



Regular Meeting Agenda
City Council

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

Wednesday, May 15, 2019 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

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.

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
Deputy City Clerk Michelle Bigelow

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member Martinez Beltran

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

PRESENTATION

YOUTH ACTION COUNCIL (YAC) ASSET #18 - YOUTH PROGRAMS

RECOGNITIONS

South County Regional Wastewater Authority (SCRWA) Team Recognition
Gabe Gonzalez
Saeid Vaziry

Awarding the Recycler of the Year Award to Sinaloa Restaurant
Roman Beltran
Elmer Orellana

Poppy Jasper International Film Festival
Mattie Scariot & Board

PROCLAMATIONS

Older Americans Month
May 2019
Debbie Vasquez
Denise Melroy

Foster Care Awareness Month
May 2019
Emma Rodriguez

National Peace Officer Memorial Day and National Police Week
May 15, 2019
May 12 - 18, 2019
David Swing

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)

EMAIL RECEIVED FROM PUBLIC

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. ACCEPT FRIENDS OF THE MORGAN HILL SENIOR CENTER GRANT

Recommendation:

Accept a \$35,000 grant from the Friends of the Morgan Hill Senior Center.

May 15, 2019

2. ACCEPT MARCH 2019 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

3. APPROVE FIRST AMENDMENT TO GILROY STAFF SERVICES AGREEMENT

Recommendation:

Authorize the City Manager to execute the First Amendment to the Gilroy Staff Services Agreement for Stormwater Permitting Requirements and Environmental Management Services.

4. ADOPT RESOLUTION AUTHORIZING ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM GRANT APPLICATION

Recommendation:

Adopt resolution approving the following actions:

1. Authorize staff to prepare and submit an EEM Program Grant application to the California Natural Resources Agency (CNRA) for the implementation of the Hale Avenue Grove and Trail Project;
2. Authorize the City Manager to negotiate and execute the EEM grant agreement and other documents, reports, forms, and agreements related to the performance of the identified projects; and
3. Approve CEQA Categorical Exemption of this project.

5. ADOPT RESOLUTION AUTHORIZING TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 GRANT APPLICATION

Recommendation:

Adopt resolution approving the following actions:

1. Authorizing staff to prepare and submit a Transportation Development Act (TDA) Article 3 Bicycle Expenditure Program (BEP) grant application to the Santa Clara Valley Transportation Authority for implementation of the Madrone Channel Trail Improvements project; and
2. Authorizing the City Manager to negotiate and execute the TDA grant agreement and other documents, reports, forms, and agreements related to the performance of the identified project.

6. ADOPT ANNEX 11 MORGAN HILL COMMUNITY WILDFIRE PROTECTION PLAN (CWPP)

Recommendation:

1. Accept the Santa Clara County Community Wildfire Protection Plan, including Annex 11 "City of Morgan Hill"; and
2. Adopt resolution adopting the Morgan Hill Annex to the Santa Clara County Community Wildfire Protection Plan as the City of Morgan Hill's Community Wildfire Protection Plan.

7. ADOPT ORDINANCE 2302 NEW SERIES, AMENDING SECTIONS 13.16.030 "RATES-RESIDENTIAL AND NONRESIDENTIAL", 13.16.035 "RATES-LOW INCOME", 13.16.040 "RATES- MOBILE HOME UNITS", 13.16.080 "RATE INCREASES-EFFECTIVE WHEN", 13.16.090 "RATES - ADJUSTMENT PROCEDURE - APPEAL", OF CHAPTER 13.16 "SEWER RATES AND INTERIM GROWTH MANAGEMENT" OF TITLE 13 PUBLIC SERVICES OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL REGARDING THE ESTABLISHMENT AND INCREASE OF SEWER RATES

Recommendation:

Waive the reading, adopt Ordinance No. 2302, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

8. APPROVE THE MAY 1, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

9. INITIATE ANNUAL ASSESSMENT PROCESS FOR LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

Recommendation:

Adopt resolutions approving the following actions:

1. Initiate the proceedings for the levy of assessments for Fiscal Year 2019-20;
2. Approve the Engineer's Annual Report and the proposed assessment levy; and
3. Declare the City Council's intention to levy the assessments in the District and to set the Public Hearing date for June 5, 2019.

Estimated Time: 5 Minutes

OTHER BUSINESS

10. APPROVE LEADERSHIP MORGAN HILL DOWNTOWN BIKE RACK PROJECT

Recommendation:

1. Approve the 2019 Leadership Morgan Hill Class Downtown Bike Rack Project; and
2. Direct City staff to coordinate final design and installation of the Bike Rack Project.

Estimated Time: 15 Minutes

11. APPROVE AGREEMENT BETWEEN THE CITY AND VISIT MORGAN HILL FOR SERVICES RELATED TO THE MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT

Recommendation:

1. Approve agreement for services with Visit Morgan Hill for administration and delivery of services related to the Morgan Hill Tourism Business Improvement District (MHTBID) and to receive \$100,000 in contributions from Visit Morgan Hill for 2018 Amgen, 2019 Amgen, and costs associated with establishing the MHTBID; and
2. Authorize the City Manager to administer and amend the agreement as needed.

Estimated Time: 10 Minutes

12. ADOPT RESOLUTION CALLING SPECIAL ELECTION ON MARCH 3, 2020 AND PLACING ON THE BALLOT ORDINANCE NO. 2295, NEW SERIES (AMENDING THE PLANNED DEVELOPMENT MASTER PLAN FOR THE “MADRONE VILLAGE SHOPPING CENTER” LOCATED ON THE NORTHWEST CORNER OF MADRONE PARKWAY AND COCHRANE ROAD) (ASSESSOR’S PARCEL NUMBERS 726-33-029, 030, AND 031)

Recommendation:

1. Adopt resolution calling for a special municipal election on Tuesday March 3, 2020 and submitting to City voters, a ballot measure relating to Ordinance No. 2295, New Series, amending the Planned Development Master Plan for the “Madrone Village Shopping Center” located on the northwest corner of Madrone Parkway and Cochrane Road (APNs 726-33-029, 030 and 031); and
2. Adopt resolution requesting the Board of Supervisors of the County of Santa Clara for the conduct of a Special Municipal Election to be held on Tuesday, March 3, 2020.

Estimated Time: 30 Minutes

FUTURE COUNCIL INITIATED AGENDA ITEMS

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

CLOSED SESSION

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

APN: 81706001

Agency Negotiators: Christina Turner and Chris Ghione

Chu John C and May-Jih C Trustee

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation under Government Code section 54956.9(b)

One potential case

RECONVENE

CLOSED SESSION ANNOUNCEMENT

ADJOURNMENT

NOTICE

Any documents produced by the City and distributed to the majority of the City Council less than 72 hours prior to an open meeting, will be made available for public inspection at the City Clerk's Counter at City Hall located at 17575 Peak Avenue, Morgan Hill, CA, 95037 and at the Morgan Hill Public Library located at 660 West Main Avenue, Morgan Hill, California, 95037 during normal business hours. (Pursuant to Government Code 54957.5)

PUBLIC COMMENT

Members of the Public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address the Council on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers and deliver it to the Minutes Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Council, but it is very helpful. When you are called, proceed to the podium and the Mayor will recognize you. If you wish to address the City Council on any other item of interest to the public, you may do so during the public comment portion of the meeting following the same procedure described above. Please limit your comments to three (3) minutes or less.

Please submit written correspondence to the Minutes Clerk, who will distribute correspondence to the City Council.

Persons interested in proposing an item for the City Council agenda should contact a member of the City Council who may plan an item on the agenda for a future City Council meeting. Should your comments require Council action, your request may be placed on the next appropriate agenda. Council discussion or action may not be taken until your item appears on an agenda. This procedure is in compliance with the California Public Meeting Law (Brown Act) Government Code §54950.

City Council Policies and Procedures (CP 03-01) outlines the procedure for the conduct of public hearings. Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

The time within which judicial review must be sought of the action by the City Council, which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

For a copy of City Council Policies and Procedures CP 97-01, please contact the City Clerk's office (408) 779-7259, (408) 779-3117 (fax) or by email 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

To sustain a safe, inclusive, socially responsible, environmentally conscious, and economically sound community

Choose Morgan Hill

The City of Morgan Hill is the best community for people to live, work, visit, and operate their businesses.

City Council Ongoing Priorities

- Enhancing Public Safety
- Protecting the Environment
- Maintaining Fiscal Responsibility
- Supporting our Youth, Seniors, and Entire Community
- Fostering a Positive Organizational Culture
- Preserving and Cultivating Public Trust
- Preserving our Community History
- Enhancing Diversity and Inclusiveness
- Advancing Regional Initiatives

2019-2020 Strategic Priorities

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





May Developmental Asset #18 Youth Programs

Young person spends 3 or more hours per week in sports, clubs, or organizations at school and/or in the community.

Why are Youth Programs Important?

- o Encourages youth to explore passions.
- o Equips youth with skill:
 - Leadership
 - Communication
 - Perseverance
 - Teamwork
- o Feel a sense of place and purpose within the community.



How this relates to YAC?



- o We are a youth program dedicated towards helping the community
- o We learn skills such as problem solving and time management.
- o We help put on other youth programs such as:
 - Youth Leadership Morgan Hill
 - Teen Center Events



May Complementary Asset #17

Creative Activities

Young person spends 3 or more hours per week in lessons or practice in music, theater, or other arts.

How this relates to Youth Programs?



- o Young person can express their interests in creative activities through existing youth programs.
- o Creative activities teach similar skills to youth similar to youth programs as well as artistic skills such as:
 - o Innovation
 - o Ingenuity
 - o Creative expression
- o YAC celebrates creative activities through face painting and balloons.

**What programs were you involved in
during high school?**

**What skills did you learn
from these activities?**



From: [John Lang](#)
To: [Michelle Bigelow](#); [Angie Gonzalez](#)
Subject: RE: FELONIOUS WASTE OF GAS TAXES BY HIGH SPEED RAIL AUTHORITY REVEALED BY WHISTLEBLOWER TODAY ON RADIO FRESNO KMJ 580
Date: Friday, May 3, 2019 4:45:46 PM

Fyi. For Public Record at next CC meeting

From: Joseph Patrick Thompson <translaw@pacbell.net>
Sent: Thursday, May 02, 2019 2:11 PM
To: Barry Holtzclaw <bholtzclaw@newsmedia.com>; Nathan Mixter <nmixter@newsmedia.com>; Carl DeMaio <carl@reformcalifornia.org>; Jon Coupal <jon@hjta.org>; Mike Wasserman <askmike@garlic.com>; Shawna Freels <shawna.freels@ci.gilroy.ca.us>; SBC Board of Supervisors <sbcsuper@supervisor.co.san-benito.ca.us>; Sbccog <info@sanbenitocog.org>; Sbccrc Balers <onemorejones@yahoo.com>; Sally Bettencourt <sallybettencourt@gmail.com>; Gary Walton <gary@custom-1.com>; Eric Howard <ehoward1965@gmail.com>; Tammy Brownlow <president@gilroyedc.org>; Robert T. Dillon <rtdillon@garlic.com>; Pat Loe <donpatloe@att.net>; Marty Richman <mgr42@charter.net>; Rich Constantine <Rich.Constantine@morganhill.ca.gov>; John Lang <John.Lang@morganhill.ca.gov>
Subject: FELONIOUS WASTE OF GAS TAXES BY HIGH SPEED RAIL AUTHORITY REVEALED BY WHISTLEBLOWER TODAY ON RADIO FRESNO KMJ 580

Warning: this message is from an external user and should be treated with caution.

Dear Editor,
Alert your readers to felonious waste of our gas taxes by CAHSRA Bullet Train maniacs revealed by Whistleblower who resigned from their "team" of maniacs in protest over the \$300M + waste of our gas taxes when CAHSRA paid its contractors "damages" for overhead idle time when no work could be performed. The reason no work could be performed? CAHSRA in its haste to get \$3.1B of Obama "Shovel-Ready-Jobs" infrastructure stimulus money told contractors to start working when they did not have ownership to land where the CAHSRA Bullet-in-the-Brain Train will go. A condition of getting the \$3.1B was that they started work, and so they said that the started work to meet the requirement of the federal grant, all the while knowing that they could not proceed. Of course, they cannot, and so will they refund the money? Their plush salaries and benefits? No way. They keep our money despite their defrauding the taxpayers.

This endemic gang-rape of taxpayers goes on every day at VTA, COG, SCCRTC, TAMC, MST, and all the other politicians transit agencies. Yes, they gouge the blazes out of the taxpayers to keep their bankrupt boondoggles running, and you never report it. Why?

Why don't you come out on the side of the taxpayers? It would be a refreshing change.
Caveat viator.

Communication: Email received from public (PUBLIC COMMENT)

Joseph P. Thompson, Esq.
Past-President, Gilroy-Morgan Hill Bar Assn.
Past-Chair, Legislation Committee, Transportation Lawyers Assn.
(408) 848-5506
e-Mail: TransLaw@PacBell.Net

cc: PUBLIC COMMENT---NEXT MEETING: REGULAR, SPECIAL, STUDY SESSION, PRIVATE
RETREAT,
PUBLIC WORKSHOP, AND/OR NON-BROWN ACT COMPLIANT MEETING OF THE MOBILITY
PARTNERSHIP

cc: Reform California
cc: HJTA

Communication: Email received from public (PUBLIC COMMENT)



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Debbie Vasquez,
APPROVED BY: City Manager

ACCEPT FRIENDS OF THE MORGAN HILL SENIOR CENTER GRANT

RECOMMENDATION(S)

Accept a \$35,000 grant from the Friends of the Morgan Hill Senior Center.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

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

2019 Strategic Priorities

Financial Stewardship

REPORT NARRATIVE:

In November 2018, staff submitted a grant application to the Friends of the Morgan Hill Senior Center requesting grant funds in the amount of \$35,000. The request was made to support Older Adult Programs and Services at the Centennial Recreation Senior Center with targeted funding to support the Volunteer Driver Program, "Get'n Around Town." Funding from the Friends has occurred annually for several years and is necessary to support the existing operation of the Senior Center.

The Friends of the Morgan Hill Senior Center was established in 2011 with the primary purpose of raising funds to support Senior Center operations. "Friends", a group of more than 40 community volunteers, host the ongoing Tuesday night Bingo at the Community and Cultural Center as its primary fundraising activity. When the City took on management of the Senior Center in 2015, the Friends estimated that funding of \$20,000 per year would be available from fundraising to support the City's operation of the Senior Center. This year's grant provides general funding support for the Senior Center and funding specifically for the Get'n Around Town Volunteer Driver Program.

Financial sustainability continues to be a focus area for the Senior Center. As part of the sustainability plan for Older Adult Services, City teammates have also been working with the Friends to establish a formal endowment program that aligns with the existing Community Sponsorship Policy. The Endowment Committee has been established as a sub-committee of the Senior Advisory Committee to work with the Friends on building the endowment fund through a Senior Center Giving Tree and Naming Rights of rooms.

COMMUNITY ENGAGEMENT: Inform, Involve, Collaborate

The Friends of the Morgan Hill Senior Center is a group of community members that raise funds specifically to support the Morgan Hill Senior Center. The Friends of the Morgan Hill Senior Center collaborate with City staff to inform and involve the public in their ongoing events to support operations at the Senior Center.

ALTERNATIVE ACTIONS:

The Council could reject the \$35,000 grant award.

PRIOR CITY COUNCIL:

In January 2017, City Council accepted the Friends of the Morgan Hill Senior Center donation of \$30,000 to the Senior Center, and \$40,000 to the Morgan Hill Senior Support Endowment Fund.

At the April 4, 2018 meeting, City Council accepted the Friends of the Morgan Hill Senior Center donation of \$40,000.

FISCAL AND RESOURCE IMPACT:

Accepting the grant of \$35,000 provides \$15,000 more in grant revenue than anticipated in the Fiscal Year 2018-19 budget.

CEQA (California Environmental Quality Act):

Since the resulting activity is an administrative program that will not result in a change to the physical environment, the action is not a project under the California Environmental Quality Act.



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Dat Nguyen, Finance Director
APPROVED BY: City Manager

ACCEPT MARCH 2019 FINANCIAL AND INVESTMENT REPORT

RECOMMENDATION(S)

Accept and file report.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility
Preserving and Cultivating Public Trust

2019 Strategic Priorities

Community Engagement and Messaging
Financial Stewardship

REPORT NARRATIVE:

As part of the City Council's expectation to maintain a high level of transparency and to be responsible stewards of public funds, attached are the Financial and Investment Reports for the nine months ended March 31, 2019. Overall, the City received 66% of the budgeted revenues for all funds and is approximately \$12.2 million or 14% higher than prior year at this time.

The increase was partially led by an overall increase in Enterprise Funds revenues of \$4.1 million compared to prior year at this time. General Fund revenues totaled \$28.9 million, \$0.9 million or 3% higher than a year ago at this time mainly due to an increase in tax collection. General Fund expenditures, including encumbrances amounted to \$32.2 million or 73% of the budget. The encumbrances represent commitments or contractual obligations that the City entered into with vendors or suppliers, such as Cal-West Lighting and Signal Maintenance for the City's streetlights and traffic signals, and the partnership agreement with the YMCA of Silicon Valley for the management and operation of the Community Recreation Center. The services from these vendors are expected to be utilized by the City and paid throughout the fiscal year.

Development Services Fund revenues totaled \$4.0 million or 81% of the budget, an increase of 19% from prior fiscal year at this time of \$3.3 million due to the fee increases that went into effect January 1, 2018. Expenditures, including encumbrances totaled \$5.2 million or 83% of the budget. The fund is budgeted to end the fiscal year with an operating deficit of approximately \$1.4 million. This is primarily due to the timing of fee increases, services or new projects unsupported by fees, such as front counter services, responding to public inquiries, tree removal permits, use permits for non-profits or special projects, and continued implementation of Measure S. In addition, fees are based on average time for processing, the more complicated the case, the more time is spent assisting the applicant in the application process. This extra time is not

incorporated into the cost recovery model. There is available fund reserve to support the fund's operating deficits in the two-year window, however, General Fund support may be required in future years due to the aforementioned reasons.

Enterprise Funds revenues which comprised of Water and Sewer totaled \$29.0 million or 80% of the budget, an increase of \$4.1 million or 17% from a year ago at this time primarily due to higher development impact fees collected and water sales. Revenues from water sales are expected to come in slightly better than budget due to higher water consumption than estimated. Revenues from sewer operations are projected to come in as budgeted. Expenditures, including encumbrances amounted to \$26.8 million or just 58% of the budget mainly due to timing of capital improvement program.

At the October 3, 2018 meeting, City Council recommended staff periodically report to the Council any contracts or agreements between \$25,000 to \$60,000 or the limit of the California Uniform Public Construction Cost Accounting Act (CUPCCAA) that were entered into by the City Manager. Staff drafted and presented a City Council Policy for consideration on November 7, 2018. The policy was approved and signed with the effective date of November 24, 2018. Staff has since developed a reporting mechanism that would report the requested information to the Council quarterly along with the financial and investment report. Page 17 of the attachment shows the contracts and or agreements between \$25,000 to \$60,000 or the limit of the CUPCCAA entered into by the City Manager since the last report on February 7, 2019 to May 2, 2019.

At the September 16, 2015 meeting, City Council recommended monthly financial and investment reports be agendized under the Consent Agenda, and quarterly financial and investment reports be presented to City Council as an "Other Business" item. However, this quarter ended March 31, 2019 Financial and Investment Reports report will be agendized under the Consent Agenda for the May 15, 2019 meeting and will be presented as part of the Engage Morgan Hill workshop on May 22, 2019.

COMMUNITY ENGAGEMENT: Inform

Finance staff prepares these financial reports to inform City officials, the Council, the community, and various lenders and stakeholders about the financial health of the organization, which assists each one of the interested parties in making sound financial and investment decisions.

ALTERNATIVE ACTIONS:

No alternative action is recommended, as this is a monthly financial report on City transactions which have already occurred.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council receives and files the financial and investment report for each month.

FISCAL AND RESOURCE IMPACT:

The preparation of the report is a part of the Finance workplan.

CEQA (California Environmental Quality Act):

Not a Project.

This report is not a project, as defined in Section 15378 of the State CEQA Guidelines. Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

LINKS/ATTACHMENTS:

1. March 2019 Financial Statement Analysis
2. March 2019 Financial and Investment Report



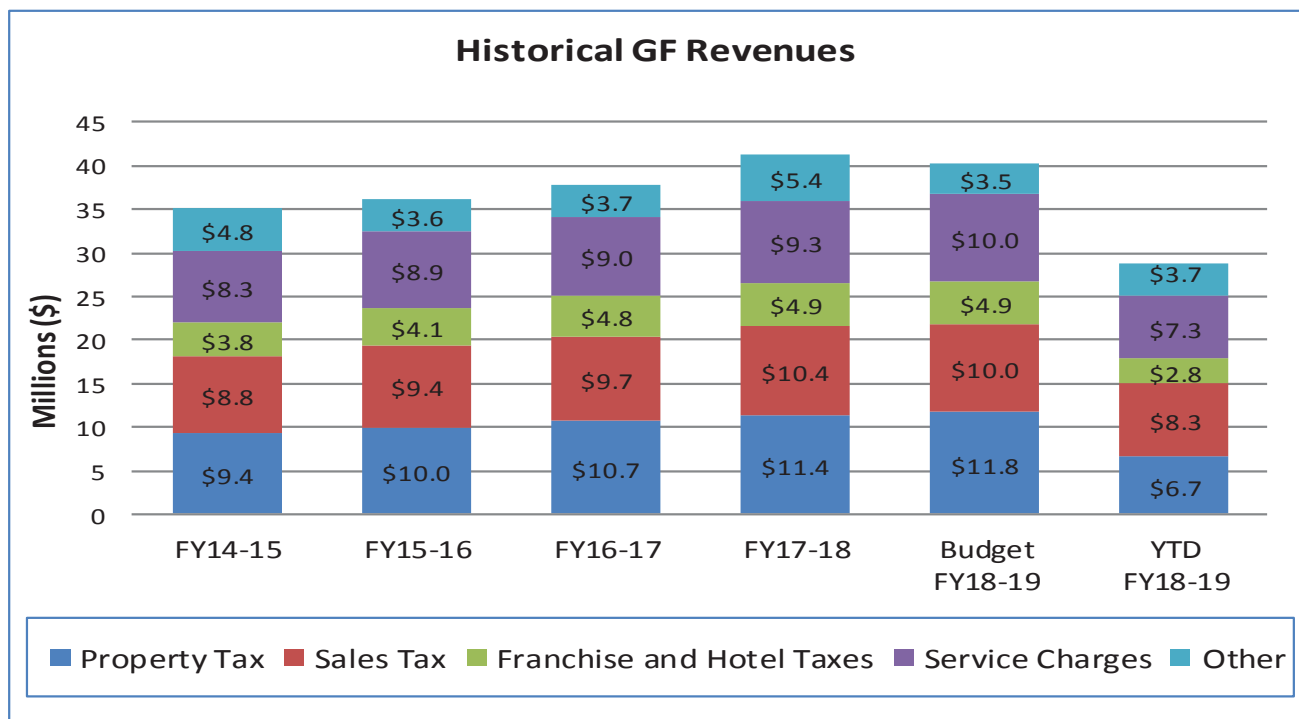
CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2018-19
FOR THE MONTH ENDED MARCH 2019 – 75% OF YEAR COMPLETE

- **General Fund** – Revenues through the month of March totaled \$28.9 million, or 71% of the budgeted revenues. The amount received is 3% or \$0.9 million higher than a year ago at this time primarily due to higher tax collections, partially offset by a reduction in other revenues. Sales tax collections increased by 4% compared to prior year.

As for property tax, the second advances for the April 10, 2019 secured and unsecured property tax installment have been received, and is 1% or approximately \$89,000 lower than a year ago at this time due to timing differences. Property tax revenue, excluding the property transfer tax, is forecasted to end the year at \$12.5 million, which is approximately \$800,000 more than the adopted budget partially attributable to the higher excess Educational Revenue Augmentation Fund (ERAF) distribution of \$943,000 versus \$495,000 budgeted. Excess ERAF is the money that is returned to the cities, counties, and special districts after schools reach their state-mandated thresholds. Property tax is the largest source of Morgan Hill's General Fund revenue. However, it accounts for only 29% of the approximately \$40.5 million General Fund revenue. Although property tax tends to be a more predictable revenue source, other major revenue categories such as sales tax and transient occupancy tax, which account for a large portion of the City's General Fund revenue, are more volatile and tend to fluctuate more with swings in the economy.

The small category of business licenses already came in slightly over the budgeted amount as annual business license renewal payments are usually received in the first few months of the fiscal year.

The chart below shows historical General Fund revenues by major revenue category from FY14-15 through FY17-18 Actual, FY18-19 Budget, and YTD as of March 31, 2019.

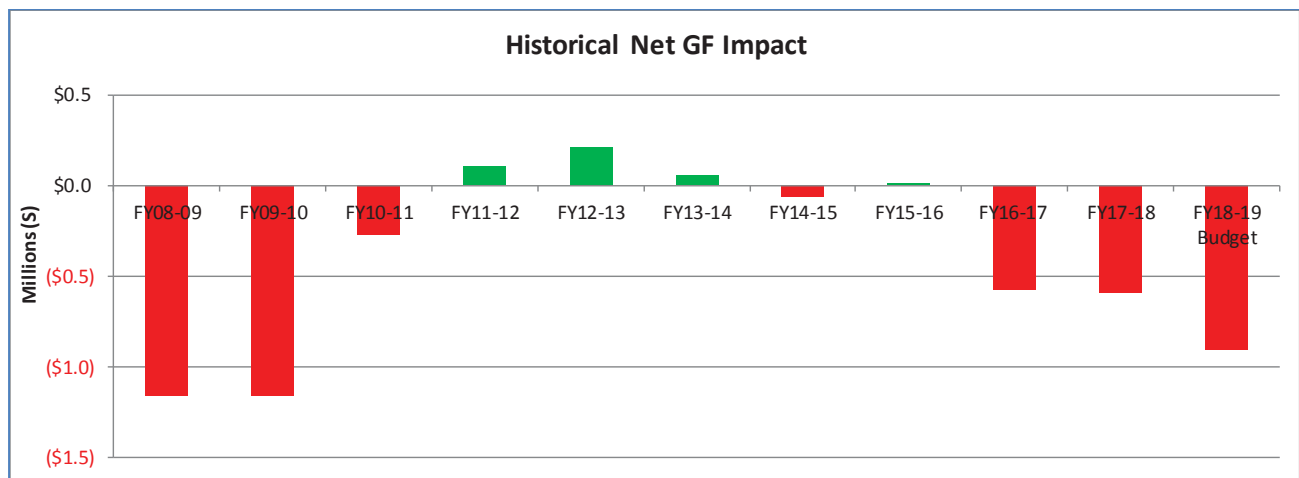




CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2018-19
FOR THE MONTH ENDED MARCH 2019 – 75% OF YEAR COMPLETE

General Fund expenditures and encumbrances as of March 31, 2019 totaled \$32.2 million, of which approximately \$1.5 million is attributable to outstanding encumbrances.

- **Community Services** - The Community Services Department's recreation operations, as reflected in the schedule presented on page 4 of the Monthly Financial and Investments Reports, shows a negative impact to the General Fund of approximately \$1.0 million through the month of March. Without the carry-over encumbrances, the year to date operations through the month of March resulted in a smaller negative net impact to the general fund of approximately \$391,000. Any net impact from the recreation operations increases (decreases) reserves in the General Fund.



Due to longstanding governmental accounting and budgeting convention, the City's recreation operations are not charged for indirect costs (known in Morgan Hill as "General Fund Administration") from the central services departments of City Attorney, City Manager, and Administrative Services. The City's other governmental funds, such as Community Development, and the proprietary funds, such as Water and Wastewater, and the Information Services Fund, are assessed such charges through the City's indirect cost allocation plan, prepared in compliance with the Federal government's OMB Circular No. A-87, which mandates certain calculation and cost allocation practices that must be followed in order to qualify for Federal grant funding, but which also represent best practice for non-grant funded City operations like utilities and information services.

- **Development Services Fund** – Revenues through March totaled \$4.0 million, an increase of 19% or approximately \$643,000 more than a year ago at this time partially due to the fee increases that went into effect January 1, 2018. Expenditures, including encumbrances, totaled \$5.2 million. Without the outstanding encumbrances, however, expenditures through the month of March amounted to \$4.0 million. The fund is budgeted to end the fiscal year with an operating deficit of approximately \$1.4 million. This is primarily due to the timing of fee increases, services or new projects unsupported by fees, such as front counter services, responding to public inquiries, tree removal permits, use permits for non-profits or special projects, and continued implementation of Measure S. In addition, fees are based on average time for processing, the more complicated the case, the more time is spent assisting the applicant in the application process. This extra time is not incorporated into the cost recovery model. There is available fund reserve to support the fund's operating deficits in the two-year window, however, a General Fund support may be required in future years due to the aforementioned reasons.



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2018-19
FOR THE MONTH ENDED MARCH 2019 – 75% OF YEAR COMPLETE

- **Debt Service Funds** – Expenditures through the month of March totaled approximately \$521,000. The debt service for the first half of the year includes both interest and principal, while the second half of the year will include interest only. Debt service payments were all scheduled when the bonds were issued, and are budgeted for in the months delineated in the underlying bond documents. The General Fund's portion of the annual debt service payments is approximately \$200,000, less than one percent of the General Fund's budgeted revenues.
- **Wastewater Operations** – Revenues from Wastewater or Sewer Operations through the month of March totaled \$8.6 million. Expenditures and outstanding encumbrances totaled \$7.2 million or 64% of the budget. The table below shows historical Sewer Operations revenues and expenditures from FY14-15 through FY17-18 Actual, FY18-19 Budget, and YTD as of March 31, 2019.

(amount in millions)	FY14-15	FY15-16	FY16-17	FY17-18	Budget FY18-19	YTD FY18-19
Revenues	10.3	10.2	9.7	10.3	10.7	8.6
Expenditures	8.8	12.0	9.8	10.8	11.3	7.2
Operating Margin	1.5	(1.8)	(0.1)	(0.5)	(0.6)	1.4
Operating Margin without Encumbrances	1.5	(1.8)	(0.0)	(0.3)	(0.6)	1.6

- **Water Operations** – Water Operations includes Utility Billing, Water Conservation, and Water Operations. Revenues from Water Operations through the month of March totaled \$10.8 million, approximately 11% more than a year ago partially due to rate adjustment. Water Operations expenditures, including outstanding encumbrances, totaled approximately \$10.0 million for the year. Without the encumbrances, however, the expenditures amounted to \$8.3 million. The table below shows Water Operations revenues and expenditures from FY14-15 through FY17-18 Actual, FY18-19 Budget, and YTD as of March 31, 2019.

(amount in millions)	FY14-15	FY15-16	FY16-17	FY17-18	Budget FY18-19	YTD FY18-19
Revenues	8.8	8.5	10.9	13.0	13.8	10.8
Expenditures	9.3	9.7	11.2	12.1	13.5	9.9
Operating Margin	(0.5)	(1.2)	(0.3)	0.9	0.3	0.9
Operating Margin without Encumbrances	(0.5)	(1.2)	(0.1)	1.4	0.3	2.5

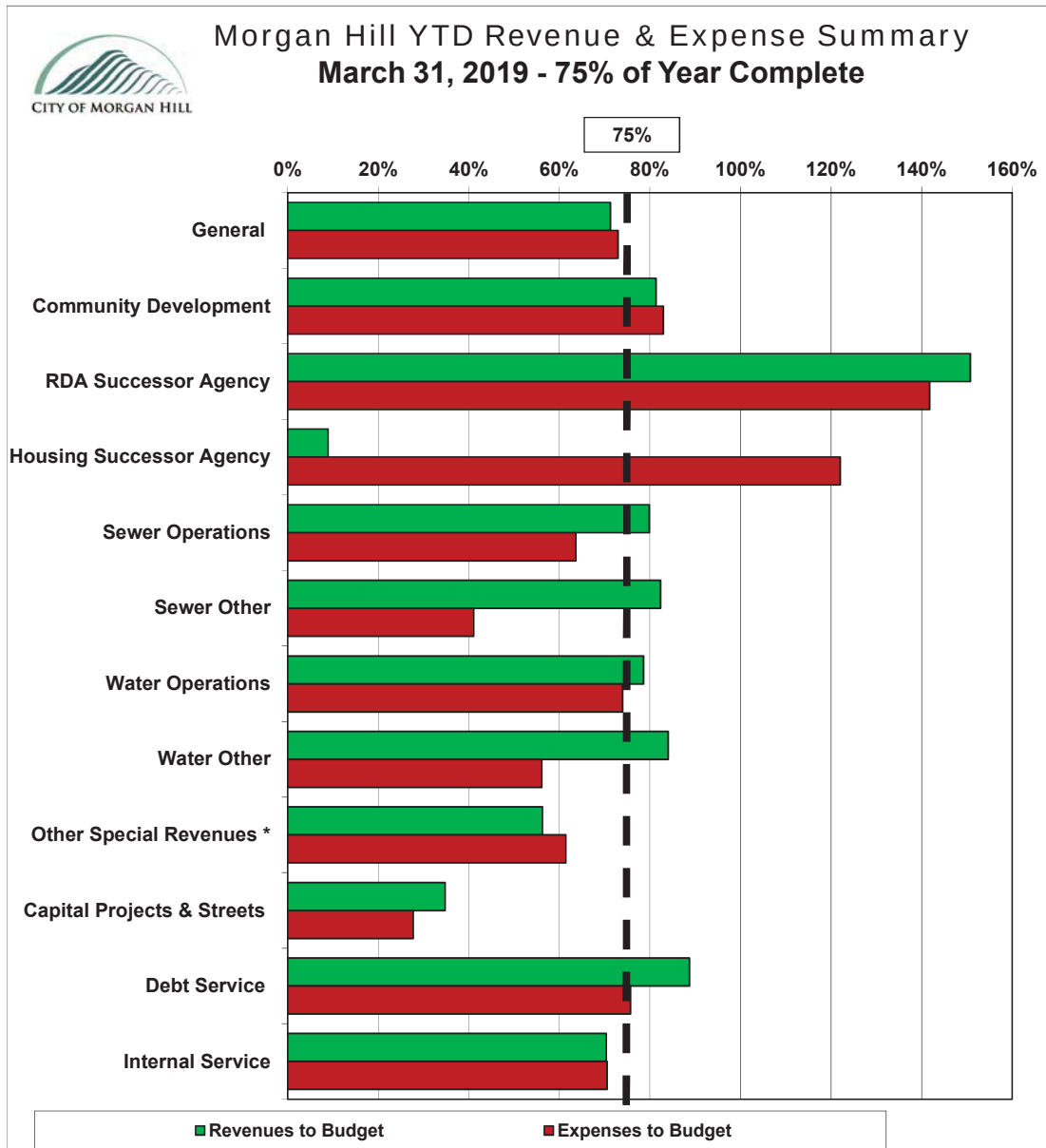
- **Investments** – No purchases were made during the month of March 2019. Total interest earnings received on investments were \$56,000 during the month.

CITY OF MORGAN HILL
Monthly Financial and Investment Reports
March 31, 2019 - 75% of Year Complete



CITY OF MORGAN HILL

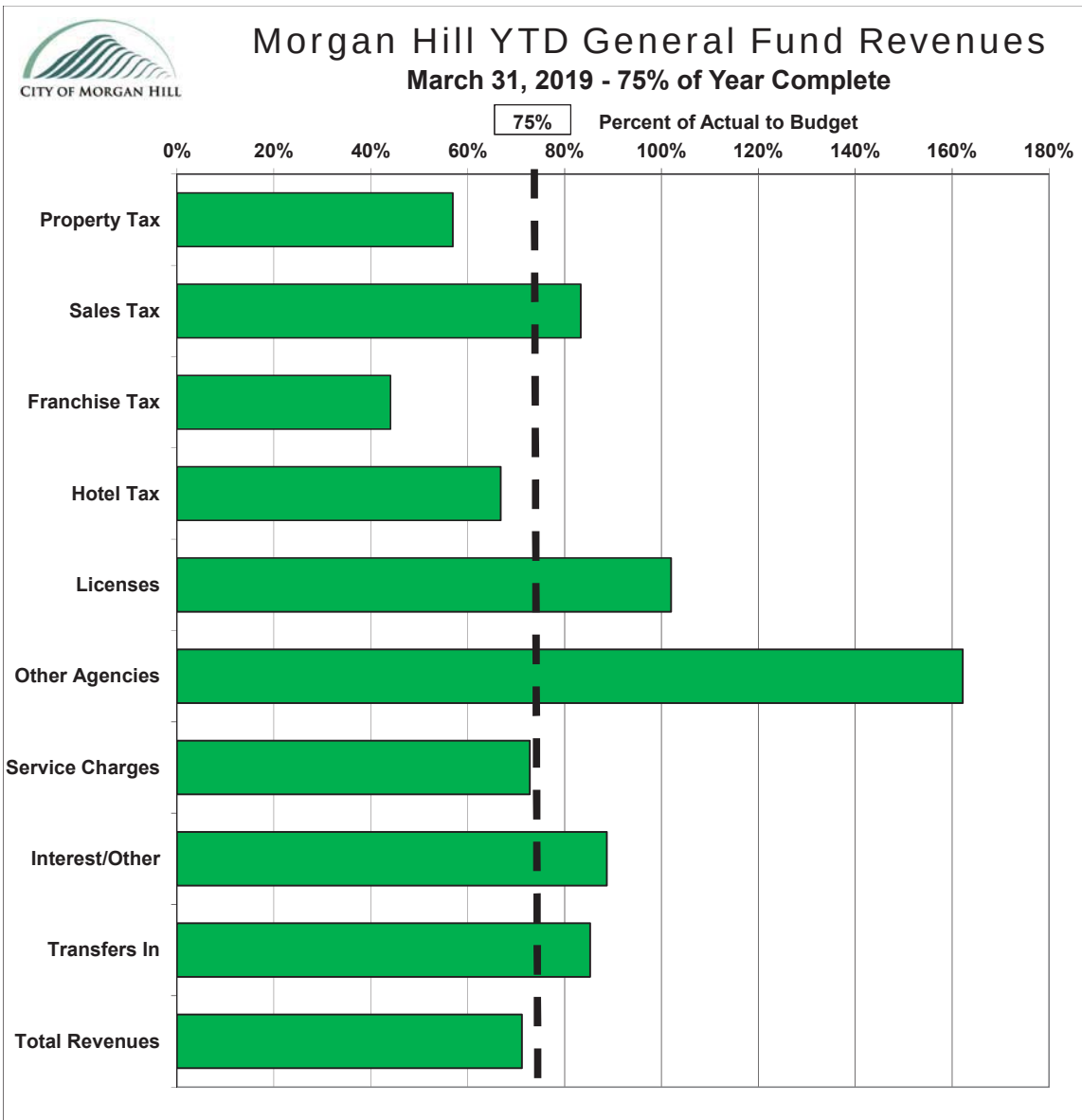
Prepared by:
FINANCE DIVISION



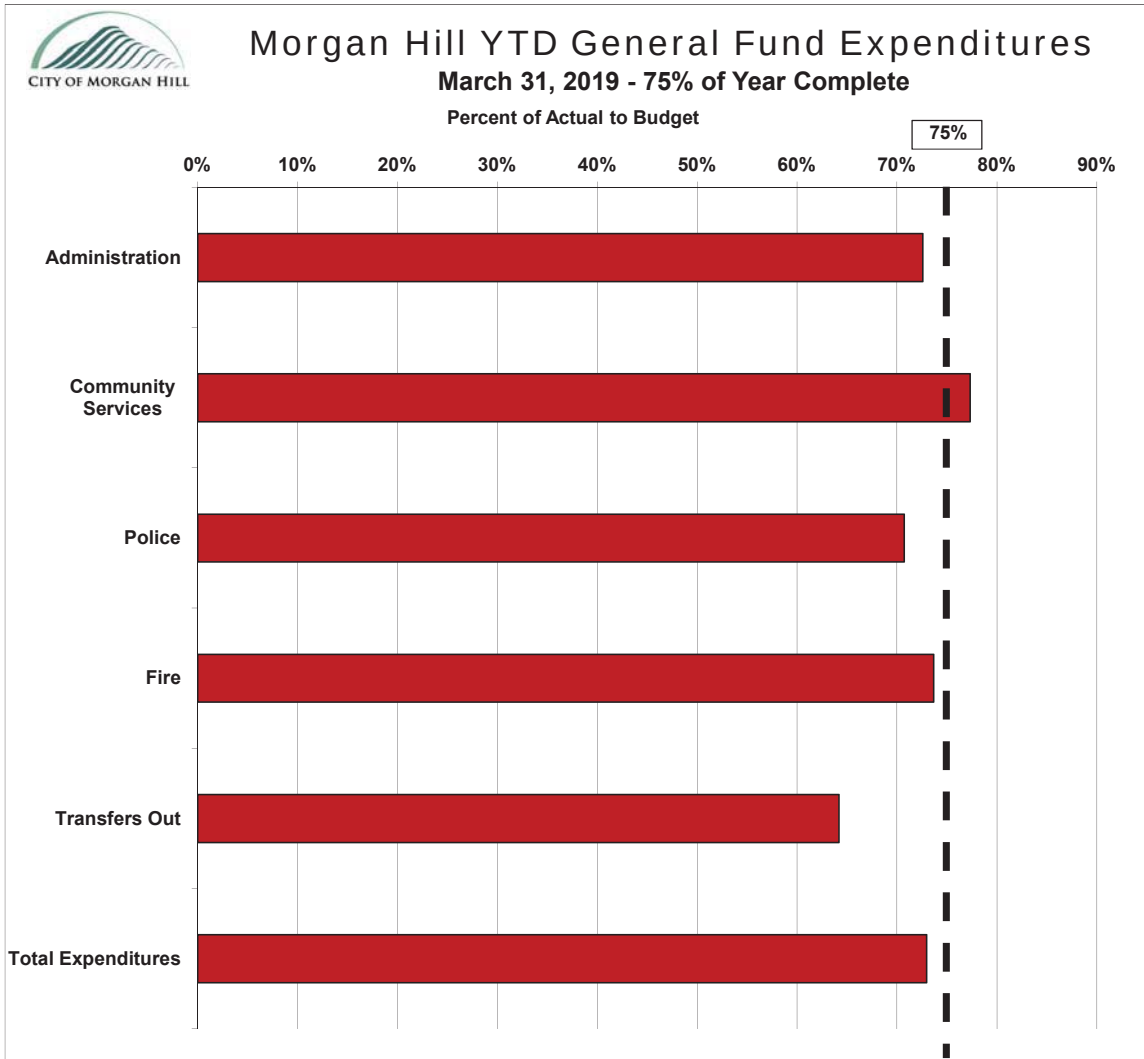
FUND NAME	REVENUES		EXPENSES	
	ACTUAL	% OF BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET
General	\$ 28,860,796	71%	\$ 32,159,604	73%
Community Development	3,968,562	81%	5,176,534	83%
RDA Successor Agency	11,982,742	151%	11,320,114	142%
Housing Successor Agency	213,139	9%	4,490,908	122%
Sewer Operations	8,585,527	80%	7,202,293	64%
Sewer Other	6,400,497	82%	6,351,291	41%
Water Operations	10,803,455	79%	9,951,557	74%
Water Other	3,165,750	84%	3,318,909	56%
Other Special Revenues *	2,319,463	56%	3,392,584	61%
Capital Projects & Streets	14,697,303	35%	16,786,220	28%
Debt Service	598,390	89%	521,430	76%
Internal Service	8,379,305	70%	8,172,778	71%
TOTAL FOR ALL FUNDS	\$ 99,974,930	66%	\$ 108,844,223	58%

* Includes all Special Revenue Funds except Community Development, Street Funds, and RDA and Housing Successor Agencies.

Attachment: March 2019 Financial and Investment Report (2310 : Accept March 2019 Financial and Investment Report)



REVENUE CATEGORY	BUDGET	ACTUAL	% OF BUDGET	PRIOR YEAR TO DATE	% CHANGE FROM PRIOR YEAR
Property Tax	\$ 11,813,532	\$ 6,726,120	57%	\$ 6,359,687	6%
Sales Tax	9,981,124	8,313,220	83%	7,955,114	5%
Franchise Tax	2,164,190	955,035	44%	886,218	8%
Hotel Tax	2,754,000	1,839,181	67%	1,722,424	7%
Licenses	200,800	204,718	102%	190,815	7%
Other Agencies	546,332	886,182	162%	427,186	107%
Service Charges	9,993,089	7,278,332	73%	6,834,389	6%
Interest/Other	1,406,042	1,246,793	89%	2,363,939	-47%
Transfers In	1,653,560	1,411,217	85%	1,236,539	14%
TOTAL REVENUES	\$40,512,669	\$28,860,796	71%	\$ 27,976,312	3%



EXPENDITURE CATEGORY	BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET	PRIOR YTD PLUS ENCUMBRANCES	% CHANGE FROM PRIOR YEAR
Administration	\$ 5,043,269	\$ 3,660,689	73%	\$ 6,082,864	-40%
Community Services	12,540,603	9,694,580	77%	8,647,720	12%
Police	17,406,718	12,311,595	71%	12,338,243	0%
Fire	6,959,059	5,126,963	74%	4,542,134	13%
Transfers Out	2,127,498	1,365,777	64%	1,475,577	-7%
TOTAL EXPENDITURES	\$ 44,077,146	\$ 32,159,604	73%	\$ 33,086,538	-3%

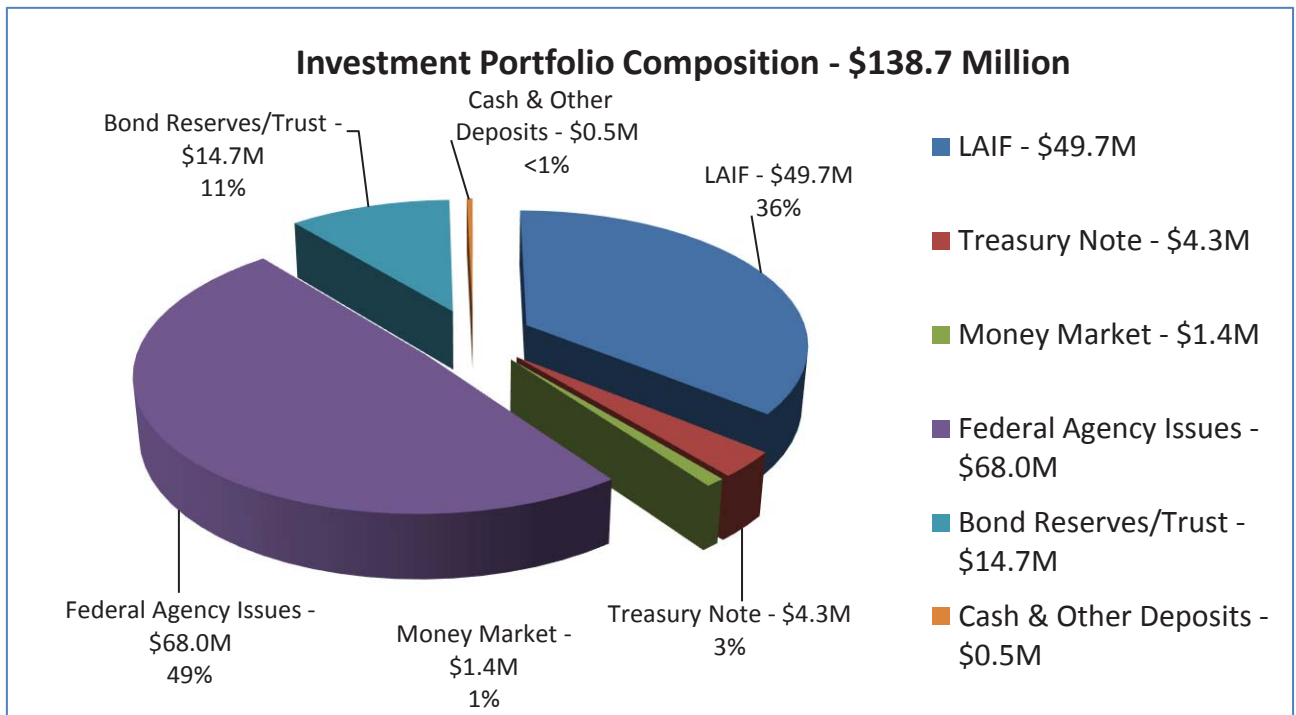


**City of Morgan Hill
Recreation Report - Fiscal Year 2018-19
For the Month and Nine Months Ended March 31, 2019
75% of Year Complete**

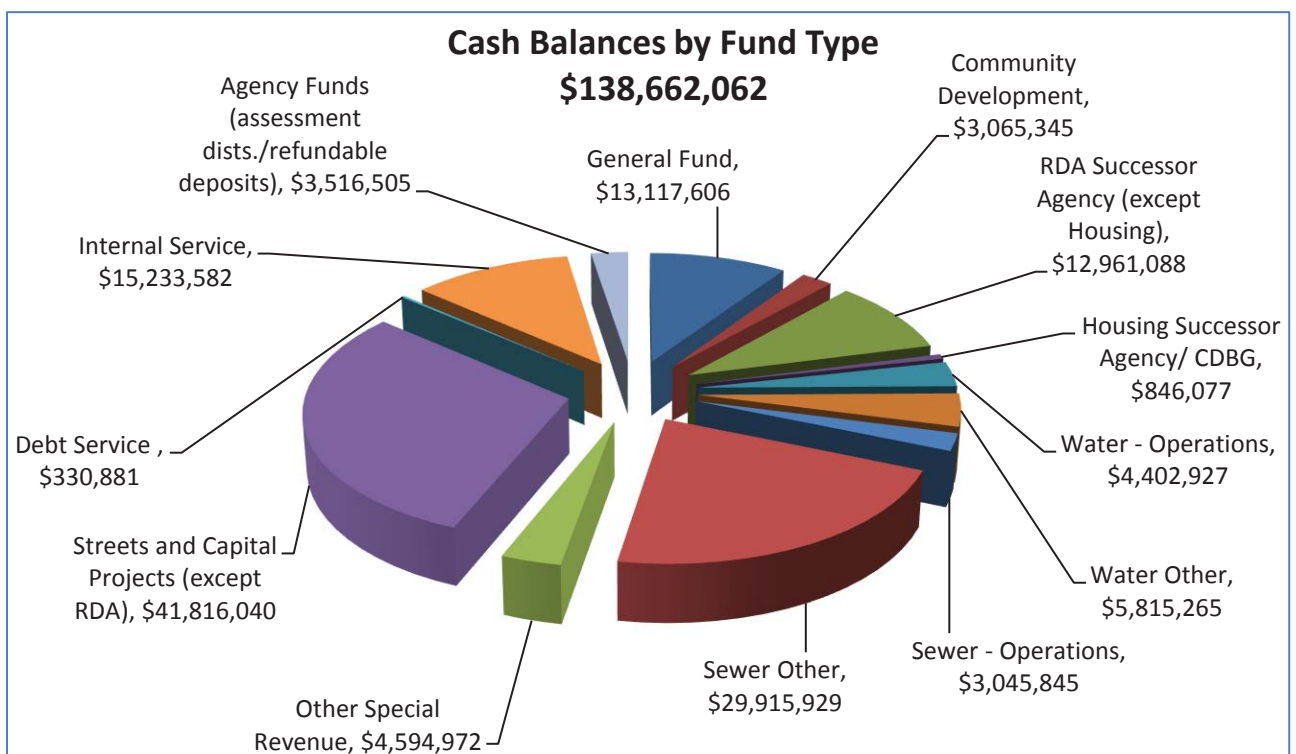
	<u>Budget</u>	<u>March 2019</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues				
Membership Services & Rec Programs	\$ 6,241,196	\$ 554,358	\$ 4,721,784	
Facility Rentals	898,700	71,143	722,737	
Community Services	147,840	3,845	81,591	
Transfers in	75,000	6,250	56,250	
Total Revenues	\$ 7,362,736	\$ 635,595	\$ 5,582,362	76%
Less: Expenditures				
Membership & Program Services	\$ 6,309,009	\$ 831,546	\$ 4,533,833	
Facility Rentals	1,355,732	127,967	993,878	
Community Services	653,307	82,391	446,066	
Total Expenditures	\$ 8,318,049	\$ 1,041,903	\$ 5,973,777	72%
Net Impact without encumbrances	\$ (955,313)	\$ (406,308)	\$ (391,415)	
Encumbrances	-	-	593,317	
Net Impact with encumbrances	\$ (955,313)	\$ (406,308)	\$ (984,732)	

City of Morgan Hill Monthly Investment Report - March 31, 2019

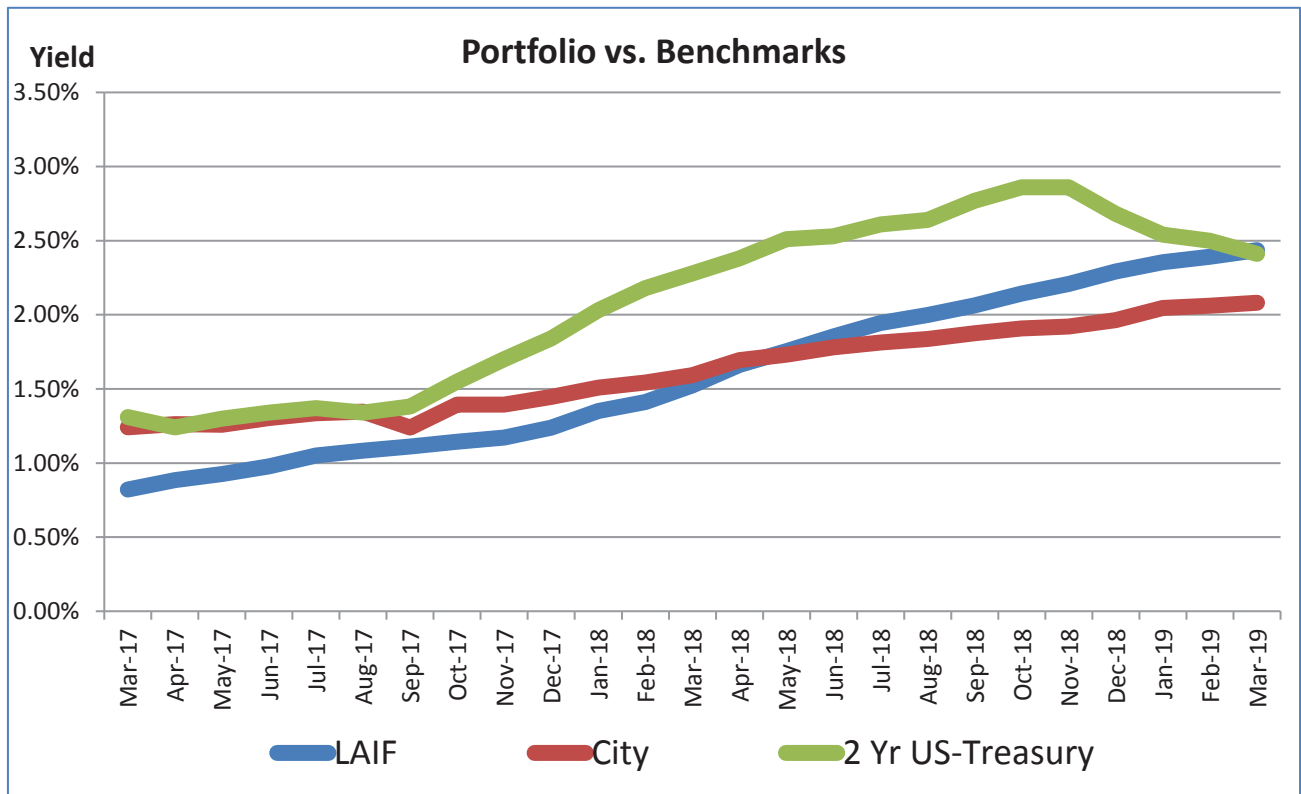
The following are the snapshots of City's investment portfolio as of March 31, 2019. The first chart shows the portfolio composition by investment type:



