%
	% NH Black est.	2%	6%	4%	2%	3%
Age	Total	9,936	10,053	10,302	9,803	40,095
	age0-19	30%	28%	26%	31%	29%
	age20-60	52%	54%	58%	50%	53%
Immigration	age60plus	19%	18%	16%	19%	18%
	immigrants	18%	18%	23%	17%	19%
Language spoken at home	naturalized	59%	64%	46%	51%	54%
	english	74%	71%	61%	72%	69%
	spanish	16%	15%	32%	19%	21%
	asian-lang	4%	7%	4%	6%	5%
	other lang	5%	7%	4%	4%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	8%	8%	15%	11%	11%
Education (among those age 25+)	hs-grad	49%	52%	50%	54%	51%
	bachelor	23%	25%	19%	24%	23%
	graduateddegree	18%	15%	13%	13%	14%
Child in Household	child-under18	40%	35%	37%	34%	37%
Work (percent of pop age 16+)	employed	62%	64%	63%	59%	62%
	Commute on Public Transit	2%	3%	4%	3%	3%
Household Income	income 0-25k	11%	12%	18%	17%	15%
	income 25-50k	13%	9%	20%	15%	14%
	income 50-75k	11%	14%	11%	14%	12%
	income 75-200k	45%	43%	39%	40%	42%
	income 200k-plus	21%	23%	13%	13%	17%
Housing Stats	single family	89%	93%	69%	80%	82%
	multi-family	11%	7%	31%	20%	18%
	vacant	2%	4%	1%	3%	2%
	occupied	98%	96%	99%	97%	98%
	rented	24%	20%	42%	31%	30%
	owned	76%	80%	58%	69%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						



Morgan Hill - Doug Muirhead 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,448	9,499	9,249	9,686	37,882
7,576	Deviation from ideal	-23	28	-222	215	437
	% Deviation	-0.24%	0.30%	-2.34%	2.27%	4.61%
Total Pop	% Hisp	34%	43%	33%	26%	34%
	% NH White	53%	44%	46%	57%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	9%	9%	16%	12%	11%
Voting Age Pop	Total	6,651	7,000	6,369	7,024	27,044
	% Hisp	30%	38%	30%	23%	30%
	% NH White	57%	50%	50%	61%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	8%	9%	16%	12%	11%
Citizen Voting Age Pop	Total	5,926	6,938	6,905	6,879	26,648
	% Hisp	24%	30%	28%	22%	26%
	% NH White	59%	59%	55%	63%	59%
	% NH Black	2%	4%	6%	3%	4%
	% Asian/Pac.Isl.	13%	7%	10%	11%	10%
Voter Registration (Nov 2014)	Total	4,707	4,535	4,826	5,738	19,806
	% Latino est.	20%	25%	22%	17%	21%
	% Asian-Surnamed	4%	6%	8%	7%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	18%	23%	20%	16%	19%
	% NH White est.	71%	60%	56%	73%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,423	2,089	2,127	2,949	9,588
	% Latino	16%	18%	17%	13%	16%
	% Asian-Surnamed	4%	5%	7%	6%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	14%	16%	15%	11%	14%
	% NH White est.	76%	68%	62%	78%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	3,838	3,721	3,747	4,662	15,968
	% Latino	19%	24%	21%	16%	20%
	% Asian-Surnamed	4%	5%	7%	6%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	17%	22%	19%	14%	18%
ACS Pop. Est.	% NH White est.	71%	63%	59%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	9,922	9,925	9,733	10,515	40,095
	age0-19	31%	25%	29%	31%	29%
	age20-60	50%	57%	54%	51%	53%
Immigration	age60plus	19%	18%	17%	18%	18%
	immigrants	17%	23%	18%	19%	19%
Language spoken at home	naturalized	47%	51%	62%	58%	54%
	english	71%	62%	72%	73%	69%
	spanish	20%	29%	15%	18%	21%
	asian-lang	5%	4%	6%	5%	5%
Language Fluency	other lang	3%	5%	7%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	15%	8%	9%	11%
Education (among those age 25+)	hs-grad	53%	51%	51%	50%	51%
	bachelor	24%	20%	25%	23%	23%
	graduateddegree	13%	13%	15%	17%	14%
Child in Household	child-under18	34%	35%	36%	40%	37%
Work (percent of pop age 16+)	employed	60%	62%	65%	62%	62%
	Commute on Public Transit	3%	4%	3%	1%	3%
Household Income	income 0-25k	17%	17%	12%	13%	15%
	income 25-50k	14%	19%	9%	14%	14%
	income 50-75k	14%	11%	14%	11%	12%
	income 75-200k	41%	39%	43%	43%	42%
	income 200k-plus	14%	14%	23%	19%	17%
Housing Stats	single family	79%	72%	92%	86%	82%
	multi-family	21%	28%	8%	14%	18%
	vacant	3%	1%	4%	2%	2%
	occupied	97%	99%	96%	98%	98%
	rented	31%	39%	20%	28%	30%
Total and Voting Age population data from the 2010 Decennial Census.	owned	69%	61%	80%	72%	70%
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Morgan Hill 2017 Districting

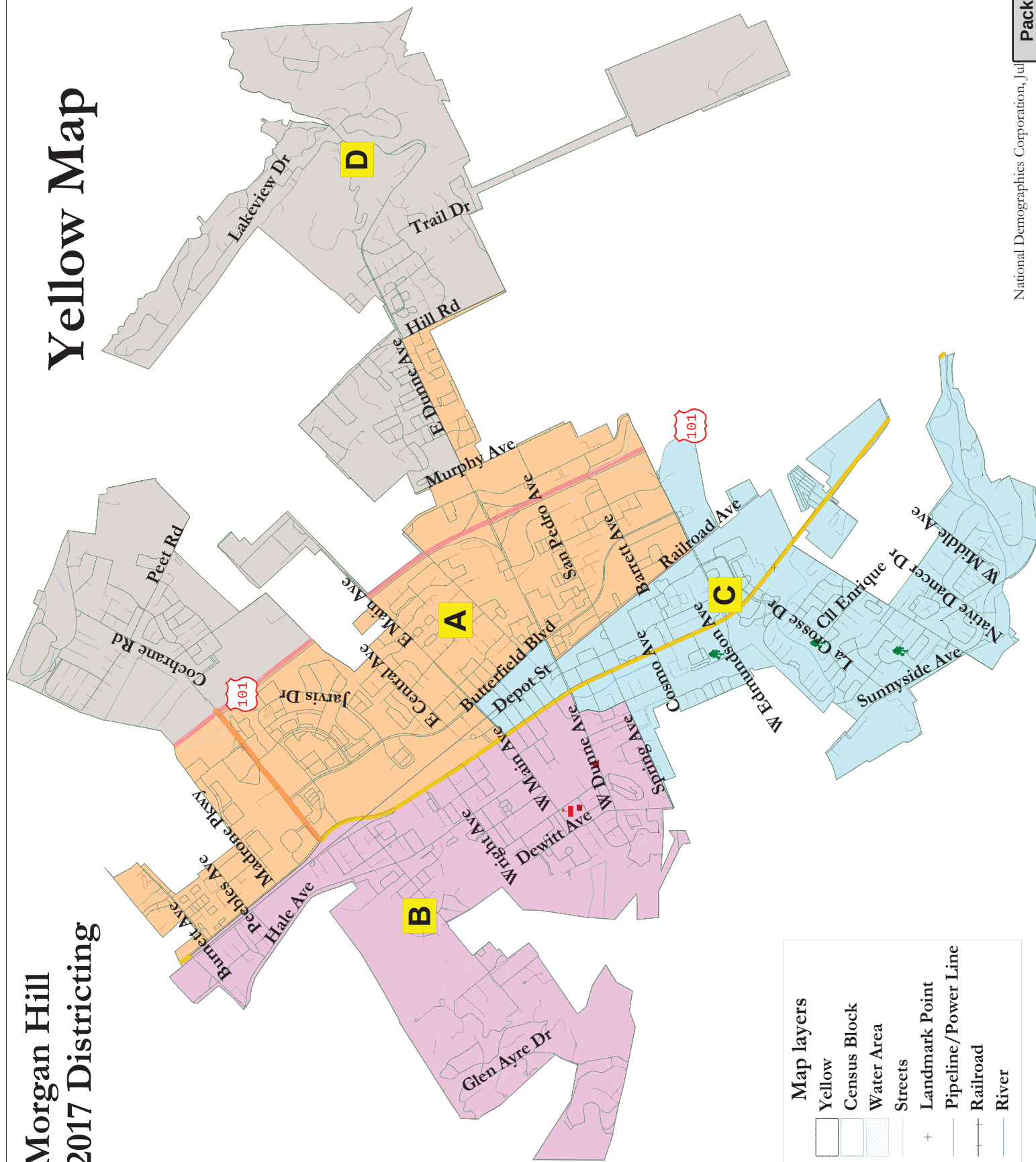
Orange Map



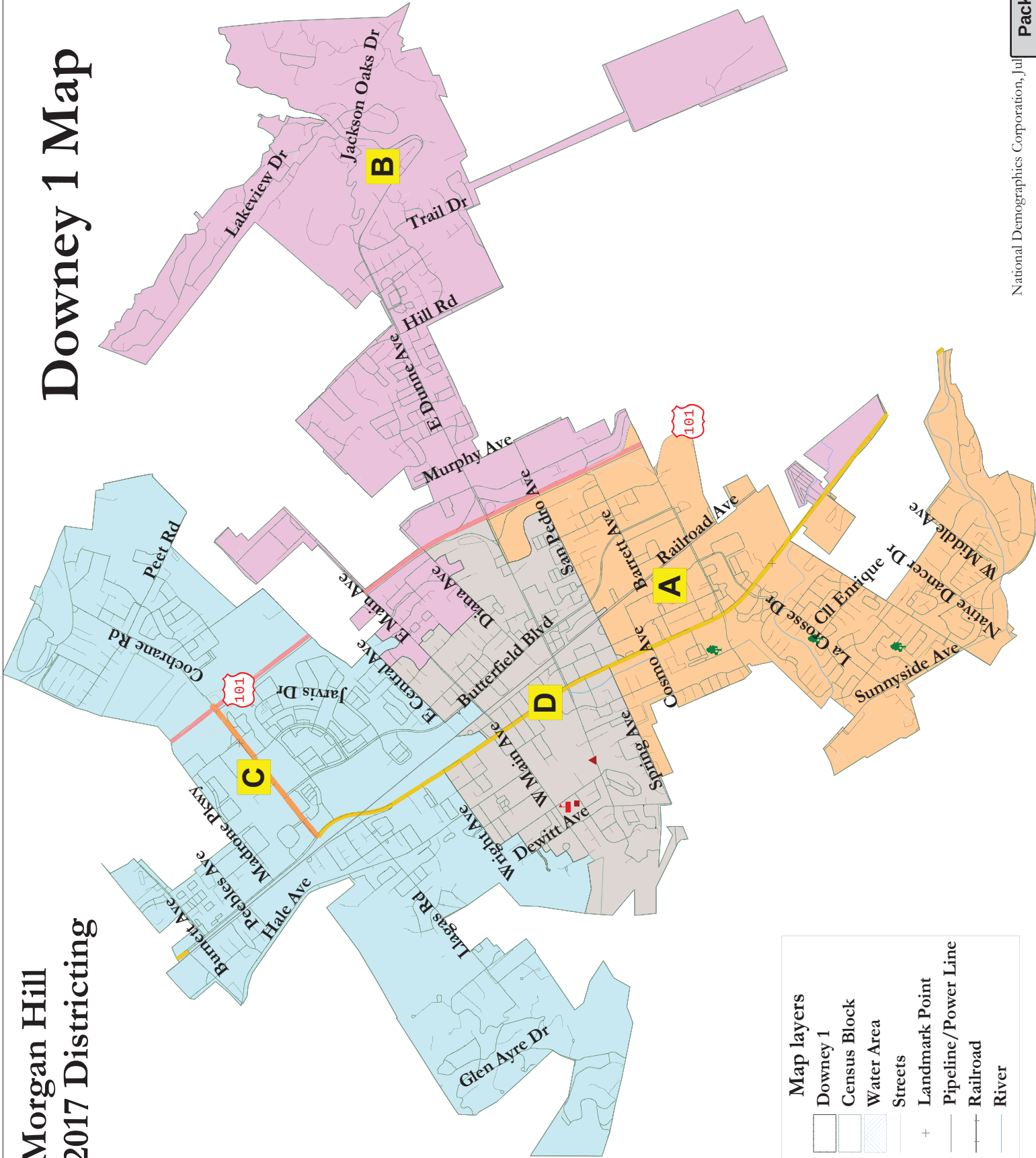
Map layers	
	Orange
	Census Block
	Water Area
	Streets
	Landmark Point
	Pipeline/Power Line
	Railroad
	River
	Cities and Towns

Morgan Hill - Orange map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,548	9,348	9,149	9,837	37,882
7,576	Deviation from ideal	77	-123	-322	366	688
	% Deviation	0.81%	-1.30%	-3.40%	3.86%	7.26%
Total Pop	% Hisp	36%	37%	41%	22%	34%
	% NH White	52%	46%	44%	59%	50%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	15%	11%
Voting Age Pop	Total	6,815	6,545	6,698	6,986	27,044
	% Hisp	32%	34%	36%	19%	30%
	% NH White	56%	50%	49%	62%	55%
	% NH Black	2%	3%	2%	2%	2%
	% Asian-American	7%	12%	11%	14%	11%
Citizen Voting Age Pop	Total	6,190	6,547	6,567	7,343	26,648
	% Hisp	26%	30%	27%	21%	26%
	% NH White	59%	52%	59%	65%	59%
	% NH Black	2%	5%	4%	3%	4%
	% Asian/Pac.Isl.	11%	12%	10%	8%	10%
Voter Registration (Nov 2014)	Total	4,925	4,459	4,392	6,030	19,806
	% Latino est.	21%	25%	25%	15%	21%
	% Asian-Surnamed	4%	7%	6%	8%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	19%	22%	22%	14%	19%
	% NH White est.	68%	55%	62%	74%	66%
	% NH Black	2%	5%	5%	2%	3%
Voter Turnout (Nov 2014)	Total	2,515	1,937	2,031	3,106	9,588
	% Latino	16%	18%	18%	12%	16%
	% Asian-Surnamed	3%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	15%	17%	16%	10%	14%
	% NH White est.	74%	61%	69%	79%	72%
Voter Turnout (Nov 2012)	% NH Black est.	2%	5%	5%	2%	3%
	Total	4,070	3,270	3,617	5,011	15,968
	% Latino	19%	24%	24%	14%	20%
	% Asian-Surnamed	4%	6%	5%	7%	6%
	% Filipino-Surnamed	1%	2%	1%	1%	1%
	% Spanish-Surnamed	18%	21%	21%	13%	18%
ACS Pop. Est.	% NH White est.	69%	58%	63%	76%	68%
	% NH Black est.	2%	5%	5%	2%	3%
Age	Total	9,995	9,879	9,533	10,688	40,095
	age0-19	30%	32%	24%	29%	29%
	age20-60	51%	55%	57%	51%	53%
Immigration	age60plus	19%	14%	19%	20%	18%
	immigrants	16%	21%	22%	17%	19%
Language spoken at home	naturalized	42%	57%	55%	62%	54%
	english	71%	68%	63%	76%	69%
	spanish	22%	20%	28%	14%	21%
	asian-lang	5%	6%	4%	5%	5%
Language Fluency	other lang	3%	6%	5%	5%	5%
	Speaks Eng. "Less than Very Well"	11%	11%	14%	7%	11%
Education (among those age 25+)	hs-grad	51%	56%	51%	46%	51%
	bachelor	24%	22%	20%	25%	23%
	graduateddegree	14%	10%	14%	20%	14%
Child in Household	child-under18	35%	38%	33%	40%	37%
Work (percent of pop age 16+)	employed	61%	64%	61%	62%	62%
	Commute on Public Transit	4%	3%	4%	1%	3%
Household Income	income 0-25k	16%	17%	17%	10%	15%
	income 25-50k	13%	14%	19%	11%	14%
	income 50-75k	14%	14%	11%	10%	12%
	income 75-200k	42%	40%	39%	45%	42%
	income 200k-plus	16%	15%	14%	24%	17%
Housing Stats	single family	78%	81%	76%	93%	82%
	multi-family	22%	19%	24%	7%	18%
	vacant	3%	4%	0%	2%	2%
	occupied	97%	96%	100%	98%	98%
	rented	30%	34%	36%	18%	30%
	owned	70%	66%	64%	82%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

Yellow Map



Morgan Hill - Yellow map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,600	9,680	9,413	9,189	37,882
7,576	Deviation from ideal	129	209	-58	-282	491
	% Deviation	1.36%	2.21%	-0.61%	-2.98%	5.18%
Total Pop	% Hisp	35%	41%	37%	22%	34%
	% NH White	47%	44%	52%	59%	50%
	% NH Black	3%	2%	2%	2%	2%
	% Asian-American	13%	11%	7%	15%	11%
Voting Age Pop	Total	6,716	7,112	6,679	6,537	27,044
	% Hisp	32%	36%	32%	20%	30%
	% NH White	51%	49%	57%	62%	55%
	% NH Black	3%	2%	2%	2%	2%
	% Asian-American	13%	11%	7%	14%	11%
Citizen Voting Age Pop	Total	6,749	7,023	5,966	6,910	26,648
	% Hisp	29%	28%	26%	21%	26%
	% NH White	52%	59%	60%	66%	59%
	% NH Black	6%	4%	2%	3%	4%
	% Asian/Pac.Isl.	12%	9%	11%	8%	10%
Voter Registration (Nov 2014)	Total	4,667	4,552	4,856	5,731	19,806
	% Latino est.	23%	25%	21%	15%	21%
	% Asian-Surnamed	7%	6%	4%	8%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%
	% Spanish-Surnamed	21%	23%	19%	14%	19%
	% NH White est.	57%	62%	67%	74%	66%
Voter Turnout (Nov 2014)	% NH Black	5%	5%	2%	2%	3%
	Total	2,065	2,100	2,478	2,945	9,588
	% Latino	17%	18%	17%	12%	16%
	% Asian-Surnamed	7%	5%	3%	7%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%
	% Spanish-Surnamed	16%	16%	15%	10%	14%
Voter Turnout (Nov 2012)	% NH White est.	64%	69%	73%	79%	72%
	% NH Black est.	5%	5%	2%	2%	3%
	Total	3,571	3,784	3,955	4,658	15,968
	% Latino	22%	24%	19%	14%	20%
	% Asian-Surnamed	7%	5%	4%	6%	6%
	% Filipino-Surnamed	2%	1%	1%	1%	1%
ACS Pop. Est.	% Spanish-Surnamed	20%	21%	17%	13%	18%
	% NH White est.	60%	63%	69%	76%	68%
	% NH Black est.	5%	5%	2%	2%	3%
	Total	10,129	10,107	9,857	10,003	40,095
Age	age0-19	31%	24%	30%	29%	29%
	age20-60	55%	57%	51%	50%	53%
	age60plus	14%	19%	19%	20%	18%
Immigration	immigrants	20%	22%	16%	17%	19%
	naturalized	57%	53%	45%	63%	54%
Language spoken at home	english	68%	63%	71%	76%	69%
	spanish	20%	28%	21%	14%	21%
	asian-lang	6%	4%	5%	5%	5%
	other lang	6%	5%	3%	5%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	10%	14%	11%	7%	11%
Education (among those age 25+)	hs-grad	55%	51%	52%	46%	51%
	bachelor	22%	20%	24%	25%	23%
	graduateddegree	11%	14%	13%	20%	14%
Child in Household	child-under18	37%	34%	34%	41%	37%
Work (percent of pop age 16+)	employed	64%	62%	61%	62%	62%
	Commute on Public Transit	3%	4%	3%	1%	3%
Household Income	income 0-25k	15%	17%	16%	10%	15%
	income 25-50k	13%	19%	14%	11%	14%
	income 50-75k	14%	11%	14%	10%	12%
	income 75-200k	41%	39%	41%	44%	42%
	income 200k-plus	16%	14%	15%	25%	17%
Housing Stats	single family	83%	74%	79%	94%	82%
	multi-family	17%	26%	21%	6%	18%
	vacant	4%	1%	3%	2%	2%
	occupied	96%	99%	97%	98%	98%
	rented	31%	38%	30%	18%	30%
	owned	69%	62%	70%	82%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						



Morgan Hill - Downey 1 map						
District		A	B	C	D	Total
<u>Ideal</u>	Total Pop	9,408	9,387	9,593	9,494	37,882
7,576	Deviation from ideal	-63	-84	122	23	206
	% Deviation	-0.67%	-0.89%	1.29%	0.24%	2.18%
Total Pop	% Hisp	33%	23%	34%	46%	34%
	% NH White	53%	62%	45%	42%	50%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	10%	11%	17%	8%	11%
Voting Age Pop	Total	6,639	6,815	6,749	6,841	27,044
	% Hisp	29%	20%	30%	41%	30%
	% NH White	57%	65%	49%	47%	55%
	% NH Black	2%	2%	2%	2%	2%
	% Asian-American	9%	11%	16%	8%	11%
Citizen Voting Age Pop	Total	5,958	6,602	7,174	6,914	26,648
	% Hisp	24%	17%	27%	36%	26%
	% NH White	59%	69%	56%	53%	59%
	% NH Black	2%	3%	4%	5%	4%
	% Asian/Pac.Isl.	14%	10%	11%	6%	10%
Voter Registration (Nov 2014)	Total	5,096	5,494	5,035	4,181	19,806
	% Latino est.	20%	16%	21%	28%	21%
	% Asian-Surnamed	5%	6%	9%	5%	6%
	% Filipino-Surnamed	1%	1%	2%	2%	1%
	% Spanish-Surnamed	18%	15%	19%	25%	19%
	% NH White est.	70%	74%	59%	56%	66%
	% NH Black	2%	2%	5%	5%	3%
Voter Turnout (Nov 2014)	Total	2,584	2,865	2,302	1,838	9,588
	% Latino	16%	12%	16%	20%	16%
	% Asian-Surnamed	4%	6%	7%	5%	6%
	% Filipino-Surnamed	1%	1%	2%	1%	1%
	% Spanish-Surnamed	14%	11%	15%	18%	14%
	% NH White est.	76%	79%	64%	64%	72%
Voter Turnout (Nov 2012)	% NH Black	2%	2%	6%	5%	3%
	Total	4,076	4,587	3,990	3,314	15,968
	% Latino	19%	15%	20%	26%	20%
	% Asian-Surnamed	4%	5%	8%	5%	6%
	% Filipino-Surnamed	1%	1%	1%	1%	1%
	% Spanish-Surnamed	17%	13%	18%	23%	18%
	% NH White est.	70%	76%	62%	60%	68%
ACS Pop. Est.	% NH Black est.	2%	2%	5%	5%	3%
	Total	9,878	10,126	10,034	10,058	40,095
Age	age0-19	31%	29%	26%	29%	29%
	age20-60	50%	52%	53%	57%	53%
	age60plus	19%	19%	21%	14%	18%
Immigration	immigrants	17%	17%	20%	22%	19%
	naturalized	47%	60%	64%	47%	54%
Language spoken at home	english	71%	75%	68%	63%	69%
	spanish	20%	15%	19%	28%	21%
	asian-lang	5%	4%	7%	4%	5%
	other lang	3%	5%	6%	4%	5%
Language Fluency	Speaks Eng. "Less than Very Well"	11%	8%	10%	14%	11%
Education (among those age 25+)	hs-grad	53%	49%	50%	53%	51%
	bachelor	24%	24%	24%	19%	23%
	graduateddegree	13%	18%	16%	10%	14%
Child in Household	child-under18	34%	39%	33%	40%	37%
Work (percent of pop age 16+)	employed	60%	63%	62%	64%	62%
	Commute on Public Transit	3%	2%	3%	4%	3%
Household Income	income 0-25k	16%	10%	14%	18%	15%
	income 25-50k	14%	12%	13%	18%	14%
	income 50-75k	14%	11%	12%	12%	12%
	income 75-200k	41%	45%	40%	39%	42%
	income 200k-plus	15%	22%	21%	13%	17%
Housing Stats	single family	80%	90%	90%	70%	82%
	multi-family	20%	10%	10%	30%	18%
	vacant	3%	2%	3%	2%	2%
	occupied	97%	98%	97%	98%	98%
	rented	29%	22%	22%	44%	30%
	owned	71%	78%	78%	56%	70%
Total and Voting Age population data from the 2010 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2011-2015 American Community Survey and Special Tabulation 5-year data.						

ORDINANCE NO. _____, NEW SERIES

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF MORGAN HILL AMENDING CHAPTER 1.16 OF
TITLE 1, OF THE MORGAN HILL MUNICIPAL CODE
REGARDING ELECTIONS**

WHEREAS, the City of Morgan Hill supports the full participation of all residents in electing members of the City Council; and

WHEREAS, in an at-large election system, candidates for City Council may reside in any part of the City and each City Councilmember is elected by the voters of the entire City; and

WHEREAS, in a by-district election system, a candidate for City Council must reside in the district which he or she wishes to represent, and only the voters of that district are entitled to vote to decide who their representative will be; and

WHEREAS, on May 5, 2017, the City received a letter from attorney Morris J. Baller, asserting the City's at-large electoral system violated the California Voting Rights Act and threatening litigation if the City declined to adopt by-district elections; and

WHEREAS, the letter did not contain any credible evidence of a violation, but the cost of defending against a claim under the California Voting Rights Act is extremely high; and

WHEREAS, California Government Code Section 34871(c) authorizes the election of the legislative body "by districts in four, six, or eight districts, with an elective mayor . . ."; and

WHEREAS, Government Code 34886 authorizes the City Council to establish by-district elections for council members by ordinance under the process provided in California Elections Code section 10010; and

WHEREAS, at its regular meeting on June 7, 2017, the City Council adopted a resolution of intent to establish a by-district voting process pursuant to California Elections Code Section 10010; and

WHEREAS, pursuant to California Government Code Section 34886, it is declared the change in the method of electing members of the City Council of the City of Morgan Hill made by this ordinance is to implement the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution, as set forth in Section 14031 of the California Voting Rights Act, and

WHEREAS, under the provisions of California Elections Code Section 10010, a political subdivision that changes from an at-large method of election to a by-district method of election shall hold at least two public hearings over a period of no more than thirty days, at which the public is invited to provide input regarding the composition of the districts before drawing a draft map or maps of the proposed boundaries of the districts; and

WHEREAS, before any maps of the proposed boundaries of the districts were drawn, the City Council held public hearings on June 21, 2017 and June 28, 2017, at which time input from the public on the proposed district boundaries was invited and heard; and

WHEREAS, the City established a dedicated webpage containing notices and information on the district election mapping process, with information in multiple languages, and extensive outreach was made to the Morgan Hill community through e-mail and at community events regarding the change to district elections.

WHEREAS, on July 19, 2017, consistent with the provisions of California Elections Code Section 10010, the City published and made available for release, all of the draft maps under consideration along with the potential sequence of elections; and

WHEREAS, as required by California Elections Code Section 10010, the City held a public hearing on July 26, 2017, at which time input on the proposed maps and sequence was invited and heard; and

WHEREAS, on August 7, 2017, consistent with the provisions of California Elections Code Section 10010, the City published additional maps based on the testimony at the July 26, 2017 public hearing; and

WHEREAS, on August 23, 2017, as required by California Elections Code Section 10010, the City held an additional public hearing at which time input on the proposed maps and sequence was invited and heard and a final map and sequence was selected by the City Council.

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code Section 34886, an ordinance providing for the election of the members of the City Council of the City of Morgan Hill on a by-district basis in four single-member districts, retaining a separately elected office of Mayor, as reflected in Exhibit 1 [final district map to be added upon City Council selection] to this Ordinance and to make other conforming and technical changes to Morgan Hill Municipal Code Chapter 1.16.

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

SECTION 1: Chapter 1.16 (“ELECTIONS”) of Title 1 of the Morgan Hill Municipal Code is amended to read as follows. Deletions from existing code have been ~~crossed out~~. New language is in *italics*.

~~1.16.010~~ – Statutory authority.

~~The ordinance codified in this chapter is adopted pursuant to the authority set forth in Section 36503.5 of the Government Code.~~

~~1.16.020~~ 1.16.010 - General municipal elections coincide with statewide general election.

The general municipal election of the city shall be held on the same day as the statewide general election on the first Tuesday after the first Monday in November of even-numbered years.

1.16.020 – Election of City Council Members.

- A. *As established by Measures D and E, enacted by the voters on March 26, 1996, the Mayor shall be elected directly by the electors for a term of two-years.*
- B. *Beginning with the November 2018 general municipal election, a person elected as a member of the City Council other than the Mayor shall be a resident of his or her respective Council District as set forth in Section 1.16.030 (and as subsequently reapportioned as provided by applicable law.) Elections shall take place on a by-district basis as that term is defined in California Government Code Section 34871; meaning one member of the City Council shall be elected from each district, by the voters of that district alone, except for the Mayor, who shall be elected citywide. Each council member shall serve a four-year term until his or her successor has qualified, except for the Mayor, who shall serve a two-year term as authorized by Measure E, enacted by the voters on March 26, 1996.*
- C. *Except as provided in subsection C of Section 1.16.040, the council member elected to represent a district must reside in that district and be a registered voter in that district, and any candidate for City Council must live in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued, pursuant to California Government Code Section 34882 and California Elections Code Section 10227. Termination of residency in a district by a Council Member shall create an immediate vacancy for that council district unless a substitute residence within the district is established within 30 days after the termination of residency.*

~~1.16.030 – Effective and operative date.~~

~~The ordinance codified in this chapter shall become effective thirty days from and after adoption, but shall become operative upon the approval of the board of supervisors of the county.~~

1.16.030 – Establishment of Council Districts

Boundaries for each of the four districts and their letter designations are as shown on the attached Exhibit A entitled “City of Morgan Hill District Boundary Map,” a copy of which shall be posted on the City’s website and on file in the City Clerk’s Office.

1.16.040 - Transition

- A. *Except as provided in subsection C, Council Members shall be elected in Council Districts B and D at the general municipal election in November 2018, and at the general municipal election every four years thereafter. [Sequence subject to change depending on final map selection]*
- B. *Council Members shall be elected in Council Districts A and C at the general municipal election in November 2020, and at the general municipal election every four years thereafter. [Sequence subject to change depending on final map selection]*

- C. *Any member of the City Council in office at the time this Ordinance takes effect (or any person selected by appointment or election to fill a vacancy created by a Council member elected prior to the effective date of this Ordinance) shall continue in office until the expiration of the respective term to which he or she was elected and until his or her respective successors are qualified. At the end of the term of each council member, that member's successor shall be elected on a by-district basis in the districts established in Section 1.16.030. A vacancy in a councilmember office elected by-district shall be filled by a person qualified to hold the office, who is a resident and registered voter in the district.*

~~1.16.040~~ 1.16.050 - Electronic filing of campaign statements.

A. Any elected officer, candidate, committee, or other person required to file statements, reports or other documents described by Chapter 4 (Campaign Disclosure) of [Title 9](#) (Political Reform) of the California Government Code that has received contributions or made expenditures of two thousand dollars or more in a calendar year shall electronically file such statements using procedures established by the City Clerk.

B. Once an elected officer, candidate, committee, or other person files a statement, report, or other document electronically pursuant to Section A, all future statements, reports, or other documents on behalf of that filer shall be filed electronically.

C. In any instance in which an original statement, report, or other document must be filed with the California Secretary of State and a copy of that statement, report, or other document is required to be filed with the City Clerk, the filer may, but is not required to, file such copy electronically.

D. If the City Clerk's electronic filing system is not capable of accepting a particular type of statement, report, or other document, an elected officer, candidate, committee, or other person shall file that document with the City Clerk in an alternative format.

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 and Publication. This ordinance shall take effect thirty (30) days after the date of its passage and adoption. The City Clerk is hereby directed to publish in full or summary this ordinance pursuant to §36933 of the Government Code in a newspaper of general circulation in the City of Morgan Hill.

The foregoing ordinance was introduced and the title thereof read at a regular meeting of the City Council of the City of Morgan Hill held on the 23d day of August, 2017, and was finally adopted at a regular meeting of said Council on the day of 2017, and was duly passed and adopted in accordance with law.

City of Morgan Hill
Ordinance No. _____, New Series
Page 5 of 5

PASSED AND ADOPTED by the City Council of Morgan Hill at the regular meeting held on the __th day of _____, 2016 by the following vote:

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

APPROVED:

STEVE TATE, MAYOR

ATTEST:

DATE:

IRMA TORREZ, City Clerk

∞ 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. _____, New Series, adopted by the City Council of the City of Morgan Hill, California at the meeting held on this _____ day of _____, 2016 and has been published pursuant to Government Code.

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

DATE: _____

Irma Torrez, City Clerk

Attachment: District Election Ordinance (1370 : District Elections - Public Hearing No. 4)



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.

City of Morgan Hill

Community Engagement Strategy



Project Name: Transition to City Council District Elections

CONTACT INFORMATION

Project Managers: Maureen Tobin maureen.tobin@morganhill.ca.gov 408.310.4706 / Michelle Wilson michelle.wilson@morganhill.ca.gov 408.310.4678

Contractor: National Demographics Corporation, Doug Johnson, djohnson@NDCresearch.com, 909.624.1442

Community Contacts: Cecelia Ponzini (Cecelia's Closet), Pastor Kyle Windsor (Community Christian), Fr. Jeronimo Gutierrez (St. Catherine Church), Irma Torrez (City of Morgan Hill) Irma.torrez@morganhill.ca.gov, Chiquy Mejia (City of Morgan Hill) Chiquy.mejia@morganhill.ca.gov; Andrea Nicolette (Mt. Madonna YMCA) anicolette@ymcasv.org, Heather Geddes (Morgan Hill Library) HGeddes@scccl.org,

Project Team Members: Steve Rymer, Don Larkin, Christina Turner, Michelle Wilson, Maureen Tobin

TIME FRAMES

Project Start Date: June 7, 2017

Project Finish Date: September 17, 2017

PROJECT INFORMATION

1.) Background Information:

On, June 7, 2017, the Morgan Hill City Council voted to voluntarily move to district elections.

This was prompted by the City receiving a letter from the law firm of Goldstein, Borgen, Dardarian & Ho, dated May 5, 2017, claiming that the City is violating the California Voting Rights Act because City Council members are elected at-large rather than by districts. Dozens of local government agencies in California have faced similar challenges in recent years including the Morgan Hill Unified School District.

By voluntarily moving to district elections the City of Morgan Hill will take advantage of legal protection that enables cities to have a say in district boundaries and avoid costly litigation. This protection applies only to cities that pass a resolution within 45 days of receiving a demand letter alleging a violation of the California Voting Rights Act. The resolution must indicate the City's intent to move to district elections and the plan to make the change.

2.) Purpose of Project: Establish City Council districts in Morgan Hill in accordance with the requirements of the Federal Voting Rights Act and the California Voting Rights Act guided by expert demographer and input from the community.

ENGAGEMENT STRATEGY

1.) Communication/ Engagement Objectives: Have an open, transparent, and inclusive process that informs all residents of the transition process to by-district elections. Alert all residents of the need for their input and participation in establishing City Council districts in Morgan Hill.

2.) Level of Engagement:

Inform	Consult	Involve	Collaborate	Empower
		X		

3. Action Plan

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
First Communication to Community by eblast (English/Spanish) • Nextdoor • Facebook • Twitter Website Newsflash	Monday, 6/12/17	Maureen Tobin	Inform of process and first Public Hearing	Morgan Hill Community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Spanish eblast forwarded to key stakeholders/organizations with connections to Spanish speaking community with the ask to help with distribution	Monday, 6/13/17	Maureen Tobin	Inform of process and first Public Hearing	Spanish speaking community members
Printed information available (English/Spanish)	Tuesday, 6/13/17	Maureen Tobin	Inform of process and first Public Hearing	Spanish speaking community members
Distribution of printed material to key stakeholders and Spanish speaking community	Tuesday, 6/13 – 6/18/17	Maureen Tobin and key stakeholders	Inform of process and first Public Hearing	Spanish speaking community members
Project Website Live (Google Translate enabled)	Wednesday, 6/14/17	NDC	Inform	Morgan Hill Community
Public Meeting Schedule Available on project website	Wednesday, 6/14/17	NDC	Inform	Morgan Hill Community
Printed Public Meeting Schedule available (English/Spanish)	6/15/17	Maureen Tobin	Inform	Morgan Hill Community
Update printed information (English/Spanish)	6/16/17	Maureen Tobin	Inform	Morgan Hill Community
Communication to Community by eblast (English/Spanish) • Nextdoor • Facebook • Twitter	6/17/17	Maureen Tobin	Inform of process, first and second Public Hearing, schedule of all public meetings and project website drawmh.org	Morgan Hill Community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Distribute printed information at St. Catherine Church after Spanish Mass	6/18/17	Maureen Tobin	Inform of process, first and second Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community
Distribute printed information after Free Zumba Class at Library	6/19/17	Maureen Tobin	Inform of process, first and second Public Hearing, schedule of all public meetings and project website drawmh.org	Morgan Hill Community with focus on Spanish speaking community members
1 st Public Hearing with Spanish Language Interpreter and translation equipment	June 21, 2017	City Council, NDC, City Team	Involve community in providing input on the development of new districts	Morgan Hill Community
Distribute printed information (English/Spanish) at Community Christian Church – Free Supper	June 22, 2017	Maureen Tobin/Community Christian Church	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Communication to Community by eblast (English/Spanish) reminding of 2 nd Public Hearing and project website • Nextdoor • Facebook • Twitter	June 23, 2017	Maureen Tobin, Dan Thompson	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Morgan Hill Community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Distribution of printed material (Spanish/English) to key stakeholders and Spanish speaking community.	Week of June 25 th , 2017	Maureen Tobin and key stakeholders	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Distribution of printed material (Spanish/English) after bilingual story time at Morgan Hill Library	June 24, 2017	Maureen Tobin	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Distribution of printed material (Spanish/English) after Spanish mass at St. Catherine Church	June 25, 2017	Maureen Tobin	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Distribute printed material (Spanish/English) at Learning and Loving Center's Special Summer Food Giveaway	June 28, 2017	Maureen Tobin	Inform of process 2nd Public Hearing, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
2 nd Public Hearing with Spanish Language Interpreter and translation equipment	June 28, 2017	City Council, NDC, City Team	Involve community in providing input on the development of new districts	Morgan Hill community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Distribute printed material (Spanish/English) at Summer Fun in the Park	June 29, 2017	Maureen Tobin	Inform of process, 1 st Community Meeting, schedule of all public meetings and project website drawmh.org	Morgan Hill community with focus on Spanish speaking members
Distribution of updated printed material (Spanish/English) to key stakeholders and Spanish speaking community	Week of July 2, 2017	Maureen Tobin and key stakeholders	Inform of process, 1 st Community Meeting, schedule of all public meetings and project website drawmh.org	Spanish speaking community members
Online map-drawing tool that allows the community to draw and submit redistricting proposals available on project website drawmh.org	July 7, 2017	NDC	Involve community in providing input on the development of new districts	Morgan Hill community
Communication to Community by eblast making community aware of online map-drawing tool (English/Spanish) and reminder of Community Workshop • Nextdoor • Facebook • Twitter	July 7, 2017	Maureen Tobin	Inform of process, Community Workshop, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Morgan Hill Community
Community Workshop	July 10, 2017		Involve community in providing input on the development of new districts	Morgan Hill Community

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Communication to Community by eblast reminding community of online map-drawing tool (English/Spanish) and reminder of 2nd Community Workshop & 3rd Public Hearing • Nextdoor • Facebook • Twitter	July 21, 2017	Maureen Tobin/Dan Thompson	Inform of process, 2nd Community Workshop, 3rd Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Morgan Hill Community
Distribution of update printed material (Spanish/English) to key stakeholders and Spanish speaking community	Week of July 23, 2017	Maureen Tobin and key stakeholders	Inform of process, 2nd Community Workshop, 3rd Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Spanish speaking community members

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Distribute printed material (Spanish/English) at Learning and Loving Center's Special Summer Food Giveaway	July 26, 2017	Maureen Tobin	Inform of process, 2 nd Community Workshop, 3 rd Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Spanish speaking community members
Community Workshop	July 26, 2017	NDC, City Team	Involve community in providing input on the development of new districts	Morgan Hill community
3 rd Public Hearing	July 26, 2017	City Council, NDC, City Team	Involve community in providing input on the development of new districts	Morgan Hill community
Distribute printed material (Spanish/English) at Summer Fun in the Park	July 27, 2017	Maureen Tobin	Inform of process, 4th Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Morgan Hill community with focus on Spanish speaking members

Activity	Timing	Responsibility	Level of Engagement/Purpose	Target Group/Stakeholders
Communication to Community by eblast reminding community of online map-drawing tool (English/Spanish) and reminder of 2 nd Community Workshop & 3 rd Public Hearing • Nextdoor • Facebook • Twitter	August 18, 2017	Maureen Tobin/Dan Thompson	Inform of process, 4th Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Morgan Hill Community
Distribution of update printed material (Spanish/English) to key stakeholders and Spanish speaking community	Week of August 20, 2017	Maureen Tobin and key stakeholders	Inform of process, 4th Public Hearing, schedule of all public meetings, project website drawmh.org and online map-drawing tool. Involve community in providing input on the development of new districts	Spanish speaking community members
4 th Public Hearing	August 23, 2017	City Council, NDC, City Team	Involve	Morgan Hill Community
Adoption of Ordinance	September 6, 2017	City Council, NDC, City Team	Involve	Morgan Hill Community

6.) Evaluation: (To be completed at end of project)

1117 Deana Court
Morgan Hill, CA 95037
August 13, 2017

Att: Members of the Morgan Hill City Council and fellow Citizens of Morgan Hill.
Fr: George & Kim Panos, Morgan Hill, Ca
Re: District Election Boundary – Input (As Requested by Council Members)

Please accept our support for Boundary Support Map noted as "Lee 1B" as dated on July 26, 2017. Simply, we believe this map logically best supports the needs and services expected and needed by the residents, taxpayers and citizens of Morgan Hill beyond the initial scope and intent of the City to meet its "voter rights" obligations. Unfortunately, time constraints and deadlines for input have left us little time for further exploration of details and Q&A with members of our City staff.

Lee 1B affords each potential City Council Member a greater geographic (and perhaps larger demographic) "cross-section" of population cutting East-West channeling traffic from the East-West foothills to the center flatlands, i.e North-South transportation corridors of 101, Butterfield, Caltrain, Monterey Highway and Santa Terera/Hale. Of course, these traffic lines are our "communal" North/South access points to Work, School, Shopping and Recreation. It would be ideal to have each member of City Council share the knowledge, the love and the pain of both hillside and flatlanders in subject areas of not only the obstacles of getting to these major North/South arteries, but also less visible topics like utilities and adequate coverage of city services. "Flatlanders" don't suffer the same taxing issues to get their water, i.e. paying two extra fees for getting a boost to pump water up a slight slope. But homeowners (and renters) in the flatlands do worry about flooding (sitting water) during storms running off hillsides. There was talk of neighborhoods and importance of keeping them somewhat tied together within one boundary area. This is worthy of a closer look, however, it bears mentioning that for example, the needs of Llagas Valley have little to do with those neighborhoods on the other side of our giant natural barrier, El Toro, that separates them from say, Spring Avenue. We should then avoid "tossed salad" diagrams like those similar to "Benevento 1." Schools are a subject, but should not be a given a greater "weighted" factor in deciding Council boundaries. The Board of Education Trustees there have recently established their own Trustee election boundaries. And with the expected changing demographics with the addition of new housing – current school boundaries would likely change as well based on student populations. One would also have to factor in private schools, charter schools, etc. – so schools are not a gating factor for establishing City Council boundaries. Attention to furthering cost-friendly delivery of city services, managing growth including traffic, public safety and economic growth to pay for these however are the items where our council members could and should share common goals – hence the choice for Lee1B.

Thank you for your attention and review of our input.

Regards,
George & Kim Panos
Morgan Hill, CA



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Eric Blomquist, Building Official

APPROVED BY: City Manager

ELECTRIC VEHICLE CHARGING STATION ORDINANCE

RECOMMENDATION(S)

1. Open/close public hearing;
2. Waive the first and second reading of the ordinance; and
3. Introduce the ordinance.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

Protecting the Environment

2017 Strategic Priorities

Infrastructure

REPORT NARRATIVE:

The purpose of this ordinance is to adopt an expedited, streamlined electric vehicle charging station permitting process as required by AB 1236. The ordinance encourages the use of electric vehicles by removing unreasonable barriers, minimizing cost to property owners and the City, and expanding the ability for homeowners to install electric vehicle charging stations on private property. The proposed ordinance allows the City to achieve these goals while protecting the public health and safety.

Specifically, AB 1236 requires cities to substantially conform their expedited, streamlined permitting process to recommendations contained in the current version of the California Zero-Emission Vehicles in California: Community Readiness Guidebook. These recommendations include:

- ☐ Adoption of a checklist of all requirements for an electric vehicle charging station to be eligible for expedited review.
- ☐ Approval of a permit when the jurisdiction determines that the application is complete and meets all prescribed requirements.
- ☐ The use of electronic signatures on relevant permitting documents unless a jurisdiction is unable to process them.
- ☐ Allowing for electronic submittal of the expedited permit documents.

Prior to this proposed ordinance, the Building Division established expedited over-the-counter plan review and permitting for electric vehicle charging stations. AB 1236 requires a checklist to be published on the City's website to aid in the processing of the permit. Since the new ordinance codifies existing practice in the Building Division, staff anticipates no changes being needed in the City's permit issuance procedure.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community regarding the proposed electric vehicle charging station ordinance.

ALTERNATIVE ACTIONS:

None

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None

FISCAL AND RESOURCE IMPACT:

None

CEQA (California Environmental Quality Act):

Statutory Exemption

Ministerial projects proposed to be carried out by public agencies. Pub. Res. Code §21080(b)(1).