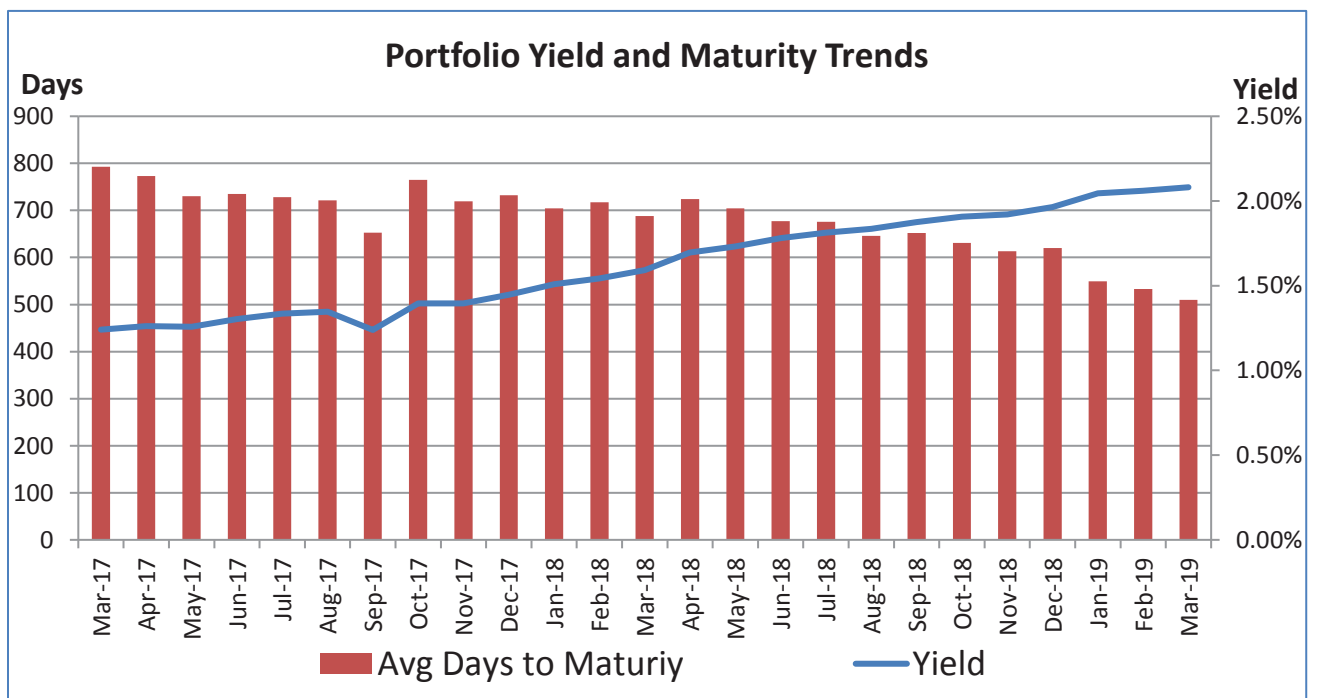
The chart below shows cash balances by fund type reconciled to City's financial system:



The following chart illustrates a yield comparison by month among the City's portfolio, LAIF and 2-Year US Treasury:



The chart below illustrates monthly average days to maturity of the City's portfolio along with the weighted average yield for the past two years:





City of Morgan Hill
Investment Portfolio Detail
As of March 31, 2019

Investment Type	Settlement Date	Book Value	% of Portfolio	Market Value	YTM at Cost	Next Call Date	Date of Maturity
L A I F		\$ 49,684,710	35.83%	\$ 49,637,565	2.44%		
City Managed							
Fed Home Loan Bank	10/19/2015	4,000,000	2.88%	3,955,760	1.70%	4/19/2019	10/19/2020
Fed Home Loan Bank	6/30/2016	4,000,000	2.88%	3,926,720	1.50%	6/30/2021	6/30/2021
Fed Natn'l Mortgage Assn	8/25/2016	4,000,000	2.88%	3,919,120	1.40%	8/25/2021	8/25/2021
Fed Home Loan Mortgage	9/29/2016	2,000,000	1.44%	1,966,040	1.65%	6/29/2019	9/29/2021
Fed Natn'l Mortgage Assn	9/29/2016	4,000,000	2.88%	3,931,960	1.60%	6/29/2019	9/29/2021
Fed Home Loan Mortgage	10/27/2016	4,000,000	2.88%	3,926,000	1.60%	4/27/2019	10/27/2021
Fed Natn'l Mortgage Assn	10/28/2016	4,000,000	2.88%	3,926,440	1.55%	4/28/2019	10/28/2021
Fed Home Loan Mortgage	10/28/2016	2,000,000	1.44%	1,965,240	1.65%	4/28/2019	10/28/2021
Fed Home Loan Bank	11/15/2016	4,000,000	2.88%	3,919,040	1.55%	11/15/2021	11/15/2021
Fed Home Loan Bank	11/23/2016	3,000,000	2.16%	2,945,880	1.65%	4/23/2019	11/23/2021
Fed Home Loan Bank	11/23/2016	4,000,000	2.88%	3,925,640	1.63%	4/23/2019	11/23/2021
Fed Home Loan Mortgage	11/30/2016	4,000,000	2.88%	3,950,600	1.88%	4/26/2019	11/26/2021
Fed Home Loan Mortgage	6/29/2017	1,300,000	0.94%	1,291,966	2.15%	9/29/2019	6/29/2022
Fed Home Loan Bank	10/19/2017	3,850,000	2.78%	3,818,430	2.15%	10/19/2022	10/19/2022
Fed Natn'l Mortgage Assn	10/26/2017	4,150,000	2.99%	4,106,135	2.20%	4/26/2019	10/26/2022
Fed Home Loan Mortgage	1/30/2018	3,000,000	2.16%	3,000,060	2.50%	4/30/2019	1/30/2023
Treasury Note	4/30/2018	4,294,089	3.10%	4,373,100	2.73%	3/31/2023	3/31/2023
Sub Total/Average		\$ 59,594,089	42.98%	\$ 58,848,131	1.82%		
Money Market		\$ 1,265,148	0.91%	\$ 1,265,148	2.36%		
Total City Managed/Average		\$ 110,543,947	79.72%	\$ 109,750,843	2.21%		
City Managed - HighMark							
Fed Natn'l Mortgage Assn	8/18/2016	749,933	0.54%	746,880	1.18%	7/26/2019	7/26/2019
Fed Natn'l Mortgage Assn	8/23/2016	749,990	0.54%	746,415	1.25%	5/23/2019	8/23/2019
Fed Home Loan Mortgage	8/31/2016	750,000	0.54%	746,453	1.25%	8/15/2019	8/15/2019
Fed Home Loan Mortgage	10/7/2016	749,949	0.54%	745,875	1.29%	3/12/2019	9/12/2019
Fed Natn'l Mortgage Assn	10/11/2016	749,983	0.54%	748,613	1.22%	5/23/2019	5/23/2019
Fed Natn'l Mortgage Assn	10/24/2016	749,987	0.54%	745,500	1.25%	6/30/2019	9/30/2019
Fed Home Loan Mortgage	12/13/2016	1,000,647	0.72%	998,890	1.35%	5/30/2019	5/30/2019
Fed Home Loan Mortgage	12/29/2016	749,930	0.54%	749,610	1.37%	4/15/2019	4/15/2019
Fed Natn'l Mortgage Assn	12/29/2016	740,574	0.53%	738,816	1.39%	6/20/2019	6/20/2019
Fed Home Loan Bank	6/19/2018	948,518	0.68%	948,404	2.38%	5/28/2019	5/28/2019
Fed Home Loan Mortgage	9/14/2018	821,459	0.59%	821,684	2.56%	8/1/2019	8/1/2019
Fed Home Loan Bank	9/26/2018	746,921	0.54%	749,543	2.80%	3/30/2020	3/30/2020
Fed Home Loan Bank	11/6/2018	739,054	0.53%	745,313	2.87%	11/15/2019	11/15/2019
Fed Home Loan Mortgage	1/18/2019	999,096	0.72%	1,000,540	2.87%	4/23/2020	4/23/2020
Fed Home Loan Bank	1/31/2019	1,496,239	1.08%	1,496,265	2.87%	5/8/2019	5/8/2019
Money Market		111,181	0.08%	111,181	2.36%		
Sub Total/Average		\$ 12,853,461	9.27%	\$ 12,839,979	1.94%		
Bond Reserve Accounts - Held By Trustees		\$ 12,540,950	9.04%	\$ 12,574,221			
Cash/Deposits		\$ 536,300	0.39%	\$ 536,300			
PARS Trust		\$ 2,187,404	1.58%	\$ 2,481,999			
GRAND TOTAL/AVERAGE		\$ 138,662,062	100.00%	\$ 138,183,343			

Attachment: March 2019 Financial and Investment Report (2310 : Accept March 2019 Financial and Investment Report)



CITY OF MORGAN HILL CASH AND INVESTMENT REPORT
FOR THE MONTH OF MARCH 31, 2019
FOR THE FISCAL YEAR OF 2018-19

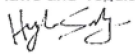
	Invested in Fund	Yield	Book Value End of Month	% of Total	Market Value
Investments					
State Treasurer LAIF - City	All Funds Pooled	2.44%	\$ 45,679,231	32.94%	\$ 45,635,888
2015 Wastewater Rev Bonds - CIP	Wastewater Fund	2.44%	4,005,478	2.89%	4,001,678
Federal Issues	All Funds Pooled	1.50%	68,042,280	49.07%	67,203,829
US Treasury Notes	All Funds Pooled	2.73%	4,294,089	3.10%	4,373,100
Dreyfus Treas Cash Management Acct	All Funds Pooled	2.36%	1,376,329	0.99%	1,376,329
	SUBTOTAL		\$ 123,397,408	88.99%	\$ 122,590,823
Bond Reserve Accounts - held by trustees					
Zions Bank - Civic Center/Library Facility					
Blackrock Liq Fund	Debt Service	2.05%	245	0.00%	245
Zions Bank - MH Police Facility Lease Revenue Bonds					
Blackrock Liq Fund	Debt Service	2.05%	312	0.00%	312
BNY - RDA Bonds					
Dreyfus Cash Mgmt 521	Successor Fund	2.36%	6,346,630	4.58%	6,346,630
US Treasury Notes - Reserve Acct.	Successor Fund	1.26%	5,074,237	3.66%	5,107,509
Zions Bank - MH Ranch 2015					
Blackrock Liq Funds Fed Fund -DI -2015	Agency Fund	2.05%	579,600	0.42%	579,600
Zions Bank - Madrone Bus Park Taxable/ Tax Exempt 2015					
Blackrock Liquidity Temp Fund-2015	Agency Fund	2.05%	539,925	0.39%	539,925
	SUBTOTAL		12,540,950	9.04%	12,574,221
Other Cash/Deposits					
General Checking	All Funds		499,188	0.36%	499,188
Workers' Comp Administrators	Workers' Comp		30,000	0.02%	30,000
Petty Cash & Emergency Cash	General Fund		7,112	0.01%	7,112
PARS - OPEB Trust			1,387,404	1.00%	1,588,727
PARS - PENSION Trust			800,000	0.58%	893,272
	SUBTOTAL		2,723,704	1.96%	3,018,299
Total Cash and Investments			\$ 138,662,062	100.00%	\$ 138,183,343

CASH ACTIVITY SUMMARY
FY 2018-19

Fund Type	07/01/18 Balance	Change in Cash Balance	3/31/2019 Balance
General Fund	\$ 15,044,885	\$ (1,927,279)	\$ 13,117,606
Community Development	3,419,872	(354,527)	3,065,345
RDA Successor Agency (except Housing)	12,277,198	683,889	12,961,088
Housing Successor Agency/ CDBG	4,150,303	(3,304,226)	846,077
Water - Operations	2,317,454	2,085,474	4,402,927
Water Other	4,954,819	860,445	5,815,265
Sewer - Operations	1,505,059	1,540,786	3,045,845
Sewer Other	29,212,866	703,063	29,915,929
Other Special Revenue	5,052,285	(457,314)	4,594,972
Streets and Capital Projects (except RDA)	42,155,711	(339,671)	41,816,040
Debt Service	253,454	77,427	330,881
Internal Service	12,991,987	2,241,595	15,233,582
Agency Funds (assessment dists./refundable deposits)	4,116,381	(599,877)	3,516,505
Total	\$ 137,452,276	\$ 1,209,785	\$ 138,662,062

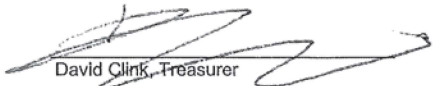
Note: See Investment Portfolio Detail for maturities of "Investments." Market values are obtained from the City's investment brokers' monthly reports.

I certify the information on the investment reports on pages has been reconciled to the general ledger and bank statements and that there are sufficient funds to meet the expenditure requirements of the City for the next six months. The portfolio is in compliance with the City of Morgan Hill investment policy and all State laws and regulations.

Prepared by: 
 Harjot Sangha, Accounting Manager

Approved by:

Reviewed by: 
 Dat Nguyen, Finance Director


 David Clink, Treasurer

Attachment: March 2019 Financial and Investment Report (2310 : Accept March 2019 Financial and Investment Report)



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2018-19
For the Nine Months Ended March 31, 2019
75% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
010 GENERAL FUND							
TAXES							
Property Tax - Secured/Unsecured	\$ 10,131,882	\$ 10,131,882	\$ 5,835,800	58%	\$ 5,924,302	\$ (88,502)	-1%
Property Tax - RPTTF Residual Distribution	1,405,500	1,405,500	704,304	50%	265,874	438,430	165%
Property Tax - Supplemental Roll	276,150	276,150	186,016	67%	169,512	16,504	10%
Sales Tax	9,601,124	9,601,124	8,057,385	84%	7,711,806	345,579	4%
Public Safety Sales Tax	380,000	380,000	255,835	67%	243,308	12,527	5%
Transient Occupancy Taxes	2,754,000	2,754,000	1,839,181	67%	1,722,424	116,757	7%
Franchise (Refuse, Cable, PG&E)	2,164,190	2,164,190	955,035	44%	886,218	68,816	8%
Property Transfer Tax	505,000	505,000	345,464	68%	355,627	(10,164)	-3%
TOTAL TAXES	27,217,846	27,217,846	18,179,019	67%	17,279,070	899,948	5%
LICENSES/PERMITS							
Business License	196,000	196,000	199,762	102%	187,532	12,230	7%
Other Permits	4,800	4,800	4,956	103%	3,283	1,673	51%
TOTAL LICENSES/PERMITS	200,800	200,800	204,718	102%	190,815	13,903	7%
FINES AND PENALTIES							
Parking Enforcement	8,250	8,250	7,316	89%	5,880	1,436	24%
Bails & Fines	71,500	71,500	65,636	92%	50,254	15,382	31%
Administrative Citations	9,500	9,500	40,563	427%	12,900	27,663	214%
TOTAL FINES AND PENALTIES	89,250	89,250	113,515	127%	69,034	44,481	64%
OTHER AGENCIES							
Motor Vehicle in-Lieu	23,934	23,934	21,366	89%	23,237	(1,871)	-8%
Other Revenue - Other Agencies	271,398	546,332	886,182	162%	427,186	458,995	107%
TOTAL OTHER AGENCIES	295,332	570,266	907,548	159%	450,424	457,124	101%
CHARGES CURRENT SERVICES							
Police False Alarm Charge	33,000	33,000	27,845	84%	23,735	4,109	17%
Business License Application Review	36,000	36,000	34,714	96%	27,988	6,726	24%
Membership Services & Rec Programs	6,241,196	6,241,196	4,721,784	76%	4,377,697	344,087	8%
Facility Rentals	898,700	898,700	722,737	80%	744,425	(21,688)	-3%
Community Services	147,840	147,840	81,591	55%	118,078	(36,486)	-31%
General Administration Overhead	1,709,712	1,709,712	1,279,584	75%	990,216	289,368	29%
Other Charges Current Services	926,641	926,641	410,077	44%	552,250	(142,173)	-26%
TOTAL CURRENT SERVICES	9,993,089	9,993,089	7,278,332	73%	6,834,389	443,942	6%
OTHER REVENUE							
Use of money/property	458,589	458,589	302,299	66%	259,461	42,838	17%
Other Revenues	254,014	329,269	464,149	141%	1,656,580	(1,192,431)	-72%
TOTAL OTHER REVENUE	712,603	787,858	766,448	97%	1,916,041	(1,149,593)	-60%
TRANSFERS IN							
Asset Seizure	-	15,840	-	0%	-	-	0%
Public Safety	100,000	100,000	100,000	100%	106,000	(6,000)	-6%
Streets	738,968	738,968	712,150	96%	535,000	177,150	33%
Police Impact	25,000	25,000	18,747	75%	18,747	-	n/a
Sewer Operations	349,376	349,376	262,035	75%	260,271	1,764	1%
Water Operations	349,376	349,376	262,035	75%	260,271	1,764	1%
Park Development	75,000	75,000	56,250	75%	56,250	-	n/a
TOTAL TRANSFERS IN	1,637,720	1,653,560	1,411,217	85%	1,236,539	174,678	14%
TOTAL GENERAL FUND	40,146,640	40,512,669	28,860,796	71%	27,976,312	884,484	3%
SPECIAL REVENUE FUNDS							
202 STREET MAINTENANCE							
Gas Tax 2105 - 2107.5	751,089	751,089	454,711	61%	536,443	(81,732)	-15%
Interest / Other Revenue/Other Charges	-	-	1,913	n/a	753	1,160	154%
202 STREET MAINTENANCE	751,089	751,089	456,624	61%	537,196	(80,572)	-15%

Attachment: March 2019 Financial and Investment Report (2310 : Accept March 2019 Financial and Investment Report)



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2018-19
For the Nine Months Ended March 31, 2019
75% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
SPECIAL REVENUE FUNDS							
205 PUBLIC SAFETY TRUST							
Interest Income	202	202	729	361%	202	527	260%
Police Grant/SLEF/JAG	100,000	100,000	98,747	99%	89,416	9,330	10%
205 PUBLIC SAFETY TRUST	100,202	100,202	99,476	99%	89,619	9,857	11%
206 COMMUNITY DEVELOPMENT							
Building Fees	2,996,450	2,996,450	1,988,167	66%	1,788,596	199,571	11%
Planning Fees	1,396,529	1,396,529	1,558,696	112%	835,121	723,575	87%
Engineering Fees	462,524	462,524	385,813	83%	667,742	(281,929)	-42%
Other Revenue/Current Charges	24,265	24,265	35,887	148%	34,075	1,811	5%
206 COMMUNITY DEVELOPMENT	4,879,768	4,879,768	3,968,562	81%	3,325,535	643,028	19%
207 LONG RANGE PLANNING	741,894	741,894	536,083	72%	457,008	79,075	17%
215 and 216 HCD BLOCK GRANT							
Interest Income/Other Revenue	2,821	2,821	712	25%	1,771	(1,059)	-60%
215 and 216 HCD BLOCK GRANT	2,821	2,821	712	25%	1,771	(1,059)	-60%
225 ASSET SEIZURE	1,670	1,670	32,776	1963%	1,197	31,579	2639%
229 LIGHTING AND LANDSCAPE	188,591	188,591	99,401	53%	95,393	4,007	4%
230 COMMUNITY FACILITIES DISTRICT	44,198	44,198	34,302	78%	23,505	10,797	46%
232 ENVIRONMENTAL PROGRAMS	394,158	394,158	336,692	85%	367,795	(31,103)	-8%
234 MOBILE HOME PARK RENT STAB.	661	661	9,039	1368%	2,832	6,208	219%
235 SENIOR HOUSING	3,347	3,347	2,343	70%	1,792	551	31%
236 HOUSING MITIGATION	1,613,912	2,613,912	1,150,096	44%	1,998,457	(848,362)	-42%
240 EMPLOYEE ASSISTANCE	28,949	28,949	17,130	59%	21,724	(4,593)	-21%
247 ENVIRONMENT REMEDIATION	2,118	2,118	1,413	67%	1,139	274	24%
250 COMH-SUCCESSOR AGENCY-MHRDA	7,946,430	7,946,430	11,982,742	151%	8,810,850	3,171,892	36%
255 HOUSING SUCCESSOR AGENCY	2,386,006	2,386,006	213,139	9%	320,460	(107,322)	-33%
TOTAL SPECIAL REVENUE FUNDS	19,085,815	20,085,815	18,940,530	94%	16,056,272	2,884,258	18%
CAPITAL PROJECTS FUNDS							
301 PARK DEVELOPMENT	7,959,013	8,032,013	1,634,501	20%	1,959,681	(325,180)	-17%
302 PARK MAINTENANCE	1,320,332	1,320,332	748,719	57%	1,192,562	(443,842)	-37%
303 LOCAL DRAINAGE	1,394,482	1,394,482	631,995	45%	1,950,231	(1,318,235)	-68%
304 LOCAL DRAINAGE/NON AB1600	80,981	80,981	142,335	176%	149,944	(7,609)	-5%
306 AGRICULTURE & OPEN SPACE PRESERVATION	2,652,538	2,652,538	2,005,887	76%	742,831	1,263,057	170%
308 STREET CIP	3,861,662	3,861,662	2,191,580	57%	2,241,254	(49,674)	-2%
309 TRAFFIC IMPACT	17,251,157	19,501,157	4,349,952	22%	469,489	3,880,462	827%
311 POLICE IMPACT	277,713	277,713	242,280	87%	218,622	23,658	11%
313 FIRE IMPACT	349,306	349,306	267,956	77%	66,081	201,875	305%
346 PUBLIC FACILITIES NON-AB1600	590,499	590,499	135,104	23%	77,253	57,851	75%
347 PUBLIC FACILITIES IMPACT	198,932	269,672	172,211	64%	148,870	23,341	16%
348 LIBRARY	909,565	909,565	657,683	72%	505,701	151,983	30%
350 UNDERGROUNDING	45,800	45,800	141,905	310%	201,332	(59,427)	-30%
355 SCHOOL PEDESTRIAN/TRAFFIC SAFETY	684,678	749,778	35,649	5%	94,076	(58,427)	-62%
360 COMMUNITY/REC IMPACT FUND	1,275,010	1,415,260	882,921	62%	838,440	44,480	5%
TOTAL CAPITAL PROJECTS FUNDS	38,851,668	41,450,758	14,240,679	34%	10,856,365	3,384,313	31%
DEBT SERVICE FUNDS							
420 CIVIC CENTER DEBT	298,856	298,856	223,813	75%	221,469	2,344	1%
441 POLICE FACILITY BOND	375,764	375,764	374,577	100%	228,876	145,701	64%
TOTAL DEBT SERVICE FUNDS	674,620	674,620	598,390	89%	450,345	148,045	33%

Attachment: March 2019 Financial and Investment Report (2310 : Accept March 2019 Financial and Investment Report)



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2018-19
For the Nine Months Ended March 31, 2019
75% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
ENTERPRISE FUNDS							
640 SEWER OPERATION							
Sewer Service Fees	10,391,000	10,391,000	7,801,892	75%	7,284,299	517,593	7%
Interest Income/Transfers	37,151	37,151	21,657	58%	17,833	3,825	21%
Other Revenue/Current Charges	318,700	318,700	761,978	239%	238,554	523,424	219%
640 SEWER OPERATION	10,746,851	10,746,851	8,585,527	80%	7,540,685	1,044,842	14%
641 SEWER EXPANSION							
Interest Income	215,856	215,856	184,919	86%	119,076	65,843	55%
Development Impact Fee	4,717,263	4,717,263	4,030,261	85%	3,003,137	1,027,124	34%
Transfers/Other	-	-	-	0%	0	(0)	-100%
641 SEWER EXPANSION	4,933,119	4,933,119	4,215,180	85%	3,122,213	1,092,967	35%
642 SEWER RATE STABILIZATION	38,641	38,641	26,924	70%	327,525	(300,601)	-92%
643 SEWER-CAPITAL PROJECT	2,797,976	2,797,976	2,158,394	77%	1,856,670	301,724	16%
TOTAL SEWER FUNDS	18,516,587	18,516,587	14,986,025	81%	12,847,093	2,138,931	17%
650 WATER OPERATION							
Water Sales	12,435,000	12,435,000	9,634,458	77%	8,556,408	1,078,050	13%
Meter Install & Service	123,000	123,000	114,741	93%	233,628	(118,887)	-51%
Transfers-In / Interest Income	440,840	440,840	335,508	76%	327,879	7,629	2%
Other Revenue/Current Charges	752,660	752,660	718,748	95%	572,159	146,589	26%
650 WATER OPERATION	13,751,500	13,751,500	10,803,455	79%	9,690,074	1,113,380	11%
651 WATER EXPANSION							
Interest Income/Other Revenue/Transfer	47,561	47,561	30,072	63%	29,153	919	3%
Development Impact Fee	1,311,698	1,311,698	1,219,271	93%	840,793	378,478	45%
651 WATER EXPANSION	1,359,259	1,359,259	1,249,343	92%	869,946	379,397	44%
652 Water Rate Stabilization	8,223	8,223	5,760	70%	380,573	(374,813)	-98%
653 Water Capital Project	2,400,895	2,400,895	1,910,648	80%	1,022,003	888,645	87%
TOTAL WATER FUNDS	17,519,877	17,519,877	13,969,205	80%	11,962,596	2,006,610	17%
TOTAL ENTERPRISE FUNDS	36,036,464	36,036,464	28,955,230	80%	24,809,689	4,145,541	17%
INTERNAL SERVICE FUNDS							
730 INFORMATION SYSTEMS	1,870,983	1,870,983	1,417,158	76%	1,205,352	211,806	18%
740 BUILDING MAINTENANCE	3,326,619	3,380,619	2,528,471	75%	2,331,595	196,876	8%
741 BUILDING REPLACEMENT	789,958	789,958	573,326	73%	371,147	202,179	54%
745 CIP ADMINISTRATION	1,780,750	1,780,750	1,020,491	57%	1,019,578	913	0%
760 UNEMPLOYMENT INSURANCE	2,324	2,324	1,641	71%	1,330	311	23%
770 WORKERS COMPENSATION	775,343	775,343	617,346	80%	781,423	(164,077)	-21%
790 EQUIPMENT REPLACEMENT	1,064,433	1,123,757	885,064	79%	748,590	136,474	18%
791 EMPLOYEE BENEFITS	1,171,099	1,171,099	568,473	49%	460,343	108,130	23%
793 CORPORATION YARD COMMISSION	-	-	2,830	0%	1,850	981	53%
795 GENERAL LIABILITY INSURANCE	1,020,581	1,020,581	764,504	75%	711,826	52,678	7%
TOTAL INTERNAL SERVICE FUNDS	11,802,090	11,915,414	8,379,305	70%	7,633,034	746,271	10%
TOTAL FOR ALL FUNDS	\$ 146,597,297	\$ 150,675,740	\$ 99,974,930	66%	\$ 87,782,017	\$ 12,192,913	14%

Attachment: March 2019 Financial and Investment Report (2310 : Accept March 2019 Financial and Investment Report)



City of Morgan Hill
Year to Date Expenses - Fiscal Year 2018-19
For the Month and Nine Months Ended March 31, 2019
75% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRIOR YTD
010 GENERAL FUND								
I. ADMINISTRATION								
	CITY COUNCIL	\$ 10,045	\$ 337,607	\$ 255,419	\$ 25,000	\$ 280,419	83%	\$ 26,111
	CITY ATTORNEY	53,603	768,318	462,507	118,673	581,179	76%	54,111
	CITY MANAGER	42,434	433,799	301,849	58,264	360,113	83%	2,154
	HUMAN RESOURCES	73,344	846,813	603,576	23,478	627,054	74%	51,111
	COUNCIL SVCS & RECORDS MGMT							
	Council Svcs & Records Mgmt	50,622	614,068	426,645	4,800	431,445	70%	44,111
	Elections	2,078	322,533	138,763	-	138,763	43%	6,111
	COUNCIL SVCS & RECORDS MGMT	52,700	936,601	565,409	4,800	570,209	61%	50,111
	FINANCE	154,030	1,720,130	1,207,132	34,583	1,241,715	72%	1,211
	TOTAL ADMINISTRATION	386,156	5,043,269	3,395,891	264,798	3,660,689	73%	5,211
II. COMMUNITY SERVICES								
	Membership Services & Rec. Programs	831,546	6,309,009	4,533,833	532,115	5,065,948	80%	4,241
	Recreation Facility Rentals	127,967	1,355,732	993,878	27,951	1,021,829	75%	97,111
	Community Services	82,391	653,307	446,066	33,250	479,316	73%	52,111
	Environmental Services	23,014	303,894	161,074	-	161,074	53%	14,111
	Street Maintenance	285,237	2,362,851	1,742,829	128,754	1,871,583	79%	1,441
	Downtown Maintenance	23,940	354,644	241,112	18,577	259,689	73%	19,111
	Cable Television	2,314	21,581	15,934	-	15,934	74%	1,111
	COMMUNITY SERVICES	1,376,410	11,361,018	8,134,726	740,648	8,875,373	78%	7,541
	CODE COMPLIANCE	16,034	150,464	111,918	-	111,918	74%	9,111
	CONGESTION MANAGEMENT	1,797	81,861	40,126	-	40,126	49%	5,111
	ECONOMIC DEVELOPMENT PROGRAMS	71,555	947,260	531,312	135,851	667,164		
	TOTAL COMMUNITY SERVICES	1,465,797	12,540,603	8,818,081	876,499	9,694,580	77%	7,691
III. PUBLIC SAFETY								
	POLICE							
	PD Administration	207,811	1,222,942	1,021,355	24,492	1,045,847	86%	85,111
	Field Operations	831,653	9,285,273	6,453,235	179,871	6,633,105	71%	5,801
	Support Services	210,445	2,288,547	1,641,860	22,813	1,664,673	73%	1,541
	Emergency Services/Haz Mat	18,974	187,057	128,060	-	128,060	68%	13,111
	Special Operations	250,872	2,748,496	1,634,876	-	1,634,876	59%	1,941
	Dispatch Services	175,580	1,674,402	1,200,005	5,029	1,205,034	72%	1,181
	POLICE	1,695,335	17,406,718	12,079,390	232,205	12,311,595	71%	11,461
	FIRE	518,548	6,959,059	5,022,919	104,044	5,126,963	74%	4,531
	TOTAL PUBLIC SAFETY	2,213,883	24,365,777	17,102,309	336,248	17,438,558	72%	16,001
IV. TRANSFERS								
	Other	151,753	2,127,498	1,365,777	-	1,365,777	64%	1,471
	TOTAL TRANSFERS	151,753	2,127,498	1,365,777	-	1,365,777	64%	1,471
	TOTAL GENERAL FUND	4,217,588	44,077,146	30,682,059	1,477,545	32,159,604	73%	30,381

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City of Morgan Hill
Year to Date Expenses - Fiscal Year 2018-19
For the Month and Nine Months Ended March 31, 2019
75% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRIOR YTD
SPECIAL REVENUE FUNDS								
202	STREET MAINTENANCE	354,016	742,877	715,084	-	715,084	96%	53%
205	PUBLIC SAFETY/SUPP.LAW	51,736	106,536	104,905	-	104,905	98%	10%
206	COMMUNITY DEVELOPMENT FUND							
	Planning	211,453	2,597,350	1,622,680	486,265	2,108,945	81%	1,41%
	Building	189,929	1,976,108	1,358,191	191,877	1,550,067	78%	1,29%
	Engineering	175,208	1,668,062	980,135	537,386	1,517,522	91%	99%
206	COMMUNITY DEVELOPMENT FUND	576,589	6,241,520	3,961,006	1,215,528	5,176,534	83%	3,70%
207	LONG RANGE PLANNING	53,419	1,383,881	470,400	532,032	1,002,432	72%	45%
215/216	CDBG	413	4,961	4,053	-	4,053	82%	18%
225	ASSET SEIZURE	-	15,840	-	-	-	0%	-
229	LIGHTING AND LANDSCAPE	6,771	195,274	130,345	19,955	150,301	77%	12%
230	COMMUNITY FACILITIES DISTRICT	1,644	46,262	16,888	-	16,888	37%	1%
232	ENVIRONMENT PROGRAMS	41,922	406,727	288,838	-	288,838	71%	29%
234	MOBILE HOME PARK	34	405	306	-	306	76%	-
236	HOUSING MITIGATION	110,386	3,323,394	1,659,506	155,141	1,814,647	55%	46%
240	EMPLOYEE ASSISTANCE	78	28,430	6,260	-	6,260	22%	2%
247	ENVIRONMENTAL REMEDIATION	109	-	3,148	807	3,955	0%	-
250	COMH-SUCCESSOR AGENCY-MHRDA	2,784,433	7,983,635	11,296,224	23,890	11,320,114	142%	7,02%
255	HOUSING SUCCESSOR AGENCY	45,253	3,679,973	3,738,695	752,213	4,490,908	122%	1,48%
TOTAL SPECIAL REVENUE FUNDS		4,026,802	24,159,715	22,395,657	2,699,567	25,095,224	104%	14,40%
CAPITAL PROJECT FUNDS								
301	PARK DEVELOPMENT	56,834	8,952,955	360,140	758,904	1,119,044	12%	3,77%
302	PARK MAINTENANCE	96,331	1,248,941	819,504	161,302	980,806	79%	2,22%
303	LOCAL DRAINAGE	2,260,033	2,773,416	2,331,756	8,226	2,339,982	84%	1%
304	LOCAL DRAIN. NON-AB1600	217	338,627	8,308	-	8,308	2%	5%
306	AGRICULTURE & OPEN SPACE PRESERVATION	170,181	8,483,054	2,859,457	69,314	2,928,772	35%	9%
308	STREET CIP	15,873	5,392,576	1,730,231	193,285	1,923,516	36%	2,10%
309	TRAFFIC IMPACT	358,129	22,743,433	5,033,928	144,123	5,178,051	23%	1,92%
311	POLICE IMPACT	101,187	228,096	220,961	314	221,275	97%	14%
313	FIRE IMPACT	7,125	172,227	30,993	314	31,307	18%	-
346	PUBLIC FAC.NON AB1600	11,652	1,041,119	137,924	362,193	500,117	48%	51%
347	PUBLIC FACILITIES IMPACT	187	145,959	3,756	314	4,070	3%	-
348	LIBRARY IMPACT	78,111	3,849,962	474,752	47,395	522,147	14%	36%
350	UNDERGROUNDING	85	56,024	765	-	765	1%	-
355	SCHOOL PEDESTRIAN & TRAFFIC SAFETY	47,872	1,830,740	98,586	14,374	112,961	6%	23%
360	COMM/REC CENTER IMPACT	6,564	2,419,177	71,505	128,511	200,016	0%	3%
TOTAL CAPITAL PROJECTS FUNDS		3,210,380	59,676,307	14,182,567	1,888,570	16,071,136	27%	11,48%
DEBT SERVICE FUNDS								
420	CIVIC CENTER DEBT	799	308,656	225,900	-	225,900	73%	21%
441	POLICE FACILITY BOND DEBT	305	380,313	295,530	-	295,530	78%	29%
TOTAL DEBT SERVICE FUNDS		1,104	688,969	521,430	-	521,430	76%	50%

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City of Morgan Hill
 Year to Date Expenses - Fiscal Year 2018-19
 For the Month and Nine Months Ended March 31, 2019
 75% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRIOR YTD
ENTERPRISE FUNDS								
SEWER								
640	SEWER OPERATIONS	531,815	11,311,787	7,007,146	195,147	7,202,293	64%	7,371
641	SEWER CAPITAL EXPANSION	31,029	4,406,573	1,049,272	404,094	1,453,366	33%	1,121
642	SEWER RATE STABILIZATION	86	1,027	774	-	774	75%	1
643	SEWER-CAPITAL PROJECTS	287,804	11,033,664	4,251,170	645,982	4,897,151	44%	3,041
TOTAL SEWER FUND(S)		850,733	26,753,051	12,308,362	1,245,222	13,553,584	51%	11,541
WATER								
	Water Operations	629,547	12,440,123	7,633,428	1,594,370	9,227,798	74%	7,541
	Utility Billing	81,234	809,160	584,128	22,994	607,122	75%	551
	Water Conservation	11,064	210,082	68,637	48,000	116,637	56%	61
650	WATER OPERATIONS	721,845	13,459,365	8,286,193	1,665,364	9,951,557	74%	8,151
651	WATER CAPITAL EXPANSION	153,447	3,374,572	1,515,138	918,231	2,433,369	72%	331
652	WATER RATE STABILIZATION	28	335	252	-	252	75%	1
653	WATER-CAPITAL PROJECTS	33,430	2,535,148	739,790	145,497	885,287	35%	1,771
TOTAL WATER FUND(S)		908,750	19,369,421	10,541,374	2,729,092	13,270,466	69%	10,261
TOTAL ENTERPRISE FUNDS		1,759,483	46,122,472	22,849,736	3,974,314	26,824,050	58%	21,801
INTERNAL SERVICE FUNDS								
730	INFORMATION SYSTEMS	152,771	2,013,703	1,154,760	43,536	1,198,296	60%	1,281
740	BUILDING MAINTENANCE	294,814	3,430,986	2,250,031	376,530	2,626,561	77%	2,271
741	BUILDING REPLACEMENT	-	429,806	232,055	53,367	285,422	66%	311
745	CIP ADMINISTRATION	165,451	1,813,012	1,105,547	18,321	1,123,868	62%	1,041
760	UNEMPLOYMENT	-	10,000	7,442	-	7,442	74%	1
770	WORKERS COMPENSATION	2,773	947,795	511,939	-	511,939	54%	901
790	EQUIPMENT REPLACEMENT	-	1,332,012	245,623	900,345	1,145,969	86%	641
791	EMPLOYEE BENEFITS FUND	90,455	600,000	415,792	-	415,792	69%	541
793	CORP YARD COMMISSION	-	1,903	1,220	-	1,220	0%	1
795	GEN. LIABILITY INSURANCE	8,913	1,010,346	856,270	-	856,270	85%	781
TOTAL INTERNAL SERVICE FUNDS		715,177	11,589,562	6,780,679	1,392,099	8,172,778	71%	7,801
REPORT TOTAL		\$ 13,930,535	\$ 186,314,170	\$ 97,412,128	\$ 11,432,095	\$ 108,844,223	58%	\$ 86,391

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City of Morgan Hill Fund Activity Summary - Fiscal Year 2018-19 For the Nine Months Ended March 31, 2019 75% of Year Complete										
Fund No.	Fund	Fund Balance 06-30-18		Revenues		Expenses		Year to-Date Deficit or Carryover	Ending Fund Balance	
		YTD Actual	% of Budget	YTD Actual	% of Budget	Reserved ¹	Unreserved			
010	GENERAL FUND	\$ 17,604,727	71%	\$ 28,860,796	71%	\$ 30,682,059	70%	\$ (1,821,263)	\$ 1,477,545	\$ 14,305,919
TOTAL GENERAL FUND		\$ 17,604,727	71%	\$ 28,860,796	71%	\$ 30,682,059	70%	\$ (1,821,263)	\$ 1,477,545	\$ 14,305,919
202	STREET MAINTENANCE	58,830	61%	456,624	61%	715,084	69%	(258,460)	-	(199,630)
205	PUBLIC SAFETY/SUPPL. LAW	50,422	99%	99,476	99%	104,905	59%	(5,429)	-	44,993
206	COMMUNITY DEVELOPMENT	2,001,953	81%	3,968,562	81%	3,961,006	63%	7,556	1,215,528	793,981
207	LONG RANGE PLANNING	1,160,548	72%	536,083	72%	470,400	34%	65,683	532,032	694,199
215 / 216	CDBG	59,981	25%	712	25%	4,053	0%	(3,341)	-	56,641
225	ASSET SEIZURE	111,921	1963%	32,776	1963%	-	0%	32,776	-	144,697
229	LIGHTING AND LANDSCAPE	157,826	53%	99,401	53%	130,345	67%	(30,945)	19,955	106,926
230	COMMUNITY FACILITIES DISTRICT	82,203	78%	34,302	78%	16,888	0%	17,415	-	99,618
232	ENVIRONMENTAL PROGRAMS	243,732	85%	336,692	85%	288,838	71%	47,855	-	291,587
234	MOBILE HOME PK RENT STAB.	43,345	1368%	9,039	1368%	306	76%	8,733	-	52,078
235	SENIOR HOUSING	224,078	70%	2,343	70%	-	0%	2,343	-	226,421
236	HOUSING MITIGATION	2,714,194	44%	1,150,096	44%	1,659,506	50%	(509,410)	155,141	2,049,642
240	EMPLOYEE ASSISTANCE	38,932	59%	17,130	59%	6,260	22%	10,870	-	49,802
247	ENVIRONMENT REMEDIATION	135,819	67%	1,413	67%	3,148	0%	(1,736)	807	133,276
250	COMH-SUCCESSOR AGENCY-MHRDA	(877,559)	151%	11,982,742	151%	11,296,224	141%	686,518	11,444,757	(11,635,798)
255	HOUSING SUCCESSOR AGENCY	4,072,877	9%	213,139	9%	3,738,695	102%	(3,525,556)	752,213	(204,892)
260	PUBLIC ART	111	n/a	-	n/a	-	-	-	-	111
TOTAL SPECIAL REVENUE FUNDS		\$ 10,279,213	94%	\$ 18,940,530	94%	\$ 22,395,657	93%	\$ (3,455,127)	\$ 14,120,434	\$ (7,296,349)
301	PARK DEV. IMPACT FUND	2,787,306	20%	1,634,501	20%	360,140	4%	1,274,361	758,904	3,302,763
302	PARK MAINTENANCE	4,265,806	57%	748,719	57%	819,504	66%	(70,785)	161,302	4,033,719
303	LOCAL DRAINAGE	10,405,902	45%	631,995	45%	2,331,756	84%	(1,699,760)	8,226	8,697,916
304	LOCAL DRAINAGE/NON-AB1600	1,409,474	176%	142,335	176%	8,308	2%	134,026	-	1,543,500
306	AGRICULTURE AND OPEN SPACE PRESERV	7,017,877	76%	2,005,887	76%	2,859,457	34%	(853,570)	69,314	6,094,993
308	STREET CIP	2,333,919	57%	2,191,580	57%	1,730,231	32%	461,349	193,285	2,601,983
309	TRAFFIC IMPACT FUND	3,437,980	22%	4,349,952	22%	5,033,928	22%	(683,976)	144,123	2,609,881
311	POLICE IMPACT FUND	(736,934)	87%	242,280	87%	220,961	97%	21,319	314	(715,929)
313	FIRE IMPACT FUND	3,906,952	77%	267,956	77%	30,993	18%	236,964	314	4,143,601
346	PUBLIC FACILITIES NON-AB1600	166,110	23%	135,104	23%	137,924	13%	(2,820)	314	162,976
347	PUBLIC FACILITIES IMPACT FUND	520,300	64%	172,211	64%	3,756	3%	168,455	47,395	641,361
348	LIBRARY IMPACT FUND	2,371,544	72%	657,683	72%	474,752	12%	182,931	-	2,554,475
350	UNDERGROUNDING	707,205	310%	141,905	310%	765	1%	141,140	14,374	833,971
355	SCHOOL PEDESTRIAN/TRAFFIC SFTY	1,502,442	5%	35,649	5%	98,586	5%	(62,937)	128,511	1,310,994
360	COMM/REC CTR IMPACT FUND	1,113,663	62%	882,921	62%	71,505	0%	811,416	-	1,925,079
TOTAL CAPITAL PROJECT FUNDS		\$ 41,209,546	34%	\$ 14,240,679	34%	\$ 14,182,567	24%	\$ 58,112	\$ 1,526,377	\$ 39,741,281
420	CIVIC CENTER DEBT	171,658	75%	223,813	75%	225,900	73%	(2,087)	245	169,326
441	POLICE FACILITY BOND DEBT	82,263	100%	374,577	100%	295,530	78%	79,047	312	160,998
TOTAL DEBT SERVICE FUNDS		\$ 253,921	89%	\$ 598,390	89%	\$ 521,430	76%	\$ 76,960	\$ 557	\$ 330,324

Fund No.	Fund	City of Morgan Hill Fund Activity Summary - Fiscal Year 2018-19 For the Nine Months Ended March 31, 2019 75% of Year Complete							
		Fund Balance 06-30-18	Revenues		Expenses		Year to-Date Deficit or Carryover	Ending Fund Balance	
			YTD Actual	% of Budget	YTD Actual	% of Budget		Reserved ¹	Unreserved

640	SEWER OPERATIONS	\$ 2,901,439	\$ 8,585,527	80%	\$ 7,007,146	62%	\$ 1,578,381	195,147	4,284,673
641	SEWER IMPACT FUND*	15,556,702	4,215,180	85%	1,049,272	24%	3,165,908	404,094	18,318,516
642	SEWER RATE STABILIZATION	2,574,831	26,924	70%	774	75%	26,150	-	2,600,981
643	SEWER-CAPITAL PROJECTS	9,316,726	2,158,394	77%	4,251,170	39%	(2,092,776)	645,982	6,577,968
650	WATER OPERATIONS	3,409,384	10,803,455	79%	8,286,193	62%	2,517,261	1,665,364	4,261,282
651	WATER IMPACT FUND*	2,680,718	1,249,343	92%	1,515,138	45%	(265,795)	918,231	1,486,692
652	WATER RATE STABILIZATION	514,170	5,760	70%	252	75%	5,508	-	519,678
653	WATER -CAPITAL PROJECT	564,089	1,910,648	80%	739,790	29%	1,170,858	145,497	1,589,449
TOTAL ENTERPRISE FUNDS		\$ 37,518,059	\$ 28,955,230	80%	\$ 22,849,736	50%	\$ 6,105,494	\$ 3,974,314	\$ 39,649,239

730	INFORMATION SERVICES	\$ 591,635	\$ 1,417,158	76%	\$ 1,154,760	57%	\$ 262,398	\$ 43,536	\$ 810,497
740	BUILDING MAINTENANCE	(4,788)	2,528,471	75%	2,250,031	66%	278,440	376,530	(102,878)
741	BUILDING REPLACEMENT	2,081,486	573,326	73%	232,055	54%	341,272	53,367	2,369,391
745	CIP ENGINEERING	62,962	1,020,491	57%	1,105,547	61%	(85,056)	18,321	(40,415)
760	UNEMPLOYMENT	152,405	1,641	71%	7,442	74%	(5,801)	-	146,604
770	WORKERS COMPENSATION	1,783,179	617,346	80%	511,939	54%	105,407	30,000	1,838,586
790	EQUIPMENT REPLACEMENT	4,432,003	885,064	79%	245,623	18%	639,441	900,345	4,171,098
791	EMPLOYEE BENEFITS FUNDS	(364,078)	568,473	49%	415,792	69%	152,682	-	(211,396)
793	CORP YARD COMMISSION	-	2,830	0%	1,220	0%	1,611	-	1,611
795	GEN. LIABILITY INSURANCE	1,341,056	764,504	75%	856,270	85%	(91,766)	-	1,249,290
TOTAL INTERNAL SERVICE FUNDS		\$ 10,055,860	\$ 8,379,305	70%	\$ 6,780,679	59%	\$ 1,598,626	\$ 1,422,099	\$ 10,232,387

SUMMARY BY FUND TYPE

GENERAL FUND GROUP	\$ 17,604,727	\$ 28,860,796	71%	\$ 30,682,059	70%	\$ (1,821,263)	\$ 1,477,545	\$ 14,305,919
SPECIAL REVENUE GROUP	10,279,213	18,940,530	94%	22,395,657	93%	(3,455,127)	14,120,434	(7,296,349)
DEBT SERVICE GROUP	253,921	598,390	89%	521,430	76%	76,960	557	330,324
CAPITAL PROJECTS GROUP	41,209,546	14,240,679	34%	14,182,567	24%	58,112	1,526,377	39,741,281
ENTERPRISE GROUP	37,518,059	28,955,230	80%	22,849,736	50%	6,105,494	3,974,314	39,649,239
INTERNAL SERVICE GROUP	10,055,860	8,379,305	70%	6,780,679	59%	1,598,626	1,422,099	10,232,387
TOTAL ALL GROUPS	\$ 116,921,326	\$ 99,974,930	66%	\$ 97,412,128	52%	\$ 2,562,803	\$ 22,521,327	\$ 96,962,802

For Enterprise Funds: Unrestricted fund balance = Fund balance net of fixed assets and long-term liabilities.

*Unreserved fund balance includes bond proceeds reserved for projects listed in bond documents.

¹ Amount restricted for encumbrances, fixed asset replacement, long-term receivables, and bond reserves.

² Amount restricted for debt service payments and AB1600 capital expansion projects as detailed in the City's five year CIP Plan and bond agreements.

Contracts and Agreements Between \$25,000 to \$60,000 Entered Since 2/7/19 to 5/2/19

Vendor Name	Description of Service	Begin Date	End Date	Department	Amount
San Jose Conservation Corps	Tree trimming and removal	3/12/2019	4/30/2019	CSD	\$25,000
Bay Alarm Company	Fire Stations Fire Alarm Project	3/20/2019	8/1/2019	CSD	\$46,020
McLaughlin Painting, Inc.	MH Playhouse Exterior Painting Project	3/20/2019	7/1/2019	CSD	\$29,560
MH Engineering Co	Preparation of plans and specifications for the Main Ave Widening and Bike Lane/Pedestrian Project	4/12/2019	5/31/2020	CSD	\$42,300
Keyser Marston Associates Inc.	Affordable Housing Services	3/22/2019	12/30/2019	DS	\$30,000
California Roofing Company, Inc	On-call roof repair services	4/5/2019	3/31/2020	CS	\$60,000

Attachment: March 2019 Financial and Investment Report (2310 : Accept March 2019 Financial and Investment Report)



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Anthony Eulo, Program Administrator
APPROVED BY: City Manager

APPROVE FIRST AMENDMENT TO GILROY STAFF SERVICES AGREEMENT

RECOMMENDATION(S)

Authorize the City Manager to execute the First Amendment to the Gilroy Staff Services Agreement for Stormwater Permitting Requirements and Environmental Management Services.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment

REPORT NARRATIVE:

The purpose of this item is to provide the Council with an opportunity to consider an amendment to the City's staff services agreement with the City of Gilroy that extends the existing agreement for a five-year period.

The City of Morgan Hill has been providing environmental management services to the City of Gilroy since 2010 under a cooperative arrangement. In short, the City of Morgan Hill receives a small amount of revenue from the City of Gilroy and the City of Gilroy receives environmental staff services from the City of Morgan Hill. While this arrangement was informal for the first several years, the agreement was formalized in 2015 when the cities jointly decided to hire a new shared stormwater staff person in order to remain in compliance with increasing State stormwater mandates.

The original agreement expires June 30, 2019, and the sole purpose of this item is to amend the existing agreement to extend the term for another five years while reflecting the appropriate estimated costs during this time period.

COMMUNITY ENGAGEMENT: Not Applicable

This is an administrative item and the recommended action does not impact services provided within the City.

ALTERNATIVE ACTIONS:

The Council could decline to approve the amendment and provide staff with direction on how to adapt to the reduced funding for environmental services.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council approved the City's current agreement in 2015.

FISCAL AND RESOURCE IMPACT:

As indicated in Exhibit B of the amended agreement, payments from the City of Gilroy are estimated to range between \$121,854 and \$158,480 annually, over the five-year life of the amendment. These funds are largely used to pay 50% of the full costs of the City's Environmental Services Coordinator and 12% of the full costs of the City's Program Administrator. Completing work for the City of Gilroy is included in the work program of the Community Services Department. The adopted budget for Fiscal Year 2019-20 includes this reimbursement revenue within the General Fund (010), therefore no budget amendments are needed at this time. Future years' revenue will be included through the biennial budget development process.

CEQA (California Environmental Quality Act):

Not a Project

This is an administrative action that will not result in physical changes to the environment.

LINKS/ATTACHMENTS:

1. First Amendment to Cities' Agreement.Final Draft v2

FIRST AMENDMENT TO AGREEMENT FOR PROVIDING STAFF SERVICES FOR THE IMPLEMENTATION OF STORMWATER PERMITTING REQUIREMENTS AND ENVIRONMENTAL SERVICES TO THE CITY OF GILROY

This FIRST AMENDMENT TO AGREEMENT is entered into and becomes effective on _____ (Effective Date), by and between the CITY OF GILROY, a municipal corporation ("GILROY"), and the City of MORGAN HILL, a municipal corporation ("MORGAN HILL").

RECITALS

The following recitals are a substantive part of this Agreement:

1. This First Amendment to Agreement is entered into based upon the approval of the City of Morgan Hill City Council on _____ and the City of Gilroy approval on _____.
2. GILROY AND MORGAN HILL entered into that agreement to provide staff services (STAFF SERVICES AGREEMENT) on March 16, 2015. The agreement is attached as Exhibit "1" to this First Amendment.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

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

A. Section 2 shall be amended and replaced in its entirety by the following:

"Section 2. **TERM.**

This AGREEMENT shall become effective as of the EFFECTIVE DATE and shall terminate on June 30, 2024 unless this AGREEMENT is amended or GILROY or MORGAN HILL exercises the right to terminate this AGREEMENT pursuant to Section 7 of this AGREEMENT, below."

B. Section 3 shall be amended and replaced in its entirety by the following:

"Section 3. **STATEMENT OF COSTS.**

GILROY shall reimburse MORGAN HILL for all costs incurred by MORGAN HILL pursuant to this AGREEMENT, which may include, but are not limited to, direct costs for labor and benefits and training and travel expenses. The estimated costs to MORGAN HILL of the resources provided by MORGAN HILL to GILROY pursuant to this AGREEMENT are shown in EXHIBIT "B," which is attached hereto. These estimates are for budgetary purposes only and are not intended to limit the parties' obligations under this AGREEMENT. MORGAN HILL shall use all funds paid to MORGAN HILL by GILROY pursuant to this AGREEMENT solely for providing staff services to GILROY. The contribution of GILROY to MORGAN HILL under this Agreement shall not exceed \$54,441 for FY 2014/2015; \$94,614 for FY 2015/2016; \$100,750 for FY

2016/2017; \$107,341 for FY 2017/18; \$114,423 for FY 2018/2019; \$121,854 for FY 2019/2020; \$130,036 for FY 2020/2021; \$138,835 for FY 2021/2022; \$148,299 for FY 2022/23; and \$158,480 for FY 2023/2024 unless MORGAN HILL has notified GILROY that the estimated amounts will not be adequate to reimburse MORGAN HILL for actual costs and GILROY agrees that an increase in the amount is warranted.”

C. Exhibit “B” of the original agreement shall be amended and replaced in its entirety by the attached Exhibit “B”.

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

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the EFFECTIVE DATE first set forth above.

GILROY

APPROVED AS TO FORM:

CITY OF GILROY, a municipal corporation

Andy Faber
City Attorney

Gabriel Gonzalez
City Administrator

ATTEST:

Shawna Freels
City Clerk

MORGAN HILL

APPROVED AS TO FORM:

CITY OF MORGAN HILL,
a municipal corporation

Donald Larkin
City Attorney

Christina Turner
City Manager

EXHIBIT B COST ESTIMATE

	14-15*	15-16	16-17	17-18	18-19
Staff (50% FTE)	\$25,154	\$62,886	\$68,011	\$73,554	\$79,549
Indirect Service Charges	\$674	\$1,684	\$1,821	\$1,970	\$2,130
Training	\$200	\$500	\$500	\$500	\$500
Cell Phone	\$72	\$180	\$180	\$180	\$180
Mileage Reimbursement	\$100	\$250	\$250	\$250	\$250
Total Half Time Staff	\$26,200	\$65,500	\$70,762	\$76,454	\$82,609
Management Staff (12% FTE)	\$27,504	\$28,355	\$29,206	\$30,082	\$30,984
Indirect Service Charges	\$736	\$759	\$782	\$805	\$829
Total Management	\$28,241	\$29,114	\$29,987	\$30,887	\$31,814
Total	\$54,441	\$94,614	\$100,750	\$107,341	\$114,423

	19-20	20-21	21-22	22-23	23-24
Staff (50% FTE)	\$86,032	\$93,044	\$100,627	\$108,828	\$117,697
Indirect Service Charges	\$2,304	\$2,492	\$2,695	\$2,914	\$3,152
Training	\$500	\$500	\$500	\$500	\$500
Cell Phone	\$0	\$0	\$0	\$0	\$0
Mileage Reimbursement	\$250	\$250	\$250	\$250	\$250
Total Half Time Staff	\$89,086	\$96,285	\$104,071	\$112,492	\$121,599
Management Staff (12% FTE)	\$31,914	\$32,871	\$33,857	\$34,873	\$35,919
Indirect Service Charges	\$854	\$880	\$906	\$933	\$961
Total Management	\$32,768	\$33,751	\$34,764	\$35,807	\$36,881
Total	\$121,854	\$130,036	\$138,835	\$148,299	\$158,480

* costs for 14/15 are estimated for 40% of the fiscal year for the staff position and 100% of the fiscal year for the management position

**AGREEMENT FOR PROVIDING STAFF SERVICES FOR THE IMPLEMENTATION
OF STORMWATER PERMITTING REQUIREMENTS AND ENVIRONMENTAL
SERVICES TO THE CITY OF GILROY**

This Agreement ("AGREEMENT") is made and entered into this 16th day of March, 2015 ("EFFECTIVE DATE"), by and between the CITY OF GILROY, a municipal corporation ("GILROY"), and the City of MORGAN HILL, a municipal corporation ("MORGAN HILL").

RECITALS

WHEREAS, MORGAN HILL and GILROY have previously adopted a Joint Regional Storm Water Management Plan (SWMP) which was accepted by the Central Coast Regional Water Quality Control Board as the implementation document for the Joint Phase II Municipal Storm Water Permit and cooperated extensively in the implementation of the SWMP; and

WHEREAS, the State Water Resources Control Board adopted General Permit No. CAS000004 (Waste discharge requirements for storm water discharges from small municipal separate storm sewer systems) (General Permit) on February 5, 2013; and

WHEREAS, the General Permit institutes significant new regulatory requirements that the cities must comply with and both MORGAN HILL and GILROY have budgeted for increased staff resources in order to comply with the General Permit's requirements; and

WHEREAS, MORGAN HILL is hiring a new staff person to implement measures to comply with the General Permit requirements and MORGAN HILL and GILROY agree that it would be most cost efficient for all parties for MORGAN HILL to share the staff person with GILROY; and

WHEREAS, GILROY and MORGAN HILL have agreed that MORGAN HILL will provide one half-time staff position to GILROY and that GILROY will reimburse MORGAN HILL for MORGAN HILL's costs incurred to employ this position and carry out this work in the amount of one-half of the actual costs to MORGAN HILL for the position; and

WHEREAS, GILROY and MORGAN HILL have agreed that MORGAN HILL will provide part-time management services to GILROY in the areas of solid waste management and stormwater pollution prevention and that GILROY will reimburse MORGAN HILL for MORGAN HILL's costs incurred in providing management services.