LINKS/ATTACHMENTS:

1. Electric Vehicle Charging Station Ordinance

ORDINANCE NO. xxxx, NEW SERIES

**AN ORDINANCE OF THE CITY OF MORGAN HILL ADDING
A NEW CHAPTER 15.37 (ELECTRIC VEHICLE CHARGING
STATION PERMITTING) TO TITLE 15 (BUILDINGS AND
CONSTRUCTION) TO PROVIDE AN EXPEDITED,
STREAMLINED PERMITTING PROCESS FOR ELECTRIC
VEHICLE CHARGING STATIONS**

WHEREAS, the City Council of Morgan Hill seeks to implement AB 1236 (Chapter 598, Statutes 2015) through the creation of an expedited, streamlined permitting process for electric vehicle charging stations; and

WHEREAS, the City Council has consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the City Council wishes to advance the use of electric vehicle charging stations by residents, businesses, and visitors; and

WHEREAS, it is in the interest of the health, welfare and safety of the citizens of Morgan Hill to provide an expedited permitting process to assure the effective deployment of electric vehicle charging station technology.

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

SECTION 1. A new Chapter 15.37 (Electric Vehicle Charging Station Permitting) is hereby added to Title 15 (Buildings and Construction) of the Morgan Hill Municipal Code, which new Chapter shall be numbered and entitled and shall read in its entirety as follows:

Chapter 15.37 – ELECTRIC VEHICLE CHARGING STATION PERMITTING

15.37.010 - Definitions.

15.37.020 - Purpose.

15.37.030 - Applicability.

15.37.040 – Electric vehicle charging station requirements.

15.37.050 - Duties of Building Department and Building Official.

15.37.060 - Permit review and inspection requirements.

15.37.010 - Definitions.

For the purpose of this Chapter, unless the context indicates otherwise, certain words and phrases used in this Chapter are defined as follows:

A. "City" means the City of Morgan Hill.

B. “Electric vehicle charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with California Electrical Code Article 625, or any successor regulation, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

C. “Electronic submittal” means the utilization of one or more of the following:

1. Email;
2. The internet; or
3. Facsimile.

D. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

15.37.020 - Purpose.

The purpose of the Chapter is to adopt an expedited, streamlined electric vehicle charging station permitting process that complies with AB 1236 (Chapter 598, Statutes 2015) to achieve timely and cost-effective installations of electric vehicle charging stations. This Chapter encourages the use of fuel-efficient electric vehicles and electric vehicle charging stations by removing unreasonable barriers, minimizing costs to property owners and the City, and expanding the ability of property owners to install electric vehicle charging stations. This Chapter allows the City to achieve these goals while protecting the public health, welfare, and safety.

15.37.030 - Applicability.

A. This Chapter applies to the permitting of all electric vehicle charging stations in the City.

B. Electric vehicle charging stations legally established or permitted prior to the effective date of this Chapter are not subject to the requirements of this Chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of the electric vehicle charging station in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

15.37.040 - Electric vehicle charging station requirements.

A. All electric vehicle charging stations shall meet applicable health and safety standards and requirements imposed by the State and the City's Building and Fire Departments.

B. Electric vehicle charging stations shall be certified by an accredited listing agency as defined by the California Electrical Code.

C. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

15.37.050 - Duties of Building Department and Building Official.

A. All documents required for the submission of an expedited electric vehicle charging station permit application shall be made available on the publicly accessible City website.

B. Electronic submittal of the required permit application and documents by email, the Internet, and facsimile shall be made available to all electric vehicle charging station permit applicants. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

C. The City's Building Department shall adopt a Standard Plan Checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. All code requirements in these documents shall substantially conform to the requirements found in the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" contained in the most recently adopted Zero-Emission Vehicles in California: Community Readiness Guidebook published by the Governor's Office of Planning and Research. The City's adopted checklist shall be published on the City's website.

D. The City Council, by resolution, may establish a fee for the processing of electric vehicle charging station permit applications.

15.37.60 - Permit review and inspection requirements.

A. The Building Department shall administratively approve an application to install electric vehicle charging stations through issuance of a building permit or similar nondiscretionary permit.

B. A permit application that satisfies the requirements in the City's adopted checklist shall be deemed complete and shall be promptly processed. Upon confirmation by the Building Official, or his or her designee, that the permit application and supporting documentation meet the requirements of the City's adopted checklist, and is consistent with local, state, and federal health and safety requirements, in accordance with California Government Code Section 65850.7, the application shall be approved and the necessary permit shall be issued. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

C. The Building Official, or his or her designee, may require an applicant to apply for a use permit if the Official, or his or her designee, finds, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. The Building Official, or his or her designee, shall issue a decision letter to the applicant.

D. If a use permit is required, the Building Official, or his or her designee, may deny an application for the use permit if the Official, or his or her designee, makes written findings, based upon substantive evidence in the record, that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the

potential feasible alternative for preventing the adverse impact. The Building Official, or his or her designee, shall issue a decision letter to the applicant. Such decisions may be appealed to the Planning Commission utilizing the procedures set forth in Section 15.37.060(E).

E. For appeals to the Planning Commission pursuant to Sections 15.37.060(C) and (D), a written notice of appeal must be filed with the secretary of the Planning Commission within ten (10) days of receipt of the decision letter from the Building Official or his or her designee. The notice of appeal shall set forth the specific grounds of the appeal. At the time of consideration of the appeal, the appellant shall have the burden of establishing cause why the action appealed from should be altered, reversed, or modified. The Planning Commission may continue the matter from time to time and, at the conclusion of its consideration, may affirm, reverse, or modify the decision of the Building Official or his or her designee. The decision of the Planning Commission shall be final.

F. The City shall not condition approval of an application on the approval of an association, as defined in Civil Code Section 4080.

G. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

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 passage and adoption. The City Clerk is hereby directed to publish in full or summary this Ordinance pursuant to Government Code §36933 in a newspaper of general circulation in the City of Morgan Hill.

The foregoing Ordinance was introduced and the title thereof read at a regular meeting of the City Council of the City of Morgan Hill held on the 23rd day of August, 2017, and was finally adopted at a regular meeting of said Council on the ____ day of ____ 2017, and said Ordinance was duly passed and adopted in accordance with law.

PASSED AND ADOPTED by the City Council of Morgan Hill at the regular meeting held on the ____ day of _____, 2017 by the following vote:

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

ATTEST:

Irma Torrez, CITY CLERK

Steve Tate, MAYOR

Effective:

∞ 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. XXX, New Series, adopted by the City Council of the City of Morgan Hill, California at the meeting held on this day of 2017 and has been published pursuant to Government Code.

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

DATE: _____

Irma Torrez, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: David Gittleson, Associate Engineer
APPROVED BY: City Manager

CERTIFY ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT AND ADOPT HALE AVENUE PLAN LINE

RECOMMENDATION(S)

1. Open/close public hearing;
2. Adopt resolution certifying that the Final Environmental Impact Report (EIR) for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project (Project) is found to be complete, correct, and in substantial compliance with the requirements of the California Environmental Quality Act (CEQA), which includes adopting the Mitigation and Monitoring Program (MMRP) for the Project; and
3. Adopt resolution approving an Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Fiscal Responsibility

2017 Strategic Priorities

Infrastructure
Regional Initiatives

REPORT NARRATIVE:

The Hale Avenue Extension project was formally known as the Santa Teresa "Gap Fill" project because when completed, would fill a gap in the Santa Teresa corridor allowing for a north-south alternative to Monterey Road. The limits of the Hale Avenue Extension project are Main Avenue at the north end and Spring Avenue at the south end (see Project Location map). The project is being designed as a two-lane roadway with a median, bike lanes, and pedestrian walkway in conformance with the City's multi-modal arterial standard. This reach of roadway has been a planned arterial in the City's General Plan since 1969.

Due to the recent passage of the County's Measure B initiative in November 2016, the Santa Clara Valley Transportation Authority (VTA) will be generating revenue for local infrastructure projects through a local sales tax increase. The City's Hale Avenue Extension Project is on VTA's Measure B list to receive this funding. To position the project for bidding and construction, the City is finalizing the California Environmental Quality Act (CEQA) clearance and purchasing right of way.

Also included in the Capital Improvements Program (CIP) is the development of an Official Plan Line for the Hale Avenue corridor through Morgan Hill. The Official Plan Line, once established, will enable the City to identify the limits of the roadway across areas where it does not now exist and to identify the ultimate right of way required where the roadway does exist but is not fully developed. The plan line limits are between Main Avenue and Watsonville Road. Since portions of the plan line fall outside the City's jurisdiction, the County has partnered with the City to share in the costs for preparing and adopting the plan line. Thus, staff has been coordinating with the County throughout the plan line development. The County Roads and Airports Department has reviewed and approved the final plan line drawings and the plan line is now ready for adoption. By adopting the plan line, the City will only be adopting the segments that fall under its jurisdiction. The County intends to also adopt the plan line for segments that lie within its jurisdiction.

The proposed Hale Avenue Extension Project lies within the limits of the Official Plan Line. Both the Hale Avenue Extension and the Hale Avenue Plan Line projects require a full CEQA analysis. In order to expedite the process and limit spending, staff combined the CEQA analysis into one Environmental Impact Report document, which covers both projects and can be used by both the City and the County for adopting their segments of the plan line. The four main project objectives described in the EIR are:

- o Establish Official Plan Line for the Hale Avenue/Santa Teresa Corridor, a two-lane multi-modal arterial in keeping with the "Complete Streets" approach to roadway planning identified in the Morgan Hill General Plan,
- o Provide a continuous direct north/south route for the west side of the City, reducing through traffic on neighborhood streets,
- o Provide an alternate north/south road option on the west side of US Hwy 101 to relieve congestion on parallel routes such as Monterey Road and Butterfield Boulevard, and
- o Reduce energy consumption by providing an efficient multi-modal roadway configuration within the City of Morgan Hill.

In addition, a Mitigation Monitoring and Reporting Program (MMRP) was developed for this project to mitigate significant impacts to the environment and must be implemented during construction of the Hale Avenue Extension project. The Final EIR is now complete and ready for City Council's certification. The Final EIR documents, the MMRP, and the Hale Avenue Plan Lines can be found here: <http://www.morgan-hill.ca.gov/1527/Hale-Santa-Teresa-Project-EIR>.

COMMUNITY ENGAGEMENT: Inform

City staff provided opportunity to the community to review the draft EIR throughout its development including: (1) a Notice of Preparation (NOP) was circulated between May 27, 2016 and June 27, 2016 to receive input regarding the scope and content of the EIR, (2) a public scoping meeting was also held on June 8, 2016 for oral comments, (3) the Draft EIR was circulated between December 23, 2016 and February 6, 2017 for public comment; and (4) comments can be made at the August 23, 2017 City Council meeting.

ALTERNATIVE ACTIONS:

Not Applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- o The Hale Avenue Plan Line Project was included in the adopted FY 2014-15 Capital Improvement Program budget for \$130,000.
- o On October 15, 2014, City Council approved a Service Agreement for Design Professionals with MH Engineering for \$95,502 to provide engineering and surveying services to develop the Hale Avenue Plan Line.
- o On December 3, 2014, City Council approved a Cost Sharing Agreement with the County of Santa Clara for the Hale Avenue Plan Line project.
- o December 7, 2016, City Council awarded a design contract to MH Engineering to complete the Hale Avenue Plan Line.
- o January 18, 2017, City Council awarded a service agreement for design professionals for the Hale Avenue Extension Project to Mark Thomas & Associates for \$401,873 to complete the design.
- o July 19, 2017, City Council approved a first amendment with Associated Right of Way Services for \$145,000 to continue acquisition services for the Hale Avenue Extension project.

FISCAL AND RESOURCE IMPACT:

No fiscal impact associated with the recommended approval.

CEQA (California Environmental Quality Act):

Project

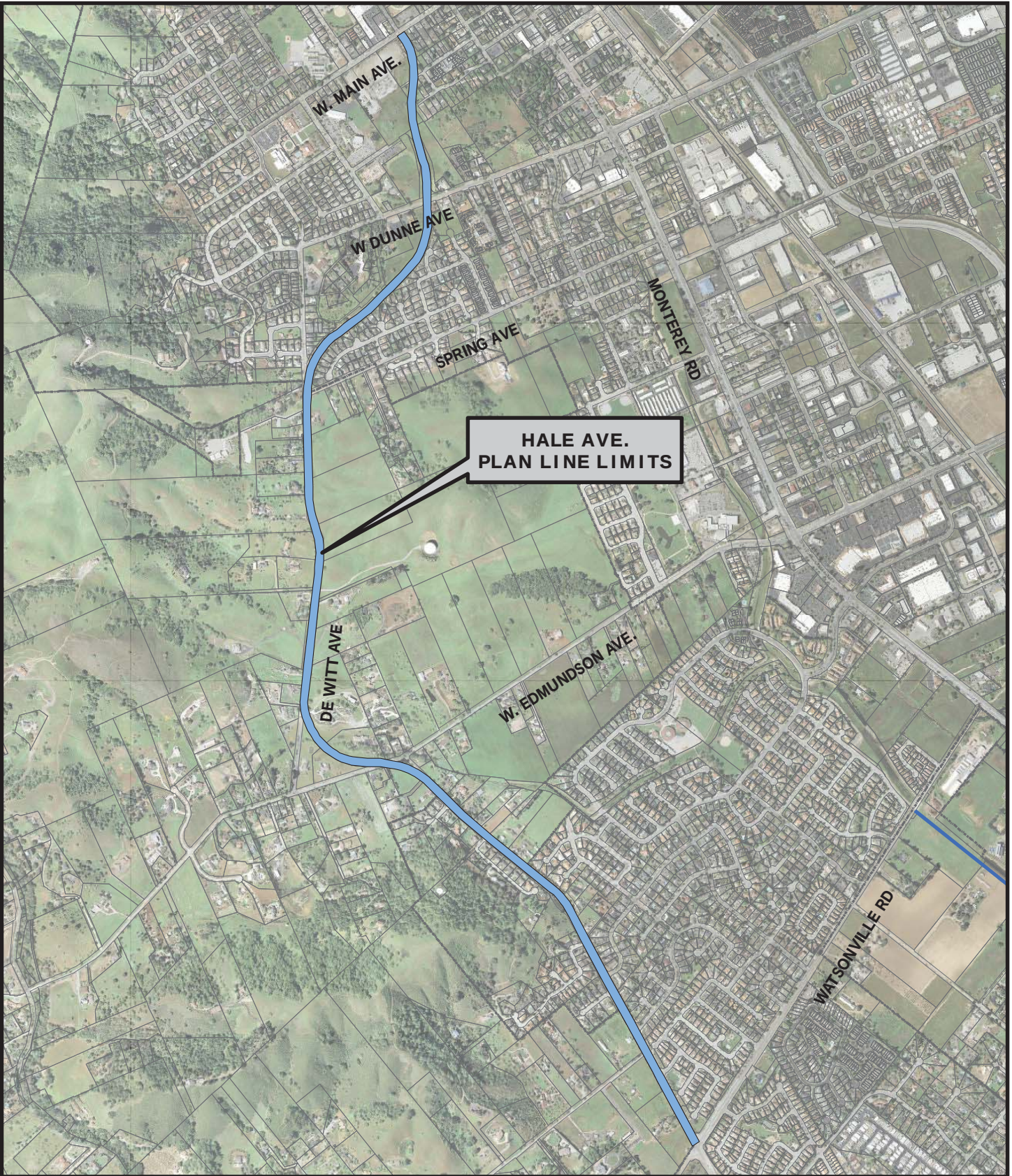
An Environmental Impact Report (EIR) (SCH Number 2016052076) was prepared for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project in accordance with the California Environmental Quality Act (CEQA). A Notice of Preparation (NOP) was circulated between May 27, 2016 and June 27, 2016 to receive comments regarding the scope and content of the EIR. A public scoping meeting was held on June 8, 2016 to receive oral comments on the NOP.

The Draft EIR was circulated between December 23, 2016 and February 6, 2017. The City of Morgan Hill received comments on the Draft EIR by 8 agencies / individuals. Responses to those comments and minor changes to the Draft EIR were included in a Final EIR document in accordance with the requirements of CEQA. The Final Environmental Impact Report concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would mitigate all of those significant effects to a less-than-significant level. Therefore, CEQA also requires the lead agency to adopt a Mitigation Monitoring and Reporting Program (attached) to mitigate or avoid significant effects on the environment.

LINKS/ATTACHMENTS:

1. Project Location Map
2. CEQA Resolution-Hale Avenue
3. Resolution-Hale Plan Line

4. Exhibit A to Reso Official Plan Line
5. Final EIR documents, the MMRP, and the Hale Avenue Plan Lines ([weblink](#))



Attachment: Project Location Map (1356 : Certify EIR and Adopt Hale Avenue Extension)



CITY OF MORGAN HILL
Engineering Division
Public Works Department

G:\R-14\Proj\GIS\John\Dave_SantaTeresa.mxd

CERTIFY EIR & ADOPT HALE AVENUE PLAN LINE



0 625 1,250 2,500 3,750 5,000 Feet

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT AS CONSISTENT WITH THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, an Environmental Impact Report (EIR) (SCH Number 2016052076) was prepared for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project (Project) in accordance with the California Environmental Quality Act (CEQA). A Notice of Preparation (NOP) was circulated between May 27, 2016 and June 27, 2016 to receive comments regarding the scope and content of the EIR. A public scoping meeting was held on June 8, 2016 to receive oral comments on the NOP. The Draft EIR was circulated between December 23, 2016 and February 6, 2017; and

WHEREAS, the City of Morgan Hill received comments on the Draft EIR by 8 agencies / individuals. Responses to those comments and minor changes to the Draft EIR were included in a Final EIR document in accordance with the requirements of CEQA; and

WHEREAS, the Environmental Impact Report concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would mitigate all of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an Environmental Impact Report that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environmental effects to a less-than-significant level and/or adopt a Findings of Fact and Statement of Overriding Considerations; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a mitigation monitoring and reporting program to ensure compliance with the mitigation measures during project implementation, and such a mitigation monitoring and reporting program has been prepared for the Project for consideration by the decision-maker of the City of Morgan Hill as lead agency for the Project (the "Mitigation Monitoring and Reporting Program"); and

WHEREAS, the City of Morgan Hill is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the City Council has reviewed and considered the Environmental Impact Report and related Findings of Fact and Mitigation Monitoring and Reporting Program for the Project and intends to take actions on the Project in compliance with CEQA, and state and local guidelines implementing CEQA; and

WHEREAS, the Environmental Impact Report and related Findings of Fact and Mitigation Monitoring or Reporting Program for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, the Environmental Impact Report and related Findings of Fact and Mitigation Monitoring and Reporting Program for the Project are on file in the Development Services Department located at 17575 Peak Avenue, Morgan Hill, California, 95037, and are available for inspection by any interested person at that location.

NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1: FINDINGS OF FACT BY THE CITY COUNCIL OF THE CITY OF MORGAN HILL REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECTS: The City Council hereby finds, determines and declares the findings and facts as set forth in the attached Exhibit "A" by this reference are incorporated herein.

SECTION 2: CERTIFICATION OF FINAL EIR: The City Council hereby certifies that the Final EIR has been completed in compliance with CEQA; that the Final EIR was presented and the Council has reviewed and considered the information prior to approving the project; and the Final EIR reflects the independent judgment and analysis of the City of Morgan Hill, as lead agency.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 23rd day of August 2017 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:

IRMA TORREZ, City Clerk

APPROVED:

STEVE TATE, Mayor

∞ **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 the meeting held on August 23, 2017.

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

DATE: _____
IRMA TORREZ, City Clerk

EXHIBIT "A"**FINDINGS OF FACT BY THE CITY COUNCIL OF THE CITY OF MORGAN HILL REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT**

This document presents findings in accordance with Sections 15091 and 15093 of the California Environmental Quality Act ("CEQA") Guidelines and Section 21081 of the Public Resources Code. Under CEQA, the City of Morgan Hill ("the City") must prepare written findings of fact for each potentially significant adverse environmental effect identified in a final environmental impact report and explain whether the project has been changed to avoid or substantially reduce the magnitude of the impact. The findings must describe specific reasons for rejecting identified mitigation measures and project alternatives. CEQA also requires that the City identifies when the responsibility for avoiding or reducing a significant environmental effect belongs to another agency. In some cases, the City can make a Statement of Overriding Considerations when specific economic, legal, social, technological, or other considerations are identified that make avoidance or reduction of the significant environmental effects infeasible.

According to Section 21081 of the California Public Resources Code, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

- (A) The public agency makes one or more of the following findings with respect to each significant effect:
 - (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
 - (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR
- (B) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (A), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

These Findings concern the Final Environmental Impact Report (EIR), prepared by the City, entitled "Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment." This document was prepared to satisfy the City's responsibilities under CEQA.

The City Council hereby finds, determines and declares as follows:

I. BACKGROUND

A. Project Description

The proposed Project evaluated in the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Draft EIR is the adoption of an Official Plan Line for the Santa Teresa Corridor from West Main Avenue to Watsonville Road and construction of the proposed roadway improvements. The proposed roadway improvements would be constructed in two phases, Phase I and Phase II. Phase I is the extension of Hale Avenue from West Main Avenue to the Dewitt/Spring Avenue intersection. The approximately 4,500-foot extension would consist of a multi-modal, two-lane road (one lane in each direction), which would include bike lanes with a landscaped center median and a pedestrian/bike path within a right-of-way ranging from 62 to 130 feet wide. Phase I is anticipated to be constructed within the next two to three years, depending on funding availability. Phase II is the realignment and widening of the Santa Teresa Corridor from the Dewitt/Spring Avenue intersection to Watsonville Road. The planned roadway within this approximately two-mile segment of the Santa Teresa Corridor would be widened, and a multi-modal, two-lane road with a landscaped center median and a pedestrian/bike path would be constructed within a 96-foot right-of-way. Phase II is anticipated to be constructed in the next 10 to 15 years.

B. Project Objectives

1. Establish an Official Plan Line for the Hale Avenue/Santa Teresa corridor, a two-lane continuous multi-modal arterial in keeping with the "complete streets" approach to roadway planning identified in the Morgan Hill General Plan.
2. Provide a continuous direct north/south route for the west side of the City, reducing through traffic on neighborhood streets.
3. Provide an alternate north-south road option on the west side of US 101 to relieve congestion on parallel routes such as Monterey Road and Butterfield Boulevard.
4. Reduce energy (i.e., gasoline and diesel) consumption by providing an efficient multi-modal roadway within the City of Morgan Hill.

C. The Final EIR

1. The City as lead agency for the Project has caused to be prepared a Final EIR for the proposed Project, based on the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000-21 1177) and the CEQA Guidelines (Sections 15000-15387, Administrative Code, Title 14, Chapter 3). Pursuant to state CEQA Guidelines Section 15132, the Final EIR (EIR) consists of the following documents and materials: The "Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Draft EIR, issued on December 23, 2016; and the "Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Final EIR", issued in August 2017, which includes

the comments on the Draft EIR and the City's responses thereto, as well as certain revisions to the text of the Draft EIR.

2. Copies of the Final EIR are on file at the Morgan Hill Library and at the Development Services Department counter, and, along with the planning and other City records, minutes and files constituting the record of proceedings, are incorporated herein by this reference. The City Council designates the City Clerk of the City of Morgan Hill, 17555 Peak Avenue, Morgan Hill, CA 95037, as the custodian of documents and record of proceedings on which the decision was based. Since the text of the Draft EIR was revised in certain aspects in the Final EIR, references in these Findings to specific pages of the EIR will be to the starting page of the Draft EIR where the topic is addressed, with the revisions in the Final EIR assumed by such references.

3. A Notice of Preparation of the EIR was sent on May 27, 2016 to responsible agencies and the State Clearinghouse in the Office of Planning and Research, requesting comments on the scope and content of the EIR, and comments were received from the Santa Clara Valley Transportation Authority.

4. The Draft EIR was circulated for a 45-day public review and comment period on December 23, 2016 through February 6, 2017.

5. The Final EIR issued in August 2017 contains the responses to the public and agency comments received regarding the Draft EIR, and reflects revisions to the Draft EIR in response to those comments. Section 4, Revisions to the Draft EIR, of the Final EIR shows where portions of the Draft EIR were modified. Underlined text represents language that has been added to the EIR; text with ~~striethrough~~ has been deleted from the EIR.

6. On August 23, 2017, the City Council conducted a duly-noticed public hearing for the purpose of reviewing and considering the information contained in the EIR and the administrative record, and for the purpose of considering the proposed Project.

7. When it adopts a Resolution approving the Project, the City Council will also approve the Mitigation Monitoring and Reporting Program (MMRP) as a separate document, pursuant to Public Resources Code Section 21081.6. The MMRP is designed to ensure the implementation of mitigation measures identified as part of the environmental review for the Project.

8. The City Council has reviewed and considered the information contained in the Final EIR and record of proceedings, including, but not limited to, staff reports, oral and written comments given at public hearings on the proposed Project or otherwise received by the City, and the responses thereto contained in the Final EIR, and the final version of the resolution presented for adoption in order to achieve the proposed Project. All other matters deemed material and relevant have also been considered by the City Council before considering the proposed Project for approval. The Final EIR reflects the independent judgment of the City.

II. SIGNIFICANT IMPACTS WHICH CAN BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

A. General Findings. The proposed Project was considered to have potentially significant impacts on Air Quality, Biological Resources, Hazardous Materials, Hydrology and Water Quality, Noise and Vibration, and Transportation. All of the potentially significant impacts were able to be reduced to a less-than-significant level with implementation of the mitigation measures described in the Final EIR and the MMRP. The City Council finds that, with implementation of the proposed mitigation measures described in the Final EIR and MMRP, and presented below, the proposed Project is determined to have less-than-significant impacts on these resources. All of these mitigation measures shall be deemed adopted as part of the City Council's approval of the Project and certification of the Final EIR.

B. Findings for Each Potentially Significant Impact. The City Council hereby makes the following findings for all potentially significant impacts of the proposed Project that can be reduced to a less than-significant level, as presented below.

1. Impact AQ-1: Construction activities associated with the proposed project, including both Phase I and Phase II, could temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. **(Significant Impact)**

MM AQ-1: The project applicant shall ensure the following measures are implemented during construction of the proposed project:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph)
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- A publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

(Less Than Significant Impact with Mitigation Incorporated)

2. Impact AQ-2: The maximum increased residential cancer risk due to TAC emissions during construction would be 28.0 in one million for a child exposure, which exceeds the single-source threshold of 10.0 per million. The maximum modeled annual residential PM^{2.5} concentration would be 0.5 µg/m³, which exceeds the single-source threshold of 0.3 µg/m³.

(Significant Impact)

MM AQ-2: The project shall develop a plan to demonstrate at least a 65 percent reduction in DPM emissions. This can be accomplished several ways.¹ Two examples of measures that could be implemented to achieve such reductions are provided, below:

- All diesel-powered construction equipment larger than 50 hp and operating on site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent, or
- All diesel-powered construction equipment larger than 50 hp and operating on site for more than two days continuously shall be retrofitted with CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS).

¹ Note that the construction contractor could use other measures to minimize construction period DPM emissions to reduce the predicted cancer risk below the thresholds. Such measures may be the use of alternative powered equipment (e.g., LPG powered forklifts), alternative fuels (e.g., biofuels), added exhaust devices, or a combination of such measures, provided that these measures are shown to be effective by a qualified air quality specialist and approved by the City of Morgan Hill.

(Less Than Significant Impact with Mitigation Incorporated)

3. Impact BIO-1: The proposed extension of Hale Avenue (Phase I) would impact sensitive creek, drainage, and wetland habitats. **(Significant Impact)**

MM BIO-1: The proposed project is located within the Habitat Plan coverage area. As part of the Habitat Plan application process, a wetland delineation will be completed and the square footage of project impacts to sensitive creek, drainage, and wetland habitats will be calculated. The Habitat Plan fees paid by the project will be based, in part, upon the calculated square footage of each sensitive habitat.

(Less Than Significant Impact with Mitigation Incorporated)

4. Impact BIO-2: Construction of the proposed Hale Avenue alignment would result in the removal of 12 ordinance sized trees, and construction activities near the five ordinance sized

and two non-ordinance sized trees designated to be retained could impact tree health and survival. **(Significant Impact)**

MM BIO-2.1: TREE PROTECTION: Unless tree removal has been previously approved, all trees located within the project shall be protected using the following minimum protection measures (these guidelines shall be included with all site development plans):

- Mark all trees to be saved with a survey flag or ribbon. Do not nail or staple directly to the tree.
- Erect a temporary fence enclosing an area equal to at least the dripline of the tree (or as far from the trunk as possible). This tree protection zone shall not be used for parking, storage of building materials, or other equipment or the placement of temporary or permanent fill. Signs should be posted identifying the restriction of uses in the tree protection zone.
- Locate structures, grade changes, and other ground or surface disturbances (e.g. concrete pours) as far as feasible from the “dripline” area of the tree.
- Avoid root damage through grading, trenching, compaction, etc at least within an area 1.5 times the dripline area of the tree. Where root damage cannot be avoided, roots encountered over 1” in diameter should be exposed approximately 12” beyond the area to be disturbed (towards the tree stem), by hand excavation, or with specialized hydraulic or pneumatic equipment, cut cleanly with hand pruners or power saw and immediately back-filled with soil. Avoid tearing or otherwise disturbing that portion of the roots to remain.
- The addition of plant or other landscaping materials shall remain outside of the dripline of all trees.
- Any tree subject to Chapter 12.32 Restrictions on Removal of Significant Trees of the Morgan Hill Municipal Code requires approval from the Planning Division. The applicant shall request approval prior to removing any significant trees.

MM BIO-2.2: TREE ASSESSMENT: Prior to site development, the applicant shall retain the services of a certified arborist to assess all trees that may be impacted by the proposed project. The arborist will conduct a tree assessment and submit a report to the City detailing all trees subject to the Chapter 12.32 Restrictions on Removal of Significant Trees. The report will include:

- Tree species and common name.
- Size (dbh) and approximate height of tree(s)
- Current health of the tree including at a minimum: bark, foliage, structure/integrity, and roots.
- Evaluation of current health and potential impacts to future health.
- Recommendations for protection or removal of tree (if removal of tree is recommended, provide justification).
- Proposed mitigation measures and/protection measures.

(Less Than Significant Impact with Mitigation Incorporated)

5. Impact HAZ-1: Grading and excavation activities associated with the Phase I project could expose construction workers and/or the environment to harmful chemicals. **(Significant Impact)**

MM HAZ-1.1: Soil sampling and testing shall be completed at the time of future implementation when the project design has been finalized. Prior to the start of demolition, grading, and excavation activities associated with the proposed extension of Hale Avenue, soil within the proposed Phase I alignment will be sampled and tested for pesticides and the soil in the area of the PG&E building will be sampled and tested for PCBs, petroleum hydrocarbons, and heavy metals to determine whether contamination is present at levels that exceed applicable standards. The number and location of the test samples shall be determined by a qualified hazardous materials specialist in consultation with the Santa Clara County Department of Environmental Health (SCCDEH) and the City of Morgan Hill. If contamination is found to be present above applicable screening levels, then a soil management plan will be prepared by the hazardous material specialist under SCCDEH oversight. The soil management plan will identify the specific procedures for the excavation, storage, transport, and disposal of contaminated soil, as necessary, consistent with applicable regulations.

(Less Than Significant Impact with Mitigation Incorporated)

6. Impact HYD-1: During large storm events, the runoff generated by the proposed extension of Hale Avenue (Phase I) could exacerbate flooding downstream of the Hale Avenue extension. **(Significant Impact)**

MM HYD-1.1: The proposed retention basins shall be sized to meet the Hydromodification Management requirement. In order to meet this requirement, the post-project runoff shall not exceed pre-project flow rates for the two-year, 24-hour storm.

MM HYD-1.2: The proposed retention basins shall be sized to meet the City of Morgan Hill storm drain design standards. In order to meet these standards, the basins shall be designed to provide storage for a 25-year, 24-hour storm with an additional capacity of 25 percent for freeboard. The storm drain outlet from the detention basins to the public storm drain system would be sized to limit the runoff rate from the proposed roadway improvements to existing conditions. If there is no outlet, the retention basins shall be designed to contain the 100-year storm event.

MM HYD-1.3: The stormwater runoff generated by the proposed roadway improvements shall be treated using bioretention areas that are designed to meet the requirements set forth in the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region.

MM HYD-1.4: The stormwater runoff generated by the proposed roadway improvements shall be retained onsite through the use of infiltration, evaporation, or rainwater harvesting. If retention is deemed infeasible due to poorly draining soils, 10 percent of the equivalent impervious surface shall be set aside for stormwater management controls as described in the

Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region. This will be incorporated into the two retention basins.

(Less Than Significant Impact with Mitigation Incorporated)

7. Impact HYD-2: During large storm events, the runoff generated by the planned future widening and realignment of the Santa Teresa Corridor (Phase II) could exacerbate flooding downstream of the proposed roadway improvements. **(Significant Impact)**

MM HYD – 2: A Hydrology and Water Quality Report would be prepared for the proposed roadway improvements, which would evaluate the potential for the proposed improvements to cause or exacerbate downstream flooding. Mitigation measures would be identified to ensure that the existing frequency of capacity exceedance of the storm drain system downstream of the planned future roadway improvements is maintained or decreased. These measures may be similar to mitigation measures MM HYD-1.1 through MM HYD-1.4 identified above to reduce potential flooding impacts from the proposed Phase I roadway improvements to a less than significant level.

(Less Than Significant Impact with Mitigation Incorporated)

8. Impact HYD-3: During large storm events, the increased rate and volume of stormwater runoff resulting from the proposed extension of Hale Avenue could result in downstream erosion and siltation. **(Significant Impact)**

As described above under mitigation measures MM HYD-1.1 through MM HYD-1.4, the proposed retention basins will be designed to reduce the rate of stormwater runoff from the proposed Hale Avenue extension to existing conditions. In addition to reducing downstream flooding impacts to a less than significant level, implementation of mitigation measures MM HYD-1.1 through MM HYD-1.4 would also reduce downstream erosion and siltation to a less than significant level.

(Less Than Significant Impact with Mitigation Incorporated)

9. Impact HYD-4: During large storm events, the runoff generated by the planned future widening of the Phase II segment of the Santa Teresa Corridor could result in downstream erosion and siltation. **(Significant Impact)**

As described above under mitigation measure MM HYD-2, a Hydrology and Water Quality Report would be prepared for the planned future Phase II roadway improvements, which would evaluate the potential for the roadway improvements to cause or exacerbate downstream flooding. Mitigation measures would be identified to ensure that the existing frequency of capacity exceedance of the storm drain system downstream of the planned future roadway improvements is maintained or decreased. These measures may be similar to mitigation measures MM HYD-1.1 through MM HYD-1.4 identified above to reduce potential flooding impacts from the proposed Phase I roadway improvements to a less than significant

level. In addition to reducing flooding, implementation of MM HYD-2 would also reduce downstream erosion and siltation to a less than significant level.

10. Impact NOI-1: Groundborne vibration levels at adjacent structures could be substantial during the construction of planned Phase II roadway improvements. **(Significant Impact)**

MM NOI – 1: An environmental noise assessment would be completed at the time of future project-level environmental review prior to commitment to implement a specific Phase II alignment to identify potential noise and vibration impacts during construction and operation of the Phase II roadway improvements. If vibration levels at adjacent residences during construction is projected to exceed 0.3 in/sec PPV, then mitigation measures would be identified to reduce the vibration impact to less than significant.

(Less Than Significant Impact with Mitigation Incorporated)

11. Impact NOI-2: Operation of the planned future widening and realignment of the Santa Teresa Corridor (Phase II) could substantially increase noise levels at adjacent receptors. **(Significant Impact)**

MM NOI – 2: An environmental noise assessment would be completed at the time of future project-level environmental review prior to commitment to implement a specific Phase II alignment to identify potential noise and vibration impacts during construction and operation of the Phase II roadway improvements. If noise levels at adjacent receptors during operation are projected to substantially increase, then feasible mitigation measures (e.g., sound walls) would be identified to reduce traffic noise to a less than significant level.

(Less Than Significant Impact with Mitigation Incorporated)

12. Impact NOI-3: Operation of the planned future widening and realignment of the Santa Teresa Corridor in combination with planned future development in the project area could substantially increase noise levels at adjacent receptors. **(Significant Impact)**

MM NOI – 3: An environmental noise assessment would be completed at the time of future project-level environmental review prior to commitment to implement a specific Phase II alignment to identify potential noise and vibration impacts during construction and operation of the Phase II roadway improvements. If noise levels at adjacent receptors during operation are projected to substantially increase, then feasible mitigation measures (e.g., sound walls) would be identified to reduce traffic noise to a less than significant level.

(Less Than Significant Cumulative Impact with Mitigation Incorporated)

13. Impact TRAN-1: Under Existing Plus Project conditions, the proposed extension of Hale Avenue (Phase I) would cause the intersection of Hale Avenue and Wright Avenue to operate at an unacceptable LOS E during the PM peak hour. **(Significant Impact)**

MM TRAN-1: Peak-hour signal warrants would be met during the PM peak hour under Existing Plus Project conditions. Signalizing the intersection would reduce the impact to a less than significant level.

(Less Than Significant Impact with Mitigation Incorporated)

14. Impact TRAN-2: Under Year 2020 Plus Project conditions, the proposed extension of Hale Avenue (Phase I) would cause the intersection of Hale Avenue and Wright Avenue to operate at an unacceptable LOS F during the PM peak hour. **(Significant Cumulative Impact)**

MM TRAN-2: Peak-hour signal warrants would be met during both the AM and PM peak hours under Year 2020 Plus Project conditions. Signalizing the intersection would reduce the impact to a less than significant level.

(Less Than Significant Cumulative Impact with Mitigation Incorporated)

15. Impact TRAN-3: Under Year 2035 Plus Project conditions, the proposed project, including both Phase I and Phase II, would exacerbate unacceptable operations at the intersection of Hale Avenue and Wright Avenue. **(Significant Cumulative Impact)**

MM TRAN-3: Peak-hour signal warrants would be met during both the AM and PM peak hours under Year 2035 Plus Project conditions. Signalizing the intersection or implementing other measures to reduce delays at the intersection (e.g., traffic circle) would reduce the impact to a less than significant level.

(Less Than Significant Cumulative Impact with Mitigation Incorporated)

III. PROJECT ALTERNATIVES

A. Background. CEQA requires that an EIR identify a reasonable range of alternatives to a project as it is proposed, including a "No Project" alternative. The CEQA Guidelines specify that the EIR should identify alternatives that "will feasibly attain most of the basic objectives of the project but will avoid or substantially lessen any of the significant effects of the project." The purpose of the alternatives analysis is to determine whether there are alternatives of design, scope or location that will substantially lessen the significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives," or are more expensive. [Section 15126.6]

The range of alternatives selected for analysis is governed by the "rule of reason," which requires the EIR to discuss only those alternatives necessary to permit a reasoned choice. Although the alternatives do not have to meet every goal and objective set for the proposed project, they should "feasibly attain most of the basic objectives of the project." CEQA does not require that all possible alternatives be evaluated, only that "a range of feasible alternatives" be discussed to encourage both meaningful public participation and informed decision making. In selecting alternatives to be evaluated, consideration may be given to their potential for reducing significant unavoidable impacts, reducing significant

impacts that are mitigated by the project to less than significant levels, and further reducing less than significant impacts.

Regarding feasibility of alternatives, CEQA and the CEQA Guidelines, and case law on the subject have found that feasibility can be based on a wide range of factors and influences. CEQA's general definition of feasibility is "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." Among the factors that may be taken into account in considering the feasibility of an alternative are " ... site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries...and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site." [Section 15126.6(f)(1)]

Consideration of a "No Project" alternative is mandatory. The alternatives evaluated in the EIR are listed and briefly discussed below. For comparative purposes, the objectives of the proposed Project are set forth in Section I.B. of these findings, and impacts of the proposed Project are described in Section II above.

1. No Project Alternative

The purpose of the No Project Alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project. Under the No Project Alternative, the alignments would remain unchanged. The No Project Alternative would avoid all of the environmental impacts that are anticipated to occur under the proposed project. All of the project impacts, however, would be reduced to a less than significant level with the mitigation measures included in the proposed project. None of the project objectives would be met under the No Project Alternative.

2. Open Graded Pavement Alternative

There are many causes of roadway noise, one of which is the air in the tire treads being trapped and compressed against the roadway surface. The trapped air is pushed out of the tire treads, which creates noise. The sound walls included in the proposed project would reduce roadway noise to a less than significant level. An alternative to the sound walls could be the use of open graded pavement. Open graded pavement allows the air in the tire treads to escape through the pavement, reducing noise. There are many factors to be considered to ensure open graded pavement is a viable alternative to sound walls (e.g., cost, availability, reduced noise reduction benefit over time, and maintenance). The use of open graded pavement for the Hale Avenue extension could avoid the need to construct the proposed sound walls and would incrementally reduce construction-related impacts, while achieving all of the project objectives.

3. Four-lane Monterey Road Alternative

The traffic analysis completed for the proposed project conservatively assumes Monterey Road through Downtown Morgan Hill is two lanes, one lane in each direction, which results in

higher traffic volumes on Hale Avenue. The purpose of the Four-lane Monterey Road Alternative is to determine if the noise and/or traffic impacts on Hale Avenue would be reduced by having Monterey Road remain four-lanes through Downtown. Traffic modeling completed for the Four-lane Monterey Road Alternative shows there would be very little change in traffic volumes on Hale Avenue. Peak-hour and average daily traffic (ADT) volumes on Hale Avenue would decrease up to six percent and one percent, respectively. Therefore, whether Monterey Road is two-lanes or four-lanes through Downtown, the impacts that would occur on Hale Avenue upon implementation of the proposed project, both Phase I and Phase II, would be the same, and all the project objectives would be met. The Four-lane Alternative does not have substantial environmental benefits for future impacts on Hale Avenue, compared to the scenario that assumes Monterey Road is reduced to two lanes, one in each direction.

IV. SUBSTANTIAL EVIDENCE SUPPORTING FINDINGS

Substantial evidence supporting each and every finding made herein is contained in the Final EIR and record of proceedings. Omission of reference in these findings to any evidence in the EIR and/or record of proceedings is not intended to exclude that evidence as supporting these findings.

In making these findings, the City Council has relied upon the expertise of a variety of independent technical and professional consultants to the City, and the expertise of the City's Staff. The City Council has also carefully considered the evidence submitted by property owners and other interested agencies and individuals. To the extent that evidence consists of expert opinions that differ from the opinions of the City's outside consultants and Staff, at most it represents a disagreement of experts, which is adequately reviewed in the EIR. Based on its review, the City Council has determined that the opinions of its outside consultants and Staff are valid and are hereby accepted. In some instances, the City Council has also relied on the expertise of other agencies who have provided comments on the Draft EIR and other actions related to the Project. To the extent that alternatives or mitigation measures were proposed by other agencies or interested persons that differ from the mitigation adopted herein, the City Council specifically rejects these proposals based on the substantial evidence in the record supporting the mitigation adopted as sufficient and necessary to mitigate impacts to a less than significant level.

V. MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

The proposed MMRP for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment, attached, is hereby adopted, and it and its provisions for mitigation measures will be implemented in conjunction with the proposed Project.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MORGAN HILL ADOPTING AN OFFICIAL PLAN LINE FOR
THE HALE AVENUE EXTENSION AND SANTA TERESA
CORRIDOR WIDENING AND REALIGNMENT PROJECT**

WHEREAS, the purpose of the Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project is to provide for the systematic execution of the Circulation Element of the General Plan of the City by designating the precise location of certain planned rights-of-way, limiting the location of buildings and other improvements with respect to planned rights of way, and prescribing setback lines along planned rights of way, and to provide an authentic source of information regarding the development of said City for residents and investors.

WHEREAS, the City Council may, from time to time, adopt by resolution official plan lines to be placed on the map to precisely identify the location of certain rights-of-way in the City.

WHEREAS, the City Council has determined that the Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project is consistent with the adopted General Plan Circulation Element, and

WHEREAS, the City of Morgan Hill is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval process to undertake the Project; and

WHEREAS, an Environmental Impact Report (EIR) (SCH Number 2016052076) was prepared for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Environmental Impact Report and related Findings of Fact and Mitigation Monitoring or Reporting Program for the Project are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public hearing on the adoption of this Resolution at which hearing the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS FOLLOWS:

Section 1. Recitals. The City Council does hereby find, determine and resolve that all of the foregoing recitals are true and correct.

Section 2. Approval and Authorization. The City Council does further resolve, order and/or direct as follows:

- a. That the Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project as described in the Staff Report, is hereby approved and adopted, and
- b. That the City Manager is hereby delegated authority to and is authorized and directed to execute the Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment project, substantially in the form attached hereto as Exhibit A.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 23rd day of August 2017 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST:

IRMA TORREZ, City Clerk

APPROVED:

STEVE TATE, Mayor

∞ 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 the meeting held on August 23, 2017.

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

DATE: _____
IRMA TORREZ, City Clerk

WATSONVILLE ROAD TO MAIN AVENUE

<u>SHEET No.</u>	<u>DESCRIPTION</u>
1	COVER SHEET
2	COUNTY ADDRESS
3	TYPICAL CROSS SECTION
4-11	PLAN VIEW
12-18	PROFILE

CITY COUNCIL CERTIFICATE

Ima Tarrez
City Clerk

Filed for record at _____ M on the _____ day of _____, 2017 and r
in Book _____ of Plan Line Maps at pages _____ Records
San Joaquin County, California.

by _____ Deputy

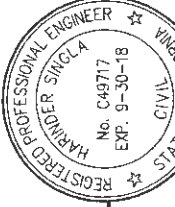


SSION CERTIFICATE

constitutes a precise plan based on the Circulation Element of Santa Clara, which precise plan was recommended by the Santa Clara Planning Commission.

SOBS CERTIFICATE

(or, the map attached hereto), consisting of _____ sheets,
of the Santa Clara County Ordinance Code, which portion
by the County of Santa Clara Board _____



M. H. Engineering Co.

HORIZ. 1"=100'

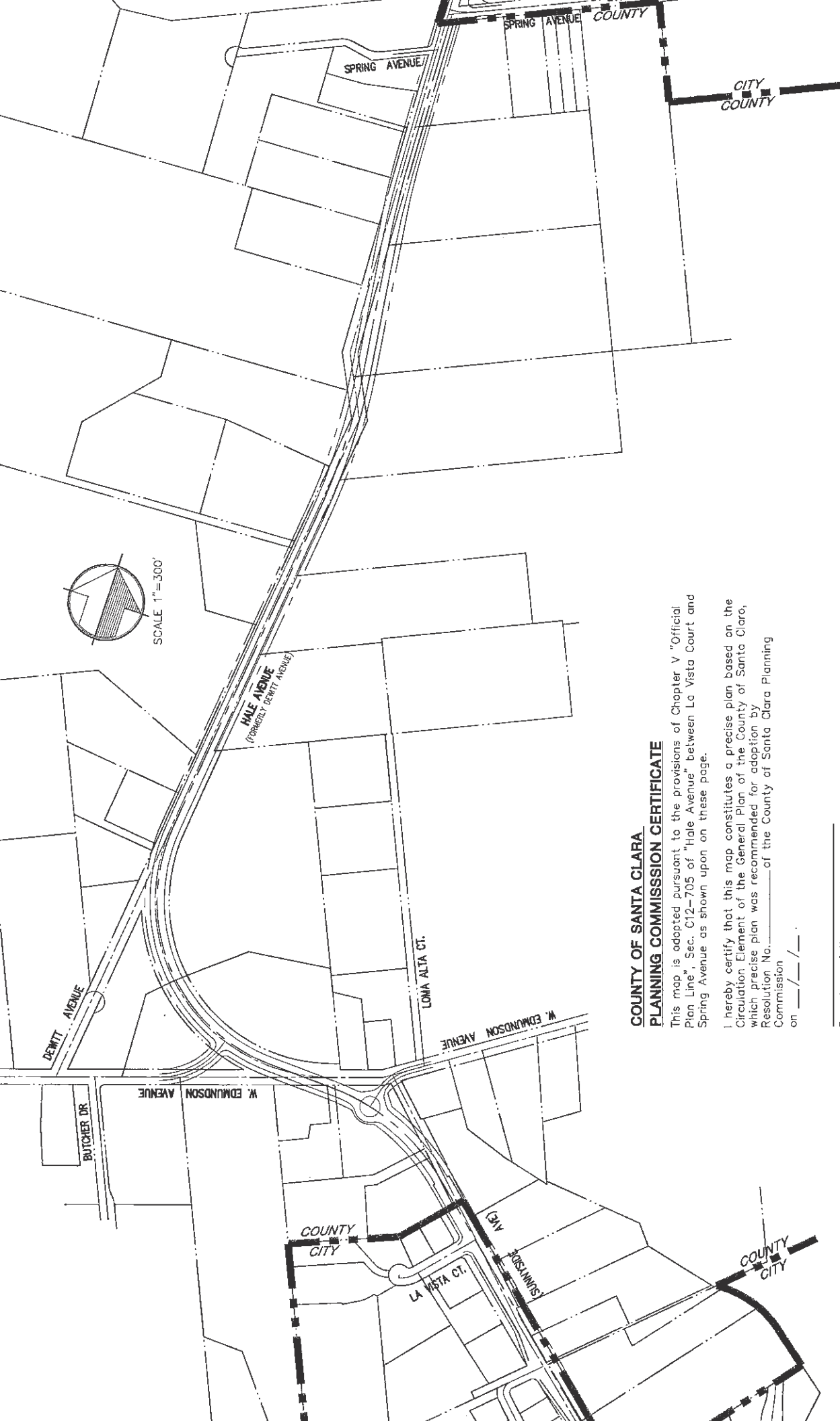
DESIGN:	HS
DATE:	

CHECKED:	DATE: 11/11/2011
BY: [Signature]	TIME: 11:11 AM

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COUNTY OF SANTA CLARA

PLANNING COMMISSION CERTIFICATE

This map is adopted pursuant to the provisions of Chapter V "Official Plan Line", Sec. C12-705 of "Hale Avenue" between La Vista Court and Spring Avenue as shown upon on these page.

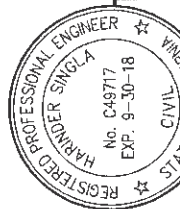
I hereby certify that this map constitutes a precise plan based on the Circulation Element of the General Plan of the County of Santa Clara, which precise plan was recommended for adoption by Resolution No. _____ of the County of Santa Clara Planning Commission on ____/____/____.

Secretary of the
Planning Commission

COUNTY OF SANTA CLARA BOARD OF SUPERVISORS CERTIFICATE

I hereby certify that this map (or, the map attached hereto), consisting of _____ sheets, a portion of Section C12-286 of the Santa Clara County Ordinance Code, which portion was adopted as Ordinance No. _____ by the County of Santa Clara Board of Supervisors on ____/____/____.

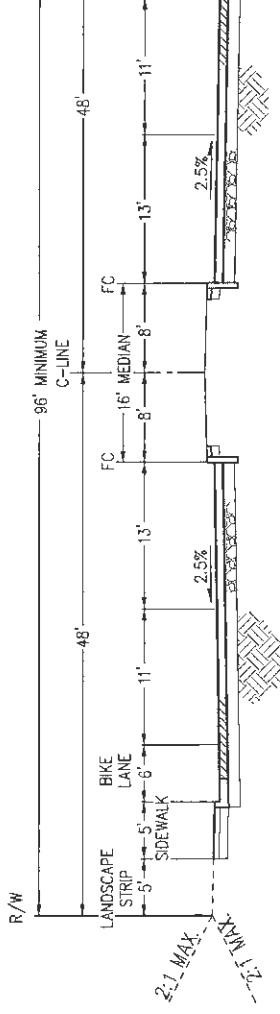
Clerk of the Board of Supervisors



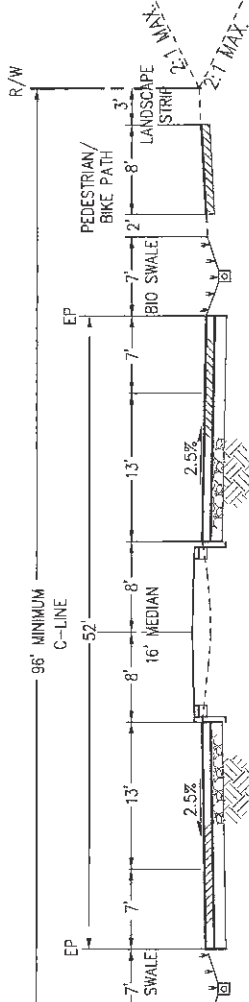
SUPERVISED BY:
HARINDER SINGLA
REGISTERED CIVIL ENGINEER



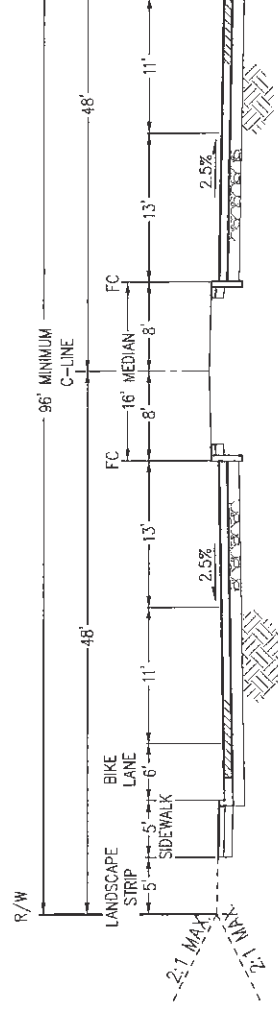
By	DRAWN: KH	DESIGN: HS	NOR. 1"=300'
CHECKED:	DATE:	DATE:	VERT.



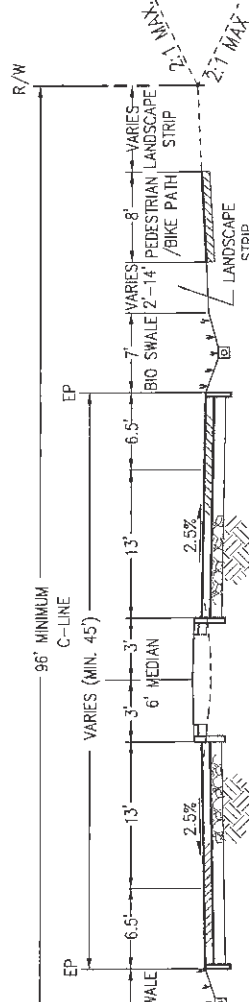
TYPICAL ULTIMATE SECTION: SPRING AVE. TO MAIN AVE.
(STA. 113+00 TO 161+00)
(LOOKING NORTH) N.T.S.



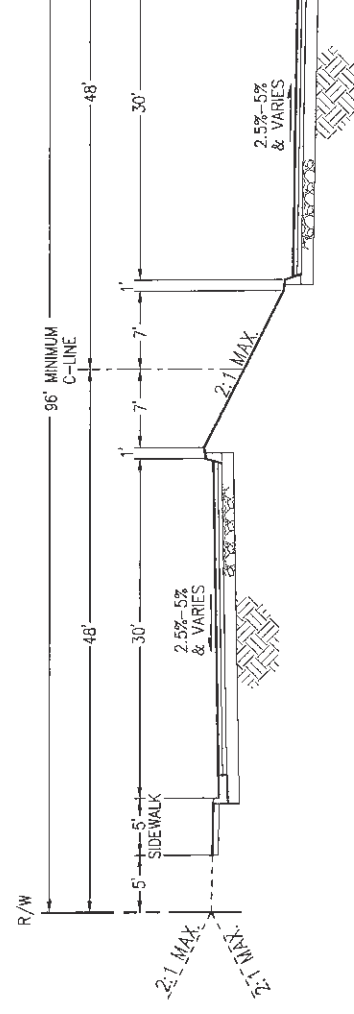
TYPICAL INTERIM SECTION: WATSONVILLE RD. TO SPRING AVE.
(STA. 10+00 TO 113+00)
(LOOKING NORTH) N.T.S.



TYPICAL ULTIMATE SECTION: WATSONVILLE RD. TO APIAN WAY (STA. 10+00 TO 52+00) AND CASINO REAL TO W. EDMUNDSON AVE. (STA. 52+00 TO 71+00)
(LOOKING NORTH) N.T.S.

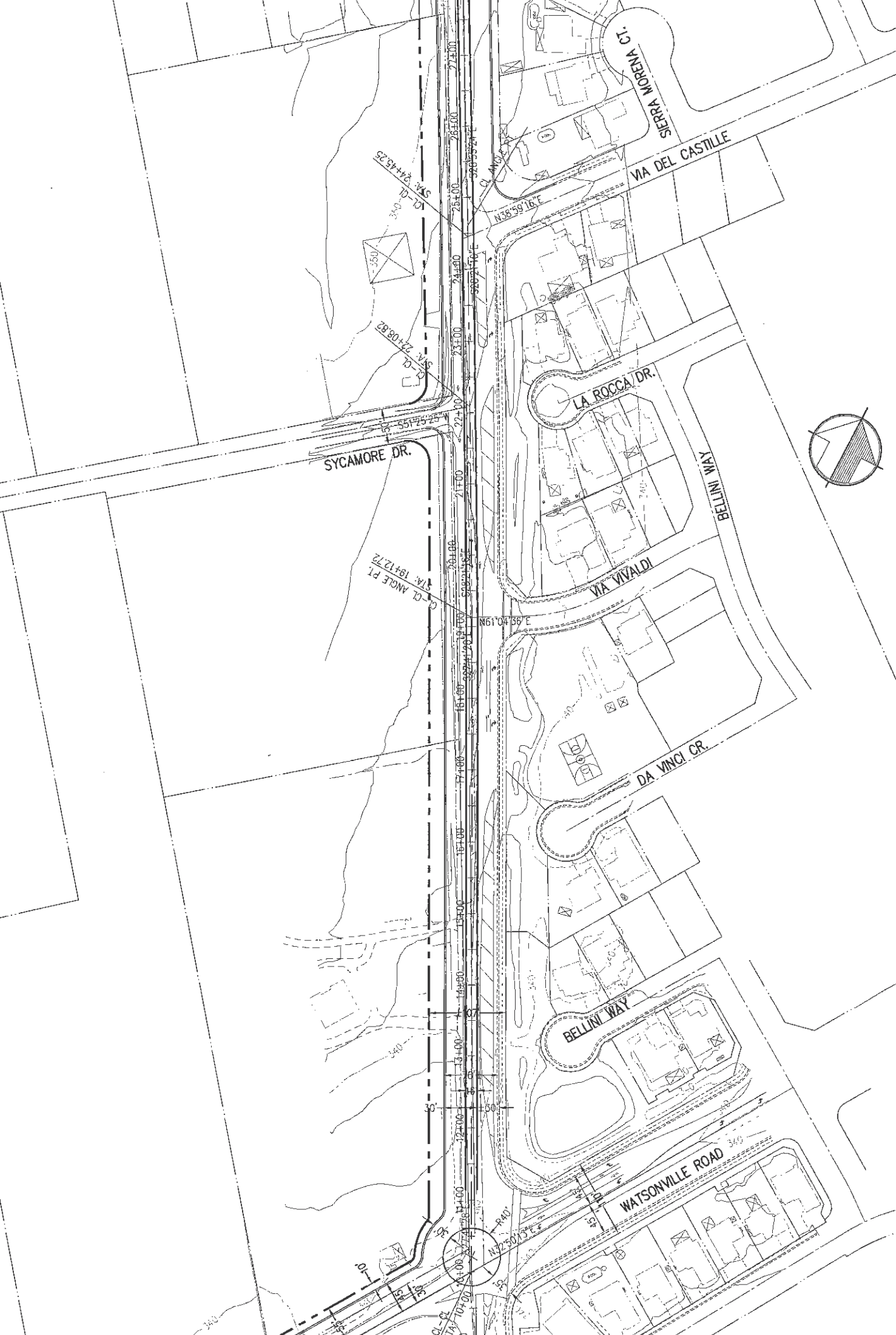


TYPICAL INTERIM SECTION: SPRING AVE. TO MAIN AVE.
(STA. 113+00 TO 161+00)
(LOOKING NORTH) N.T.S.



TYPICAL ULTIMATE SECTION: APIAN WAY TO CASINO REAL
(STA. 36+00 TO 52+00)
(LOOKING NORTH) N.T.S.

TYPICAL STREET SECTION



GRAPHIC SCALE

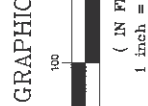


(IN FEET)
3 inch = 100 ft.

BOARD OF SUPERVISORS CERTIFICATE

I hereby certify that this map (or, the map attached hereto), consisting of _____ sheets, a portion of Section C12-266 of the Santa Clara County Ordinance Code, which portion _____ by the County of Santa Clara Board of Supervisors on _____ / _____ / _____ was adopted as Ordinance No. _____

Clerk of the Board of Supervisors



the provisions of Chapter V "Official Plan Line", Sec. 1, which provides that this map (or the map attached hereto), consisting of sheets, a portion of Section C12-266 of the Santa Clara County Ordinance Code, which portion was adopted as Ordinance No. _____ by the County of Santa Clara Board of Supervisors on _____.

I hereby certify that this map (or the map attached hereto), consisting of sheets, a portion of Section C12-266 of the Santa Clara County Ordinance Code, which portion was adopted as Ordinance No. _____ by the County of Santa Clara Board of Supervisors on _____.

Clerk of the Board of Supervisors

County of Santa Clara Planning Commission



PHIC SCALE



(IN FEET)
1 inch = 100 ft.

By _____

City of Morgan Hill
City of Morgan Hill Planning Commission

DRAWN: KH
DESIGN: HS
DATE: _____
CHECKED: _____
1" = 100'

MIH engineering Co.

HALE AVENUE
OFFICIAL PLAN LINE

ON CERTIFICATE

the provisions of Chapter V "Official Plan Line", Sec. 1, La Vista Court and Spring Avenue as shown upon on

stitutes a precise plan based on the Circulation Element of Santa Clara, which precise plan was recommended

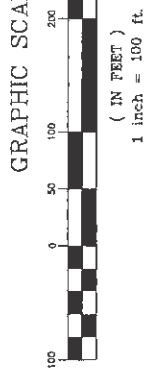
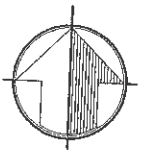
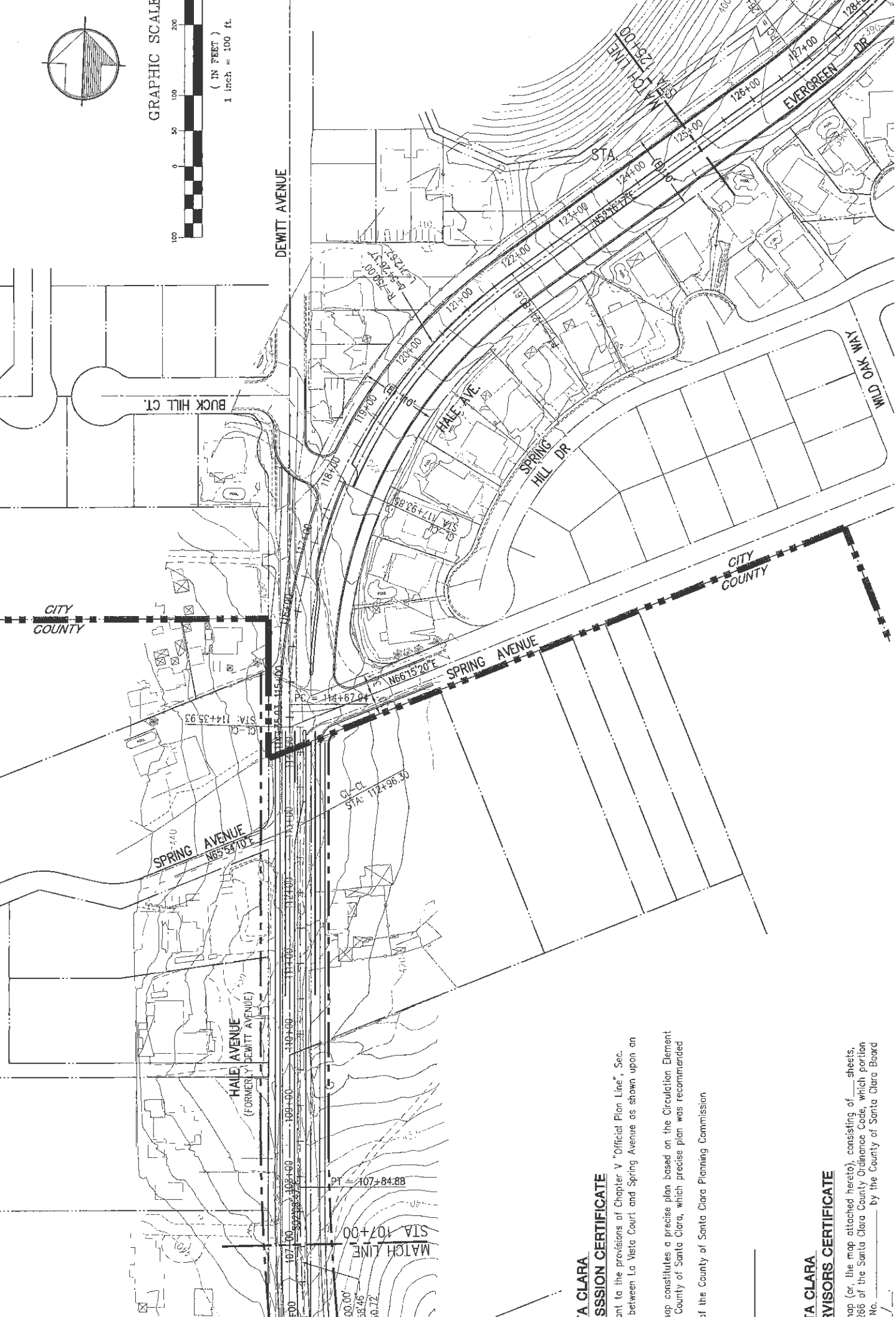
ounty of Santa Clara Planning Commission

BOARD OF SUPERVISORS CERTIFICATE

I hereby certify that this map (or, the map attached hereto), consisting of _____ sheets, a portion of Section C12-266 of the Santa Clara County Ordinance Code, which portion was adopted as Ordinance No. _____ by the County of Santa Clara Board of Supervisors on _____ / _____ / _____.

Clerk of the Board of Supervisors





SANTA CLARA

SESSION CERTIFICATE

Map constitutes a precise plan based on the Circulation Element of the County of Santa Clara, which precise plan was recommended by the County of Santa Clara Planning Commission

SANTA CLARA

ADVISORS CERTIFICATE

Map (or, the map attached hereto), consisting of _____ sheets, No. _____ by the County of Santa Clara Board

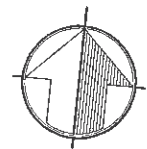
Revised 8

City of Morgan Hill

By:	Design:	HS	1"=100'
Drawn:	Checked:	DATE:	VERT.

MHI engineering Co.

HALE AVENUE
OFFICIAL PLAN LINE



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

By

City of Morgan Hill

DRAWN: KH

DESIGN: HS

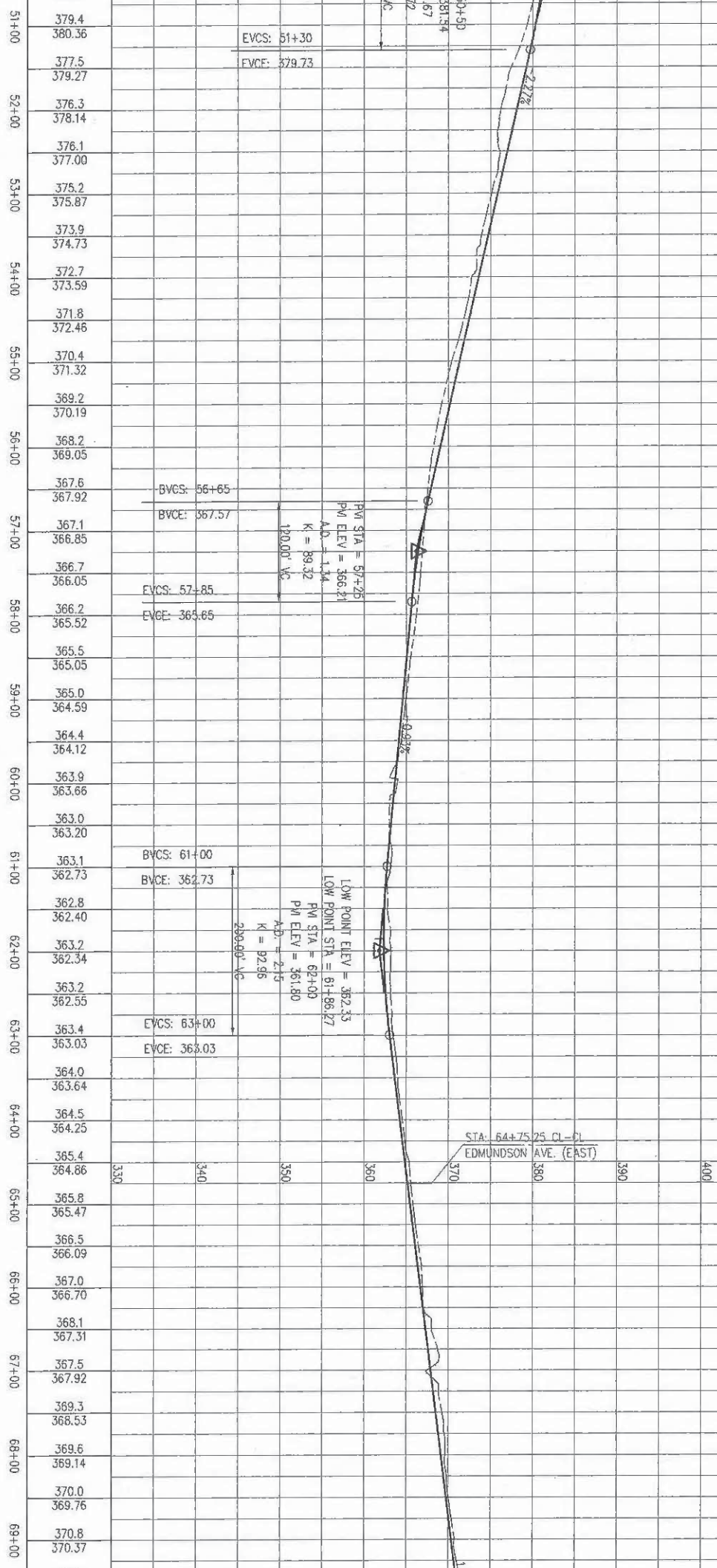
HOR. 1"=100'

VERT.



MH engineering Co.

HALE AVENUE
OFFICIAL PLAN



By

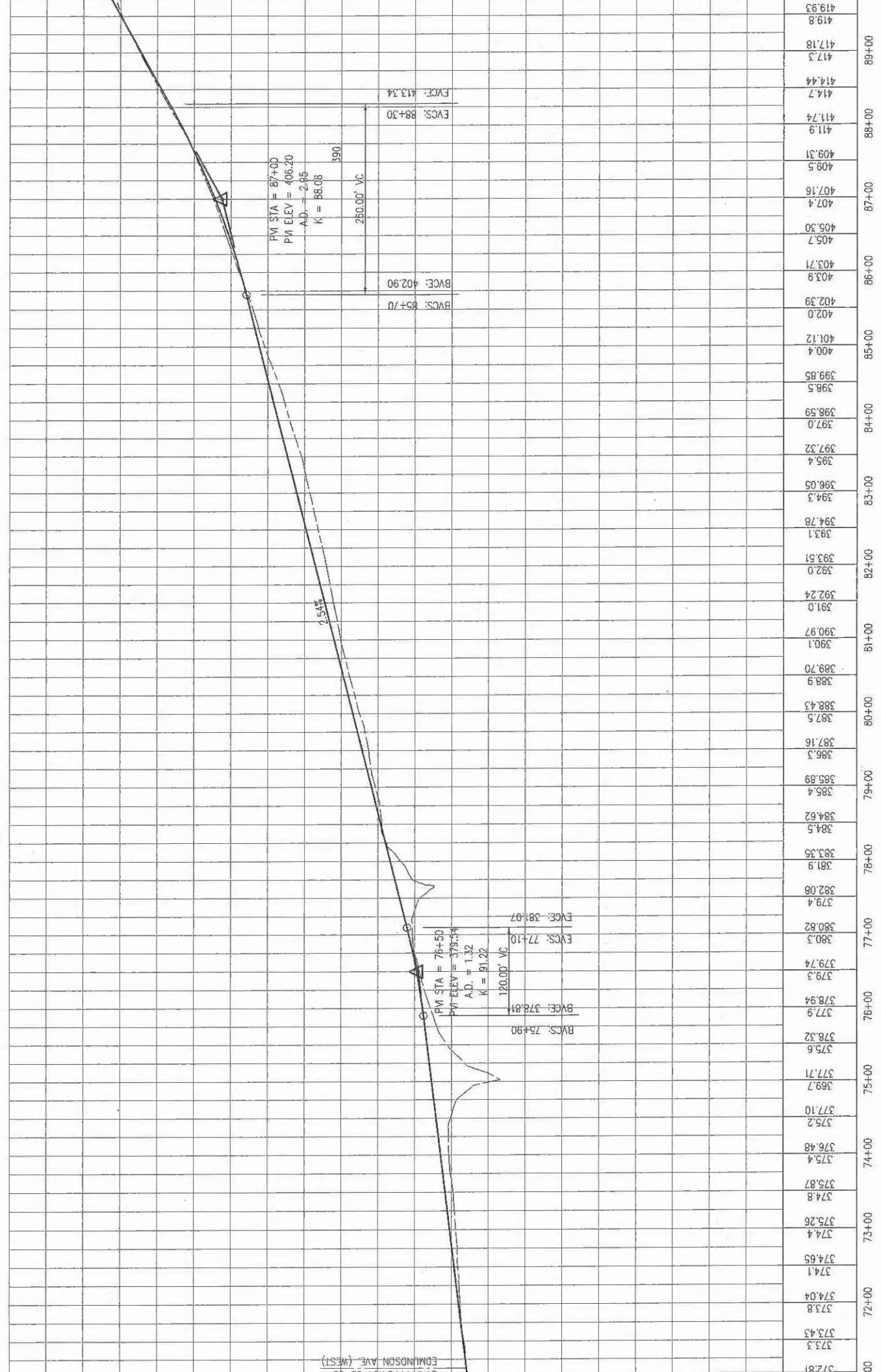
City of Morgan Hill

DRAWN: KH
DESIGN: HS
CHECKED: DATE:

HOR. 1"=100'
VERT.

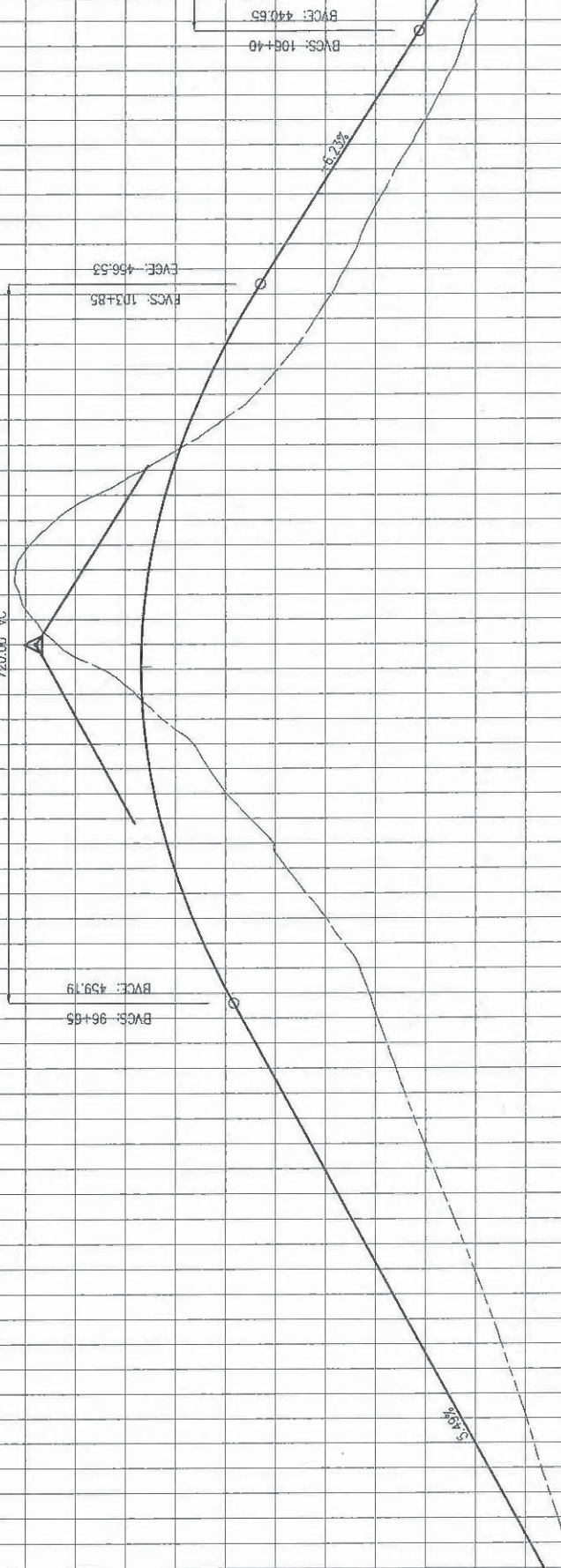
MH engineering Co.

HALE AVENUE
OFFICIAL PLAN



HIGH POINT ELEV = 488.45
 HIGH POINT STA = 100+02.33
 PM STA = 100+25
 PM ELEV = 478.96
 A.D. = -11.72
 K = 84.43

LOW POINT ELEV = 428.76
 LOW POINT STA = 110+21.84
 PM STA = 108+30
 PM ELEV = 427.57
 A.D. = 6.85
 K = 61.30



428.17	100+00
426.7	100+05
430.91	100+10
428.4	100+15
433.66	100+20
429.9	100+25
436.40	100+30
431.6	100+35
439.15	100+40
433.3	100+45
441.89	100+50
435.1	100+55
444.64	100+60
437.1	100+65
447.38	100+70
439.2	100+75
450.13	100+80
441.1	100+85
452.87	100+90
443.0	100+95
455.62	101+00
444.8	101+05
458.37	101+10
446.6	101+15
461.01	101+20
449.9	101+25
463.27	101+30
453.9	101+35
465.12	101+40
457.5	101+45
466.56	101+50
461.7	101+55
467.60	101+60
466.3	101+65
468.23	101+70
472.3	101+75
468.45	101+80
479.2	101+85
468.27	101+90
481.0	101+95
467.67	102+00
477.0	102+05
466.68	102+10
468.2	102+15
465.27	102+20
460.2	102+25
463.46	102+30
454.8	102+35
461.24	102+40
451.1	102+45
458.61	102+50
448.1	102+55
455.60	102+60
445.8	102+65
452.48	102+70
443.0	102+75
449.37	102+80
440.1	102+85
446.25	102+90
437.4	102+95
443.14	103+00
435.6	103+05
440.03	103+10
433.6	103+15
437.20	103+20
432.4	103+25
434.78	103+30
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429.2	103+45
431.16	103+50
428.1	103+55
427.3	103+60

By

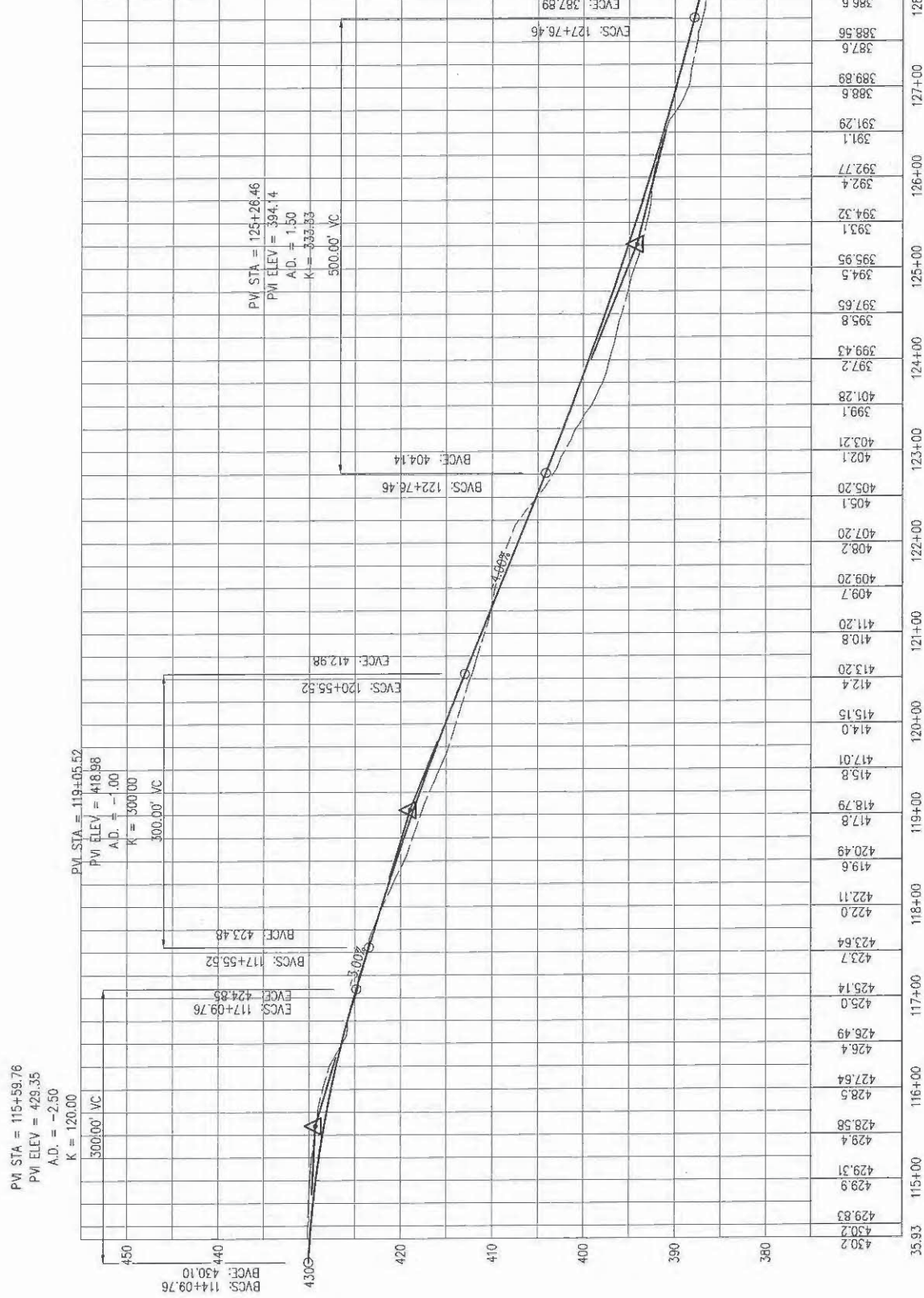
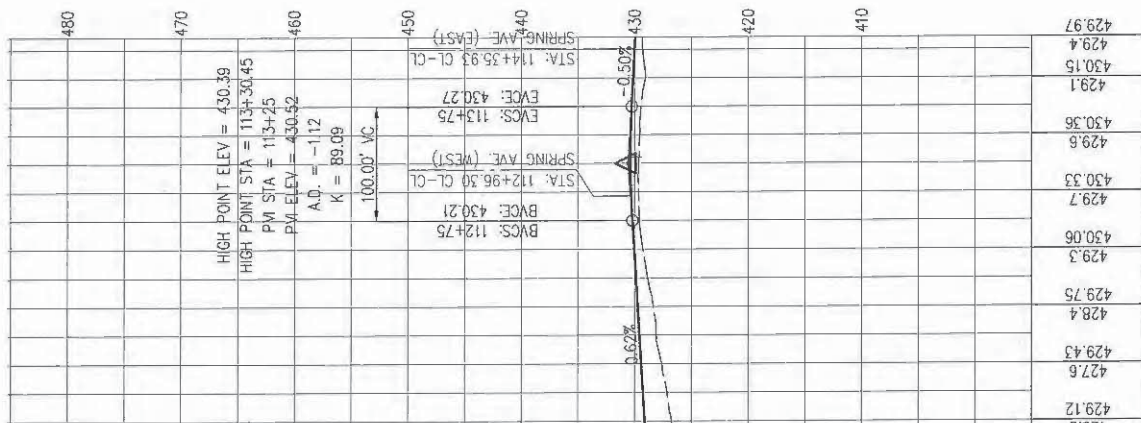
City of Morgan Hill

DRAWN: KH
 CHECKED: HS
 DATE:

HOR. 1"=100'
 VERT. 1"=10'

MHI Engineering Co.

HALE AVENUE
 OFFICIAL PLAN



By

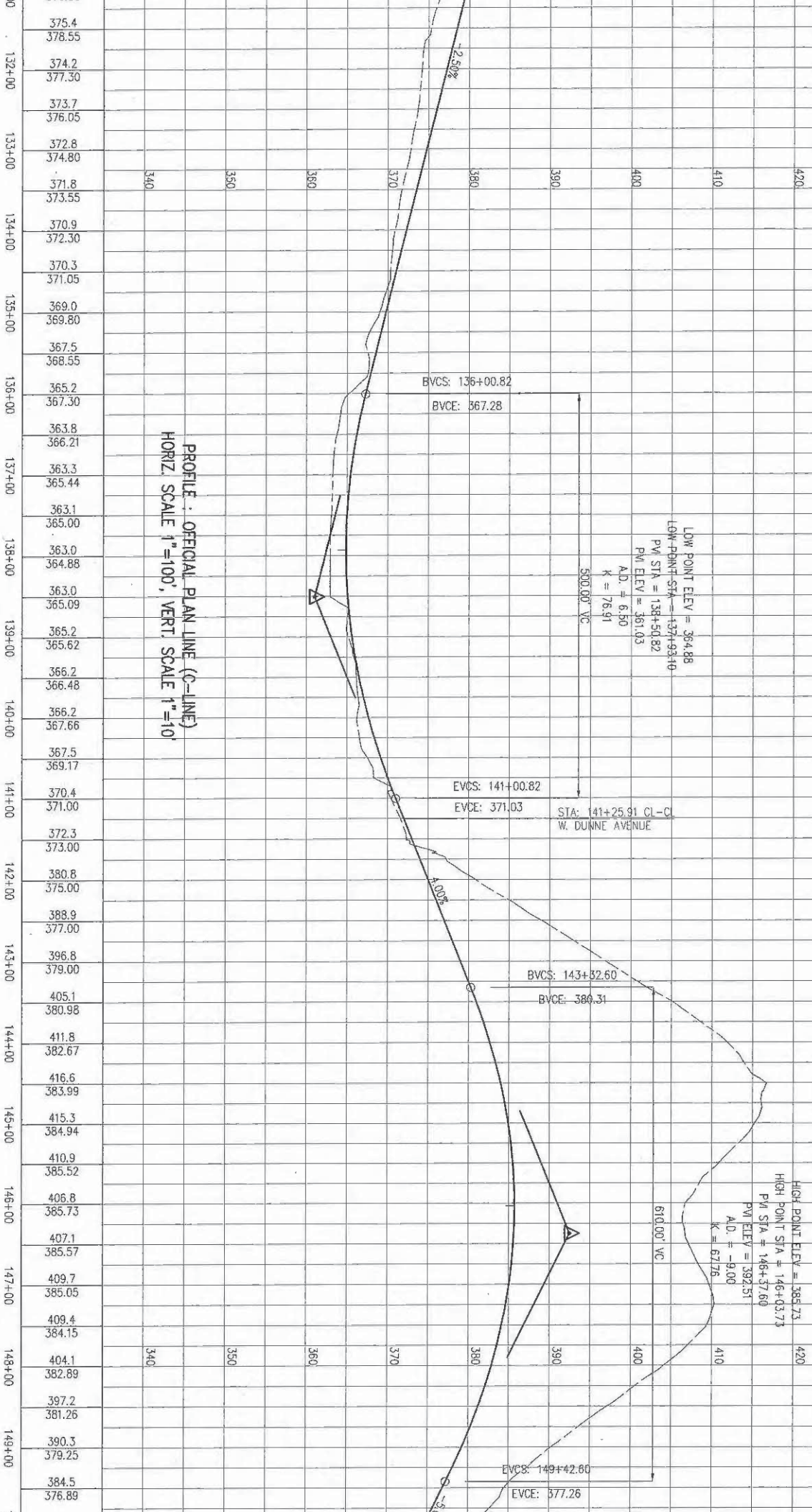
City of Morgan Hill

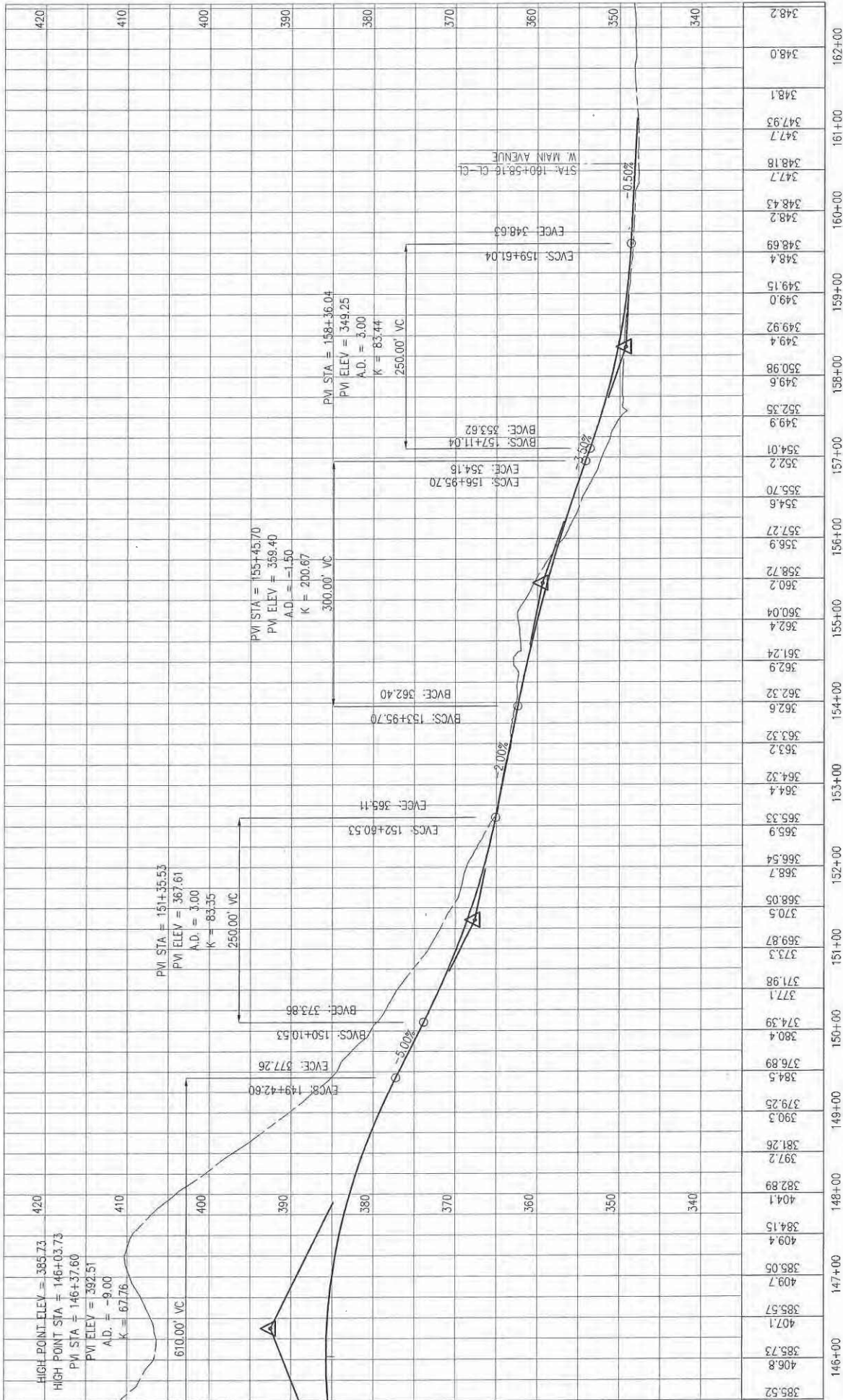
DRAWN: KH
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 CHECKED: DATE:

HOR. 1"=100'
 VERT.

MH Engineering Co.
 HALE AVENUE

PROFILE : OFFICIAL PLAN LINE (C-LINE)
HORIZ. SCALE 1"=100', VERT. SCALE 1"=10'





By:

City of Morgan Hill

DRAWN: KH
CHECKED: DATE:

DESIGN: HS
DATE:

HOR. 1"=100'
VERT.

MH Engineering Co.