NOW, THEREFORE, in consideration for the mutual promises and agreements set forth herein, the parties hereby agree as follows:

SECTION 1. PURPOSE; DELEGATION.

The purpose of this AGREEMENT is to promote efficiency and an economy of operations and resources in complying with the requirements of the General Permit adopted by the State of California. To achieve this end, MORGAN HILL will provide a one-half time staff resource to GILROY to support GILROY'S activities to comply with the General Permit and, in addition, shall provide management services relating to solid waste management, stormwater pollution prevention, and environmental services as set forth in Exhibit "A" (which is attached hereto and incorporated herein), subject to and in accordance with this AGREEMENT. Exhibit "A" may be amended from time to time by the written consent of all parties to this AGREEMENT.

SECTION 2. TERM.

This AGREEMENT shall become effective as of the EFFECTIVE DATE and shall terminate on June 30, 2019, unless this AGREEMENT is amended or GILROY or MORGAN HILL exercises the right to terminate this AGREEMENT pursuant to Section 7 of this AGREEMENT, below.

SECTION 3. STATEMENT OF COSTS.

GILROY shall reimburse MORGAN HILL for all costs incurred by MORGAN HILL pursuant to this AGREEMENT, which may include, but are not limited to, direct costs for labor and benefits and training and travel expenses. The estimated costs to MORGAN HILL of the resources provided by MORGAN HILL to GILROY pursuant to this AGREEMENT are shown in EXHIBIT "B," which is attached hereto. These estimates are for budgetary purposes only and are not intended to limit the parties' obligations under this AGREEMENT. MORGAN HILL shall use all funds paid to MORGAN HILL by GILROY pursuant to this AGREEMENT solely for providing staff services to GILROY. The contribution of GILROY to MORGAN HILL under this Agreement shall not exceed \$54,441 for FY 2014/2015; \$94,614 for FY 2015/2016; \$100,750 for FY 2016/2017; \$107,341 for FY 2017/18; and \$114,423 for FY 2018/2019 unless MORGAN HILL has notified GILROY that the estimated amounts will not be adequate to reimburse MORGAN HILL for actual costs and GILROY agrees that an increase in the amount is warranted.

SECTION 4. PAYMENT FOR SERVICES.

MORGAN HILL will invoice GILROY bi-annually for costs incurred to provide staff services for the previous six (6) months by sending GILROY an invoice. Invoices shall be sent out by April 30 (for the January-June period) and by October 31 (for the July – December period) of each year. GILROY shall pay MORGAN HILL the amounts invoiced within forty-five (45) days of their receipt of such invoices.

SECTION 5. INDEMNIFICATION.

In lieu of and notwithstanding the pro rata risk allocation which might otherwise be imposed between the parties to this AGREEMENT pursuant to Government Code Section 895.6, the Parties agree that all losses or liabilities incurred by a party shall not be shared pro rata, but instead, pursuant to Government Code Section 895.4, each of the parties hereto shall fully indemnify and hold each of the other parties, its 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 shall be 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.

SECTION 6. RECORDS.

MORGAN HILL shall keep itemized and detailed work or job records of all costs incurred and services rendered pursuant to this AGREEMENT. MORGAN HILL shall maintain these records for a minimum period of three (3) years, or for any longer period required by law, following the performance of any services.

SECTION 7. TERMINATION.

- A. MORGAN HILL or GILROY may terminate this AGREEMENT as of the first day of July of any year by giving notice to the other party not less than ninety (90) days prior to the July 1.
- B. If MORGAN HILL fails to perform any of its material obligations under this AGREEMENT, then, in addition to all other remedies available by law, GILROY may terminate this AGREEMENT immediately upon written notice to MORGAN HILL.
- C. The MORGAN HILL City Manager, or his delegatee or designee, is authorized to terminate this AGREEMENT on behalf of MORGAN HILL.
- D. The GILROY City Administrator, or his delegatee or designee, is authorized to terminate this AGREEMENT on behalf of GILROY.
- E. In the event of termination, MORGAN HILL shall deliver to GILROY copies of all reports, documents, or other data generated by MORGAN HILL for or under this AGREEMENT. GILROY shall be responsible for payment to MORGAN HILL of the cost of any services properly rendered in accordance with this Agreement prior to termination within 30 days of termination.

SECTION 8. AMENDMENTS.

This AGREEMENT may be modified only by a written amendment duly executed by the parties to this AGREEMENT.

SECTION 9. NONDISCRIMINATION.

No party to this AGREEMENT shall discriminate, in any way, against any person on the basis of race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin, in connection with or related to the performance of this AGREEMENT.

SECTION 10. ASSIGNABILITY.

MORGAN HILL acknowledges and understands that the expertise and experience of MORGAN HILL is a material consideration inducing GILROY to enter into this AGREEMENT. MORGAN HILL may not assign nor transfer any interest in this AGREEMENT, nor the performance of any of its duties and responsibilities under this AGREEMENT, without the prior written consent of GILROY. Any attempt by MORGAN HILL to so assign or transfer this AGREEMENT or the performance of any of MORGAN HILL'S duties and responsibilities under this AGREEMENT shall be null and void and of no force or effect.

SECTION 11. NOTICES.

All notices and other communications required or allowed to be given under this AGREEMENT to a party shall be in writing and shall be personally served or mailed, postage prepaid and return receipt requested, addressed to the respective party as follows:

GILROY :	City of Gilroy 7351 Rosanna Street Gilroy, California 95020 Attention: CITY ADMINISTRATOR
MORGAN HILL :	City of Morgan Hill 17575 Peak Avenue Morgan Hill, California 95037 Attention: CITY MANAGER

SECTION 12. GOVERNING LAW.

The law governing this AGREEMENT shall be that of the State of California.

If suit is brought under this AGREEMENT, venue shall be vested exclusively in the state courts of the State of California, County of Santa Clara, or, if federal jurisdiction is appropriate, exclusively in the United States District Court, Northern District of California, San José, California.

All parties to this AGREEMENT shall comply with all applicable laws, rules, regulations, codes and ordinances of the federal, state and local governments in the performance of the SERVICES and its other duties and obligations under this AGREEMENT.

All reports, documents, photographs, or other materials generated by MORGAN HILL or other person engaged directly or indirectly by MORGAN HILL to perform the work set forth herein shall be and remain the joint property of GILROY and MORGAN HILL.

Each party to this AGREEMENT agrees that the waiver by any party of any breach or violation of any term or condition of this AGREEMENT shall not be deemed to be a waiver of any other term or condition contained herein or a waiver of any subsequent breach or violation of the same or any other term or condition of this AGREEMENT. The acceptance by any party of the performance of the services performed by GILROY

/ / / / / / / / / /

or any other work or service under this AGREEMENT shall not be deemed to be a waiver of any term or condition of this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the EFFECTIVE DATE first set forth above.

GILROY

APPROVED AS TO FORM:

CITY OF GILROY,
a municipal corporation

APR
Linda Callon
City Attorney

[Signature]
Thomas J. Haglund
City Administrator

ATTEST:

[Signature]
Shawna Freels
City Clerk

MORGAN HILL

APPROVED AS TO FORM:

CITY OF MORGAN HILL,
a municipal corporation

[Signature]
Renee Gurza
City Attorney

[Signature]
Steve Rymer
City Manager

EXHIBIT A

DESCRIPTION OF STAFF RESOURCES TO BE PROVIDED AND TERMS RELATED TO ADMINISTERING STAFF RESOURCE

The purpose of this Exhibit is to describe the work anticipated to be conducted under this AGREEMENT and the general terms relating to the employment of the staff resources (STAFF) provided under this AGREEMENT.

1. **Work Locations** - The primary office location for STAFF shall be MORGAN HILL's offices. If desired by GILROY and if GILROY provides a reasonable work location, STAFF shall work in GILROY offices and attend meetings and work directly with customers in GILROY. The scheduling of STAFF's work in GILROY can be designed to provide both regular office hours and flexibility to work in GILROY at additional times as desired. STAFF scheduling shall be arranged through the MORGAN HILL manager.
2. **Management and Supervision** - MORGAN HILL shall provide primary management and supervision of STAFF. MORGAN HILL shall communicate monthly with GILROY to ensure that STAFF is providing expected services to GILROY. Any and all disciplinary activities, if needed, shall be conducted solely by MORGAN HILL with costs thereof shared equally by GILROY.
3. **Recruitment and Hiring** - MORGAN HILL will conduct the recruitment, administer interviews, and complete background analysis to employ STAFF, with costs thereof to be shared equally by GILROY. GILROY shall be invited to participate in the interview and selection process.
4. **General Description of Work Activities** - While it is understood that the work associated with this AGREEMENT is dynamic and may fluctuate over time depending on General Permit requirements and GILROY's interests, the following general work activities are expected to be core activities under the AGREEMENT:
 - a. Track program accomplishments and work activities to develop related reports.
 - b. Evaluate the water quality elements of development plans and provide comments to GILROY staff and development applicants.
 - c. Conduct public education and outreach activities.
 - d. Assist GILROY staff in identifying other General Permit requirements to be completed by other GILROY departments.
5. **Management Services** - MORGAN HILL will provide management services to GILROY relating to solid waste management, stormwater pollution prevention, and environmental services. These services will include, but not be limited to, preparing annual regulatory reports recording solid waste diversion, interacting with state and local representatives on GILROY's behalf, representing GILROY at regional meetings, and responding to queries from GILROY staff on a variety of environmental programs.

**EXHIBIT B
COST ESTIMATE**

	14-15*	15-16	16-17	17-18	18-19
Staff (50% FTE)	\$25,154	\$62,886	\$68,011	\$73,554	\$79,549
Indirect Service Charges	\$674	\$1,684	\$1,821	\$1,970	\$2,130
Training	\$200	\$500	\$500	\$500	\$500
Cell Phone	\$72	\$180	\$180	\$180	\$180
Mileage Reimbursement	\$100	\$250	\$250	\$250	\$250
 Total Half Time Staff	 \$26,200	 \$65,500	 \$70,762	 \$76,454	 \$82,609
 Management Staff (12% FTE)	 \$27,504	 \$28,355	 \$29,206	 \$30,082	 \$30,984
Indirect Service Charges	\$736	\$759	\$782	\$805	\$829
 Total Management	 \$28,241	 \$29,114	 \$29,987	 \$30,887	 \$31,814
 Total	 \$54,441	 \$94,614	 \$100,750	 \$107,341	 \$114,423

* costs for 14/15 are estimated for 40% of the fiscal year for the staff position and 100% of the fiscal year for the management position



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Cynthia Iwanaga, Management Analyst
APPROVED BY: City Manager

ADOPT RESOLUTION AUTHORIZING ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM GRANT APPLICATION

RECOMMENDATION(S)

Adopt resolution approving the following actions:

1. Authorize staff to prepare and submit an EEM Program Grant application to the California Natural Resources Agency (CNRA) for the implementation of the Hale Avenue Grove and Trail Project;
2. Authorize the City Manager to negotiate and execute the EEM grant agreement and other documents, reports, forms, and agreements related to the performance of the identified projects; and
3. Approve CEQA Categorical Exemption of this project.

COUNCIL PRIORITIES, GOALS & STRATEGIES

2019 Strategic Priorities
Infrastructure

REPORT NARRATIVE:

The purpose of this staff report is to request the City Council's adoption of the attached resolution authorizing the submission of a grant application to the California Natural Resources Agency (CNRA) for the planting of trees and installation of other environmental enhancements along the Hale Avenue Extension Project. This project will be known as the Hale Avenue Grove and Trail Project.

Construction of the Hale Avenue Extension Project is anticipated to begin later this year. Phase I consists of the extension of Hale Avenue as a two-lane roadway between Main Avenue and Spring Avenue with median and bike lanes in conformance with the City's multimodal arterial standard. This reach of roadway has been a planned arterial in the City's General Plan since 1969.

The CNRA's Environmental Enhancement and Mitigation (EEM) Program was created to mitigate the environmental impacts caused by new or modified public transportation facilities. The estimated grant amount is \$500,000.

Per the Hale Avenue Extension's Environmental Impact Report, the implementation of the Hale Avenue Extension will result in effects on the environment and mitigation measures were incorporated into the proposed project. The Mitigation Monitoring and

Reporting Program cites several impacts that could be mitigated by the planting of trees and other environmental enhancements. These impacts include stormwater runoff generated by the proposed roadway improvements resulting in erosion to the hillside as well as downstream erosion and siltation. Other impacts that the planting of trees and the installation of a pedestrian trail could address include noise reduction in the immediate vicinity of the roadway.

COMMUNITY ENGAGEMENT: Inform

Staff will provide updates on the status of the tree planting, installation of irrigation and nature trail on the City's website and Nextdoor Morgan Hill.

ALTERNATIVE ACTIONS:

An alternative action is to not authorize the submittal of an application for the EEM grant funds.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council has taken previous action on the Hale Avenue Extension Project, but no specific action on the Hale Avenue Grove and Trail Project.

FISCAL AND RESOURCE IMPACT:

The City is applying for a grant not to exceed \$500,000 to fund the planting of trees and installation of other environmental enhancements. Pending results of the grant award, staff will return to Council with project budget, timeline and request the necessary appropriations

CEQA (California Environmental Quality Act):

Categorical Exemption

The planting of trees, installation of irrigation and a nature trail along the first phase of the Hale Avenue Extension Project is categorically exempt from CEQA under Section 15304, Minor Alternations to Land, which covers minor public or private alternations to the condition of land, water, and/or vegetation, which do not involve removal of healthy, mature, scenic trees for forestry or agricultural purposes.

LINKS/ATTACHMENTS:

1. EEM Resolution_05012019

Resolution No: ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS REQUIRED TO APPLY AND ACCEPT THE GRANT FOR THE CITY, IF AWARDED, AND DIRECTING CERTAIN ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City of Morgan Hill is a municipal corporation and a general law city duly organized and existing under and pursuant to the Constitution and laws of the State of California ("City"); and

WHEREAS, the Legislature and Governor of the State of California have enacted Section 164.56 of the California Streets and Highways Code, which is intended to provide grant funds to local, state and federal agencies and nonprofit entities for projects to enhance and mitigate the environmental impacts of modified or new public transportation facilities; and

WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures and criteria, and is required to submit to the California Transportation Commission a list of recommended projects from which the grant recipients will be selected; and

WHEREAS, said procedures established by the California Natural Resources Agency require a resolution certifying the approval of an application by the Applicants governing board before submission of said application to the State; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the Project

NOW, THEREFORE, BE IT RESOLVED that 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. Approves the filing of an application for the Hale Avenue Grove and Trail Project; and
- b. Certifies that Applicant understands the requirements in the Program Guidelines;

- c. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the project consistent with the land tenure requirements; or will secure the resources to do so; and
- d. Certifies that Applicant will record a document against the real property that defines the State's interest in the property whether the Grantee owns the property or not; and
- e. Certifies that Applicant will comply with the provisions of Section 1771.5 of the State Labor Code regarding payment of prevailing wages on Projects awarded EEM Program Funds; and
- f. If applicable, certifies that the project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable licenses and permits will have been obtained; and
- g. Certifies that Applicant will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and
- h. Finds that the Hale Avenue Grove and Trail Project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15304 (Minor Alterations to Land) of the CEQA Guidelines; and
- i. Appoints the City Manager or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests etc., which may be necessary for the completion of the aforementioned project.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 15th day of May 2019.

AYES:	COUNCIL MEMBERS:
NAYS:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

DATE: _____

Richard Constantine, 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 May 15, 2019.

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

DATE: _____

Irma Torrez, CITY CLERK



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Cynthia Iwanaga, Management Analyst
APPROVED BY: City Manager

ADOPT RESOLUTION AUTHORIZING TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 GRANT APPLICATION

RECOMMENDATION(S)

Adopt resolution approving the following actions:

1. Authorizing staff to prepare and submit a Transportation Development Act (TDA) Article 3 Bicycle Expenditure Program (BEP) grant application to the Santa Clara Valley Transportation Authority for implementation of the Madrone Channel Trail Improvements project; and
2. Authorizing the City Manager to negotiate and execute the TDA grant agreement and other documents, reports, forms, and agreements related to the performance of the identified project.

COUNCIL PRIORITIES, GOALS & STRATEGIES

2019 Strategic Priorities
Infrastructure

GUIDING DOCUMENTS

Bikeways
Trails
Parks and Recreation Masterplan

REPORT NARRATIVE:

The purpose of this report is to request the City Council's adoption of a grant resolution relating to improvements on the Madrone Channel Trail along the eastern border of Highway 101 between Main Avenue and Cochrane Road.

In February 2019, the Santa Clara Valley Transportation Agency (VTA) released a Call for Projects for the fiscal year 2019-2020 Transportation Development Act (TDA) Article 3 Program funding cycle. The VTA Board of Directors dedicated 25% of Santa Clara County's TDA Article 3 funds to projects on the countywide Bicycle Expenditure Program (BEP) list through 2030. There is \$584,361 available for BEP projects this year.

The City of Morgan Hill is proposing to pave the existing Madrone Channel Trail in two phases. The first phase is from Main Avenue to Cochrane Road. This TDA grant would pay for \$218,260 of the estimated \$401,958 total cost. The difference of \$183,698 would be paid from the grant the City is receiving from Valley Water and the City's Park Impact Fund. In addition to paving, the Madrone Channel Trail Improvement Project will

include the installation of benches, dog waste stations, and interpretive trail signage. Approximately 50 trees will be planted on private property immediately east of the trail. This will provide some shade for trail users while still allowing maintenance crews to access the Trail when the trees are fully grown.

If adopted, the attached resolution authorizes the City to submit a grant application to the program to garner over one-half of the funding for this project.

COMMUNITY ENGAGEMENT: Inform

The 2017 Master Bikeways, Trails, Parks and Recreation Master Plan (Master Plan) supports both bicycle and pedestrian access along the Madrone Channel Trail. The installation of hardscape over the current rough trail will allow road cyclists to enjoy the trail as well as pedestrians. The Master Plan was prepared with extensive input from the Morgan Hill community.

ALTERNATIVE ACTIONS:

The Council could choose to not authorize the submission of the application and forego the opportunity for the grant or direct staff to apply for a different grant amount.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council approved the inclusion of the Madrone Channel Trail Improvements as a project in the City's approved Capital Improvement Program. The project has been supported by the City Council through approval of the following City of Morgan Hill formally adopted Master Plans:

1. 2017 Master Bikeways, Trails, Parks and Recreation Master Plan as described above;
2. Previously adopted Parks, Facilities, and Recreational Facilities Master Plan which called for the installation of bike and pedestrian trails along all channels including the trails along the Madrone Channel.

The Council also previously approved the submission of the Valley Water grant for this same project.

FISCAL AND RESOURCE IMPACT:

Staff estimates that the first phase of the Madrone Channel Improvement Project will cost \$401,958. If received, this grant will pay for \$218,260 of the total cost with the remaining funds coming from the Valley Water grant of \$120,000 that the City recently received and \$63,698 from the City's Park Impact Fund. This project has been included in the City's Adopted Capital Improvement Program (Project 117018) with project funding still to be determined. Now that the City has been successful in obtaining grant funds and is likely to get more, staff will return to Council to amend the project budget once this TDA grant funding is secured.

CEQA (California Environmental Quality Act):

Categorical Exemption

The proposed improvement of the Madrone Channel Trail Project is categorically exempt from CEQA under Section 15304, Minor Alterations to Land, which covers minor public or private alterations to the condition of land, water, and/or vegetation which do not include removal of healthy, mature, scenic trees for forestry or agricultural purposes.

LINKS/ATTACHMENTS:

1. TDA Grant Resolution_05152019

RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING A REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2019-2020 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING

WHEREAS, Article 3 of the Transportation Development Act (“TDA”), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (“MTC”), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled “Transportation Development Act, Article 3, Pedestrian and Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of “TDA Article 3” funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the City of Morgan Hill (the “City”) desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists;

NOW, THEREFORE, BE IT RESOLVED BY 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 direct as follows:

1. That the City of Morgan Hill declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; and
2. That there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B

to this resolution, or that might impair the ability of the City of Morgan Hill to carry out the project; and

3. That the project has been reviewed by the Parks and Recreation Commission acting as the Bicycle Advisory Committee (BAC) of the City of Morgan Hill and;

RESOLVED, that the City of Morgan Hill attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it

RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of City of Morgan Hill for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 15th day of May, 2019 by the following vote:

AYES:	COUNCIL MEMBERS:
NAYS:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

DATE: _____
Richard Constantine, 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 May 15, 2019.

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

DATE: _____

Irma Torrez, CITY CLERK

Resolution No.
Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2019-2020 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

Page 1 of 1

1. That the City of Morgan Hill is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the City of Morgan Hill legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the City of Morgan Hill has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the City of Morgan Hill within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the City of Morgan Hill agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

Resolution No.
Attachment B
page 4 of 5 pages

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2019/2020 Applicant: City of Morgan Hill

Contact person: Cynthia Iwanaga

Mailing Address: 17575 Peak Avenue, Morgan Hill, CA 95037

E-Mail Address: cynthia.iwanaga@morganhill.ca.gov Telephone: (408) 776-7383

Secondary Contact (in event primary not available) Anthony Eulo

E-Mail Address: Anthony.eulo@morganhill.ca.gov Telephone: (408) 310-4179

Short Title Description of Project: MADRONE CHANNEL TRAIL IMPROVEMENT

Amount of claim: \$ 218,260

Functional Description of Project:

Paving of an existing unpaved trail and addition of amenities such as interpretative signage, benches, dog waste stations, trash and recycling bins.

Total of 50 oak trees will be planted along the trail immediately to the east of the trail.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements: Construction and Trail Amenities

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3	0	218,260.00	0	0	218,260.00
list all other sources:					
1. Park Impact Fees	0	63,698.00	0	0	63,698.00
2. Grant from SCVWD		120,000.00			120,000.00
3.					
4.					
Totals					401,958.00

Project Eligibility:	YES	?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). May 15, 2019 City Council Meeting	Y	
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	Y	
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	Y	
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: <u>July 19, 2017</u>	Y	
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	Y	

F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) <u>June 30, 2020</u>	Y
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	Y



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Jim Crawford, Division Chief of Operations for Morgan Hill Fire
APPROVED BY: City Manager

ADOPT ANNEX 11 MORGAN HILL COMMUNITY WILDFIRE PROTECTION PLAN (CWPP)

RECOMMENDATION(S)

1. Accept the Santa Clara County Community Wildfire Protection Plan, including Annex 11 "City of Morgan Hill"; and
2. Adopt resolution adopting the Morgan Hill Annex to the Santa Clara County Community Wildfire Protection Plan as the City of Morgan Hill's Community Wildfire Protection Plan.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Protecting the Environment
Supporting Our Youth
Seniors
and Entire Community
Advancing Regional Initiatives

2019 Strategic Priorities

Community Engagement and Messaging

GUIDING DOCUMENTS

Public Safety Master Plan

REPORT NARRATIVE:

In recent years, wildfires have become an increasing concern for communities across the United States. California has seen significant fires that have resulted in the loss of life and millions of dollars in property damage. Not only do wildfires represent a safety risk, the cost to suppress wildfires in California now exceeds one billion dollars annually.

To address wildfire concerns, the County of Santa Clara was awarded a grant from CAL FIRE and a consultant was hired to develop a Community Wildfire Protection Plan for Santa Clara County (CWPP). CWPPs serve to identify wildfire risks in communities that are most likely to see wildfires and options for mitigating those hazards.

The Santa Clara County CWPP (Attachment 1) includes annexes for all communities at risk in Santa Clara County and addresses specific issues and mitigation measures in those communities. These annexes serve as CWPPs for each jurisdiction. Morgan Hill, being part of Santa Clara County, was included in the creation of the document and City teammates were involved in the detailed annex for the City (Attachment 2). The Fire

Department is requesting City Council accept the final CWPP and adoption of the City of Morgan Hill Annex 11 to the Countywide CWPP as the Morgan Hill CWPP.

The consultant hired by Santa Clara County and City Fire teammates conducted significant public outreach and sought involvement from the public as well as other wildfire professionals and non-profit organizations during the development of the CWPP. Outreach efforts included a series of community workshops to create awareness of the CWPP, identify hazards, and solicit public input on proposed mitigation measures.

Development of the CWPP and associated annexes started in 2015 and reached near-completion in 2016. Several events in Santa Clara County, including the Loma Fire (2016), Winter Storm Response and Recovery (2017) and unprecedented fire activity in 2017 and 2018 caused resources to be diverted away to address priority needs. At the end of 2018 all parties involved refocused their efforts to bring the CWPP to completion. Target dates in the CWPP and Annex 11 refer to timelines of past years. While proposed projects have earlier timelines, all items have been evaluated and continue to be valid and relevant to Morgan Hill.

Adoption of the CWPP will give the community a framework and list of proposed projects that can be used as direction in seeking future work goals and funding for hazard mitigation and building wildfire resilience into the landscape of the community. Funding and project adoption can be committed to by the City, Firesafe Councils, Homeowners Associations, or other Non-Profit Organizations. The annex is a living document and can be modified in the future to remove completed projects, change the scope of listed projects, and add additional projects that meet the ideals of the CWPP.

COMMUNITY ENGAGEMENT: Empower

The City is currently conducting Wildfire workshops and informing the Community on the risks of wildfire and what the public can do to make their property and the community more resilient to wildfire and reduce life-loss and damage to property. Having an adopted CWPP for Morgan Hill will empower the public, organizations, and the City by providing a guiding document with projects that will aid in the protection of the community.

ALTERNATIVE ACTIONS:

There are two alternative actions to adoption of the CWPP:

1. Take no action to adopt the Santa Clara County CWPP's Morgan Hill Annex and create an individual CWPP by hiring a consultant.
2. Take no action to adopt the Santa Clara County CWPP's Morgan Hill Annex and take no further action.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On February 2019, City Council received a presentation on the City's Fire Disaster Plan, which discussed the Countywide and Morgan Hill Annex CWPP.

FISCAL AND RESOURCE IMPACT:

Coordination and development of the Morgan Hill Annex of the Countywide CWPP was an activity of the Fire Department and part of its annual workplan. Acceptance of the report and adoption of the resolution has no immediate fiscal or resource impact. Staff has provided potential future impacts for consideration:

Fiscal:

1. Adoption of the CWPP and Annex 11 does not expend any funds and does not commit the City to any projects.
2. Adoption of Annex 11 will give the community, including Council a framework to approve future proposals that Council may commit to in part or in whole. Funding sources vary and could come from City General Funds, Grant Funds, or other future revenue sources.
3. One example of potential funding is the Forest Health Grant and Fire Protection Grants coordinated by CAL FIRE. \$400 million in grants are proposed Statewide in the State budget for each of the next 5 years.

Resource:

1. If Council directs City Teammates to prepare a plan to seek grant funding for projects, it will take significant research and staff time to prepare reports and grants. In many cases hiring consultant services with specialty in grant writing can be of great benefit. Some grants allow for part of the award to pay for consultant services.
2. If Council adopts any of the proposed projects, it will take significant personnel effort to accomplish most of the projects. Manual modification and/or removal of forest and range fuels is a significant physical undertaking and will require personnel and management of the projects.

CEQA (California Environmental Quality Act): Not a Project

The acceptance of the CWPP and the adoption of the Annex is an administrative activity of City government that will not result in direct or indirect physical changes in the environment and is therefore not a project.

Future actions of Council to approve advancement of the CWPP projects where public funds are used or public property is a part of the project will be either exempt or require a negative declaration to be created before the project can start.

LINKS/ATTACHMENTS:

1. Santa Clara County Community Wildfire Protection Plan (web link)
2. Annex-11 City of Morgan Hill
3. Resolution Morgan Hill City Annex

ANNEX 11. CITY OF MORGAN HILL

Morgan Hill is located in southern Santa Clara Valley proximately 24 miles south of downtown San Jose, 13 miles north of Gilroy, and 15 miles inland from the Pacific Coast. The community is bounded by the Santa Cruz Mountains to the west and the Diablo Range to the east. The planning area is delineated in Figure 11.1.

According to the 2010 U.S. Census Bureau, the city encompasses an area of 12.9 square miles. There are several flood control and water storage reservoirs in the adjacent hills, which are operated by the Santa Clara Valley Water District, with recreational activities such as boating, etc., administered by the Santa Clara County Department of Parks and Recreation.

ORGANIZATION AND JURISDICTION

Morgan Hill is an incorporated city governed by an elected city council. Authority for land use planning, community design, infrastructure, and building codes rest with the Morgan Hill City Council.

Wildland urban interface (WUI) areas are defined by city ordinance and land use General Plan.

The City of Morgan Hill contracts with the California Department of Forestry and Fire Protection (CAL FIRE) to provide emergency medical services, fire prevention, and fire suppression from two city-owned fire stations and a CAL FIRE station at the south end of town.

PLANNING TEAM PARTICIPATION

Fire Marshal Dwight Good and Division Chief Ed Orre represented the City of Morgan Hill on the planning core team. Community members participated in both rounds of workshops held at the Morgan Hill Community Center.

SUMMARY

Morgan Hill contains WUI areas and is on the federal and/or California Fire Alliance list of communities at risk from wildfires in Santa Clara County.

Wildfires occur in the vicinity of Morgan Hill and present a danger to people and properties within the city.

Mitigations can reduce the risk of injury and damage. Some mitigations are solely the responsibility of property owners, other mitigations require neighborhood level action, and some require city government action.

WILDLAND URBAN INTERFACE AREA DESCRIPTION

WILDLAND URBAN INTERFACE AREA DEFINED

The WUI area is delineated in Figure 11.1.

The western side of Morgan Hill contains CAL FIRE–recommended Local Responsibility Area very high fire hazard severity zones (FHSZs). The eastern area of Morgan Hill did not meet very high FHSZ status, therefore not requiring city council action to adopt. However, the surrounding unincorporated area is a high FHSZ. High FHSZs are capable of supporting severe fires with dangerous fire behavior.

The west side WUI areas inside city limits (Llagas Road and West Main Street areas) are designated state very high FHSZs, as are the wildland areas outside the western city limits. The balance of the WUI areas inside and adjacent to the city are designated high FHSZs. Fires with highest rates of spread and intensity usually occur in areas of high and very high fire hazard severity.

The eastside WUI area comprises the residential areas of Holiday Lake Estates and Jackson Oaks subdivisions that interface with Henry Coe State Park, open space areas, Anderson Lake County Park, Coyote Canyon, and Coyote Highlands.

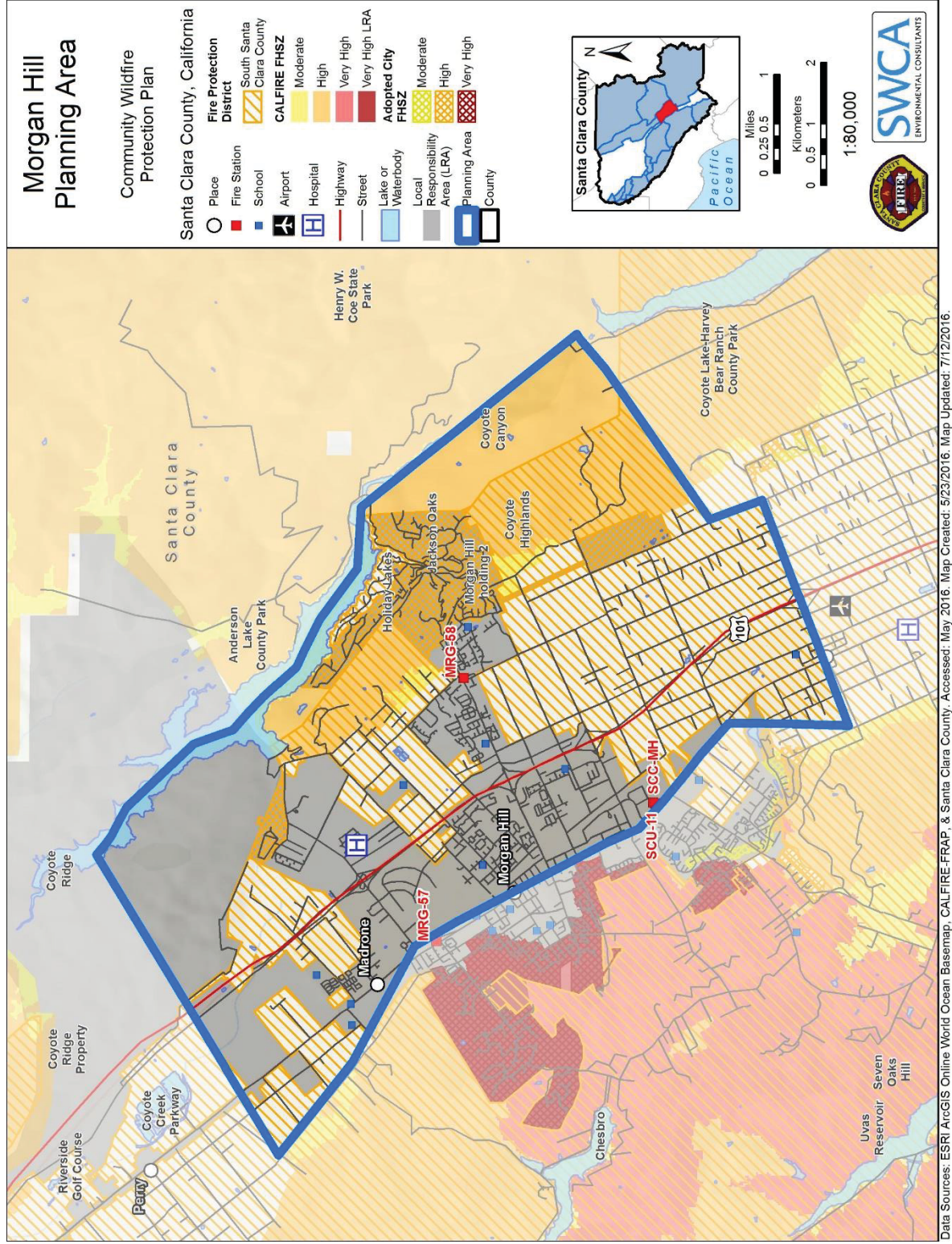


Figure 11.1. Morgan Hill planning area.

FIRE HISTORY

For fire history information, please see Figure 3.5 in the main Santa Clara County Community Wildfire Protection Plan (CWPP) document

HAZARDOUS FUEL CHARACTERISTICS

For fuel model information, please refer to Section 4.6.3 and Figure 4.3 in Chapter 4 of the main CWPP document.

NEIGHBORHOOD AND STRUCTURAL CHARACTERISTICS

Morgan Hill is a diverse community composed of retail/commercial core, high-density residential areas with small lots, and larger single-family homes in WUI areas. The city contains neighborhoods with highly flammable wildland vegetation.

The areas of greatest WUI concern are the Holiday Lake Estates community—comprising 512 homes on the hillside overlooking the south shore of Lake Anderson (Figure 11.2)—the adjacent Jackson Oaks community, and west side housing areas served by Llagas Road, Dewitt Avenue, and Sunnyside/Santa Teresa Boulevard. Holiday Lakes and Jackson Oaks are managed by homeowner associations (HOAs) that help facilitate wildfire preparedness messages. These communities are actively engaged in wildfire prevention activities and wildfire preparedness. The Jackson Oaks homeowners are dedicated to being the first recognized FIREWISE Community in Santa Clara County.

Water Supply: Morgan Hill has a good water supply through a hydrant system linked to Morgan Hill City Water.

Roads and Access: Access is generally good throughout the community with well-maintained roads. However, the Holiday Lake Estates and Jackson Oaks communities are accessed via one artery (East Dunne Avenue). In the event this road becomes unpassable, safe evacuation and emergency access will be compromised.

Defensible Space Characteristics: Most homes in WUI areas throughout Morgan Hill have well-maintained and irrigated yards with adequate defensible space. The Holiday Lakes and Jackson Oaks areas do have several properties without adequate defensible space. Flammable ornamental plants (i.e., junipers) are prevalent throughout the development. Notable in the Jackson Oaks community are homes with minimal setback from the slope and adjacency to open space property with long grass (Figure 11.3 and Figure 11.4).

Several homes have combustible wood roofs and siding and many have combustible decks and fencing (Figure 11.5). Some homes have long steep driveways with minimal turnaround, which may impede access by emergency vehicles.

The single access road, fast burning fuel, ridge top location, and incomplete defensible space present extraordinary risk for Holiday Lakes and Jackson Oaks.



Figure 11.2. View looking across Anderson Reservoir towards Morgan Hill (Holiday Lake Estates).



Figure 11.3. Grassy fuels on slope below home in Jackson Oaks subdivision.

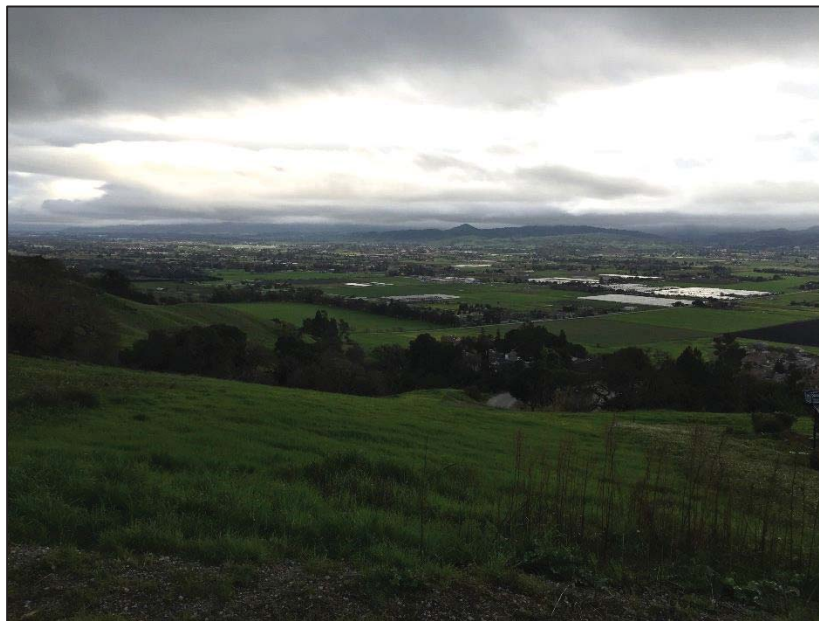


Figure 11.4. Coyote Highlands, adjacent to Jackson Oaks subdivision.



Figure 11.5. Combustible wood roof and flammable juniper ornamental landscaping.

EMERGENCY RESPONSE CAPACITY

First emergency response to Morgan Hill is provided by CAL FIRE. Morgan Hill fire response is from two city-owned fire stations and a CAL FIRE fire station:

- El Toro Fire Station, 18300 Old Monterey Road, Morgan Hill.
- Dunne Hill Fire Station, 2100 E. Dunne Avenue, Morgan Hill.

- A CAL FIRE station is also located within Morgan Hill City Limits: 15670 Monterey St, Morgan Hill.
- Additionally, mutual aid fire resources are available from other Santa Clara County fire agencies, including fire officers, fire engines, air tankers, helicopter, and hand crews.
- Morgan Hill and CAL FIRE staff created an excellent model WUI Response and Evacuation Preplan for the Anderson Lakes neighborhoods that should improve response efficiency and evacuation to this at risk community.

PUBLIC EDUCATION AND OUTREACH PROGRAMS

Morgan Hill recognizes and supports the national Ready, Set, Go! program for community member preparedness. Morgan Hill is active in representation on the Santa Clara County Fire Safe Council (<http://www.SCCFireSafe.org>). This organization provides information regarding chipping programs, defensible space mitigation, personal preparedness, forest health issues, and much more. They also offer public meetings and forums to support wildfire awareness.

The Morgan Hill Fire Department and CAL FIRE provide extensive fire preparedness information and outreach activities for the local community. More information can be found at the following website: <http://www.morgan-hill.ca.gov/445/Fire-Department>.

POLICIES, REGULATIONS, ORDINANCES, AND CODES

- Morgan Hill General Plan policies applicable to WUI fire hazard areas
 - 2b. Minimize development in fire hazard areas and plan and construct permitted development so as to reduce exposure to fire hazards and to facilitate fire suppression efforts in the event of a wildfire. (SCJAP 15.04)
 - 2c. Avoid actions which increase fire risk, such as increasing public access roads in fire hazard areas, because of the great environmental damage and economic loss associated with a large wildfire. (SCJAP 15.04)
 - 2.2 Continue to support special high FHSZ requirements.
 - 2.8 Where appropriate, allow development in areas where a second improved access road has been provided for emergency escape. (SCJAP 15.07)
 - 2.9 Update all information regarding hazardous areas to reflect current knowledge. (SCJAP 15.11)
- The City of Morgan Hill currently uses the 2013 California Building Code that includes required building standards for city-adopted WUI areas.
- The City of Morgan Hill Fire Prevention Division provides Standard Details and Specifications for fire prevention. The Morgan Hill Fire Marshal carries out fire prevention inspections in the area. More information on inspections and standards can be obtained from: <http://www.morgan-hill.ca.gov/1093/Fire-Marshall>.
- **Local Ordinances:** The Morgan Hill City Council has adopted local ordinances to regulate development in WUI areas inside city limits.

- **State Law:** The California Public Resources Code (PRC) sections provide standards for development of WUI areas outside the city limits. Only limited portions (primarily section PRC 4290 that addresses minimum community design standards in designated WUI areas) apply within the city limits.

California Health and Safety Code contains sections that the Morgan Hill Fire Marshal applies to developments and prevention activities.

HAZARD ASSESSMENT

Community hazard assessments include ratings of community conditions compared to best practices for WUI fire mitigation. Community hazard ratings include consideration of applicable state codes, local ordinances, and recognized best practices guidelines. The community of Jackson Oaks completed a community hazard assessment as part of its Firewise Communities USA Recognition process. The full assessment can be found in Appendix 11-A.

The National Fire Protection Association Standard 1144 (NFPA 1144) defines WUI hazards and risks at the community and parcel level. This plan uses components of NFPA 1144, California laws, and local ordinances to evaluate neighborhood WUI hazard and risk. PRC 4290 and 4291 sections address WUI community design and defensible space standards.

The community risk assessment completed for the Morgan Hill community assigned the Holiday Lakes and Jackson Oaks WUI neighborhoods a risk rating of high with a score of 83 (<40 = low, >40 = moderate, >70 = high, >112 = extreme). Factors that contributed to the risk are illustrated below. Averages are taken across the community for each of these parameters.

The most serious deficiency for both of these neighborhoods is the absence of a secondary access/egress route. Maintaining appropriate defensible space and reducing combustible construction materials is the most immediate mitigation for this hazard. Ultimately identifying and creating additional access is essential (see Figure 11.6 for potential routes).

In addition to the on-the-ground hazard assessment, the CWPP also includes a Composite Fire Risk/Hazard Assessment that uses fire behavior modeling to determine potential fire behavior and is based on fuel characteristics, topography, weather, and fire history. The Composite Risk/Hazard Assessment for the planning area is shown in Figure 11.7. For more information on the methodology for this assessment please refer to Section 4.6.1 in Chapter 4 of the CWPP.

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Parameter	Condition	Rating
Access	Two roads in and out but access still concern	+/-
	Narrow road width	-
	Surfaced road with greater than 5% grade	+
	Poor fire access, dead end spurs, lack turnaround	-
	Street signs are present, some are non-reflective	+/-
Vegetation	Adjacent fuels: light	+
	Defensible space: >30 feet < 70 feet around structures	+/-
Topography within 300 feet of structure	21%–30 %	-
Topographic features	Moderate to high concern	+/-
History of high fire occurrence	Low	+
Severe fire weather potential	Low	+
Separation of adjacent structures	Limited separation	+/-
Roofing assembly	Class B	+/-
Building construction	Non-combustible siding, combustible deck	+/-
	Building setback < 30 feet to slope	-
Available fire protection	Water: hydrants present with variable pressure	+
	Response: station <5 miles from structure	+
	Internal sprinklers: none	-
Utilities	One above and one below ground	+/-
Risk Rating - High (83)		

PARCEL LEVEL ASSESSMENT

A model for determining parcel level risk and effect of mitigations has been developed through this CWPP project. The model can use information available through public record for basic analysis but can be further refined with a site visit with property owner for a thorough analysis of risk score. The County will be seeking funding to fully implement this parcel level assessment in the future. The goal is for the property owner to be able to use this analysis to determine the most effective steps they can take to take to reduce their risk. For more information refer to Chapter 4 in the countywide CWPP document.



Figure 11.6. Potential access routes (shown in red) for Anderson Lake area.

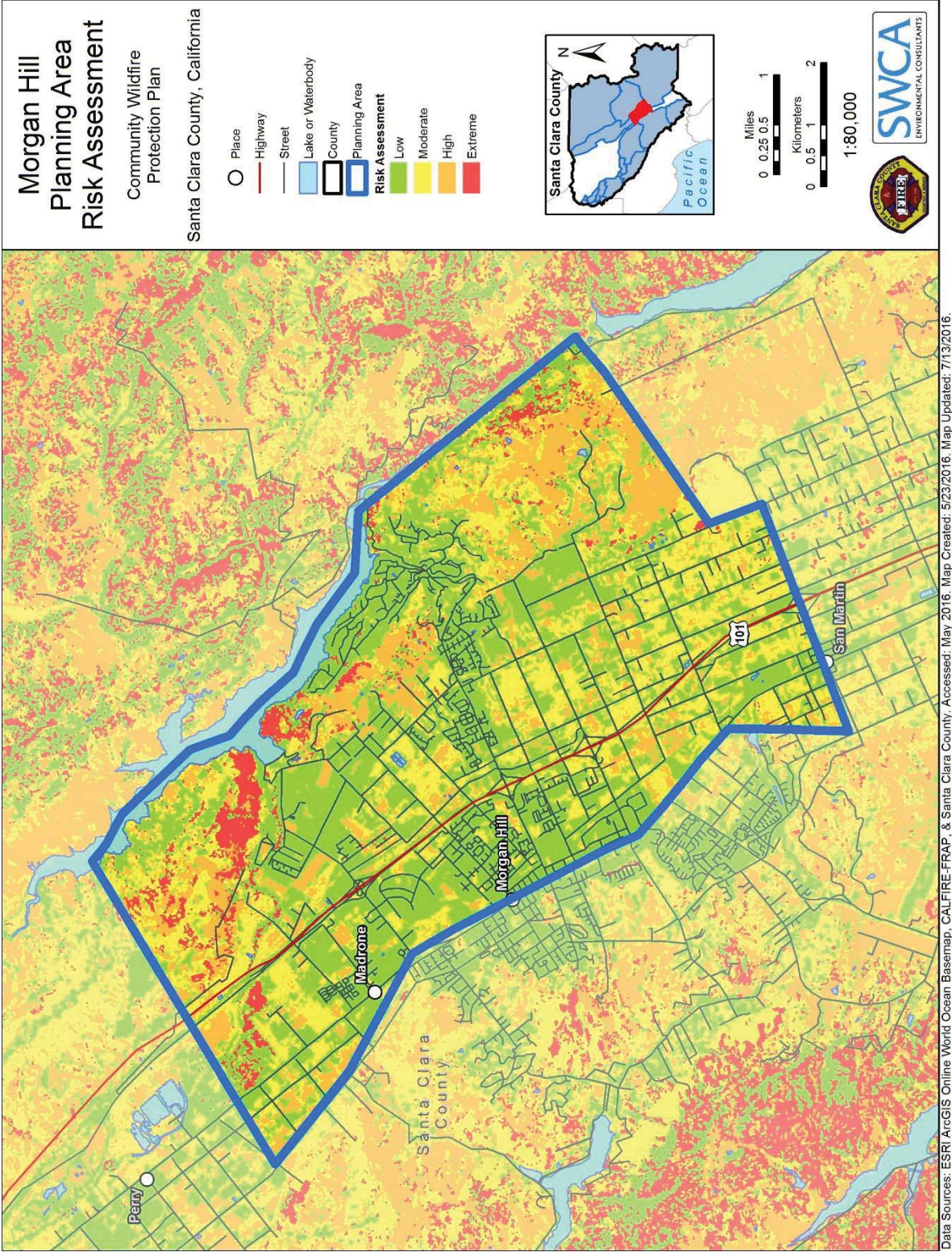


Figure 11.7. Composite Risk/Hazard Assessment for Morgan Hill.

IDENTIFY CRITICAL INFRASTRUCTURE AND COMMUNITY VALUES AT RISK

Protecting critical infrastructure is of highest priority. Losses are not just the cost of replacing a physical facility, but the cost associated with loss of the service, which can be significantly more than the facility costs. Loss of services from infrastructure sites can also be far reaching and affect people and operations at considerable distance from the fire itself.

Critical infrastructure is defined as electrical substations and transmission facilities; cellular, television, radio, and other telecommunication sites; railroad structures; highway structures; navigation and coordination facilities; and other sites that are crucial to providing and coordinating essential and business services.

The planning area also includes a large portion of open space, including the Coyote Highlands, Coyote Canyon, Anderson Lake County Park, and Coyote Ridge. These areas are valued for their natural resources and sensitive wildlife habitat, as well as recreational values. In addition to public open space, there are a number of private ranches in the planning area.

There are a number of commercial businesses within the WUI area, including wineries, golf courses, and equestrian facilities. The William F James Boys Ranch – Juvenile Hall is located in the northeast section of the planning area, immediately adjacent to Anderson Lake County Park. A facility of this type presents extraordinary evacuation conditions.

Other Community Values at Risk include life safety, homes and property values, infrastructure, recreation and lifestyle, wildlife habitat, watershed protection, and environmental resources.

MITIGATION PROJECTS AND PRIORITIZATIONS

The following project matrixes have been developed by the community and Core Team to direct specific project implementation for Morgan Hill (Table 11.1–Table 11.5). The matrixes below are tiered to the strategic goals presented in the body of the CWPP through project IDs in the first column of each matrix. The matrixes are broken down into projects to address:

- Hazardous Fuel Reduction
- Firefighting Capability
- Public Education and Outreach
- Structural Ignitability
- General Planning

A treatment map has been developed by the Core Team for fuel treatments in the area (Figure 11.8). Many of these projects have been part of ongoing planning by the Santa Clara County Fire Safe Council in conjunction with public and private stakeholders. These projects are conceptual in nature and are therefore subject to change as this document undergoes future revisions.

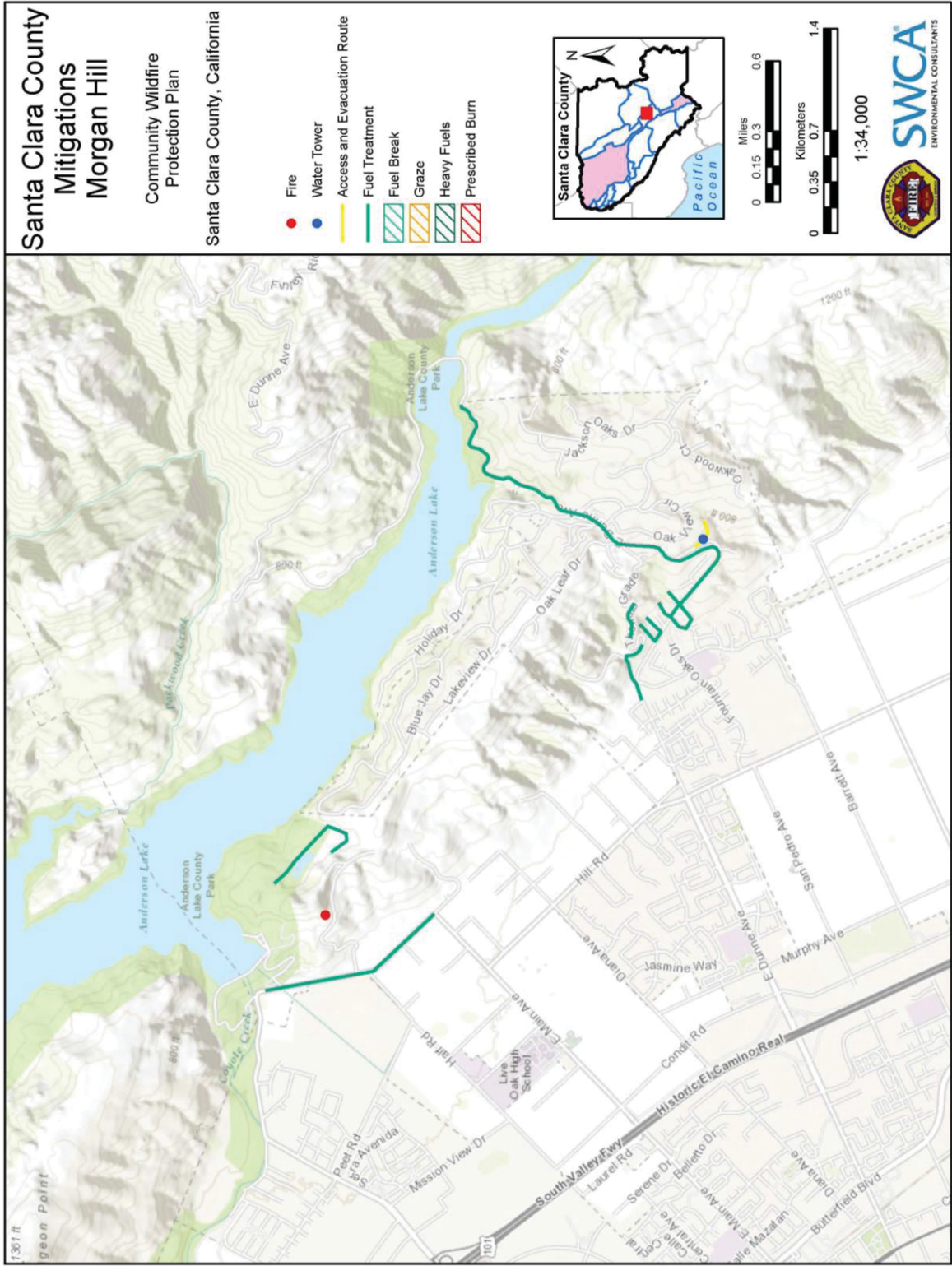


Figure 11.8. Mitigations for Morgan Hill

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Table 11.1. Recommendations for Fuel Reduction Projects in Morgan Hill

ID	Project Description	Location and Land Ownership	Method	Serves to:	Timeline for Action	Priority (1,2,3)	Monitoring	Resources/Funding Sources Available
Strategic Goal FR7: Develop roadside fuel treatment program, including suite of methods available and sustainability mechanism								
MH-FR7.1	Improve ingress/egress capabilities through installation of fuel breaks and brushing.	Morgan Hill WUI areas. Public and privately owned/maintained road systems. E Dunne Ave to Anderson Reservoir to provide safe evacuation.	Limb trees and remove brush along roadways to at least reclaim full original width and height. Goal: minimum 20-foot clear width and 15-foot clear height.	Ensure the safe and rapid evacuation of residents during fire response and suppression activities.	Fall 2016	1	Regular maintenance needed to ensure the fuel break remains clear of vegetation. Monitor for erosion and invasive species.	Morgan Hill Public Works - General Fund Budget. CAL FIRE crews - Public Works budget. Local community groups - donations and grant funding.
MH-FR7.2	Seek funding for erosion control projects to stabilize steep roads for evacuation and emergency response.	Morgan Hills WUI areas. Public and privately owned/maintained road systems.	Installation of erosion control features to reduce potential erosion on steep slopes that may impact access roads.	Keep access roads clear.	Fall 2017	1	Monitor for erosion and invasive species.	Morgan Hill Public Works - General Fund Budget.
Strategic Goal FR4: Encourage use of prescribed fires where ecologically sound and feasible								
MH-FR4.1	Encourage use of prescribed fires where ecologically sound and feasible.	County parks, state parks, CAL FIRE	Use prescribed burn planning that follows agency and regulator protocols. Closely follow plan prescriptions.	Reduce fuel loading of fine fuels and understory species to mitigate potential for intense fire behavior in the event of an unplanned ignition.	Ongoing	1	Regular monitoring needed to ensure against environmental damage and invasive species into burned areas. Monitoring to determine project success in reducing fuel loading.	Grants: CAL FIRE VMP program, SRA(only on SRA lands), CA FSC, CFIP, NRCS
Morgan Hill specific projects - non tiered								
MH FR 1	Establish fuel breaks.	Morgan Hill Holiday Lakes Estates subdivision, County Parks and Open Space Authority, and private property.	Establish new fuel break on the western slope below the Holiday Lakes Estates subdivision. Encourage cooperation between public and private landowners.	Slow the spread of fire up this slope. Reduce the intensity of possible flame fronts.	Spring 2017	2	Regular maintenance needed to ensure the fuel break remains clear of vegetation. Monitor for erosion and invasive species.	Morgan Hill Public Works - General Fund Budget. CAL FIRE crews and dozers - Public Works budget. Local community groups - donations and grant funding.

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ID	Project Description	Location and Land Ownership	Method	Serves to:	Timeline for Action	Priority (1,2,3)	Monitoring	Resources/Funding Sources Available
MH FR 2	Improve fuel breaks.	Morgan Hill WUI areas, Open Space Authority, and city owned lands.	Evaluate existing trail systems. Identify strategic locations for shaded fuel breaks in new and existing trail systems.	Slow the spread of fire. Reduce the intensity of fires originating on or near trails.	Spring 2018	3	Regular maintenance needed to ensure the fuel break remains clear of vegetation. Monitor for erosion and invasive species.	Morgan Hill Public Works - General Fund Budget. CAL FIRE crews - Public Works budget. Local community groups - donations and grant funding.
MH FR3	Implement hillside vegetation programs to encourage native fire safe vegetation establishment.	Morgan Hill WUI areas, Open Space Authority, and city owned lands.	Invasive species removal- (i.e., Control of Broom along Thomas Grade), erosion control and planting of native species.	Reduce invasion by exotic species that can alter fire regimes.	Spring 2018	2	Monitor for erosion and invasive species.	Local community groups - donations and grant funding.