HALE AVENUE



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Charlie Ha, Supervising Civil Engineer
APPROVED BY: City Manager

PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)

RECOMMENDATION(S)

1. Open/Close Public Hearing; and
2. Adopt resolution confirming the amended reassessments and directing actions with respect thereto Reassessment District No. 2015-2.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

REPORT NARRATIVE:

At the July 26, 2017 City Council meeting, the Council adopted Resolution 17-064 entitled "RESOLUTION ORDERING THE MAKING OF AMENDED REASSESSMENT PURSUANT TO PART 10 OF DIVISION 10 OF THE STREETS AND HIGHWAYS CODE AND DIRECTING ACTIONS WITH RESPECT THERETO," to authorize NBS, the City's Reassessment District administrator, and City Staff to amend the Reassessment District No. 2015-2 (Madrone Business Park) Amending Reassessment No. 7 diagram. The purpose of the amendment was to make changes to the existing diagram to reflect subdivision of the 5.14-acre parcel of land (formerly APN 726-35-007) located at the southeast corner of Butterfield Boulevard and Madrone Parkway (see attached site map) into two (2) parcels (APN 726-35-029 and APN 726-35-030). Council also authorized NBS and staff to charge NBS' apportionment fees and staff administrative cost associated with the change of parcels within the District No. 2015-2.

Staff and NBS have followed the required procedure to comply with the 1915 Act Assessment District to proceed with the amended reassessments. Notices of the public hearing were posted in the Morgan Hill Times on August 4, 2017 and San Jose Mercury News on August 16, 2017. A copy of the Reassessment Apportionment Report (see attached report) has been made available for public review. As of the writing of this staff report, the City has not received any verbal or written comments regarding the affected properties.

Adoption of the attached resolution following the public hearing is needed so that staff and NBS can proceed with the Reassessment District No. 2015-2 amendment process.

COMMUNITY ENGAGEMENT: Inform

To inform the public of the public hearing, the City Clerk placed public notices in the Morgan Hill Times on August 4th and in the Mercury News on August 16th regarding the Amended Reassessment hearing.

ALTERNATIVE ACTIONS:

None.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On July 26, 2017, City Council approved: Ordering the Making of Amended Reassessments for Reassessment District No. 2015-2 (Madrone Business Park) Amending Reassessment No. 7.

FISCAL AND RESOURCE IMPACT:

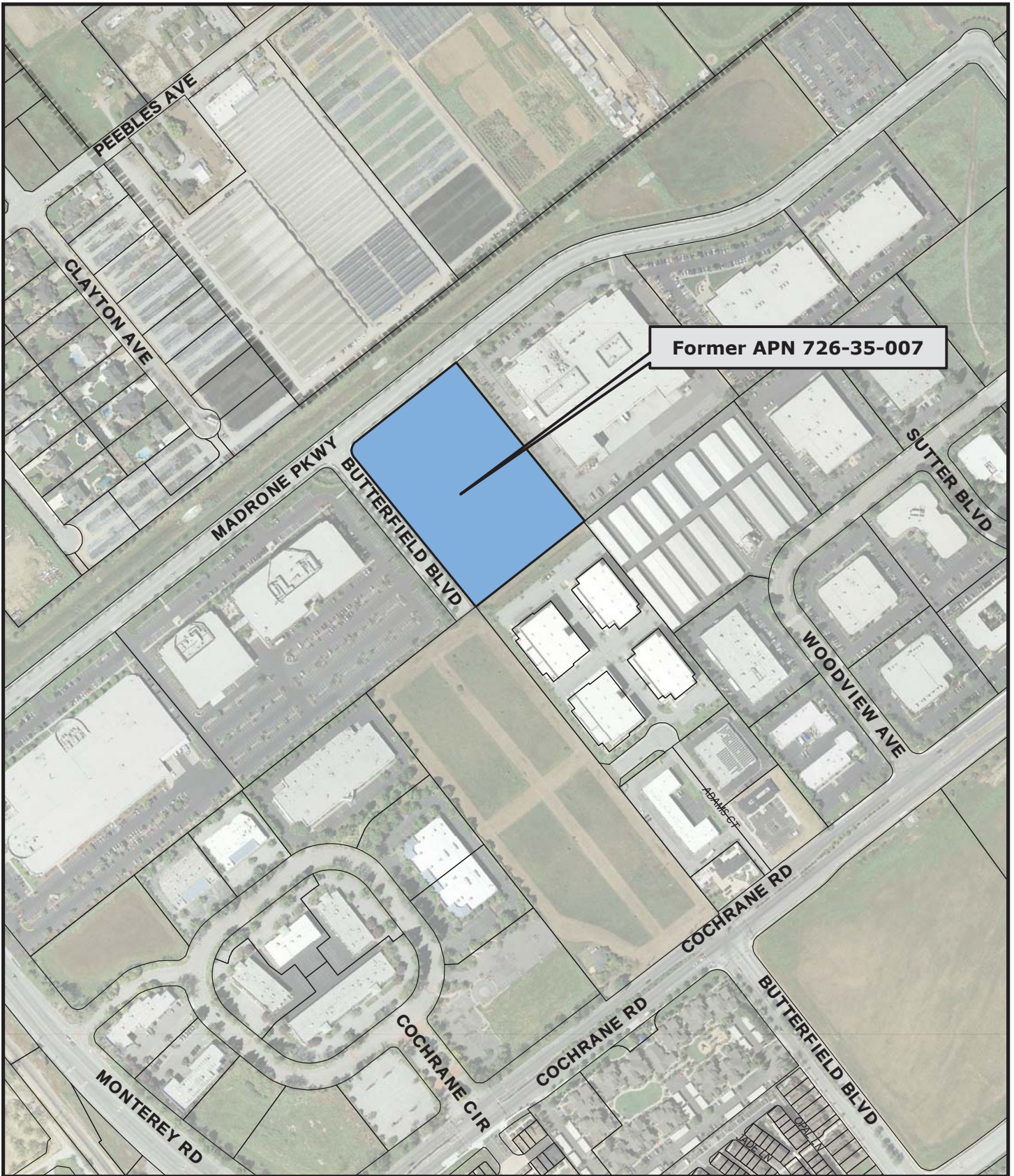
Assessment apportionment fees to pay for staff and NBS time shall be included in the apportionment of the parcels noted in the attached report.

CEQA (California Environmental Quality Act):

Categorical Exemption under Section 15314 of Guidelines for CEQA and Section 21083 of the Public Resources Code as a minor land division.

LINKS/ATTACHMENTS:

1. SITE MAP
2. Reassessment Apportionment Report
3. Resolution Confirming the Amended Reassessments and Directing Actions



CITY OF MORGAN HILL

**Department of Public Works
Engineering and Utilities Division**

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SITE MAP - PORTION OF MADRONE BUSINESS PARK



Attachment: SITE MAP (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE



DRAFT

CITY OF MORGAN HILL

Reassessment Apportionment Report Reassessment District No. 2015-2 (Madrone Business Park)

Amending Reassessment No. 7

July 2017

OFFICE LOCATIONS:

Temecula – Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592

San Francisco – Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102

California Satellite Offices
Atascadero, Davis
Huntington Beach,
Joshua Tree, Riverside
Sacramento, San Jose

Prepared by:



www.nbsgov.com

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6. Notice of Amended Reassessment 6

1. APPORTIONMENT OF REASSESSMENT

DRAFT

Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT



City of Morgan Hill
Reassessment District No. 2015-2 (Madrone Business Park)
Amending Reassessment No. 7

SERIES A

Prior APN	Reassessment Number	Acreage	Original Assessment	New APN	Assessment Number	Acreage	Original Assessment	Hearing Method Apportionment Fees
726-35-007	7	5.18	\$267,478.57	726-35-029	7A	2.44	\$125,993.77	\$1,062.25
				726-35-030	7B	2.74	\$141,484.80	\$1,062.25
TOTAL		5.18	\$267,478.57	TOTAL		5.18	\$267,478.57	\$2,124.50

SERIES B

Prior APN	Reassessment Number	Acreage	Original Assessment	New APN	Assessment Number	Acreage	Original Assessment	Hearing Method Apportionment Fees
726-35-007	7	5.18	\$32,118.80	726-35-029	7A	2.44	\$15,129.32	\$1,062.25
				726-35-030	7B	2.74	\$16,989.48	\$1,062.25
TOTAL		5.18	\$32,118.80			5.18	\$32,118.80	\$2,124.50

Owner of Record: Cochrane Road Self-Storage

2. PRIOR PARCEL MAP

DRAFT



1" = 300'

CLAY AVENUE

MADRONE

PARKWAY

LIGHTPOST WAY

P.M. 732-M-30

37

33

34

23

17

18

19

20

15

28

27

21

LOT 2
9.99 AC.

LOT 3
7.24 AC.

LOT 4
3.99 AC.

LOT 5
2.77 AC.

LOT 6
2.43 AC.

PCL. M
2.25 AC.

PCL. K
4.928 AC.

PCL. J
2.002 AC.

PCL. E
5.18 AC.

LOT 1

L.L.A. 15536005

L.L.A. 15536002

L.L.A. 1

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3. CURRENT PARCEL MAP

DRAFT



4. NOTICE TO BONDHOLDER

DRAFT

Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT





32605 Temecula Parkway, Suite 100
Temecula, CA 92592

Toll free: 800.676.7516 (P) 951.296.1997
(F) 951.296.1998

nbsgov.com

Umpqua Bank
2998 Douglas Blvd, Ste 100
Roseville, CA 95661

VIA CERTIFIED MAIL

**NOTICE TO BONDHOLDER
DIVISION OF LAND AND ASSESSMENT**

June 14, 2017

NOTICE IS HEREBY GIVEN to you as the original purchaser of the bonds issued by the City of Morgan Hill to represent the unpaid assessments relating to the construction and/or acquisition of certain public improvements in the Reassessment District known and designated as "Reassessment District No. 2015-2 (Madrone Business Park)". Said bonds were issued pursuant to the terms and provisions of the Improvement Bond Act of 1915, commencing with Division 10 of the Streets and Highways Code of the State of California.

NOTICE IS HEREBY GIVEN that an apportionment has been made, as requested by a property owner within the district, relating to the assessments and parcels as indicated by the attached exhibit.

NOTICE IS HEREBY GIVEN that unless a request for a public hearing is received within fourteen (14) days from the date of this Notice, the above-apportioned assessments shall be recorded in the manner and form as required by law. If you have any questions, please contact the undersigned at (800) 676-7516, or the following person at the City of Morgan Hill:

City of Morgan Hill
Attn: Dat Nguyen
17575 Peak Avenue
Morgan Hill, CA 95037

This procedure is required pursuant to the provisions of Part 10.5 of Division 10 of the Streets and Highways Code of the State of California and is being performed on behalf of the County of Santa Clara.

Respectfully,

Kristin Harvey
Senior Consultant

EXHIBIT "A"

**CITY OF MORGAN HILL
REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)
AMENDING REASSESSMENT NO. 7**

Old APN	Reassessment Number	New APN	Reassessment Number
726-35-007	7	726-35-029	7A
		726-35-030	7B

Owner of Record: COCHRANE ROAD SELF-STORAGE

DRAFT

5. AMENDED REASSESSMENT DIAGRAM

DRAFT



CITY OF
CITY OF
SANTA

FILED

DIRECTOR
SUPERVISOR
CITY OF
SANTA

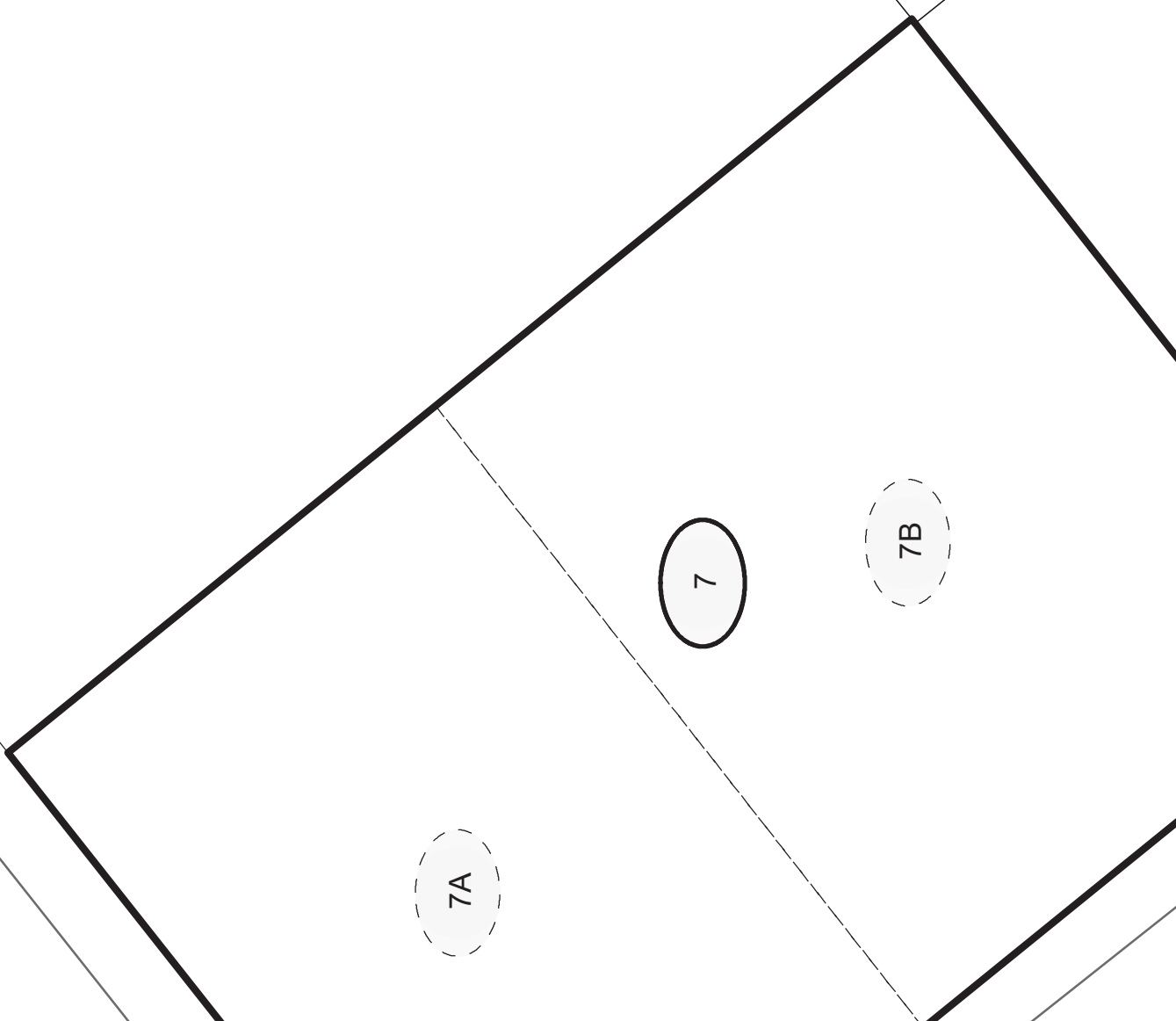
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6. NOTICE OF AMENDED REASSESSMENT

DRAFT

Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT



**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

Irma Torrez
City Clerk
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

DRAFT

NOTICE OF AMENDED REASSESSMENT

**CITY OF MORGAN HILL
REASSESSMENT DISTRICT NO. 2015-2
(MADRONE BUSINESS PARK)
AMENDING REASSESSMENT NO. 7**

Pursuant to the requirements of Section 3114 of the Streets and Highways Code of California, the undersigned CITY CLERK of the CITY OF MORGAN HILL, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, HEREBY GIVES NOTICE that an Amended Reassessment Diagram and Reassessment Roll were recorded in the office of the Superintendent of Streets of the City, as provided for in said Section, and relating to the real property more particularly described on the Amended Assessment Diagram filed in accordance with said Section on the _____ day of _____, 20__ in Book _____, Page(s) _____, Document No. _____ of Book of Maps of Assessment and Community Facilities Districts in the office of the County Recorder of the County of Santa Clara.

Said Amended Reassessment Diagram amends the Reassessment Diagram for Reassessment District No. 2015-2 (Madrone Business Park), City of Morgan Hill, County of Santa Clara, State of California filed for record in the office of said County Recorder of the County of Santa Clara on the 20th day of November, 2015, in Book 51 of Maps of Assessment and Community Facilities Districts, at Pages 36 through 37 thereof.

NOTICE IS FURTHER GIVEN that upon the recording of this Notice in the office of said County Recorder, the several Reassessments assessed on the lots, pieces and parcels as shown on said filed Amended Reassessment Diagram shall become a lien upon the lots or portions of lots assessed, respectively.

Reference is made to the Amended Reassessment Diagram and Reassessment Roll recorded in the office of said Superintendent of Streets of the City for the amount of each of the amended Assessments.

Exhibit "A" hereto attached, and by this reference incorporated herein, shows the parcels subject to the amended Reassessments.

Irma Torrez, City Clerk
City of Morgan Hill, County of Santa Clara

Date

Attachment: Reassessment Apportionment Report (1366 : PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT

EXHIBIT "A"

**CITY OF MORGAN HILL
 REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)
 AMENDING REASSESSMENT NO. 7**

Old APN	Reassessment Number	New APN	Reassessment Number
726-35-007	7	726-35-029	7A
		726-35-030	7B

Owner of Record: COCHRANE ROAD SELF-STORAGE

RESOLUTION NO. ____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CONFIRMING THE AMENDED REASSESSMENT AND DIRECTING ACTIONS WITH RESPECT THERETO REASSESSMENT DISTRICT NO. 2015-2**

WHEREAS, the City Council (the “Council”) of the City of Morgan Hill, a municipal corporation and general law city organized and existing under and pursuant to the Constitution and laws of the State of California (the “City”); and

WHEREAS, this Council adopted Resolution No.17-064, entitled “**RESOLUTION ORDERING THE MAKING OF AMENDED REASSESSMENT PURSUANT TO PART 10 OF DIVISION 10 OF THE STREETS AND HIGHWAYS CODE AND DIRECTING ACTIONS WITH RESPECT THERETO**,” in which the Council ordered the Superintendent of Streets to prepare and file with the City Clerk the Reassessment Apportionment Report (the “Report”), an Amended Reassessment Diagram and Amended Reassessment Roll of Reassessment Number 7, which was previously recorded on the 20th day of November, 2015 in Book 51 of Maps of Assessment and Community Facilities Districts, at Pages 36 through 37 thereof, Document No. 23152597, segregating and apportioning the unpaid installments of the original Reassessment in accordance with the benefits to the several parts of the original parcel; and

WHEREAS, said Report was duly made and filed, and duly considered by this Council and found to be sufficient in every particular, whereupon it was determined that said Report should stand as the Report for all subsequent proceedings under and pursuant to the aforesaid Resolution No. 17-064; and

WHEREAS, August 23, 2017, at the hour of 7 o’clock (p.m.), in the regular meeting place of this Council, was appointed as the time and place for hearing protests in relation to the Amended Reassessment Diagram and Amended Reassessment Roll of the parcel of land designated as Reassessment Number 7, which was previously recorded on the 20th day of November, 2015 in Book 51 of Maps of Assessment and Community Facilities Districts, at Pages 36 through 37 thereof, Document No. 23152597, segregating and apportioning the unpaid installments of the original Reassessment in accordance with the benefits of the several parts of the original parcel, plus costs and fees of making such apportionments, notices of which hearing were duly and regularly published; and

WHEREAS, said hearing was duly and regularly held, and all persons interested in the original Reassessment, or in the land affected thereby or in the bonds secured thereby desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to said Amended Reassessment was fully heard and considered by this Council, and all protests, both written and oral, were duly heard and considered;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

1. All written and oral protests are hereby overruled, and this Council has thereby acquired jurisdiction to order said Amended Reassessment and re-confirms said Amended Reassessment Diagram and Amended Reassessment Roll, referenced herein, and the costs and expenses thereof.
2. Said Amended Reassessment Diagram and said Amended Reassessment Roll, referenced herein, filed with the City Clerk pursuant to **“RESOLUTION ORDERING THE MAKING OF AMENDED REASSESSMENT PURSUANT TO PART 10 OF DIVISION 10 OF THE STREETS AND HIGHWAYS CODE AND DIRECTING ACTIONS WITH RESPECT THERETO”** is hereby, ratified, approved, and re-confirmed.
3. The City Clerk of the City of Morgan Hill shall forthwith:
 - a) approve an Amended Notice of Reassessment, amending the Notice of Reassessment which was previously recorded on the 20th day of November, 2015, Document No. 23152597 for the Reassessment Number 7, executed by the City Clerk of the City of Morgan Hill, that has been filed and recorded, in the office of the County Recorder of the County of Santa Clara and such Amended Notice of Reassessment to be in substantially the same form as provided in Section 3114 of the Streets and Highways Code of California;
 - b) approve an Amended Reassessment Diagram, amending the Reassessment Diagram which was previously recorded on the 20th day of November, 2015, Document No. 23152597 for the Reassessment Number 7, executed by the City Clerk of the City of Morgan Hill, that has been filed and recorded, in the office of the County Recorder of the County of Santa Clara and such Amended Reassessment Diagram to be in substantially the same form as provided in Section 3114 of the Streets and Highways Code of California;
 - c) deliver the Amended Reassessment Roll to the Superintendent of Streets, together with the Amended Reassessment Diagram, as approved and re-confirmed by this Council, with a certificate of such confirmation and the date thereof, executed by the City Clerk of the City of Morgan Hill thereon. The Superintendent of Streets will record the Amended Reassessment Diagram and Amended Reassessment Roll in his office in a suitable book to be kept for that purpose, and appended thereto his certificate of the date of such recording, and such recordation shall be and constitute the Amended Reassessment Roll herein.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 23rd day of August, 2017 by the following vote:

AYES:

COUNCIL MEMBERS:

Attachment: Resolution Confirming the Amended Reassessments and Directing Actions (1366 : PUBLIC HEARING ON AMENDED

NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:

DATE: _____

Steve Tate, MAYOR

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 the meeting held on August 23, 2017.

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

DATE: _____

Irma Torrez, CITY CLERK



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Chris Ghione, Community Services Director
APPROVED BY: City Manager

BOYS AND GIRLS CLUB OF SILICON VALLEY AND THE HEALTHIER KIDS FOUNDATION ANNUAL REPORTS

RECOMMENDATION(S)

Receive annual reports from the Boys and Girls Club of Silicon Valley and the Healthier Kids Foundation.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community

2017 Strategic Priorities

Inclusiveness

REPORT NARRATIVE:

Since Fiscal Year 2013-14, the City Council has allocated \$20,000 annually to support the Healthier Kids Foundation (HKF), a program to increase the number of children within Morgan Hill that have health insurance. The City began partnering with the Boys and Girls Club in June 2014. The City provides for non-charge use of the El Toro Youth Center and \$15,000 annually to support operation of the Center. As part of the partnership with both organizations, reports are submitted to the City annually. Both annual reports are included as attachments.

COMMUNITY ENGAGEMENT: Inform

These programs were both initiated in response to a need identified by the City Council. The Healthier Kids Foundation works to inform the community about the availability of health insurance to all children and additionally performs dental and vision screenings throughout the community. The Boys and Girls Club provides outreach to the nearby area to identify and involve youth in its programs at the El Toro Youth Center.

ALTERNATIVE ACTIONS:

This report is informational and no Council action is necessary. The Council could provide input on the future direction of either of these programs.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council has approved \$20,000 in funding towards the Healthier Kids Foundation for support in Morgan Hill since Fiscal Year 2013-14. The City began partnering with the Boys and Girls Club in June 2014 to operate the El Toro Youth Center. Since that time,

the Council has approved free use of the building and \$15,000 annually to support operations at the Center.

FISCAL AND RESOURCE IMPACT:

Annual funding for both organizations is allocated from the City's General Fund.

CEQA (California Environmental Quality Act):

Not a Project

Since receiving the attached reports is an administrative program that will not result in a change to the physical environment, this action is not a project under the California Environmental Quality Act.

LINKS/ATTACHMENTS:

1. Attachment 1 - Healthier Kids Foundation Annual Report for FY 16-17
2. Attachment 2 - Boys and Girls Club Annual Report for FY 16-17



**Healthier Kids
Foundation
Santa Clara County**

HEALTHIER KIDS FOUNDATION
4010 Moorpark Avenue, Suite 118
San Jose, CA 95117
Phone: 408.564.5114
Fax: 408.326.2711
www.hkidsf.org

August 7, 2017

Chris Ghione
Community Services Director
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

Re: Year-End Report on City of Morgan Hill Funding of Community Outreach to Enroll Uninsured Morgan Hill Children into Health Coverage for Fiscal Year 2016-2017 and Next Steps for Fiscal Year 2017-2018

Dear Chris,

On behalf of Healthier Kids Foundation (HKF), I am pleased to provide the City of Morgan Hill with a year-end report on the status of our efforts to identify uninsured Morgan Hill children and assist them with enrolling into subsidized health coverage; as well as next steps and goals for next fiscal year.

Background

In 2000, Santa Clara County became the first county in the nation to establish a county-wide initiative to reduce the number of uninsured children by (1) spearheading the movement to conduct aggressive outreach to enroll uninsured children into current health coverage programs, and (2) establishing the Healthy Kids program for those children who were ineligible for current programs. In 2001, one in six children was uninsured. Through the success of our county's Children's Health Initiative and Healthy Kids program over the past sixteen years, this number has been reduced to 2% (per U.S. Census).

HKF focused 2000-2013 on raising funds for the Children's Health Initiative and the Healthy Kids program in Santa Clara County. Through its leadership in raising the funding to provide almost 1.9 million months of coverage to low-income children enrolled in the Healthy Kids program, HKF has been a successful advocate for children obtaining and retaining health coverage, as well as accessing health services once they are insured. In 2012, HKF led and Santa Clara County passed an initiative that provided a stable funding source for the children currently enrolled in the Healthy Kids program, as well as those not yet enrolled and those children that qualified up to 400% FPL. As of May 2016, many of these children are now eligible for Medi-Cal and no longer need county funding.

With the goal of universal coverage for children accomplished, HKF emerged with a new vision and mission in 2013. At its core is a "Healthier Earlier" philosophy and a mission to ensure access to and advocacy for health care services for all children through family-centered and innovative approaches. HKF is focusing its programming on prevention and wellness.

Healthier Kids Foundation • Board of Directors

Leslie Hansen, Chair • Rolando Bonilla • Hon. Nora Campos • Hon. Dominic Caserta • Irene Chavez • Hon. Rich Constantine
Dana Ditmore • Reymundo Espinoza • Rhonda E. Farber, Ph.D. • Charles Holt, O.D., Secretary • Jamie Kelly, D.M.D.
• Kathleen M. King • Emily Lam • Brad Lambert • Jocelynn Maier • N. Thad Padua, M.D. • David Quincy, M.D. • Alex Saghatelian, Treasurer
• Andrea Schiller • Saria Tseng, Vice Chair • Quyen Vuong • E. Christopher Wilder • Susie Wilson

Honorary Board

Teresa Alvarado • Hon. James T. Beall, Jr. • Mike E. Fox, Sr. • Carl Guardino • Robin Roche

Kathleen M. King, Chief Executive Officer

HKF successfully partners with community-based organizations, public entities, and public school systems to: (a) provide health screenings (hearing, oral health, and vision) to low-income children; (b) connect parents to the appropriate preventative and intervention health services based on the outcome of their children's screening results; (c) identify uninsured children and assist their parents with enrolling them into subsidized health coverage; and (d) provide healthy lifestyle education to parents and caregivers that help to prevent and reduce childhood and adolescent obesity. In the past four years, HKF has connected with over 1,000 sites throughout Santa Clara County to deliver these services to large populations of children where they naturally gather as a means of connecting them to preventive health services that contribute to their health, well-being, and educational outcomes.

Since the inception of each program, HKF has:

- Visited 8,000 mothers in three participating hospitals and assisted with the enrollment of their newborns into Medi-Cal (Baby Gateway Program);
- Identified 5,000 uninsured children and assisted them with enrolling into subsidized health coverage (Community Outreach Program);
- Screened 62,000 children for vision issues (VisionFirst Program), 30,000 for oral health issues (DentalFirst Program), and 16,500 for hearing issues (HearingFirst); and
- Delivered healthy lifestyle parenting education to 6,500 parents and caregivers (10 Steps to a Healthier You Program).

HKF has confidence that the future of health care will focus on population preventive health versus health interventions and we have confidence that by focusing on early preventive screenings, education, and follow-up, our efforts will lead to healthy promotion of successful preventive approaches.

Health Coverage Enrollment in Morgan Hill

Between July 1, 2016 and June 30, 2017, HKF identified 31 uninsured Morgan Hill children. Of those children, 26 have successfully enrolled into a health coverage program. The remaining 5 children are still in the process of applying for and enrolling into health coverage.

Currently, Santa Clara County has successfully insured 98% of our children. The City of Morgan Hill has successfully decreased their number of uninsured children as well. As of 2016, the City of Morgan Hill has decreased the number of uninsured children ages 0-17 to 3.4% (U.S. Census Bureau, American Community Survey, 2016).

Now that the vast majority of children in Santa Clara County and Morgan Hill are enrolled into health coverage, HKF has shifted their focus in Morgan Hill to preventive health and outreach services.

Community Outreach

While the City provided funding for .33 FTE Outreach Specialist to focus on the Morgan Hill community, HKF provided additional staff to assist with building relationships among community-based organizations and schools. HKF staff conducted community outreach to the following organizations which resulted in HKF identifying more uninsured Morgan Hill children who need assistance obtaining health coverage:

- Boys & Girls Club
- Discovery Counseling

- Morgan Hill Values Youth Meetings and Event - MHUSD Liaison Office
- Morgan Hill CABB
- Cultural Center
- St. Catherine Catholic Church
- Migrant Education
- Panaderia Ortiz
- Health Markets of Morgan Hill
- Learning and Loving Education Center
- Fun in The Park
- Morgan Hill Library
- Voices Academy
- Starbucks
- Trader Joe's
- Jamba Juice
- Morgan Hill Friendly Inn
- LATI event

HKF's outreach efforts in Morgan Hill is primarily centered on establishing and maintaining a larger presence among and within the Morgan Hill community. Our South County Outreach and Educational Lead, Maria Padilla, has been a constant figure at Morgan Hill youth collaborative meetings and community gatherings. She assisted with the planning of and advocacy for the Morgan Hill Values Youth Fair and was on the planning committee for the LATI's Annual Community Event. Maria has created strong community relationships and has become a true advocate for children in the Morgan Hill Community.

Leveraged Services

While staff work with the Morgan Hill community to identify uninsured children, HKF was able to provide vision, dental, and hearing screening services to Morgan Hill children at the following sites:

- Migrant Education of Morgan Hill
- Nordstrom CDC
- PA Walsh CDC
- El Toro CDC
- Barrett Elementary
- Boys and Girls Club

Between July 1, 2016 and July 31, 2017, HKF:

- Vision screened 539 Morgan Hill children for undetected vision problems. Of those children screened, 15% (81 children) had a potential vision problem detected.
- Dental screened 469 Morgan Hill children for undetected dental issues. Of those children screened, 29% (138 children) had urgent or emergency dental needs.
- Hearing screened 55 Morgan Hill children for undetected hearing issues. Of those children screened, 5% (3 children) had a potential hearing problem detected.

HKF case managers provide follow up to all parents whose child's screening result indicates a potential issue to assist the child with accessing the appropriate treatment. HKF case managers explain the child's screening result in the parent's preferred language and connect them to clinics in their community that take their insurance. Moreover, HKF assists children with finding a dental, vision, and medical home so that they may access regular, preventative, health services. HKF is pleased to bring these additional services to the Morgan Hill community.

Next Steps

HKF's staff is committed to continuing its work assisting uninsured Morgan Hill children with obtaining health coverage and services. During fiscal year 2017-2018, HKF would like to shift its focus in the City of Morgan Hill toward preventive and intervention health services. Specifically, HKF is able to effectively and efficiently screen children for undetected health problems and

connect their families to appropriate resources; including, but not limited to, assistance with health coverage and enrollment, access to intervention services, and a vision, dental, or medical home which they may return to for routine care and treatment.

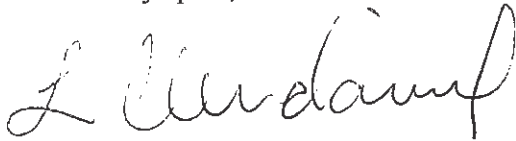
With funding from the City of Morgan Hill, HKF would like to provide the following services during fiscal year 2017-2018:

- Screen 500 children in the City of Morgan Hill for undetected vision issues and provide appropriate case management, as needed.
- Screen 250 children in the City of Morgan Hill for undetected dental problems and provide appropriate case management, as needed.
- Screen 250 children in the City of Morgan Hill for undetected hearing issues and provide appropriate case management, as needed.

HKF is extremely grateful to the City of Morgan Hill for its investment in our efforts to guarantee that Morgan Hill children have access to health coverage and preventative health services. We are looking forward to providing a report to the city in January of fiscal year 2017-2018 that summarizes our efforts to ensure Morgan Hill children become and remain healthy.

Do not hesitate to contact me should you have any questions or need additional information. I can be reached by email (laura@hkidsf.org) or by phone (408.564.5114x220)

In community spirit,



Laura Clendaniel
Development Associate
Healthier Kids Foundation



Number of Youth Served

Boys & Girls Clubs of Silicon Valley (BGCSV) served 65 youth at the Lori Escobar El Toro Clubhouse ("El Toro") during the summer of 2016 and 93 youth during the 2015-2016 school year.

Summer 2016 Programming

Our summer enrichment program at El Toro is in full swing. Between June 13 and July 29 (7:30a.m. – 6:00 p.m.), members are participating in a variety of engaging activities that focus on:

- Academic summer loss prevention
- Pro-social activities engagement
- Increased resistance skills and healthy lifestyle habit
- Good character and leadership
- FUN!

54 members are currently enrolled in El Toro's summer program, with an average daily attendance of 39 youth. El Toro currently employs five staff and six Junior Staff members between the ages of 14-17.

A highly successful returning component to our 2017 summer program is Read-to-Succeed, a daily reading and reflective writing program. El Toro also participates in tabling events at the Friday Night Music Series at Morgan Hill Community Center, Summer Fun in the Park at Galvan Park, and field trips to local amusement parks such as the Aquatic Center.

Fundraising

In addition to funding from the City of Morgan Hill, we have secured funding for the El Toro Clubhouse from the following sources: The Office of Justice Programs, Santa Clara County Community Development Block Program, Ross Stores, Santa Clara County Social Services Agency, and individual donors.

Programming

El Toro Clubhouse has done the following in the past year:

- Implemented Boys & Girls Clubs programming in the Core Areas of Education & Career Development; Character and Leadership; Health and Life Skills; Arts and Cultural Enrichment; and Sports, Fitness, and Recreation. El Toro members participated in the following programs:
 - **Skill Tech 1 and 2:** Members learn skills in various productivity software programs.
 - **My.Future:** Members learn about the benefits the Internet and media while helping them realize the importance of behaving responsibly in the online community.
 - **ArtisTech:** Digital arts program including web page and graphic design; photography and photo illustration; music composition and production; filmmaking and editing; and stop-motion animation.



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- o **NeoSci:** Hands-on life, earth and physical science program.
 - o **KidzLit:** Develops literacy skills for a lifetime commitment to reading and learning.
 - o **MediaLitocracy:** Provides practical tools for navigating today's global media culture.
 - o **Game Tech:** Members learn how to create their own computer games and animations.
 - o **WeDo Robotics:** Members work in teams to build and program a LEGO model featuring working motors and sensors.
 - o **Khan Academy:** a Common Core-aligned math program that allows our members to practice and master skills through both small group and individual tutoring.
 - o **Junior Staff Career Development Program (JSCDP):** Designed to prepare youth ages 13-18 for employment by developing leadership and job-readiness skills.
 - o **Junior Achievement:** a business and economics education program meant to educate and inspire our members, ages 9-12, to value free enterprise, business and economics.
 - o **SMART Moves (Skills Mastery and Resistance Training):** life-skills training promoting self-efficacy and responsible behavior.
 - o **Torch Club (11-13) and Keystone Club (14-18):** chartered service clubs dedicated to citizenship, leadership and fellowship.

Highlights

Other recent highlights include:

- Hosted their second National Worldwide Day of Play where parents and members participated in activities together.
- Celebrated S.T.E.M. Decathlon, a week designed to encourage members to learn and get involved in science, technology, engineering and math.
- El Toro Member Daniel Echeverria was selected as the 2017 El Toro Clubhouse Junior Youth of the Year. Daniel has faced many struggles but has learned to make better decisions in life through participation in Club activities such as inter-club sports leagues, Passport to Manhood, and Street Smart.
- Participated in the Boys & Girls Clubs of Silicon Valley cook-off. Every year a specific ingredient is chosen as the theme for the competition. This year's ingredient was carrots. Clubhouses were judged based on verbal presentation of their recipe, poster display, overall table and dish display, overall taste and originality. El Toro Clubhouse made carrot cinnamon rolls, and won the "Originality" award.



2016-2017 El Toro Status Report

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- Ran the Gamma Alpha Reading program every Tuesday, where several enthusiastic volunteers help our members improve their reading skills.
 - Hosted its 5th Annual Thanksgiving dinner and hosted over 200 members, families and friends.
 - Established sports leagues that compete with local Clubs, including flag football, basketball and soccer.
 - Established Teen Night to serve teens in the community; every Tuesday from 6:30-8:30pm, the program provides teens with a safe place and positive environment. Teens participate in activities including bowling, movie outings, hiking, miniature golfing and Santa Cruz beach trips, giving the group a sense of unity and belonging as members of El Toro Clubhouse.
 - Participated in Martin Luther King Day of Service. MLK Day of Service engages youth volunteers and volunteer leaders in events honoring the legacy of Dr. Martin Luther King, Jr. This year, members from our Torch Club, a leadership and service club for boys and girls ages 11 to 13, spent the day working on a beautification project at Guadalupe River Park Conservancy in downtown San Jose. We are proud of their community service contributions!
 - Worked closely with Gamma Alpha, Morgan Hill Rotary, Zuzu's Petals, Specialized, Morgan Hill Historical Society and Los Amigos Advisory Board to put on fun and enriching events for our members.
 - El Toro Clubhouse Director and BGCSV administrative staff participated in meetings with the Los Amigos Advisory Board on a monthly basis.



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Shane Palsgrove, Police Captain

APPROVED BY: City Manager

ANIMAL SHELTER ASSESSMENT

RECOMMENDATION(S)

1. Receive report, and
2. Continue contributing \$11,000 for housing and sheltering of cats at the San Martin Animal Shelter and \$5,000 for the County's spay and neuter program as included in the FY 17/18 budget.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

Maintaining Fiscal Responsibility

POLICY CONSIDERATIONS:

1. What should be the City's role in the control of stray or outdoor cats?
2. Should the City provide animal services that exceed the state-mandated responsibility?

REPORT NARRATIVE:

Background

The City Council has been engaged in an ongoing policy discussion about the level of services the City funds for housing stray or outdoor cats (\$11,000 annually) and providing financial assistance for the County's spay and neuter program (\$5,000 annually). The purpose of this report is to provide a follow-up from the previous animal services discussion in which there was potential confusion about the expenditure of the City's \$11,000 contribution.

The Morgan Hill Police Department currently provides for animal related services through our Multi-Service Officers (MSO) and Police Officers. MSOs provide non-emergency coverage six days a week ranging from 10 – 20 hours per day. Police Officers respond to life safety related calls at all times of the day and night. The City Council recently enhanced the City's animal services through the newly appropriated Animal Services Officer in the FY 2017-18 budget.

Base Level Services Provided

Council appropriated \$16,000 last fiscal year to enhance the City's response and services for dogs and cats. Prior to this appropriation, the following services were provided by Police Department teammates:

1. Responding to, temporary sheltering, and reunification/adoption of stray dogs
2. Responding to any injured animal (domestic or wild) on public property and providing care or euthanasia
3. Responding to any deceased animal (domestic or wild) on public property and arranging for pick-up by contractor
4. Investigation of dog bites, dogs off leash, and dangerous dogs

Limited spay and neuter services are available through the San Martin Animal Shelter for \$10 per animal during non-peak periods of the year and free during certain times of the year.

Under the base level of services, stray cats are not accepted at the shelter or Police Department. However, injured cats are picked up by the Police Department and care is provided by the City in the absence of the owner. The care for injured animals will continue without any additional funding.

Service Enhancements

On December 16, 2015, Council appropriated \$5,000 to offset the costs of the County spay and neuter program. As a result, residents can bring cats to the shelter or participating veterinarians for a cost of \$10.00 per animal. The \$45 difference between this amount and the program cost is paid from the \$5,000 appropriation. The City's \$5,000 appropriation supplements the residents' cost and replaces the County contribution. The City is not reimbursed for funds not used nor is it charged more if services exceed \$5,000.

On May 4, 2016, Council appropriated \$11,000 for FY 2016-17 for the housing of stray or abandoned cats at the San Martin Animal Shelter. These funds provided for the care of 110 cats and was mostly expended within 6 months. A review of the program found that there was loose oversight of the billing process within the shelter. County management staff committed to closer oversight moving forward.

The County also has proposed an annual contract fee of \$30,000 to provide for the sheltering of all animals and altering of domestic animals as a solution to mitigate the challenges associated with billing. A point of concern with entering into a contract with the County for \$30,000 and freely accepting all cats is the unintended consequence of separating domesticated cats from their human families without checks and balances to ensure the cat is truly lost or stray as opposed to wandering in the neighborhood.

When reviewing the housing invoices, teammates found that the City was billed erroneously for cats that were brought in by residents to be spayed/neutered even though the cat was released the same day. There were also several charges for cats brought in for spaying/neutering that were then housed because the caretaker chose not to care for the cat while it healed from the procedure. Teammates also found that the oversight of the program is time intensive to continue in its current practice.

Each of the following reasons to house a cat results in a \$110 flat fee regardless of the amount of time the cat is housed:

1. San Martin has a policy to hold all cats for 72 hours but tries to find alternatives to avoid overcrowding
2. The cat is injured and/or needs veterinarian care
3. Kitten needs care and feeding
4. Cats are brought in for spay/neuter and are left at shelter by caretaker
5. Cat is stray and brought in for sheltering and adoption

A benefit of sheltering stray cats is the increased opportunity for adoption from the shelter system after the shelter staff has altered and microchipped the animal. Shelter staff estimated a reunification rate of lost cats at only 1-2 per year.

A recognized drawback of accepting stray cats is the few number of cats that are microchipped as compared to dogs and the reality that domestic cats could be mistaken as a stray, trapped by a neighbor and taken to the shelter resulting in an unintentional separation from the family. Additionally, due to the free reign of outdoor cats, the Police Department has experienced neighbor disputes regarding cat defecation in neighbors' yards. These disputes could lead to the trapping of the cat and the cat being turned into the shelter as a "stray." Based on the low number of reported reunifications of lost cats, the service enhancement of accepting stray cats could lead to a greater number of separations from families than reunifications. Police Department staff met with representatives from the trap and release program and asked for a list of locations to evaluate the severity of feral cats in the City. However, caretakers of the cat colonies would not disclose their locations.

Prior to the increased sheltering contribution, Morgan Hill cats were not accepted at the San Martin Shelter. Residents were directed to go to the veterinarian clinics for spaying/neutering. The resident was then responsible for taking the cat home and caring for it until release. Likewise, if the Police Department responded to an injured cat the officer would take the cat to a veterinarian clinic with the costs of care funded from the existing operating budget.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform and update the community on Animal Services.

ALTERNATIVE ACTIONS:

1. Council could increase the annual contribution from \$11,000 for the housing and intake of cats and \$5,000 for the spay and neuter program.
2. Council could decrease the annual contribution per year for the housing and intake of cats.
3. Direct teammates to develop an agreement between the City of Morgan Hill and the San Martin Animal Shelter for City Council consideration in which the City pays a fixed rate of \$30,000 for the City of Morgan Hill and its residences to bring an unlimited number of domestic/feral animals to the shelter.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On November 18, 2015, Council heard a request during public comment asking the City to participate in Santa Clara County's Spay and Neuter Program.

On December 16, 2015, Council provided teammates direction to participate in the program by contributing \$5,000 a year.

On May 4, 2016, Council appropriated \$11,000 for FY 2016-17 for the housing of stray or abandoned cats at the San Martin Animal Shelter.

FISCAL AND RESOURCE IMPACT:

The FY 2016-17 adopted budget includes \$11,000 for the sheltering of cats and \$5,000 for the spay and neuter program. Funds for additional or expanded services would need to be appropriated from the General Fund's existing fund balance or through the re-appropriation of funds from another City service.

CEQA (California Environmental Quality Act):

Not a Project. Organizational or other administrative activities of governments that will not result in direct or indirect physical changes to the environment.

LINKS/ATTACHMENTS:

1. Spay and Neuter Program 12-16-15 staff report
2. Animal Control Svs 5-4-16 staff report



City of Morgan Hill

Legislation Text

File #: 15-830, Version: 1

CITY COUNCIL STAFF REPORT MEETING DATE: DECEMBER 16, 2015

PREPARED BY: Shane Palsgrove, Captain/Police Department

APPROVED BY: City Manager

SPAY AND NEUTER PROGRAM

RECOMMENDATION(S)

1. Accept report, and
2. Provide direction for participation in the Santa Clara County Spay and Neuter Program for Fiscal Year 16/17 budget development.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Enhancing public safety
Protecting the environment
Maintaining fiscal responsibility

FY 14/15 Focus Areas

Community Engagement Effectiveness

REPORT NARRATIVE:

At its meeting of November 18, 2015, Council heard a request during public comment asking the City to participate in Santa Clara County's Spay and Neuter Program. Subsequently, Council Member Librers requested to have this item on the agenda for Council discussion. The Police Department has prepared a report regarding Santa Clara County's Spay and Neuter Program ("Program") for cats. Staff has extensively researched the Program and the pros and cons of the City participating in the Program.

Program Guidelines and Background

The County of Santa Clara currently provides a subsidy for the spaying/neutering of cats. The Program pays \$30 per cat and the "guardian/Morgan Hill resident" pays a \$25 co-pay to have a cat spayed/neutered at designated private veterinary clinics located throughout the County. There is one Morgan Hill veterinary clinic who participates in the Program. In FY14-15, the County paid \$6,330 to

Attachment: Spay and Neuter Program 12-16-15 staff report (1322 : Animal Services Assessment)

have 211 Morgan Hill feral cats spayed/neutered. Many of these cats were brought in from non-profit organizations or feral cat advocates in Morgan Hill that trap, spay/neuter and release feral cats in the City limits. These groups or individuals capture a large quantity of cats that are taken to veterinarians to be spayed/neutered and then released back to their original location.

Participation by cities in the Program is optional. Cities choosing to participate in the Program pay \$45 per cat and the local "resident/guardian" pays a \$10 co-pay; as compared to \$25 if the city is not a participant.

Cities can participate without restriction or place a monetary limit on its contribution to participate in the Program. Program restrictions can also include a limit on the number of times a local "guardian/resident" can use the Program's services. It should be noted that restrictions require oversight by city staff to conduct an audit of the veterinary services and the County's records. In a restricted scenario, the Program would first exhaust all of the funds from the contributing city toward the spay/neutering costs prior to using County funds.

Therefore, if Morgan Hill contributed \$9,495 for the 211 cats in FY 14/15, the County would realize a savings of \$6,330 as they no longer have to contribute to the sterilization cost until the City's funds were exhausted. While there is a \$15 savings to residents for each stray cat taken to be spayed/neutered, a participating city pays \$15 more than the County's contribution.

The non-profit organizations would realize a benefit if the City were to participate in the Program with the reduction of operational costs. Based on the number of cats spayed/neutered in FY14/15, the non-profits would have realized a savings of \$3,165.

Below is a chart that reflects the number of times Morgan Hill residents took stray cats to be spayed/neutered at both private veterinary clinics and the San Martin Animal Shelter using the County program subsidy over the last nine years.

FY	Gilroy	Morgan Hill
FY16	187	57
FY15	351	211
FY14	333	314
FY13	620	131
FY12	639	118
FY11	403	84
FY10	480	133
FY9	658	175
FY8	357	197
FY7	296	397
FY6	184	212
total	4508	2029

Source: Chelsey Prow, Interim Supervisor/Santa Clara County San Martin Animal Shelter.

An alternative that is free to Morgan Hill residents is the San Martin Animal Shelter which provides a free spay/neutering service as time permits. During FY14/15, the Shelter provided free spay/neutering services to 130 cats. It is important to note that the shelter does however turn residents away during peak demand periods.

Participation of Other Cities

There are three out of fifteen cities in the County currently participating in the program: Gilroy, Mountain View and Sunnyvale.

Gilroy, population of approximately 52,000, allocates \$20,000 funds annually for this program from its Administration Services Department budget. They also have an analyst who audits the program.

Mountain View, population of approximately 75,000, allocates \$2,000 annually for program participation from the Police Department's budget.

Sunnyvale, population of approximately 150,000, allocates \$4,000 per year for this program from its Public Safety Department's budget. Sunnyvale plans to conduct a review of the program at the end of the year to evaluate the program's success and consider future participation.

Furthermore, the Police Department is evaluating a potential ordinance to prohibit the feeding of feral cats because this may cause environmental issues including, but not limited to, littering, attracting wildlife into populated areas, and pollution of lands and waterways. Staff will continue to evaluate and then decide if it will make a recommendation for Council consideration.

COMMUNITY ENGAGEMENT: Involve

Staff met with Ms. Geddes in May, June, and July 2015 to discuss Morgan Hill's current situation regarding feral cats. Captain Palsgrove offered to work with Ms. Geddes to research the feasibility of Morgan Hill's participation in the Spay and Neuter Program. Captain Palsgrove remained in touch with Ms. Geddes during the months of May, June, July, and August to share information and research regarding the Spay and Neuter Program. Staff has also requested to meet with Ms. Geddes to share this staff report prior to the Council meeting.

Staff researched the Program and participating agencies, including contact with Gilroy, Mountain View, Sunnyvale, Santa Clara County Animal Control, Santa Clara County Department of Agriculture and Environmental Management records and local participating veterinarian businesses as part of the research process.

ALTERNATIVE ACTIONS:

1. The City continues to not participate in the Program.

2. Provide direction for staff to return with a limited participation program to be implemented this fiscal year (a budget amendment would be required).
3. Participate fully without any restrictions or cap on number of cats eligible beginning either this fiscal year or FY 16/17 (a budget amendment would be required if implemented this fiscal year).

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Council discussed this item at its mid-year workshop. Subsequently, Council directed staff to report on this topic after a request during public comment at recent meetings.

FISCAL AND RESOURCE IMPACT:

The fiscal impact depends on the option Council selects, if any. Based on the historical volume of cats referred to the veterinarian, Morgan Hill's full participation in the Program would impact the Police Department operating budget by approximately \$9,500 annually based on an estimate received in FY14-15. This item is not budgeted in FY 15/16 budget.

CEQA (California Environmental Quality Act):

Project, Description of CEQA requirements

This project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule Exemption), which describes the General Rule that CEQA only applies to projects which "have the potential for causing a significant effect on the environment."

LINKS/ATTACHMENTS:

None



City of Morgan Hill

Legislation Text

File #: 16-266, Version: 1

CITY COUNCIL STAFF REPORT MEETING DATE: May 4, 2016

PREPARED BY: Shane Palsgrove / Police Captain
APPROVED BY: City Manager

ANIMAL CONTROL SERVICES REPORT

RECOMMENDATION(S)

1. Accept Report, and
2. Provide Any Further Direction for Animal Control Services.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Enhancing public safety
Protecting the environment
Maintaining fiscal responsibility

2016 Focus Areas

Enhancing Our Services
Improving Our Communication
Participate in Regional Issues

REPORT NARRATIVE:

The Morgan Hill Police Department provides full scale animal control services to the Morgan Hill community. The services provided by the Police Department regarding animal control meet or exceed those provided by other agencies within the County. The services satisfy the state-mandated responsibility for ensuring that all dogs in the City of Morgan Hill are licensed and have current rabies vaccinations and also include the following:

- Provide temporary shelter for lost and found dogs,
- Provide emergency medical care for stray animals that are seriously ill or injured,
- Provide a listing of lost and found pets on social media,
- Respond to reports of animal neglect and abuse,
- Track potentially dangerous animals that are at large within City limits, and
- Perform other related duties, including but not limited to, investigate code violations concerning animals, investigate complaints, resolve neighborhood disputes, investigate mountain lion sightings, catch rattlesnakes, euthanize critically injured wildlife, pick up stray, sick, injured and dead animals, investigate animal bites, and handle quarantine of sick

Attachment: Animal Control Svs 5-4-16 staff report (1322 : Animal Services Assessment)

animals.

The City contracts services with local veterinarians for emergency services and local shelters for longer term housing. When dogs are in the care of Animal Control Officers (ACOs), photos are posted on social media in an effort to locate the dogs' owners. While cities have an obligation to take in stray dogs pursuant to Food and Agricultural Code Sections 30501 and 31105, there is no similar obligation for cats.

In 2011, the Police Department transitioned from having one full-time ACO responsible for animal control services to three full-time Multi-Service Officers (MSOs) who perform these services as required. Police officers also respond to and perform animal control services when needed. The former ACO provided 40 hours of coverage Monday through Friday 8am to 5pm. In FY 2010-11, teammates evaluated the community's needs regarding animal control services and discerned that after-hours and weekend services were needed. The Police Department found increased efficiencies in combining the ACO and the MSO positions to have animal control services available during nights and weekends.

The Department currently has three full-time MSOs that report to the Field Operations Division. The MSO positions are non-sworn and work in partnership with sworn officers to conduct the following duties: booking arrestees, serving subpoenas, transporting prisoners, parking enforcement, vehicle and fleet support, and animal control. The three full-time MSOs have completed the same training required for the ACO position and provide the same services. There has been no lapse in animal control services since the Department transitioned to this model. The MSOs work a modified schedule according to call volume. Under the current model, the MSOs provide 100 hours of coverage Monday through Saturday from 7am-5am. Staff has found that this model meets the needs of our community.

To ensure the Police Department is helping to control the feral cat population, the City Council recently allocated \$1,500 from the current fiscal year's budget (FY 2015-16) toward participation in the Santa Clara County Spay and Neutering program. The Police Department has included \$5,000 per year in its recommended budget for FY 2016-17 and FY 2017-18 to continue participation in the program.

Staff has also learned from the community engagement process that there was interest in bringing an animal shelter to South Santa Clara County. Staff contacted the Santa Clara County Department of Agriculture and Environmental Management Director and was informed that the County has engaged a consultant and determined it wasn't feasible to raise the approximately \$22 million from private donations needed to build a new shelter. At this point, the County does not have a definite plan, but feel they are making progress and hope to have a plan and timeline soon. At that time, staff will request that the County make a formal presentation to the Council so that you and the community have an understanding of the County's plans.

COMMUNITY ENGAGEMENT: Inform

Teammates have reached out to several community groups and discussed the animal control needs of the community and services provided by the City. The following organizations and people have provided us with information: South County Tail Waggers, Towncats, Santa Clara County Animal Control, Santa Clara County Department of Agriculture and Environmental Management, Santa Clara County Animal Shelters, Jenifer Lepow, Bridget Crawford, Ava Geddes and others.

Staff was also informed of community needs and questions regarding animal control services by Mayor Tate following Coffee with Mayor in April 2016.

ALTERNATIVE ACTIONS:

1. Direct staff to evaluate the cost of contracting animal control with Santa Clara County Animal Control and/or conduct an analysis of total cost to reinstate the ACO position.
2. Hire a dedicated ACO to augment the existing animal control program.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

1. Council directed staff to follow up on animal services after citizen input at the Council's annual goal setting workshop.
2. Staff provided a report to Council on December 16, 2015 in which Council approved participation in the Santa Clara County Spay and Neuter Program in the amount of \$1,500 for FY 2015-16 and further participation in FY 2016-17 and 2017-18.

FISCAL AND RESOURCE IMPACT:

1. The current model will not accrue any further costs.
2. Staff has received a preliminary estimation from Santa Clara County Animal Control for contracting animal control services for \$600,000 annually. This includes all animal control services, sheltering services (including cats), dead animal pickups etc. The cost for the one full-time Santa Clara County ACO is approximately \$48,043.84 - \$57,996.64 annually (salary only, benefit estimates were not available).
3. If the City hired a full-time ACO, the cost would be approximately \$51,730 - \$66,040 annually (salary only, to keep consistent with County salary above). Full-time benefits add approximately 30% to the total employee cost.

CEQA (California Environmental Quality Act):

Not a Project

The receipt of this report is not a project, as defined in Section 15378 of the State CEQA Guidelines.

LINKS/ATTACHMENTS:

1. MSO Job Description
2. ACO Job Description
3. Spay and Neuter Program Staff Report December 16, 2015



CITY COUNCIL STAFF REPORT

MEETING DATE: August 23, 2017

PREPARED BY: Rebecca Garcia, Housing Manager
APPROVED BY: City Manager

REPORT ON HOMELESSNESS AND AUTHORIZATION OF AGREEMENT WITH COUNTY OF SANTA CLARA TO CONDUCT THE HOMELESS CENSUS REPORTS.

RECOMMENDATION(S)

1. Authorize the City Manager to enter into a three-year agreement between the City of Morgan Hill and the County of Santa Clara retroactively reimbursing Morgan Hill's share of the cost for conducting the 2017 biennial Homeless Census and Survey and prospectively funding the 2019 and 2021 survey for a maximum amount not to exceed \$8,638;
2. Accept the County's 2017 Santa Clara County Homeless Census and Survey Report; and
3. Review and discuss several strategies for addressing homelessness, related community impact issues and enforcement and provide direction.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Supporting Our Youth
Seniors
and Entire Community
Preserving and Cultivating Public Trust

2017 Strategic Priorities

Inclusiveness
Regional Initiatives

REPORT NARRATIVE:

Introduction:

Addressing homelessness with effective strategies that prove to reduce the number of individuals and families without a home is a complex issue that requires regional collaboration and a long-term focus. There is not a simple solution and often there can be unintended consequences of new programs or policies. The purpose of this report is to 1) continue the City Council's policy level discussions on addressing homelessness in Morgan Hill and South County, 2) provide the Council with an update on the County's most recent biennial Homeless Census and Survey Report which demonstrates an increase in homelessness countywide, with a significant increase in Morgan Hill, Gilroy and South County, 3) report on housing and homeless activities underway, and 4) discuss several strategies for consideration, such as a joint South County regional housing partnership, and the possibility of revising the existing "No Oversized Vehicle Parking" Ordinance to include commercial and industrial areas.

The County of Santa Clara released the attached 2017 Santa Clara County Homeless Census and Survey Report by Applied Survey and Research (ASR) on June 30th, with 1) the results of the biennial point-in-time sheltered and unsheltered counts of people experiencing homelessness on January 24th and 25th, as well as 2) the results of a comprehensive survey conducted with a sampling of the populations. As a whole, the County of Santa Clara saw a 13% increase in the number of people experiencing homelessness, with 7,394 counted in 2017, up from 6,556 in 2015. 26% of individuals counted were found in shelters; 74% of individuals were staying in unsheltered locations, countywide. While the total number of homeless persons countywide increased, there are notable differences between sub-populations. The count includes people living in cars, campers and Recreational Vehicles (RV's) on streets. ASR uses a multiplier between 1 and 2 depending on the vehicle type to approximate the number of people inside.

Countywide:

Homelessness, and related efforts to assist homeless, is categorized and discussed in this report by “sub-populations”. The County and many partners have invested significant housing and service resources in people experiencing “chronic homelessness”, and as a result the number of chronically homeless people continues to decline as it has since 2011, when the current system of care for the chronically homeless was launched. Homelessness among “veterans”, another sub-population that has seen a significant amount of dedicated resources, declined 6.5%, from 703 in 2015 to 660 in 2017. Certain sub-populations saw increases. The number of “homeless families with children” increased from 266 families with 908 members in 2015 to 294 families with 1,075 members in 2017. The most notable sub-population increase was “unaccompanied children” under the age of 18, and “transition-age youth” (TAY) between the ages of 18 and 24. The number of unaccompanied youth grew from 883 in 2015 to 2,530 in 2017. Due to the often-hidden nature of youth homelessness, there are limited data available on unaccompanied children and transition-age youth experiencing homelessness on the streets, in public shelters and aging out of foster care. Homelessness among children and transition-age youth is a difficult problem to identify as this population experiencing homelessness, prefers locations and times of day that make traditional efforts to count them at enumeration difficult. A separate youth count effort was put in place, relying on knowledge gathered from youth currently experiencing homelessness as well as their participation in the count itself.

There are many possible explanations for the increase in homeless youth. First, it is likely that the number of youth identified in 2015 was an undercount. Second, in 2017 the community focused efforts on preparing for and implementing the youth count by deploying more enumerators into a more expansive geographic area than in years past. Additionally, the school district provided a head count based on their knowledge of homeless families. Finally, transitional age youth are less likely to be able to afford the housing situations in which transitional age youth traditionally live, such as room rentals, moving in with roommates, and renting smaller dwellings., instead, those housing situations – which now rent at higher rates – are being occupied by households with higher incomes.

The City of Morgan Hill

The 2017 report concluded that the City of Morgan Hill's Homeless Count increased by 380%, up from 81 people in 2015 to 388 people today. It appears that there are also increases in similar sub-populations (youth, families with children), and decreases in others (chronically homeless and veterans), mirroring the measure of significant effort invested countywide. This year, there was a focus on improving efforts to count the youth by working with the school districts, targeting the countywide geographic area instead of sampling, and utilizing the help of homeless youth to identify their homeless peers. Of local note, the City of Gilroy also experienced a 64% increase in all homeless, from 439 people to 722 people. A "South County" regional report is being prepared to further detail this jump in South County numbers and is due to be released in late August. It should provide additional insight as it relates to South County. Efforts are also being made to compare findings from the 2017 Report to information in the County's Help Management Information System (HMIS) and other data sources to more fully understand homelessness, pinpoint areas for further study, and identify potential improvements to programs and institutional systems addressing homelessness.

The 2017 Report is just one tool for assessing and understanding homelessness in our community; it is a snapshot. Homelessness is a complex issue. The cause of homelessness and the solution to end homelessness for each household looks different. The Housing Team embraces working as a strong, supportive regional partner with those working countywide, while remaining sensitive to the uniqueness of the City and those homeless and affordable housing strategies which have been most successful in Morgan Hill. Ultimately, the goal is to work together to bring forward and implement housing policy and programs so that everyone can be successful.

Why is there an increase in South County?

Like all other areas of the County, Silicon Valley and the Bay Area, the cost of housing rents and mortgages continue to rise while wages have not kept up. The lack of affordable housing units and the elimination of Redevelopment Agencies (RDA's) statewide in 2012, California's single greatest affordable housing financing tool, has created the perfect storm that is pushing more residents into homelessness. Eliminating RDA's created a huge gap in the level of housing support and housing production at a time when lower income units were already underproduced everywhere. The City of Morgan Hill, for example previously had in excess of \$4M annually to spend on creation and maintenance on affordable housing of all types. Since then, housing affordability and housing availability has become California's statewide housing crisis; thus, leading to a variety of legislative proposals on the horizon aimed at increasing the production of units. The demand for affordability and solving homelessness are today's most challenging problems. Unfortunately, cities are faced with few rental vacancies, no housing inventories, limited resources and the expectation to create new housing.

California's Department of Housing and Community Development has issued a new assessment of the state's housing challenges, California's Housing Future: Challenges and Opportunities 2017, reporting that California families face a harder time finding a place to live than at any point in our history and that homeownership rates in California are at their lowest since the 1940s. More than 1.5 million households in California pay

more than half of their income toward rent, leading to an enormity of overcrowded and unhealthy rental homes and income instability in all communities. Homelessness and less than adequate housing solutions continue to grow and plague communities with singles and families seeking housing anywhere they can find it; doubling up in crowded conditions, Recreational Vehicle (RV) Parks and streets, motels/hotels, garages, cars, tents, and creeks. A variety of other conditions can compound the homeless issue, such as mental health, disabling conditions, lack of transportation, being further away from services, and difficulty navigating social service systems. It is clear the affordability issue is no longer only a low-income family issue, it has become an issue that impacts more and more families struggling everyday, including a large segment of our workforce population.

In Morgan Hill, as is the case in other cities, the City has seen a significant increase in RV parking on the streets. The closure of the Thousand Trails RV park located in the County north of town occurred January 6th, and further exacerbated the problem when the park was closed because of winter flooding. It is expected to re-open November 1st; however, the RV street parking issue existed prior to the closure, impacting business owners, tenants and creating health, safety and enforcement concerns.

Because there are fewer resources, services, and case managers in South County to resolve a family's homeless situation, when an individual or family becomes homeless it may take longer to remove the barriers that are preventing them from being housed, coupled with the fact that there are limited vacancies/opportunities. It is also possible that some families may initially be less visible in South County, as they park in rural areas that are more remote and less likely to be discovered. Additionally, families and youth may blend in, not appearing homeless to the untrained eye. Significant efforts were made during the count to work with the school district to count homeless families with children in school this year. It is also very likely that the count that took place two years ago, generating a result of 81 people, was an undercount. Regardless, based on feedback from Code Enforcement and Public Safety and the visual appearance of RVs, there is an obvious increase in homelessness or individuals living in RV's or campers, on streets or other non-permanent locations. Anecdotally, some area recreational RV parks are also now defacto permanent housing neighborhoods.

How are we responding to the need?

The City has a long history of creating affordable housing and has attempted to increase its efforts utilizing a variety of strategies to preserve and create housing opportunities and respond to the rise in homelessness.

- In November of 2016 Santa Clara County voters approved a \$950 million bond (Measure A) which will fund the development of 4,800 extremely low-income (ELI) housing units throughout the County serving the homeless. It is expected that the 4,800-unit goal will generate 10,000 new construction, affordable housing units countywide, by leveraging resources. Additionally, \$150 million of the Measure A funds will be set aside for workforce housing and down payment assistance. The County's goal is to create 4,800 affordable ELI units Countywide,

of which 92 units have been designated as the Measure A affordable housing goal for the City of Morgan Hill, over a ten-year period. The remaining balance is planned to be distributed throughout the County in the other cities equivalently, based on Regional Housing Needs Allocation (RHNA) methodology. The Housing team has actively participated in discussions regarding implementation of the bond program and provided program recommendations.

- City and County Partnership: July 1, 2017 two part-time homeless outreach workers began conducting interviews and assessments with homeless individuals in South County. Several referrals have been made. Outreach workers will begin full-time in September. This is a critical first step as the City is beginning to see homeless individuals assessed through a coordinated effort with the goal of connecting them to the appropriate case manager, program, service and housing opportunities. Without assessment, South County residents will not enter into the County Coordinated Assessment “queue” which is the first step towards case management, services and housing. Case management for each identified family or individual is still needed to make meaningful connections with services in South County. The City contributed \$50,000 to the larger countywide “outreach” effort for two years as a first step. Outreach workers are tasked with the goal of connecting the homeless to case managers and programs. The County Office of Supportive Housing has case managers; however it is unclear how many case managers are dedicated to working in the South County area.
- A City and County Partnership: August 1, 2017 was the launch of a Homeless Prevention and Rapid Rehousing (rental assistance) Program for families, targeting families with children in the school district at risk of homelessness. The City contributed \$25,000 to this larger countywide effort for two years.
- On August 15, 2017, The County approved the lending guidelines for Measure A. On August 16, the City and County met with developer UHC to discuss the process for applying for funding from County’s Measure A housing development bond for the 39-unit affordable housing development at the corner of Monterey and Bisceglia. They are seeking approximately \$5 million and will utilize a combination of Housing Trust, City, County Measure A, HOME Funds and federal tax credits; the City has pledged \$750,000 to this project contingent upon County funding.
- The Housing Team has been working with the County Planning Department to expedite the permit process to repair the Thousand Trails RV bridge that was closed due to winter flooding, permits have been issued and the target to re-open is November 1st.
- The Housing Team is discussing potential opportunities for farmworker agricultural housing in South County with the County Planning Department and the Office of Supportive Housing.

- The City permitted construction of 137 Senior affordable units at the Lodge on Barrett Avenue, now fully occupied and serving several previously homeless Veterans and others, for a total of 42 units with federal rental subsidies.
- The Housing Authority provides Section Eight federal rental assistance vouchers countywide. There are 283 vouchers in Morgan Hill; current average monthly housing assistance per household is \$1,423. The approximate annual amount funded by the Housing Authority in the City of Morgan Hill is \$4,832,508.
- The City permitted construction of 114 Senior affordable units at the Huntington, and conducted targeted local outreach efforts to daylight the opportunity to Morgan Hill and south County residents. The project is 100% leased.
- In April 2017, groundbreaking of the EAH three-site project launched the 41 unit, new construction affordable housing development scheduled to be completed in July 2018, and designated for families and Transitional Age Youth (TAY) aging out of foster care.
- Partnered with the Police Department, County Planning Department, and the faith based community, an eight space, pet welcome, Safe Parking Program was launched on July 8, 2017 at a local church for eight homeless families living in their cars where they are receiving coordinated assessment, services, meals, and support with the goal of providing some stability and getting them into permanent housing. The Program began serving eight families, 25 people and 8 children. Two families have found housing since, and one family has completed the family reunification process.
- In June 2017, the City conducted a loan closing to facilitate the major rehabilitation of the 1970's Village Avante, now known as Park Place development, a 112-unit multifamily development that is home to 420 people, currently undergoing major rehabilitation. As turn-over occurs in this development, some of the units are set aside for families transitioning out of temporary housing; thus, freeing up nearby temporary units to be vacated so that room can be available for homeless families.
- The Police Department is working with the County Office of Supporting Housing to refer homeless individuals into transitional housing programs where beds are reserved for re-entry clients.

The Housing Team, in partnership with the Police Department, is working side by side the County of Santa Clara to develop housing policy and strategies to reduce the number of families experiencing homelessness, as well as shaping the implementation efforts of Measure A. The City has a variety of housing policies that support the creation and preservation of affordable housing, including but not limited to: the 20% affordable unit set aside in the annual Residential Development Control System competition, and the 8% affordable benchmark for projects, a successful tool that has created one in eight homes as deed restricted at an affordable rate. The

City has aggressively protected its Below Market Rate (BMR) homes by litigating to enforce affordability covenants and to preserve the BMR homes, as well as support the administration costs necessary to maintain the integrity of the Program.

Additionally, the City permits secondary dwelling units, supports a minor home repair program through Rebuilding Together for Seniors and mobile home owners, preservation and protection of existing mobile home parks through the Mobile Home Ordinance, and incentivizes affordable housing development by offering zoning benefits, density or height or decreased parking requirements as required by state law. Most recently, the Council modified the affordable housing in-lieu fee establishing a fee formula based upon a projects total square footage based upon \$12.92 per square foot to support affordable housing.

Collectively, with permanently restricted rental and ownership units, mobile homes (affordable by design but not restriction) and RV's counted, more than 24% of the City's housing stock is affordable.

Other strategies to consider:

South County Housing Regional Partnerships: By definition, many homeless individuals cross jurisdictional boundaries from time to time. This is why it is important to have a coordinated regional approach to solve the problem and to continue to reduce new numbers by encouraging the participation of all cities in the County. At the same time, homeless families may be born and raised in the community they now find themselves homeless in, for the first time. It is a varied and diverse population. For example, of the eight families staying at the safe parking program, half of the households are employed, some have long term disabilities, some are working in agriculture, and all have been homeless for at least one year. Since the start of the Program, August 8th, two families have been permanently housed and one has relocated to permanent housing. Because homelessness does not know jurisdictional boundaries, and because both the City of Morgan Hill and the City of Gilroy are located geographically further from service centers and are also experiencing a reduction in transportation service, it may prove worthy to look for opportunities to collaborate with the City of Gilroy to create some consensus around a South County regional housing framework to address a variety of housing and homeless needs. This could help ensure that housing opportunities are evaluated in relationship to the availability and sustainability of supportive services; proximity to transportation services, presence of experienced property management, and regional coordination with the County and Cities. Morgan Hill could also benefit from economies of scale as we assess the need for various service providers in South County. Staff has had preliminary conversations at the staff level with the City of Gilroy. If the Council chooses to encourage this direction, staff will return to Council with some possible South County housing strategies and partnerships for both Cities to consider.

Parking RV/Trailer or Oversized Vehicle Parking Ordinance: Staff recognizes the complexities of homelessness and its various residual impacts upon the community.

Excessive Trailer/RV parking has caused enforcement issues and the increased need to respond to illegal dumping of trash and human waste on city streets. Recognizing that homelessness is a sensitive, complex, and a labor-intensive issue, the City's constituency includes, homeless, housed, business owners, and commercial renters and landlords who expect the City to ensure their safety, security, health and environmental quality. The City has received many complaints from business owners and tenants who are impacted by RV and trailer parking on the streets of their businesses. Other cities experience similar issues in their communities and have taken various approaches from treading lightly, to posting no overnight parking in commercial areas to banning RV parking on streets throughout their jurisdiction, and or limiting RV parking with conditions.

Currently, the City has a 1961 trailer ordinance (8,08.050) that restricts trailers (camp-car, trailer, trailer coach, or other vehicles designed for human habitation) while being occupied, to only reside in mobile home or trailer parks. There is a provision that allows the Chief of Police to consent and issue a permit allowing a trailer or oversized vehicle to occupy space outside of a mobile home or trailer park for up to 48 hours, and can be extended an additional 3 weeks or any amount of time upon consent from the City Council. Additionally, while parked (except for loading/unloading), a trailer must be attached to a vehicle capable of moving the trailer at all times.

The police department has likely not seen RVs in neighborhoods due to the oversized vehicle parking ordinance (10.40.210) which prohibits vehicles greater than 22 feet in length or 7 feet in height to park on a residential street for longer than 10 consecutive hours.

Although there are some existing restrictions in the municipal code, recent case law limits our ability to enforce provisions that prohibit sleeping in vehicles. In recent years the Police Department has taken a moderate and gentler approach to enforcement. Given the recent increase in complaints by concerned constituents, and environmental impacts, some policy discussion needs to occur to consider alternative approaches. There is a need to balance and value all constituents' rights to safety, security, health and environmental quality.

The City, in part, has responded to the Homeless needs by creating a small scale Safe Parking program; however, that is only one strategy to aid in a larger problem. At the request of constituents, the City is being asked to discourage and enforce trailer parking in commercial areas of Morgan Hill; it is already enforced in residential areas.

At this time, the Housing and Public Safety Team would like to consider ways in which enforcement could potentially be implemented, and the impacts of such an ordinance, and or an alternative.

Staff recognizes that enforcing or banning RV parking may displace the RV dwellers into surrounding pockets of the County jurisdiction, and acknowledges the need to employ additional strategies and solutions to ensure that our efforts are part of a larger comprehensive regional solution.

The Council could consider a variety of options:

- Pending legal guidance and modification of the current Ordinance, increase enforcement efforts to not permit occupied RVs and trailers other than approved mobile home parks and RV parks.
- Expand the Oversize Vehicle Parking ordinance beyond residential streets.
- Modify the existing ordinance to further limit oversized vehicle parking. For example, one possible strategy is to require vehicle dwellers complete the County's Coordinated Entry System (CES) registration process through the new homeless outreach workers to obtain temporary permits that must be renewed again and again every few months. This option would create a new program and affords limited vehicle lodging on streets in non-residential areas and, thus, strives to meet the goal to protect businesses and neighborhoods in a manner that is sensitive to the needs of the homeless. This version could prohibit vehicle lodging, but allow a person to obtain a pass to lodge in a vehicle on certain designated streets. These designated streets would be in non-residential areas, and the vehicle lodging pass would only be valid for a limited time and only after receiving homeless outreach services from an entity such as the County of Santa Clara and its regional service providers. The City Council could consider other limitations, including restricting the number of vehicles that can be used for vehicle lodging on any designated street. Staff would attempt to mainstream the vehicular residents, with the goal of finding (non-vehicular) housing and ultimately diminish the problem. This approach would be costly and staff intensive, and require the need for enforcement support.

Depending on the direction Council would like to go, staff would return with a more detailed report of options and cost analysis.

In conclusion, Staff is requesting direction from the City Council to:

- 1) Enforce, expand or modify restrictions related to oversized vehicle parking to include Public Streets in commercial areas.
- 2) Provide guidance about creating synergy behind a South County regional affordable housing and homeless strategy in partnership with the City of Gilroy.
- 3) Authorize the City Manager to enter into an agreement between the City and the County of Santa Clara to reimburse the County for the City's proportional share of the 2017 Census and Survey and to fund the 2019 and 2021 Biennial Homeless Census and Survey in an amount not to exceed \$8,638 from Fund 255 Housing.

COMMUNITY ENGAGEMENT: Inform

This report serves to provide an update to the community on homelessness and the recommendation to enter into an agreement with the County for the homeless census and survey.

ALTERNATIVE ACTIONS:

As an alternative to the staff recommendation, the City Council may not authorize the Homeless Census agreement.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On June 17, 2015, the City Council adopted a resolution to support the Community Plan to End Homelessness in Santa Clara County. On February 3, 2016, the Council adopted a resolution at the request of the County Housing Task Force to further affirm the City of Morgan Hill's commitment to affordable housing. On April 5, 2017, the Council authorized \$50,000 of the Housing Fund to support two new homeless programs as a partial match to the County's larger Program, a Rapid Rehousing Rental Assistance Program and Homeless Outreach Caseworker program. Subsequently, at the May 19, 2017 budget workshop the Council authorized an additional \$25,000; thus, \$50,000 towards outreach workers and \$25,000 towards rental assistance for a two-year period.

FISCAL AND RESOURCE IMPACT:

Upon City Council approval, the City would enter into an agreement with the Office of Supportive Housing for the biennial homeless census count for years 2017, 2019, and 2021. The total contract would not exceed \$8,638 and would be funded in FY 2017-2018 from budgeted appropriations in Fund 255 (Successor Housing Agency).

CEQA (California Environmental Quality Act):

Not a Project. This report is for informational and discussion purposes only, and will not result in any direct or indirect environmental impacts.

LINKS/ATTACHMENTS:

1. FY17-21 Morgan Hill_Homeless Census Agreement
2. 2017 Santa Clara County Homeless Census and Survey Report

**AGREEMENT BETWEEN THE CITY OF MORGAN HILL
AND THE COUNTY OF SANTA CLARA
FOR THE HOMELESS CENSUS AND SURVEY PROJECT
FOR FISCAL YEARS 2017, 2019 and 2021**

This Agreement (Agreement) is between the City of Morgan Hill (CITY) and the County of Santa Clara (COUNTY) on behalf of the Office of Supportive Housing (OSH).

Purpose

This Agreement pertains to a collaborative endeavor between the CITY, COUNTY, and the City of Morgan Hill. CITY will provide funding to COUNTY, for the 2017, 2019 and 2021 Homeless Census and Survey Project. The goal is to administer three surveys and census in 2017, 2019 and 2021 to determine the scope of homelessness in the County of Santa Clara. As of March 28, 2017, the County Executive, or designee, have been given delegation of authority to negotiate, execute, amend or terminate agreement with CITY for conducting the biennial Homeless Census and Survey in 2017, 2019, and, 2021. The delegation of authority shall expire on June 30, 2021.

This Agreement states the specific responsibilities of each party.

IT IS AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. CITY Responsibilities

- a. CITY shall provide COUNTY funds, in an amount described in Section 4 (Compensation) of this Agreement, for census services provided by Applied Survey Research Inc. (CONTRACTOR). CONTRACTOR will administer the 2017, 2019 and 2021 Homeless Census and Survey.

2. COUNTY Responsibilities

- a. COUNTY shall transfer the funds received from CITY to the contractor for the payment of CONTRACTOR's census and survey administrative services in connection with the 2017, 2019 and 2021 Homeless Census and Survey Project, which Project includes homeless census services within the City of Morgan Hill.

3. Term

The term of the Agreement is from December 1, 2016, up to and including, June 30, 2021.

4. Compensation

CITY shall provide COUNTY with a one-time payment of \$2,740 in 2017. It is estimated that there will be a 5% increase in cost in each subsequent survey. The reimbursements for 2019 and 2021 will be based on the actual costs incurred during the surveys. CITY will not be responsible for more than the Maximum Financial Obligation of \$8,638.

5. Termination

Either party may terminate this Agreement with or without cause upon 30-days written notice to the other party.

6. Amendments

This Agreement may be modified provided the County Executive, or designee, who have delegation of authority to amend this Agreement, approve the amendment, and provided the parties execute a written amendment reflecting the modification.

7. Notices

All notices prescribed by this Agreement must be in writing and must be deemed effective upon their deposit in the United States mail, postage prepaid with return receipt requested and addressed:

To COUNTY: Neena Batallones
Administrative Services Manager
Office of Supportive Housing
3180 Newberry Drive, Suite 150
San Jose, CA 95118

To CITY: Attn: Rebecca Garcia
Housing Manager
17575 Peak Avenue
Morgan Hill, CA 95037

8. 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 are not to be shared pro rata but instead the CITY and the COUNTY agree that pursuant to Government Code Section 895.4, each of the parties hereto must 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, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, board member, employee or agent thereof is responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of other parties hereto, their officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such other parties under this Agreement.

9. Insurance

Without limiting the indemnification of either party to this Agreement, each party shall maintain or cause to be maintained the following insurance coverage: (1) a policy of commercial general liability with limits of liability not less than one million dollars (\$1,000,000) per occurrence and one million dollars (\$1,000,000) annual aggregate; (ii) a policy of workers' compensation providing statutory coverage; (iii) a policy of professional errors and omissions liability with limits of liability not less than one million dollars (\$1,000,000) per occurrence/aggregate; and (iv) such other insurance or self-insurance as shall be necessary to insure it against any claim or claims for damages arising under the Agreement. Insurance afforded by the commercial general liability policy shall be endorsed to provide coverage to the other party of the Agreement as an additional insured. Each party to this Agreement shall provide a Certificate of Insurance certifying that coverage as required herein has been obtained. The requirements of this section may be satisfied by the provision of similar coverage through a self-insurance program.

Authorized to Self-Insure: Nothing in the Agreement shall preclude CONTRACTOR and CITY from self-insuring all requirements mentioned in this section.

10. Non-Discrimination

CITY and COUNTY must comply with all applicable federal, state, and local laws and regulations including Santa Clara County's policies concerning nondiscrimination and equal opportunity in contracting. Such laws include but are not limited to the following: Title VII of the Civil Rights Act of 1964 as amended; Americans with Disabilities Act of 1990; The Rehabilitation Act of 1973 (Sections 503 and 504); California Fair Employment and Housing Act (Government Code sections 12900 *et seq.*); and California Labor Code sections 1101 and 1102. CITY and COUNTY must not discriminate against any subcontractor, employee, or applicant for employment because of age, race, color, national origin, ancestry, religion, sex/gender, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status in the recruitment, selection for training including apprenticeship, hiring, employment, utilization, promotion, layoff, rates of pay or other forms of compensation. Nor must CITY and COUNTY discriminate in provision of services provided under this contract because of age, race, color, national origin, ancestry, religion, sex/gender, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status.

11. Miscellaneous

This Agreement will be binding upon the successors, assigns, heirs, and beneficiaries of the parties hereto, subject to the provisions of Section 17 (Assignment) of this Agreement. The paragraph headings used in this Agreement are intended solely for convenience of reference and will not in any way or manner amplify, limit, modify or otherwise be used in the interpretation of any of the provisions of this Agreement.

12. Entirety

This Agreement, including its exhibits, reflects the sole and entire Agreement between COUNTY and CITY with respect to the subject matter hereof and will supersede all prior agreements between the parties as of the effective date hereof. The parties acknowledge and agree that they have not made any other representations with respect to the subject matter of this Agreement, or any representations inducing its execution and delivery except such representations as are specifically set forth herein.

13. Severability

In the event any one or more of the provisions contained in this Agreement are, for any reason, held to be invalid, illegal, or unenforceable in any respect, it will not affect any other provision of this Agreement. This Agreement will be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

14. Governing Law/Venue

This Agreement has been executed and delivered in, and will be construed and enforced in accordance with, the law of the State of California. Venue will be in the County of Santa Clara, California.

15. Waiver

No delay or failure to require performance of any provision of this Agreement will constitute a waiver of that provision as to that or any other instance. Any waiver granted by a party must be in writing, and will apply to the specific instance expressly stated.

16. Counterparts.

This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original, but all of which together will constitute one and the same instrument.

17. Assignment

Rights and obligations under this Agreement may not be assigned or delegated, in whole or in part, without the prior written consent of the other party. CITY will give COUNTY a minimum of thirty (30) days to consider any request to assign, prior to the proposed effective date of such assignment.

Failure to obtain prior written consent to an assignment will be deemed a material breach of this Agreement. Upon an authorized assignment, CITY will ensure that the terms and conditions of this Agreement will inure to the benefit of COUNTY and be binding upon the successor and assignees, except such terms and conditions as may be expressly waived, in writing, by COUNTY.

18. MOU Execution

Unless otherwise prohibited by law or COUNTY policy, the parties agree that an electronic copy of a signed MOU, or an electronically signed MOU, has the same force and legal effect as a MOU executed with an original ink signature. The term “ELECTRONIC COPY OF A SIGNED MOU” refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed MOU in a portable document format. The term “ELECTRONICALLY SIGNED MOU” means a MOU that is executed by applying an electronic signature using technology approved by the County.

19. California Public Records Act

The County is a public agency subject to the disclosure requirements of the California Public Records Act (“CPRA”). If Contractor’s proprietary information is contained in documents or information submitted to County, and Contractor claims that such information falls within one or more CPRA exemptions, Contractor must clearly mark such information “CONFIDENTIAL AND PROPRIETARY,” and identify the specific lines containing the information. In the event of a request for such information, the County will make best efforts to provide notice to Contractor prior to such disclosure. If Contractor contends that any documents are exempt from the CPRA and wishes to prevent disclosure, it is required to obtain a protective order, injunctive relief or other appropriate remedy from a court of law in Santa Clara County before the County is required to respond to the CPRA request. If Contractor fails to obtain such remedy within the time the County is required to respond to the CPRA request, County may disclose the requested information.

Contractor further agrees that it shall defend, indemnify and hold County harmless against any claim, action or litigation (including but not limited to all judgments, costs, fees, and attorney’s fees) that may result from denial by County of a CPRA request for information arising from any representation, or any action (or inaction), by the Contractor.

20. Third Party Beneficiaries

This agreement does not, and is not intended to, confer any rights or remedies upon any person or entity other than the parties.

AGREEMENT between COUNTY OF SANTA CLARA on behalf of THE OFFICE OF SUPPORTIVE HOUSING and THE CITY OF MORGAN HILL FOR FISCAL YEARS 2017, 2019 and 2021

IN WITNESS WHEREOF, the parties have executed this Agreement as indicated below:

APPROVED:

Ky Le Date
Director, Office of Supportive Housing
County of Santa Clara

Steve Rymer
City Manager
City of Morgan Hill

APPROVED AS TO FORM AND LEGALITY:

Lorraine Van Kirk
Deputy County Counsel
Santa Clara County

Donald A. Larkin Date
City Attorney
City of Morgan Hill

Attachment: FY17-21 Morgan Hill_Homeless Census Agreement (1362 : Homeless Census Report 2017)



SANTA CLARA COUNTY

2017

HOMELESS CENSUS & SURVEY

COMPREHENSIVE REPORT



Attachment: 2017 Santa Clara County Homeless Census and Survey Report (1362 : Homeless Census Report 2017)

REPORT PRODUCED BY ASR

ABOUT THE RESEARCHER

Applied Survey Research (ASR) is a social research firm dedicated to helping people build better communities by collecting meaningful data, facilitating information-based planning, and developing custom strategies. The firm was founded on the principle that community improvement, initiative sustainability, and program success are closely tied to assessment needs, evaluation of community goals, and development of appropriate responses.

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ASR would like to give special thanks to the individuals experiencing homelessness who acted as surveyors and guides during the count. Without their dedication and knowledge, the Santa Clara County Census and Survey would not be able to conduct these efforts. They provide access and knowledge about the community that is unobtainable without their support. These individuals took time from their day to participate in this effort and we owe them thanks.

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POINT-IN-TIME JURISDICTIONAL FUNDERS

City of Campbell	City of Morgan Hill
City of Cupertino	City of Mountain View
City of Gilroy	City of Palo Alto
City of Los Altos	City of San José
Town of Los Altos Hills	City of Saratoga
Town of Los Gatos	City of Santa Clara
City of Milpitas	City of Sunnyvale
City of Monte Sereno	County of Santa Clara

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Introduction

Every two years, during the last ten days of January, communities across the country conduct comprehensive counts of the local population experiencing homelessness. These counts measure the prevalence of homelessness in each community, and collect information on individuals and families residing in emergency shelters and transitional housing, as well as people sleeping on the streets, in cars, in abandoned properties, or in other places not meant for human habitation.

The biennial Point-in-Time Census is the only source of nationwide data on sheltered and unsheltered homelessness, and is required by the U.S. Department of Housing and Urban Development (HUD) of all jurisdictions receiving federal funding to provide housing and services for individuals and families experiencing homelessness.

Continuums of Care report the findings of their local Point-in-Time Census in their annual funding application to HUD, which ultimately help the federal government better understand the nature and extent of homelessness nationwide. Count data also help to inform communities' local strategic planning, capacity building, and advocacy campaigns to prevent and end homelessness.

The Santa Clara County Continuum of Care (SCC CoC) worked in conjunction with Applied Survey Research (ASR) to conduct the 2017 Santa Clara County Homeless Census and Survey. ASR is a social research firm with extensive experience in homeless enumeration and needs assessment. ASR has partnered with the county since 2007, maintaining the same methodology and thus ensuring as much consistency as possible, from one year to the next.

The Homeless Census and Survey has two primary components: a point-in-time enumeration of unsheltered individuals and families experiencing homelessness and a comprehensive survey sampling of people experiencing homelessness.

The 2017 census was a comprehensive community effort. With the support of approximately 132 individuals with lived experience of homelessness, 215 community volunteers, staff from various city and county departments, and law enforcement, the entire county was canvassed between the hours of 5:30 a.m. and noon on January 24 and 25, 2017. Because of the size of Santa Clara County, the count is spread over two days, with interstate 880 serving as the dividing line between day 1 and day 2. This resulted in a peer-informed visual count of unsheltered homeless individuals and families residing on the streets, in vehicles, makeshift shelters, encampments and other places not meant for human habitation. Shelters and facilities reported the number of homeless individuals and families who occupied their facilities on the night of January 24, 2017.

The SCC CoC also conducted a specialized count of unaccompanied children and transition-age youth under the age of 25 years old. This dedicated count is part of a nationwide effort, established and recommended by HUD, to improve our understanding of the scope of youth homelessness. Trained youth enumerators who are currently or recently have experienced

homelessness conducted the count in targeted areas where young people experiencing homelessness were known to congregate.¹ This is an important year for national data on young people experiencing homelessness, as HUD will use 2017 youth count results as a baseline for measuring progress toward ending youth homelessness by 2020.

In the weeks following the street count, an in-depth survey was administered to 587 unsheltered and sheltered homeless individuals. The survey gathered basic demographic details as well as information on service needs and utilization.

This report provides data regarding the number and characteristics of people experiencing homelessness in the Santa Clara CoC on two nights in January. Special attention is given to specific subpopulations, including chronically homeless individuals, veterans, families, unaccompanied children under the age of 18, and transition-age youth between the ages of 18 and 24.

To better understand the dynamics of homelessness over time, results from previous years (including 2013 and 2015) are provided where available and applicable.

PROJECT OVERVIEW AND GOALS

In order for the 2017 Santa Clara County Census and Survey to best reflect the experience and expertise of the community, ASR held regular planning meetings with city and county officials. These officials were drawn from city and county departments with experience in issues facing the population experiencing homelessness and many had participated in past counts. These individuals comprised the 2017 Planning Committee, and were instrumental to ensuring the 2017 Santa Clara County Homeless Census and Survey reflected the needs and concerns of the community.

The 2017 Planning Committee worked towards several important project goals:

- To preserve current federal funding for homeless services and to enhance the ability to raise new funds;
- To improve the ability of policy makers and service providers to plan and implement services that meet the needs of the local homeless population;
- To measure changes in the numbers and characteristics of the homeless population since the 2015 Santa Clara County Homeless Census and Survey, and to track progress toward ending homelessness;
- To increase public awareness of overall homeless issues and generate support for constructive solutions; and
- To assess the status of specific subpopulations, including veterans, families, unaccompanied children, transition-age youth, and those who are chronically homeless.