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Table 11.2. Recommended Firefighting Capability Projects in Morgan Hill

ID	Project Description	Fire Department/Agency	Benefits of the Project to the Community	Timeline/Priority (1,2,3)	Resources/Funding Sources Available
Strategic Goal FC13: Develop a coordinated approach between fire jurisdictions and water supply agencies to identify needed improvements to the water distribution system, initially focusing on areas of highest wildfire hazard.					
MH-FC13.1	Improve firefighting water supplies in Holiday Lakes and Jackson Oaks subdivisions.	Morgan Hill Public Works.	Increase available fire flow in these neighborhoods. Add fire hydrants to new main line on E. Dunne Avenue. Provide redundancy in water supply infrastructure. Increase capacity of gravity-fed water supplies.	Fall 2016/1	General Fund.
Strategic Goal FC8: Where road systems are antiquated and do not provide for proper evacuation or two-way flow, require removal of obstructions or upgrade to minimum two-lane road system over time.					
MH-FC8.1	Improve ingress/egress capabilities. Add shoulders and widen roads where possible.	Morgan Hill Jackson Oaks and Holiday Lakes Estates subdivisions, County Parks and Open Space Authority, private property, and city lands.	Establish secondary access roads into Holiday Lakes and Jackson Oaks subdivisions. Ensure the safe and rapid evacuation of residents during fire response and suppression activities.	Fall 2018/2	Morgan Hill Public Works - General Fund Budget. CAL FIRE crews and dozers - Public Works budget. Local community groups - donations and grant funding.
Strategic Goal: Implement countywide program to replace existing house number markers with reflective markers that meet consistent standard.					
MH-FC12.1	Improve road, street, and address, identification using reflective materials. Provide signage on flag lots and streets lacking signage.	Morgan Hill WUI areas. Privately owned/maintained road systems.	Repaint, re-letter, or replace road/street signs that do not meet existing standards; install additional road/street signs to ensure identification from either direction of travel. Post community address signs to identify unmarked residences. Ensure the rapid identification of streets, roads, and addresses, during an emergency.	Spring 2017/2	Morgan Hill Public Works - General Fund Budget. Local community groups - donations and grant funding. HOAs annual dues
Morgan Hill specific project - non tiered					
MH-FC1	Add hand crew capabilities.	CAL FIRE, Santa Clara County Juvenile Justice System.	Use juveniles in corrections setting for public service. Form hand crews from available inmates for rapid response and increased firefighting capacity.	Summer 2018/2	Undetermined
MH FC2	Seek funding for road improvements on roads in Jackson Oaks- i.e. pot holes	Privately owned/maintained road systems.	Enhance emergency response times and evacuation.	Fall 2017/2	Morgan Hill Public Works - General Fund Budget.

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Table 11.3. Recommended Public Education and Outreach Projects in Morgan Hill

ID	Project	Presented by	Target Date	Priority (1,2,3)	Resources Needed	Serves to
Strategic Goal EO3: Organize a community group made up of residents and agency personnel to develop materials and communicate relevant defensible space messages. Could coordinate with fire departments or Fire Safe Council.						
Possibility to coordinate actual implementation of defensible space and slash clear-up with the local Eagle Scout group or high school volunteers.						
MH-EO3.1	Organize a community group made up of residents and agency personnel to develop materials and communicate relevant defensible space messages. Could coordinate with fire departments or Fire Safe Council.	Fire Safe Council, fire departments, local residents, Eagle Scouts, High School Community Volunteer Program.	Spring 2017	1	Funding to help cover costs of materials (green waste removal or chipper) and participation. People trained in defensible space practices.	Engage diverse stakeholders in reaching out to community members and encourage defensible space practices. Empower homeowners to make affordable and effective changes to reduce the vulnerability of individual homes.
MH-EO3.2	Homeowner's Guide. Provide copies of an existing guide for homeowners in the WUI to inform them and encourage them to prepare.	Morgan Hill Fire Department.	Spring 2017	2	Funding to purchase and distribute 5,000 copies of the guide.	Give residents detailed and locally specific tools that they can use to improve preparedness.
Strategic Goal EO7: Plan livestock evacuation routes and inform communities. Work with emergency management officials to plan evacuation routes for residents with livestock and then hold community meetings to disseminate to the public.						
MH-EO7.1	Address density of livestock in planning area and provide plan in event of wildfire.	Emergency management officials, livestock agencies/ civic groups.	Fall 2018	2	GIS software or maps - coordinate with EQ Clearing House - GIS sharing.	Protect communities, livestock and infrastructure through increased awareness.
Strategic Goal EO13: Implement Firewise Communities programs. Work with communities to participate in Firewise Communities and prepare for fire events. Hold Firewise booths at local events for example during the October Fire Awareness Week each year.						
MH-EO13.1	Encourage all Morgan Hill WUI neighborhoods to become certified Firewise Communities.	Fire Safe Council, CAL FIRE, County Fire.	Fall 2018	2	Firewise Communities educational materials.	Protect communities and infrastructure through increased awareness and defensible space.

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Table 11.4. Recommendations for Structural Ignitability Projects in Morgan Hill

ID	Project	Presented by	Programs Available	Description	Contact	Priority (1,2,3) /Date
Strategic Goal: SI 10: Public education program for embers and problems associated with embers, property hygiene, and defensible space.						
MH-SI10.1	WUI fire protection workshops.	Local Fire Marshal. All residents would be encouraged to participate.	Firewise, agency outreach personnel, Ready, Set, Go! Tailor to specific risk/hazards in each community	Offer hands-on workshops to highlight individual home vulnerabilities and how-to techniques to reduce ignitability of common structural elements.	Fire Marshal, Firewise personnel, CAL FIRE.	1/Spring 2017
Strategic Goal SI4: Adopt common defensible space standards throughout the county						
Strategic Goal SI 19: Create a countywide defensible space ordinance for parcels below certain size acreage (parcel size: e.g., 2 acres?), if not cleared by owner, then county will clear. Could be tied to county weed abatement program.						
MH-SI4.1 and MH-SI9.1	Stronger defensible space regulations.	Regional Fire Marshals, to be adopted locally in the 2016 California Fire Code cycle.	Based on existing state laws and standards.	New emphasis on maintenance, presented in plain language and a logical progression. Eliminate current jurisdictional limitations.	Regional Fire Marshals.	1/Spring 2017
Strategic Goal SI7: Promote Firewise Community recognition program countywide; consider SCL amendments to Firewise; partner with CERT and Neighborhood Watch.						
MH-SI7.1 Links to MH-EO-13.1	Firewise Communities certification. Establish and support a new Firewise Communities Group. Jackson Oaks already moving towards certification. Holiday Lakes to follow similar process.	Fire Safe Council, CAL FIRE, County Fire.	Firewise Communities USA.	Fire risk analysis of the Jackson Oaks and Holiday Lakes subdivisions. Staff hours to facilitate and support. Give residents ownership of the fire problem, provide resources and information necessary to inform and prepare the community for fire.	Morgan Hill Fire Department.	1/Fall 2018

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Table 11.5. Recommendations for General Planning Projects in Morgan Hill

ID	Project Description	Method	Timeline for Action	Priority (1,2,3)	Monitoring/Sustainability	Resources/Funding Sources Available
Strategic Goal GP1: Ensure project sustainability.						
MH- GP1.1	The CWPP serves as the wildfire component of Morgan Hill Local Hazard Mitigation Plan (LHMP) and General Plan - Safety and other element amendments.	Work with city planning to identify timeline for incorporation in next LHMP update. Aim to have the strategic-level CWPP incorporated into the Safety Element of the General Plan when the safety element is next revised. Getting it into the General Plan is equivalent to getting the CWPP adopted.	Next 5 years	2	The core group of stakeholders would need to ensure that the document is kept relevant in that time and position it for incorporation.	Internal funding
MH- GP1.2	Ensure project sustainability.	Have a target date for updating the datasets used in the risk assessment model and re-running the model. Establish trigger points for updating CWPP. Make contact with Santa Clara County Fire Department to note your interest in participating in the project and identify CWPP meeting schedule.	Annually	1	Establish annual oversight of the CWPP and project status. Get buy-in from Core Team members for long-term commitment to CWPP review.	Internal funding
MH- GP1.3	Designate a member to the Countywide CWPP Core Team for CWPP updates.	Identify staff and convene a kickoff of the working group and identify tasks and goals for CWPP updates.	Meet quarterly	1	Commit to attendance at one CWPP meeting annually.	Internal funding
MH- GP1.4	Develop methods for sustainability of hazardous fuel reduction.	Develop action for city council to adopt method to fund sustainable hazardous fuel maintenance (such as Mello-Roos Community Facility Districts for new subdivisions).	As needed	2	Enactment of policy.	Internal funding
Strategic Goal GP2: Parcel Level Defensible Space Inspection Task Force						
MH-GP2.1	Join countywide task force to do parcel level inspection work to enhance model; utilize portable data collection and ArcGIS as analysis tools.	Carryout parcel level assessments to enhance risk assessment model components at a finer scale. Add data to model and re-run as necessary.	2 years	1	Set target number of parcels to be assessed each year. Review number of parcels assessed each year at annual CWPP meeting.	Internal funding
Strategic Goal GP3: Develop countywide standard and method for continued data gathering and risk analysis.						
MH-GP3.1	Use a countywide standard and method for continued data gathering and risk analysis.	Conduct funding to purchase a commercial application, such as Fulcrum, that provides a standard data collection platform that could be used on a smart phone/tablet.	2 years	1	Annual review of progress as part of Core Team.	California Fire Safe Council clearinghouse grants; internal funding

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ID	Project Description	Method	Timeline for Action	Priority (1,2,3)	Monitoring/Sustainability	Resources/Funding Sources Available
Strategic Goal GP5: Add hyperspectral and LiDAR imaging to periodic aerial photography flights.						
MH-GP5.1	Seek LiDAR and hyperspectral imagery for aerial photography of Morgan Hill.	Work in conjunction with the City Planning, County Assessor, or others to add additional sensing cameras to aerial photo flights. Hyperspectral and LiDAR can provide in depth identification and analysis of hazards and risks.	1–3 years	1	Periodic new flights to update data sets.	Grants: Federal Emergency Management Agency, Department of Homeland Security, State Responsibility Area, Greenhouse Gas Reduction

APPENDIX 11-A

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FIREWISE COMMUNITIES/USA® RECOGNITION PROGRAM COMMUNITY ASSESSMENT
PREPARED FOR THE COMMUNITY OF JACKSON OAKS, 07/19/16

1) Introduction

The Firewise Communities/USA program is designed to provide an effective management approach for preserving wildland living aesthetics. The program can be tailored for adoption by any community and/or neighborhood association that is committed to ensuring its citizens maximum protection from wildland fire. The following community assessment is intended as a resource to be used by the Jackson Oaks residents for creating a wildfire safety action plan. The plan developed from the information in this assessment should be implemented in a collaborative manner, and updated and modified as needed.

Morgan Hill City Fire Marshal Dwight Good conducted this community risk assessment with assistance from CAL FIRE Santa Clara Unit Forester Ed Orre, Dr. Robert Sieben, author of *A Homeowner's Guide to Wildfire Prevention*, and Carol Rice, author of *Managing Fire in the Urban Wildland Interface*. Additional assistance was provided by SWCA Environmental Consultants during their work on the Santa Clara County Countywide Community Wildfire Prevention Plan (CWPP).

2) Definition of the Home Ignition Zone –

The Jackson Oaks community (Jackson Oaks) is located in a wildfire environment. Wildfires will happen--exclusion is not a choice. The variables in a fire scenario are when the fire will occur, and where. This assessment addresses the wildfire-related characteristics of Jackson Oaks. It examines the area's exposure to wildfire as it relates to ignition potential. The assessment does not focus on specific homes, but examines the community as a whole.

A house burns because of its interrelationship with everything in its surrounding home ignition zone---the house and its immediate surroundings. To avoid a home ignition, a homeowner must eliminate the wildfire's potential relationship with his/her house. This can be accomplished by interrupting the natural path a fire takes. Changing a fire's path by clearing a home ignition zone is an easy-to-accomplish task that can result in avoiding home loss. To

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accomplish this, flammable items such as dead vegetation must be removed from the area immediately around the structure to prevent flames from contacting it. Also, reducing the volume of live vegetation will affect the intensity of the wildfire as it enters the home ignition zone.

Included in this assessment are observations made while visiting Jackson Oaks (Figure 1). The assessment addresses the ease with which home ignitions can occur under severe wildfire conditions and how these ignitions might be avoided within the home ignition zones of affected residents. Jackson Oaks residents can reduce their risk of destruction during a wildfire by taking actions within their home ignition zones. This zone principally determines the potential for home ignitions during a wildland fire; it includes a house and its immediate surroundings within 100 to 150 feet.

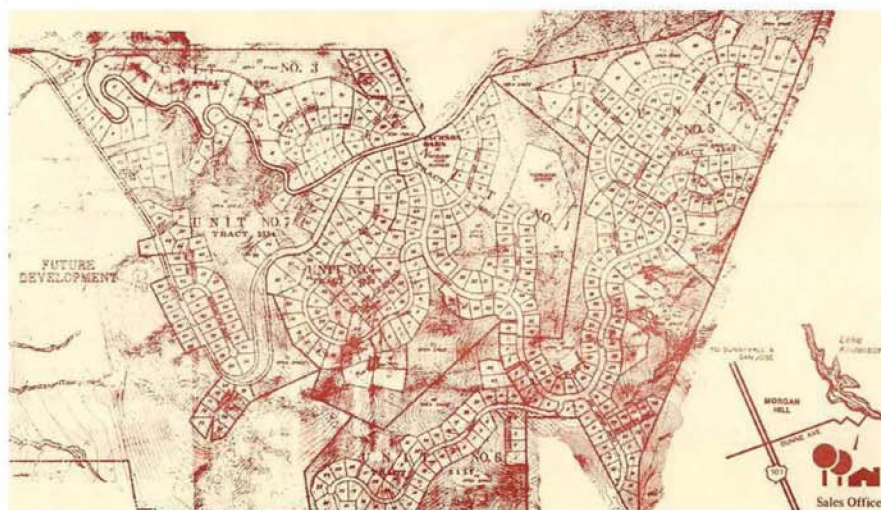


Figure 1. Map from original Real Estate development showing layout of Jackson Oaks.

The result of the assessment is that wildfire behavior will be dominated by the residential characteristics of this area. The good news is that by addressing community vulnerabilities, residents will be able to substantially reduce their exposure to loss. Relatively small investments of time and effort will reap great rewards in wildfire safety.

3) DESCRIPTION OF THE SEVERE CASE WILDLAND FIRE CHARACTERISTICS THAT COULD THREATEN THE AREA

Fire intensity and spread rate depend on the fuel type and condition (live/dead), the weather conditions prior and during ignition, and the topography. Generally the following relationships hold between the fire behavior and the fuel, weather and topography.

- Fine fuels ignite more easily and spread faster with higher intensities than coarser fuels. For a given fuel, the more there is and the more continuous it is, the faster the fire spreads and the higher the intensities. Fine fuels take a shorter time to burn out than coarser fuels.
- The weather conditions affect the moisture content of the dead and live vegetative fuels. Dead fine fuel moisture content is highly dependent on the relative humidity and the degree of sun exposure. The lower the relative humidity and the greater the sun exposure, the lower will be the fuel moisture content. Lower fuel moistures produce higher spread rates and fire intensities.
- Wind speed significantly influences the rate of fire spread and fire intensity. The higher the wind speed, the greater the spread rate and intensity.
- Topography influences fire behavior principally by the steepness of the slope. However, the configuration of the terrain such as narrow draws, saddles and so forth can influence fire spread and intensity. In general, the steeper the slope, the higher the uphill fire spread and intensity.



Figure 2. Aerial photo of Jackson Oaks (highlighted) to depict topography and fuels.

The greatest risks of wildfire in Jackson Oaks come from outside the community. Limited access/egress, fast burning fuel models, ridge top location, and incomplete defensible space present extraordinary risk for Jackson Oaks.

Jackson Oaks is located just west and south of Anderson Lake - Santa Clara County's largest reservoir – and 3,144 acre Anderson Lake County Park which includes a boat launch, multiple use trails and a historic park site. At its closest point, Anderson Lake is within 1000' of Jackson Oaks.

Anderson Lake provides the neighboring Holiday Lakes Estates community with more than a mile of south shore waterfront. Holiday Lakes and Jackson Oaks are each 45-year old suburban foothills developments built on hillsides and ridges with grades averaging 34%. Elevations

*Santa Clara County Community Wildfire Protection Plan
Annex 11 – City of Morgan Hill*

range from 441' to 1230' in a semi-arid Mediterranean type climate. Hot, dry winds, and low humidity, are common to the area. Winter rains promote the growth of grass and brush, creating heavy dry fuel loads in the summer months. Both communities are within High Fire Hazard Severity Zones, as identified by CAL FIRE's Fire Resource and Assessment Program.

Holiday Lakes and Jackson Oaks each contain about 500 homes. Holiday Lakes is located in a mature moderate load conifer and oak woodland. Jackson Oaks is located in an oak/grass model but the fuel load is primarily non-native; flammable ornamental plants (i.e. junipers) are prevalent. Drought stress and damaging forest pest species are steadily changing the canopy. Although these communities are served by Morgan Hill's municipal water supply, the infrastructure is aging and available firefighting water supplies are marginal at best.

Most homes in these communities have well-maintained yards with adequate defensible space, but both communities also have properties without adequate property hygiene. Jackson Oaks is surrounded by expansive open space areas - continuous seasonal grasslands on steep hillsides - and homes on the borders of these open spaces have minimal setbacks from the slope and fuel.



Photo 1. Jackson Oaks homes bordering open space.

Holiday Lakes is comprised of .5 to 1 acre lots with houses under mature canopy on narrow roads; unnamed/unmarked roads and driveways make access difficult. Jackson Oaks is similarly comprised of developed .3 to .5 acre lots. Both communities use small non-reflective street signs that are typically visible from only one direction of travel. Both communities are served by a network of steep, narrow, winding, two-lane roads, without adequate shoulders or fuel

breaks.



Photo 2. Street sign lettering, scale.



Photo 3. Street signs, typical front.



Photo 4. Two lane road, typical. No shoulder or fuel break.

There is only one road into and out of the Jackson Oaks and Holiday Lakes communities (Figure 2, Photos 6 and 7). That road is also a steep, winding, two lane artery. In the event that this road becomes impassible, access and egress will be compromised. Many homes in these communities still have combustible wood roofs (Photos 5, 10 and 16), siding, decks and fencing. Some homes have inaccessible driveways (Photo 12) or minimal turnaround area, which threaten to delay firefighting efforts.



Photo 5. Combustible Wood Roof.



Photo 6. Base of E. Dunne Ave. The only access road into Jackson Oaks/Holiday Lakes.



Photo 7. Mid-slope on E. Dunne Ave.

There are three pronounced drainages that intersect Holiday Lakes, leading from the shores of Anderson Lake west to the ridge line. Using predictive wildfire modeling software with "average bad day" inputs, we have identified the following scenario:

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A structure or vehicle fire occurs at a low point in one of these drainages on a summer afternoon. The response time from our closest fire station is around 9 minutes (due to topography and road conditions). Our first engine company arrives to discover 6 structures involved, 8 more taking direct flame impingement, and at least 3 acres burning in moderate to heavy fuels. Evacuation is an immediate concern and takes precedence over fire suppression activities. Our second and third engine companies arrive at around the 12 minute mark and join in evacuation efforts as a head fire breaks out of the drainage mid-slope and begins to spread laterally under the influences of a prevailing North wind. Fire growth transitions from a moderate rate of spread to *dangerous*. The balance of our initial response is caught in traffic as people begin to flee under heavy smoke conditions and ember showers.

A second alarm assignment will be dispatched to the boat launch at Anderson Dam and response forces will attempt to access the north flank of the fire via off-road trail networks. A minor traffic accident on the only arterial road will effectively seal off all access to Jackson Oaks. Fleeing residents will then be directed east into Henry Coe State Park; the confusion will bring all evacuation efforts to a grinding halt. Winds will carry a developing ember shower south, producing multiple spot fires in the open space areas below and between homes in Jackson Oaks. Those spot fires will begin to converge, threatening hillside homes with large sheeting flame fronts. Within an hour, the municipal water supply will be taxed beyond its capabilities; firefighters will be forced to initiate water shuttle operations, spreading available resources beyond effective or desirable limits. With aircraft support, this fire will be held at less than 50 acres with 20 homes destroyed and another 25 damaged. Fire losses will exceed \$30 million.

4) SITE DESCRIPTION

Jackson Oaks is a 45-year old suburban foothills development built on a hillsides and ridges with grades averaging 34%. The community is within a High Fire Hazard Severity Zone, as identified by CAL FIRE's Fire Resource and Assessment Program. Jackson Oaks contains 503 single-family residences, a small strip-mall, and a community center/clubhouse, on 200 acres, surrounded and intermixed with 1,400 acres of open space preserves and rangeland. Jackson Oaks is located in an oak/grass model but the fuel load is primarily non-native; flammable ornamental plants (i.e. junipers) are prevalent. Drought stress and damaging forest pest species are steadily changing the canopy.



Photo 8. Jackson Oaks landscaping, typical.



Photo 9. Indications of drought stress and beetle kill.

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Most homes in this community have well-maintained yards with adequate defensible space, but there are also parcels with poor property hygiene. Jackson Oaks is surrounded by expansive open space areas - continuous seasonal grasslands on steep hillsides - and homes on the borders of these open spaces have minimal setbacks from the slope and fuel. Many homes still have combustible wood roofs, siding, decks and fencing.



Photo 10. Hillside home, poor property hygiene, combustible deck & siding.



Photo 11. Hillside homes with minimal setback.

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The roads are marked with small non-reflective street signs that are typically visible from only one direction of travel (Photos 2 and 3). Houses are served by a network of steep, narrow, winding, two-lane roads, without adequate shoulders or fuel breaks (Photos 4 and 8). There is only one road into and out of Jackson Oaks (Photos 6 and 7). That road is also a steep, winding, two lane artery. In the event that this road becomes impassible, access and egress will be compromised. Some homes have inaccessible driveways or minimal turnaround area, which threaten to delay firefighting efforts.



Photo 12. Steep, narrow, inaccessible, driveway.

5) ASSESSMENT PROCESS

The data-gathering process involved personal observations during driving tours throughout the community, "town hall" type meetings, and the use of predictive modeling software.

Assessments were conducted individually by no less than four subject matter experts who then met to discuss their findings.

6) IMPORTANT CONSIDERATIONS

The Firewise Communities/USA program seeks to create a sustainable balance that will allow communities to live safely while maintaining environmental harmony in a WUI setting.

Homeowners already balance their decisions about fire protection measures against their desire for certain flammable components on their properties. It is important for them to understand the implications of the choices they are making. These choices directly relate to the ignitability of their home ignition zones during a wildfire.

Jackson Oaks has several properties without adequate defensible space. Flammable ornamental plants (i.e., junipers) are prevalent throughout the development.



Photo 13. Hillside home with inadequate defensible space, bordering open space.



Photo 14. Flammable landscaping plants, typical.

Also notable in the Jackson Oaks community are homes with minimal setback from the slope and adjacency to open space property with long seasonal grasses.



Photo 15. Minimal setback from slope and open space areas.

Several homes have combustible wood roofs and siding and many have combustible decks and fencing (Photos 5 and 10). Some homes have long steep driveways with minimal turnaround, which may impede access by emergency vehicles (Photo 12).



Photo 16. Combustible fence, hillside home.

7) OBSERVATIONS AND RECOMMENDATIONS

Observations:

1. Access/egress is limited partially due to inadequate fuel maintenance along road shoulders. Street and address identification is marginal and may slow emergency response.



Photo 17. Overgrown roadway, typical.

2. Defensible space can be improved for the community-at-large by developing fuel breaks along the perimeters of the development.



Photo 18. Disced fireline, heavy brush on both sides.

3. Elderly and indigent populations may be unable to complete necessary fuel reduction work without assistance.

Recommendations:

1. Improve ingress/egress capabilities by establishing fuel breaks along road shoulders.



Photo 19. Road shoulders cleared as fuel breaks.

2. Improve existing fuel breaks through chipping and discing. Develop shaded fuel breaks in open space oak woodlands.
3. Refinish existing street signs with reflective paint. Add street signs to ensure identification from either direction of travel.



Photo 20. Street signs viewed from reversed direction of travel, typical.

4. Increase community education and engagement through the use of speakers and presentations.
5. Increase community involvement, reinforce educational messages, and reduce threats to the community, through the use of volunteer work projects serving the elderly and indigent population.

8) SUCCESSFUL FIREWISE MODIFICATIONS

When adequately prepared, a house can likely withstand a wildfire without the intervention of

the fire service. Further, a house and its surrounding community can be both Firewise and compatible with the area's ecosystem. The Firewise Communities/USA program is designed to enable communities to achieve a high level of protection against WUI fire loss even as a sustainable ecosystem balance is maintained.

A homeowner/community must focus attention on the home ignition zone and eliminate the fire's potential relationship with the house. This can be accomplished by disconnecting the house from high and/or low-intensity fire that could occur around it. The following photographs were taken in the Crystal Dr. neighborhood and are examples of good Firewise practices.



Photo 21. Reflective, double-sided street signs with 4" letters.



Photo 22. Effective 10' fuel breaks along roadways. Most ladder fuels removed.



Photo 23. Effective 10' fuel break on both sides of roadway.



Photo 24. Effective fuels treatment on slope, shaded fuel break in background.



Photo 25. Shaded fuel break between homes.



Photo 26. Noncombustible roof covering. Leaf litter removed.



Photo 27. Using existing roadways as an effective fuel break.



Photo 28. Shaded fuel break below homes.

9) NEXT STEPS –

After reviewing the contents of this assessment and its recommendations, the Jackson Oaks Firewise Board in cooperation with the Morgan Hill Fire Department will determine whether or not it wishes to continue seeking Firewise Communities/USA recognition. The Firewise Communities/USA representative will contact the Firewise Board representative by [date] to receive its decision.

If the site assessment and recommendations are accepted and recognition will be sought, the Jackson Oaks Firewise Board will create agreed-upon, area-specific solutions to the Firewise recommendations and create an action plan in cooperation with the Morgan Hill Fire Department.

Assuming the assessment area seeks to achieve national Firewise Communities/USA recognition status, it will integrate the following standards into its plan of action:

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- Sponsor a local Firewise board, task force, committee, commission or department that maintains the Firewise Community program and status.
- Enlist a WUI specialist to complete an assessment and create a plan from which it identifies agreed-upon, achievable local solutions.
- Invest a minimum of \$2.00 annually per capita in its Firewise Communities/USA program. (Work done by municipal employees or volunteers, using municipal or other equipment, can be included, as can state/federal grants dedicated to that purpose.)
- Observe a Firewise Communities/USA Day each spring that is dedicated to a local Firewise project.
- Submit an annual report to Firewise Communities/USA. This report documents continuing participation in the program.

Jackson Oaks residents are reminded to be conscious of keeping high-intensity fire more than 100 feet from their homes. It is important for them to avoid fire contact with their structures. This includes firebrands. The assessment team recommends the establishment of a 'fire free zone', allowing no fire to burn within ten feet of a house by removing fuels located there. It is a bad idea for fire to touch a house during a wildfire. Remember that, while wildfire cannot be eliminated from a property, it can be reduced in intensity.

Homeowners are reminded that street signs, addresses, road widths and fire hydrants do not keep a house from igniting. Proper attention to their home ignition zones does. They should identify the things that will ignite their homes and address those.

Weather is, of course, of great concern during wildfire season. At such time as fire weather is severe, homeowners should remember not to leave flammable items outside. This includes rattan doormats, flammable patio furniture, firewood stacked next to the house, or other flammables.

Should you require further information, please call 408-310-4654. You may leave a voice mail message at anytime and your call will be returned as soon as possible. I may also be reached by email at Dwight.Good@fire.ca.gov

Sincerely,

Dwight Good
Fire Marshal

RESOLUTION NO. 19-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL ADOPTING THE CITY OF MORGAN HILL ANNEX TO THE SANTA CLARA COUNTY COMMUNITY WILDFIRE PROTECTION PLAN AS THE CITY OF MORGAN HILL'S COMMUNITY WILDFIRE PROTECTION PLAN

WHEREAS, wildfire is an ever-increasing concern for many communities in California and across the United States; and

WHEREAS, in recent years, there have been several significant wildfires in the local region near Morgan Hill, as well as in California and other areas of the United States, that have resulted in the loss of homes and lives; and

WHEREAS, the cost in lives lost to wildfire has no measure; and

WHEREAS, the cost to suppress wildfires across California typically exceeds one billion dollars annually; and

WHEREAS, the cost to property loss in California is in the billions annually; and

WHEREAS, The County of Santa Clara prepared a Community Wildfire Protection Plan (CWPP) with an Annex for the City of Morgan Hill; and

WHEREAS, the CWPP's primary goal is to protect human life and reduce property loss due to wildfire by identifying wildfire risk and mitigation measures in the areas, most at risk for wildfire; and

WHEREAS, the CWPP is a strategic plan with goals for creating a safer community; and

WHEREAS, the CWPP was developed in collaboration with all fire jurisdictions, wildfire professionals and non-profits in Santa Clara County, and the Sheriff's Office; and

WHEREAS, a series of community workshops and solicited community input on the development of the plan, including identification of hazards and potential mitigation measures were part of the creation of the CWPP; and

WHEREAS, the Santa Clara County CWPP includes annexes that address specific issues and projects to address these risks in Morgan Hill; and

WHEREAS, the City of Morgan Hill annex to the Santa Clara County CWPP serves as the City of Morgan Hill's CWPP.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Morgan Hill does hereby adopt the City of Morgan Hill Annex to the Santa Clara County Community Wildfire Protection Plan as the City of Morgan Hill's Community Wildfire Protection Plan.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on the 15th day of May 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rich Constantine, 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 May 15, 2019.

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

DATE: _____

Irma Torrez, CITY CLERK



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

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

ADOPT ORDINANCE 2302 NEW SERIES, AMENDING SECTIONS 13.16.030 “RATES-RESIDENTIAL AND NONRESIDENTIAL”, 13.16.035 “RATES-LOW INCOME”, 13.16.040 “RATES- MOBILE HOME UNITS”, 13.16.080 “RATE INCREASES-EFFECTIVE WHEN”, 13.16.090 “RATES - ADJUSTMENT PROCEDURE - APPEAL”, OF CHAPTER 13.16 “SEWER RATES AND INTERIM GROWTH MANAGEMENT” OF TITLE 13 PUBLIC SERVICES OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL REGARDING THE ESTABLISHMENT AND INCREASE OF SEWER RATES

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2302, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Protecting the Environment
Maintaining Fiscal Responsibility

2019 Strategic Priorities

Financial Stewardship
Infrastructure

GUIDING DOCUMENTS

Sewer System Master Plan

REPORT NARRATIVE:

On May 1, 2019, the City Council introduced Ordinance No. 2302 New Series, by the following roll call vote: AYES: Carr, McKay, Spring, Martinez Beltran, Constantine; NOES: None; ABSTAIN: None; ABSENT: None.

The ordinance amending Chapter 13.16 of the Morgan Hill municipal code is in relation to the newly adopted wastewater rates and related adjustments. The majority of the amendments are to remove references to outdated rates, remove language pertaining to the cap of 13 Hundred Cubic Feet (HCF) in calculating the volumetric component of the wastewater charge, and updates to section references within the chapter.

COMMUNITY ENGAGEMENT: Inform and Consult

On February 8, 2019, the draft 2019 wastewater rate study was made available to the community. Email notifications were generated, and information was presented in the weekly 411.

On February 25, 2019, a public meeting was held to answer any questions and seek feedback from the community.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The required wastewater infrastructure improvements and the wastewater rate study were discussed with City Council during the FY 2018-19 and 2019-20 budget development process and at the 2019 annual goal setting workshop in January 2019.

On February 6, 2019, staff presented a report on the wastewater system needs and discussed the rate study schedule.

On February 20, 2019, the rate study was introduced to the City Council.

On March 6, 2019, City Council adopted a resolution of intent to adjust wastewater rates, authorized commencement of proposition 218 noticing, and set the date of public hearing and adoption of new wastewater rates.

On May 1, 2019, City Council held a public hearing and adopted wastewater rates for the next 5-year period. In addition, Council introduced an ordinance amending the Morgan Hill municipal code Chapter 13.16 in relation to the wastewater rate adjustments.

FISCAL AND RESOURCE IMPACT:

The fiscal impact of preparing this report is included in the staff's annual workplan. The cost for the wastewater rate study, was budgeted in the Wastewater Operations Fund (640) in the current fiscal year.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

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. 2302 Amending Chapter 13.16 Sewer Rates

ORDINANCE NO. 2302, NEW SERIES

**AN ORDINANCE OF THE CITY OF MORGAN HILL
AMENDING SECTIONS 13.16.030 “RATES-RESIDENTIAL
AND NONRESIDENTIAL”, 13.16.035 “RATES-LOW
INCOME”, 13.16.040 “RATES- MOBILE HOME UNITS”,
13.16.080 “RATE INCREASES-EFFECTIVE WHEN”,
13.16.090 “RATES - ADJUSTMENT PROCEDURE -
APPEAL”, OF CHAPTER 13.16 “SEWER RATES AND
INTERIM GROWTH MANAGEMENT” OF TITLE 13
PUBLIC SERVICES OF THE MUNICIPAL CODE OF THE
CITY OF MORGAN HILL REGARDING THE
ESTABLISHMENT AND INCREASE OF SEWER RATES**

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

Section 1. Section 13.16.030-Rates Residential and Nonresidential of Chapter 13.16 Sewer Rates and Interim Growth Management of Title 13 Public Services is hereby amended to read as follows:

13.16.030 - Rates—Residential and nonresidential.

- A. Rates for residential and nonresidential users shall be set by resolution, enacted under section 13.16.085. The residential sewer volume charge shall be based on the average measured volume of water usage for the three consecutive low water usage months between the months of November 1st and April 30th with a minimum of two HCF per dwelling unit. The three low water usage months shall be annually determined by the finance director based on the total water consumed by all customers. The sewer volume charge for nonresidential users shall be based on actual monthly water usage.
- B. Residential and commercial sewer service customers served by one or more sewer lift station, shall pay the monthly surcharge established under section 13.16.085.
- C. New single-family dwelling units and single-family customers without past history of water usage during the designated months shall be assigned the calculated average single-family water use for the city, which is eight HCF, for billing purposes until the actual water usage for the designated months is measured and implemented with other rate changes in July.
- D. New multifamily units and multifamily customers without past history of water usage during the designated months shall be assigned the calculated average multifamily water use for the city, which is four HCF, for billing purposes until the actual water usage for the designated months is measured and implemented with other rate changes in July.

Section 2. Section 13.16.035 Rates- Low Income of Chapter 13.16 Sewer Rates and Interim Growth Management of Title 13 Public Services is hereby amended to read as follows:

13.16.035 - Rates—Low income.

Customers residing in dwelling units which have individual city water meters may qualify for the low-income rate by presenting a copy of a utility bill indicating that they are receiving the “CARE” discount from PG&E and/or a "Lifeline" rate from GTE. The sewer service charge shall be the rate adopted by the City Council under 13.16.085, less any approved low-income subsidy in effect at the time. The supplemental rate per HCF, and lift station surcharge shall apply in accordance with Section 13.16.030.

Section 3. Section 13.16.040 Rates- Mobile Home Units of Chapter 13.16 Sewer Rates and Interim Growth Management of Title 13 Public Services is hereby amended to read as follows:

13.16.040 - Rates—Mobile home units.

For each mobile home park or trailer park, the sewer service charge shall be a base rate plus a supplemental rate for each one hundred cubic feet (HCF) of water used per dwelling unit based on the average measured volume of water usage for the months of December, January and February. In addition, for those areas served by one or more lift stations, there shall be a surcharge rate per month per mobile home park.

Section 4. Section 13.16.080 Rate Increases- Effective When of Chapter 13.16 Sewer Rates and Interim Growth Management of Title 13 Public Services is hereby amended to read as follows:

13.16.080 - Rate increases—Effective when.

The effective dates for any rate increase shall be set in the resolution adopted under section 13.16.085.

Section 5. Section 13.16.090 - Rates—Adjustment Procedure—Appeal of Chapter 13.16 Sewer Rates and Interim Growth Management of Title 13 Public Services is hereby amended to read as follows:

13.16.090 - Rates—Adjustment procedure—Appeal.

Residential sewer users who by reason of special circumstances find that the foregoing rates are unjust or inequitable as applied to their premises, may make written application to the director of finance. Commercial sewer users who by reason of special circumstances find that the foregoing rates are unjust or inequitable as applied to their premises, may make written

application to the director of public services. Such application shall state the circumstances and request a different basis of sewer service charge. If the director of finance or public services denies such application, the sewer user may appeal the decision to the city manager.

Section 6. **Severability.** Should any provision of this ordinance be deemed unconstitutional or unenforceable by a court of competent jurisdiction, such provision shall be severed from the ordinance, and such severance shall not affect the remainder of the ordinance.

Section 7. **Effective Date; Posting.** This Ordinance shall take effect on June 15, 2019. The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE CITY COUNCIL HELD ON THE 1st DAY OF MAY 2019 AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 15TH DAY OF MAY 2019 AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH THE LAW BY THE FOLLOWING VOTE:

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

APPROVED:

RICH CONSTANTINE, Mayor

ATTEST:

IRMA TORREZ, City Clerk

DATE: _____

Effective: June 15, 2019

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. 2302, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 15th day of May 2019.

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

DATE: _____

IRMA TORREZ, City Clerk

DRAFT



Meeting Minutes City Council

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

Wednesday, May 1, 2019 6:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 6:00 p.m. for the purpose of conducting a closed session.

SPECIAL MEETING

6:00 P.M.

CALL TO ORDER

Mayor Constantine called the meeting to order 6:00 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow called the roll.

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Present	
Rene Spring	Mayor Pro Tem	Present	
Yvonne Martinez Beltran	Council Member	Late	6:30 PM
Larry Carr	Council Member	Present	
John McKay	Council Member	Present	

Minutes Acceptance: Minutes of May 1, 2019 6:00 PM (CONSENT CALENDAR)

DECLARATION OF POSTING AGENDA

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

CLOSED SESSION

City Attorney Donald Larkin announced the closed session items.

OPPORTUNITY FOR PUBLIC COMMENT

The public comment was opened at 6:01 p.m.

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

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:01 p.m.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation under Government Code section 54956.9(b).

One potential case

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(CA Govt Code 54956.9(a))

City of Morgan Hill v. Bushey (Morgan Hill Hotel Coalition), et al. Case No. 16-CV-292595

REGULAR MEETING

7:00 P.M.

RECONVENE

The meeting reconvened at 7:02 p.m.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that there was no reportable action from the closed session items.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL REPORTS

Council Member McKay shared that he has been very active listening and learning about the role of the Council. He has spent a great deal of time learning about affordable housing and the housing crisis in general. There are a lot of discussions going on and some of the changes coming down from Sacramento could have very substantial impacts to our local community. He mentioned that a few weeks ago, he attended the Poppy Jasper International Film Festival. It is an internationally recognized film festival that started here in Morgan Hill several years ago and has been recently resurrected. It was a fantastic event with great films. He shared that the Art a la Carte event, which is put on by the Library, Culture, and Arts Commission, took place last weekend. The Morgan Hill Downtown Association also held the Art and Wine

Stroll last weekend which is another wonderful event. He concluded by sharing that he and Council Member Spring attended the South County Indian Association Holi Celebration. It was a lot of fun and a great opportunity to see some of the diversity in our community.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke regarding the evening's supplements and presentations. She shared that in support of the Council's ongoing priorities of enhancing public safety, as well as, enhancing diversity and inclusiveness, last week the City held its first "Listos" class which is a grass roots disaster preparedness program tailored towards Spanish speaking communities. The next class will take place on May 2nd and will cover the use of extinguishers, disaster medicine, team organization, and psychology. For more information please contact Maureen Tobin.

She announced that this year, we will launch Engage Morgan Hill by incorporating it with the Mid-Cycle Budget Workshop on Wednesday, May 22nd at 6:00 p.m. The hope is that by having it in the evening rather than during the day, we will have more participation from the community. She encouraged the community to attend to learn more about the City's financial landscape as we embark on the Engage Morgan Hill Community Conversation, where we will cover services, funding, and priorities.

She mentioned that we have several proclamations on the agenda tonight, one of which is Affordable Housing Weeks. She shared that in conjunction with the annual Affordable Housing Weeks, the cities and county have over 30 events taking place geared toward the subject of housing. In the spirit of community collaboration, every city in the county is proclaiming and recognizing the weeks of May 3rd through 17th as Affordable Housing Weeks. She encouraged the community to join us as we host Affordable Housing Week 2019 where we bring our community together to learn, engage, act, and explore how we can work to make Silicon Valley a more affordable place to live. There will be a variety of workshops, trainings, walking and bike tours, the annual policy luncheon, and much more. Last night, we had over 90 attendees at the Measure A First Time Home Buyer Down Payment Assistance Workshop. Saturday, May 4th we will be holding an Accessory Dwelling Unit (ADU) Workshop at the Council Chamber with the Housing Trust of Silicon Valley, where we will be showcasing an ADU microunit.

She concluded by introducing and welcoming Dale Martin, as the new Fire Captain working with the City.

OTHER REPORTS

None.

PROCLAMATIONS

Proclaiming the Month of May as Aquatics Month

Proclaiming the Weeks of May 3 through 17, 2019 as Affordable Housing Weeks

Proclaiming the Week of May 6 through 12, 2019 as Wildfire Awareness Week

PUBLIC COMMENT

The public comment was opened at 7:19 p.m. The following people were called to speak:

Ranga Rayvou

Joe Baranowski

Bryan Espirith

Terry Williams

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rene Spring, Mayor Pro Tem
SECONDER:	John McKay, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

CONSENT CALENDAR**MOTION:**

Approving consent calendar items 1 through 5, 7, and 8.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Rene Spring, Mayor Pro Tem
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

1. ACCEPT SUBDIVISION PUBLIC IMPROVEMENTS – SOLERA RANCH – TRACT NO. 10290

Recommendation:

1. Accept the subdivision public improvements for Solera Ranch – Tract No. 10290;
2. Authorize the City Engineer to sign a Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

2. ACCEPT SUBDIVISION PUBLIC IMPROVEMENTS – THE COMMONS – TRACT NO. 10047

Recommendation:

1. Accept the subdivision public improvements for The Commons – Tract No. 10047;
2. Authorize the City Engineer to sign a Notice of Completion; and
3. Direct the City Clerk to file the Notice of Completion with the County Recorder's Office.

3. AWARD 2019 SIDEWALK REPAIR CONTRACT

Recommendation:

1. Award a contract to Golden Bay Construction, Inc. in the amount of \$95,219;
2. Authorize the expenditure of construction contingency funds not to exceed \$19,044; and
3. Authorize the City Manager to execute and administer that certain construction contract with Golden Bay Construction, Inc.

4. APPROVE THE PURCHASE OF PLAY EQUIPMENT FOR THE INCLUSIVE PLAYGROUND PROJECT

Recommendation:

Authorize the City Manager to approve sole source purchase of playground equipment at the Morgan Hill Magical Bridge Playground at a not to exceed total of \$170,373.

5. RECEIVE REPORT REGARDING PARK DEVELOPMENT GRANT OPPORTUNITY

Recommendation:

Receive report on park development grant opportunity.

6. ITEM PULLED FOR DISCUSSION

7. APPROVE THE APRIL 17, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

8. APPROVE THE APRIL 17, 2019 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEM PULLED FOR DISCUSSION

6. ADOPT RESOLUTION OPPOSING A POTENTIAL DECREASE IN THE SUBSIDY FOR AGRICULTURAL WATER

Recommendation:

Adopt resolution opposing a potential decrease in the subsidy for agricultural water.

Valley Water Board Member for District 1, John Varela, provided information regarding the importance of the subsidy for agricultural water rates.

MOTION:

Approving the recommended action.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Rene Spring, Mayor Pro Tem
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

OTHER BUSINESS

9. ACCEPT 2019 CITY INFRASTRUCTURE UPDATE REPORT

Recommendation:

Accept the updated 2019 Report on City Infrastructure.

Public Services Director Chris Ghione presented the report.

The public comment was opened at 8:10 p.m.

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

RESULT:	ACCEPT REPORT
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PUBLIC HEARING

10. HOLD PUBLIC HEARING REGARDING REVISIONS TO WASTEWATER RATES AND ADOPT RELATED AMENDMENTS TO CHAPTER 13.16 - SEWER RATES AND INTERIM GROWTH MANAGEMENT

Recommendation:

1. Receive and adopt final draft of 2019 Wastewater Rate Study Report prepared by NBS;
2. Open public hearing and receive public comment;
3. Request submission or withdrawal of proposition 218 protest letters from the public/audience;
4. Close public hearing and allow Deputy City Clerk, or designee, to tabulate final Proposition 218 protest letter count;
5. Receive and accept verbal report from Deputy City Clerk, or designee, on ballot tabulation results;
6. Adopt resolution approving wastewater rates adjustments;
7. Waive the first and second reading of the ordinance; and
8. Introduce the ordinance amending Chapter 13.16 of the Morgan Hill Municipal Code.

Accounting Manager Harjot Sangha presented the report.

The public hearing was opened at 8:20 p.m.

Gary Jensen was called to speak.

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

The meeting was recessed at 8:24 p.m. to count the protests.

The meeting reconvened at 8:36 p.m.

Deputy City Clerk Michelle Bigelow announced that there were 69 protests received and accepted, which did not meet the minimum needed.

MOTION:

Adopting the resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor
SECONDER:	Rene Spring, Mayor Pro Tem
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

MOTION:

Waiving the first and second reading of the ordinance.

RESULT:	WAIVED [UNANIMOUS]
MOVER:	Rene Spring, Mayor Pro Tem
SECONDER:	Rich Constantine, Mayor
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

MOTION:

Introducing the ordinance.

RESULT:	INTRODUCED [UNANIMOUS]
MOVER:	Rene Spring, Mayor Pro Tem
SECONDER:	John McKay, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

11. APPEAL OF THE COMMUNITY DEVELOPMENT DIRECTOR'S DETERMINATION TO REJECT A RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCE) APPLICATION FOR PROPERTY IDENTIFIED BY ASSESSOR'S PARCEL NUMBER 817-04-059, LOCATED ALONG TENNANT AVENUE, WEST OF VINEYARD BOULEVARD (OSITO HOLDINGS, LLC, APPLICANT)

Recommendation:

City Council to consider the appeal and determine whether the applicant's modified plans may be accepted allowing the project to continue in the 2018 RDCE competition.

Community Development Director Jennifer Carman presented the report.

The public hearing was opened at 8:43 p.m. The following people were called to speak:

David Halvorsen

Bill McClintock

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

MOTION:

Granting the appeal with original site design with corrected labeling not moving the building and recovering the actual appeal costs and waiving the difference between the actual costs and the current fee charged.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Larry Carr, Council Member
AYES:	Constantine, Spring, Martinez Beltran, Carr, McKay

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:24 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, Deputy City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Judy Viegas, Administrative Analyst
APPROVED BY: City Manager

INITIATE ANNUAL ASSESSMENT PROCESS FOR LANDSCAPE ASSESSMENT DISTRICT NUMBER 1

RECOMMENDATION(S)

Adopt resolutions approving the following actions:

1. Initiate the proceedings for the levy of assessments for Fiscal Year 2019-20;
2. Approve the Engineer's Annual Report and the proposed assessment levy; and
3. Declare the City Council's intention to levy the assessments in the District and to set the Public Hearing date for June 5, 2019.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

2019 Strategic Priorities

Infrastructure

REPORT NARRATIVE:

Landscape Assessment District No. 1 (District) was created to pay for the maintenance of the parks and common area landscaping in new neighborhoods benefiting from the open space. Per Government Code Sections 22623 to 22631, an Engineer's Annual Report (Attachment 1) is required to set the annual assessments in the Landscaping Assessment District and establish a Public Hearing date. This Public Hearing date has been scheduled for the City Council meeting of June 5, 2019.

In May 2011, reserve targets for each subarea were recommended and approved by the Council. The recommended assessment rate for each subarea, which is reflected in the Annual Report, has been proposed at a level that will enable the City to maintain each subarea and make reasonable improvements during the fiscal year. In April 2019, property owners in the Parsons Corner Zone voted to detach from the District. Therefore, there is no assessment for the Parsons Corner Zone. The Engineer's Annual Report details the proposed Fiscal Year 2019-20 assessments.

In the case of multiple subareas where the assessment cap does not increase annually, and funding is limited, maintenance services continue to be minimized. The Landscape Assessment District law requires property owners in these areas to vote to improve assessment increases. In some cases, property owners are not willing to increase their assessments. Staff will continue to look for alternatives to effectively manage the District and plans to engage residents in many of the underfunded sub-areas over the next year to look for solutions.

COMMUNITY ENGAGEMENT:

Ongoing resident outreach is occurring in several of the subareas and City staff are striving to increase the resident outreach. Some areas have more active homeowners' groups that work with City staff in planning maintenance projects for their subareas, while residents of other subareas are less engaged. In recent years, the City staff have successfully outreached to several areas and were successful in working to increase the assessment in the Sandalwood sub area in 2018. Although outreach with the residents is typically positive, not all residents are satisfied with the service being provided within their subarea. This dissatisfaction is often due to the limitations on funding available to the subarea without raising assessments.

Staff is not proposing increases or decreases to assessments at this time, so no direct mailing has occurred. Staff will be engaging several areas via direct mail and targeted outreach in the coming year to attempt to address declining reserve levels within specific subareas.

ALTERNATIVE ACTIONS:

There is no other practical alternative action. The City Council could choose to provide staff with further direction on management of the District.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

In 1991, the City Council, under the Landscaping and Lighting Act of 1972, created the Fox Hollow/Murphy Springs Landscape Assessment District, and in 2010 chose to rename it to the City of Morgan Hill Landscape Assessment District No. 1. In May 2011, reserve targets for each subarea were established by the Council.

On June 6, 2018, City Council adopted the Fiscal Year 2018-19 Annual Assessments and Ordering Levy for Assessments for the District.

FISCAL AND RESOURCE IMPACT:

The cost for preparation of the Engineer's Annual Report will be paid for by the Assessment District. It is anticipated that the District will generate \$180,305 in revenues in Fiscal Year 2019-20. Expenses are budgeted at \$190,887 meaning that overall the District's reserves are projected to be reduced by \$10,582 in the upcoming fiscal year. Providing administrative oversight to the District is a core activity of the Community Services Department's work program.

CEQA (California Environmental Quality Act):
Categorical Exemption

The planned maintenance and management of the subareas within the lighting and landscape assessment district fall within the CEQA categorical exemption of Class 1, Existing Facilities.

LINKS/ATTACHMENTS:

1. Engineering Report 2019-20
2. Resolution 1 - Initiate Proceedings 19-20

3. Resolution 2 - Approve Report 19-20
4. Resolution 3 - Intent Public Hearing 19-20

CITY OF MORGAN HILL

Fiscal Year 2019/20 Engineer's Report For:

Landscape Assessment District No. 1

May 2019

Attachment: Engineering Report 2019-20 (2298 : LAD)

Prepared by:



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CITY COUNCIL

Rich Constantine, Mayor

Rene Spring, Mayor Pro Tem

Larry Carr, Council Member

Yvonne Martinez Beltran, Council Member

John K. McKay, Council Member

CITY STAFF

Christina Turner, City Manager

Chris Ghione, Public Services Director

Judy Viegas, Administrative Analyst

NBS

Greg Davidson, Client Service Director

Kristin Harvey, Senior Consultant

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1. ENGINEER'S LETTER

WHEREAS, the City Council of the City of Morgan Hill (the "City"), State of California, directed NBS to prepare and file a report, in accordance with Chapter 1, Article 4 of the Landscaping and Lighting Act of 1972 (the "Act"), presenting the plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the City's Landscape Assessment District No. 1 (the "District") for Fiscal Year 2019/20. The report includes a diagram for the District, showing the area and properties proposed to be assessed, an assessment of the estimated costs of the maintenance, operations and servicing the improvements, and the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received and;

WHEREAS, the assessment for each parcel is in compliance with the Proposition 218 Omnibus Implementation Act and Section 4 of Article XIII D of the California Constitution. The proposed assessments are not proposed to increase by more than the approved maximum allowable increases.

NOW THEREFORE, assessments have been levied in accordance with the assessment methodology adopted and approved by the City Council at the time of District formation, and are made to cover the portion of the estimated costs of maintenance, operation, and servicing of the improvements, to be paid by the assessable real property within the District in proportion to the special benefit received:

Zone	Units	2019/20 Maximum Assessment Rate	2019/20 Actual Assessment Rate	Total Assessment ⁽¹⁾
Belle Estates	36	\$502.22	\$320.00	\$11,520.00
Chang/Bertelone	8	1,215.00	550.00	4,400.00
Conte Gardens	11	477.82	365.00	4,015.00
Diana Estates	64	139.39	139.39	8,920.96
Fox Hollow ⁽²⁾	75	213.42	173.53	13,014.75
Hamilton Square	38	425.54	325.00	12,350.00
Jackson Meadows #6	70	108.10	108.00	7,560.00
Jackson Meadows #7	10	314.58	100.00	1,000.00
La Grande Estates	32	88.00	88.00	2,816.00
Lacrosse/Gera	24	142.99	50.00	1,200.00
Llagas Creek ⁽²⁾	71	287.39	233.67	16,590.57
Llagas/Obata	5	629.16	400.00	2,000.00
Mill Creek	84	186.82	186.82	15,692.88
Oak Creek I, II, III	119	453.82	350.00	41,650.00
Parsons Corner ⁽³⁾	0	0.00	0.00	0.00
Rose Haven	27	488.47	400.00	10,800.00
Sandalwood ⁽⁴⁾	11	450.00	450.00	4,950.00
Sparhawk ⁽²⁾	18	306.02	248.82	4,478.76
Stone Creek ⁽²⁾	35	477.75	388.46	13,596.10
Sunnyside/Stonegate ⁽²⁾	10	700.14	375.00	3,750.00
Totals	748			\$180,305.02

(1) Actual amount placed on secured tax roll may be less due to Santa Clara County submittal requirements. Amounts placed on the tax roll must be rounded down to an even number.

(2) Maximum Assessment Rate increases by 3% annually.

(3) Detachment of Parsons Corner Zone was approved in April 2019.

(4) Includes increased rate approved by property owners in April 2018.

2. OVERVIEW

2.1 Introduction

In 1991, the City Council created the Fox Hollow/Murphy Springs Landscape Assessment District, under the Act, and in 2010 chose to rename it to the City of Morgan Hill Landscape Assessment District No. 1. The District was formed in order to provide for the continued maintenance, operation, and administration of various improvements within the boundaries of the District. Following the initial formation, additional territory was annexed to the District as separate Zones. Currently, the District is comprised of 19 Zones (which recently decreased from 20 as a result of property owners within Parsons Corner electing to detach from the District).

The District provides for and ensures the continued maintenance, servicing, administration, and operation of various landscaping improvements and associated appurtenances located within the public right-of-way and dedicated easements within the boundaries of the District.

2.2 Description of Boundaries

Exhibits from the Engineer's Report at the formation of the District define the boundaries and maintenance areas of each Zone within the District. These exhibits are on file and available for review at the office of the City Engineer and, in conjunction with the County of Santa Clara (the "County") Assessor's maps of the areas annexed, comprise the assessment diagrams for the respective annexations. The Assessor's maps are on file in the office of the County Assessor and are, by reference, made a part of this Report.

2.3 Description of Improvements and Services

The improvements include the construction, operation, maintenance, and servicing of landscaping and appurtenant facilities; including, but not limited to, personnel, electrical energy, utilities such as water and gas, materials, contracting services, and other items necessary for the satisfactory operation of the following services:

"Landscape improvements provided within the District may include, but are not limited to: ground cover, shrubs, plants and trees, irrigation and drainage systems, graffiti removal, entry monuments, and associated appurtenant facilities. Services provided include all necessary service, operations, administration, and maintenance required to keep the above mentioned improvements in a healthy, vigorous, and satisfactory condition."

Reference is made to the Plans and Specifications for the improvements, which is on file with the City.

3. ESTIMATE OF COSTS

3.1 Definitions of Budget Items

The following definitions describe some of the services and costs that may be included in the Zone Budgets:

Direct Expenses

Maintenance: Includes all regularly scheduled labor, material (i.e. pipe, fertilizer, insecticides, paint, etc.) and equipment required to properly maintain and ensure the satisfactory condition of all landscaping, irrigation and drainage systems, and appurtenant facilities.

Extra Contract Costs: Includes all labor, equipment, and material costs associated with unscheduled repairs and improvements needed to ensure the satisfactory condition of all landscaping, irrigation and drainage systems, and appurtenant facilities.

Water/Sewer: Includes the furnishing of water required for the operation and maintenance of the landscaping facilities.

Electricity Costs: Includes the furnishing of electricity required for irrigation systems for the operation and maintenance of the landscaping facilities.

Other Supplies: Includes costs that are generally unforeseen and not normally included in the yearly maintenance contract costs. This may include repair of damaged amenities due to vandalism, storms, heavy frost, etc. Also included may be planned upgrades that provide a direct benefit to the District. These upgrades could include replacing plant materials and/or renovation of irrigation systems.

Administrative Expenses

Salaries: Includes the cost to particular departments and staff of the City to provide the coordination of District services, operations, and maintenance of the improvements, response to public concerns and education, and procedures associated with the levy and collection of assessments.

Postage/Advertising: Includes the cost of providing any mailed notice to the property owners and publishing and posting the Resolution of Intention as required by the Act.

Internal Services: Includes overhead costs allocated to the District for various City staff services.

Administrative/Engineering Contract: Includes the costs associated with contracting with professionals to provide services specific to the administration of the levy.

Contingency/Capital Replacement Fund Balance (Reduction)/Reserve

Positive amounts are collected for various reasons that include, but are not limited to, any or all of the following:

- To maintain reserves which enable the City to pay for costs associated with the District during the first six months of the fiscal year,

Contingency/Capital Replacement Fund Balance (Reduction)/Reserve (continued)

- To reduce the current fund balance deficit (if any) that exists as of the beginning of the fiscal year, and
- To plan for the replacement of capital improvements in the future.

3.2 Zone Budgets

The estimated costs of servicing, maintaining, repairing, and replacing the actual improvements for each Zone for Fiscal Year 2019/20 are shown on the following pages.

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone

	<u>Belle Estates</u>
DIRECT EXPENSES	
Maintenance	\$3,552.00
Extra Contract Costs	1,000.00
Water/Sewer	2,600.00
Electricity Costs	0.00
Other Supplies	525.00
Subtotal Direct Expenses	<u>\$7,677.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,764.83
Postage/Advertising	10.03
Internal Services	732.77
Administrative/Engineering Contract	354.62
Subtotal Administrative Expenses	<u>\$2,862.24</u>
SUBTOTAL ZONE COST	\$10,539.24
Fund Balance (Reduction)/Reserve	980.76
TOTAL BALANCE TO LEVY	<u>\$11,520.00</u>
Number of Assessable Units	36
Assessment Rate per Unit	\$320.00
Estimated Beginning Fund Balance July 1, 2019	\$10,987.84
Fund Balance Change	<u>980.76</u>
Estimated Ending Fund Balance June 30, 2020	<u>\$11,968.59</u>

Attachment: Engineering Report 2019-20 (2298 : LAD)



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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone

	Chang / Bertelone
DIRECT EXPENSES	
Maintenance	\$2,040.00
Extra Contract Costs	0.00
Water/Sewer	1,000.00
Electricity Costs	0.00
Other Supplies	400.00
Subtotal Direct Expenses	\$3,440.00
ADMINISTRATIVE EXPENSES	
Salaries	\$392.18
Postage/Advertising	2.23
Internal Services	162.84
Administrative/Engineering Contract	78.80
Subtotal Administrative Expenses	\$636.05
SUBTOTAL ZONE COST	\$4,076.05
Fund Balance (Reduction)/Reserve	323.95
TOTAL BALANCE TO LEVY	\$4,400.00
Number of Assessable Units	8
Assessment Rate per Unit	\$550.00
Estimated Beginning Fund Balance July 1, 2019	\$8,676.38
Fund Balance Change	323.95
Estimated Ending Fund Balance June 30, 2020	\$9,000.32

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Conte Gardens</u>
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	2,000.00
Water/Sewer	1,500.00
Electricity Costs	200.00
Other Supplies	500.00
Subtotal Direct Expenses	<u>\$4,200.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$539.25
Postage/Advertising	3.06
Internal Services	223.90
Administrative/Engineering Contract	108.36
Subtotal Administrative Expenses	<u>\$874.57</u>
SUBTOTAL ZONE COST	\$5,074.57
Fund Balance (Reduction)/Reserve	(1,059.57)
TOTAL BALANCE TO LEVY	<u>\$4,015.00</u>
Number of Assessable Units	11
Assessment Rate per Unit	\$365.00
Estimated Beginning Fund Balance July 1, 2019	\$12,158.63
Fund Balance Change	<u>(1,059.57)</u>
Estimated Ending Fund Balance June 30, 2020	\$11,099.06

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Diana Estates</u>
DIRECT EXPENSES	
Maintenance	\$3,540.00
Extra Contract Costs	500.00
Water/Sewer	800.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$4,840.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$3,137.48
Postage/Advertising	17.83
Internal Services	1,302.70
Administrative/Engineering Contract	630.43
Subtotal Administrative Expenses	<u>\$5,088.43</u>
SUBTOTAL ZONE COST	\$9,928.43
Fund Balance (Reduction)/Reserve	(1,007.47)
TOTAL BALANCE TO LEVY	<u>\$8,920.96</u>
Number of Assessable Units	64
Assessment Rate per Unit	\$139.39
Estimated Beginning Fund Balance July 1, 2019	\$7,798.56
Fund Balance Change	<u>(1,007.47)</u>
Estimated Ending Fund Balance June 30, 2020	<u>\$6,791.09</u>

Attachment: Engineering Report 2019-20 (2298 : LAD)



**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	Fox Hollow
DIRECT EXPENSES	
Maintenance	\$2,040.00
Extra Contract Costs	3,000.00
Water/Sewer	2,150.00
Electricity Costs	0.00
Other Supplies	500.00
Subtotal Direct Expenses	\$7,690.00
ADMINISTRATIVE EXPENSES	
Salaries	\$3,676.73
Postage/Advertising	20.89
Internal Services	1,526.60
Administrative/Engineering Contract	738.79
Subtotal Administrative Expenses	\$5,963.01
SUBTOTAL ZONE COST	\$13,653.01
Fund Balance (Reduction)/Reserve	(638.26)
TOTAL BALANCE TO LEVY	\$13,014.75
Number of Assessable Units	75
Assessment Rate per Unit	\$173.53
Estimated Beginning Fund Balance July 1, 2019	\$17,985.50
Fund Balance Change	(638.26)
Estimated Ending Fund Balance June 30, 2020	\$17,347.24

Attachment: Engineering Report 2019-20 (2298 : LAD)



**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Hamilton Square</u>
DIRECT EXPENSES	
Maintenance	\$5,500.00
Extra Contract Costs	3,000.00
Water/Sewer	4,268.00
Electricity Costs	265.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$13,033.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,862.88
Postage/Advertising	10.58
Internal Services	773.48
Administrative/Engineering Contract	374.32
Subtotal Administrative Expenses	<u>\$3,021.26</u>
SUBTOTAL ZONE COST	\$16,054.26
Fund Balance (Reduction)/Reserve	(3,704.26)
TOTAL BALANCE TO LEVY	<u>\$12,350.00</u>
Number of Assessable Units	38
Assessment Rate per Unit	\$325.00
Estimated Beginning Fund Balance July 1, 2019	\$25,738.29
Fund Balance Change	<u>(3,704.26)</u>
Estimated Ending Fund Balance June 30, 2020	<u>\$22,034.04</u>

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	Jackson Meadows #6
DIRECT EXPENSES	
Maintenance	\$1,725.00
Extra Contract Costs	0.00
Water/Sewer	400.00
Electricity Costs	380.00
Other Supplies	0.00
Subtotal Direct Expenses	\$2,505.00
ADMINISTRATIVE EXPENSES	
Salaries	\$3,431.62
Postage/Advertising	19.50
Internal Services	1,424.82
Administrative/Engineering Contract	689.54
Subtotal Administrative Expenses	\$5,565.48
SUBTOTAL ZONE COST	\$8,070.48
Fund Balance (Reduction)/Reserve	(510.48)
TOTAL BALANCE TO LEVY	\$7,560.00
Number of Assessable Units	70
Assessment Rate per Unit	\$108.00
Estimated Beginning Fund Balance July 1, 2019	\$1.77
Fund Balance Change	(510.48)
Estimated Ending Fund Balance June 30, 2020	(\$508.70)

Attachment: Engineering Report 2019-20 (2298 : LAD)



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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	Jackson Meadows #7
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	500.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$500.00
ADMINISTRATIVE EXPENSES	
Salaries	\$490.23
Postage/Advertising	2.79
Internal Services	203.55
Administrative/Engineering Contract	98.51
Subtotal Administrative Expenses	\$795.07
SUBTOTAL ZONE COST	\$1,295.07
Fund Balance (Reduction)/Reserve	(295.07)
TOTAL BALANCE TO LEVY	\$1,000.00
Number of Assessable Units	10
Assessment Rate per Unit	\$100.00
Estimated Beginning Fund Balance July 1, 2019	\$5,187.85
Fund Balance Change	(295.07)
Estimated Ending Fund Balance June 30, 2020	\$4,892.78

Attachment: Engineering Report 2019-20 (2298 : LAD)



**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>La Grande Estates</u>
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	0.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$0.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,568.74
Postage/Advertising	8.91
Internal Services	651.35
Administrative/Engineering Contract	315.22
Subtotal Administrative Expenses	<u>\$2,544.22</u>
SUBTOTAL ZONE COST	\$2,544.22
Fund Balance (Reduction)/Reserve	271.78
TOTAL BALANCE TO LEVY	<u>\$2,816.00</u>
Number of Assessable Units	32
Assessment Rate per Unit	\$88.00
Estimated Beginning Fund Balance July 1, 2019	(\$10,466.34)
Fund Balance Change	<u>271.78</u>
Estimated Ending Fund Balance June 30, 2020	(\$10,194.56)

Attachment: Engineering Report 2019-20 (2298 : LAD)



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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone

	<u>Lacrosse/Gera</u>
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	0.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$0.00
ADMINISTRATIVE EXPENSES	
Salaries	\$588.28
Postage/Advertising	3.34
Internal Services	244.26
Administrative/Engineering Contract	118.21
Subtotal Administrative Expenses	\$954.08
SUBTOTAL ZONE COST	\$954.08
Fund Balance (Reduction)/Reserve	245.92
TOTAL BALANCE TO LEVY	\$1,200.00
Number of Assessable Units	24
Assessment Rate per Unit	\$50.00
Estimated Beginning Fund Balance July 1, 2019	\$1,512.50
Fund Balance Change	245.92
Estimated Ending Fund Balance June 30, 2020	\$1,758.42

Attachment: Engineering Report 2019-20 (2298 : LAD)



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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Llagas Creek</u>
DIRECT EXPENSES	
Maintenance	\$5,700.00
Extra Contract Costs	2,000.00
Water/Sewer	3,500.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$11,200.00
ADMINISTRATIVE EXPENSES	
Salaries	\$3,480.64
Postage/Advertising	19.78
Internal Services	1,445.18
Administrative/Engineering Contract	699.39
Subtotal Administrative Expenses	\$5,644.98
SUBTOTAL ZONE COST	\$16,844.98
Fund Balance (Reduction)/Reserve	(254.41)
TOTAL BALANCE TO LEVY	\$16,590.57
Number of Assessable Units	71
Assessment Rate per Unit	\$233.67
Estimated Beginning Fund Balance July 1, 2019	\$7,473.79
Fund Balance Change	(254.41)
Estimated Ending Fund Balance June 30, 2020	\$7,219.38

Attachment: Engineering Report 2019-20 (2298 : LAD)



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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Llagas/Obata</u>
DIRECT EXPENSES	
Maintenance	\$1,200.00
Extra Contract Costs	0.00
Water/Sewer	300.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$1,500.00
ADMINISTRATIVE EXPENSES	
Salaries	\$245.12
Postage/Advertising	1.39
Internal Services	101.77
Administrative/Engineering Contract	49.25
Subtotal Administrative Expenses	\$397.53
SUBTOTAL ZONE COST	\$1,897.53
Fund Balance (Reduction)/Reserve	102.47
TOTAL BALANCE TO LEVY	\$2,000.00
Number of Assessable Units	5
Assessment Rate per Unit	\$400.00
Estimated Beginning Fund Balance July 1, 2019	\$107.24
Fund Balance Change	102.47
Estimated Ending Fund Balance June 30, 2020	\$209.71

Attachment: Engineering Report 2019-20 (2298 : LAD)



**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Mill Creek</u>
DIRECT EXPENSES	
Maintenance	\$5,500.00
Extra Contract Costs	500.00
Water/Sewer	3,000.00
Electricity Costs	200.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$9,200.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$4,117.94
Postage/Advertising	23.40
Internal Services	1,709.79
Administrative/Engineering Contract	827.45
Subtotal Administrative Expenses	<u>\$6,678.57</u>
SUBTOTAL ZONE COST	\$15,878.57
Fund Balance (Reduction)/Reserve	(185.69)
TOTAL BALANCE TO LEVY	<u>\$15,692.88</u>
Number of Assessable Units	84
Assessment Rate per Unit	\$186.82
Estimated Beginning Fund Balance July 1, 2019	\$573.70
Fund Balance Change	<u>(185.69)</u>
Estimated Ending Fund Balance June 30, 2020	\$388.01

Attachment: Engineering Report 2019-20 (2298 : LAD)



**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Oak Creek I, II, III</u>
DIRECT EXPENSES	
Maintenance	\$20,000.00
Extra Contract Costs	2,000.00
Water/Sewer	15,000.00
Electricity Costs	3,650.00
Other Supplies	500.00
Subtotal Direct Expenses	\$41,150.00
ADMINISTRATIVE EXPENSES	
Salaries	\$5,833.75
Postage/Advertising	33.15
Internal Services	2,422.20
Administrative/Engineering Contract	1,172.21
Subtotal Administrative Expenses	\$9,461.31
SUBTOTAL ZONE COST	\$50,611.31
Fund Balance (Reduction)/Reserve	(8,961.31)
TOTAL BALANCE TO LEVY	\$41,650.00
Number of Assessable Units	119
Assessment Rate per Unit	\$350.00
Estimated Beginning Fund Balance July 1, 2019	\$37,970.15
Fund Balance Change	(8,961.31)
Estimated Ending Fund Balance June 30, 2020	\$29,008.84

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone

	<u>Parsons Corner</u>
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	0.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$0.00
ADMINISTRATIVE EXPENSES	
Salaries	\$0.00
Postage/Advertising	0.00
Internal Services	0.00
Administrative/Engineering Contract	0.00
Subtotal Administrative Expenses	\$0.00
SUBTOTAL ZONE COST	\$0.00
Fund Balance (Reduction)/Reserve	0.00
TOTAL BALANCE TO LEVY	\$0.00
Number of Assessable Units	0
Assessment Rate per Unit	\$0.00
Estimated Beginning Fund Balance July 1, 2019	\$0.00
Fund Balance Change	0.00
Estimated Ending Fund Balance June 30, 2020	\$0.00

Attachment: Engineering Report 2019-20 (2298 : LAD)



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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	Rose Haven
DIRECT EXPENSES	
Maintenance	\$4,500.00
Extra Contract Costs	500.00
Water/Sewer	1,500.00
Electricity Costs	215.00
Other Supplies	0.00
Subtotal Direct Expenses	\$6,715.00
ADMINISTRATIVE EXPENSES	
Salaries	\$1,323.62
Postage/Advertising	7.52
Internal Services	549.57
Administrative/Engineering Contract	265.96
Subtotal Administrative Expenses	\$2,146.68
SUBTOTAL ZONE COST	\$8,861.68
Fund Balance (Reduction)/Reserve	1,938.32
TOTAL BALANCE TO LEVY	\$10,800.00
Number of Assessable Units	27
Assessment Rate per Unit	\$400.00
Estimated Beginning Fund Balance July 1, 2019	\$19,134.42
Fund Balance Change	1,938.32
Estimated Ending Fund Balance June 30, 2020	\$21,072.73

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Sandalwood</u>
DIRECT EXPENSES	
Maintenance	\$300.00
Extra Contract Costs	0.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$300.00
ADMINISTRATIVE EXPENSES	
Salaries	\$539.25
Postage/Advertising	3.06
Internal Services	223.90
Administrative/Engineering Contract	108.36
Subtotal Administrative Expenses	\$874.57
SUBTOTAL ZONE COST	\$1,174.57
Fund Balance (Reduction)/Reserve	3,775.43
TOTAL BALANCE TO LEVY	\$4,950.00
Number of Assessable Units	11
Assessment Rate per Unit	\$450.00
Estimated Beginning Fund Balance July 1, 2019	(\$2,744.35)
Fund Balance Change	3,775.43
Estimated Ending Fund Balance June 30, 2020	\$1,031.07

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Sparhawk</u>
DIRECT EXPENSES	
Maintenance	\$2,040.00
Extra Contract Costs	100.00
Water/Sewer	1,750.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$3,890.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$882.42
Postage/Advertising	5.01
Internal Services	366.38
Administrative/Engineering Contract	177.31
Subtotal Administrative Expenses	<u>\$1,431.12</u>
SUBTOTAL ZONE COST	\$5,321.12
Fund Balance (Reduction)/Reserve	(842.36)
TOTAL BALANCE TO LEVY	<u>\$4,478.76</u>
Number of Assessable Units	18
Assessment Rate per Unit	\$248.82
Estimated Beginning Fund Balance July 1, 2019	\$3,226.37
Fund Balance Change	<u>(842.36)</u>
Estimated Ending Fund Balance June 30, 2020	<u>\$2,384.01</u>

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Stone Creek</u>
DIRECT EXPENSES	
Maintenance	\$7,380.00
Extra Contract Costs	0.00
Water/Sewer	4,700.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$12,080.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,715.81
Postage/Advertising	9.75
Internal Services	712.41
Administrative/Engineering Contract	344.77
Subtotal Administrative Expenses	<u>\$2,782.74</u>
SUBTOTAL ZONE COST	\$14,862.74
Fund Balance (Reduction)/Reserve	(1,266.64)
TOTAL BALANCE TO LEVY	<u>\$13,596.10</u>
Number of Assessable Units	35
Assessment Rate per Unit	\$388.46
Estimated Beginning Fund Balance July 1, 2019	\$1,198.91
Fund Balance Change	<u>(1,266.64)</u>
Estimated Ending Fund Balance June 30, 2020	<u>(\$67.73)</u>

Attachment: Engineering Report 2019-20 (2298 : LAD)



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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	Sunnyside / Stone Gate
DIRECT EXPENSES	
Maintenance	\$1,200.00
Extra Contract Costs	500.00
Water/Sewer	500.00
Electricity Costs	250.00
Other Supplies	0.00
Subtotal Direct Expenses	\$2,450.00
ADMINISTRATIVE EXPENSES	
Salaries	\$490.23
Postage/Advertising	2.79
Internal Services	203.55
Administrative/Engineering Contract	98.51
Subtotal Administrative Expenses	\$795.07
SUBTOTAL ZONE COST	\$3,245.07
Fund Balance (Reduction)/Reserve	504.93
TOTAL BALANCE TO LEVY	\$3,750.00
Number of Assessable Units	10
Assessment Rate per Unit	\$375.00
Estimated Beginning Fund Balance July 1, 2019	\$10,652.33
Fund Balance Change	504.93
Estimated Ending Fund Balance June 30, 2020	\$11,157.26

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20 Budget by Zone**

	<u>Total</u>
DIRECT EXPENSES	
Maintenance	\$66,217.00
Extra Contract Costs	15,600.00
Water/Sewer	42,968.00
Electricity Costs	5,160.00
Other Supplies	2,425.00
Subtotal Direct Expenses	<u>\$132,370.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$36,081.00
Postage/Advertising	205.00
Internal Services	14,981.00
Administrative/Engineering Contract	7,250.00
Subtotal Administrative Expenses	<u>\$58,517.00</u>
SUBTOTAL ZONE COST	\$190,887.00
Fund Balance (Reduction)/Reserve	(10,581.98)
TOTAL BALANCE TO LEVY	<u>\$180,305.02</u>
Number of Assessable Units	748
Assessment Rate per Unit	N/A
Estimated Beginning Fund Balance July 1, 2019	\$157,173.55
Fund Balance Change	<u>(10,581.98)</u>
Estimated Ending Fund Balance June 30, 2020	<u>\$146,591.57</u>

Attachment: Engineering Report 2019-20 (2298 : LAD)



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4. ASSESSMENTS

The amount of the actual assessment for the Fiscal Year 2019/20 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office is listed in Section 6 of this Report. The description of each lot or parcel is part of the records of the County Assessor and such records are, by reference, made part of this Report.

4.1 Method of Apportionment

The assessments are levied in accordance with the assessment methodology adopted and approved by the City Council at the time of District formation.

Pursuant to the Act and Article XIII D of the Constitution of the State of California, all parcels that have special benefit conferred upon them as a result of the maintenance and operation of improvements shall be identified and the proportionate special benefit derived by each identified parcel shall be determined in relation to the entire cost of the maintenance and operation of the improvements. Only parcels that receive direct special benefit are assessed, and each parcel is assessed in proportion to the estimated benefit received.

Several Zones have been annexed into the District and it has been determined that by reason of variations in the nature, location, and extent of the improvements, those areas will receive differing degrees of benefit from the improvements.

Within the Zones, each parcel is allocated a number of units, where each such unit is deemed to receive the same proportional special benefit from the maintenance and operation of the improvements within that Zone. The typical parcel, with a single-family residential use, will have one unit assigned. If the use or nature of a parcel confers special benefit in a greater or lesser degree than that typical use, that parcel may have greater than or less than one unit assigned

4.2 Belle Estates Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$502.22 per unit. There is currently no inflator associated with the Belle Estates Zone assessments.

There are currently 36 parcels within this Zone, and the total Zone costs are spread to each of the 36 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$11,520.00
Total Units	36
Fiscal Year 2019/20 Actual Assessment Per Unit	\$320.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$502.22

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$320.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$320.00
Change in the Actual Assessment Rate	\$0.00

4.3 Chang/Bertelone Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$1,215.00 per unit. There is currently no inflator associated with the Chang/Bertelone Zone assessments.

There are currently eight parcels within this Zone, and the total Zone costs are spread to each of the eight units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$4,400.00
Total Units	8
Fiscal Year 2019/20 Actual Assessment Per Unit	\$550.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$1,215.00

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$550.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$550.00
Change in the Actual Assessment Rate	\$0.00

4.4 Conte Gardens Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$477.82 per unit. There is currently no inflator associated with the Conte Gardens Zone assessments.

There are currently 11 parcels within this Zone, and the total Zone costs are spread to each of the 11 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$4,015.00
Total Units	11
Fiscal Year 2019/20 Actual Assessment Per Unit	\$365.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$477.82

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$365.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$365.00
Change in the Actual Assessment Rate	\$0.00

4.5 Diana Estates Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$139.39 per unit. There is currently no inflator associated with the Diana Estates Zone assessments.

There are currently 64 parcels within this Zone, and the total Zone costs are spread to each of the 64 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$8,920.96
Total Units	64
Fiscal Year 2019/20 Actual Assessment Per Unit ⁽¹⁾	\$139.39
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$139.39

(1) May be rounded down to even cents per parcel for County Tax Roll purposes.

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$139.39
Fiscal Year 2019/20 Actual Assessment Per Unit	\$139.39
Change in the Actual Assessment Rate	\$0.00

4.6 Fox Hollow/Murphy Springs Zone

The assessment rate originally approved at the time of District formation was \$106.15 per unit. In July 2005 the City conducted Proposition 218 proceedings to increase the maximum assessment rate and add an annual inflator of 3% for the Zone. Property owners approved the rate increase and the inflator. Each year the maximum assessment rate is increased by 3% over the previous year's maximum assessment rate. The rate increase took effect in Fiscal Year 2005/06 and the 3% inflator took effect in Fiscal Year 2006/07.

There are currently 75 parcels within this Zone, and the total Zone costs are spread to each of the 75 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$13,014.75
Total Units	75
Fiscal Year 2019/20 Actual Assessment Per Unit ⁽¹⁾	\$173.53
Fiscal Year 2019/20 Maximum Assessment Per Unit (1)	\$213.42

(1) May be rounded down to even cents per parcel for County Tax Roll purposes.

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$173.53
Fiscal Year 2019/20 Actual Assessment Per Unit	\$173.53
Change in the Actual Assessment Rate	\$0.00

4.7 Hamilton Square Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$425.54 per unit. There is currently no inflator associated with the Hamilton Square Zone assessments.

There are currently 38 parcels within this Zone, and the total Zone costs are spread to each of the 38 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$12,350.00
Total Units	38
Fiscal Year 2019/20 Actual Assessment Per Unit	\$325.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$425.54

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$325.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$325.00
Change in the Actual Assessment Rate	\$0.00

4.8 Jackson Meadows 6A/6B Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$108.10 per unit. There is currently no inflator associated with the Jackson Meadows 6A/6B Zone assessments.

There are currently 70 parcels within this Zone, and the total Zone costs are spread to each of the 70 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$7,560.00
Total Units	70
Fiscal Year 2019/20 Actual Assessment Per Unit	\$108.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$108.10

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$108.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$108.00
Change in the Actual Assessment Rate	\$0.00

4.9 Jackson Meadows Number 7 Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$314.58 per unit. There is currently no inflator associated with the Jackson Meadows Number 7 Zone assessments.

There are currently 10 parcels within this Zone, and the total Zone costs are spread to each of the 10 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$1,000.00
Total Units	10
Fiscal Year 2019/20 Actual Assessment Per Unit	\$100.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$314.58

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$100.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$100.00
Change in the Actual Assessment Rate	\$0.00

4.10 La Grande Estates Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$88.00 per unit. There is currently no inflator associated with the La Grande Estates Zone assessments.

There are currently 32 parcels within this Zone, and the total Zone costs are spread to each of the 32 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$2,816.00
Total Units	32
Fiscal Year 2019/20 Actual Assessment Per Unit	\$88.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$88.00

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$88.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$88.00
Change in the Actual Assessment Rate	\$0.00

4.11 Lacrosse/Gera Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$142.99 per unit. There is currently no inflator associated with the Lacrosse/Gera Zone assessments.

There are currently 24 parcels within this Zone, and the total Zone costs are spread to each of the 24 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$1,200.00
Total Units	24
Fiscal Year 2019/20 Actual Assessment Per Unit	\$50.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$142.99

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$50.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$50.00
Change in the Actual Assessment Rate	\$0.00

4.12 Llagas Creek Estates Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$140.84 per unit. In July 2005 the City conducted Proposition 218 proceedings to increase the maximum assessment rate and add an annual inflator of 3% for the Zone. Property owners approved the rate increase and the inflator. Each year the maximum assessment rate is increased by 3% over the previous year's maximum assessment rate. The rate increase took effect in Fiscal Year 2005/06 and the 3% inflator took effect in Fiscal Year 2006/07.

There are currently 71 parcels within this Zone, and the total Zone costs are spread to each of the 71 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$16,590.57
Total Units	71
Fiscal Year 2019/20 Actual Assessment Per Unit	\$233.67
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$287.39

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$233.67
Fiscal Year 2019/20 Actual Assessment Per Unit	\$233.67
Change in the Actual Assessment Rate	\$0.00

4.13 Llagas/Obata Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$629.16 per unit. There is currently no inflator associated with the Llagas/Obata Zone assessments.

There are currently five parcels within this Zone, and the total Zone costs are spread to each of the five units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$2,000.00
Total Units	5
Fiscal Year 2019/20 Actual Assessment Per Unit	\$400.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$629.16

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$400.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$400.00
Change in the Actual Assessment Rate	\$0.00

4.14 Mill Creek Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$186.82 per unit. There is currently no inflator associated with the Mill Creek Zone assessments.

There are currently 84 parcels within this Zone, and the total Zone costs are spread to each of the 84 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$15,692.88
Total Units	84
Fiscal Year 2019/20 Actual Assessment Per Unit	\$186.82
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$186.82

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$186.82
Fiscal Year 2019/20 Actual Assessment Per Unit	\$186.82
Change in the Actual Assessment Rate	\$0.00

4.15 Oak Creek I, II, III

The assessment rate originally approved at the time of annexing this Zone into the District was \$453.82 per unit. There is currently no inflator associated with the Oak Creek I, II, III Zone assessments.

There are currently 119 parcels within this Zone, and the total Zone costs are spread to each of the 119 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$41,650.00
Total Units	119
Fiscal Year 2019/20 Actual Assessment Per Unit	\$350.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$453.82

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$350.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$350.00
Change in the Actual Assessment Rate	\$0.00

4.16 Parsons Corner Zone

In April 2019 property owners in the Parsons Corner Zone voted to detach from the District. Therefore, there is no assessment for the Parsons Corner Zone.

4.17 Rose Haven Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$488.47 per unit. There is currently no inflator associated with the Rose Haven Zone assessments.

There are currently 24 parcels with a total of 27 units within this Zone, and the total Zone costs are spread to each of the 27 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$10,800.00
Total Units	27
Fiscal Year 2019/20 Actual Assessment Per Unit	\$400.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$488.47

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$400.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$400.00
Change in the Actual Assessment Rate	\$0.00

4.18 Sandalwood Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$192.39 per unit. In April 2018, property owners approved the assessment rate increase to \$450.00 per unit. There is currently no inflator associated with the Sandalwood Zone assessments.

There are currently 11 parcels within this Zone, and the total Zone costs are spread to each of the 11 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$4,950.00
Total Units	11
Fiscal Year 2019/20 Actual Assessment Per Unit	\$450.00
Fiscal Year 2019/20 Maximum Assessment Per Unit ⁽¹⁾	\$450.00

(1) Assessment Rate increase approved by property owners in April 2018.

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$450.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$450.00
Change in the Actual Assessment Rate	\$0.00

4.19 Sparhawk Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$174.77 per unit. In July 2005 the City conducted Proposition 218 proceedings to increase the maximum assessment rate and add an annual inflator of 3% for the Zone. Property owners approved the rate increase and the inflator. Each year the maximum assessment rate is increased by 3% over the previous year's maximum assessment rate. The rate increase took effect in Fiscal Year 2005/06 and the 3% inflator took effect in Fiscal Year 2006/07.

There are currently 18 parcels within this Zone, and the total Zone costs are spread to each of the 18 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$4,478.76
Total Units	18
Fiscal Year 2019/20 Actual Assessment Per Unit	\$248.82
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$306.02

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$248.82
Fiscal Year 2019/20 Actual Assessment Per Unit	\$248.82
Change in the Actual Assessment Rate	\$0.00

4.20 Stone Creek Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$306.66 per unit. In July 2005 the City conducted Proposition 218 proceedings to add an annual inflator of 3% for the Zone. Property owners approved the inflator. Each year the maximum assessment rate is increased by 3% over the previous year's maximum assessment rate. The inflator took effect in Fiscal Year 2005/06.

There are currently 35 parcels within this Zone, and the total Zone costs are spread to each of the 35 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$13,596.10
Total Units	35
Fiscal Year 2019/20 Actual Assessment Per Unit	\$388.46
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$477.75

Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$388.46
Fiscal Year 2019/20 Actual Assessment Per Unit	\$388.46
Change in the Actual Assessment Rate	\$0.00

4.21 Sunnyside/Stone Gate Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$449.40 per unit. In July 2005 the City conducted Proposition 218 proceedings to add an annual inflator of 3% for the Zone. Property owners approved the inflator. Each year the maximum assessment rate is increased by 3% over the previous year's maximum assessment rate. The inflator took effect in Fiscal Year 2005/06.

There are currently 10 parcels within this Zone, and the total Zone costs are spread to each of the 10 units as follows:

Estimated Fiscal Year 2019/20 Costs and Fund Adjustment	\$3,750.00
Total Units	10
Fiscal Year 2019/20 Actual Assessment Per Unit	\$375.00
Fiscal Year 2019/20 Maximum Assessment Per Unit	\$700.14

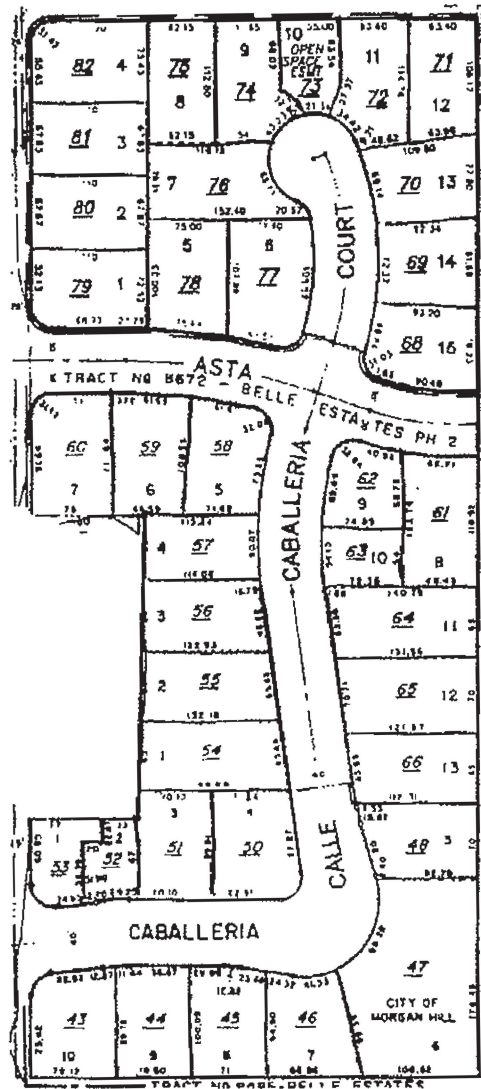
Any change in the assessment rate from the previous fiscal year is identified below:

Fiscal Year 2018/19 Actual Assessment Per Unit	\$375.00
Fiscal Year 2019/20 Actual Assessment Per Unit	\$375.00
Change in the Actual Assessment Rate	\$0.00

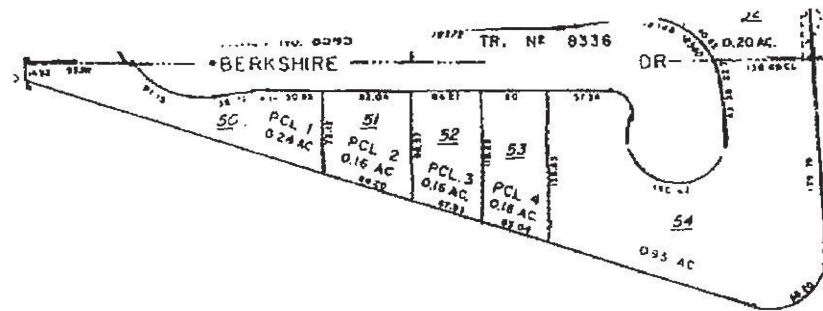
5. ASSESSMENT DIAGRAMS

The Assessment Diagrams for each Zone in the District have been submitted to the City Clerk in the format required under the provisions of the Act. Copies of the diagrams are included herein. The lines and dimensions shown on maps of the County Assessor for the current year are, by reference, made part of this Report as well.

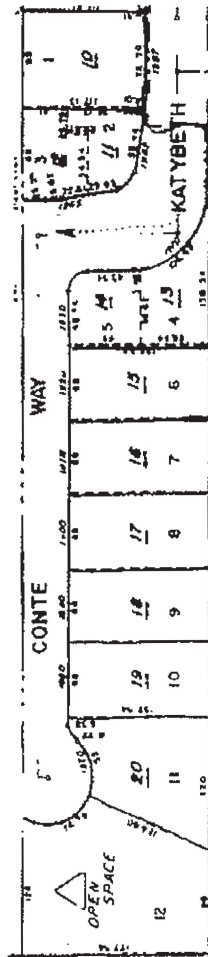
Attachment: Engineering Report 2019-20 (2298 : LAD)