This report is intended to assist service providers, policy makers, funders, and local, state, and federal government in gaining a better understanding of the population currently

¹ Significant deduplication efforts were made in 2017 to ensure unaccompanied children and youth were not captured in both the youth and general street count efforts. For more information on these efforts and the overall count methodology, please see Appendix 1.

experiencing homelessness, measuring the impact of current policies and programming, and planning for the future.

FEDERAL DEFINITION OF HOMELESSNESS FOR POINT-IN-TIME COUNTS

In this study, the HUD definition of homelessness for the Point-in-Time Count is used. This definition includes individuals and families:

- Living in a supervised publicly or privately operated shelter designated to provide temporary living arrangement; or
- With a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

This definition does not include people living in unstable housing situations such as “couch surfing” or staying in motels or hotels.

Point-In-Time Census

The 2017 Santa Clara County Homeless Census and Survey included a complete enumeration of all unsheltered and sheltered homeless persons. The general street count was conducted on January 24 and 25, 2017 from approximately 5:30 a.m. to noon and covered all of the 1,307 square miles of Santa Clara County. The shelter count was conducted on the night of January 24, 2017, and included all individuals staying in: emergency shelters, transitional housing facilities for the homeless, and domestic violence shelters. The general street count and shelter count methodology were similar to those used in 2015, with some moderate improvements.

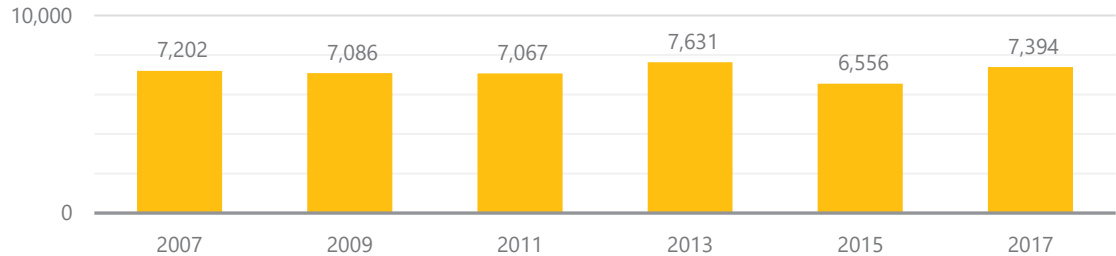
The methodology used for the 2017 Santa Clara County Homeless Census and Survey is commonly described as a “blitz count” since it is conducted by a large team over a very short period of time. In Santa Clara County the result of this method is an observation based count of individuals and families who appear to be homeless. The count is then followed by an in-person representative survey used to profile and estimate the condition and characteristics of the local homeless population. Information collected from the survey is used to fulfill HUD reporting requirements, and to inform local service delivery and strategic planning efforts.

In a continuing effort to improve data on the extent of youth homelessness, Santa Clara County also conducted a dedicated youth count similar to the one conducted in 2015. The dedicated youth count methodology was improved in 2017 to better ensure that unaccompanied children and transition-age youth were not double counted in both the general street and youth, to involve youth input and knowledge from the very beginning, and to make sure that more area was covered. For more information regarding the dedicated youth count, deduplication, and project methodology, please see Appendix 1.

NUMBER AND CHARACTERISTICS OF HOMELESS PERSONS IN SANTA CLARA COUNTY

The 2017 Santa Clara County Homeless Census and Survey found a total of 7,394 individuals experiencing homelessness on the night January 24th and 25th. This represents an increase of 13% since 2015.

FIGURE 1. TOTAL NUMBER OF HOMELESS INDIVIDUALS ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS WITH TREND, SANTA CLARA COUNTY



Source: Applied Survey Research. (2007-2017). Santa Clara County Homeless Census and Survey.

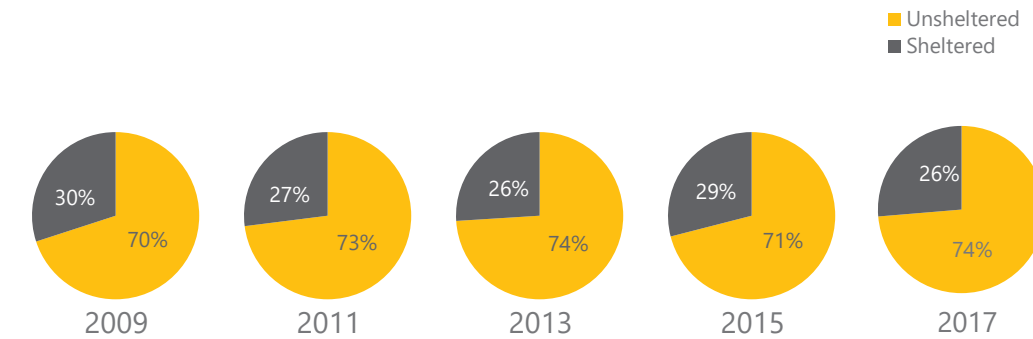
FIGURE 2. TOTAL NUMBER OF HOMELESS INDIVIDUALS ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS, SHELTERED VS. UNSHELTERED

Total Homeless Population: 7,394



Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

FIGURE 3. TOTAL HOMELESS CENSUS POPULATION BY SHELTER STATUS



	2009	2011	2013	2015	2017	'15-'17 % CHANGE
Sheltered	2,103	1,898	1,957	1,929	1,946	1%
Unsheltered	4,983	5,169	5,674	4,627	5,448	17%
Total	7,086	7,067	7,631	6,556	7,394	13%

Source: Applied Survey Research. (2009-2017). Santa Clara County Homeless Census and Survey.

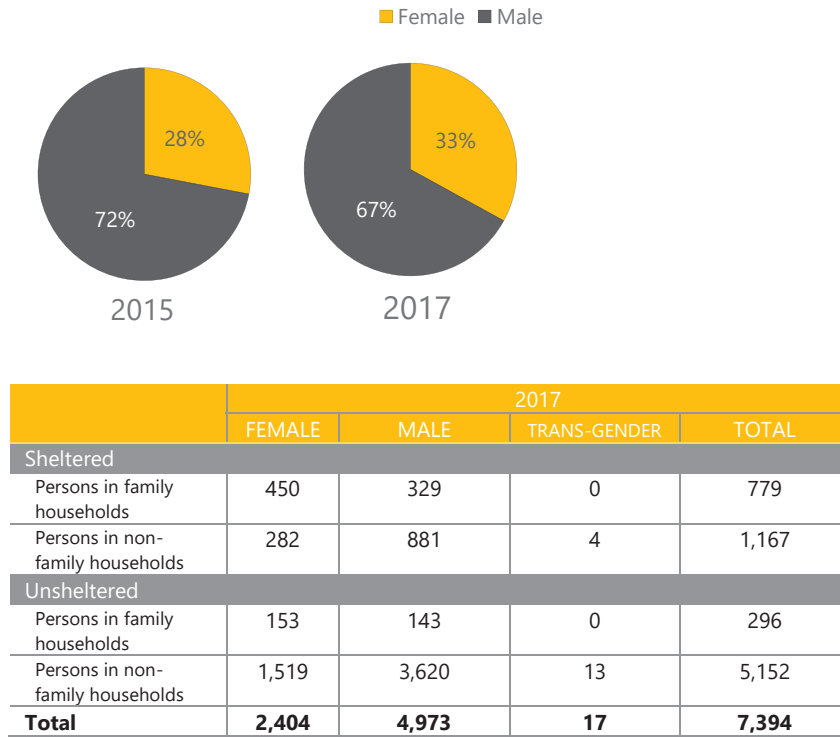
FIGURE 4. TOTAL NUMBER OF HOMELESS PERSONS BY JURISDICTION AND SHELTER STATUS

JURISDICTION	UNSHELTERED		SHELTERED		TOTAL		'15-'17 % CHANGE
	2015	2017	2015	2017	2015	2017	
Total Incorporated	4,204	5,259	1,817	1,775	6,021	7,034	17%
City of Campbell	53	94	0	0	53	94	77%
City of Cupertino	50	127	23	0	73	127	74%
City of Gilroy	179	295	260	427	439	722	64%
City of Los Altos	18	6	0	0	18	6	*
Town of Los Gatos	1	52	0	0	1	52	*
City of Milpitas	122	66	0	0	122	66	-46%
City of Monte Sereno	1	0	0	0	1	0	*
City of Morgan Hill	81	388	0	0	81	388	379%
City of Mountain View	271	411	5	5	276	416	51%
City of Palo Alto	203	256	16	20	219	276	26%
City of San José	2,810	3,231	1,253	1,119	4,063	4,350	7%
City of Santa Clara	150	199	227	73	377	272	-28%
City of Saratoga	10	12	0	0	10	12	*
City of Sunnyvale	255	122	33	131	288	253	-12%
Total Unincorporated	423	189	77	113	500	302	-40%
Confidential Locations	NA	NA	35	58	35	58	66%
Total	4,627	5,448	1,929	1,946	6,556	7,394	13%

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

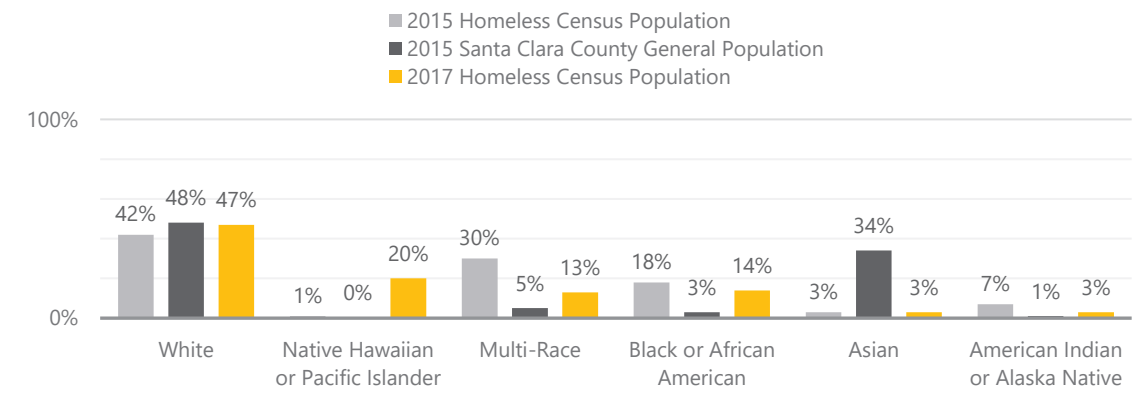
*Note: Percentage change was not calculated for jurisdictions with less than 50 individuals.

FIGURE 5. TOTAL HOMELESS CENSUS POPULATION BY GENDER



Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

FIGURE 6. TOTAL HOMELESS CENSUS POPULATION BY RACE



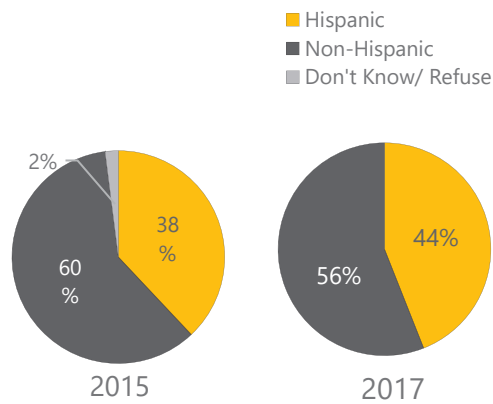
2015 n=6,556; 2017 n= 7,394

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

U.S. Census Bureau. (January 2017). American Community Survey 2015 1-Year Estimates, Table DP05: ACS Demographic and Housing Estimates. Retrieved from <http://factfinder2.census.gov>

Note: Multiple response question. Percentages may not add up to 100 due to rounding.

FIGURE 7. TOTAL HOMELESS CENSUS POPULATION BY HISPANIC/NON-HISPANIC



2015 N=6,556; 2017 N=7,394

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

Homeless Survey Findings

The methodology used for the 2017 Santa Clara County Homeless Census is described by HUD as a “blitz count and survey” in that it is conducted by numerous people over a very short period of time in an effort to avoid duplicate enumeration. The census is followed by a face-to-face representative survey. Importantly, the survey sample is then used to profile and estimate the condition and characteristics of the county’s homeless population and subpopulations for the purposes of HUD reporting and local service delivery and strategic planning. The results of the “blitz” census, combined with the survey, are used to provide estimates of the number of people affected by a given experience, while the survey provides the foundational data elements for the characteristics discussed in the following section of the report.

This section provides an overview of the findings generated from the survey component of the 2017 Santa Clara County Homeless Census and Survey. Surveys were administered to a sample of homeless individuals in the weeks following the census. This effort resulted in 587 complete and unique surveys. Based on a Point-in-Time Count of 7,394 homeless persons, with a randomized survey sampling process, these 587 valid surveys represent a confidence interval of +/- 4% with a 95% confidence level when generalizing the results of the survey to the estimated population of homeless individuals in Santa Clara County. In other words, if the survey were conducted again, we can be confident that the results would be within four percentage points of the current results.

In order to respect respondent privacy and to ensure the safety and comfort of those who participated, respondents were not required to complete all survey questions. Missing values are intentionally omitted from the survey results. Therefore, the total number of respondents for each question will not always equal the total number of surveys conducted.

SURVEY DEMOGRAPHICS

In order to gain a more comprehensive understanding of the experiences of individuals and families experiencing homelessness in Santa Clara, respondents were asked basic demographic questions including age, gender, sexual orientation, and race/ethnicity.

AGE OF SURVEY RESPONDENTS

Eight percent (8%) of survey respondents were under the age of 25 at the time of the survey. Twenty-three percent (23%) were between the ages of 25 and 40, 61% were between the ages of 41 and 60, and 9% were 61 years or older.

FIGURE 8. SURVEY RESPONDENTS BY AGE

Age Group	2015	2017
Less than 18 Years	1%	<1%
18-24 Years	12%	7%
25-30 Years	7%	7%
31-40 Years	20%	16%
41-50 Years	25%	27%
51-60 Years	26%	34%
61 Years or More	9%	9%

2015 n: 952; 2017 n: 587

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

GENDER AND AGE

Over one-third of survey respondents (34%) identified as female, 64% as male, and 1% as transgender. One percent did not identify as male, female, or transgender. Among the female population, 3% indicated that they were currently pregnant.

More than half (54%) of survey respondents indicated they were men and between the age of 25 and 60, followed by women in the same age group (28%).

FIGURE 9. GENDER BY AGE OF SURVEY RESPONDENTS

Gender	0-24	25-60	61 and Older
Male	5%	54%	5%
Female	2%	28%	3%
Transgender	1%	1%	0%
Other	1%	0%	0%

2017 n: 586

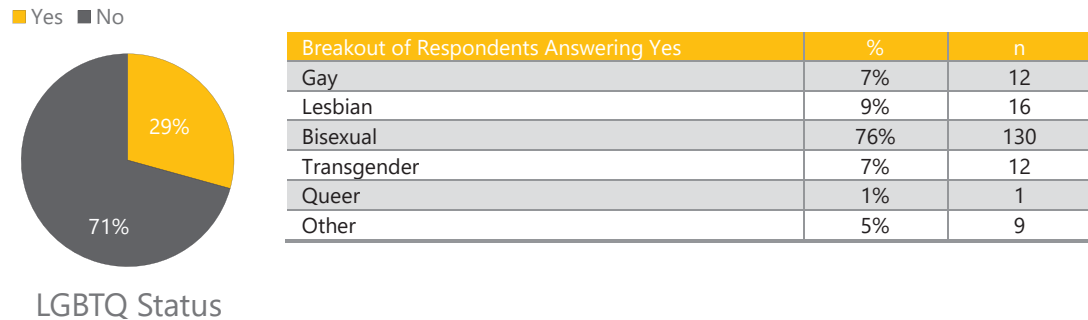
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Homeless Survey Findings

SEXUAL ORIENTATION

While there are limited data available on the number of lesbian, gay, bisexual, transgender, and queer (LGBTQ) individuals experiencing homelessness, nationwide data available suggest LGBTQ individuals experience homelessness at higher rates, especially those under the age of 25. Twenty-nine percent (29%) of homeless survey respondents identified as LGBTQ in 2017. Of those respondents, 76% identified as bisexual, 9% lesbian, 7% gay, 7% transgender, and 5% identified with another gender or sexual orientation.

FIGURE 10. SEXUAL ORIENTATION AND LGBTQ IDENTITY



LGBTQ 2017 n= 587; Breakout n=172 respondents offering 180 responses

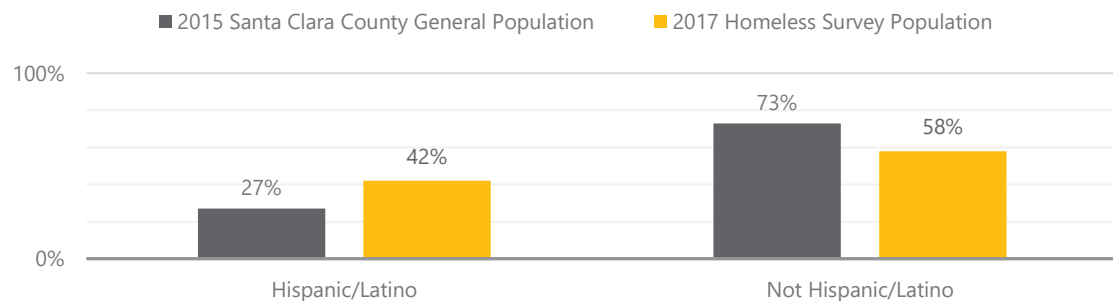
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

RACE/ETHNICITY

The U.S. Department of Housing and Urban Development (HUD) gathers data on race and ethnicity in two separate questions, similar to the U.S. Census. When asked if they identified as Hispanic or Latino, more than half (58%) of homeless survey respondents reported they did not identify as Hispanic or Latino. In comparison to the general population of Santa Clara County, a higher percentage of homeless respondents identified as Hispanic or Latino (42% compared to 27%).

FIGURE 11. HISPANIC OR LATINO ETHNICITY



2017 n = 577

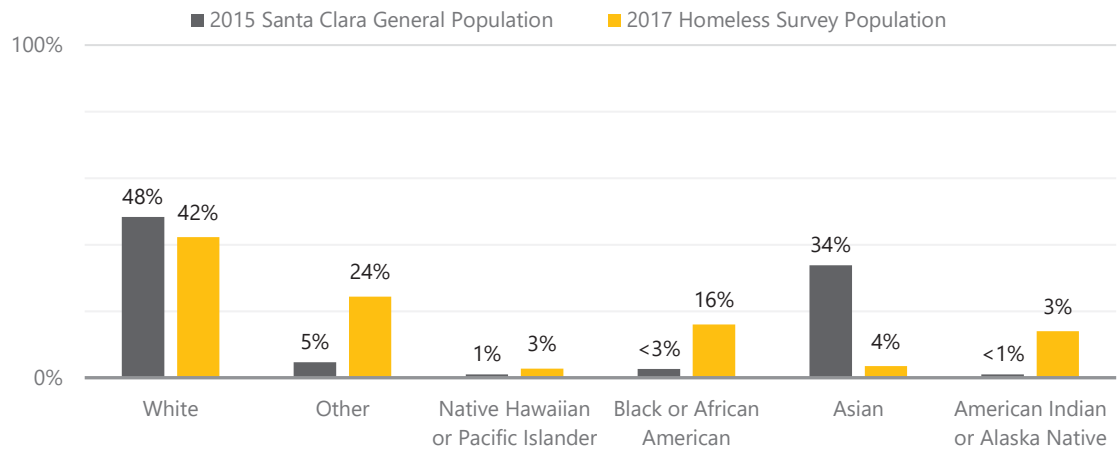
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

U.S. Count Bureau. (April 2015). American Community Survey 2015 1-Year Estimates. Table DP05: ACS Demographic and Housing Estimates. Retrieved from <https://factfinder.census.gov>.

Note: Percentages may not add up to 100 due to rounding.

In regards to racial identity, differences between the general population and those experiencing homelessness were more distinct. A much higher proportion of homeless survey respondents identified as Black or African-American (16% compared to 3%), whereas a very small percentage of the homeless survey population identified as Asian when compared to the general population (4% compared to 34%).

FIGURE 12. RACE



2017 n = 521

Source: Applied Survey Research. (2017). *Santa Clara County Homeless Census and Survey*. U.S. Count Bureau. (April 2015). *American Community Survey 2015 1-Year Estimates. Table DP05: ACS Demographic and Housing Estimates*. Retrieved from <https://factfinder.census.gov>.

Note: Percentages may not add up to 100 due to rounding.

HISTORY OF FOSTER CARE

It has been estimated that one in five former foster youth experience homelessness within four years of exiting the foster care system.² In the State of California, foster youth are now eligible to receive services beyond age 18. Transitional housing and supportive services for youth between 18-24 are provided with the hope that these additional supports, implemented in 2012, will assist foster youth with the transition to independence and prevent them from becoming homeless.

In 2017, 12% of respondents reported a history of foster care, lower than in 2015 (16%). The percentage of youth under the age of 25 who had been in foster care was much higher than adults over the age of 25 (45% compared to 10%).

FIGURE 13. HISTORY OF FOSTER CARE



2017 n: 566

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

²Fernandes, AL. (2007). Runaway and Homeless Youth: Demographics, Programs, and Emerging Issues. Congressional Research Services, January 2007, <http://www.endhomelessness.org/content/general/detail/1451>.

LIVING ACCOMMODATIONS

Where individuals lived prior to experiencing homelessness and where they have lived since impacts the way they seek services, as well as their ability to access support from friends or family. Previous circumstances can also point to gaps in the system of care, and reveal opportunities for systemic improvement and homeless prevention.

Survey respondents reported many different living accommodations prior to becoming homeless, although most lived in or around Santa Clara County with friends or family, or on their own in a home or apartment.

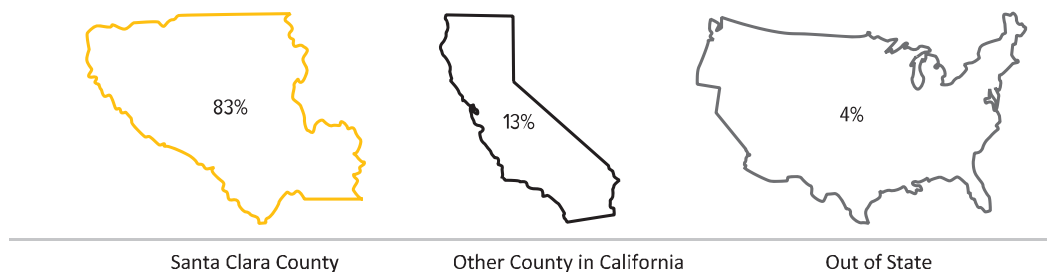
PLACE OF RESIDENCE

Knowing where individuals were living before they most recently lost their housing informs discussions regarding how local the homeless population is to the region. This information can also influence changes to available support systems if the Continuum of Care finds increasing numbers of individuals living locally before experiencing homelessness.

Eighty-three percent (83%) of respondents reported living in Santa Clara County at the time they most recently became homeless, similar to 2015 (84%). Among these respondents, over half (61%) had lived in Santa Clara County for 10 or more years; five percent (5%) had lived in Santa Clara for less than one year.

Four percent (4%) of respondents reported living out of state at the time they lost their housing, and 13% reported living in another county in California.

FIGURE 14. PLACE OF RESIDENCE AT TIME OF HOUSING LOSS



2017 n=580

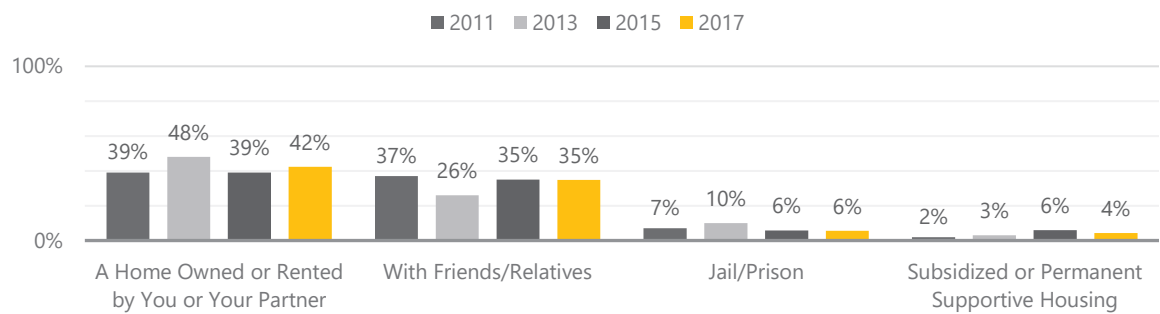
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

PRIOR LIVING ARRANGEMENTS

Similar to previous place of residence, the type of living arrangements of individuals were in prior to experiencing homelessness provides a look into what types of homeless prevention services might be offered to help individuals maintain their housing.

Forty-two percent (42%) of survey respondents reported living in a home owned or rented by themselves or their partner prior to becoming homeless, slightly higher than 2015 (39%). Thirty-five percent (35%) reported living with friends or relatives, similar to 2015. Six percent (6%) reported they were living jail or prison, and four percent (4%) were staying in a subsidized housing or permanent supportive housing unit. Three percent (3%) of respondents reported they were in a hospital or treatment facility immediately prior to becoming homeless.

FIGURE 15. LIVING ARRANGEMENTS IMMEDIATELY PRIOR TO BECOMING HOMELESS



2011 n= 1,004; 2013 n= 811; 2015 n= 886; 2017 n= 575

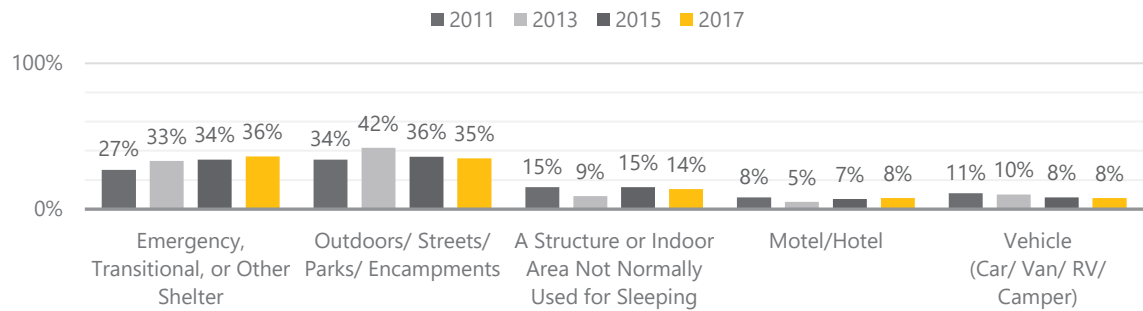
Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

CURRENT LIVING ARRANGEMENTS

While basic information on where individuals were observed during the general street count effort is collected, survey respondents are also asked about their usual nighttime accommodations. Understanding the types of places individuals experiencing homelessness are sleeping can help inform local outreach efforts.

Thirty-six percent (36%) reported staying in a public shelter (emergency shelter, transitional housing facility, or an alternative shelter environment). Over one-third (35%) of survey respondents reported currently living outdoors, either on the streets, in parks, or in encampment areas. Fourteen percent (14%) reported sleeping in public buildings, foyers, hallways, or other indoor locations not meant for human habitation, 8% were staying in a hotel or motel, and 8% were staying in a vehicle.

FIGURE 16. USUAL PLACES TO SLEEP AT NIGHT



2011 n= 1,012; 2013 n= 850; 2015 n= 926; 2017 n= 587

Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

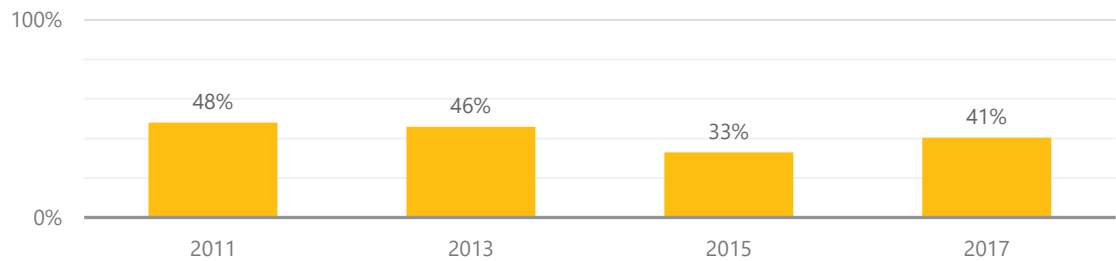
Note: 2013 response option specified that motel/hotel was paid for by an agency.

DURATION AND RECURRENCE OF HOMELESSNESS

Many individuals who experience homelessness will have several episodes over time. As some relapse and fall out of stable housing, it becomes important to keep track of the number of times they experience literal homelessness.

Unstable living conditions, poverty, housing scarcity, and many other issues often lead to individuals returning to homelessness. For many, the experience of homelessness is part of a long and recurring history of housing instability. More than half (60%) of 2017 survey respondents reported they had experienced homelessness previously.

FIGURE 17. FIRST TIME HOMELESS (RESPONDENTS ANSWERING “YES”)

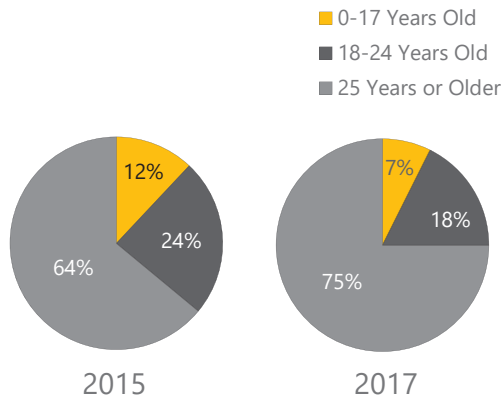


2011 n= 1,009; 2013 n= 855; 2015 n= 937; 2017 n= 585

Source: Applied Survey Research. (2009-2017). Santa Clara County Homeless Census and Survey.

In an effort to better understand the experiences and age distribution of those experiencing homelessness, respondents were asked how old they were the first time they experienced homelessness. In response, 7% of respondents reported that they were under the age of 18, 18% reported they were between the ages of 18 and 24, and 75% reported they were 25 or older.

FIGURE 18. AGE AT FIRST EXPERIENCE OF HOMELESSNESS



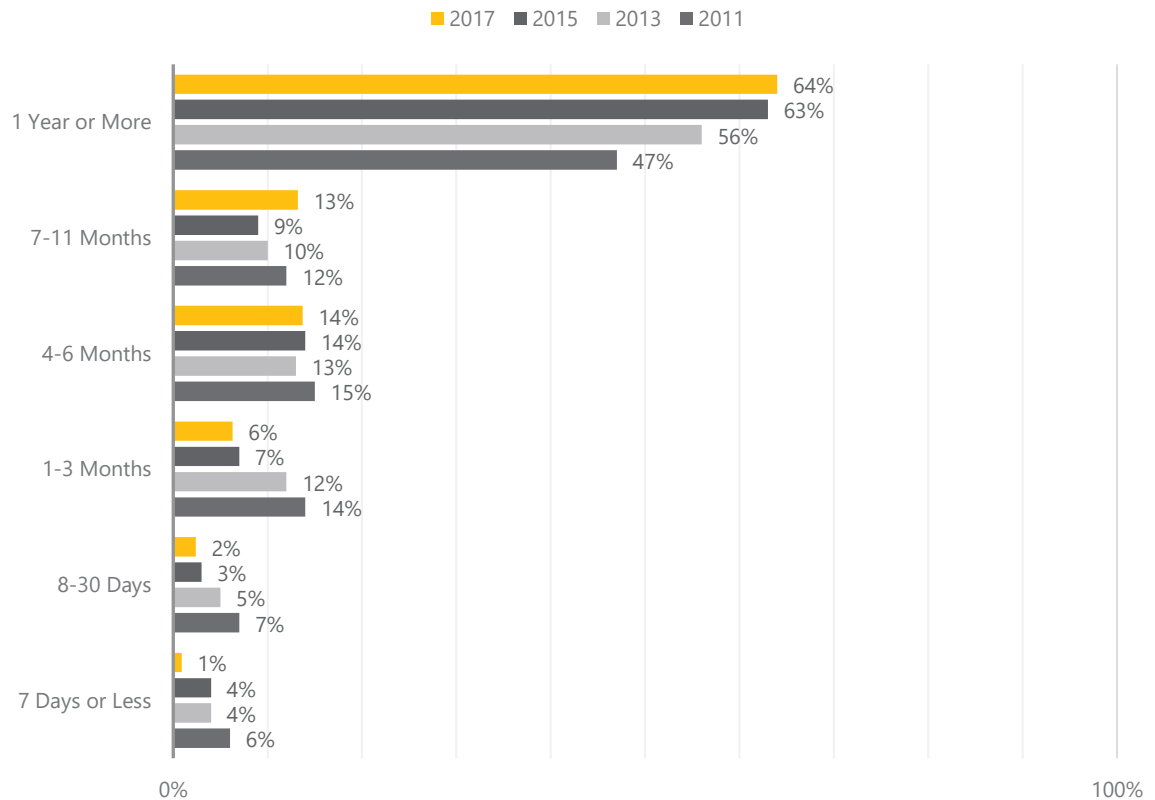
2015 n: 913; 2017 n: 557

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

DURATION OF HOMELESSNESS

When asked how long they had been homeless, over two-thirds (64%) of survey respondents reported they had been homeless for a year or more. These findings are similar to 2015, when 63% of respondents reported they had been homeless for a year or more.

FIGURE 19. LENGTH OF CURRENT EPISODE OF HOMELESSNESS



2011 n= 992; 2013 n= 836; 2015 n= 911; 2017 n= 585

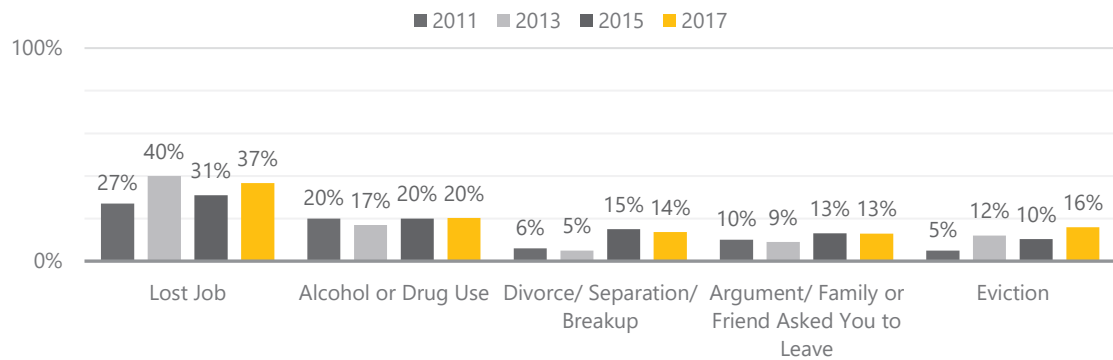
Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

PRIMARY CAUSE OF HOMELESSNESS

The primary cause of an individual's inability to obtain or retain housing is difficult to pinpoint, as it is often the result of multiple and compounding causes.

Over a third (37%) of survey respondents reported job loss as the primary cause of their homelessness, while twenty percent (20%) cited drug or alcohol use. Sixteen percent (16%) of respondents indicated eviction as the primary cause of their homeless, a much higher rate than in previous years. Fourteen percent (14%) of respondents reported a divorce or separation as the primary cause of their homelessness.

FIGURE 20. PRIMARY CAUSE OF HOMELESSNESS



2011 n: 997; 2013 n= 818 respondents offering 1,029; 2015 n= 920 respondents offering 1,326 responses; 2017 n= 580 respondents offering 793 responses.

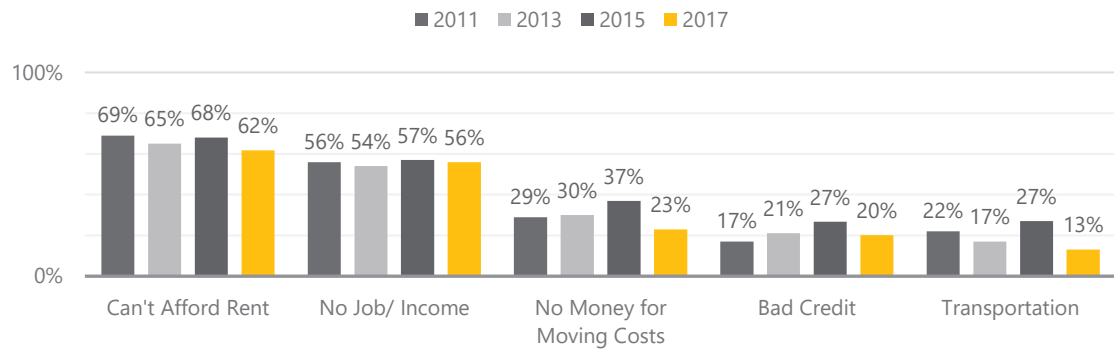
Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

OBSTACLES TO OBTAINING PERMANENT HOUSING

Many who are experiencing homelessness face significant barriers in obtaining permanent housing. These barriers can range from housing affordability and availability to accessing the economic and social supports (e.g. increased income, rental assistance, case management) needed to access and maintain permanent housing. An inability to secure adequate housing can lead to an inability to address other basic needs, such as healthcare and adequate nutrition.

Survey respondents were asked what prevented them from obtaining housing. The majority (62%) reported that they could not afford rent. Over one half (56%) reported a lack of job or income, followed by 23% who reported that they had no money for moving costs, and 20% who reported bad credit as an obstacle to obtaining permanent housing.

FIGURE 21. OBSTACLES TO OBTAINING PERMANENT HOUSING



2011 n= 999 respondents offering 2,412 responses; 2013 n= 774 respondents offering 1,831 responses; 2015 n= 896 respondents offering 3,012 responses; 2017 n= 571 respondents offering 1,382

Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

SERVICES AND ASSISTANCE

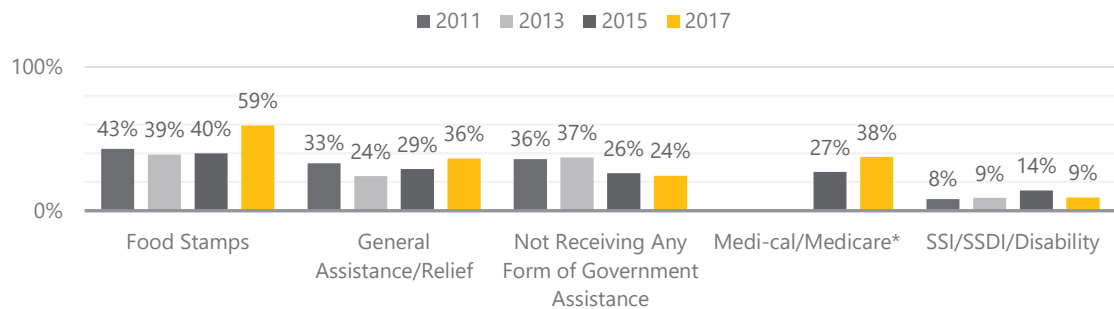
Santa Clara County provides services and assistance to those currently experiencing homelessness through federal and local programs. Government assistance and homeless services work to enable individuals and families to obtain income and support. However, many eligible individuals and families do not apply for services; many believe that they do not qualify for assistance. Connecting homeless individuals and families to these support services creates a bridge to mainstream support services and prevents future housing instability.

GOVERNMENT ASSISTANCE

There are a variety of forms of government assistance available to individuals experiencing homelessness. However, knowledge of services available, understanding of eligibility requirements, and perceived stigma of receiving governmental assistance can all impact the rate at which eligible individuals access these benefits.

Nearly two thirds (76%) of survey respondents in 2017 reported they were receiving some form of government assistance.

FIGURE 22. GOVERNMENT ASSISTANCE RECEIVED

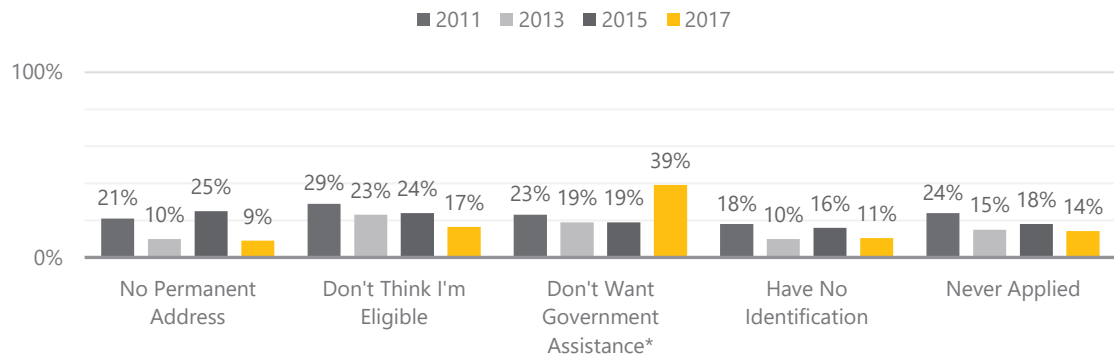


2011 n= 989 respondents offering 1,316 responses; 2013 n= 811 respondents offering 1,004 responses; 2015 n= 883 respondents offering 1,363 responses; 2017 n= 557 respondents offering 1,011 responses
 Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.
 Note: Multiple response question. Percentages may not add up to 100.

* Medi-Cal/Medicare was added as a response option in 2015.

Of those who reported they were not receiving any form of government support, the greatest percentage reported they did want government assistance (39%), at a rate much higher than similar respondents in 2015 (19%). Seventeen percent (17%) did not think they were eligible (a decrease from 24% in 2015).

FIGURE 23. REASONS FOR NOT RECEIVING GOVERNMENT ASSISTANCE



2011 n= 341 respondents offering 630 responses; 2013 n= 289 respondents offering 382 responses; 2015 n= 206 respondents offering 335 responses; 2017 n= 133 respondents offering 164

Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

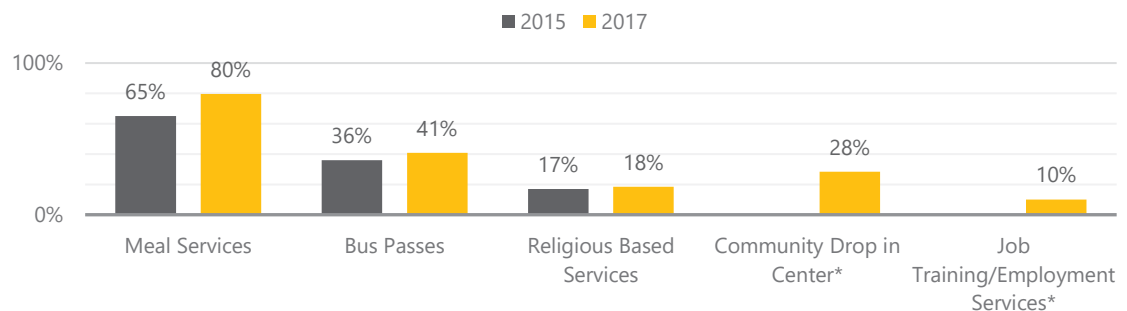
*In 2013 the response option changed from "do not need" to "do not want," which was an option in 2011.

SERVICES AND PROGRAMS

In addition to government assistance, there are numerous community-based services and programs available to individuals experiencing homelessness. These services range from day shelters and meal programs to job training and healthcare.

The majority of respondents reported using meal services (80%). Forty-one percent (41%) of respondents reported utilizing bus pass services, while approximately one in five respondents reported using religious based services. In 2017, two new options were offered to respondents; twenty-eight percent (28%) of respondents reported using community drop in centers, while 10% reported using job training/employment services.

FIGURE 24. SERVICES OR ASSISTANCE



2015 n= 875 respondents offering 1,960 responses; 2017 n= 570 respondents offering 1,247

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

* Community drop in center and job training/employment services response were added in 2017

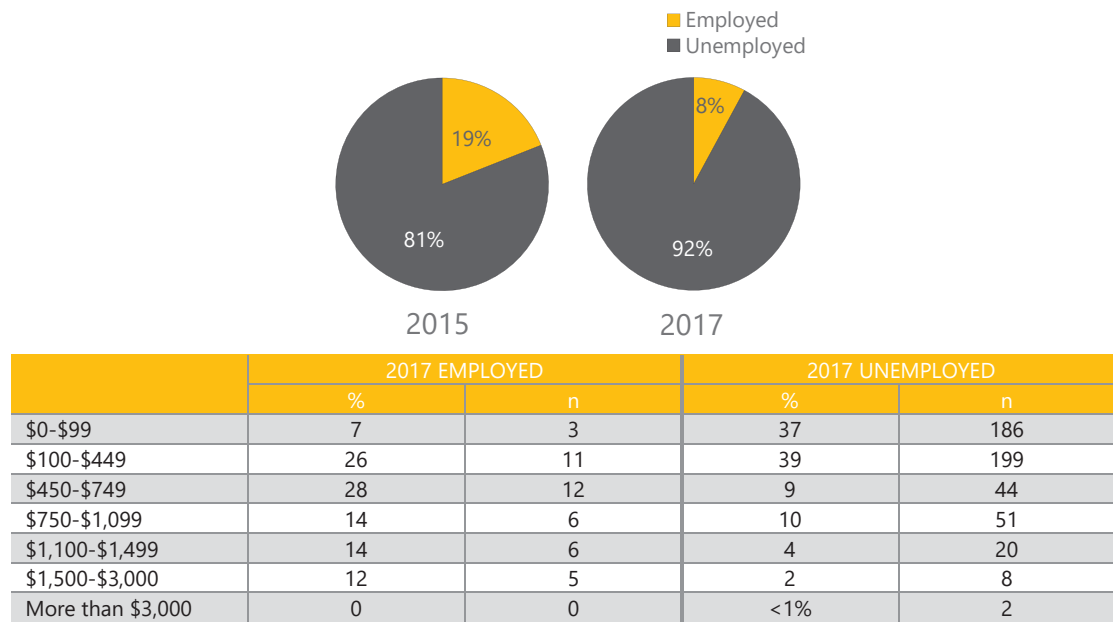
EMPLOYMENT AND INCOME

While the majority of survey respondents reported being unemployed, a number reported part-time or full-time work; many were receiving an income, either public or private. Despite some income, data suggest that employment and income were not enough to meet basic needs.