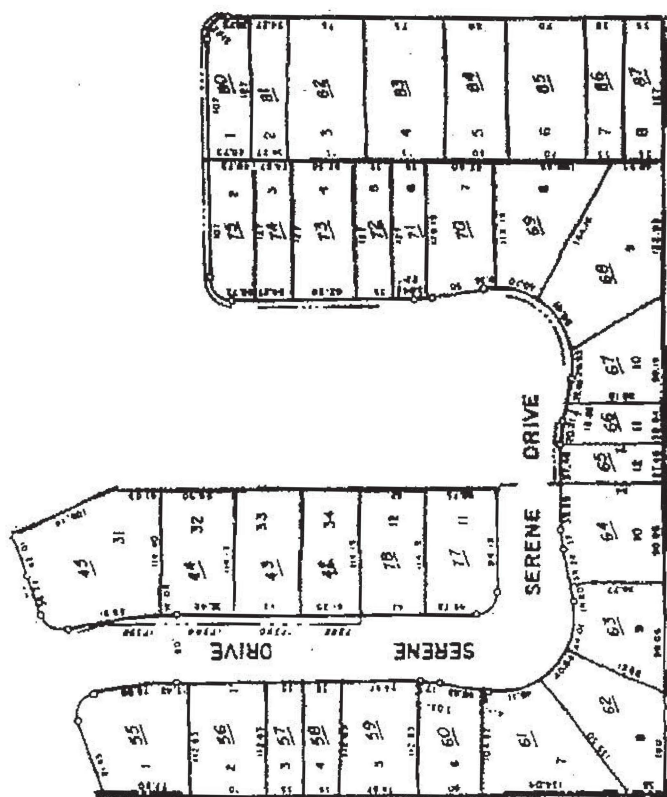
BELLE ESTATES ZONE



CHIANG/BERTELONE ZONE

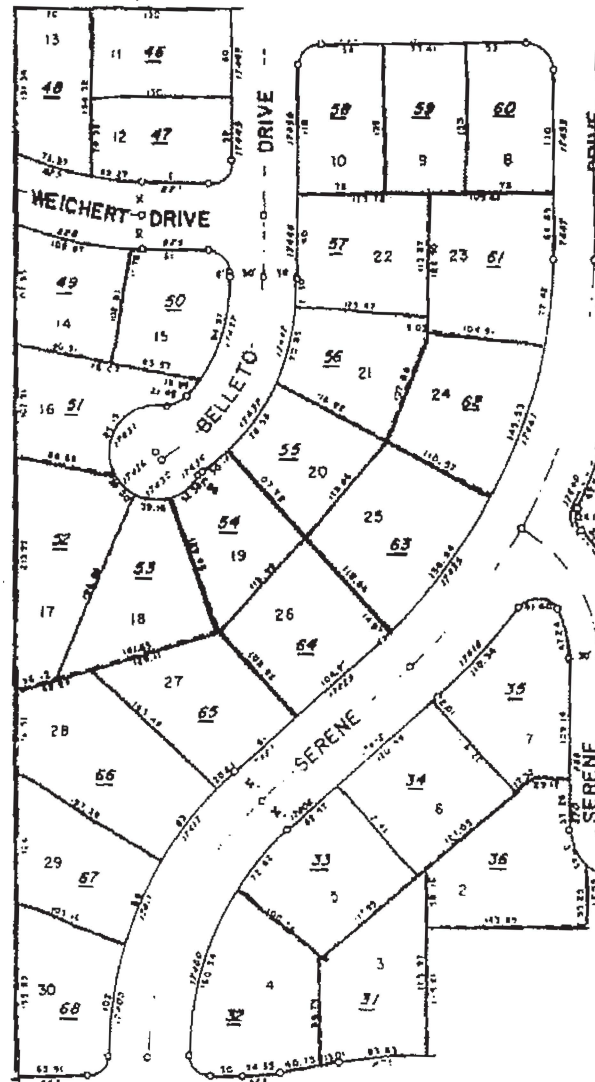


CONTE GARDENS ZONE



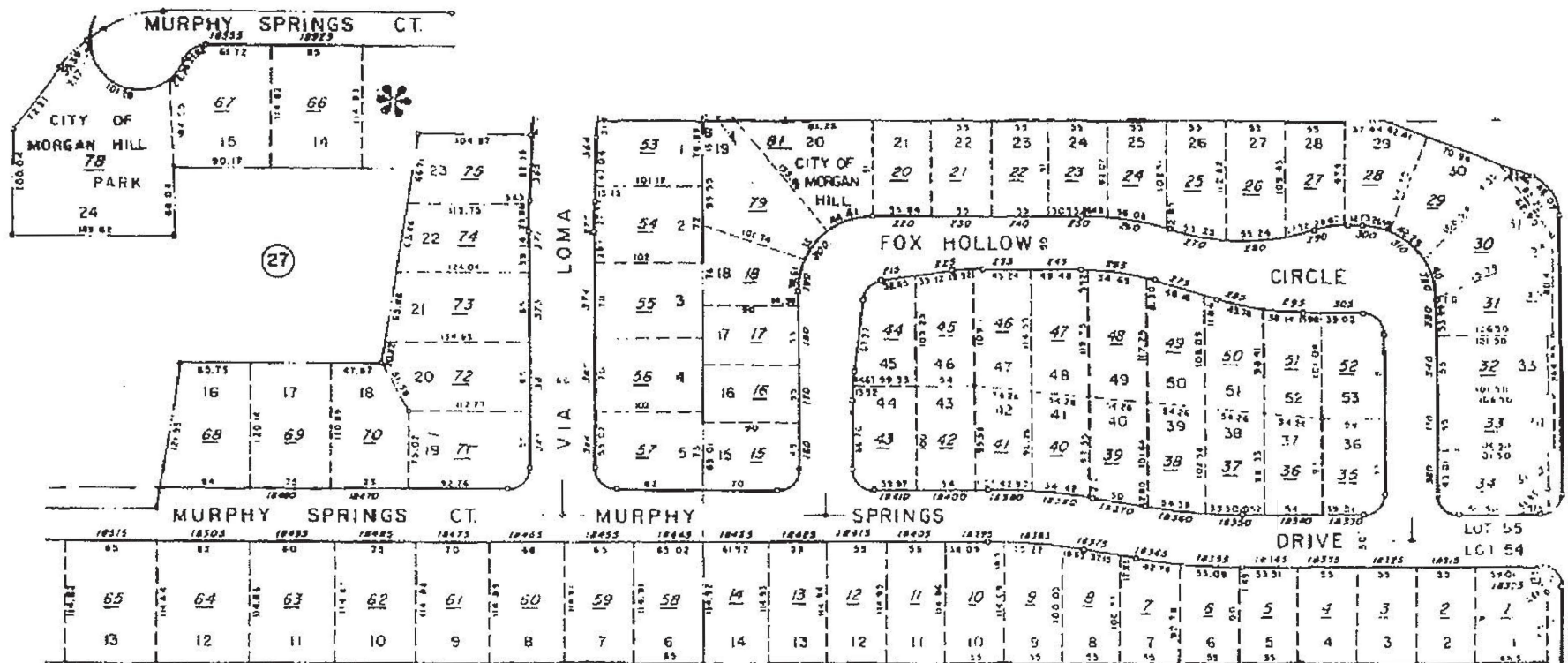
DIANA ESTATES ZONE

SHEET 1

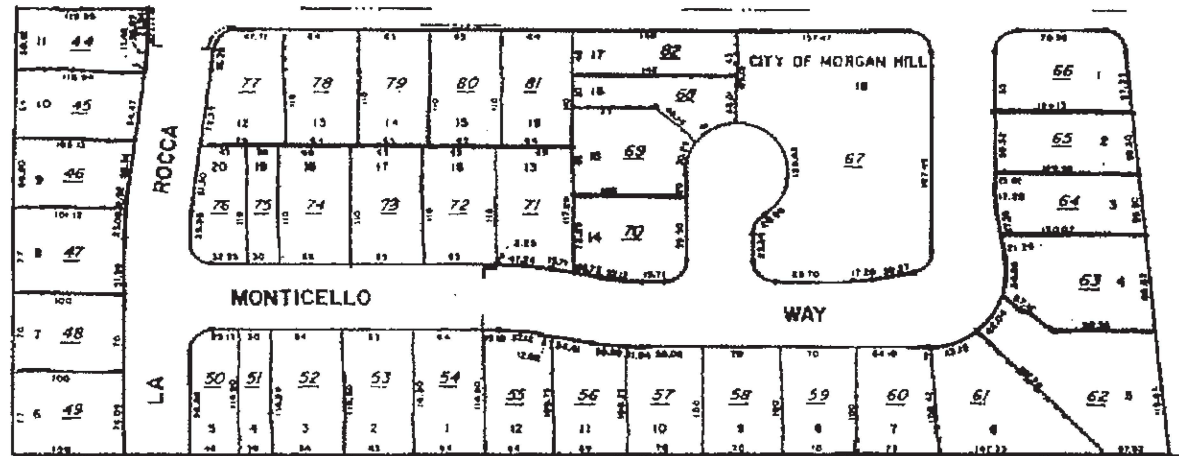


SHEET 2

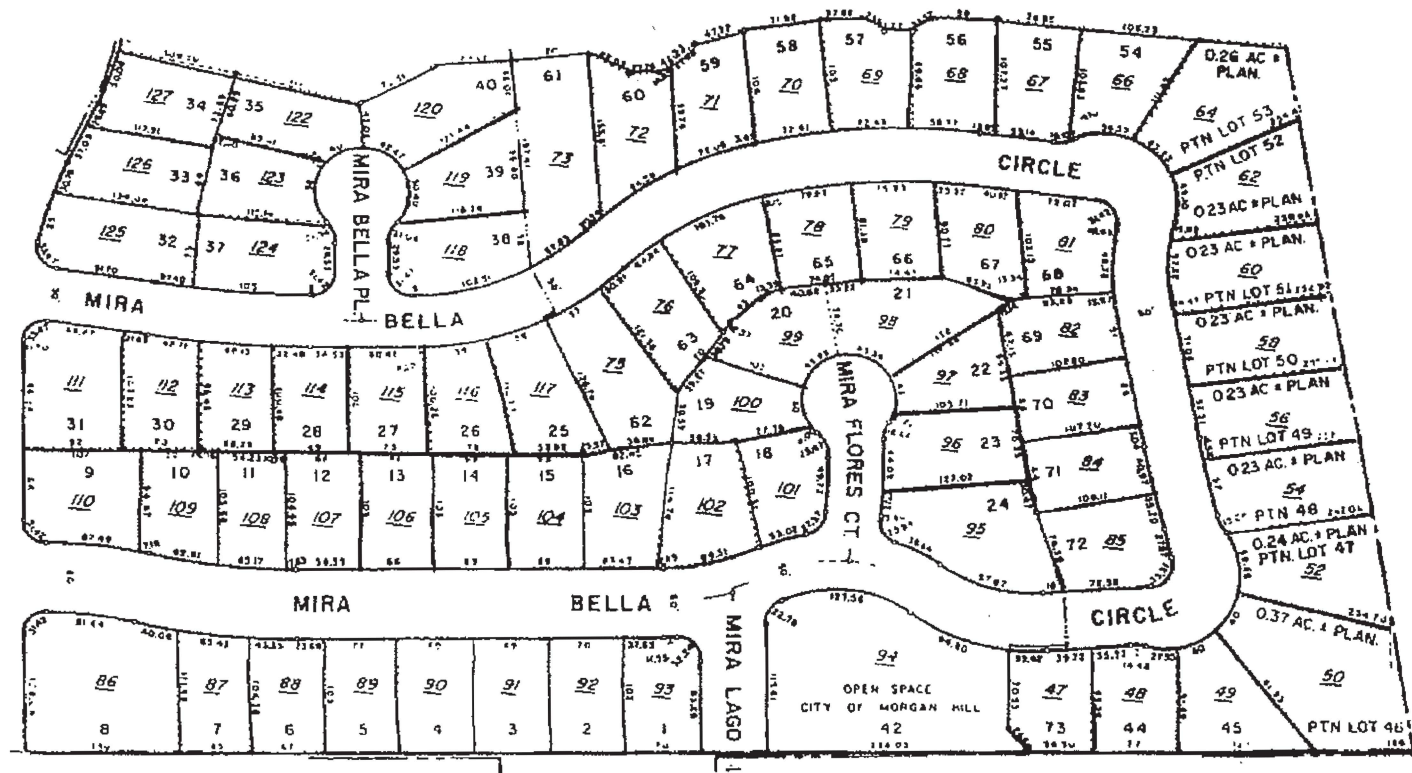
DIANA ESTATES ZONE



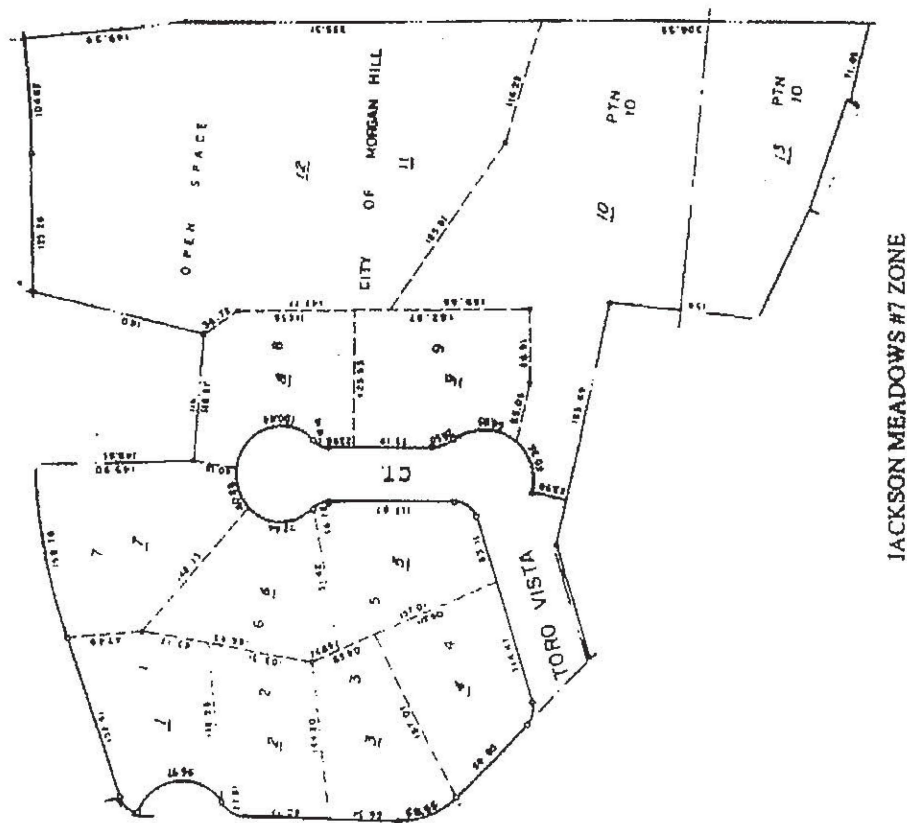
FOX HOLLOW/MURPHY SPRINGS ZONE

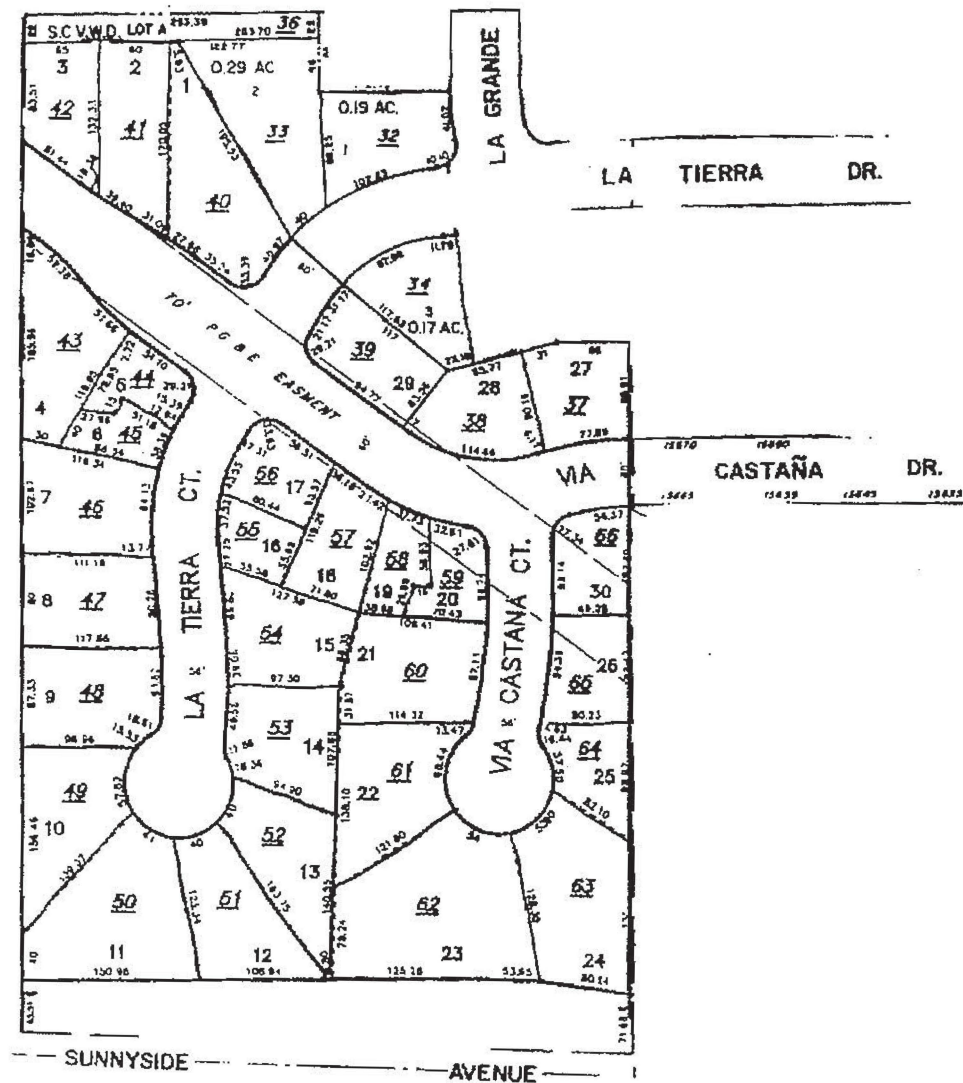


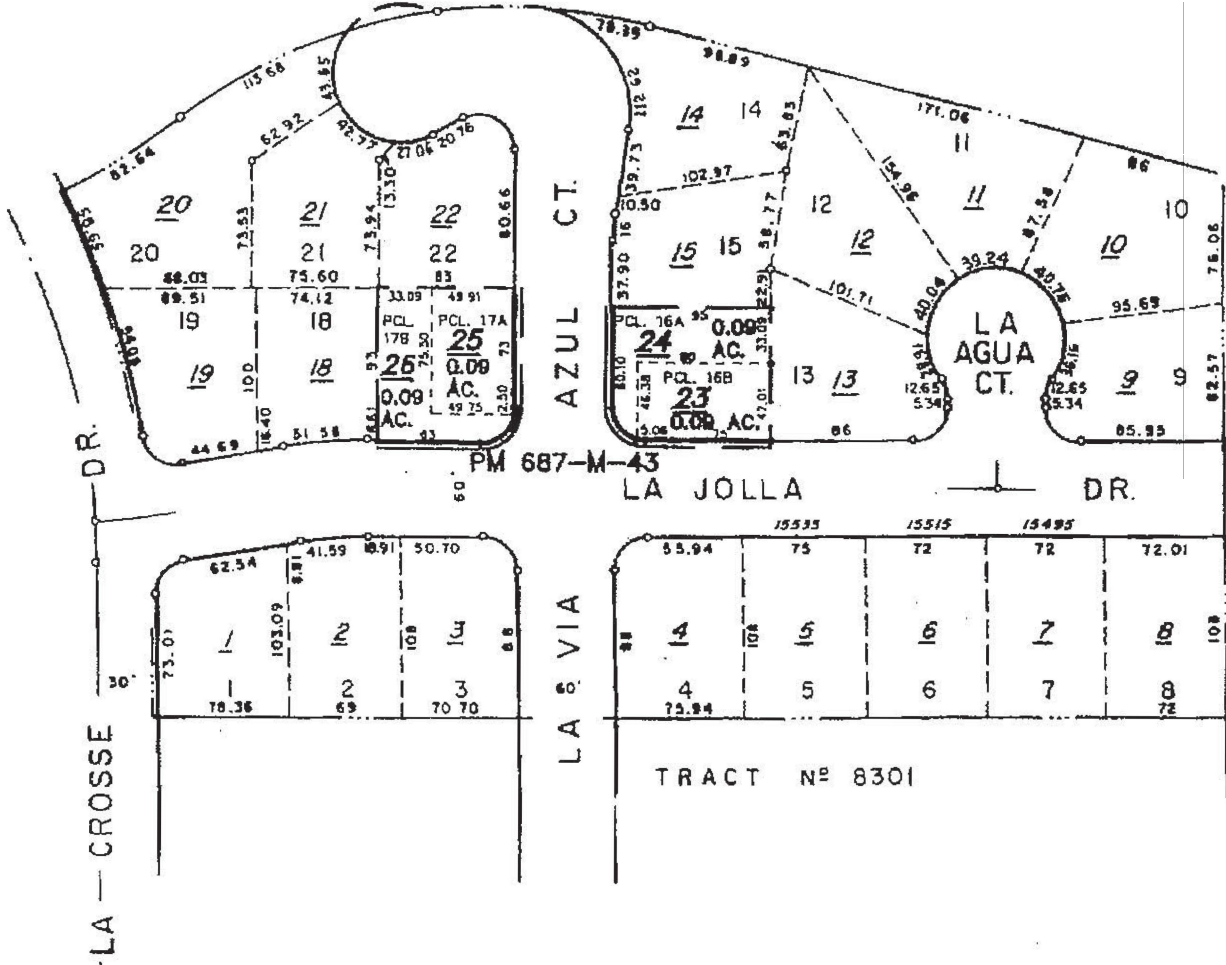
HAMILTON SQUARE ZONE



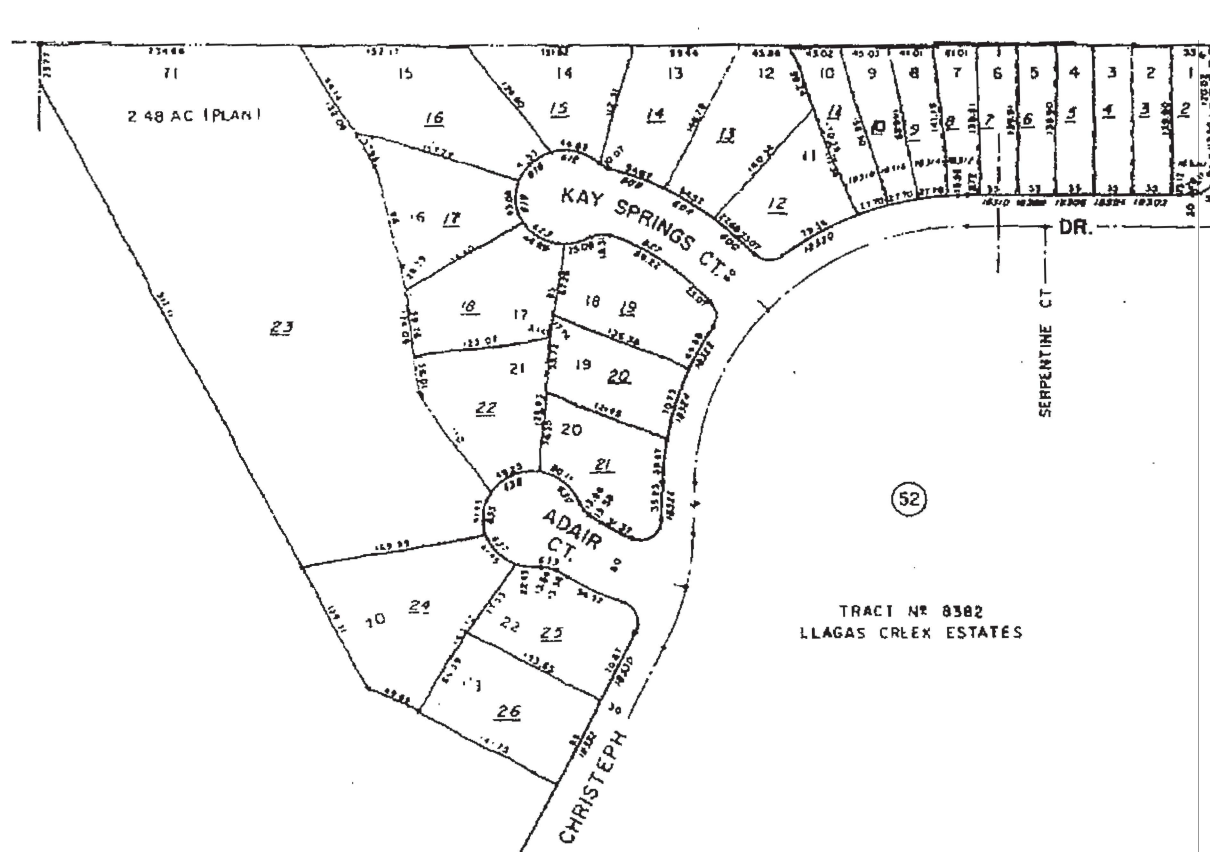
JACKSON MEADOWS #6 ZONE





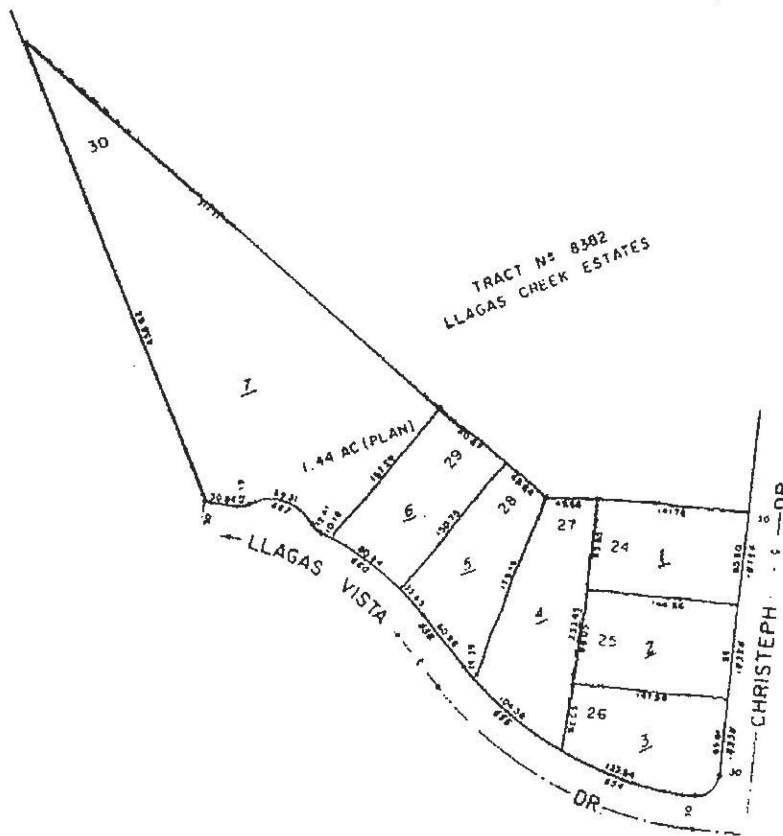


LACROSSE/GERA ZONE



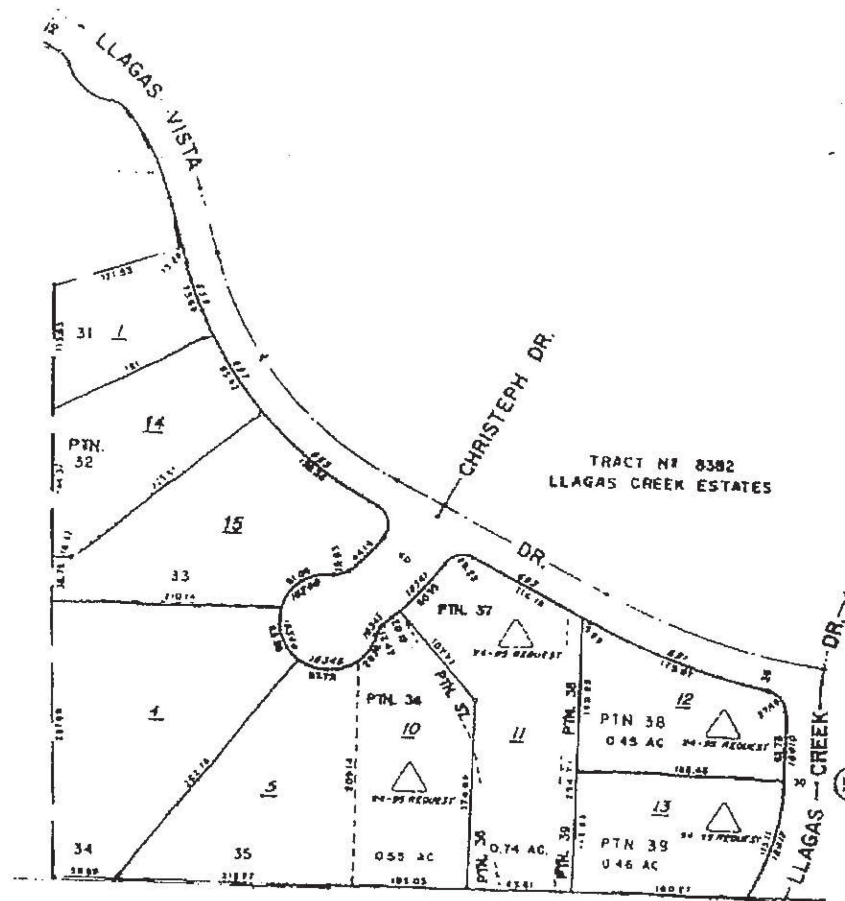
LLAGAS CREEK ESTATES ZONE

SHEET 1



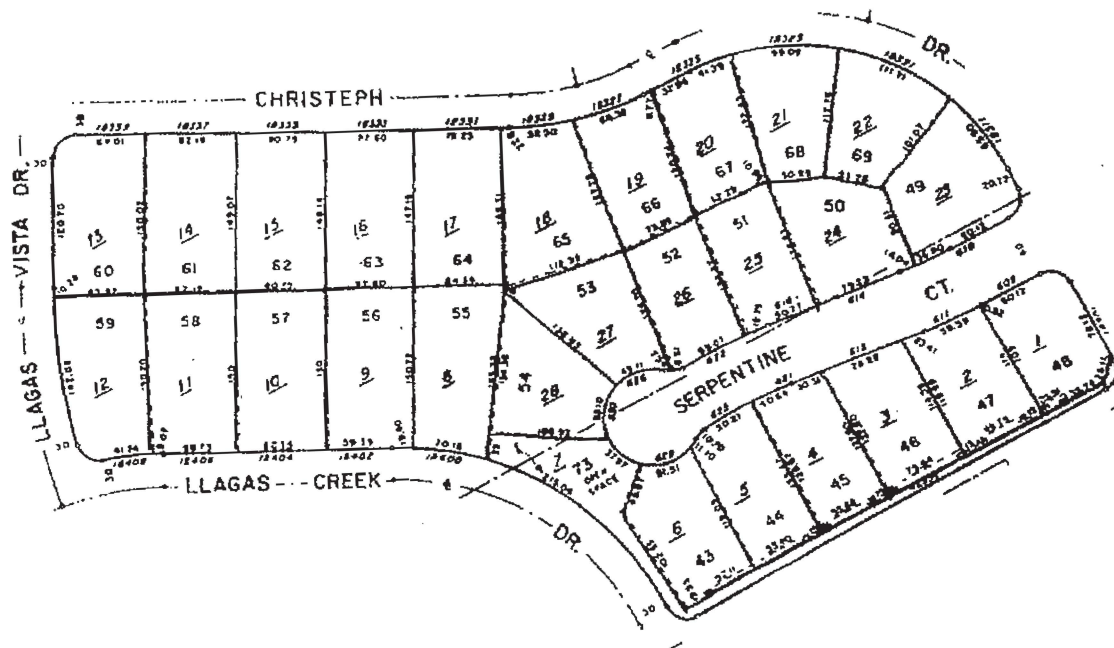
SHEET 2

LLAGAS CREEK ESTATES ZONE



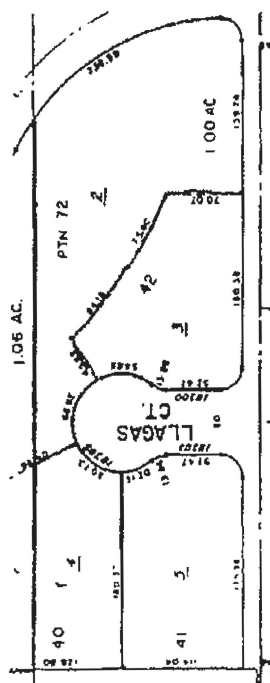
LLAGAS CREEK ESTATES ZONE

SHEET 3



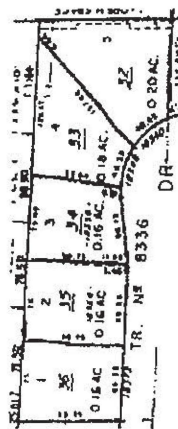
LLAGAS CREEK ESTATES ZONE

SHEET 4

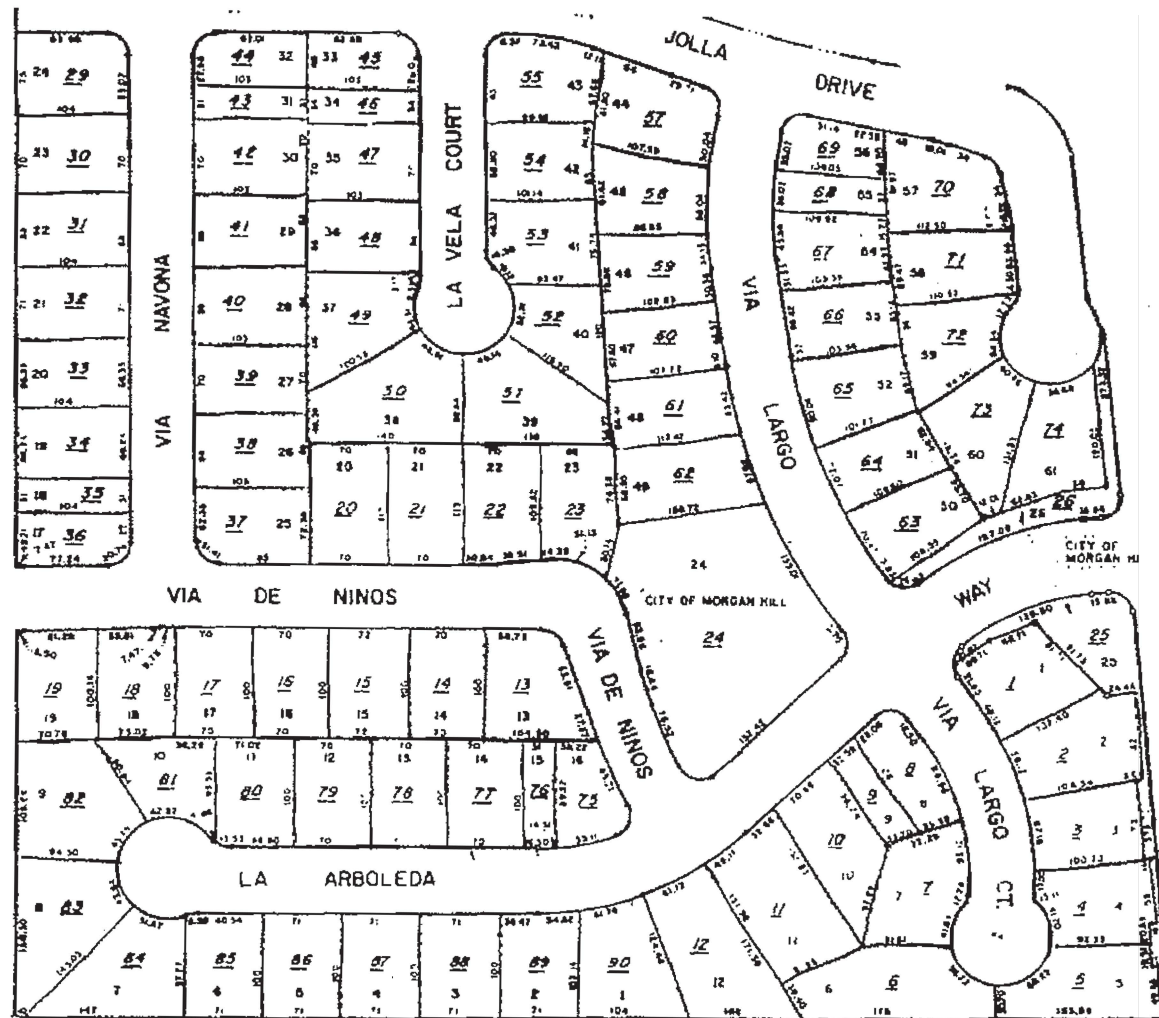


SHEET 5

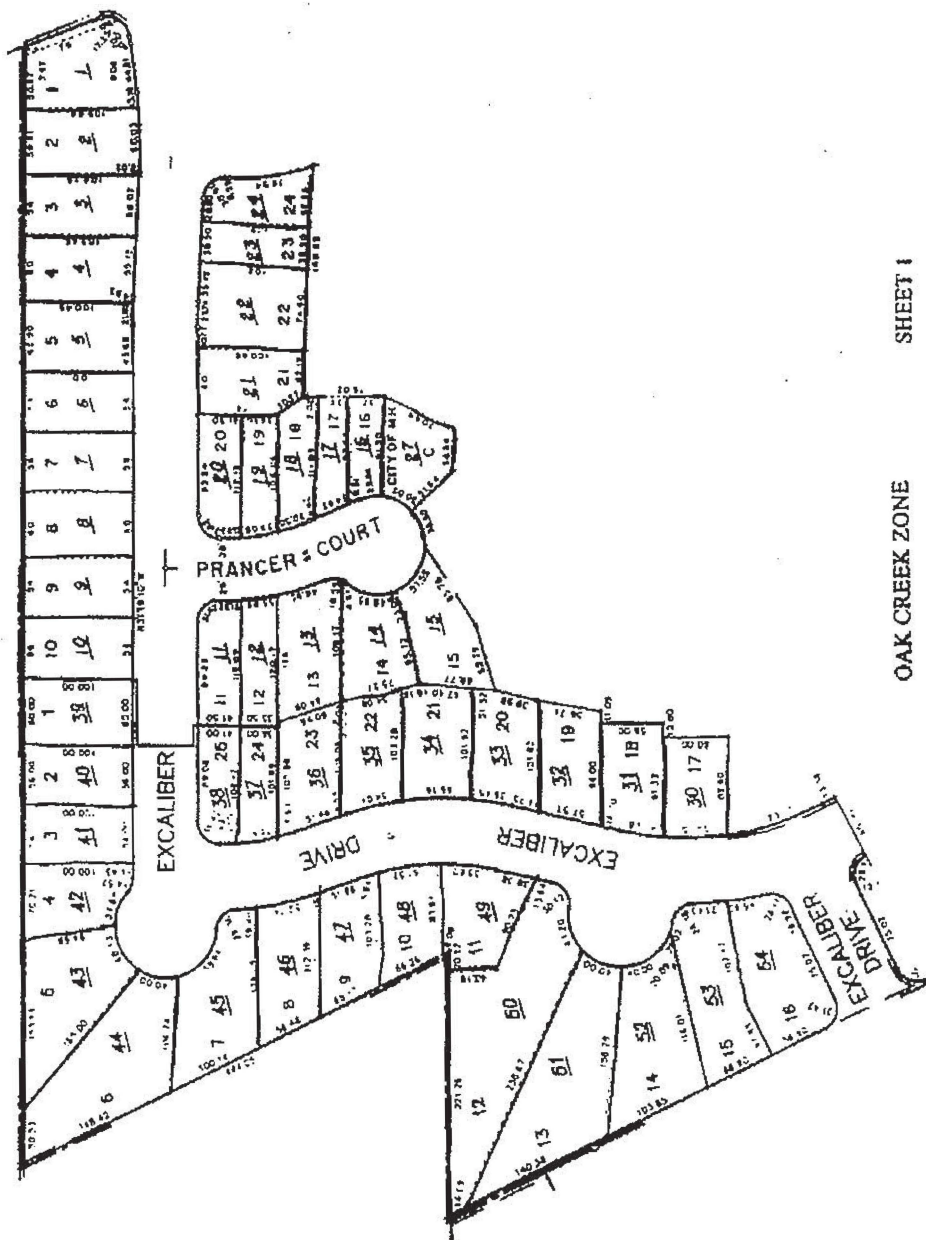
LLAGAS CREEK ESTATES ZONE

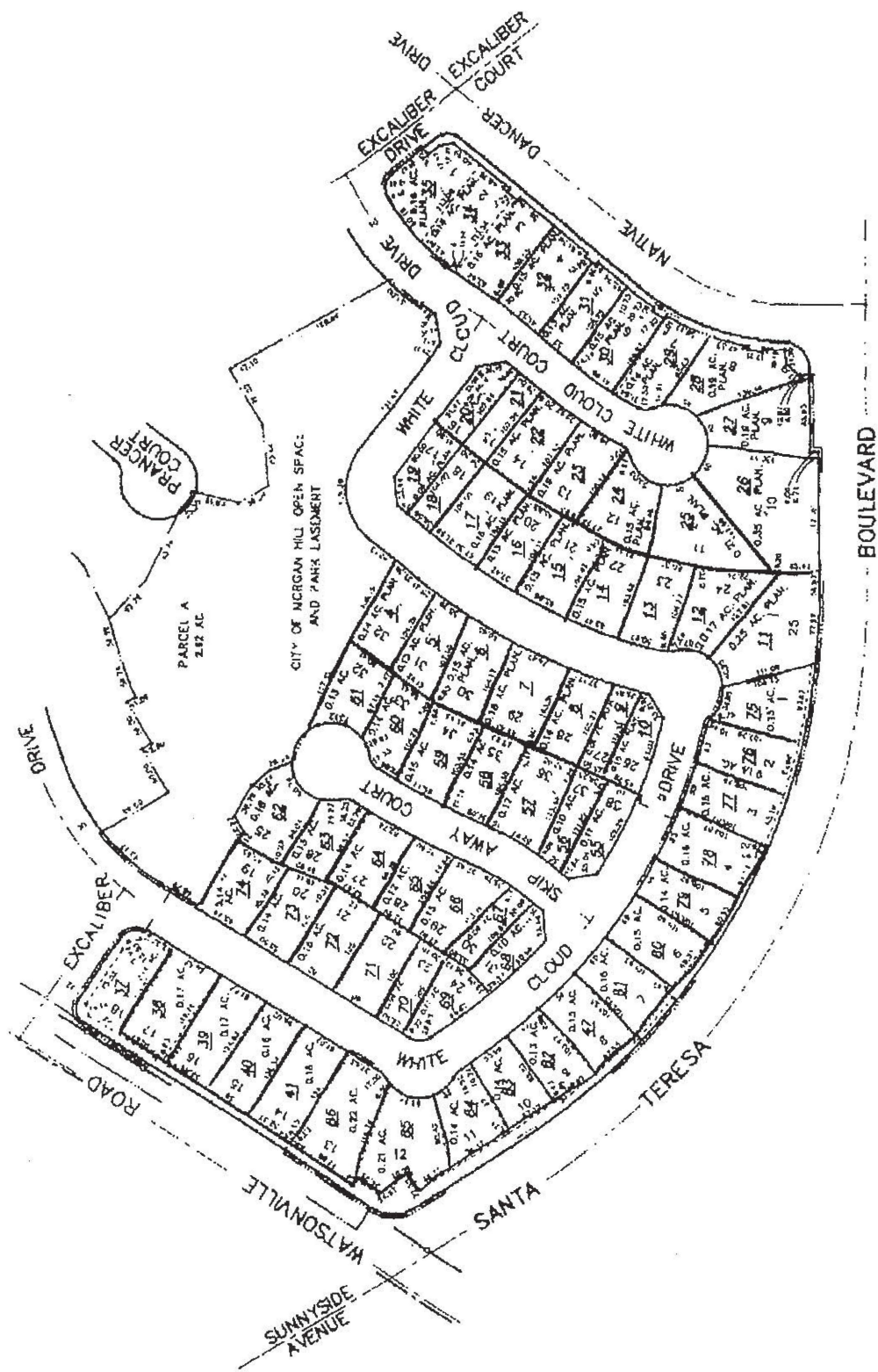


LLAGAS/OBATA ZONE



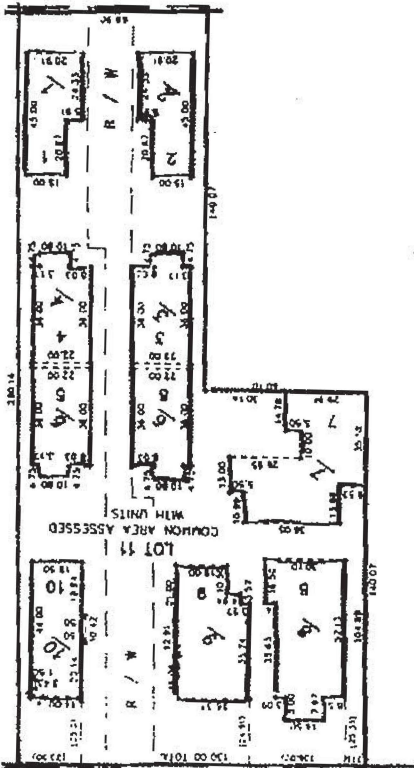
MILL CREEK ZONE



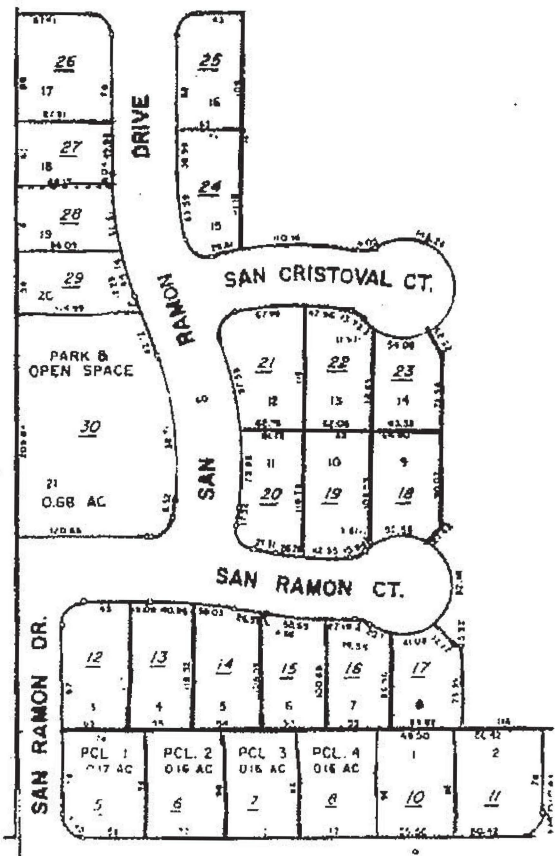


OAK CREEK ZONE SHEET 2

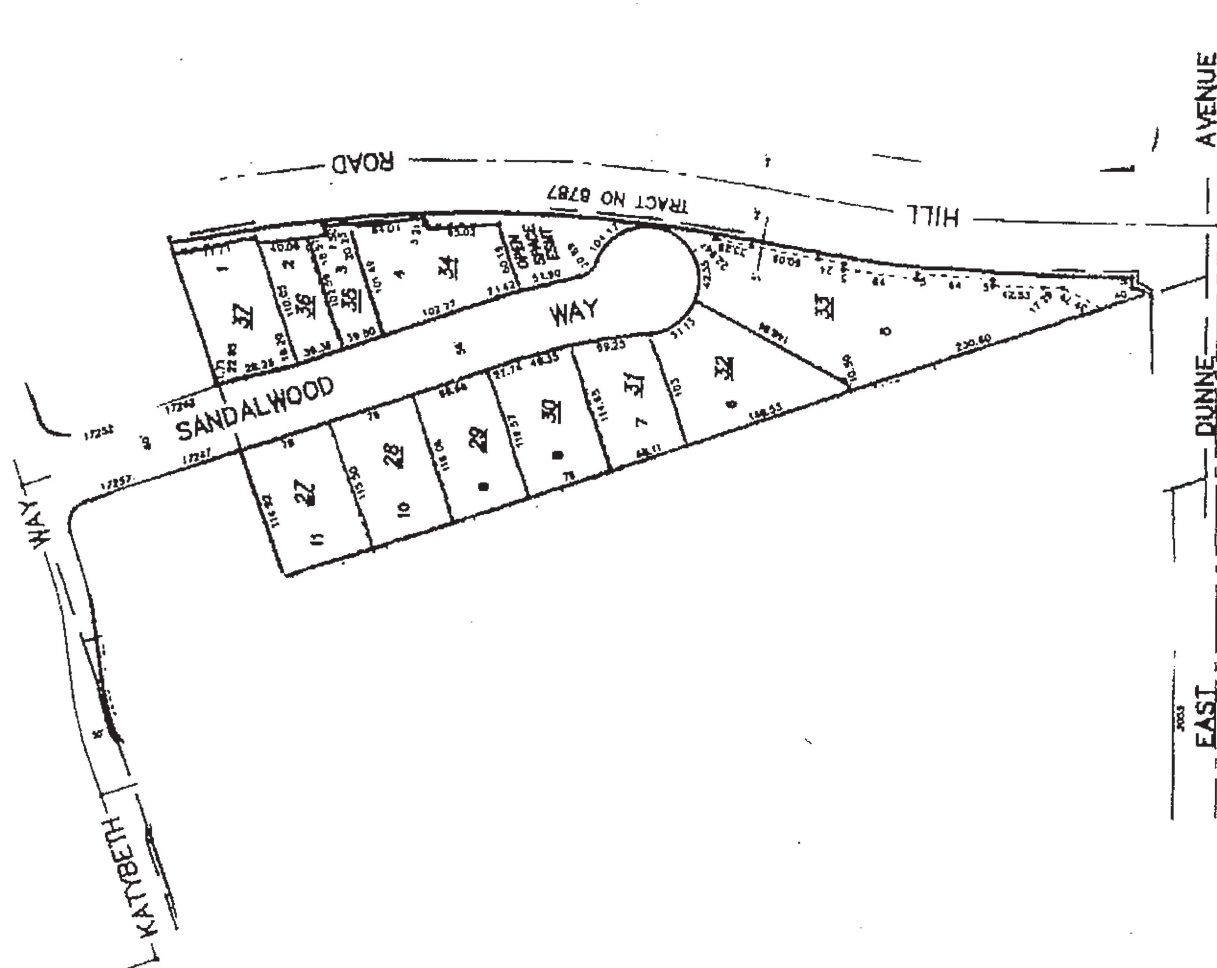
Attachment: Engineering Report 2019-20 (2298 : LAD)



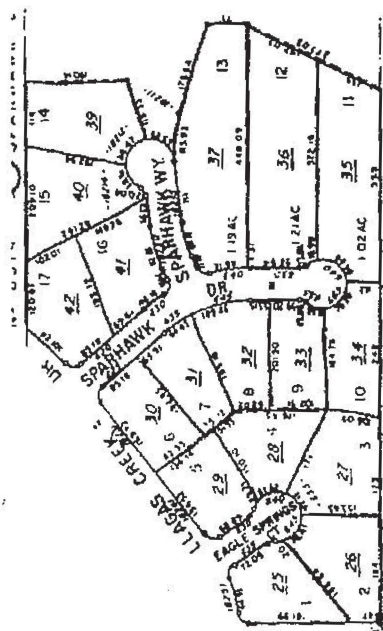
PARSONS CORNER ZONE



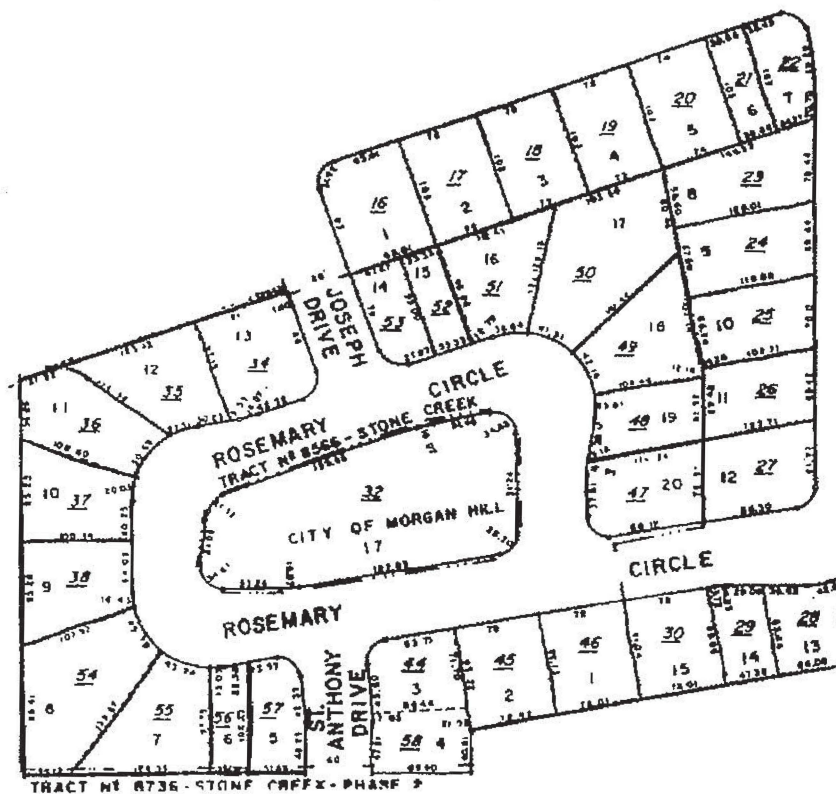
ROSEHAVEN ZONE



SANDALWOOD ZONE



SPARHAWK ZONE



STONE CREEK ZONE

6. ASSESSMENT ROLL

The listing of Fiscal Year 2019/20 assessments is provided per Zone on the following pages. The description of each lot or parcel as part of the records of the County Assessor are, by reference, made part of this Report as well.

**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Belle Estates	726-16-043	\$320.00	1.00	\$0.00	\$320.00
Belle Estates	726-16-044	320.00	1.00	0.00	320.00
Belle Estates	726-16-045	320.00	1.00	0.00	320.00
Belle Estates	726-16-046	320.00	1.00	0.00	320.00
Belle Estates	726-16-048	320.00	1.00	0.00	320.00
Belle Estates	726-16-050	320.00	1.00	0.00	320.00
Belle Estates	726-16-051	320.00	1.00	0.00	320.00
Belle Estates	726-16-052	320.00	1.00	0.00	320.00
Belle Estates	726-16-053	320.00	1.00	0.00	320.00
Belle Estates	726-16-054	320.00	1.00	0.00	320.00
Belle Estates	726-16-055	320.00	1.00	0.00	320.00
Belle Estates	726-16-056	320.00	1.00	0.00	320.00
Belle Estates	726-16-057	320.00	1.00	0.00	320.00
Belle Estates	726-16-058	320.00	1.00	0.00	320.00
Belle Estates	726-16-059	320.00	1.00	0.00	320.00
Belle Estates	726-16-060	320.00	1.00	0.00	320.00
Belle Estates	726-16-061	320.00	1.00	0.00	320.00
Belle Estates	726-16-062	320.00	1.00	0.00	320.00
Belle Estates	726-16-063	320.00	1.00	0.00	320.00
Belle Estates	726-16-064	320.00	1.00	0.00	320.00
Belle Estates	726-16-065	320.00	1.00	0.00	320.00
Belle Estates	726-16-066	320.00	1.00	0.00	320.00
Belle Estates	726-16-068	320.00	1.00	0.00	320.00
Belle Estates	726-16-069	320.00	1.00	0.00	320.00
Belle Estates	726-16-070	320.00	1.00	0.00	320.00
Belle Estates	726-16-071	320.00	1.00	0.00	320.00
Belle Estates	726-16-072	320.00	1.00	0.00	320.00
Belle Estates	726-16-074	320.00	1.00	0.00	320.00
Belle Estates	726-16-075	320.00	1.00	0.00	320.00
Belle Estates	726-16-076	320.00	1.00	0.00	320.00
Belle Estates	726-16-077	320.00	1.00	0.00	320.00
Belle Estates	726-16-078	320.00	1.00	0.00	320.00
Belle Estates	726-16-079	320.00	1.00	0.00	320.00
Belle Estates	726-16-080	320.00	1.00	0.00	320.00
Belle Estates	726-16-081	320.00	1.00	0.00	320.00
Belle Estates	726-16-082	320.00	1.00	0.00	320.00
Chang/Bertelone	764-23-050	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-051	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-052	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-053	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-057	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-058	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-059	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-060	550.00	1.00	0.00	550.00
Conte Gardens	728-10-010	365.00	1.00	0.00	365.00
Conte Gardens	728-10-011	365.00	1.00	0.00	365.00
Conte Gardens	728-10-012	365.00	1.00	0.00	365.00
Conte Gardens	728-10-013	365.00	1.00	0.00	365.00
Conte Gardens	728-10-014	365.00	1.00	0.00	365.00
Conte Gardens	728-10-015	365.00	1.00	0.00	365.00
Conte Gardens	728-10-016	365.00	1.00	0.00	365.00
Conte Gardens	728-10-017	365.00	1.00	0.00	365.00

**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Conte Gardens	728-10-018	365.00	1.00	0.00	365.00
Conte Gardens	728-10-019	365.00	1.00	0.00	365.00
Conte Gardens	728-10-020	365.00	1.00	0.00	365.00
Diana Estates	726-07-042	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-043	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-044	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-045	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-055	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-056	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-057	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-058	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-059	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-060	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-061	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-062	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-063	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-064	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-065	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-066	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-067	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-068	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-069	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-070	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-071	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-072	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-073	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-074	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-075	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-077	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-078	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-080	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-081	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-082	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-083	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-084	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-085	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-086	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-087	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-031	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-032	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-033	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-034	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-035	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-036	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-046	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-047	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-048	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-049	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-050	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-051	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-052	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-053	139.39	1.00	(0.01)	139.38

Attachment: Engineering Report 2019-20 (2298 : LAD)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Diana Estates	726-08-054	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-055	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-056	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-057	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-058	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-059	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-060	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-061	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-062	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-063	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-064	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-065	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-066	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-067	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-068	139.39	1.00	(0.01)	139.38
Fox Hollow/Murphy Sp	764-47-001	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-002	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-003	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-004	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-005	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-006	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-007	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-008	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-009	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-010	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-011	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-012	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-013	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-014	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-015	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-016	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-017	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-018	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-020	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-021	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-022	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-023	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-024	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-025	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-026	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-027	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-028	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-029	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-030	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-031	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-032	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-033	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-034	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-035	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-036	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-037	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-038	173.53	1.00	(0.01)	173.52

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Fox Hollow/Murphy Sp	764-47-039	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-040	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-041	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-042	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-043	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-044	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-045	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-046	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-047	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-048	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-049	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-050	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-051	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-052	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-053	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-054	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-055	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-056	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-057	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-058	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-059	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-060	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-061	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-062	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-063	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-064	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-065	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-066	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-067	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-068	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-069	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-070	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-071	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-072	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-073	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-074	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-075	173.53	1.00	(0.01)	173.52
Fox Hollow/Murphy Sp	764-47-079	173.53	1.00	(0.01)	173.52
Hamilton Square	767-36-044	325.00	1.00	0.00	325.00
Hamilton Square	767-36-045	325.00	1.00	0.00	325.00
Hamilton Square	767-36-046	325.00	1.00	0.00	325.00
Hamilton Square	767-36-047	325.00	1.00	0.00	325.00
Hamilton Square	767-36-048	325.00	1.00	0.00	325.00
Hamilton Square	767-36-049	325.00	1.00	0.00	325.00
Hamilton Square	767-36-050	325.00	1.00	0.00	325.00
Hamilton Square	767-36-051	325.00	1.00	0.00	325.00
Hamilton Square	767-36-052	325.00	1.00	0.00	325.00
Hamilton Square	767-36-053	325.00	1.00	0.00	325.00
Hamilton Square	767-36-054	325.00	1.00	0.00	325.00
Hamilton Square	767-36-055	325.00	1.00	0.00	325.00
Hamilton Square	767-36-056	325.00	1.00	0.00	325.00
Hamilton Square	767-36-057	325.00	1.00	0.00	325.00

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Hamilton Square	767-36-058	325.00	1.00	0.00	325.00
Hamilton Square	767-36-059	325.00	1.00	0.00	325.00
Hamilton Square	767-36-060	325.00	1.00	0.00	325.00
Hamilton Square	767-36-061	325.00	1.00	0.00	325.00
Hamilton Square	767-36-062	325.00	1.00	0.00	325.00
Hamilton Square	767-36-063	325.00	1.00	0.00	325.00
Hamilton Square	767-36-064	325.00	1.00	0.00	325.00
Hamilton Square	767-36-065	325.00	1.00	0.00	325.00
Hamilton Square	767-36-066	325.00	1.00	0.00	325.00
Hamilton Square	767-36-068	325.00	1.00	0.00	325.00
Hamilton Square	767-36-069	325.00	1.00	0.00	325.00
Hamilton Square	767-36-070	325.00	1.00	0.00	325.00
Hamilton Square	767-36-071	325.00	1.00	0.00	325.00
Hamilton Square	767-36-072	325.00	1.00	0.00	325.00
Hamilton Square	767-36-073	325.00	1.00	0.00	325.00
Hamilton Square	767-36-074	325.00	1.00	0.00	325.00
Hamilton Square	767-36-075	325.00	1.00	0.00	325.00
Hamilton Square	767-36-076	325.00	1.00	0.00	325.00
Hamilton Square	767-36-077	325.00	1.00	0.00	325.00
Hamilton Square	767-36-078	325.00	1.00	0.00	325.00
Hamilton Square	767-36-079	325.00	1.00	0.00	325.00
Hamilton Square	767-36-080	325.00	1.00	0.00	325.00
Hamilton Square	767-36-081	325.00	1.00	0.00	325.00
Hamilton Square	767-36-082	325.00	1.00	0.00	325.00
Jackson Meadows #6	817-26-047	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-048	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-049	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-066	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-067	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-068	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-069	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-070	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-071	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-072	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-073	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-075	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-076	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-077	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-078	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-079	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-080	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-081	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-082	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-083	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-084	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-085	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-086	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-087	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-088	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-089	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-090	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-091	108.00	1.00	0.00	108.00

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Jackson Meadows #6	817-26-092	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-093	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-095	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-096	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-097	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-098	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-099	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-100	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-101	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-102	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-103	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-104	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-105	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-106	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-107	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-108	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-109	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-110	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-111	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-112	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-113	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-114	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-115	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-116	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-117	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-118	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-119	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-120	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-122	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-123	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-124	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-125	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-126	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-127	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-129	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-130	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-131	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-132	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-133	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-134	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-135	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-136	108.00	1.00	0.00	108.00
Jackson Meadows #7	817-70-001	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-002	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-003	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-004	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-005	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-006	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-007	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-008	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-009	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-017	100.00	1.00	0.00	100.00

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
La Grande Estates	767-45-032	88.00	1.00	0.00	88.00
La Grande Estates	767-45-033	88.00	1.00	0.00	88.00
La Grande Estates	767-45-034	88.00	1.00	0.00	88.00
La Grande Estates	767-45-037	88.00	1.00	0.00	88.00
La Grande Estates	767-45-038	88.00	1.00	0.00	88.00
La Grande Estates	767-45-039	88.00	1.00	0.00	88.00
La Grande Estates	767-45-040	88.00	1.00	0.00	88.00
La Grande Estates	767-45-041	88.00	1.00	0.00	88.00
La Grande Estates	767-45-042	88.00	1.00	0.00	88.00
La Grande Estates	767-45-043	88.00	1.00	0.00	88.00
La Grande Estates	767-45-044	88.00	1.00	0.00	88.00
La Grande Estates	767-45-045	88.00	1.00	0.00	88.00
La Grande Estates	767-45-046	88.00	1.00	0.00	88.00
La Grande Estates	767-45-047	88.00	1.00	0.00	88.00
La Grande Estates	767-45-048	88.00	1.00	0.00	88.00
La Grande Estates	767-45-049	88.00	1.00	0.00	88.00
La Grande Estates	767-45-050	88.00	1.00	0.00	88.00
La Grande Estates	767-45-051	88.00	1.00	0.00	88.00
La Grande Estates	767-45-052	88.00	1.00	0.00	88.00
La Grande Estates	767-45-053	88.00	1.00	0.00	88.00
La Grande Estates	767-45-054	88.00	1.00	0.00	88.00
La Grande Estates	767-45-055	88.00	1.00	0.00	88.00
La Grande Estates	767-45-056	88.00	1.00	0.00	88.00
La Grande Estates	767-45-057	88.00	1.00	0.00	88.00
La Grande Estates	767-45-058	88.00	1.00	0.00	88.00
La Grande Estates	767-45-059	88.00	1.00	0.00	88.00
La Grande Estates	767-45-060	88.00	1.00	0.00	88.00
La Grande Estates	767-45-061	88.00	1.00	0.00	88.00
La Grande Estates	767-45-062	88.00	1.00	0.00	88.00
La Grande Estates	767-45-063	88.00	1.00	0.00	88.00
La Grande Estates	767-45-064	88.00	1.00	0.00	88.00
La Grande Estates	767-45-065	88.00	1.00	0.00	88.00
Lacrosse/Gera	767-46-001	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-002	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-003	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-004	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-005	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-006	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-007	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-008	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-009	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-010	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-011	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-012	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-013	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-014	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-015	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-018	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-019	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-020	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-021	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-022	50.00	1.00	0.00	50.00

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Lacrosse/Gera	767-46-023	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-024	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-025	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-026	50.00	1.00	0.00	50.00
Llagas Creek	764-49-002	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-003	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-004	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-005	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-006	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-007	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-008	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-009	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-010	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-011	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-012	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-013	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-014	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-015	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-016	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-017	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-018	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-019	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-020	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-021	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-022	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-023	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-024	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-025	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-026	233.67	1.00	(0.01)	233.66
Llagas Creek	764-50-001	233.67	1.00	(0.01)	233.66
Llagas Creek	764-50-002	233.67	1.00	(0.01)	233.66
Llagas Creek	764-50-003	233.67	1.00	(0.01)	233.66
Llagas Creek	764-50-004	233.67	1.00	(0.01)	233.66
Llagas Creek	764-50-005	233.67	1.00	(0.01)	233.66
Llagas Creek	764-50-006	233.67	1.00	(0.01)	233.66
Llagas Creek	764-50-007	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-001	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-004	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-005	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-010	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-011	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-012	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-013	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-014	233.67	1.00	(0.01)	233.66
Llagas Creek	764-51-015	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-001	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-002	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-003	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-004	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-005	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-006	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-008	233.67	1.00	(0.01)	233.66

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Llagas Creek	764-52-009	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-010	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-011	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-012	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-013	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-014	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-015	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-016	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-017	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-018	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-019	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-020	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-021	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-022	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-023	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-024	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-025	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-026	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-027	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-028	233.67	1.00	(0.01)	233.66
Llagas Creek	764-53-003	233.67	1.00	(0.01)	233.66
Llagas Creek	764-53-004	233.67	1.00	(0.01)	233.66
Llagas Creek	764-53-005	233.67	1.00	(0.01)	233.66
Llagas/Obata	764-23-032	400.00	1.00	0.00	400.00
Llagas/Obata	764-23-033	400.00	1.00	0.00	400.00
Llagas/Obata	764-23-034	400.00	1.00	0.00	400.00
Llagas/Obata	764-23-035	400.00	1.00	0.00	400.00
Llagas/Obata	764-23-036	400.00	1.00	0.00	400.00
Mill Creek	767-47-001	186.82	1.00	0.00	186.82
Mill Creek	767-47-002	186.82	1.00	0.00	186.82
Mill Creek	767-47-003	186.82	1.00	0.00	186.82
Mill Creek	767-47-004	186.82	1.00	0.00	186.82
Mill Creek	767-47-005	186.82	1.00	0.00	186.82
Mill Creek	767-47-006	186.82	1.00	0.00	186.82
Mill Creek	767-47-007	186.82	1.00	0.00	186.82
Mill Creek	767-47-008	186.82	1.00	0.00	186.82
Mill Creek	767-47-009	186.82	1.00	0.00	186.82
Mill Creek	767-47-010	186.82	1.00	0.00	186.82
Mill Creek	767-47-011	186.82	1.00	0.00	186.82
Mill Creek	767-47-012	186.82	1.00	0.00	186.82
Mill Creek	767-47-013	186.82	1.00	0.00	186.82
Mill Creek	767-47-014	186.82	1.00	0.00	186.82
Mill Creek	767-47-015	186.82	1.00	0.00	186.82
Mill Creek	767-47-016	186.82	1.00	0.00	186.82
Mill Creek	767-47-017	186.82	1.00	0.00	186.82
Mill Creek	767-47-018	186.82	1.00	0.00	186.82
Mill Creek	767-47-019	186.82	1.00	0.00	186.82
Mill Creek	767-47-020	186.82	1.00	0.00	186.82
Mill Creek	767-47-021	186.82	1.00	0.00	186.82
Mill Creek	767-47-022	186.82	1.00	0.00	186.82
Mill Creek	767-47-023	186.82	1.00	0.00	186.82
Mill Creek	767-47-029	186.82	1.00	0.00	186.82

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Mill Creek	767-47-030	186.82	1.00	0.00	186.82
Mill Creek	767-47-031	186.82	1.00	0.00	186.82
Mill Creek	767-47-032	186.82	1.00	0.00	186.82
Mill Creek	767-47-033	186.82	1.00	0.00	186.82
Mill Creek	767-47-034	186.82	1.00	0.00	186.82
Mill Creek	767-47-035	186.82	1.00	0.00	186.82
Mill Creek	767-47-036	186.82	1.00	0.00	186.82
Mill Creek	767-47-037	186.82	1.00	0.00	186.82
Mill Creek	767-47-038	186.82	1.00	0.00	186.82
Mill Creek	767-47-039	186.82	1.00	0.00	186.82
Mill Creek	767-47-040	186.82	1.00	0.00	186.82
Mill Creek	767-47-041	186.82	1.00	0.00	186.82
Mill Creek	767-47-042	186.82	1.00	0.00	186.82
Mill Creek	767-47-043	186.82	1.00	0.00	186.82
Mill Creek	767-47-044	186.82	1.00	0.00	186.82
Mill Creek	767-47-045	186.82	1.00	0.00	186.82
Mill Creek	767-47-046	186.82	1.00	0.00	186.82
Mill Creek	767-47-047	186.82	1.00	0.00	186.82
Mill Creek	767-47-048	186.82	1.00	0.00	186.82
Mill Creek	767-47-049	186.82	1.00	0.00	186.82
Mill Creek	767-47-050	186.82	1.00	0.00	186.82
Mill Creek	767-47-051	186.82	1.00	0.00	186.82
Mill Creek	767-47-052	186.82	1.00	0.00	186.82
Mill Creek	767-47-053	186.82	1.00	0.00	186.82
Mill Creek	767-47-054	186.82	1.00	0.00	186.82
Mill Creek	767-47-055	186.82	1.00	0.00	186.82
Mill Creek	767-47-057	186.82	1.00	0.00	186.82
Mill Creek	767-47-058	186.82	1.00	0.00	186.82
Mill Creek	767-47-059	186.82	1.00	0.00	186.82
Mill Creek	767-47-060	186.82	1.00	0.00	186.82
Mill Creek	767-47-061	186.82	1.00	0.00	186.82
Mill Creek	767-47-062	186.82	1.00	0.00	186.82
Mill Creek	767-47-063	186.82	1.00	0.00	186.82
Mill Creek	767-47-064	186.82	1.00	0.00	186.82
Mill Creek	767-47-065	186.82	1.00	0.00	186.82
Mill Creek	767-47-066	186.82	1.00	0.00	186.82
Mill Creek	767-47-067	186.82	1.00	0.00	186.82
Mill Creek	767-47-068	186.82	1.00	0.00	186.82
Mill Creek	767-47-069	186.82	1.00	0.00	186.82
Mill Creek	767-47-070	186.82	1.00	0.00	186.82
Mill Creek	767-47-071	186.82	1.00	0.00	186.82
Mill Creek	767-47-072	186.82	1.00	0.00	186.82
Mill Creek	767-47-073	186.82	1.00	0.00	186.82
Mill Creek	767-47-074	186.82	1.00	0.00	186.82
Mill Creek	767-47-075	186.82	1.00	0.00	186.82
Mill Creek	767-47-076	186.82	1.00	0.00	186.82
Mill Creek	767-47-077	186.82	1.00	0.00	186.82
Mill Creek	767-47-078	186.82	1.00	0.00	186.82
Mill Creek	767-47-079	186.82	1.00	0.00	186.82
Mill Creek	767-47-080	186.82	1.00	0.00	186.82
Mill Creek	767-47-081	186.82	1.00	0.00	186.82
Mill Creek	767-47-082	186.82	1.00	0.00	186.82

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Mill Creek	767-47-083	186.82	1.00	0.00	186.82
Mill Creek	767-47-084	186.82	1.00	0.00	186.82
Mill Creek	767-47-085	186.82	1.00	0.00	186.82
Mill Creek	767-47-086	186.82	1.00	0.00	186.82
Mill Creek	767-47-087	186.82	1.00	0.00	186.82
Mill Creek	767-47-088	186.82	1.00	0.00	186.82
Mill Creek	767-47-089	186.82	1.00	0.00	186.82
Mill Creek	767-47-090	186.82	1.00	0.00	186.82
Oak Creek I, II, III	779-51-001	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-002	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-003	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-004	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-005	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-006	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-007	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-008	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-009	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-010	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-011	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-012	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-013	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-014	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-015	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-016	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-017	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-018	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-019	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-020	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-021	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-022	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-023	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-024	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-030	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-031	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-032	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-033	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-034	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-035	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-036	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-037	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-038	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-039	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-040	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-041	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-042	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-043	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-044	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-045	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-046	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-047	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-048	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-049	350.00	1.00	0.00	350.00

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Oak Creek I, II, III	779-51-050	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-051	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-052	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-053	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-054	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-004	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-005	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-006	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-007	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-008	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-009	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-010	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-011	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-012	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-013	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-014	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-015	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-016	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-017	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-018	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-019	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-020	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-021	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-022	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-023	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-024	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-025	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-026	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-027	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-028	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-029	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-030	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-031	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-032	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-033	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-034	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-035	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-037	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-038	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-039	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-040	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-041	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-047	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-055	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-056	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-057	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-058	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-059	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-060	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-061	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-062	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-063	350.00	1.00	0.00	350.00

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Oak Creek I, II, III	779-52-064	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-065	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-066	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-067	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-068	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-069	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-070	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-071	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-072	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-073	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-074	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-075	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-076	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-077	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-078	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-079	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-080	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-081	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-082	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-083	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-084	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-085	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-086	350.00	1.00	0.00	350.00
Parsons Corner	767-48-001	0.00	1.00	0.00	0.00
Parsons Corner	767-48-002	0.00	1.00	0.00	0.00
Parsons Corner	767-48-003	0.00	1.00	0.00	0.00
Parsons Corner	767-48-004	0.00	1.00	0.00	0.00
Parsons Corner	767-48-005	0.00	1.00	0.00	0.00
Parsons Corner	767-48-006	0.00	1.00	0.00	0.00
Parsons Corner	767-48-007	0.00	1.00	0.00	0.00
Parsons Corner	767-48-008	0.00	1.00	0.00	0.00
Parsons Corner	767-48-009	0.00	1.00	0.00	0.00
Parsons Corner	767-48-010	0.00	1.00	0.00	0.00
Rosehaven	817-10-005	400.00	1.00	0.00	400.00
Rosehaven	817-10-006	400.00	1.00	0.00	400.00
Rosehaven	817-10-007	400.00	1.00	0.00	400.00
Rosehaven	817-10-008	400.00	1.00	0.00	400.00
Rosehaven	817-10-010	400.00	1.00	0.00	400.00
Rosehaven	817-10-011	400.00	2.00	0.00	800.00
Rosehaven	817-10-012	400.00	1.00	0.00	400.00
Rosehaven	817-10-013	400.00	1.00	0.00	400.00
Rosehaven	817-10-014	400.00	1.00	0.00	400.00
Rosehaven	817-10-015	400.00	1.00	0.00	400.00
Rosehaven	817-10-016	400.00	1.00	0.00	400.00
Rosehaven	817-10-017	400.00	1.00	0.00	400.00
Rosehaven	817-10-018	400.00	1.00	0.00	400.00
Rosehaven	817-10-019	400.00	1.00	0.00	400.00
Rosehaven	817-10-020	400.00	1.00	0.00	400.00
Rosehaven	817-10-021	400.00	2.00	0.00	800.00
Rosehaven	817-10-022	400.00	1.00	0.00	400.00
Rosehaven	817-10-023	400.00	1.00	0.00	400.00
Rosehaven	817-10-024	400.00	1.00	0.00	400.00

**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Rosehaven	817-10-025	400.00	1.00	0.00	400.00
Rosehaven	817-10-026	400.00	2.00	0.00	800.00
Rosehaven	817-10-027	400.00	1.00	0.00	400.00
Rosehaven	817-10-028	400.00	1.00	0.00	400.00
Rosehaven	817-10-029	400.00	1.00	0.00	400.00
Sandalwood	728-11-027	450.00	1.00	0.00	450.00
Sandalwood	728-11-028	450.00	1.00	0.00	450.00
Sandalwood	728-11-029	450.00	1.00	0.00	450.00
Sandalwood	728-11-030	450.00	1.00	0.00	450.00
Sandalwood	728-11-031	450.00	1.00	0.00	450.00
Sandalwood	728-11-032	450.00	1.00	0.00	450.00
Sandalwood	728-11-033	450.00	1.00	0.00	450.00
Sandalwood	728-11-034	450.00	1.00	0.00	450.00
Sandalwood	728-11-035	450.00	1.00	0.00	450.00
Sandalwood	728-11-036	450.00	1.00	0.00	450.00
Sandalwood	728-11-037	450.00	1.00	0.00	450.00
Sparhawk	764-31-025	248.82	1.00	0.00	248.82
Sparhawk	764-31-026	248.82	1.00	0.00	248.82
Sparhawk	764-31-027	248.82	1.00	0.00	248.82
Sparhawk	764-31-028	248.82	1.00	0.00	248.82
Sparhawk	764-31-029	248.82	1.00	0.00	248.82
Sparhawk	764-31-030	248.82	1.00	0.00	248.82
Sparhawk	764-31-031	248.82	1.00	0.00	248.82
Sparhawk	764-31-032	248.82	1.00	0.00	248.82
Sparhawk	764-31-033	248.82	1.00	0.00	248.82
Sparhawk	764-31-034	248.82	1.00	0.00	248.82
Sparhawk	764-31-035	248.82	1.00	0.00	248.82
Sparhawk	764-31-036	248.82	1.00	0.00	248.82
Sparhawk	764-31-037	248.82	1.00	0.00	248.82
Sparhawk	764-31-038	248.82	1.00	0.00	248.82
Sparhawk	764-31-039	248.82	1.00	0.00	248.82
Sparhawk	764-31-040	248.82	1.00	0.00	248.82
Sparhawk	764-31-041	248.82	1.00	0.00	248.82
Sparhawk	764-31-042	248.82	1.00	0.00	248.82
Stone Creek	726-06-016	388.46	1.00	0.00	388.46
Stone Creek	726-06-017	388.46	1.00	0.00	388.46
Stone Creek	726-06-018	388.46	1.00	0.00	388.46
Stone Creek	726-06-019	388.46	1.00	0.00	388.46
Stone Creek	726-06-020	388.46	1.00	0.00	388.46
Stone Creek	726-06-021	388.46	1.00	0.00	388.46
Stone Creek	726-06-022	388.46	1.00	0.00	388.46
Stone Creek	726-06-023	388.46	1.00	0.00	388.46
Stone Creek	726-06-024	388.46	1.00	0.00	388.46
Stone Creek	726-06-025	388.46	1.00	0.00	388.46
Stone Creek	726-06-026	388.46	1.00	0.00	388.46
Stone Creek	726-06-027	388.46	1.00	0.00	388.46
Stone Creek	726-06-028	388.46	1.00	0.00	388.46
Stone Creek	726-06-029	388.46	1.00	0.00	388.46
Stone Creek	726-06-030	388.46	1.00	0.00	388.46
Stone Creek	726-06-034	388.46	1.00	0.00	388.46
Stone Creek	726-06-035	388.46	1.00	0.00	388.46
Stone Creek	726-06-036	388.46	1.00	0.00	388.46

Attachment: Engineering Report 2019-20 (2298 : LAD)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2019/20
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2019/20 Assessment (1)
Stone Creek	726-06-037	388.46	1.00	0.00	388.46
Stone Creek	726-06-038	388.46	1.00	0.00	388.46
Stone Creek	726-06-044	388.46	1.00	0.00	388.46
Stone Creek	726-06-045	388.46	1.00	0.00	388.46
Stone Creek	726-06-046	388.46	1.00	0.00	388.46
Stone Creek	726-06-047	388.46	1.00	0.00	388.46
Stone Creek	726-06-048	388.46	1.00	0.00	388.46
Stone Creek	726-06-049	388.46	1.00	0.00	388.46
Stone Creek	726-06-050	388.46	1.00	0.00	388.46
Stone Creek	726-06-051	388.46	1.00	0.00	388.46
Stone Creek	726-06-052	388.46	1.00	0.00	388.46
Stone Creek	726-06-053	388.46	1.00	0.00	388.46
Stone Creek	726-06-054	388.46	1.00	0.00	388.46
Stone Creek	726-06-055	388.46	1.00	0.00	388.46
Stone Creek	726-06-056	388.46	1.00	0.00	388.46
Stone Creek	726-06-057	388.46	1.00	0.00	388.46
Stone Creek	726-06-058	388.46	1.00	0.00	388.46
Sunnyside/Stonegate	773-31-034	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-035	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-036	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-037	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-038	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-039	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-040	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-043	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-044	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-045	375.00	1.00	0.00	375.00
Totals:			758.00	(\$2.10)	\$180,302.92

(1) Amounts placed on the tax roll must be rounded down to an even number. The Assessment includes the rounding adjustment.