The unemployment rate in Santa Clara County in January 2017 was at 3.6%, slightly down from 4.7% during the same period in 2015.³ It is important to recognize that the unemployment rate represents only those who are unemployed and actively seeking employment. It does not represent all joblessness, nor does it address the types of available employment. The unemployment rate among homeless survey respondents was 92%, an increase from 81% in 2015. Fifty-five percent (55%) of unemployed respondents indicated that they were currently looking for work, 23% indicated they were currently unable to work, and nearly a quarter (22%) of respondents were currently not looking for work

Income from all sources varied between those with regular employment and those who were unemployed. Over one-third (37%) of unemployed respondents reported an income of \$99 or less per month, in comparison to 7% of those who were employed. Unemployed income is typically from government services, benefits, recycling, or panhandling. Overall income for those with employment was higher than those without. For example, 40% of employed respondents reported making \$750 or more per month, compared to 16% of unemployed respondents.

FIGURE 25. EMPLOYMENT AND MONTHLY INCOME



2017 employment status n: 560; Income employed n: 43; Income unemployed n: 510

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

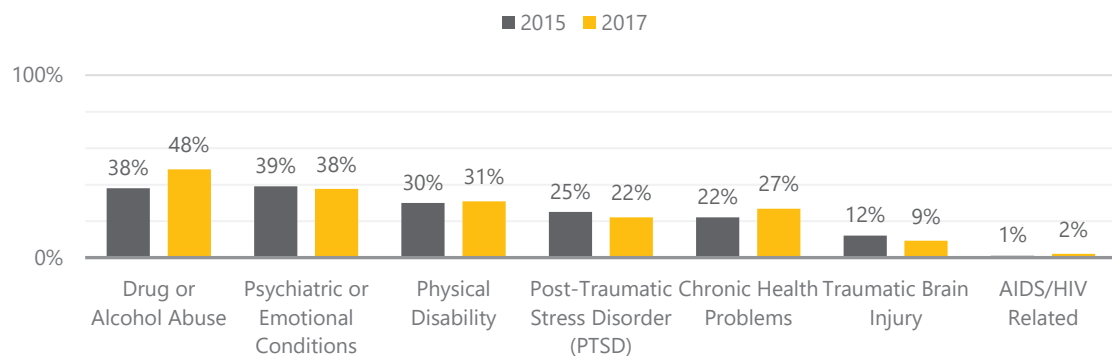
Note: Respondents were challenged by this income question and the low response for employed income is subject to a high margin of error.

³ State of California Employment Development Department. (2017). Unemployment Rates (Labor Force). Retrieved 2017 from <http://www.labormarketinfo.edd.ca.gov>

HEALTH

The average life expectancy for individuals experiencing homelessness is 25 years less than those in stable housing. Without regular access to healthcare and without safe and stable housing, individuals experience preventable illness and often endure longer hospitalizations. It is estimated that those experiencing homelessness stay four days (or 36%) longer per hospital admission than non-homeless patients.⁴ Drug or alcohol abuse among survey respondents was higher in 2017 than in 2015 (48% compared to 38%). Similarly, chronic health problems were cited more frequently in 2017 than in 2015 (27% and 22%, respectively).

FIGURE 26. HEALTH CONDITIONS



2015 n: 880-902; 2017 n: 548-570

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

⁴ Sharon A. Salit, M. E. (1998). *Hospitalization Costs Associated with Homelessness in New York City*. New England Journal of Medicine, 338, 1734-1740.

DOMESTIC/PARTNER VIOLENCE OR ABUSE

Histories of domestic violence and partner abuse are prevalent among individuals experiencing homelessness, and can be a primary cause of homelessness for many. Survivors often lack many of the financial resources required for housing due to a limited employment history or dependable income. Three percent (3%) of all survey respondents reported currently experiencing domestic/partner violence or abuse. When asked about experiences throughout their lifetime, 21% reported domestic/partner violence or abuse, a lower percentage of respondents than in 2015 (27%).

Domestic violence varied by gender, with 7% of female respondents reporting current experiences of domestic violence, compared to less than 1% of male respondents. Looking at domestic violence across the lifetime, 35% of female and 13% of male respondents reported previous experiences of domestic violence.

FIGURE 27. HISTORY OF DOMESTIC VIOLENCE



2017 n=575

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

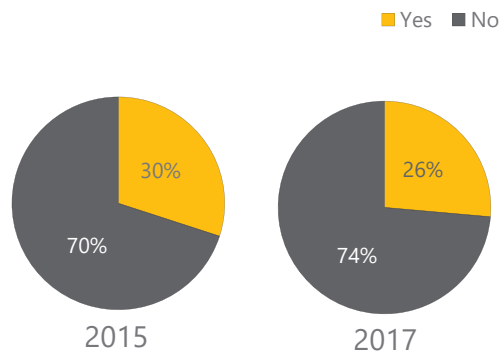
CRIMINAL JUSTICE SYSTEM

Homelessness and incarceration are often correlative. Individuals without stable housing are at greater risk of criminal justice system involvement, particularly those with mental health issues, veterans, and youth. Individuals with past incarceration face significant barriers to exiting homelessness due to stigmatization, and policies that affect both their ability to gain employment and access housing opportunities.⁵

INCARCERATION

When asked if they had spent a night in jail or prison in the last 12 months, approximately one in four (26%) survey respondents reported that they had, similar to 2015 findings (30%). Sixteen percent (16%) of respondents reported being on probation or parole at the time of the survey. Eight percent (8%) of respondents indicated they had accessed re-entry services.

FIGURE 28. SPENT A NIGHT IN JAIL OR PRISON IN THE LAST 12 MONTHS



2015 n= 903; 2017 n= 573

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

⁵ Greenberg, GA, Rosenheck, RA. (2008). Jail Incarceration, Homelessness, and Mental Health: A National Study. *Psychiatr Serv*, 2008 Feb;59(2): 170-7.

HUD Defined Subpopulations

Opening Doors: Federal Strategic Plan to Prevent and End Homelessness outlines national objectives and evaluative measures for ending homelessness in the United States. In order to adequately address the diversity within the population experiencing homelessness, the federal government identifies four subpopulations with particular challenges or needs. These four subpopulations include: individuals experiencing chronic homelessness, veterans, families, and unaccompanied children and transition-age youth. Consequently, these subpopulations represent important reportable indicators for measuring local progress toward ending homelessness.

The following sections examine each of these four subpopulations, identifying the number and characteristics of individuals included in the 2017 Santa Clara County Homeless Census and Survey.

Of the 587 surveys completed in 2017, the results represent 257 chronically homeless individuals, 49 homeless veterans, 19 individuals in homeless families,⁶ 42 unaccompanied children and transition-age youth. Surveys were completed in unsheltered environments, shelters, and transitional housing settings.

CHRONICALLY HOMELESS INDIVIDUALS

The Department of Housing and Urban Development defines a chronically homeless individual as someone who has experienced homelessness for a year or longer, or who has experienced at least four episodes of homelessness in the last three years, *and* also has a long-term disabling condition. This definition applies to individuals as well as heads of household who meet the definition.

The chronically homeless population represents one of the most vulnerable populations on the street; the mortality rate for those experiencing chronic homelessness is four to nine times higher than the general population.⁷ Data from communities across the country show that public costs incurred by those experiencing extended periods of homelessness include emergency room visits, interactions with law enforcement, incarceration, and regular access

⁶ Homeless families are somewhat underrepresented in Santa Clara's Homeless Survey data due sample execution issues. The majority of homeless families in Santa Clara are currently residing in shelters and transitional housing facilities. In 2017, shelter staff reported difficulties completing surveys of families, due to a variety of reasons.

⁷ United States Interagency Council on Homelessness. (2010). Supplemental Document to the Federal Strategic Plan to Prevent and End Homelessness: June 2010. Retrieved 2017 from https://www.usich.gov/resources/uploads/asset_library/BkgrdPap_ChronicHomelessness.pdf

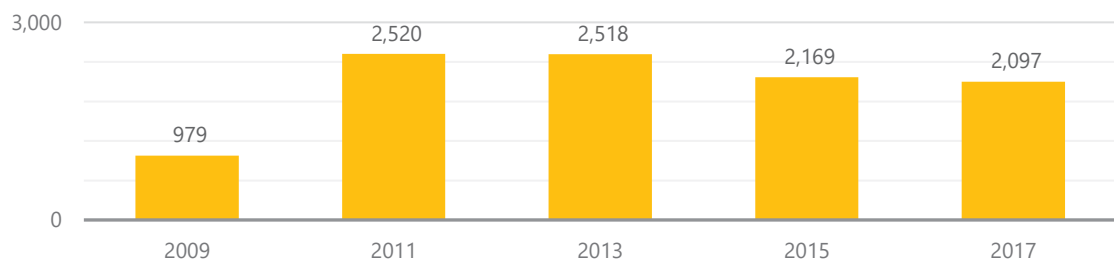
to social supports and homeless services. These combined costs are often significantly higher than the cost of providing individuals with permanent housing and supportive services.

The U.S. Department of Housing and Urban Development reported that roughly 22% of the national homeless population, or 77,486 individuals, was chronically homeless in 2016.⁸ Chronic homelessness has been on the decline in recent years, as communities across the country increase the capacity of their permanent supportive housing programs and prioritize those with the greatest barriers to housing stability. While the national decrease in chronic homelessness seems promising, federal budget constraints limit the amount of money available to support housing programs and services. As a result, *Opening Doors*, which began with a plan to end chronic homelessness by 2016, has extended the goal to 2017.⁹

CHRONICALLY HOMELESS INDIVIDUALS

There were a total of 2,097 individuals experiencing chronic homelessness, the lowest total since 2013. Individuals experiencing chronic homelessness made up 28% of the total homeless population.

FIGURE 29. TOTAL NUMBER OF CHRONICALLY HOMELESS INDIVIDUALS ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS WITH TREND



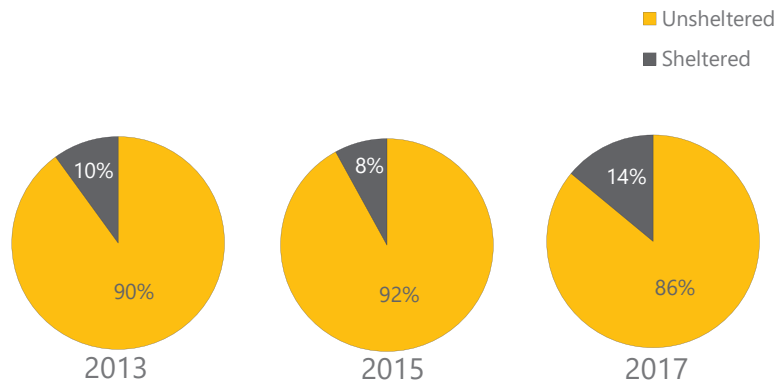
Source: Applied Survey Research. (2009-2017). Santa Clara County Homeless Census and Survey.

8 Department of Housing and Urban Development. (2016). Annual Assessment Report to Congress. Retrieved 2017 from <https://www.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

9 Cavallaro, E. (2017). Ending Chronic Homelessness, Now in 2017. National Alliance to End Homelessness. Retrieved 2017 from <http://www.endhomelessness.org>

HUD Defined Subpopulations

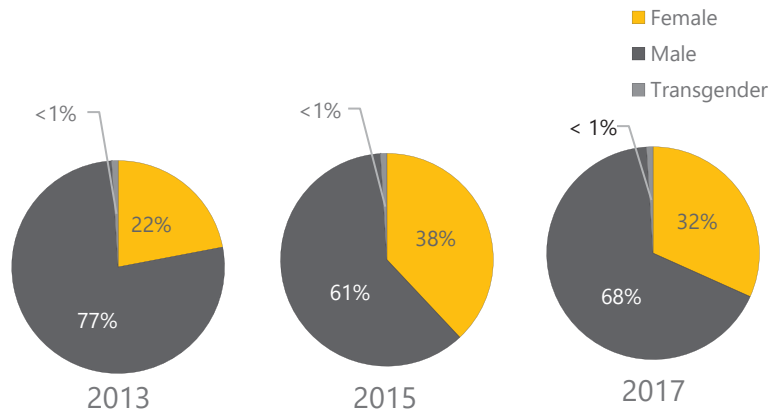
FIGURE 30. CHRONIC HOMELESS CENSUS POPULATION BY SHELTER STATUS



2013 n = 2,518; 2015 n = 2,169; 2017 n = 2,097

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

FIGURE 31. TOTAL CHRONIC HOMELESS CENSUS POPULATION BY GENDER



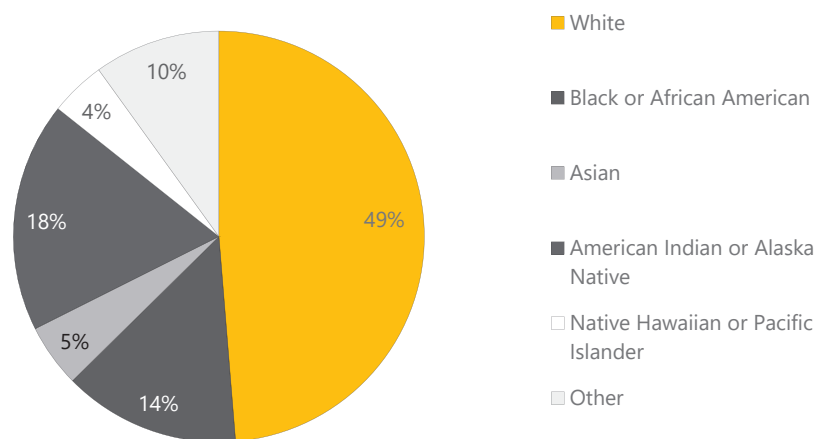
2013 n = 2,518; 2015 n = 2,169; 2017 n = 2,097

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

DEMOGRAPHICS OF CHRONICALLY HOMELESS SURVEY RESPONDENTS

The majority of chronically homeless survey respondents identified as male (68%), and at a slightly higher rate than the non-chronically homeless population (61%). A similar percentage of chronically homeless respondents identified as Hispanic or Latino compared to non-chronically homeless respondents (42% and 43%, respectively). Eight percent (8%) of chronically homeless respondents identified as veterans, similar to the non-chronic population.

FIGURE 32. RACE AMONG PERSONS EXPERIENCING CHRONIC HOMELESSNESS



Chronic n= 225

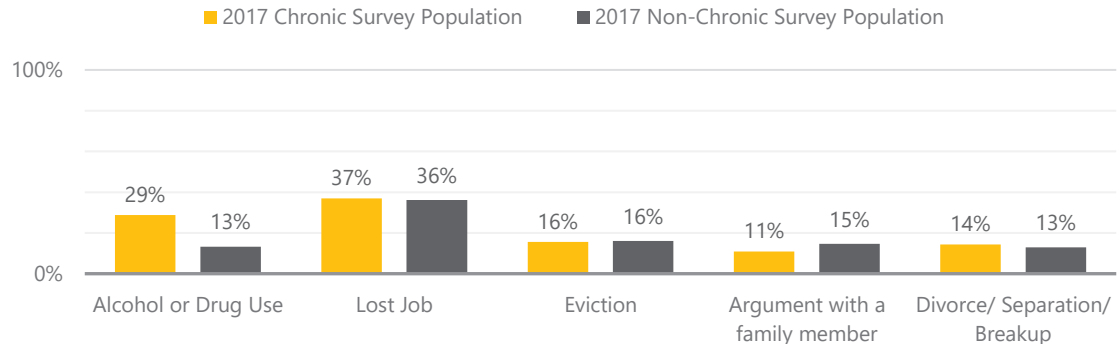
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Percentages may not add up to 100 due to rounding.

PRIMARY CAUSE OF HOMELESSNESS AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

Over one-third (37%) of chronically homeless survey respondents stated job loss as the primary cause of their homelessness, similar to 35% of respondents in 2015. Eleven percent (11%) of chronically homeless respondents cited an argument with a family member as the primary cause of their homelessness, compared to 15% of non-chronically homeless survey respondents.

FIGURE 33. PRIMARY CAUSE OF HOMELESSNESS, CHRONIC AND NON-CHRONIC COMPARISON



Chronic Survey Population= 257 respondents offering 391 responses; Non-Chronic Survey Population= 323 respondents offering 402 responses

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

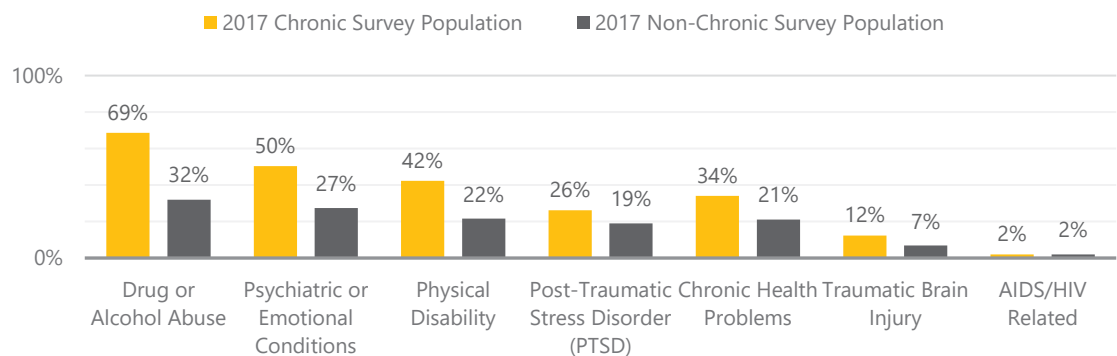
Note: Multiple response question. Percentages may not add up to 100.

HEALTH CONDITIONS AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

The definition of chronic homelessness requires a disabling condition, and many respondents reported experiencing multiple physical or mental health conditions. Sixty-nine percent (69%) of chronically homeless survey respondents reported alcohol or substance use, 50% reported an emotional or psychiatric health condition, and 42% reported a physical disability.

In general, higher rates of health conditions were reported among those who were chronically homeless compared to their non-chronically homeless counterparts.

FIGURE 34. HEALTH CONDITIONS, CHRONIC AND NON-CHRONIC COMPARISON



Chronic Survey Population: 239-255; Non-Chronic Survey Population: 309-318

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

ACCESS TO SERVICES AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

A lower percentage (10%) of chronically homeless respondents reported they were not using any local homeless services such as food and shelter services, compared to 17% of those who were not chronically homeless.

Sixteen percent (16%) of chronically homeless respondents reported they were not using government assistance, a decrease from 26% in 2015. Sixty-three percent (63%) reported receiving CalFresh (food stamps), 42% received Medi-Cal/Medicare, and 38% received General Assistance (GA).

Of chronically homeless respondents who were not receiving government services, nearly half (46%) reported that they did not want government assistance. Twenty percent (20%) reported never having applied.

INCARCERATION AMONG THOSE EXPERIENCING CHRONIC HOMELESSNESS

A similar percentage of chronic and non-chronic homeless respondents (26% and 27%, respectively) reported they had spent one or more nights in jail or prison in the 12 months prior to the survey. Seventeen percent (17%) of chronically homeless survey respondents reported being on probation or parole at the time of the survey, similar to the non-chronic population (15%).

VETERANS

Many U.S. veterans experience conditions that place them at increased risk for homelessness. Veterans experience higher rates of post-traumatic stress disorder (PTSD), traumatic brain injury (TBI), sexual assault, and substance abuse. Veterans experiencing homelessness are more likely to live on the street than in shelters, and often remain on the street for extended periods of time.

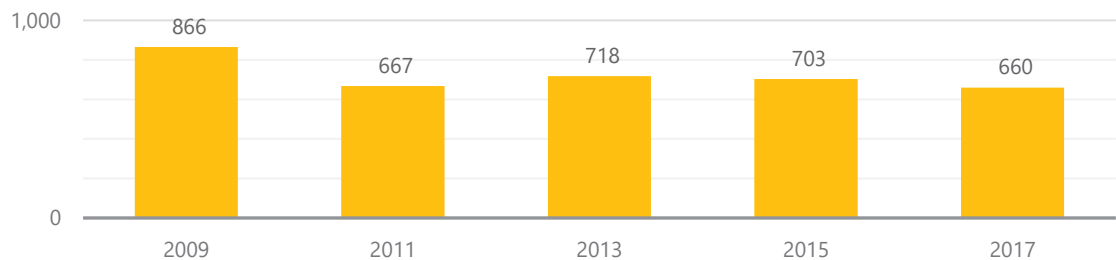
The U.S. Department of Veterans Affairs (VA) provides a broad range of benefits and services to veterans of the U.S. Armed Forces. These benefits can involve different forms of financial assistance, including monthly cash payments to disabled veterans, health care, education, and housing benefits. In addition to these supports, the VA and HUD partner to provide additional housing and support services to veterans' currently experiencing homelessness or at risk of experiencing homelessness.

Between 2009 and 2016, there has been a 48% decrease in the number of homeless veterans nationwide. According to data collected during the national 2016 Point-in-Time Count, 39,471 veterans experienced homelessness across the country on a single night in January 2016.¹⁰

HOMELESS VETERAN STATUS

There were 660 veterans identified during the 2017 Santa Clara County Homeless Census, the lowest number among the six cycles of the census.

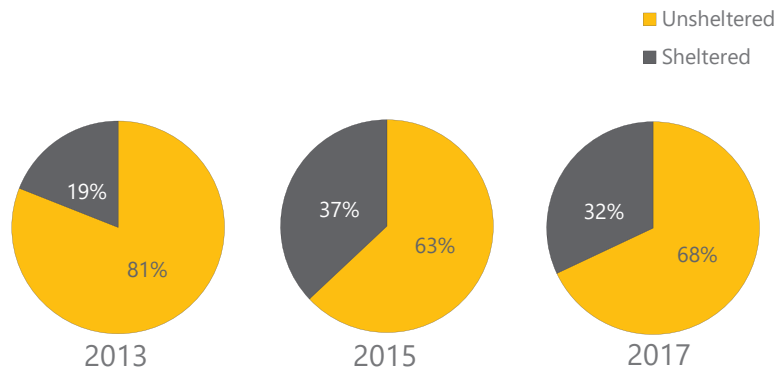
FIGURE 35. TOTAL NUMBER OF HOMELESS VETERANS ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS WITH TREND



Source: Applied Survey Research. (2009-2017). Santa Clara County Homeless Census and Survey.

¹⁰ Department of Housing and Urban Development. (2017). Annual Assessment Report to Congress. Retrieved 2017 from <https://www.hudexchange.info/resources/documents/2014-AHAR-Part1.pdf>

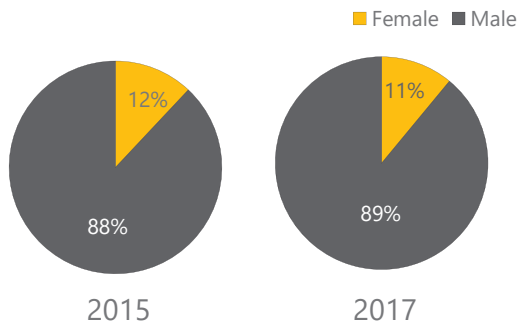
FIGURE 36. HOMELESS VETERAN CENSUS POPULATION BY SHELTER STATUS



2013 n= 718; 2015 n= 703; 2017 n= 660

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

FIGURE 37. TOTAL HOMELESS VETERAN CENSUS POPULATION BY GENDER



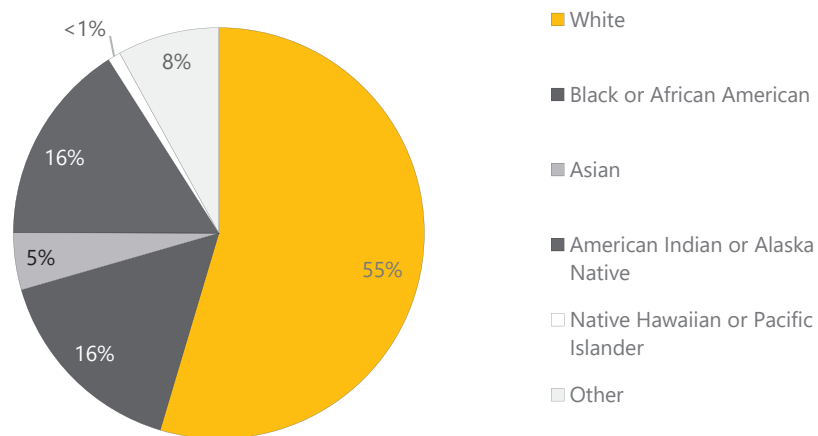
2015 n= 703; 2017 n= 660

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

DEMOGRAPHICS OF HOMELESS VETERANS

The majority of veteran homeless individuals identified as male (88%), higher than the non-veteran homeless population (62%). A similar percentage of veteran homeless respondents identified as Hispanic or Latino compared to non-veteran homeless respondents (43% and 42%, respectively).

FIGURE 38. RACE AMONG HOMELESS VETERANS



Veteran n= 44

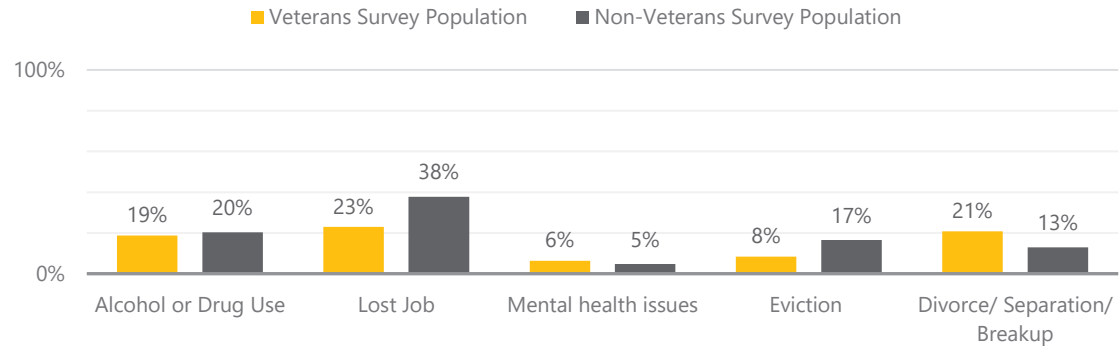
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Percentages may not add up to 100 due to rounding.

PRIMARY CAUSE OF HOMELESSNESS AMONG THOSE HOMELESS VETERANS

The most frequently cited cause of homelessness among veterans job loss, representing 23% of veteran survey respondents. Twenty-one percent (21%) reported divorce, separation or breakup as the primary cause of their homelessness, a notably higher rate when compared to the non-veteran population (13%). Alternatively, 8% of veteran respondents cited eviction as a primary cause of their homelessness, lower than the 17% of non-veteran survey population.

FIGURE 39. PRIMARY CAUSE OF HOMELESSNESS, VETERAN AND NON-VETERAN COMPARISON



Veterans Survey Population n= 48 respondents offering 59 responses; Non-Veteran Survey Population n= 532 respondents offering 734 responses

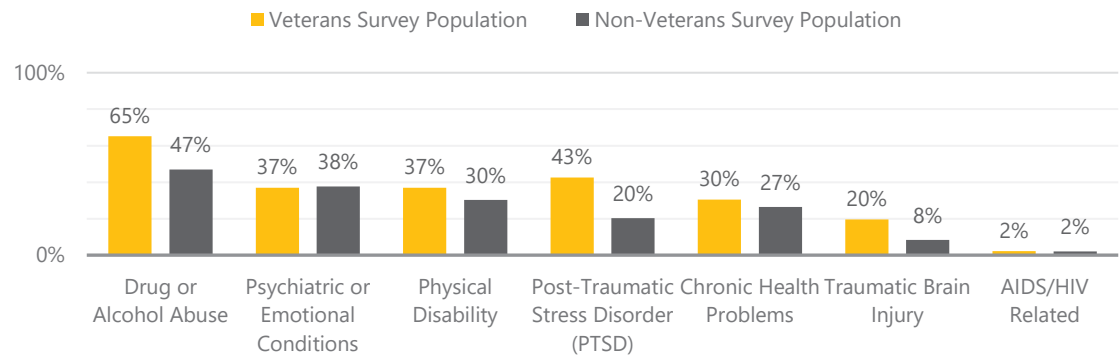
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

DISABLING CONDITIONS AMONG HOMELESS VETERANS

Forty-one percent (41%) of both veteran survey respondents and non-veteran survey respondents both reported having one or more disabling conditions.

FIGURE 40. HEALTH CONDITIONS, VETERAN AND NON-VETERAN COMPARISON



Veterans Survey Population n= 45-47; Non-Veteran Survey Population n= 503-524

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

ACCESS TO SERVICES AMONG VETERANS

Overall, the number of veterans connected to any form of government assistance was higher than the non-veteran population, 84% compared to 75%.

When asked about the specific services they are receiving, the most frequent responses were Food/Stamps/SNAP/WIC/CalFresh (41%) and General Assistance (23%). Twenty-seven percent (27%) of veteran survey respondents reported using a veteran specific benefit.

INCARCERATION AMONG HOMELESS VETERANS

Among those who are incarcerated, veterans are more likely than non-veterans to be first time offenders, to have committed a violent offense, and to have longer prison sentences. Veterans who are incarcerated may also face the loss of various VA benefits during this time.¹¹

A higher percentage of veterans (35%) reported having spent a night in jail in the last 12 months when compared to non-veterans (26%).

¹¹ Military Benefits. (2014). Incarcerated Veterans. Retrieved 2014 from <http://www.military.com/benefits/veteran-benefits/incarcerated-veterans.html>.

FAMILIES WITH CHILDREN

National data from 2016 suggest that 35% of all persons experiencing homelessness are persons in families. Very few families experiencing homelessness are unsheltered, as public shelters serve 90% of homeless families in the United States; this is a significantly higher proportion of the population compared to other subpopulations, including unaccompanied children and transition-age youth. Data on families experiencing homelessness suggest that they are not much different from families in poverty.

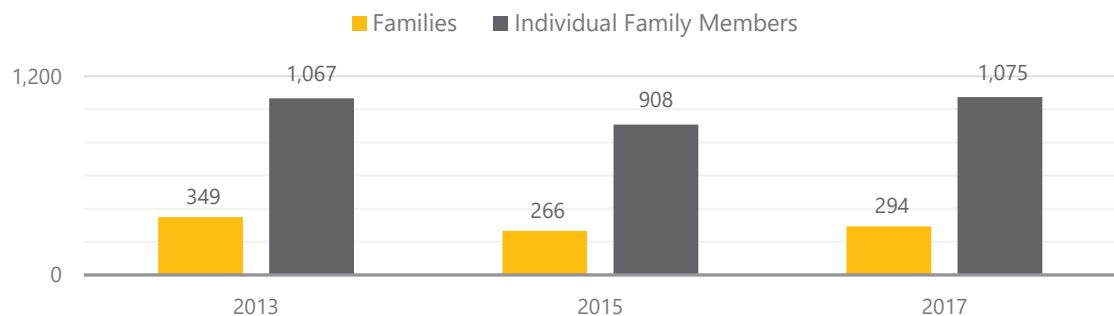
The risk of homelessness is highest among households headed by single women and families with children under the age of six.¹² Children in families experiencing homelessness have increased incidence of illness and are more likely to have emotional and behavioral problems than children with consistent living accommodations.¹³

HOMELESS FAMILIES WITH CHILDREN

There were a total of 294 families with children experiencing homelessness in 2017, a higher number than 2015, but a lower number than 2013. There were a total of 1,075 individuals living in these families. Twenty-eight percent of families were unsheltered, an increase from previous years. The greatly increased inclusion of data from McKinney-Vento representatives from the many participating school districts is one possible reason for this shift.

2017 saw the largest increase in participation in the history of the Census from local school representatives, thanks to the County Office of Education (COE). McKinney-Vento representatives have unparalleled access into families experiencing homelessness, a population that is difficult to enumerate without their help. While not all districts participated, far more participated than in past years, providing increased access to a frequently overlooked population. McKinney-Vento representatives also gather data on families that do not meet the federal definition of homelessness used in this count, or where it cannot be determined whether they meet the definition. These families are frequently staying in unconverted garages, hotels or motels, or other areas on private property that enumeration teams are unable to access.

FIGURE 41. TOTAL NUMBER OF HOMELESS FAMILIES WITH CHILDREN ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS, WITH TREND



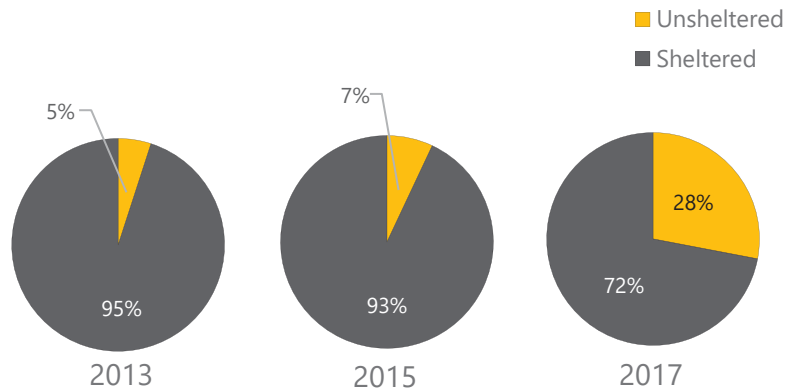
Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

¹² U. S. Department of Health and Human Services. (2007). Characteristics and Dynamics of Homeless Families with Children. Retrieved 2015 from <http://aspe.hhs.gov/>

¹³ U.S. Interagency Council on Homelessness. (2015). Opening Doors. Retrieved 2015 from <http://www.usich.gov/>

HUD Defined Subpopulations

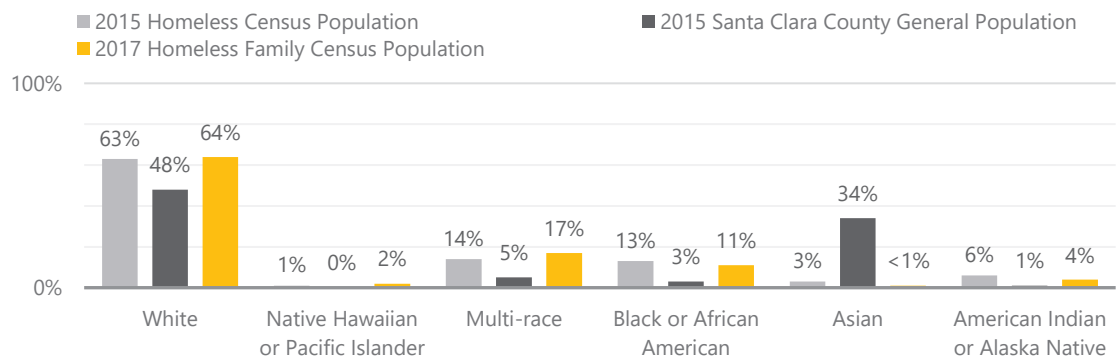
FIGURE 42. PERCENTAGE OF INDIVIDUALS IN HOMELESS FAMILIES WITH CHILDREN, BY SHELTER STATUS



2013 n=1,067; 2015 n=908; 2017 n=1,075

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

FIGURE 43. INDIVIDUALS IN HOMELESS FAMILIES WITH CHILDREN, CENSUS POPULATION BY RACE



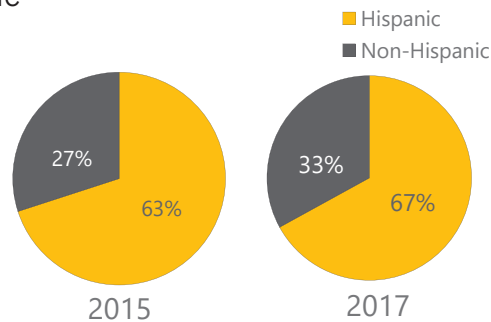
2015 n=908; 2017 n= 1075

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

U.S. Census Bureau. (May 2016). American Community Survey 2014 1-Year Estimates. Table DP05: ACS Demographic and Housing Estimates. Retrieved from <http://factfinder2.census.gov>.

Note: Multiple response question. Percentages may not add up to 100 due to rounding.

FIGURE 44. INDIVIDUALS IN HOMELESS FAMILIES WITH CHILDREN, CENSUS POPULATION BY HISPANIC/NON-HISPANIC



2015 n=908; 2017 n=1,075

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

DEMOGRAPHICS OF HOMELESS FAMILIES WITH CHILDREN

A small number of individuals in homeless families with children participated in the Santa Clara County Survey, a total of 19 respondents.¹⁴ Seventy-four percent (74%) of survey respondents in families identified as female, a higher percentage than survey respondents not in families (33%).

DOMESTIC VIOLENCE AMONG FAMILIES EXPERIENCING HOMELESSNESS

Thirty-three percent (33%) of individuals in families with children reported experiencing domestic violence in the past, and 6% reported they were currently experiencing domestic violence at the time of the survey.

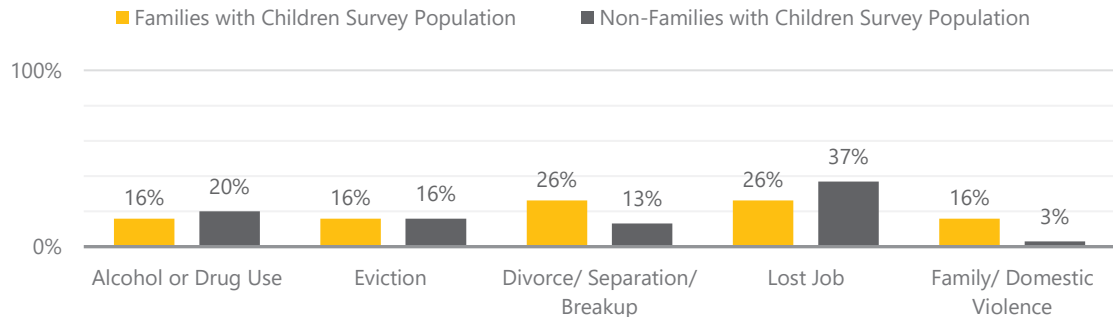
¹⁴ Caution should be used when interpreting these data due to small number of surveys conducted with homeless individuals in families with children

HUD Defined Subpopulations

PRIMARY CAUSE OF HOMELESSNESS AMONG HOMELESS FAMILIES WITH CHILDREN

Sixteen percent (16%) of survey respondents in families with children reported family or domestic violence as the primary cause of their homelessness, higher than non-family homeless respondents. Divorce, breakup and separation was also a much more common response among homeless families with children than non-families experiencing homelessness (26% compared to 13%).

FIGURE 45. PRIMARY CAUSE OF HOMELESSNESS, FAMILIES WITH CHILDREN AND NON-FAMILIES WITH CHILDREN COMPARISON



Family Survey Population n= 19 respondents offering 37 responses; Non-Family Survey Population n= 561 respondents offering 756 responses

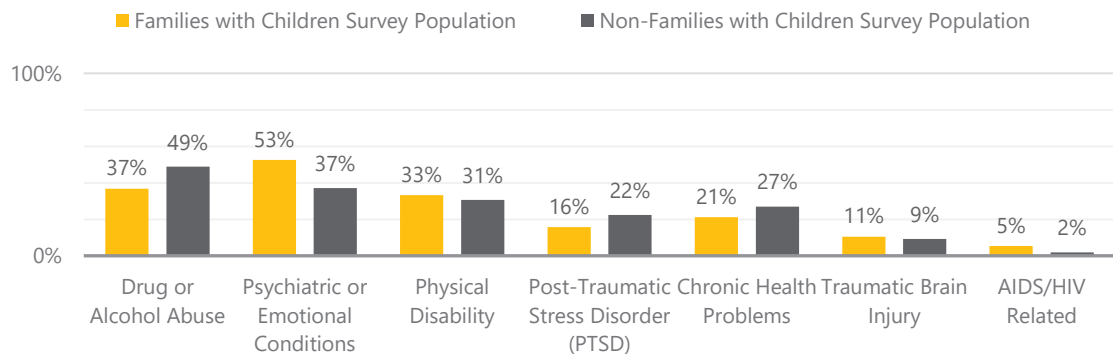
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

HEALTH CONDITIONS AMONG HOMELESS FAMILIES WITH CHILDREN

Among homeless families with children, a psychiatric or emotional condition was the most frequent health condition cited (53%). Alcohol or drug abuse was less common among homeless families than among all other survey respondents (37% and 49%, respectively).

FIGURE 46. HEALTH CONDITIONS, FAMILIES WITH CHILDREN AND NON-FAMILIES WITH CHILDREN COMPARISON



Family Survey Population n= 18-19; Non-Family Population n= 529-551

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

RECURRENCE AND LENGTH OF HOMELESSNESS AMONG FAMILIES WITH CHILDREN

Forty-seven percent (47%) of individuals in families with children reported experiencing homelessness for the first time, compared to 40% of non-family survey respondents. Seventy-seven percent of families had been experiencing homelessness for more than 6 months and 42% reported they were living in a home owned or rented by themselves or a partner prior to becoming homeless. Twenty-six percent had been staying with friends or family before experiencing homelessness, while 15% were staying in a hotel or motel.

GOVERNMENT ASSISTANCE FOR HOMELESS FAMILIES WITH CHILDREN

More than 94% of respondents reported receiving some form of government assistance. Approximately three-quarters reported that they were receiving CalFresh (food stamps) (72%) and receiving Medi-Cal/MediCare (72%).

UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Due to the often hidden nature of youth homelessness, there are limited data available on unaccompanied children and transition-age youth experiencing homelessness. Although largely considered an undercount, current federal estimates suggest there are 35,686 unaccompanied children and transition-age youth on the streets and in public shelters across the country.¹⁵ Young people experiencing homelessness have a harder time accessing services, including shelter, medical care, and employment due to the stigma of their housing situation, lack of knowledge of available resources, and a dearth of services targeted to young people.¹⁶

In 2012, the U.S. Interagency Council on Homelessness amended the federal strategic plan to end homelessness to include specific strategies and supports to address the needs of unaccompanied homeless children and transition-age youth. As part of this effort, the U.S. Department of Housing and Urban Development placed increased focus on gathering data on unaccompanied homeless children and youth during the Point-in-Time Census.

Santa Clara County implemented a dedicated youth census and survey in 2013 to improve data on unaccompanied children and youth in the county. These efforts were replicated in 2015. In 2017, efforts at enumerating unaccompanied youth and transition-age youth were expanded. This led to an increase in the number of enumeration teams, better training and preparation for those teams, increased participation from program staff, and expanded coverage of the areas youth frequent in Santa Clara County.

The following section provides an overview of the findings on unaccompanied children and youth identified in the Santa Clara County's general point-in-time census, as well as in the specific youth census.

UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

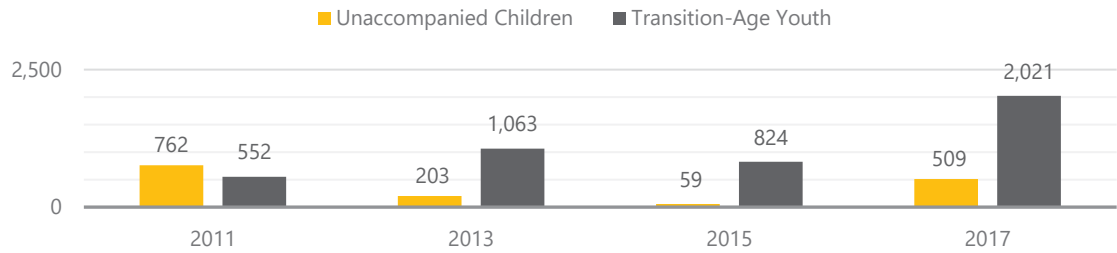
Homelessness among children and transition-age youth is a difficult problem to identify. Unaccompanied children and transition-age youth are less likely to be found among the adult population experiencing homelessness, preferring locations and times of day that make traditional efforts at enumeration difficult. Accordingly, a separate youth count effort was put in place, relying on knowledge gathered from youth currently experiencing homelessness as well as their participation in the count itself.

In 2017, the youth census effort, combined with the general count, identified 2,530 unaccompanied children and transition-age youth experiencing homelessness. This represents an increase of slightly more than 175% since 2015, and is nearly twice the amount of the next largest total identified (1,063 in 2013). Some caution must be used when interpreting this increase. While youth homelessness is on the rise nationally, the improved youth census effort represents a significant percentage of the overall increase in homelessness in Santa Clara County.

¹⁵ Department of Housing and Urban Development. (2016). Annual Assessment Report to Congress. Retrieved 2017 from <https://www.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>

¹⁶ National Coalition for the Homeless. (2011). Homeless Youth Fact Sheet. Retrieved 2011 from <http://www.nationalhomeless.org>.

FIGURE 47. TOTAL NUMBER OF UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH ENUMERATED DURING THE POINT-IN-TIME HOMELESS CENSUS, WITH TREND



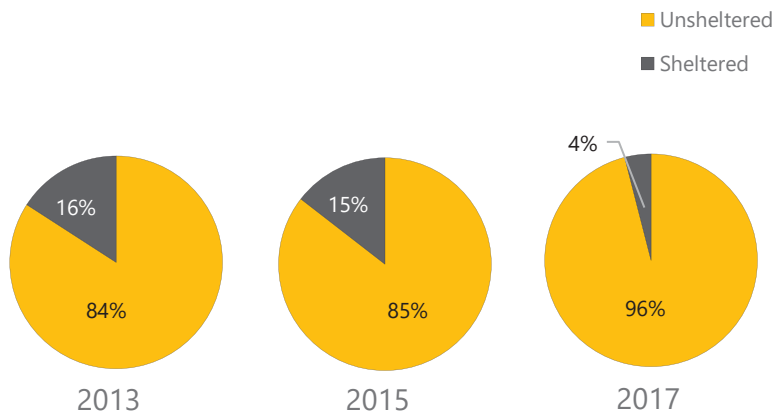
Source: Applied Survey Research. (2011-2017). Santa Clara County Homeless Census and Survey.

FIGURE 48. UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH POPULATION ESTIMATES



Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

FIGURE 49. UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH CENSUS POPULATION BY SHELTER STATUS



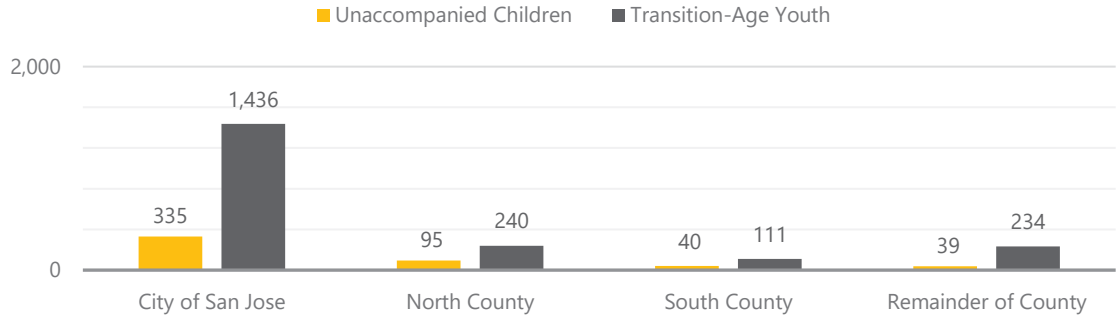
2013 n=1,266; 2015 n= 883; 2017 n=2,530

Source: Applied Survey Research. (2013-2017). Santa Clara County Homeless Census and Survey.