7. HISTORICAL ASSESSMENT RATES

The historical assessment rates per Zone are identified on the following pages.

City of Morgan Hill
Landscape Assessment District No. 1
Actual Historical Assessment Rates Per Zone

Zone	Belle Estates	Chang/Bertelone	Conte Gardens	Diana Estates	Fox Hollow / Murphy Sp.	Hamilton Square	Jackson Meadows #6	Jackson Meadows #7	La Grande Estates	Lacrosse/Gera
Annexation Number	93-03	93-05	92-10	94-01	Original	94-03	93-06	91-03	95-03	91-04
Original Rate	\$502.22	\$1,215.00	\$477.82	\$139.39	\$106.15	\$425.54	\$108.10	\$314.58	\$88.00	\$142.99
Unit Count	36	8	11	64	75	38	70	10	32	24
1991/92	-	-	-	\$139.39	-	-	-	\$314.58	-	\$142.99
1992/93	-	-	-	-	-	-	-	-	-	-
1993/94	-	-	-	69.80	-	-	-	77.35	-	8.93
1994/95	-	-	-	69.80	\$106.15	-	-	77.35	-	8.93
1995/96	\$502.00	\$1,215.00	\$285.98	54.14	79.92	\$425.54	\$108.10	88.66	-	8.93
1996/97	71.00	8.93	477.82	21.94	49.11	214.08	76.04	194.70	-	8.93
1997/98	71.00	8.93	477.82	21.94	49.11	214.08	76.04	194.70	-	8.93
1998/99	71.00	8.93	477.82	21.94	49.11	214.08	76.04	194.70	-	8.93
1999/00	147.81	8.93	477.82	81.03	49.11	399.71	108.10	314.50	\$88.00	8.93
2000/01	147.81	8.93	477.82	81.03	49.11	399.71	108.10	314.50	88.00	8.93
2001/02	147.80	8.92	477.82	54.80	49.10	399.70	86.38	314.50	88.00	8.92
2002/03	147.80	8.92	477.82	70.00	101.10	399.70	104.18	314.50	88.00	8.92
2003/04	175.00	8.92	477.82	80.00	101.10	399.70	104.18	314.50	88.00	8.92
2004/05	180.00	8.92	477.82	80.00	101.10	399.70	108.10	314.50	88.00	8.92
2005/06	180.00	94.92	477.82	105.00	141.10	399.70	108.10	314.50	88.00	8.92
2006/07	180.00	94.92	477.82	105.00	141.10	399.70	108.10	314.50	88.00	8.92
2007/08	194.00	94.92	477.82	135.00	141.10	399.70	108.10	314.50	88.00	8.92
2008/09	234.00	94.92	477.82	139.39	149.69	425.54	108.10	314.50	88.00	130.00
2009/10	234.00	200.00	477.82	139.39	149.69	425.54	108.10	314.50	88.00	130.00
2010/11	234.00	300.00	477.82	139.39	149.69	425.54	108.10	314.50	88.00	130.00
2011/12	282.00	400.00	477.82	139.39	168.48	425.54	108.10	314.50	88.00	50.00
2012/13	282.00	400.00	477.82	139.39	173.53	425.54	98.10	140.00	88.00	50.00
2013/14	320.00	500.00	477.82	139.39	173.53	425.54	98.10	140.00	88.00	50.00
2014/15	320.00	500.00	477.82	139.39	173.53	425.54	108.00	140.00	88.00	50.00
2015/16	320.00	550.00	400.00	139.39	173.53	425.54	108.00	100.00	88.00	50.00
2016/17	320.00	550.00	400.00	139.39	173.53	425.54	108.00	100.00	88.00	50.00
2017/18	320.00	550.00	400.00	139.39	173.53	325.00	108.00	100.00	88.00	50.00
2018/19	320.00	550.00	365.00	139.39	173.53	325.00	108.00	100.00	88.00	50.00
2019/20	320.00	550.00	365.00	139.39	173.53	325.00	108.00	100.00	88.00	50.00

City of Morgan Hill
Landscape Assessment District No. 1
Actual Historical Assessment Rates Per Zone

Zone	Llajas Creek Estates	Llajas/Obata	Mill Creek	Oak Creek	Parsons Corner	Rose Haven	Sandalwood	Sparhawk	Stone Creek	Sunnyside / Stone Gate
Annexation Number	91-05	91-07	93-01	94-04	95-02	95-01	96-01	91-06	94-02	91-01
Original Rate	\$140.84	\$629.16	\$186.82	\$453.82	\$568.32	\$488.47	\$192.39	\$174.77	\$306.66	\$449.40
Unit Count	71	5	84	119	10	27	11	18	35	10
1991/92	\$140.85	\$629.16	-	-	-	-	-	\$174.77	-	\$449.40
1992/93	-	-	-	-	-	-	-	-	-	-
1993/94	19.13	335.37	-	-	-	-	-	93.03	-	15.05
1994/95	19.13	15.05	-	-	-	-	-	308.84	-	15.04
1995/96	76.60	15.05	\$186.82	\$453.82	-	-	-	226.46	\$306.66	15.04
1996/97	59.54	8.93	64.57	47.67	\$568.32	\$488.47	-	147.33	146.66	8.93
1997/98	59.54	8.93	64.57	47.67	457.40	189.73	-	147.33	146.66	8.93
1998/99	59.54	8.93	64.57	337.09	457.40	189.73	-	147.33	146.66	8.93
1999/00	140.85	8.93	95.83	320.52	457.40	189.73	\$192.36	147.33	275.00	8.93
2000/01	140.85	8.93	158.64	245.16	457.40	189.73	192.36	147.33	275.00	8.93
2001/02	105.86	8.92	158.64	150.00	457.40	189.72	192.36	147.32	275.00	8.92
2002/03	140.00	8.92	182.64	250.00	300.00	300.00	192.36	147.32	275.00	275.00
2003/04	140.00	8.92	120.00	300.00	300.00	300.00	192.36	147.32	275.00	192.50
2004/05	140.00	8.92	120.00	300.00	300.00	300.00	192.36	147.32	306.66	192.50
2005/06	190.00	53.92	138.00	300.00	430.00	300.00	192.36	202.32	306.66	332.50
2006/07	190.00	53.92	138.00	300.00	430.00	300.00	192.36	202.32	306.66	332.50
2007/08	190.00	53.92	168.00	300.00	460.00	330.00	192.36	208.38	306.66	332.50
2008/09	195.70	53.92	186.82	300.00	460.00	370.00	192.36	214.64	306.66	332.50
2009/10	195.70	53.92	186.82	300.00	460.00	370.00	192.36	214.64	306.66	332.50
2010/11	195.70	53.92	186.82	300.00	460.00	370.00	192.36	214.64	306.66	332.50
2011/12	195.70	53.92	186.82	350.00	250.00	450.00	192.36	241.58	306.66	332.50
2012/13	195.70	53.92	186.82	350.00	250.00	450.00	192.36	248.82	388.46	332.50
2013/14	233.67	53.92	186.82	350.00	250.00	450.00	192.36	248.82	388.46	412.50
2014/15	233.67	53.92	186.82	350.00	250.00	450.00	192.36	248.82	388.46	412.50
2015/16	233.67	143.92	186.82	350.00	250.00	450.00	192.36	248.82	388.46	375.00
2016/17	233.67	143.92	186.82	350.00	250.00	488.00	192.36	248.82	388.46	375.00
2017/18	233.67	143.92	186.82	350.00	250.00	488.00	192.36	248.82	388.46	375.00
2018/19	233.67	400.00	186.82	350.00	250.00	400.00	450.00	248.82	388.46	375.00
2019/20	233.67	400.00	186.82	350.00	0.00	400.00	450.00	248.82	388.46	375.00

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MORGAN HILL, INITIATING PROCEEDINGS FOR THE
LEVY AND COLLECTION OF ASSESSMENTS FOR THE
CITY OF MORGAN HILL LANDSCAPE ASSESSMENT
DISTRICT NO. 1 FOR FISCAL YEAR 2019-20**

WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the “Act”) to establish the City’s Fox Hollow/Murphy Springs Landscape Assessment District and has by previous resolution changed the name to the City of Morgan Hill Landscape Assessment District No. 1 (the “Assessment District”); and,

WHEREAS, the City has retained NBS for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

- 1. Annual Report:** The Council hereby orders NBS to prepare and file with the City Clerk the Annual Report concerning the levy and collection of assessments within the Assessment District for the fiscal year commencing July 1, 2019 and ending June 30, 2020.
- 2. New Improvements or Changes to Existing Improvements:** There are no changes to existing improvements nor are there any items being added to the list of improvements previously approved at the formation of the Assessment District.

PASSED, APPROVED AND ADOPTED by the City Council of Morgan Hill at a regular meeting held on the 15th day of May 2019.

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

IRMA TORREZ, City Clerk

Attachment: Resolution 1 - Initiate Proceedings 19-20 (2298 : LAD)

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 May 15, 2019.

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

DATE: _____

Irma Torrez, CITY CLERK

Attachment: Resolution 1 - Initiate Proceedings 19-20 (2298 : LAD)

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, APPROVING THE ANNUAL REPORT FOR THE CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2019-20**

WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the “Act”) to establish the City’s Fox Hollow/Murphy Springs Landscape Assessment District and has by previous resolution changed the name to the City of Morgan Hill Landscape Assessment District No. 1 (the “Assessment District”); and,

WHEREAS, the City has retained NBS for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report; and

WHEREAS, the Council has, by previous resolution, ordered NBS to prepare and file such Annual Report; and

WHEREAS, NBS has prepared and filed such Annual Report with the City Clerk.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

- 1. Approval of Report:** The Council approves the Annual Report concerning the levy of assessments for the fiscal year commencing July 1, 2019 and ending June 30, 2020.

PASSED, APPROVED AND ADOPTED by the City Council of Morgan Hill at a regular meeting held on the 15th day of May 2019.

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

IRMA TORREZ, City Clerk

Attachment: Resolution 2 - Approve Report 19-20 (2298 : LAD)

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 May 15, 2019.

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

DATE: _____

Irma Torrez, CITY CLERK

Attachment: Resolution 2 - Approve Report 19-20 (2298 : LAD)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MORGAN HILL, DECLARING ITS INTENTION TO LEVY
AND COLLECT ASSESSMENTS FOR THE CITY OF
MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NO. 1
FOR FISCAL YEAR 2019-20 AND SETTING A DATE, TIME
AND PLACE FOR A PUBLIC HEARING**

WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the “Act”) to establish the City’s Fox Hollow/Murphy Springs Landscape Assessment District and has by previous resolution changed the name to the City of Morgan Hill Landscape Assessment District No. 1 (the “Assessment District”); and

WHEREAS, the City has retained NBS for the purpose of assisting with the annual levy of the Assessment District, and to prepare and file an Annual Report.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

1. **Intention:** The Council hereby declares its intention to levy and collect assessments within the Assessment District to pay the costs of the Improvements for the fiscal year commencing July 1, 2019 and ending June 30, 2020. The Council finds that the public’s best interest requires such action.
2. **Improvements:** The Improvements include, but are not limited to: ground cover, shrubs, plants and trees, irrigation and drainage systems, graffiti removal, entry monuments, and associated appurtenant facilities. Services provided include all necessary service, operations, administration and maintenance required to keep the above mentioned improvements in a healthy, vigorous and satisfactory condition.
3. **Assessment District Boundaries:** The boundaries of the Assessment District are as shown by the assessment diagram filed in the offices of the City Clerk, which map is made a part hereof by reference.
4. **Annual Report:** Reference is made to the Annual Report prepared by NBS, on file with the Clerk, for a full and detailed description of the improvements, the boundaries of the Assessment District and the zones therein, and the proposed assessments upon assessable lots and parcels of land within the Assessment District.
5. **Notice of Public Hearing:** The Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments in accordance with Section 22629 of the Act. All objections to the assessment, if any, will be considered by the Council. The Public Hearing will be held on **Wednesday June 5, 2019 at 7:00 PM** or as soon thereafter as is

feasible in the Council Chambers located at 17555 Peak Avenue, Morgan Hill, CA 95037. The Council further orders the City Clerk to publish notice of this resolution in accordance with Section 22626 of the Act.

6. **Increase of Assessment:** The maximum assessment is not proposed to increase from the previous year above that previously approved by the property owners (as “increased assessment” is defined in Section 54954.6 of the Government Code).
7. **Detachment of Parsons Corner Subarea:** On April 3, 2019 voters approved the detachment of the Parsons Corner Subarea from the Assessment District. The improvements previously handled by the City will be maintained by the Home Owner Association and there will be no further assessment to the property owners.

PASSED, APPROVED AND ADOPTED by the City Council of Morgan Hill at a regular meeting held on the 15th day of May 2019.

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

IRMA TORREZ, City Clerk

CERTIFICATION

I, Irma Torrez, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. ____, adopted by the City Council at the meeting held on May 15, 2019.

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

DATE: _____

Irma Torrez, CITY CLERK

Attachment: Resolution 3 - Intent Public Hearing 19-20 (2298 : LAD)



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

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

APPROVE LEADERSHIP MORGAN HILL DOWNTOWN BIKE RACK PROJECT

RECOMMENDATION(S)

1. Approve the 2019 Leadership Morgan Hill Class Downtown Bike Rack Project; and
2. Direct City staff to coordinate final design and installation of the Bike Rack Project.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community

GUIDING DOCUMENTS

Bikeways
Trails
Parks and Recreation Masterplan
Station Area Master Plan

REPORT NARRATIVE:

The 2019 Class of Leadership Morgan Hill has reached out to the City and proposed a project to replace existing bike racks in the Downtown. The proposed new bike racks include a variety of designs that are fun, unique and support placemaking in the Downtown.

The locations and types of the bike racks are outlined in Attachment 1 and the Leadership Class has developed an interactive map to review the bike rack type and locations at: <https://tinyurl.com/y62a3hjo>

The Library, Culture and Arts Commission reviewed the proposed project on May 7, 2019. The proposed bike racks include prefabricated designs and are not considered public art, and therefore the Commission made comments and recommendations on the value of the bike racks towards placemaking in the Downtown. There was consensus from the Commission on the following recommendations:

- Include bright and varying colors for the racks next to the Railroad Park.
- Support varying colors for the racks through the remainder of the Downtown.
- Recommended staff work with the Leadership Class on the color palate to make the racks colorful but coordinated with the Downtown.

The bike rack colors proposed by the Class are included in Attachment 2. City staff is recommending the City Council approve the project and direct City staff to work with the Leadership Class to implement it.

COMMUNITY ENGAGEMENT: Empower

The project was brought forward by community members enrolled in Leadership Morgan Hill (Class) and will be implemented by these community members. City staff has discussed with the Class that outreach should occur with businesses that are near each of the racks and the Downtown Association.

ALTERNATIVE ACTIONS:

The City Council may choose to not approve the project or provide additional direction on the project.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City has worked with Leadership Morgan Hill on various class projects, including public art, over the last two decades. The most recent art project created by Leadership Morgan Hill is the utility box art project conducted in 2018.

FISCAL AND RESOURCE IMPACT:

The funding of the project will be the responsibility of the Class and the City does not anticipate any direct costs from the project. The life expectancy of the powder coating on the bike racks is for at least 10 years, so the City does not anticipate significant maintenance costs attributed to the project.

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.

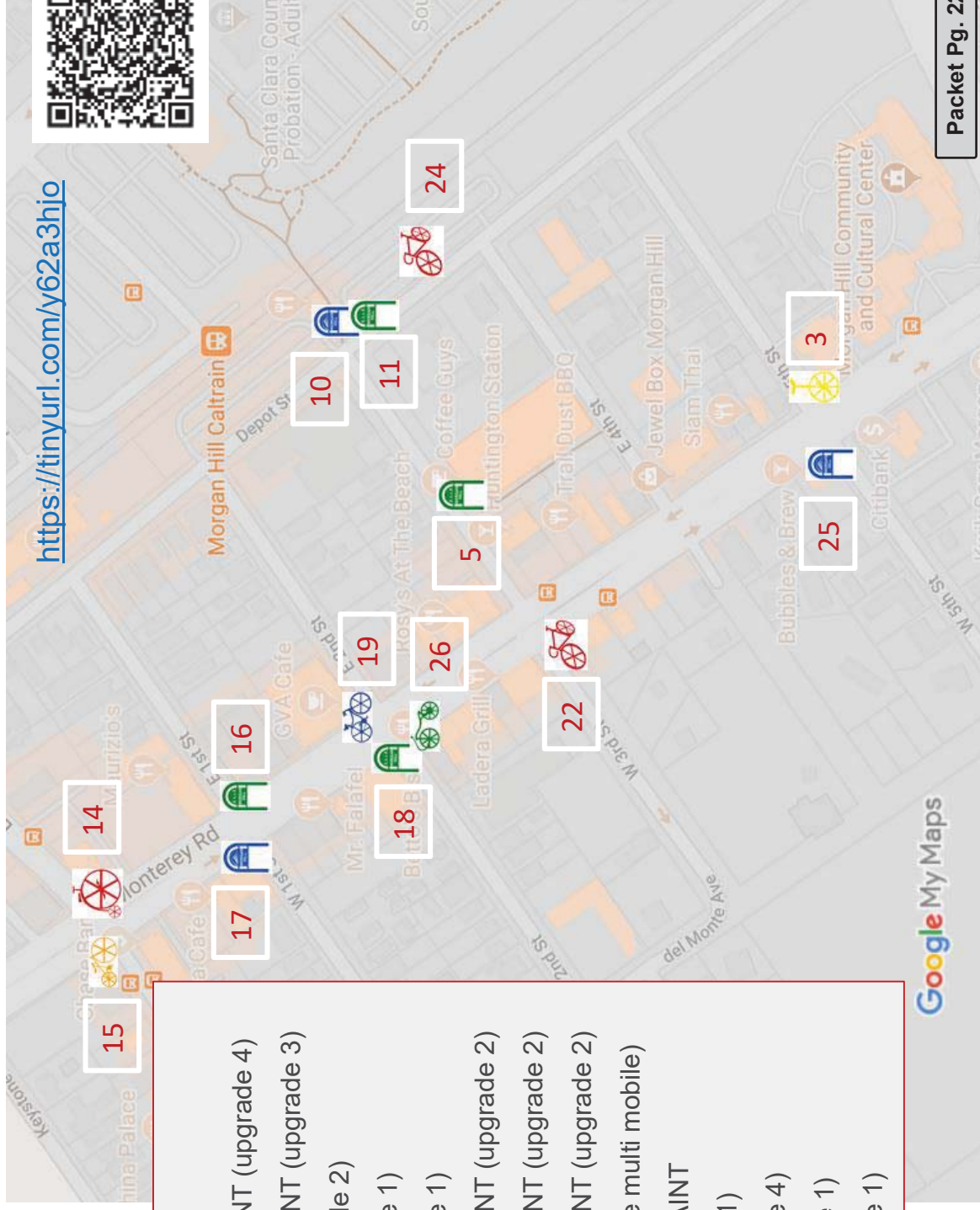
LINKS/ATTACHMENTS:

1. Bike Rack Locations
2. Attachment 2 Proposed Colors



14 Locations with Styles of Racks

<https://tinyurl.com/y62a3hjo>



- 3: SPECIAL (replace 1)
- 5: 2x INSERT & 2x PAINT (upgrade 4)
- 10: 1x INSERT & 2x PAINT (upgrade 3)
- 11: 2x INSERTS (upgrade 2)
- 14: 1x SPECIAL (replace 1)
- 15: 1x SPECIAL (replace 1)
- 16: 1x INSERT & 1x PAINT (upgrade 2)
- 17: 1x INSERT & 1x PAINT (upgrade 2)
- 18: 1x INSERT & 1x PAINT (upgrade 2)
- 19: 1x SPECIAL (replace multi mobile)
- 22: 1x SPECIAL & 1x PAINT
(replace 1, upgrade 1)
- 24: 4x SPECIAL (replace 4)
- 25: 1x INSERT (upgrade 1)
- 26: 1x SPECIAL (replace 1)

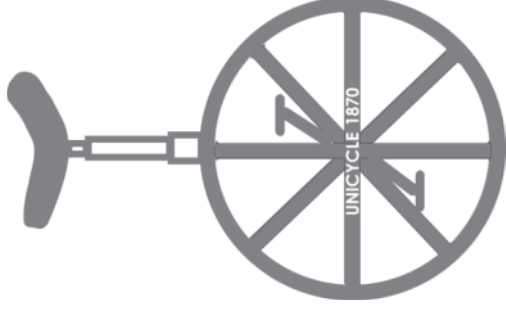


Special Racks and Locations

Location 3 – Community Playhouse



Style and Color



Approx. 29"x32"

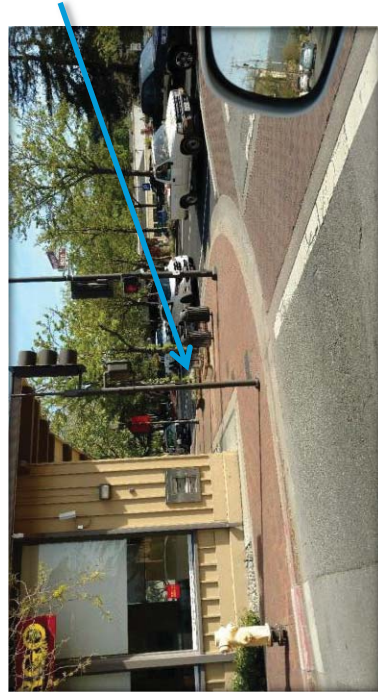
Powder Coat	Painted Blue
Traffic Yellow	Traffic Yellow
Pure Orange	Carmine Red
Heather Violet	Blue Lac
Sky Blue	Traffic Green
Traffic Grey A	Pale Brown
Signal White	Traffic Black





Special Racks and Locations

Location 14 - Wells Fargo



Style and Color

Penny Farthing 1866



Approx. 63"x52"





Special Racks and Locations

10.a

Location 15 - El Toro Brewing

Style and Color



Approx. 58"x42"



Attachment: Bike Rack Locations (2319 : Leadership Morgan Hill Bike Rack Project)



Special Racks and Locations

Location 19 - GVA



Style and Color



Approx. 56"x41"





Special Racks and Locations

Location 22 – 3rd and Monterey



One **special rack**, one **arch** in the same color



Style and Color



Powder Coat	Traffic Yellow	Carmine Red	Heather Violet	Blue Lac	Sky Blue	Traffic Green	Traffic Grey A	Pale Brown	Signal White	Traffic Black
Perfect Blue	Yellow	Red	Pink	Purple	Blue	Green	Grey	Brown	White	Black



Special Racks and Locations

Location 24 – S side of the Railroad Park Style and Color



Powder Coat	Parakeet Blue
	Traffic Yellow
	Pure Orange
	Carmine Red
	Heather Violet
	Blue Lac
	Sky Blue
	Traffic Green
	Traffic Grey A
	Pale Brown
	Signal White
	Traffic Black



Special Racks and Locations

Location 26 – near Betto’s



Style and Color



Approx. 52"x38"

Powder Coat	Traffic Black	Signal White	Pale Brown	Traffic Grey A	Traffic Green	Sky Blue	Blue Llac	Heather Violet	Crimson Red	Pure Orange	Traffic Yellow	Perfect Blue
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Arched Racks

(upgrade: inserts and/or paint)

10.a

Loc #	Locations	Current Arch Position	Upgrade
5	• 3rd St Plaza	• Bolted arches, parallel	2 insert, 2 paint
22	• W 3 rd St	• Bolted arches, side by side	1 replace, 1 paint
25	• W 5 th @Monterey	• Bolted arch	1 insert
10	• Train station	• Bolted arches, parallel	1 insert, 2 paint
11	• Railroad Park	• Bolted arches, side by side	2 inserts
16	• E 1st @ Monterey	• Bolted arches, parallel	1 insert, 1 paint
17	• W 1st @ Monterey	• Bolted arches, parallel	1 insert, 1 paint
18	• NW 2nd @ Monterey	• Bolted arches, parallel	1 insert, 1 paint



Attachment: Bike Rack Locations (2319 : Leadership Morgan Hill Bike Rack Project)

Attachment 2
Proposed Colors

		
RAL 3000 49/33120 38/30000	RAL 1032 49/22450 38/20032	RAL 5021 49/41190 38/40021
		
RAL 5015 49/42330 38/40015	RAL 6018 49/52720 38/50018	RAL 8023 49/66070 38/60023



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Harjot Sangha, Accounting Manager
APPROVED BY: City Manager

APPROVE AGREEMENT BETWEEN THE CITY AND VISIT MORGAN HILL FOR SERVICES RELATED TO THE MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT

RECOMMENDATION(S)

1. Approve agreement for services with Visit Morgan Hill for administration and delivery of services related to the Morgan Hill Tourism Business Improvement District (MHTBID) and to receive \$100,000 in contributions from Visit Morgan Hill for 2018 Amgen, 2019 Amgen, and costs associated with establishing the MHTBID; and
2. Authorize the City Manager to administer and amend the agreement as needed.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility

2019 Strategic Priorities

Economic Development

REPORT NARRATIVE:

This report is to provide the City Council with an opportunity to review and approve an agreement for services with Visit Morgan Hill, the management organization of the recently established Morgan Hill Tourism Business Improvement District (MHTBID).

On January 23, 2019, the City Council adopted a resolution creating the MHTBID in accordance with the provisions of the Property and Business Improvement District law of 1994, which went into effect on March 1, 2019. In establishing the MHTBID, the City Council also adopted the Management District Plan (Plan), which outlines the Boundary, Term, Budget, Mission and Governance of the District.

For the Governance, a new non-profit corporation, Visit Morgan Hill, has been formed to serve as the “owner’s association” charged with management of funds and implementation of the MHTBID Management District Plan. The plan also outlines the responsibilities of the City in collecting the assessment on a monthly basis, beginning with March 2019. The City will then forward the monthly assessment to Visit Morgan Hill, less its administrative fee of 2%. It is recommended that both parties, Visit Morgan Hill, and the City, enter into an agreement for services (Attachment No. 1) that clearly defines the responsibilities of the owner’s association and the City. In addition, the agreement includes \$100,000 in contributions from Visit Morgan Hill to the City for 2018 Amgen, 2019 Amgen, and costs associated with establishing the MHTBID. The contributions will be made over the course of 12 payments, to be deducted from the monthly MHTBID assessment collection, in addition to the administrative fee of 2%. The

term of the agreement mirrors the term of the Plan, expiring February 24, 2024 unless the MHTBID is disestablished prior to that time, which would result in the termination date to coincide with the effective date of the MHTBID disestablishment.

Visit Morgan Hill has already reviewed and approved the agreement. While the City staff was certain the board would approve the contributions for establishing the MHTBID (\$45,000) and 2018 Amgen (\$27,500), the board proactively, in good faith, approved the same matching amount for the 2019 Amgen (\$27,500). Staff recommends Council approve the agreement for services and commence a successful partnership with the Visit Morgan Hill in promoting tourism within the City of Morgan Hill.

COMMUNITY ENGAGEMENT: Not Applicable.

While approval of this agreement did not require community engagement, the community was involved in establishing the MHTBID.

ALTERNATIVE ACTIONS:

No feasible alternative.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On July 18, 2018, the City Council directed staff to proceed with the creation of a Morgan Hill Tourism Business Improvement District (MHTBID).

On November 7, 2018 the City Council approved the Management District Plan (Plan) that identifies the proposed MHTBID's boundary, budget, services, and governance and directed staff to circulate the MHTBID Petition Form.

On November 28, 2018, the Council approved the Resolution of Intention that directed staff to issue the MHTBID Public Notice and set the Public Hearing for January 23, 2019.

On December 19, 2018, the Council held a Public Meeting to receive public comment on the creation of the MHTBID. No public comment was received.

On January 23, 2019, the Council held a Public Hearing and adopted a resolution establishing the MHTBID.

FISCAL AND RESOURCE IMPACT:

The City will assess a 2% administrative fee for the collection and remittance services of the MHTBID assessment. Additionally, through this agreement, the City expects to receive \$100,000 in contributions for 2018 Amgen, 2019 Amgen, and costs associated with establishing the MHTBID. The repayment will be over one year commencing May 2019 and will be deducted from the monthly collection and remittance of the MHTBID assessment, in addition to the City's administrative fee of 2%.

The repayment of \$100,000 and the 2% administrative fee will be deposited into the City's General Fund (010). GL#: 010.37645.

The related budgetary adjustments are included with the mid-cycle budget update, to be presented to Council on May 22, 2019.

CEQA (California Environmental Quality Act):

Pursuant to CEQA, organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment are exempt activities.

LINKS/ATTACHMENTS:

1. City and Visit MH Agreement

AGREEMENT FOR SERVICES

This Agreement, dated _____, is by and between the City of Morgan Hill, hereinafter referred to as the “City,” and Visit Morgan Hill, hereinafter referred to as “Contractor,” collectively referred to as the “Parties.”

RECITALS

A. On January 23, 2019, the City Council adopted Resolution No. 19-004, hereinafter the “Resolution,” creating the Morgan Hill Tourism Business Improvement District, hereinafter “MHTBID,” in accordance with the provisions of the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq., hereinafter the “1994 Law.”

B. Contractor was designated in the Resolution and MHTBID Management District Plan as the Owners’ Association in accordance with Streets and Highways Code section 36612.

C. Streets and Highways Code section 36651 requires a contract between the City and the Owners’ Association.

D. Each Party is willing to provide services to the other Party on the terms and conditions set forth in this Agreement, and in accordance with the MHTBID Management District Plan.

AGREEMENT

Now, therefore, the parties agree as follows:

1. Engagement. Each Party hereby retains the other Party to provide the services described in Exhibit A, and each Party accepts such engagement.
2. Term. The term of this Agreement shall begin on the last date signed by all Parties, and end on February 29, 2024 or, if the MHTBID is disestablished prior to February 29, 2024, the effective date of MHTBID disestablishment.
3. Independent Contractor. No relationship of employer and employee is created by this Agreement; it being understood and agreed that Contractor is an Independent Contractor. Contractor is not the agent or employee of the City in any capacity whatsoever, and the City shall not be liable for any acts or omissions by Contractor nor for any obligations or liabilities incurred by Contractor.
 - A. Contractor shall have no claim under this Agreement or otherwise, for seniority, vacation time, vacation pay, sick leave, personal time off, overtime, health insurance, medical care, hospital care, retirement benefits, social security, disability, Workers’ Compensation, unemployment insurance benefits, civil service protection, or employee benefits of any kind.
 - B. Contractor shall be solely liable for and obligated to pay directly all applicable payroll taxes (including federal and state income taxes) or contributions for unemployment insurance or old age pensions or annuities which are imposed by any governmental entity in connection with labor used or which are measured by wages, salaries or other remuneration paid to its officers,

agents or employees and agrees to indemnify and hold City harmless from any and all liability which City may incur because of Contractor's failure to pay such amounts.

C. In carrying out the work contemplated herein, Contractor shall comply with all applicable federal and state Workers' Compensation and liability laws and regulations with respect to the officers, agents and/or employees conducting and participating in the work; and agrees that such officers, agents, and/or employees will be considered Independent Contractors and shall not be treated or considered in any way as officers, agents and/or employees of City.

D. Contractor agrees to perform its work and functions at all times in strict accordance with all applicable federal, state, county and city laws, resolutions, regulations, titles, departmental procedures and currently approved methods and practices in the field; and that the sole interest of City is to ensure that said service shall be performed and rendered in a competent, efficient, timely and satisfactory manner and in accordance with standards required by the City.

E. Notwithstanding the foregoing, if the City determines that pursuant to state and federal law Contractor is an employee for purposes of income tax withholding, City may upon two (2) week's written notice to Contractor, withhold from payments to Contractor hereunder federal and state income taxes and pay said sums to the federal and state governments.

4. Indemnification.

A. To the fullest extent permitted by law, Contractor shall hold harmless, defend and indemnify the City, its City Council, employees and agents from and against any and all claims, losses, damages, liabilities and expenses, including but not limited to reasonable attorneys' fees, arising out of or resulting from the performance of services under this Agreement, provided that any such claim, loss, damage, liability or expense (1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property, including the loss therefrom, or to any violation of federal, state or municipal law or regulation, and (2) is caused by any negligent act, omission or willful misconduct of Contractor, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by any party indemnified hereunder. The City may participate in the defense of any such claim without relieving Contractor of any obligation hereunder.

B. To the fullest extent permitted by law, the City shall hold harmless, defend and indemnify Contractor, its Board of Directors, employees and agents from and against any and all claims, losses, damages, liabilities and expenses, including but not limited to reasonable attorneys' fees, arising out of or resulting from the performance of services under this Agreement, provided that any such claim, loss, damage, liability or expense (1) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property, including the loss therefrom, or to any violation of federal, state or municipal law or regulation, and (2) is caused by any negligent act, omission or willful misconduct of City, any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by any party indemnified hereunder. The Contractor may participate in the defense of any such claim without relieving City of any obligation hereunder.

5. Insurance. Insurance coverage in a minimum amount set forth herein shall not be construed to relieve Contractor for liability in excess of such coverage, nor shall it preclude City from taking such other action as is available to it under any other provisions of this Agreement or otherwise in law. 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 an financial size rating of "VII" or better. Contractor shall furnish CITY of Morgan Hill with copies of all policies or certificates as outlined herein, whether new or modified, promptly upon receipt. Certificates may be mailed electronically to riskmgmt@morganhill.ca.gov, or delivered at City of Morgan Hill, Attn: Risk Management, 17575 Peak Avenue, Morgan Hill, CA 95037.

A. Contractor affirms that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of the Code and Contractor further assures that it will comply with such provisions before commencing the performance of work under this Agreement. Contractor shall maintain Workers Compensation coverage, as required by law, 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 CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. If Contractor is self-insured, Contractor shall provide its Certificate of Permission to Self-Insure, duly authorized by the Department of Industrial Relations. Contractor shall require all subcontractors similarly to provide Workers' Compensation Insurance as required by the Labor Code of the State of California for all of Contractor's and subcontractors' employees. Contractor shall provide Workers' Compensation insurance, as applicable, at Contractor's own cost and expense. Neither Contractor nor its carrier shall be entitled to recover from City any costs, settlements, or expenses of Workers' Compensation claims arising out of this Agreement.

B. Commercial General Liability (CGL). Contractor shall maintain CGL 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 Contractor under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

C. Automobile Liability. Contractor shall maintain Automobile Liability covering all owned, non-owned and hired automobiles (if Contractor does not own automobiles, then Contractor 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 Contractor under Contractor's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

D. Professional Liability.

1) If the performance of Contractor's work or service under this Agreement involves professional and/or technical services (examples include, but are not limited to, architects, engineers, land surveyors, and appraisers), Contractor shall procure and maintain either a claims made or occurrence Errors and Omission liability insurance in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to Contractor under Contractor's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. Further, if Contractor maintains a claims-made policy, Contractor shall provide written evidence of such insurance to the CITY for at least five (5) years after the completion of work performed under this Agreement.

2.) If the performance of Contractor's work or service under this Agreement relates to Information Technology or related services (examples include, but are not limited to computer programmers, hardware engineers, or other systems consultants), CONSULTANT shall procure and maintain a claims made Errors and Omission liability insurance, including Cyber Liability and Data Breach, in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to Contractor under Contractor's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

3.) If the performance of Contractor's work or service under this Agreement involves contact with minors, Contractor shall procure and maintain Sexual Abuse and Molestation insurance in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to Contractor under Contractor's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

E. Endorsements. Contractor shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below:

1.) General Liability.

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

b.) the insurer waives the right of subrogation against the City of Morgan Hill and the CITY's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers; and,

c.) insurance shall be primary non-contributing.

2.) Worker's Compensation. The insurer waives the right of subrogation against the City of Morgan Hill and the CITY's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.

6. Conformity with Law.

A. In performing services under this Agreement, Contractor shall observe and comply with all applicable laws, resolutions, codes and regulations of governmental agencies, including federal, state, municipal, and local governing bodies, having jurisdiction over the scope of services, including all applicable provisions of the California Occupational Safety and Health Act. Contractor shall indemnify and hold City harmless from any and all liability, fines, penalties and consequences from any of Contractor's failures to comply with such laws, resolutions, codes and regulations.

B. If a death, serious personal injury or substantial property damage occurs in connection with Contractor's performance of this Agreement, Contractor shall immediately notify the City. Contractor shall promptly submit to City a written report, in such form as may be required by City of all accidents which occur in connection with this Agreement. This report must include the following information:

- (1) Name and address of the injured or deceased person(s);
- (2) Name and address of Contractor's sub-contractor, if any;
- (3) Name and address of Contractor's liability insurance carrier; and
- (4) A detailed description of the accident and whether any of City's equipment, tools, material, or staff were involved.

C. Contractor further agrees to take all reasonable steps to preserve all physical evidence and information which may be relevant to the circumstances surrounding a potential claim, while maintaining public safety, and to grant to the City the opportunity to review and inspect such evidence, including the scene of the accident.

7. Payment. City shall forward to Contractor all MHTBID assessment funds collected within thirty (30) days of collection, less any City administrative fees as authorized in the MHTBID Management District Plan. In addition to the City administrative fees, the City shall deduct the amount outlined in Exhibit B for the costs incurred by the City in establishing the MHTBID and costs for 2018 & 2019 Amgen tour, from the MHTBID assessment funds, until fully repaid. Repayment plan is outlined in Exhibit B.

8. Taxes. Payment of all applicable federal, state and local taxes shall be Contractor's sole responsibility.

9. Ownership of Documents.

A. In the event the MHTBID is dissolved, Contractor hereby agrees to provide to a private, not-for-profit, successor and if there is none then assigns the City and its assignees all copyright and other use rights in any and all proposals, plans, specifications, designs, drawings, sketches, renderings, models, reports and related documents (including computerized or electronic copies) respecting in any way the subject matter of this Agreement, whether prepared by the City, the

Contractor, the Contractor's subcontractors or third parties at the request of the Contractor (collectively, "Documents and Materials"). This explicitly includes electronic copies of all above stated documentation.

B. Contractor shall be permitted to retain copies, including reproducible copies and computerized copies, of Documents and Materials. Contractor agrees to take such further steps as may be reasonably requested by City to implement the aforesaid assignment. If for any reason said assignment is not effective, Contractor hereby grants the City and any assignee of the City an express royalty-free license to retain and use said Documents and Materials. The City's rights under this paragraph shall apply regardless of the degree of completion of the Documents and Materials and whether or not Contractor's services set forth in Exhibit "A" of this Agreement have been fully performed or paid for.

C. Contractor shall pay all royalties and license fees which may be due for any patented or copyrighted materials, methods or systems selected by Contractor and incorporated into the work as set forth in Exhibit "A", and shall defend, indemnify and hold the City harmless from any claims for infringement of patent or copyright arising out of such selection.

D. The City's rights under this Section shall not extend to any computer software used to create such Documents and Materials.

E. Contractor shall maintain all documents and records in accordance with the California Public Records Act, Government Code section 6250 et seq.

10. Conflicts of Interest. Contractor covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with performance of services required under this Agreement.

11. Notices. All notices, requests, demands, or other communications under this Agreement shall be in writing. Notices shall be given for all purposes as follows:

A. Personal delivery: When personally delivered to the recipient, notices are effective on delivery.

B. First Class Mail: When mailed first class to the last address of the recipient known to the party giving notice, notice is effective three (3) mail delivery days after deposit in a United States Postal Service office or mailbox. Certified Mail: When mailed certified mail, return receipt requested, notice is effective on receipt, if delivery is confirmed by a return receipt.

C. Overnight Delivery: When delivered by overnight delivery with charges prepaid or charged to the sender's account, notice is effective on delivery, if delivery is confirmed by the delivery service.

D. Addresses for purpose of giving notice are as follows:

To City:	To Contractor:
City Manager	Chair of the Board

City of Morgan Hill 17575 Peak Avenue Morgan Hill, CA 95037	Visit Morgan Hill 17575 Peak Avenue Morgan Hill, CA 95037
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- E. Any correctly addressed notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified shall be deemed effective as of the first date that said notice was refused, unclaimed, or deemed undeliverable by the postal authorities, messenger, or overnight delivery service.
- F. Any party may change its address by giving the other party notice of the change in any manner permitted by this Agreement.
12. Use of City Property. Contractor shall not use City property, including equipment, instruments and supplies, or personnel for any purpose other than in the performance of its obligations under this Agreement.
13. Equal Employment Opportunity Practices Provisions. Contractor certifies that it is in compliance with the Equal Employment Opportunity Requirement of Executive Order 11246, as amended by Executive Order 11375 and supplemented I 45CFR, Part 60, Title VII of the Civil Rights Act and any other federal or state laws pertaining to equal employment opportunity and that it shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, age, sex, national origin, ancestry, marital status, political affiliation or physical or mental condition, in matters pertaining to recruitment, hiring, training, upgrading, transfer, compensation or termination.
- A. Contractor shall, in all solicitations or advertisements for applicants for employment placed as a result of this Agreement, state that it is an “Equal Opportunity Employer” or that all qualified applicants will receive consideration for employment without regard to their race, creed, color, disability, sex, sexual orientation, national origin, age, religion, Vietnam era Veteran’s status, political affiliation, or any other non-merit factor.
- B. Contractor shall, if requested to so do by the City, certify that it has not, in the performance of this Agreement, discriminated against applicants or employees because of their race, creed, color, disability, sex, sexual orientation, national origin, age, religion, Vietnam era Veteran’s status, political affiliation, or any other non-merit factor.
- C. If requested by the City, Contractor shall provide the City with access to copies of all of its records pertaining or relating to its employment practices, except to the extent such records or portions of such records are confidential or privileged under state or federal law.
- D. Nothing contained in this Agreement shall be construed in any manner so as to require or permit any act which is prohibited by law.
- E. Contractor shall include the provisions set forth in this Section in each of its subcontracts.
14. Compliance with Licensing Requirements. Contractor shall comply with all necessary licensing requirements and shall obtain appropriate licenses and display the same in a location that is reasonably conspicuous, and file copies of same with the City.

15. Audits and Records Access.

A. Contractor shall make available to the City, its authorized agents, officers, or employees, for examination any and all ledgers, books of accounts, invoices, vouchers, cancelled checks, and other records or documents evidencing or relating to the expenditures and disbursement of MHTBID assessment funds, and shall furnish to the City, within sixty (60) days after examination, its authorized agents, officers or employees such other evidence or information as the City may require with regard to any such expenditure or disbursement charged by Contractor.

B. Contractor shall maintain full and adequate records in accordance with City requirements to show the actual costs incurred by the Contractor in the performance of this Agreement. If such books and records are not kept and maintained by Contractor within the City, Contractor shall, upon request of the City, make such books and records available to the City for inspection at a location within the City or Contractor shall pay to the City the reasonable and necessary costs incurred by the City in inspecting Contractor's books and records, including, but not limited to, travel, lodging and subsistence costs. Contractor shall provide such assistance as may be reasonably required in the course of such inspection. The City further reserves the right to examine and re-examine said books, records and data during the four (4) year period following termination of this Agreement or completion of all work hereunder, as evidenced in writing by the City, and Contractor shall in no event dispose of, destroy, alter, or mutilate said books, records, accounts, and data in any manner whatsoever for four (4) years after the City makes the final or last payment or within four (4) years after any pending issues between the City and Contractor with respect to this Agreement are closed, whichever is later.

C. Contractor shall not be required to conduct an annual audit. However, if the City has a reasonable basis to believe that expenditures have not been consistent with the MHTBID Management District Plan, the 1994 Law, or any other applicable laws, the City may request an audit of expenditures for the period in question.

16. Documents and Materials. Contractor shall maintain and make available to City for its inspection and use during the term of this Agreement, all Documents and Materials, defined as any and all documents, contracts, subcontracts, receipts, invoices, plans, collateral, advertisements and other paper or electronic writings and other materials used for the provision of services under this Agreement. Contractor's obligations shall continue for four (4) years following termination or expiration of this Agreement, and Contractor shall in no event dispose of, destroy, alter or mutilate said Documents and Materials, for four (4) years following the City's last payment to Contractor under this Agreement.

17. Time of Essence. Time is of the essence in respect to all provisions of this Agreement that specify a time for performance; provided, however, that the foregoing shall not be construed to limit or deprive a party of the benefits of any grace or use period allowed in this Agreement.

18. Termination/Disestablishment. The City has and reserves the right to suspend, terminate or abandon the execution of any work by Contractor upon adoption of a resolution disestablishing the MHTBID pursuant to the 1994 Law. Per the 1994 Law, such a resolution may only be adopted if (1) the City Council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district and a noticed hearing on disestablishment is held, or (2) in

the thirty (30) day period following the anniversary of the district's formation, businesses owners paying fifty percent (50%) or more of the assessment file a written protest with the City and a hearing on disestablishment is held. In the event the City disestablishes the MHTBID, Contractor shall be entitled to retain MHTBID revenues only for paying the Contractor's current liabilities of the MHTBID. Pursuant to the 1994 Law, Contractor shall refund to City any remaining MHTBID revenues or any revenues derived from the sale of assets acquired with MHTBID revenues to enable distribution of the revenues to the businesses owners which paid the assessment. Contractor agrees that City has and reserves the right to deny the transfer of MHTBID revenues and/or suspend, terminate or abandon the execution of any work by the Contractor in accordance with this agreement or misfeasance, nonfeasance, or gross malfeasance, or criminal conduct as determined by a court of competent jurisdiction. Any retention of MHTBID revenues by Contractor shall comply with the 1994 Law.

19. Choice of Law. This Agreement, and any dispute arising from the relationship between the parties hereto, shall be governed by the laws of the State of California. Any litigation arising out of or in connection to this Agreement shall be venued in the County of Santa Clara.

20. Advertising or Publicity. Contractor shall not use, reproduce or copy the seal of the City and shall not represent the City in an official capacity as spokesperson or officer or agent or use the name City of Morgan Hill, or the names of the City's officers, directors, employees or agents, in advertising or publicity releases or otherwise without securing the prior written consent of the City in each instance unless set forth in this Agreement. Nothing in this section prohibits Contractor from using the name Morgan Hill Tourism Business Improvement District or City of Morgan Hill for regional identification for promotion and marketing of the MHTBID.

21. Entire Agreement. This Agreement, including all attachments, exhibits, and any other documents specifically incorporated into this Agreement, shall constitute the entire agreement between City and Contractor relating to the subject matter of this Agreement. As used herein, Agreement refers to and includes any documents incorporated herein by reference and any exhibits or attachments. This Agreement supersedes and merges all previous understandings, and all other agreements, written or oral, between the parties and sets forth the entire understanding of the parties regarding the subject matter thereof. This Agreement may not be modified except by a written document signed by both parties.

22. Modification of Agreement. This Agreement may be supplemented, amended or modified only by mutual agreement of the parties; however, this Agreement shall be subject to any amendments to the MHTBID Management District Plan adopted by the City Council pursuant to the 1994 Law. No supplement, amendment or modification of this Agreement, except for a duly adopted amendment to the MHTBID Management District Plan, shall be binding unless it is in writing and signed by authorized representatives of both parties.

23. Assurance of Performance. If at any time the City has good objective cause to believe Contractor may not be adequately performing its obligations under this Agreement or that Contractor may fail to complete services as required by this Agreement, City may request from Contractor prompt written assurances of performance and a written plan acceptable to City, to correct the observed deficiencies in Contractor's performance. Contractor shall provide such written assurances and written plan within thirty (30) calendar days of its receipt of City's request and shall thereafter diligently commence and fully perform

such written plan. Contractor acknowledges and agrees that any failure to provide such written assurances and written plan within the required time is a material breach under this Agreement.

24. Subcontracting/Assignment. Contractor shall not subcontract, assign or delegate any portion of this Agreement or any duties or obligations hereunder without the City's prior written approval.

A. Neither party shall, on the basis of this Agreement, contract on behalf of or in the name of the other party. Any agreement that violates this Section shall confer no rights on any party and shall be null and void.

B. Contractor may use subcontractors to provide any portions of the service identified in Exhibit A without prior written consent of the City.

C. Contractor shall remain fully responsible for compliance by its subcontractors with all the terms of this Agreement, regardless of the terms of any agreement between Contractor and its subcontractors.

25. Survival. The obligations of this Agreement, which by their nature would continue beyond the termination or expiration of the Agreement, including without limitation obligations regarding indemnification, ownership of documents, and conflict of interest, shall survive termination or expiration for two (2) years.

26. Severability. If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable, or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them, will not be affected, unless an essential purpose of this Agreement would be defeated by the loss of the illegal, unenforceable, or invalid provision.

(Signatures on next page)

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

City of Morgan Hill

Visit Morgan Hill

By: _____

By: _____

(print name)

(print name)

Title: City Manager_____

Title: _____

Date: _____

Date: _____

Approved as to Form

By: _____

(print name)

Title: City Attorney_____

Date: _____

EXHIBIT A

Scope of Services

Contractor shall provide the following services:

1. Contractor shall cooperate with City and City staff in the performance of all work hereunder.
2. Contractor will provide projects, programs and activities that benefit businesses within the MHTBID in accordance with the MHTBID Management District Plan attached hereto and any subsequent amendments thereto, and expressly incorporated herein.
3. Contractor shall perform responsibilities under the Property and Business Improvement District Law of 1994 (the “Law”) including but not limited to:
 - a. Preparation of the Annual Report required by the Law, which shall include:
 1. Any recommended changes to boundaries;
 2. The improvements and activities to be provided for that fiscal year;
 3. An estimate of cost for providing the improvements and activities;
 4. The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his/her business for that fiscal year;
 5. The amount of any surplus or deficit revenues to be carried over from a previous fiscal year; and
 6. The amount of any contributions to be made from sources other than assessments.
 - b. Delivering the Annual Report within ninety (90) days following March 1 of each year of the MHTBID’s term.
4. Contractor shall develop and maintain financial records related to receipt and/or expenditure of all funds received from City.

City shall provide the following services:

1. City shall collect assessments from all lodging businesses, existing and in the future, within the MHTBID in the same manner and at the same time as Transient Occupancy Taxes are collected, and remit the assessments to Contractor (minus City’s administrative fee).
2. If City undertakes collection actions for unpaid assessments (including costs associated with providing notices of assessments and appeals of the assessment) at the same time collection actions are taken for unpaid Transient Occupancy Taxes for the same business and for the same timeframe, Contractor shall be liable for its proportional cost (12% of the total) of the collection actions. If City undertakes collection actions for unpaid assessments (including costs associated with providing notices of assessments and appeals of the assessment) alone, Contractor shall be liable for the entire cost of the collection action.

3. The City shall establish the MHTBID and the “Visit Morgan Hill” Owner’s association. Contractor shall reimburse the City for costs borne by the City in establishing the MHTBID, the owner’s association, plus \$55,000 as contribution for the 2018 & 2019 Amgen tour. These amounts are outlined with a repayment plan in Exhibit B. The repayment amounts shall be deducted from the MHTBID assessment collections, in addition to the City’s administrative fees, prior to remittance to the Contractor.

Exhibit B**COSTS**

\$45,000.00 – Costs for establishing the MHTBID and Owner’s association (Civitas)

\$27,500.00 – 2018 Amgen Tour Contribution

\$27,500.00 – 2019 Amgen Tour Contribution

\$100,000.00 = Total

REPAYMENT

To be deducted monthly, in addition to the City administrative fees, until fully repaid.

Name: Visit Morgan Hill - Owner's Association

Pmt No.	Payment Date	Beginning Balance	Scheduled Payment	Total Payment	Ending Balance
1	5/30/2019	\$ 100,000.00	\$ 8,333.33	\$ 8,333.33	\$ 91,666.67
2	6/30/2019	91,666.67	8,333.33	8,333.33	83,333.33
3	7/30/2019	83,333.33	8,333.33	8,333.33	75,000.00
4	8/30/2019	75,000.00	8,333.33	8,333.33	66,666.67
5	9/30/2019	66,666.67	8,333.33	8,333.33	58,333.33
6	10/30/2019	58,333.33	8,333.33	8,333.33	50,000.00
7	11/30/2019	50,000.00	8,333.33	8,333.33	41,666.67
8	12/30/2019	41,666.67	8,333.33	8,333.33	33,333.33
9	1/30/2020	33,333.33	8,333.33	8,333.33	25,000.00
10	2/29/2020	25,000.00	8,333.33	8,333.33	16,666.67
11	3/30/2020	16,666.67	8,333.33	8,333.33	8,333.33
12	4/30/2020	8,333.33	8,333.33	8,333.33	0.00



CITY COUNCIL STAFF REPORT

MEETING DATE: May 15, 2019

PREPARED BY: Michelle Bigelow, Deputy City Clerk
APPROVED BY: City Manager

ADOPT RESOLUTION CALLING SPECIAL ELECTION ON MARCH 3, 2020 AND PLACING ON THE BALLOT ORDINANCE NO. 2295, NEW SERIES (AMENDING THE PLANNED DEVELOPMENT MASTER PLAN FOR THE “MADRONE VILLAGE SHOPPING CENTER” LOCATED ON THE NORTHWEST CORNER OF MADRONE PARKWAY AND COCHRANE ROAD) (ASSESSOR’S PARCEL NUMBERS 726-33-029, 030, AND 031)

RECOMMENDATION(S)

1. Adopt resolution calling for a special municipal election on Tuesday March 3, 2020 and submitting to City voters, a ballot measure relating to Ordinance No. 2295, New Series, amending the Planned Development Master Plan for the “Madrone Village Shopping Center” located on the northwest corner of Madrone Parkway and Cochrane Road (APNs 726-33-029, 030 and 031); and
2. Adopt resolution requesting the Board of Supervisors of the County of Santa Clara for the conduct of a Special Municipal Election to be held on Tuesday, March 3, 2020.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Fiscal Responsibility
Preserving and Cultivating Public Trust

2019 Strategic Priorities

Economic Development
Financial Stewardship

REPORT NARRATIVE:

On January 23, 2019, the City Council conducted a public hearing and introduced an ordinance that would amend the Planned Development (PD) Master Plan for the “Madrone Village Shopping Center” located on the northwest corner of Madrone Parkway and Cochrane Road to allow the development of two new hotels. The amendment requested the addition of hotel uses to the list of existing commercial uses permitted in the PD.