Note: Percentages may not add up to 100 due to rounding.

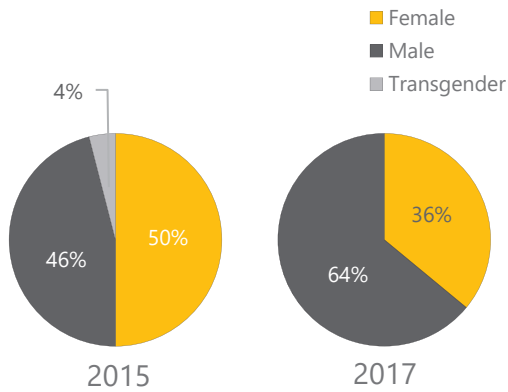
HUD Defined Subpopulations

FIGURE 50. UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH CENSUS POPULATION BY REGION



Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

FIGURE 51. UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH CENSUS POPULATION BY GENDER



2015 n= 944; 2017 n= 2,530

Source: Applied Survey Research. (2015-2017). Santa Clara County Homeless Census and Survey.

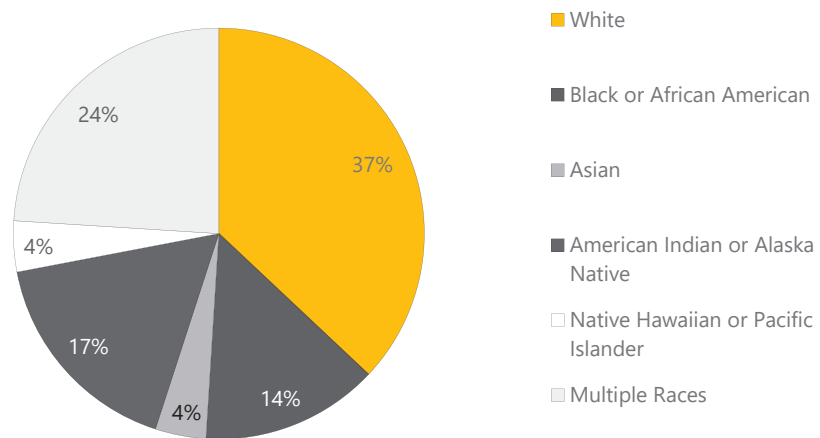
Note: Percentages may not add up to 100 due to rounding.

DEMOGRAPHICS OF UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Nearly two-thirds (62%) of youth survey respondents under the age of 25 identified as male, similar to the general population (64%). Five percent (5%) indicated that they do not identify as male, female, or transgender.

Forty-one percent (41%) of youth respondents identified as Hispanic or Latino, similar to 42% of respondents 25 years and over. The highest reported race among youth respondents was White (37%), although this was a significantly lower percentage compared to the adult survey population (47%).

FIGURE 52. RACE AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH



Unaccompanied Children and Transition-Age Youth n= 2,530

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

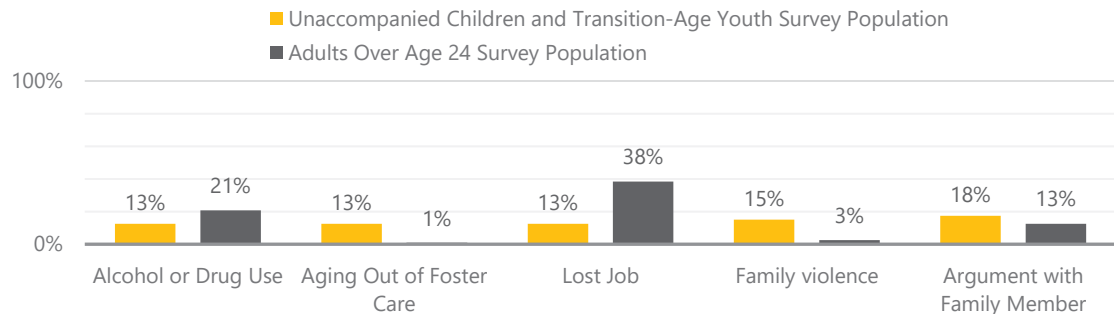
Note: Percentages may not add up to 100 due to rounding.

HUD Defined Subpopulations

PRIMARY CAUSE OF HOMELESSNESS AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Homeless youth survey respondents reported some differences in cause of homelessness compared to respondents age 25 years and over. Unaccompanied homeless children and transition-age youth were more likely to cite family violence, an argument with a family member, and aging out of foster care as the primary cause of their homelessness.

FIGURE 53. PRIMARY CAUSE OF HOMELESSNESS, UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH AND ADULTS OVER AGE 24 COMPARISON



Unaccompanied Children and Transition-Age Youth Survey Population n: 40 respondents offering 48 responses;
Adults Over Age 24 Survey Population n: 540 respondents offering 745 responses

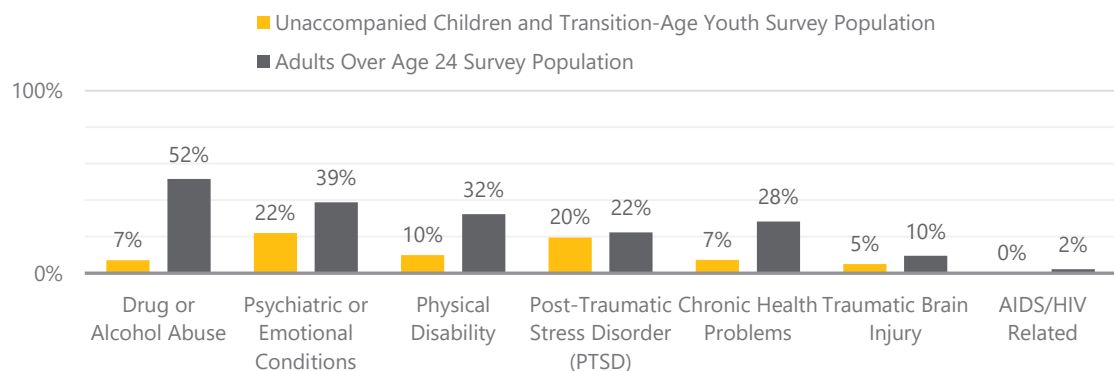
Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

HEALTH CONDITIONS AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Though better than the general homeless population, health is still an issue for homeless youth. Homeless youth still struggled with psychiatric or emotional conditions (22%) as well as experiencing PTSD (20%).

FIGURE 54. HEALTH CONDITIONS, UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH AND ADULTS OVER AGE 24 COMPARISON



Unaccompanied Children and Transition-Age Youth Survey Population n: 40-42; Adults Over Age 24 Survey Population n: 508-529

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Note: Multiple response question. Percentages may not add up to 100.

SERVICES AND SOCIAL SUPPORT NETWORKS AMONG UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH

Forty-nine percent (49%) of youth survey respondents reported not currently receiving any government assistance, compared to 23% of adult homeless survey respondents. Similarly, youth respondents indicated they were less likely than adult respondents to access any type of services or assistance; seventy-seven percent (77%) of youth respondents reported receiving services compared to eighty-seven percent (87%) of adult respondents.

FOSTER CARE AMONG UNACCOMPANIED HOMELESS CHILDREN AND TRANSITION-AGE YOUTH

Nearly half (45%) of youth respondents reported they had been in the foster care system, and 13% of all youth respondents cited aging out of foster care as the primary cause of their homelessness.

FIGURE 55. HISTORY OF FOSTER CARE, UNACCOMPANIED CHILDREN AND TRANSITION-AGE YOUTH



Unaccompanied Children and Transition-Age Youth Survey Population n=42

Source: Applied Survey Research. (2017). Santa Clara County Homeless Census and Survey.

Conclusion

Between 2015 and 2017, Santa Clara County and its provider partners have made significant investments and reforms to meet the needs of people experiencing homelessness, moving more people off of the streets and into housing. However, point-in-time data indicate an increased number of individuals experiencing homelessness when compared to 2015. There can be many reasons for the increase, including macroeconomic concerns and difficulties finding locations to live. Additionally, it is worthwhile to compare the increase in Santa Clara County's population to nearby counties, as well as to similarly sized counties across the country.

One large component of the increase stemmed from the numbers of unaccompanied children and transition-age youth experiencing homelessness enumerated in this year's count. Homelessness among youth is a different phenomenon than homelessness among adults, and the ability of communities to understand the actual scope of the issue has lagged behind traditional methods of measuring homelessness. As that understanding has improved, so too have methods of enumeration, leading to youth being enumerated when they would have been missed in past years. Recognizing the increased prevalence of youth homelessness nationwide, HUD has declared that 2017 will be the baseline number of youth homelessness for comparison in future years, and hopes to drive more funding and support towards ending youth homelessness.

There have been a number of accomplishments and improvements from 2015. Veterans experiencing homelessness and chronically homeless individuals have benefited from increased outreach and program efforts and have seen their numbers decrease. The data from the 2017 Santa Clara County Homeless Census and Survey can help educate the public, service providers, and policymakers on how to best serve the homeless population and help ensure that homelessness is a rare, brief, and one-time event. Numerous studies show that prevention, Housing First initiatives, and supportive services are the first steps in ending homelessness, and Santa Clara County is working diligently to develop these systems of change while addressing the interim needs of people currently unhoused.

Appendix 1: Methodology

OVERVIEW

The purpose of the 2017 Santa Clara County Homeless Census and Survey is to produce a point-in-time estimate of people who experience homelessness in Santa Clara County, a region that covers approximately 1,304 square miles. The results of the street count were combined with the results from the shelter count to produce the total estimated number of persons experiencing homelessness in Santa Clara County on any given night. The subsequent survey was used to gain a more comprehensive understanding of the experiences and demographics of those enumerated on the night of the count. A more detailed description of the methodology follows.

COMPONENTS OF THE HOMELESS CENSUS METHOD

The 2017 Santa Clara County Homeless Census and Survey methodology had three primary components:

- The general street count between the hours of 5:30am to noon on January 24th and 25th – an enumeration of unsheltered homeless individuals
- The youth street count between the hours of 3 pm and 8 pm – a targeted enumeration of unsheltered youth under the age of 25 on the 24th
- The shelter count was conducted on the night of the 24th, the evening before the 24th – an enumeration of sheltered homeless individuals staying in emergency shelter or transitional housing programs

The unsheltered and sheltered homeless counts were coordinated to occur within the same time period in order to minimize potential duplicate counting of homeless persons. The youth count does not take place at the same time as the adult count, leading to the importance of de-duplication efforts. Whenever youth teams and general teams presented data on youth in the same census tracts, youth data was prioritized.

STREET COUNT METHODOLOGY

DEFINITION

For the purposes of this study, the HUD definition of unsheltered homelessness for Point-in-Time Counts is used. This definition includes individuals and families with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground. HUD's definition of homelessness does not include those living in "double-up" or "couch surfing" situations, those staying with friends/family on a temporary basis, those who are happened to be staying a hotel or motel for the night, those in jail, or those admitted into a hospital.

RESEARCH DESIGN

The methodology used for the 2017 Santa Clara County Homeless Census and Survey is commonly described as a “blitz count and survey” since it is conducted by a large team over a very short period of time. As this method is conducted in Santa Clara County, the result is an observation based count of individuals and families who appear to be homeless. The count is then followed by an in-person representative survey, the results of which are used to profile and estimate the condition and characteristics of the local homeless population. Information collected from the survey is used to fulfill HUD reporting requirements, and to inform local service delivery and strategic planning efforts.

Continuing the same methodology from past efforts in Santa Clara County is an important part of the count methodology, and allows for relevant comparisons across the many years of the count. Accordingly, there were few changes to the methodology in 2017. Under advisement of the Planning Committee, a start time 30 minutes earlier than in 2015 was adopted. Five focus groups were held with individuals experiencing homelessness, so that “hot spots” could be identified and noted on maps for teams on count day.

VOLUNTEER AND GUIDE RECRUITMENT

Many individuals who live and/or work in Santa Clara County turned out to support efforts to enumerate the local population experiencing homelessness. More than 215 community volunteers and city and county staff participated in the 2017 general street count. The volunteer recruitment effort was led by the Planning Committee and was greatly aided by numerous shelters and day programs from throughout the county. Extensive outreach efforts were conducted, targeting local non-profits that serve the homeless and local volunteer programs, as well as other individuals who may be interested in participating in the count.

The Planning Committee sent a press release informing the community about the count and making an appeal for volunteer participation approximately two weeks before the count. Volunteers registered to participate, and received additional details on the count via a dedicated email account monitored and staffed by Applied Survey Research (ASR) support staff.

To recruit guides, shelters and day programs from throughout the county were asked to identify individuals experiencing homelessness with considerable knowledge of where to find individuals experiencing homelessness on the street, how to find encampments, how to identify if vehicles were being used as sleeping locations, and how to identify situations where safety was a concern. Additionally, shelter and program staff were asked to recommend guides who were reliable and interested in the process. All guides were paid for their time, earning \$15 per hour worked, including a mandatory one-hour training that was held in the days before the count.

STREET COUNT TEAMS

Teams were typically comprised of at least two individuals, one volunteer from the community and one guide who was generally an individual currently experiencing homelessness. Each team was assigned 1-4 census tracts as their assignment, depending on the size of the tracts. Teams were responsible for covering all areas that are accessible by the public, including parks, streets, business fronts, and wherever the guide believed there may be individuals experiencing homelessness. Teams were encouraged to have their community volunteer drive their vehicle, while the guide acted as a navigator and enumerator during the process. All teams were given a brief refresher training before heading out into the field.

SAFETY PRECAUTIONS

Safety is of the upmost importance during the count, and every effort was made to minimize potentially hazardous situations. Information regarding potentially dangerous encampment areas or other locations was shared when appropriate. Techniques for avoiding potentially dangerous situations were shared. The observational nature of the count was emphasized, which has been found to be highly successful in minimizing potentially dangerous situations in the past. Volunteers were given guidance on how to act when canvassing encampment areas, as well as how to respect a population that was likely to be sleeping. Additionally, the knowledge and experience of guides were valuable for safety reasons, and volunteers and teams were encouraged to listen to their guide when they give suggestions regarding safety. No safety incidents were reported to the research team.

STREET COUNT DEPLOYMENT

To achieve complete coverage of the county within the timeframe, the planning team identified six locations to serve as deployment centers on the morning of the count. Deployment centers were spread around the county, to give teams convenient locations from which to meet and then head to their assigned locations. Each deployment center was assigned a number of enumeration routes, also based on location, to assure timely deployment of enumeration teams into the field. Volunteers and guides were assigned deployment centers based on preference and the need to make sure that each center had the appropriate number of teams.

TARGETED STREET OUTREACH - YOUTH

The U.S. Department of Housing and Urban Development and the U.S. Interagency Council on Homelessness recognize that youth do not commonly co-mingle with homeless adults and are not easily identified by non-youth. It was determined that homeless youth would be more prominent on the street during afternoon and early evening hours, rather than in the early morning when the general count was conducted. The youth count was conducted from approximately 3 p.m. to 8 p.m. on January 24, 2017. Youth worked in teams of at least two to four youth, with teams coordinated and accompanied by at least two youth street outreach workers. One team was solely responsible for the South County area, one for the Palo Alto/North County area, and three teams were responsible for covering the San José /Central Santa Clara County area.

TARGETED STREET OUTREACH – ENCAMPMENTS

The City of San José and Santa Clara County have explored numerous service and outreach initiatives related to the burgeoning growth of encampments in urban locations near waterways, public works, and other general urban open space areas. The City of San José, in particular, funds a homeless outreach and engagement program with outreach worker staff dedicated to linking encamped homeless to services and housing. These teams frequent encampments and build relationships that encourage participation in local homeless service initiatives, whether it is housing or other supportive services.

Larger encampment areas in the City of San José were identified during a focus group with outreach staff prior to the census count and special teams of outreach workers, familiar with these areas, were organized to count those residing in these larger encampments on the dates of the count. Targeted encampment areas were identified on general street count maps, and homeless persons residing in those encampments were counted by the outreach workers rather than the census street teams. The result was the most comprehensive profile of homeless encampments in San José, using similar methods to past years. However, not all encampments in Santa Clara County were covered by outreach teams and general count

teams, when outside the areas covered by outreach teams, would enumerate when appropriate.

TARGETED STREET OUTREACH - VEHICLES

Identifying individuals residing in vehicles is difficult during the morning hours of the census count. By the time the sun rises, those residing in vehicles have often moved on to more remote locations or have found places where they blend in. North Santa Clara County recognized the need for targeted outreach and provided a dedicated outreach worker to enumerate vehicles prior to sunrise.

CENSUS UNDERCOUNT

For a variety of reasons, individuals experiencing homelessness generally do not want to be located, and make concerted efforts to avoid detection. Regardless of how successful outreach efforts are, an undercount of those experiencing homelessness will persist at varying levels, especially of hard-to-reach subpopulations such as unsheltered families, undocumented individuals, and unaccompanied children and youth.

The methods employed in a non-intrusive visual homeless enumeration, while academically sound, have inherent biases and shortcomings. Even with the assistance of dedicated homeless service providers and individuals with lived experience, the methodology cannot guarantee 100% accuracy. Many factors may contribute to missed opportunities, including:

- It is difficult to identify persons who may be sleeping in vans, cars, recreational vehicles, abandoned buildings, or structures unfit for human habitation.
- Individuals residing in isolated rural areas that are difficult to access or otherwise identify for the purposes of the count.
- Individuals whose physical appearance differs from traditional visual cues associated with people experiencing homelessness can be mistaken for housed individuals. This is especially true of unaccompanied children and youth, who often “hide in plain sight” and present similarly to their housed peers.
- Families with children experiencing homelessness often seek opportunities to stay on private property, rather than sleep on the streets, in vehicles, or makeshift shelters.

By counting the minimum number of individuals experiencing homelessness during a given point-in-time, the count methodology is conservative and therefore most likely results in an undercount of certain unsheltered individuals. A margin of error on the final count is not available, though the data presented is to be considered a minimum estimate. However, this conservative approach is necessary to preserve the integrity of the data collected. Even though the census is most likely an undercount of the population experiencing homelessness, the methodology employed is the most comprehensive approach available and provides invaluable data for local and federal service agencies.

SHELTER COUNT METHODOLOGY

GOAL

The goal of the shelter count was to gain an accurate count of the number of homeless persons who were being temporarily housed in shelters across Santa Clara County.

DATA COLLECTION

To collect data on individuals staying in shelters on the night of January 24th, ASR worked with BitFocus, the HMIS system administrators for Santa Clara County. BitFocus collected data on all emergency shelters, transitional housing programs, and Safe Havens operating in

the county. Data was collected on household status, age, gender, race and ethnicity, veteran status, chronic status, and if individuals had certain health conditions. There were a small, limited number of shelters that do not participate in the HMIS system. To gather their data, ASR collected the same data using a web-based system of reporting.

EFFORTS TO INCLUDE SCHOOL DISTRICT DATA

Significant efforts were made to include data from all school districts within Santa Clara County. ASR and partners from the county met with district representatives to prepare them for the count and train them in data collection procedures. District representatives were trained to call all families that met the HUD definition of homelessness and ask where they had been staying on the night of the count. That information was then included in the appropriate census tract. Twelve out of thirty-two school districts were included, a large increase from past years. Other districts were not able to participate due to a heavy workload.

SURVEY METHODOLOGY

PLANNING AND IMPLEMENTATION

The survey of 587 homeless persons was conducted in order to yield qualitative data about the homeless community in Santa Clara County. These data are used for the McKinney-Vento Continuum of Care Homeless Assistance funding application, and are important for future program development and planning. The survey elicited information such as gender, family status, military service, length and recurrence of homelessness, usual nighttime accommodations, causes of homelessness, and access to services through open-ended, closed-ended, and multiple response questions. The survey data bring greater perspective to current issues of homelessness and to the provision and delivery of services.

Surveys were conducted by homeless workers and shelter staff who were trained by Applied Survey Research. Training sessions led potential interviewers through a comprehensive orientation that included project background information and detailed instruction on respondent eligibility, interviewing protocol, and confidentiality. Homeless survey workers were compensated at a rate of \$7 per completed survey.

It was determined that survey data would be more easily collected if an incentive gift was offered to respondents in appreciation for their time and participation. Socks were given as an incentive for participating in the 2017 Homeless Survey. The socks were easy to obtain and distribute, were thought to have wide appeal, and could be provided within the project budget. This approach enabled surveys to be conducted at any time during the day. The gift proved to be successful, and was widely accepted among survey respondents.

SURVEY SAMPLING

Based on a point-in-time estimate of 7,394 homeless persons, with a randomized survey sampling process, the 587 valid surveys represent a confidence interval of +/- 4% with a 95% confidence level when generalizing the results of the survey to the estimated population of homeless individuals in Santa Clara County.

The 2017 survey continued the practice from 2007, 2009, 2011, 2013 and 2015 of a survey that was an integration of previous approaches and was administered in shelter/transitional housing facilities and on the street. Individuals residing in emergency shelters were reached through street surveys during the day when emergency shelters were closed.

Strategic attempts were made to reach individuals in various geographic locations and of various subset groups such as homeless youth, minority ethnic groups, military veterans, domestic violence victims, and families. One way to increase the participation of these groups was to recruit peer survey workers. Like past surveys, the 2017 survey also prioritized a peer-

to-peer approach to data collection by increasing the number of currently homeless surveyors.

In order to increase randomization of sample respondents, survey workers were trained to employ an “every third encounter” survey approach. Survey workers were instructed to approach every third person they encountered whom they considered to be an eligible survey respondent. If the person declined to take the survey, the survey worker could approach the next eligible person they encountered. After completing a survey, the randomized approach was resumed. It is important to recognize that while efforts are made to randomize the respondents, it is not a random sample methodology.

DATA COLLECTION

Care was taken by interviewers to ensure that respondents felt comfortable regardless of the street or shelter location where the survey occurred. During the interviews, respondents were encouraged to be candid in their responses and were informed that these responses would be framed as general findings, would be kept confidential, and would not be traceable to any one individual.

DATA ANALYSIS

To avoid potential duplication of respondents, the survey requested respondents' initials and date of birth, so that duplication could be avoided without compromising the respondents' anonymity. Upon completion of the survey effort, an extensive verification process was conducted to eliminate duplicates. This process examined respondents' date of birth, initials, gender, ethnicity, and length of homelessness, and consistencies in patterns of responses to other questions on the survey.

SURVEY ADMINISTRATION DETAILS

- The 2017 Santa Clara County Homeless Survey was administered by the trained survey team in the weeks following the count.
- In all, the survey team collected 587 unique surveys

SURVEY CHALLENGES AND LIMITATIONS

The 2017 Santa Clara County Homeless Survey did not include an equal representation of all homeless experiences. For example, a lesser number of surveys were conducted among transitional housing residents than in previous years. There may be some variance in the data that the homeless individuals self-reported. However, using a peer interviewing methodology is believed to allow the respondents to be more candid with their answers and may help reduce the uneasiness of revealing personal information. Further, service providers and city and county staff members recommended individuals who would be the best to conduct interviews and they received comprehensive training about how to conduct interviews. Surveys that were considered incomplete or containing false responses were not accepted.

There were a few challenges in collecting surveys and survey data throughout Santa Clara County. First and foremost was the weather and its impact. The series of storms that impacted Santa Clara County and the Bay Area during the survey period caused a variety of difficulties related to data collection. Surveyors repeatedly mentioned difficulties finding enough respondents because many were not in their normal sleeping locations due to weather related movement. Staff members at participating shelters and programs frequently mentioned the added difficulties that the inclement weather contributed, specifically dealing with the large influx of families experiencing homelessness after flooding drove dozens of families to seek shelter, necessitating the creation of a temporary shelter for families that had to be staffed by shelter staff.

Appendix 2: Definitions & Abbreviations

Chronic homelessness – Defined by the U.S. Department of Housing and Urban Development as an unaccompanied individual or head of a family household with a disabling condition who has either continuously experienced homelessness for a year or more, or has experienced at least four episodes of homelessness in the past three years.

Disabling condition – Defined by the U.S. Department of Housing and Urban Development as a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury that is expected to be long-term and impacts the individual's ability to live independently; a developmental disability; or HIV/AIDS.

Emergency shelter – The provision of a safe alternative to the streets, either in a shelter facility or through the use of stabilization rooms. Emergency shelter is short-term, usually for 90 days or fewer. Domestic violence shelters are typically considered a type of emergency shelter, as they provide safe, immediate housing for survivors and their children.

Family – A household with at least one adult and one child under the age of 18.

Homeless – Under the Category 1 definition of homelessness in the HEARTH Act, includes individuals and families living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements, or with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

HUD – Abbreviation for the U.S. Department of Housing and Urban Development.

Sheltered homeless individuals – Individuals who are living in emergency shelters or transitional housing programs.

Single individual – An unaccompanied adult over the age of 18.

Transition-age-youth – Young people between the ages of 18 and 24 years old who are not accompanied by a parent or guardian and are not a parent presenting with or sleeping in the same place as their own child(ren).

Transitional housing – Housing in which homeless individuals may live up to 24 months and receive supportive services that enable them to live more independently. Supportive services – which help promote residential stability, increased skill level or income, and greater self-determination – may be provided by the organization managing the housing, or coordinated by that organization and provided by other public or private agencies. Transitional housing can be provided in one structure or several structures at one site, or in multiple structures at scattered sites.

Unaccompanied children – Children under the age of 18 who are not accompanied by a parent or guardian and are not a parent presenting with or sleeping in the same place as their own child(ren).

Unsheltered homeless individuals – Individuals who are living on the streets, in abandoned buildings, storage structures, vehicles, encampments, or any other place unfit for human habitation.

Appendix 3: Survey Questions

19.b

2017 Santa Clara Housing Survey

Interview Date: Neighborhood or City:

Refusals: (tally)
Interviewer's Name:

Shade Circles Like This-->
Not Like This-->

Section A: Demographics

1. What are your initials?
First Middle Last
2. What is your birth date?
Month Day Year
3. What is your gender?
☐ Male ☐ Female ☐ Transgender
4. Are you Hispanic or Latino?
☐ Yes ☐ No ☐ Don't know
5. Which racial group do you identify with most?
(Shade all that apply)
☐ White ☐ Black or African American ☐ Asian
☐ American Indian or Alaska Native ☐ Other
☐ Native Hawaiian or Pacific Islander
6. Do you consider yourself...?
☐ Straight ☐ Lesbian ☐ Bisexual
☐ Gay ☐ Queer ☐ Other:
7. Are you currently pregnant?
☐ Yes ☐ No ☐ Don't know
8. Have you ever been in foster care?
☐ Yes ☐ No ☐ Don't know
Section B: Veterans Status
1. Have you served in the U.S. Armed Forces? (Army, Navy, Air Force, Marine Corps, or Coast Guard)
☐ Yes ☐ No ☐ Don't know
1b. When did you serve? From to
2. Were you ever called into active duty as a member of the National Guard or as a Reservist?
☐ Yes ☐ No ☐ Don't know
3. Have you ever received health care or benefits from a VA (Veterans Administration) center?
☐ Yes ☐ No ☐ Don't know
4. What is your discharge status?
☐ Honorable ☐ Dishonorable
☐ General ☐ Don't know
☐ Other than honorable ☐ Does not apply
5. Is anyone else in your household a Veteran?
☐ Yes ☐ No ☐ Don't know

Section C: Accommodation

1. Where were you staying on the night of January 24th? (Shade 1)
☐ Backyard or storage structure
☐ Outdoors/streets/parks/tent
☐ Transitional housing
☐ Motel/hotel
☐ Emergency shelter
☐ A place in a house not normally used for sleeping (kitchen, foyer, hallway) or unconverted garage
☐ Public facility (train station, transit center, bus depot)
☐ Van ☐ Automobile/car ☐ Camp/RV ☐ Abandoned building/squats
☐ Encampment
1a. How many people, including yourself, usually stay there?
2. Is this the first time you have been homeless?
☐ Yes ☐ No
3. How long have you been homeless this current time? (Shade 1)
☐ 7 days or less ☐ 4-6 months ☐ 1 year
☐ 8-30 days ☐ 7-11 months ☐ More than 1 year
☐ 1-3 months
4. How many different times have you been homeless in the past 3 years, including this current time? (Shade 1)
☐ 1 time ☐ 3 times ☐ 5 times
☐ 2 times ☐ 4 times ☐ 6 or more times
5. Have you been living in an emergency shelter and/or on the streets (including bus stations, underpasses, encampments, abandoned buildings, etc.) for the past year (12 months) or more?
☐ Yes ☐ No
6. In addition to right now, how long would you say you have stayed in these kinds of places (total) in the past 3 years?
Days Weeks Months Years
7. How old were you the first time you experienced homelessness?
☐ 0-17 years old ☐ 25-59 years old
☐ 18-24 years old ☐ 55 years or older
8. Do you have a pet (currently living with you)?
☐ Cat ☐ Dog ☐ Other ☐ None

Section D: Household Members

1. How many people are in your household, excluding yourself?
2. Do you have any children under age 18? ☐ Yes ☐ No ☐ Don't know
3. Are all of your children under 18 currently living with you? ☐ Yes ☐ No ☐ Don't know
4. Do you live alone or with other household members? ☐ Alone ==> Please ship to Section E
☐ Other household members
I am going to ask you a few questions about the people in your household that were staying with you on January 24th. I'll ask about each person, one at a time. In order for us to keep track of who we are talking about I am going to ask you for the first and last initial of each person.
What are their initials? (A) (B) (C) (D) (E) (F)
F L F L F L F L F L F L
5. How are they related to you?
Child ☐ ☐ ☐ ☐ ☐ ☐
Spouse ☐ ☐ ☐ ☐ ☐ ☐
Non-married partner ☐ ☐ ☐ ☐ ☐ ☐
Other family member ☐ ☐ ☐ ☐ ☐ ☐
Other non-family member ☐ ☐ ☐ ☐ ☐ ☐
6. How old are they?
Under 18 ☐ ☐ ☐ ☐ ☐ ☐
18 - 24 ☐ ☐ ☐ ☐ ☐ ☐
25 or older ☐ ☐ ☐ ☐ ☐ ☐
7. How do they identify their gender?
Male ☐ ☐ ☐ ☐ ☐ ☐
Female ☐ ☐ ☐ ☐ ☐ ☐
Transgender ☐ ☐ ☐ ☐ ☐ ☐
Don't identify as male, female, or transgender ☐ ☐ ☐ ☐ ☐ ☐
8. Are they Hispanic or Latino?
Yes ☐ ☐ ☐ ☐ ☐ ☐
No ☐ ☐ ☐ ☐ ☐ ☐
Don't know ☐ ☐ ☐ ☐ ☐ ☐
9. Which racial group do they identify with most? (Shade all that apply)
White ☐ ☐ ☐ ☐ ☐ ☐
Black or African American ☐ ☐ ☐ ☐ ☐ ☐
Asian ☐ ☐ ☐ ☐ ☐ ☐
American Indian or Alaska Native ☐ ☐ ☐ ☐ ☐ ☐
Native Hawaiian or Pacific Islander ☐ ☐ ☐ ☐ ☐ ☐
Other ☐ ☐ ☐ ☐ ☐ ☐
Don't know ☐ ☐ ☐ ☐ ☐ ☐

Section E: Residency

1. Where were you living at the time you most recently became homeless? (Shade 1)
- ☐ Santa Clara County ☐ Other County in CA ☐ Out of State
2. How long have you lived in Santa Clara County? (Shade 1)
- ☐ Less than 1 year ☐ 1-4 years ☐ 5-9 years ☐ 10 years or more
3. Immediately before you became homeless, where were you living? (Shade 1)
- ☐ A home owned or rented by you or your partner ☐ Foster care
- ☐ Subsidized housing or permanent supportive housing ☐ Jail or prison
- ☐ Hospital or treatment facility ☐ Motel/hotel
- ☐ A home owned or rented by friends/relatives ☐ Other: _____
- ☐ Juvenile Justice Facility

Section F: Cause and Prevention

1. What do you think is the primary event or condition that led to your homelessness? (Shade 1)
- ☐ Lost job ☐ Divorce/separation/break up ☐ Mental health issues
- ☐ Eviction ☐ Landlord raised rent ☐ Hospitalization/treatment
- ☐ Foreclosure ☐ Argument with family or friend ☐ Aging out of foster care
- ☐ Incarceration ☐ Spousal/partner violence ☐ Other: _____
- ☐ Alcohol or drug use ☐ Family violence ☐ Don't know
- ☐ Illness/medical problem ☐ Probation/parole restrictions
2. What might have prevented you from becoming homeless? (Shade all that apply)
- ☐ Mental health services ☐ Help accessing benefits ☐ Other: _____
- ☐ Health insurance/services ☐ Employment assistance
- ☐ Legal assistance ☐ Rent/mortgage assistance
- ☐ Alcohol/drug counseling ☐ Case management after leaving hospital/jail/prison/juvenile justice facility
- ☐ Transportation benefits ☐ Hospitalization/treatment
3. What is keeping you from getting permanent housing? (Shade all that apply)
- ☐ Can't afford rent ☐ Criminal record ☐ Immigration issues
- ☐ No job/income enough ☐ No ID/ID/openwork ☐ Restrictions from probation/parole
- ☐ No money for moving costs ☐ Medical/health issues ☐ Housing process is too difficult
- ☐ No housing available ☐ Bad credit ☐ Child care costs
- ☐ No transportation ☐ Eviction record ☐ Other: _____
4. If you are not using any type of shelter service, why not? (Shade all that apply)
- ☐ Having children ☐ I can't stay with my partner/family
- ☐ They are full ☐ I can't stay with my friends
- ☐ They are far away ☐ There is nowhere to store my stuff
- ☐ They are too crowded ☐ There are too many rules
- ☐ Germs ☐ They don't accept my pet
- ☐ Bugs
5. If affordable permanent housing became available tomorrow, would you accept it?
- ☐ Yes ☐ No ☐ Don't know

Section G: Income and Employment

1. What is your total monthly income from all sources?
- ☐ \$0-\$99 ☐ \$450-\$749 ☐ \$1,100-\$1,499 ☐ More than \$3,000
- ☐ \$100-\$449 ☐ \$750-\$1,099 ☐ \$1,500-\$3,000
- 2a. What is your current employment status? (Shade 1)
- ☐ Unemployed ☐ Unable to work
- ☐ Employed full-time ☐ Looking for work
- ☐ Employed part-time ☐ Not looking for work
- ☐ Employed seasonal/sporadic
- 2b. Are you currently...
- ☐ ==> Skip to Section H

Section H: Health

1. Do you experience any of the following:
- | | | |
|---|---|---|
| a. Any chronic health problem or medical condition (diabetes, cancer) | ☐ Yes ☐ No ☐ Refuse | ☐ Yes ☐ No ☐ Refuse |
| b. Post-Traumatic Stress Disorder (PTSD) | ☐ Yes ☐ No ☐ Refuse | ☐ Yes ☐ No ☐ Refuse |
| c. Any psychiatric or emotional conditions (depression, schizophrenia) | ☐ Yes ☐ No ☐ Refuse | ☐ Yes ☐ No ☐ Refuse |
| d. A physical disability | ☐ Yes ☐ No ☐ Refuse | ☐ Yes ☐ No ☐ Refuse |
| e. A traumatic brain injury to your brain from a bump, blow or wound to the head? | ☐ Yes ☐ No ☐ Refuse | ☐ Yes ☐ No ☐ Refuse |
| f. Drug or alcohol abuse (including prescription drugs not prescribed for you) | ☐ Yes ☐ No ☐ Refuse | ☐ Yes ☐ No ☐ Refuse |
| g. An AIDS or an HIV related illness? | ☐ Yes ☐ No ☐ Refuse | ☐ Yes ☐ No ☐ Refuse |
2. Does it keep you from holding a job, finding stable housing or taking care of yourself?
- ☐ Yes ☐ No ☐ Refuse
3. If you live with a spouse, a significant other or parent, do any of the following conditions prevent them from maintaining work or housing? (Shade all that apply)
- ☐ Chronic health problem ☐ Physical disability ☐ HIV/AIDS
- ☐ PTSD ☐ Traumatic brain injury ☐ None of the above
- ☐ Drug or alcohol abuse ☐ Psychiatric or emotional condition
- ☐ Dementia/Alzheimers ☐ Developmental disability
4. Are you currently experiencing home/domestic violence or abuse?
- ☐ Yes ☐ No ☐ Decline to state
5. Have you ever been physically, emotionally or sexually abused by a relative, or another person you have stayed with (spouse, partner, sibling, parent)?
- ☐ Yes ☐ No ☐ Decline to state
6. Do you receive any disability benefits such as Social Security Disability Income, or Veterans Disability Benefits?
- ☐ Yes ☐ No ☐ Decline to state
7. Where do you usually go for medical care?
- ☐ VHHH/Homeless Clinic/Mobile Van ☐ Emergency Room
- ☐ Primary care ☐ VA Hospital/Clinic ☐ None of the above
8. How many times have you seen the same medical provider in the last 12 months? _____ times
9. Have you taken the VHS-SPDAT/Coordinated Entry?
- ☐ Yes ☐ No ☐ Don't know

Section I: Services and Assistance

1. Are you currently using any of the following services/assistance? (Shade all that apply)
- ☐ Free meals ☐ Job training/employment services
- ☐ Bus passes ☐ Community drop in center
- ☐ Legal assistance ☐ Immigration services
- ☐ Behavioral health services ☐ Religious based services
- ☐ Outreach services ☐ Other: _____
2. Are you currently receiving any of the following forms of government assistance? (Shade all that apply)
- ☐ General Assistance (GA)/CAAP ☐ Food Stamps/SNAP/WIC/CalFresh
- ☐ Any VA Disability Compensation ☐ Other Veterans benefits (GI, Health)
- ☐ Social Security ☐ SS/SSDI/Disability
- ☐ Medi-Cal/Medicare ☐ CalWORKS/TANF
- ☐ Not receiving any form of government assistance
3. If you are not receiving any government assistance, why not? (Shade all that apply)
- ☐ Don't think you are eligible ☐ Don't have ID
- ☐ No permanent address ☐ Never applied
- ☐ Benefits were cut-off ☐ Immigration issues
- ☐ Paperwork too difficult ☐ Don't know where to go
- ☐ Turned down ☐ Applied and waiting for response
- ☐ Other: _____ ☐ Don't want government assistance

Section J: Criminal Justice System

1. Have you spent a night in jail in the last 12 months? ☐ Yes ☐ No
2. Are you currently on probation or parole? ☐ Yes ☐ No
3. Have you accessed re-entry services? ☐ Yes ☐ No



SANTA CLARA COUNTY

2017 HOMELESS CENSUS & SURVEY

COMPREHENSIVE REPORT





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, August 23, 2017 5:30 PM

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

(5:30 P.M. Workshop/ 7:00 P.M. Regular Meeting)

SPECIAL MEETING

5:30 P.M.

CALL TO ORDER

(Mayor Tate)

ROLL CALL ATTENDANCE

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
(Deputy City Clerk Wilson)

WORKSHOP

WATER, WASTEWATER AND STORM DRAINS WORKSHOP

Recommendation:

The purpose of this workshop is to review with staff the recently completed Administrative Drafts of the Utilities Master Plan Documents. The workshop will help the Council understand the future build out of the City's water and wastewater systems.

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

Mayor Tate

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PROCLAMATIONS

Proclaiming the week of August 21-27, 2017 as Women's Equality Week

Proclaiming the month of September as Childhood Cancer Awareness Month

RECOGNITIONS

Amy Whelan - Art A La Cart

Morgan Hill Pony Baseball Shetland All Start Team- Norcal World Series Winners

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. LEADERSHIP MORGAN HILL 2017 PUPS IN NEED - MORGAN HILL POLICE DEPARTMENT KENNEL MAKEOVER DONATION

Recommendation:

Adopt resolution accepting a donation from the Leadership Morgan Hill Class of 2017 for the Pups in Need - Morgan Hill Police Department Kennel Makeover Donation.

2. ASSET SEIZURE FUNDS FOR PURCHASE OF IA PRO SOFTWARE AND STOP STICKS

Recommendation:

Adopt resolution for the approval of:

1. Appropriation of \$11,595 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of 23 Stop Stick tire deflation devices and one Stop Stick training device; and
2. Appropriation of \$15,000 from Asset Seizure and Forfeiture unappropriated fund balance for the purchase of IA Pro Professional Standards Software and Blue Team Field Support Web applications, one year software support and 5 days of training.

3. ADOPT RESOLUTION APPROVING USE OF GOVERNMENT CRIME INSURANCE POLICY FOR CITY OFFICERS AND EMPLOYEES

Recommendation:

Adopt resolution approving the use of Government Crime Insurance Policy in lieu of bonds for City officers and employees.

4. AWARD HIGHLAND AVENUE SEWER UPGRADE PROJECT

Recommendation:

1. Approve Highland Avenue Sewer Upgrade Project plans and specifications;
2. Award contract to Monterey Peninsula Engineering for the Highland Avenue Sewer Upgrade Project in the amount of \$547,900;
3. Authorize expenditure of construction contingency funds not to exceed \$54,790; and
4. Authorize the City Manager to execute and administer the construction contract with Monterey Peninsula Engineering.

5. DOWNTOWN PARKS ART APPROVAL

Recommendation:

1. Approve art proposal for bronze fox art sculpture by Evelyn Davis;
2. Authorize the City Manager to negotiate, execute, and administer an artist agreement with Evelyn Davis; and
3. Authorize the City Manager to finalize exact location of the sculpture within the Downtown Creek Park.

6. COMMUNITY PLAYHOUSE LICENSE AGREEMENT WITH SOUTH VALLEY CIVIC THEATRE

Recommendation:

Authorize the City Manager to execute and administer license agreement through December 2020 with South Valley Civic Theatre.

7. FINAL MAP APPROVAL OF LANDS OF YOUNG - TRACT NO. 10406

Recommendation:

1. Approve the Final Map;
2. Authorize the City Manager to execute the Subdivision Improvement Agreement with Presidio Van Daele Watsonville 37, LLC;
3. Authorize the City Manager to execute a Stormwater Best-Management-Practices (BMP) Operation and Maintenance Agreement pending review and approval by the City Attorney; and
4. Authorize the recordation of the Final Map, Subdivision Improvement Agreement, and the Stormwater BMP Operation and Maintenance Agreement.

8. CITY SUPPORT OF THE LEAGUE OF CALIFORNIA CITIES PUBLIC SAFETY RESOLUTIONS

Recommendation:

1. Authorize the City's voting delegate(s) to vote on the two public safety resolutions to be considered at the League of California Cities (LOCC) annual conference; and
2. Direct staff to participate in advocacy efforts related to the two public safety resolutions: 1) Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws and 2) Local Control for Emergency Medical Response.

9. APPROVE THE JULY 19, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

10. APPROVE THE JULY 26, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

11. APPROVE THE JULY 31, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

12. APPROVE THE AUGUST 16, 2017 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

13. CITY COUNCIL TRANSITION TO BY-DISTRICT ELECTIONS

Recommendation:

1. Review and discuss draft maps and election sequencing;
2. Open/close the public hearing;
3. Waive the first and second reading of the ordinance; and
4. Introduce ordinance selecting the preferred district map and setting the election sequencing.

Estimated Time: 75 Minutes

14. ELECTRIC VEHICLE CHARGING STATION ORDINANCE

Recommendation:

1. Open/close public hearing;
2. Waive the first and second reading of the ordinance; and
3. Introduce the ordinance.

Estimated Time: 5 Minutes

15. CERTIFY ENVIRONMENTAL IMPACT REPORT FOR THE HALE AVENUE EXTENSION AND SANTA TERESA CORRIDOR WIDENING AND REALIGNMENT PROJECT AND ADOPT HALE AVENUE PLAN LINE

Recommendation:

1. Open/close public hearing;
2. Adopt resolution certifying that the Final Environmental Impact Report (EIR) for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project (Project) is found to be complete, correct, and in substantial compliance with the requirements of the California Environmental Quality Act (CEQA), which includes adopting the Mitigation and Monitoring Program (MMRP) for the Project; and
3. Adopt resolution approving an Official Plan Line for the Hale Avenue Extension and Santa Teresa Corridor Widening and Realignment Project.

Estimated Time: 10 Minutes

16. PUBLIC HEARING ON AMENDED REASSESSMENTS FOR REASSESSMENT DISTRICT NO. 2015-2 (MADRONE BUSINESS PARK)

Recommendation:

1. Open/Close Public Hearing; and
2. Adopt resolution confirming the amended reassessments and directing actions with respect thereto Reassessment District No. 2015-2.

Estimated Time: 5 Minutes

OTHER BUSINESS

17. BOYS AND GIRLS CLUB OF SILICON VALLEY AND THE HEALTHIER KIDS FOUNDATION ANNUAL REPORTS

Recommendation:

Receive annual reports from the Boys and Girls Club of Silicon Valley and the Healthier Kids Foundation.

Estimated Time: 10 Minutes

18. ANIMAL SHELTER ASSESSMENT

Recommendation:

1. Receive report, and
2. Continue contributing \$11,000 for housing and sheltering of cats at the San Martin Animal Shelter and \$5,000 for the County's spay and neuter program as included in the FY 17/18 budget.

Estimated Time: 30 Minutes

19. REPORT ON HOMELESSNESS AND AUTHORIZATION OF AGREEMENT WITH COUNTY OF SANTA CLARA TO CONDUCT THE HOMELESS CENSUS REPORTS.

Recommendation:

1. Authorize the City Manager to enter into a three-year agreement between the City of Morgan Hill and the County of Santa Clara retroactively reimbursing Morgan Hill's share of the cost for conducting the 2017 biennial Homeless Census and Survey and prospectively funding the 2019 and 2021 survey for a maximum amount not to exceed \$8,638;
2. Accept the County's 2017 Santa Clara County Homeless Census and Survey Report; and
3. Review and discuss several strategies for addressing homelessness, related community impact issues and enforcement and provide direction.

Estimated Time: 60 Minutes

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

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

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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