On February 6, 2019, the City Council adopted Ordinance No. 2295, New Series; amending the Planned Development Master Plan for the “Madrone Village Shopping Center” located on the northwest corner of Madrone Parkway and Cochrane Road (APNs 726-33-029, 030 and 031).

On February 7, 2019, the Deputy City Clerk provided a fully executed copy of Ordinance No. 2295, New Series to Randy Toch, who requested a copy on behalf of proponents of a referendum against the ordinance.

On March 6, 2019, the proponents of the Referendum Against Ordinance No. 2295, New Series, filed signed Referendum Petitions with the City Clerk.

On March 7, 2019, the City Clerk requested that the Santa Clara County Registrar of Voters Office (ROV) conduct a random sampling of the signatures on the referendum petitions. The City only requested the random sampling as the ROV instructed that they would only do a full count after first conducting the random sampling.

On March 27, 2019, the City received the results of the random sampling from the ROV projecting 3,176 estimated valid signatures.

On April 5, 2019, the City requested that the ROV conduct a full count of the signatures on the referendum petitions. In response, the ROV denied the City's request to conduct a full count.

Pursuant to state law, to qualify for further action, a referendum petition must contain signatures of at least 10% of the registered voters of the City of Morgan Hill. The ROV indicated that as of October 22, 2018, there were 23,543 registered voters in the City of Morgan Hill, such that at least 2,354 valid signatures would be required on the referendum petition. The ROV reviewed and examined the signatures contained on the referendum petition using a random sampling methodology and found that the petitions have a projected number of 3,176 estimated sufficient signatures. Per Elections Code 9115(b), the ROV found that the sampling is over the 110% of the number of signatures required to find the referendum petition to be sufficient with a projected number of 3,176 valid signatures.

On April 17, 2019, the City Council adopted a resolution accepting the City Clerk's Certificate of Sufficiency of Referendum Petition. Under California Elections Code section 9237, the City Council is required to reconsider the ordinance. If, after reconsideration, the City Council does not repeal the ordinance, the ordinance must be placed on the ballot. Unless the Council calls for a special election, the ordinance will be submitted to the voters at the next general municipal election.

The next citywide general election will be on November 3, 2020. The cost to add a ballot measure to the general election ballot is approximately \$50,000. If the Council proceeds with submitting Ordinance No. 2295 to the voters, a general election would be the least costly. However, the lengthy delays in project approval and the developer's significant holding costs (including franchise fees on two hotels) create a high risk that the project will not be developed even if the zoning amendment is approved by the voters.

In order to make potential development of the hotels more feasible, staff recommends that Council adopt a resolution calling a special municipal election on Tuesday, March 3, 2020, concurrent with the California State Primary election, and submitting Ordinance

No. 2295 to the voters for adoption. The cost of placing the question on the March 2020 ballot is approximately \$94,200.

COMMUNITY ENGAGEMENT: Involve

As a General Law City, Morgan Hill is governed by Government and Election Codes for the purpose of electing municipal officers (e.g., mayor, council members, and city treasurer), ballot measures, and the initiative and referendum processes.

Placing the ordinance on the ballot will involve the community in determining the appropriate land-use for this key commercial site.

ALTERNATIVE ACTIONS:

The Council could direct staff to return with an ordinance repealing Ordinance No. 2295.

Alternately, the Council could direct the City Clerk to place Ordinance No. 2295 on the November 2019 ballot. This would be the most expensive alternative, between \$960,000 - \$1.4M, unless other cities in the county have issues for a ballot at that time.

Additionally, the Council could direct the City Clerk to place Ordinance No. 2295 on the November 2020 ballot, which would be approximately \$50,000.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

City Council took the following six actions:

1. Adopted Ordinance No. 1695, New Series, and Resolution 5845; changing the general plan land use designation from Industrial to Commercial and rezoning the property to Planned Development. (October 6, 2004)
2. Adopted Ordinance No. 1764, New Series, approving a Precise Development Master Plan and Development Guidelines for the Madrone Village Shopping Center. (April 5, 2006)
3. Adopted Ordinance No. 2018, amending the Planned Development to include medical offices, dental offices, and commercial recreation (<3,000 sq. ft.) as a permitted use; commercial recreation greater than 3,000 square feet was added as a conditional use. (July 7, 2011)
4. Introduced Ordinance 2295, New Series, approving an amendment to a Planned Development Master Plan for "Madrone Village Shopping Center" located on the northwest corner of Madrone Parkway and Cochrane Road (APN's 726-33-029, 030 and 031). (January 23, 2019)
5. Adopted Ordinance No. 2295, New Series. (February 6, 2019)
6. Adopted Resolution of Sufficiency for the Referendum Petition. (April 17, 2019)

Planning Commission:

The Planning Commission considered this application and found the request to be consistent with the General Plan, Zoning and Economic Blueprint, and recommended City Council approval of the application (December 11, 2018).

FISCAL AND RESOURCE IMPACT:

The cost of the referendum petition random sampling verification was \$3,000, which, although not specifically budgeted, is covered in the current fiscal year budget due to cost savings on other budgeted items. Depending on the action(s) taken by the Council, additional costs will vary:

- Rescinding Ordinance No. 2295, New Series; there are no Election costs associated with this action
- The estimated cost of a standalone special election could range from \$960,000 to \$1.4 million (this would apply to the November 5, 2019 election date or any other non-election date, if no other city or the county has a measure on that ballot. Currently there are no other County measures identified for November 5, 2019)
- The estimated cost to add a measure to the March 3, 2020 Primary election would be approximately \$94,200, and would depend on the number of other agency measures to be placed on the ballot
- The estimated cost to add a measure to the November 3, 2020 general municipal election would be \$50,000
- Under any of these scenarios, if Ordinance No. 2295 is not enacted, it would result in the loss of transient occupancy tax revenue of approximately \$800,000 annually.

CEQA (California Environmental Quality Act):

Certification of a referendum is not a project under CEQA.

LINKS/ATTACHMENTS:

1. Resolution 1-A Calling For Special Election on Referendum Ord 2295
2. Resolution 1-B Requesting Special Election ROV Services Ord 2295
3. April 17, 2019 Referendum Staff Report (web link)
4. Letter from Chamber of Commerce

RESOLUTION NO. "1-A"
(Special Election)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, CALLING FOR THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2020, FOR THE SUBMISSION TO THE QUALIFIED VOTERS AN ORDINANCE.

WHEREAS, the City Council of the City of Morgan Hill on February 6, 2019, adopted Ordinance No. 2295, New Series, providing for an amendment to a Planned Development Master Plan for "Madrone Village Shopping Center" located on the northwest corner of Madrone Parkway and Cochrane Road (APN's 726-33-029, 030, and 031); and

WHEREAS, the ordinance was published as required by law; and

WHEREAS, pursuant to authority provided by Division 9, Chapter 3, Article 2 (commencing at § 9235) of the Election Code of the State of California, a petition has been filed with the legislative body of the City of Morgan Hill signed by more than ten per cent of the registered voters of the city to repeal the ordinance or submit it to a vote of the voters; and

WHEREAS, the Santa Clara County Registrar of Voters Office examined the records of registration and ascertained that the petition is signed by the requisite number of voters, and the City Clerk has so certified; and

WHEREAS, the City Council has not voted in favor of the repeal of the ordinance; and

WHEREAS, the City Council is authorized and directed by statute to submit the ordinance to the voters;

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

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Morgan Hill, California, on Tuesday, March 3, 2020, a Special Municipal Election for the purpose of submitting the following ordinance:

Shall the ordinance amending a Planned Development Master Plan for "Madrone Village Shopping Center" located on the northwest corner of Madrone Parkway and Cochrane Road (APN's 726-33-029,030, and 031), to add hotels as an approved use, be adopted?	Y E S
	N O

SECTION 2. That the text of the ordinance submitted to the voters is attached as Exhibit A.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 6. That the City Clerk is authorized, instructed and directed to coordinate with the Registrar of Voters of the County of Santa Clara to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 7. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 8. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the th day of , 2019 by the following vote:

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

APPROVED:

ATTEST:

RICHARD CONSTANTINE, Mayor

IRMA TORREZ, City Clerk

Resolution No.
Page – 3 –

∞ 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 _____, 2019.

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

DATE: _____

IRMA TORREZ, City Clerk

ORDINANCE NO. 2295, NEW SERIES**AN ORDINANCE OF THE CITY OF MORGAN HILL
APPROVING AN AMENDMENT TO A PLANNED
DEVELOPMENT MASTER PLAN FOR "MADRONE
VILLAGE SHOPPING CENTER" LOCATED ON THE
NORTHWEST CORNER OF MADRONE PARKWAY AND
COCHRANE ROAD (APN's 726-33-029, 030 AND 031)**

WHEREAS, the City Council at their regular meeting of April 5, 2006, adopted Ordinance 1764 N.S. which approved a PD Master Plan and development standards for the Madrone Village Shopping Center Planned Development;

WHEREAS, TBI and West Coast Property Management, the owners of the property, identified by Assessor Parcel Number(s) 726-33-029, 030 and 031, on the northwest corner of Madrone Parkway and Cochrane Road, are seeking amendment to allow two, four story hotels;

WHEREAS, said proposal requires the adoption of an amendment to the PD Master Plan prior to development on the site;

WHEREAS, said proposal requires the adoption of an amendment to the Madrone Village Shopping Center Development Guidelines prior to development of the hotels.

WHEREAS, findings must be made pursuant to Section 18.114.060 to support a request for an amendment to a PD Master Plan, and any Plan shall be found consistent with such findings;

WHEREAS, such request was considered by the Planning Commission at its regular meeting of December 11, 2018 at which time the Planning Commission recommended approval of Zoning Amendment application AAE2018-0005, amending application ZA 04-11: Cochrane-TBI; and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

**NOW, THEREFORE, THE CITY COUNCIL OF THE OF MORGAN
HILL DOES ORDAIN AS FOLLOWS:**

SECTION 1. The proposed zoning amendment is consistent with the General Plan. The development plan established by this amended PD Master Plan and amended Development Guidelines will define an orderly and logical development plan and establish uses that are supportive of the surrounding development and future development permitted in the Madrone Business Park.

SECTION 2. The proposed project will not be detrimental to the public welfare, will be in the best interests of the city and will be in keeping with the general intent and spirit of the zoning regulations of the City of Morgan Hill, with the City of Morgan Hill General Plan and with any applicable plans adopted by the city. The zone change is required in order to serve the public convenience, necessity and general welfare as provided in Section 18.114.060 of the Municipal Code.

SECTION 3. The City Council of the City of Morgan Hill hereby finds that, on the basis of the whole record before it, there is no substantial evidence that the project as currently proposed will have a significant effect on the environment beyond what was anticipated in the previously adopted Mitigated Negative Declaration (April 5, 2006) and the project specific Addendum to the Mitigated Negative Declaration prepared, and this finding reflects the Council's independent judgment and analysis; therefore, the City Council approves of the addendum to the Mitigated Negative Declaration. The custodian of the documents or other material which constitute the record shall be the Development Services Department.

SECTION 4. In accordance with Section 18.114.060 (Findings for Approval), the City Council approves the amendments to the Madrone Village master plan and Madrone Village Design Guidelines based on the following findings:

1. **The proposed amendment is consistent with the General Plan and any applicable specific plan as provided by Government Code Section 65860.**

In addition to the General Plan Goals and Policies discussed in the December 11, Planning Commission staff report, the proposed amendments allowing for the addition of hotels to the Madrone Village Shopping Center also satisfy the following General Plan Goals and Policies.

GOAL CNF-18 Integrated job-generating centers that offer workers and businesses a range of services to meet their daily needs.

Policy CNF-18.1 Vibrant Job Centers. Encourage land with a Commercial/Industrial designation to develop with job-generating uses with amenities that support workers and businesses, such as restaurants, lodging, fitness centers, and hair salons.

Policy CNF-18.2 Thoughtful Design. Encourage integrated and appropriate commercial uses on lands with a Commercial/Industrial designation that relate to and support surrounding businesses.

GOAL ED-3 A high-quality business community with established roots in Morgan Hill.

Policy ED-3.8 Allow amenities, such as retail, services, restaurants, and lodging, as ancillary uses to support the primary job-generating uses within business park settings to create dynamic working environments.

GOAL ED-4 A vibrant, enhanced, visible, and well promoted tourist industry that draws on Morgan Hill's unique character and variety of amenities.

Policy DE-4.9 Overnight Accommodations. Support the construction of a full range of new lodging facilities to build the local tourism industry, enhancing the City's position as a hub for wine tourism and for visitors attracted to the City's sports facilities.

Policy ED-4.11 Tourism Support Services. Actively promote development of tourist-oriented commercial, industrial, and recreational uses and facilities, including such uses as lodging, meeting and conferenced centers, outdoor restaurants, wine and beer tasting, and farmers 'markets.

2. **The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.**

As described in the analysis above, the proposed amendments have been found to be consistent with the General Plan, and it will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed change to the existing PD enables the addition of two hotels to the existing shopping center. The addition of the hotel use and their location within the PD would be compatible with the character of adjacent structures and the immediate neighborhood. The proposed hotel use does not conflict with the existing neighborhood but instead provides a use that will serve and support the adjacent commercial and industrial areas as well as the larger Morgan Hill community.

SECTION 5. The City Council hereby approves an amended PD Master Plan, on file at the Development Services Department date stamped November 26, 2018, entitled "Madrone Village" prepared by AE Arbia Architects, ARC Tec Inc, Architects, Kier & Wright Engineers, Sandis Engineering, and KLA Inc, Landscape Architects. The Master Site plan and Landscape Plans are attached as Exhibit A.

SECTION 6. The City Council hereby approves the amended development guidelines "The Madrone Village Shopping Center" as attached as Exhibit B.

THE FORGOING ORDINANCE WAS INTRODUCED AT THE MEETING OF THE CITY COUNCIL HELD ON THE 23rd DAY OF JANUARY 2019, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 6th DAY OF FEBUARY, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	Larry Carr, Rene Spring, Yvonne Martinez Beltran, John McKay, Rich Constantine
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:


RICH CONSTANTINE, Mayor

ATTEST:


IRMA TORREZ, City Clerk

DATE:

2/7/2019

∞ CERTIFICATE OF THE CITY CLERK ∞

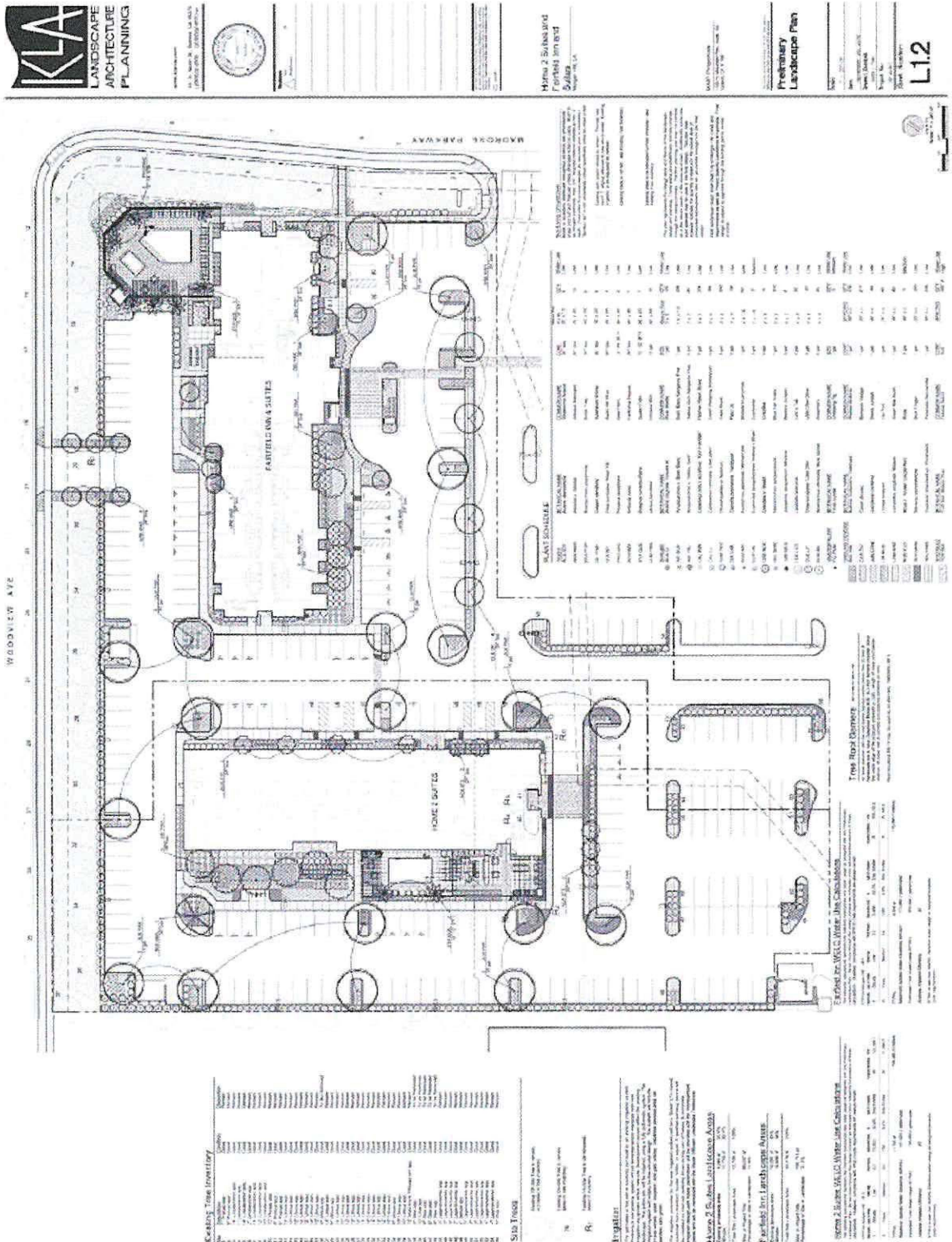
I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2295, New Series adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 6th day of February 2019.

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

DATE: 2/7/2019


IRMA TORREZ, City Clerk





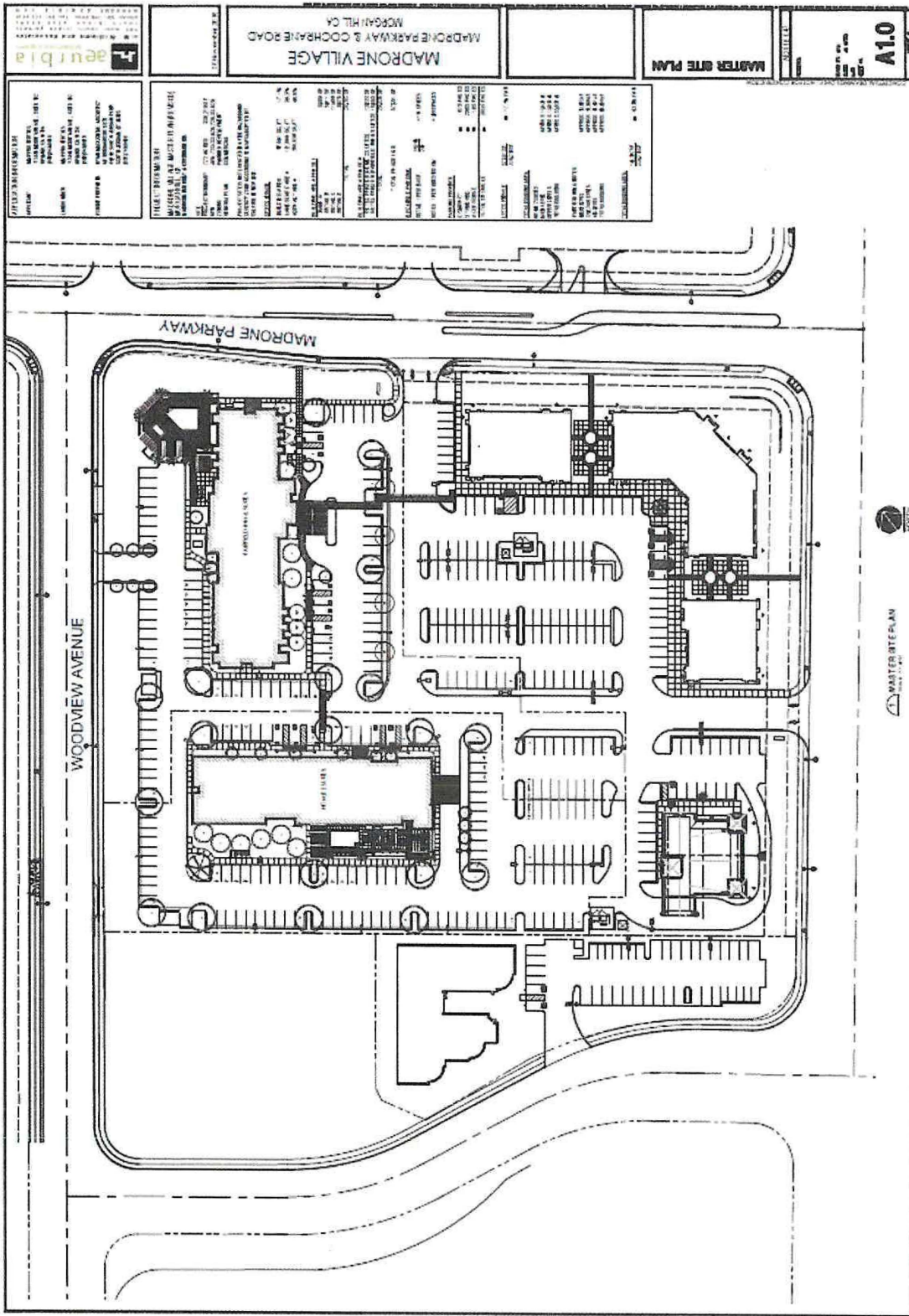


EXHIBIT B

PLANNED UNIT DEVELOPMENT GUIDELINES MADRONE VILLAGE SHOPPING CENTER MORGAN HILL, CA

Description of Project:

Madrone Village Shopping Center

Location of Project:

North West Corner of Madrone Parkway and Cochrane Road, Morgan Hill, California

Introduction to Project:

27,580 square feet retail shopping center consisting of four single-story buildings and two, four-story hotels with a collective total of 206 rooms.

Allowed and Conditional Uses:

Permitted Uses

- Retail Stores
- Restaurants
- Offices and Professional Offices (including medical and dental offices)
- Financial Services
- Personal Services
- Business and Trade Schools
- Specialty Grocery Stores, not to exceed 15,000 sf
- Drug Stores
- Commercial Recreation Uses 15,000 sq. ft. or less in area (exclusive of parking)
- Hotels

Conditional Uses

- Day Care Centers/Nursery Schools
- Commercial Recreation Uses greater than 15,001 sq. ft. in area (exclusive of parking)
- Gasoline Service Stations (including ancillary convenience stores)
- Drive-thru uses
- Grocery Stores exceeding 15,000 sf but less than 50,000 sf
- Any other use which the Planning Commission finds to be of similar nature to the permitted uses and conditional uses specified above

Commercial Development Standards:

The following standards shall apply to all commercial PUDs:

A. Architecture/Site Planning

1. The general aesthetic character of all building exteriors shall be early Mission California theme or of a compatible architectural style as determined by the Community Development Director.
2. The location of all physical improvements shall be consistent with the Development Plan established for the PUD.
3. No building within this PUD Phase I shall exceed 30 feet in height with the exception of specific architectural features (34 feet maximum) except as otherwise authorized by the City Council through the PUD approval process. No building within this PUD Phase II shall exceed 61-feet in height. The 61-foot maximum height includes all architectural features, roof top screening and equipment.
4. Rooflines shall vary in height and shall incorporate a maximum of two varying roof types (e.g., hip, gable).
5. Structures shall incorporate breaks in horizontal planes by stepping or staggering setbacks and recessing windows and entrances, to provide substance and scale.
6. Doors and windows shall be enhanced by use of various sizes and shapes,, and highlighted by the use of accent trim (e.g. molding, pop-out or wood trim). The design shall be complementary to the architectural style of the PUD.
7. All exterior wall elevations visible from and/or facing public roadways shall have architectural treatment.
8. Facade architectural treatment shall be applied to all building elevations with the same degree of detail as the building entrance.
9. No franchise architecture shall be permitted.
10. Buildings situated or near the front setback shall provide public access from the side(s) of the buildings at or near the front setbacks.
11. Building design shall be compatible with the immediate environment and provide harmonious transition between various uses.
12. No mechanical equipment shall be exposed on the wall surface of any building.
13. Mechanical and utility equipment shall be located below the roofline or parapet wall and out of public view. Location within the building or at ground level is preferred to roof-mounting. When such equipment cannot be so located, all roof-mounted mechanical equipment or ductwork which projects vertically above the roof or roof parapet shall be screened by an enclosure which is detailed consistently with the building design.
14. Gutters and downspouts shall be located interior to the wall when facing a roadway frontage. All other gutters and downspouts that cannot be located interior to the wall shall be treated to blend into the facade to which it is attached, unless used as a major design element, in which case the color shall be consistent with the color schemes of the building.
15. Any outdoor storage of goods, materials or equipment shall be limited to 8 feet in height and screened from view of any roadway or adjacent property. The screening shall be designed as an integral part of the building design and site layout. Chain link fencing with wood inserts is not an acceptable manner of screening.

16. Trash enclosures shall be constructed of solid masonry material, consistent with the building on-site, and shall be a minimum 6 ft. in height, with solid view obstructing gates. Trash enclosures shall be located in inconspicuous locations.
17. Fences and walls shall be designed to be compatible with the surrounding landscape and architectural style of the PUD.
18. Buildings shall be placed at the front setback line for at least 35 percent of the street frontage of the PUD, unless infeasible due to the size or configuration of the property.
19. Provisions for connecting driveways and walkways between adjacent properties within the PUD are to be provided.
20. Convenient pedestrian access shall be provided to commercial uses from residential areas within or adjacent to the PUD.

B. Easements

1. Easements for the installation and maintenance of utilities, walkways, roads, shared driveways, parking and drainage facilities shall be recorded as part of any subdivision map or lot line adjustment.

C. Landscaping

- 1 The design and location of all landscaping shall be consistent with the Development Plan established for the PUD.
- 2 The general characteristics of the plant palette for the PUD shall be a combination of year-round color and textural interest. Plants shall be selected on the basis of color combinations, growth patterns, low maintenance and water conservation characteristics. At time of installation, all trees shall have a minimum height of eight feet and minimum crown diameter of three feet.
- 3 All street trees and trees planted within the front setback areas shall have a minimum height of ten feet and minimum crown diameter of four feet.
- 4 A minimum 30-foot wide landscape area (excluding any landscaping in the right of way) shall be provided adjacent to all public streets within the PUD. Encroachment into this area may be permitted where it can be substantiated that provision of the 30-foot area is impracticable or would result in an undue hardship to the development. Encroachment shall only be allowed to the extent necessary and shall not exceed 50 percent of the required landscape width. Where encroachment is allowed, the reduced width shall be mitigated through additional landscape planting or a combination of an earthen berm and screen wall or both. An encroachment into the 30-ft wide Cochrane Road landscape area shall be permitted only to the extent necessary to allow a drive-thru exit lane for the proposed bank. The encroachment shall be mitigated through the existing berm and additional landscaping.
- 5 Landscaping shall be placed adjacent to a minimum of 50% of the perimeter of all buildings.
- 6 Landscaping at the entrance of building shall include box size and/or accent trees with a minimum height of 10 feet and crown width of four feet to create a focal point to help direct people to the building entrances.
- 7 Native oaks and field stones shall be incorporated into the landscape plan of the PUD.

- 8 A minimum of 15% of all parking areas shall be landscaped. Required setback and perimeter planting areas shall not be counted in this area but may include the building perimeter landscaping.
- 9 Canopy-providing trees shall be planted in the parking lot planter islands to produce shade.
- 10 Entrances to the PUD shall be well landscaped and serve as a focal point.
- 11 Shrubs and vine planting shall be provided to screen utilities and trash enclosures.
- 12 All landscape areas provided (with the exception of areas adjacent to public streets) shall have a minimum width of 5 feet. This includes but is not limited to landscaping adjacent to buildings, alongside and rear property lines, and finger planters within parking lots.
12. All parking areas shall be screened from view of public streets by use of the existing berming.
13. Landscaping shall be used to soften the appearance of fences and walls and building elevations which lack fenestration or other architectural detailing.

D. Lighting

- 1 The design of the exterior building lighting and parking lot lighting fixtures shall be compatible with the architectural style of the PUD.
- 2 Parking lot lighting shall be consistent throughout the PUD. The maximum height of the lighting shall be 20 ft. except that lighting standards within 100 ft. of residentially zoned properties shall be limited to a maximum height of 15 ft.
- 3 Lighting for pedestrian pathways shall be reduced in height and scale, to create a more human-scale feeling and atmosphere.
- 4 All lighting shall be shielded and directed in such a manner so as not to directly cast light on neighboring properties. Adjustments to the lighting intensity may be required after commencement of the use.

E. Parking and Loading/Circulation

- 1 Parking shall be screened from public view through the use of berming, hedgerow planting, shrubs, trees, fences or walls, or any combination thereof, provided that no more than 35% of the total screening shall consist of fences or walls. At time of installation, shrub plantings shall be minimum 5-gallon size, trees shall have a minimum height of eight feet and minimum crown diameter of four feet, and berming/fences/walls shall be a minimum 3 ft. in height, as measured from the nearest street curb.
- 2 No angled parking or one-way drive aisles shall be utilized in any parking lot.
- 3 Parking areas shall be designed to include provision for pedestrian walkways for access to building entrances. Walkways that cross traffic lanes shall have special design features such as raised and/or textured pavement, narrowed roadway, or combination thereof. Walkways shall be provided through landscaped areas to protect landscaping from foot traffic damage.
- 4 Reciprocal access and shared parking between properties shall be used, whenever possible.
- 5 Loading areas and docks shall be screened from view by a solid wall. The wall shall be architecturally treated and screened with landscaping. Loading areas shall not be located adjacent to or visible from public streets.

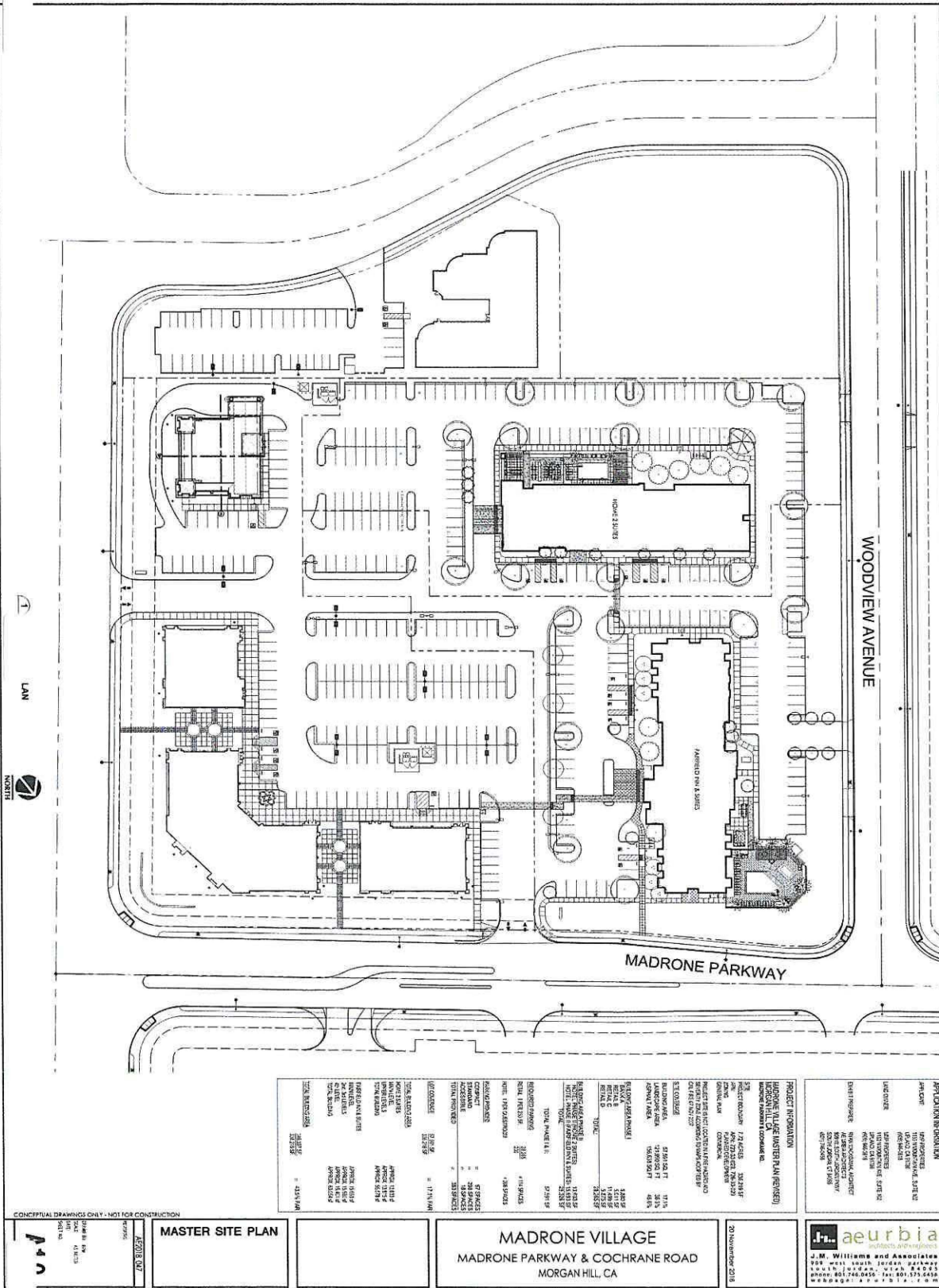
- 6 Truck deliveries shall be limited to 6 a.m. to 9 p.m., Sunday through Saturday.
- 7 Cross access easements and joint-use drive aisles shall be provided throughout the PUD.
- 8 Drive aisles shall allow for complete circulation within the PUD, with sufficient width for emergency vehicles. ~~Dead-end drive aisles shall not be allowed.~~
- 9 Shared access easements and driveways shall be used to minimize paved areas and curb cuts.
- 10 Pedestrian access shall be provided between the adjacent properties.

F. Signage/Displays

- 1 PUDs which are, due to their location, eligible for freeway signage shall utilize a single freeway sign consistent with the provisions of the City Sign Ordinance.
- 2 No exterior retail displays shall be allowed.
- 3 A uniform sign program shall be required for all properties and uses within the PUD.
- 4 Signage shall be prohibited on the raised architectural features and shall not extend above the height of the main building elevation.

G. Utilities and Appurtenant Uses/Devises

- 1 The proposed project will discharge storm drainage to existing storm drain laterals that were stubbed to the site when the Business Park was constructed. The storm drain laterals are connected to the detention pond that provides detention for the entire Park.
- 2 All backflow devices, fire risers and check valves shall be screened with landscaping.
- 3 No utility equipment shall be located within the front setback area unless placed within an underground vault. All transformers shall be located interior to the site, outside of the front setback area, and shall be screened with landscape material. * EXCEPTION: If it is determined by P.G. & E. that more than one (1) transformer is required for Buildings 'B, C & D', only one (1) transformer shall be within the parking lot (Building 'C' only).
- 4 Uses within the PUD that utilize shopping carts shall provide indoor storage of the carts and shall provide for collection areas throughout the parking lots.
- 5 Vending machines, rides, newspaper racks or any coin-operated devices shall not be placed on the exterior of any buildings.



RESOLUTION NO. “1-B” Special Municipal Election

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA FOR THE CONDUCT OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 3, 2020.

WHEREAS, the City Council of the City of Morgan Hill called a Special Municipal Election to be held on Tuesday, March 3, 2020, for the purpose of submitting a question as to whether an ordinance should be adopted; and

WHEREAS, it is desirable that the Special Municipal Election be conducted by the Santa Clara County Registrar of Voters Office within the city precincts, polling places and election officers, that the Registrar of Voters of the County of Santa Clara canvass the returns of the Special Municipal Election.

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

SECTION 1. That the Board of Supervisors of the County of Santa Clara is hereby requested to consent and agree to the conduct of a Special Municipal Election to be held on Tuesday, March 3, 2020, for the purpose of submitting a question as to whether an ordinance should be adopted.

SECTION 2. That the Board of Supervisors of the County of Santa Clara is requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of a special election.

SECTION 3. That the Registrar of Voters of the County of Santa Clara is authorized to canvass the returns of the Special Municipal Election.— The election will be held and conducted in accordance with the provisions of laws regulating special elections.

SECTION 4. That the City of Morgan Hill recognizes that additional costs will be incurred by the County of Santa Clara by reason of the Special Municipal Election and agrees to reimburse the County for any costs.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Resolution No. "1-B"

Page - -

SECTION 6. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters of the County of Santa Clara.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a Regular Meeting held on the 15th day of May, 2019 by the following vote:

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

APPROVED:

ATTEST:

RICHARD CONSTANTINE, Mayor

IRMA TORREZ, City Clerk

∞ CERTIFICATION ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Resolution No. _____, adopted by the City Council at the meeting held on May 15, 2019.

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

DATE: _____

IRMA TORREZ, City Clerk

From: [Michelle Bigelow](#)
To: [Michelle Bigelow](#)
Subject: FW: Cochrane Village Hotel Approval
Date: Friday, May 10, 2019 3:48:32 PM
Attachments: [Cochrane Village Ballot.pdf](#)

From: John Horner <john@morganhill.org>
Sent: Thursday, April 18, 2019 11:31 AM
To: Rich Constantine <Rich.Constantine@morganhill.ca.gov>; Larry Carr
 <Larry.Carr@morganhill.ca.gov>; Yvonne Martinez Beltran
 <yvonne.martinezbeltran@morganhill.ca.gov>; John McKay <john.mckay@morganhill.ca.gov>; Rene
 Spring <Rene.Spring@morganhill.ca.gov>
Cc: Christina Turner <Christina.Turner@morganhill.ca.gov>; Michelle Bigelow
 <Michelle.Bigelow@morganhill.ca.gov>
Subject: Cochrane Village Hotel Approval

Warning: this message is from an external user and should be treated with caution.

Dear Elected Leaders,

As you know, we have followed this topic closely for many months. Given the current situation we urge you to place this on a future ballot and not consider reversing your earlier decision. Our formal letter to that effect is attached.

Thank you,
 John Horner
 Morgan Hill Chamber of Commerce



17485 Monterey Road, Suite 105
Morgan Hill, CA 95037
(408)779-9444

April 18, 2019

Dear Mayor Constantine and Council Members Carr, Martinez-Beltran, McKay and Spring:

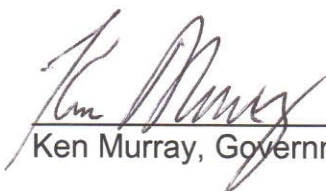
In a letter dated January 18 2019, the Morgan Hill Chamber of Commerce supported zoning amendment ZAA-04-11B allowing for hotel use as an alternative to traditional retail use for the vacant land within the Planned Unit Development known as Cochrane Village TBI.

It is our understanding that sufficient signatures have been collected so that the Council will now have to make the decision to either rescind their decision on zoning amendment ZAA-04-11B or to place the zoning amendment on an upcoming ballot.

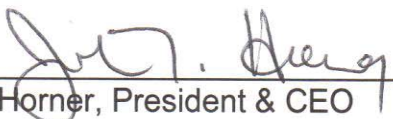
The Morgan Hill Chamber of Commerce strongly encourages that you NOT rescind your decision and instead place the zoning amendment on a ballot. While it is unfortunate that the City will incur additional expenses as a result of this ballot initiative, the potential revenues generated from impact fees, property taxes and TOT taxes would offset these expenses within a reasonable period of time and then continue providing a financial upside for decades to come.

We further believe that our suggested course of action demonstrates Morgan Hill's commitment to be a business friendly city which supports and encourages appropriate commercial development. Such a communication is essential to our mutual efforts to attract and retain a wide range of quality jobs for Morgan Hill.

Sincerely yours,


Ken Murray, Government Relations Chair


Rich Firato, Board Chair


John Horner, President & CEO

Attachment: Letter from Chamber of Commerce (2305 : Council Actions Regarding Ordinance 2295)



LMH Class of 2019

Rack N Roll Bike Rack Project

Item #10



Quick LMH Quiz

- How many bike racks are there currently in the Downtown corridor?
- How many separate locations have bike racks?
- Can you name more than 5?



Quick LMH Quiz

- How many bike racks are there currently in the Downtown corridor?
 - We counted **175** bike rack spaces in **70** racks or boxes in the downtown corridor and around the station
- How many separate locations have bike racks?
 - There are **28** locations
- Can you name more than 5?



LMH 2019 Mission Statement



Rack N Roll is a project of the Leadership Morgan Hill Class of 2019. Our objective is to help serve the needs of current and future bicyclists by providing unique, highly visible, and secure bicycle parking throughout the downtown area, thus encouraging cycling for commuting, short trips, and family fun. We believe that these new and upgraded bike racks will enhance the quality of life in the Morgan Hill Community.



Tonight's Goals

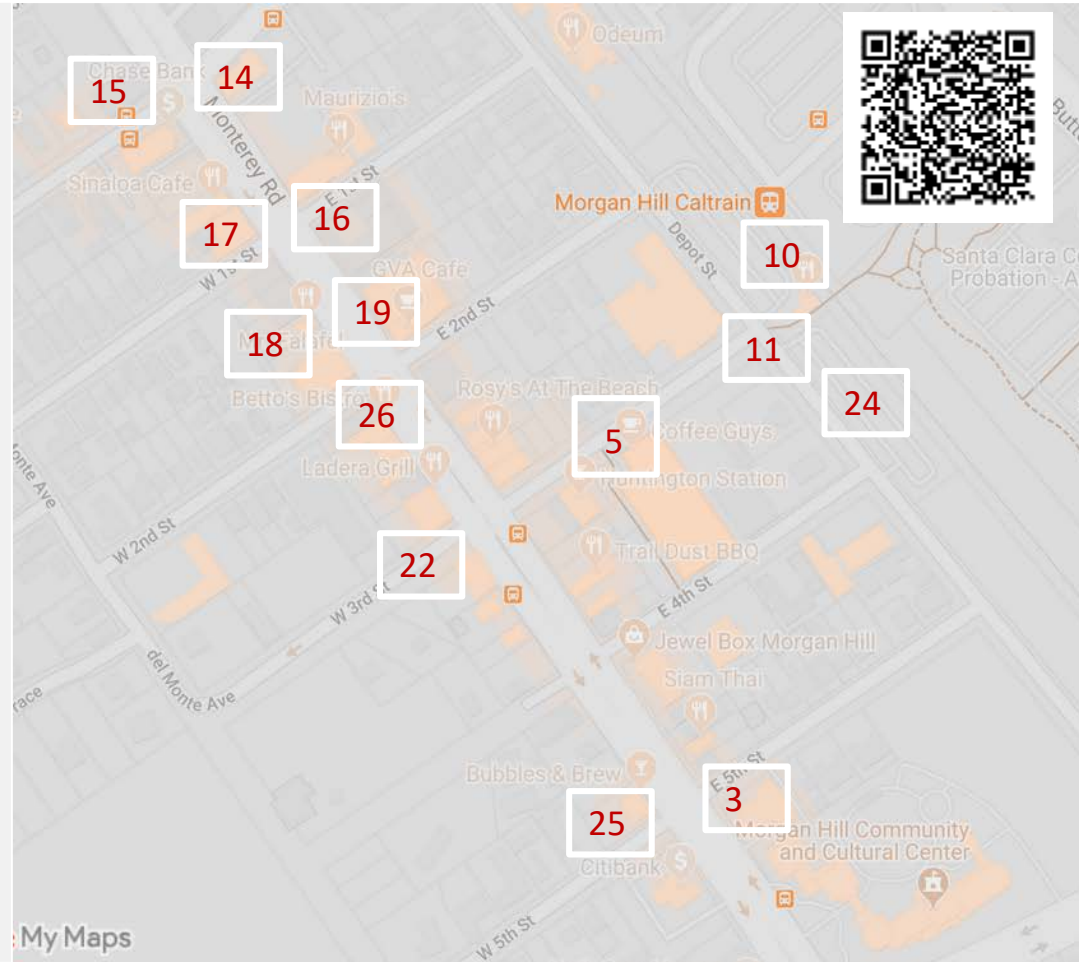
- The Leadership Morgan Hill Class of 2019 asks the City to accept a donation valued at up to \$10,000
- Benefits
 - Aligns with the city's plan to become a more bike-oriented community
 - Building on the bicycling pride of Morgan Hill
 - The home of Specialized Bicycles
 - A regular stop on the Amgen Tour of California
 - Sponsors of a yearly bike week
 - Supporters of Morgan Hill's "This is How we Roll" theme
 - Encourages a more active, healthy lifestyle by traveling Downtown by bike rather than car
 - Ensures greater visibility of 28 racks at 14 locations in the Downtown area



14 Locations slated for upgrades

<https://tinyurl.com/y62a3hjo>

- 3: 1x SPECIAL **Unicycle** (replace 1)
- 5: 2x INSERT & 2x PAINT (upgrade 4)
- 10: 1x INSERT & 2x PAINT (upgrade 3)
- 11: 2x INSERTS (upgrade 2)
- 14: 1x SPECIAL **Penny Farthing** (replace 1)
- 15: 1x SPECIAL **Bicyclette** (replace 1)
- 16: 1x INSERT & 1x PAINT (replace 2)
- 17: 1x INSERT & 1x PAINT (replace 2)
- 18: 1x INSERT & 1x PAINT (upgrade 2)
- 19: 1x SPECIAL **Cruiser** & 1x PAINT
(replace stand & add 1)
- 22: 1x SPECIAL **Racer** & 1x PAINT
(replace 1, upgrade 1)
- 24: 4x SPECIAL **Family of Four** (replace 4)
- 25: 1x INSERT (upgrade 1)
- 26: 1x SPECIAL **Draisine** (replace 1)





Special Racks and Locations

Location 3 – Community Playhouse



Style and Color

*Unicycle 1870
approx. 26"x40"*





Special Racks and Locations

Location 14 - Wells Fargo



Style and Color





Special Racks and Locations

Location 15 - El Toro Brewing



Style and Color

Bicyclette 1879
approx. 58"x42"



Wells
Fargo Red



Stormy
Teal



Sunset
Gold



Lupine
Blue



Med.
Terracotta



LMH
Green



Special Racks and Locations

Location 19 - GVA

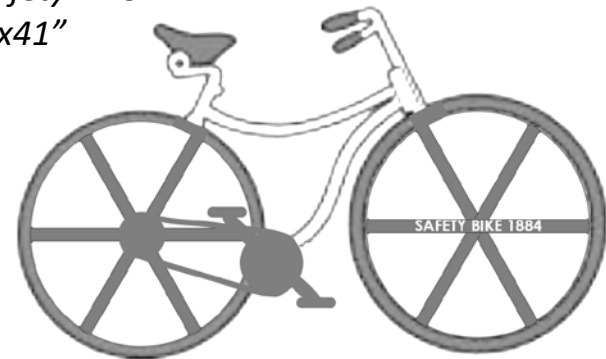


One **special rack**, one **arch** in the same color



Style and Color

*Cruiser or Safety Bike
approx. 67"x41"*





Special Racks and Locations

Location 22 – 3rd and Monterey



One **special rack**, one **arch** in the same color



Style and Color



*Racing Bike 2019
approx. 67"x42"*



Wells
Fargo Red



Stormy
Teal



Sunset
Gold



Lupine
Blue



Med.
Terracotta

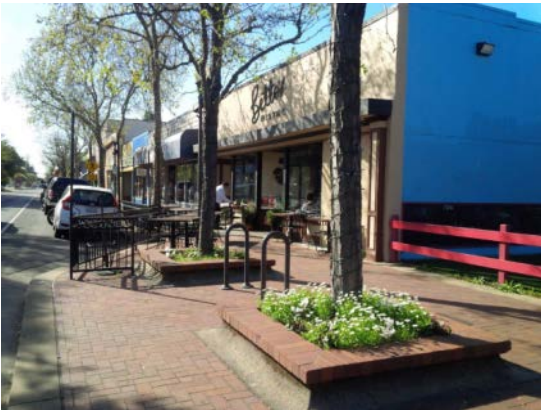


LMH
Green



Special Racks and Locations

Location 26 – near Betto's



Style and Color



*Draisine 1817
approx. 72"x42"*





Special Racks and Locations

Location 24 – S side of the Railroad Park

Style and Color



Wells
Fargo Red



Stormy
Teal



Sunset
Gold



Lupine
Blue



Med.
Terracotta



LMH
Green



Arched Racks

(upgrade: inserts and/or paint)

Loc #	Locations	Current Arch Position	Upgrade
5	• 3rd St Plaza	• Bolted arches, parallel	2 insert, 2 paint
22	• W 3 rd St	• Bolted arches, side by side	1 replace, 1 paint
25	• W 5 th @ Monterey	• Bolted arch	1 insert
10	• Train station	• Bolted arches, parallel	1 insert, 2 paint
11	• Railroad Park	• Bolted arches, side by side	2 inserts
16	• E 1st @ Monterey	• Bolted arches, parallel	1 insert, 1 paint
17	• W 1st @ Monterey	• Bolted arches, parallel	1 insert, 1 paint
18	• NW 2nd @ Monterey	• Bolted arches, parallel	1 insert, 1 paint





Progress to Date – the City Representatives

- City contacts - Chris Ghione and Dale Dapp
 - Both have done walk-arounds of all the proposed sites with LMH class members
 - Confirmed which racks can be replaced/upgraded
 - Existing bike rack locations to minimize construction or disruption
 - Replacing only bolted arches, not cemented ones
 - Upgrading arches (with inserts and/or painting)
 - Okayed the proposed designs and colors
 - Pending the actual CAD drawings from the vendors
 - Durability: powder coating is good for 10 years under normal use
 - City will maintain racks moving forward; vendors will provide touch up paint



Progress to Date – the Vendors

- Two vendors have been chosen based on pricing and lead time
 - **CMS (Creative Manufacturing Solutions) of MH**
Will fabricate the new laser cut inserts where added
 - Will weld them into the arches
 - Will powder coat any existing or replacement arches (using existing stock)
 - Will help with the installation
 - No delivery charges, family discount price
 - **Bicycle Parking LLC of Sacramento**
Will manufacture the “Special” bike-themed racks
 - Owned by Chris Luyet, former MH resident
 - Fabricator of standard and custom bike racks
 - Lead time is 6-8 weeks
 - They include free delivery and will help with installation
 - Also getting family discounted prices



Current Timeline

Status	Task	Start	Finish	Comments
C	• Choose and scope project	Mar 12	Mar 20	Narrowed down 5 possible to the Bike Racks
C	• Meet with City Reps to discuss	Mar 20	Apr 30	Chris Ghione and Dale Dapp
C	• Evaluate and choose vendors	Mar 20	Apr 8	CMS and Bicycle Parking LLC
C	• Present to LCAC	May 7	May 7	No review, but recommended staff/class agree on multi-color palette coordinated for Downtown
P	• Present to City Council	May 15	May 15	
P	• Purchasing to order racks	May 18	Jun15	
P	• Installations	Jun 1	Aug 15	

C: completed

P: pending



Questions, Comments

VISIT MORGAN HILL

Honorable Rich Constantine, Mayor of Morgan Hill
Honored Members of the City Council, City of Morgan Hill

With apologies in not being present to deliver this myself I could not be more ecstatic in writing this to you as the now Chairperson of our Visit Morgan Hill board from the initial TBID formation we created at the beginning of this year.

Through a lot of hard work, effort, and communication between so many different representatives of the community of those that share in the grand vision of what is being created in Morgan Hill we have come to this mutual place of working together to seize upon the growth opportunities for the businesses and residents of Morgan Hill from our drive of increased tourism.

Our board represents the best of Morgan Hill with a mix of hotels, wineries, large sporting tourism advocates, and friends from the city offices. So many of us are putting in the hard work to start the wheels turning in contributing more to this growth initiative. Through just initial discussions we are looking forward to our new connections with the new Sports Complex group, Visit California and the local outreach being planned through individual and strategic partner inclusion.

That being said the first step for us came naturally and what better way to show our commitment to our city than the support of what is growing to be such a huge and massively popular venue as the AMGEN Tour of California. This event has grown in only two years' time and brought the tourism "cred" we are all looking for to forward our initiatives. We know through events like this and more not only will our tourism flourish but so will the life in Morgan Hill become greater with such diverse means to enrich resident life. Visit Morgan Hill is proud to contribute a dual financial gain contribution to the City of Morgan Hill for this event in the form of \$27,500 for AMGEN 2018 and 2019.

What a first step, what a moment to start our relationship together, and what a truly awesome experience for all of Morgan Hill to witness as we move forward into tomorrow as we cheer on our mutual growth under the celebration of this event which took place only a day ago. We look forward to many more continued successes and I look forward to talking and working with you each more through our community outreach and tourism drives.

Yours humbly,

Michael Meredith
Chairperson
Visit Morgan Hill
visitmorganhill.org

Item # 12

AGENDA DATE: 05/15/19
SUPPLEMENTAL # 1

From: [Donald Larkin](#)
To: [Angie Gonzalez](#)
Cc: [Christina Turner](#); [Irma Torrez](#)
Subject: Revised Resolution 1-A Calling For Special Election on Referendum Ord 2295
Date: Wednesday, May 15, 2019 4:18:43 PM
Attachments: [Resolution 1-A Calling For Special Election on Referendum Ord 2295.docx](#)

PLEASE INCLUDE AS A SUPPLEMENT FOR TONIGHT'S MEETING

Dear Mayor and Council Members,

Staff has proposed revised language for the potential ballot measure. The proposed language complies with Elections Code section 13120, but provides additional information about the nature of the ordinance being referended. The revised Resolution also includes language that will allow for the inclusion of an impartial analysis and arguments for and against the measure in the ballot materials.

Donald A. Larkin

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

Tel: (408) 778-3490

Email: donald.larkin@morganhill.ca.gov

This e-mail may contain confidential and/or attorney-client privileged material. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

RESOLUTION NO. "1-A"
(Special Election)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MORGAN HILL, CALIFORNIA, CALLING FOR THE
HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE
HELD ON TUESDAY, MARCH 3, 2020, FOR THE
SUBMISSION TO THE QUALIFIED VOTERS AN
ORDINANCE.**

WHEREAS, the City Council of the City of Morgan Hill on February 6, 2019, adopted Ordinance No. 2295, New Series, providing for an amendment to a Planned Development Master Plan for "Madrone Village Shopping Center" located on the northwest corner of Madrone Parkway and Cochrane Road (APN's 726-33-029, 030, and 031); and

WHEREAS, the ordinance was published as required by law; and

WHEREAS, pursuant to authority provided by Division 9, Chapter 3, Article 2 (commencing at § 9235) of the Election Code of the State of California, a petition has been filed with the legislative body of the City of Morgan Hill signed by more than ten per cent of the registered voters of the city to repeal the ordinance or submit it to a vote of the voters; and

WHEREAS, the Santa Clara County Registrar of Voters Office examined the records of registration and ascertained that the petition is signed by the requisite number of voters, and the City Clerk has so certified; and

WHEREAS, the City Council has not voted in favor of the repeal of the ordinance;
and

WHEREAS, the City Council is authorized and directed by statute to submit the ordinance to the voters;

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

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Morgan Hill, California, on Tuesday, March 3, 2020, a Special Municipal Election for the purpose of submitting the following ordinance:

///

///

///

Resolution No. 1-A

Page – 2 –

Shall the ordinance No. 2295, amending a Planned Development Master Plan for "Madrone Village Shopping Center" located on the northwest corner of Madrone Parkway and Cochrane Road (APN's 726-33-029,030, and 031), to add hotels as an approved use, which is consistent with the City's General Plan and Economic Blueprint to encourage tourism, and that generates new City revenues for City services including public safety, street repairs and other infrastructure be adopted?	Y E S
	N O

SECTION 2. That the text of the ordinance submitted to the voters is attached as Exhibit A.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

SECTION 6. That the City Clerk is authorized, instructed and directed to coordinate with the Registrar of Voters of the County of Santa Clara to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 7. That the City Council authorizes the following member(s) of it's body

_____ (Council Member In Favor) or	_____ (Council Member Against)
_____ (Council Member In Favor) or	_____ (Council Member Against)
_____ (Council Member In Favor) or	_____ (Council Member Against)
_____ (Council Member In Favor) or	_____ (Council Member Against)
_____ (Council Member In Favor) or	_____ (Council Member Against)

to file (a) written argument(s) not exceeding 300 words regarding the City measure as specified above), accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.

OR

[SECTION 7. That the City Council authorizes ALL members of the City Council to file (a) written argument(s) In Favor of or Against City measure(s) not exceeding 300 words, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California. The arguments may be changed or withdrawn until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.]

SECTION 8. The arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument.

SECTION 9. That the city council directs the City Clerk to transmit a copy of the measure to the city attorney.

- a. The city attorney shall prepare an impartial analysis of the measure not exceeding 500 words showing the effect of the measure on the existing law and the operation of the measure. If the measure affects the organization or salaries of the office of the city attorney, the city clerk shall prepare the impartial analysis.
- b. The analysis shall include a statement indicating that the measure was placed on the ballot by a petition signed by the requisite number of voters.
- c. In the event the entire text of the referendum is not printed in the voter information portion of the voter sample ballot pamphlet, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of Ordinance No. 2295, New Series. If you desire a copy of the ordinance, please call the City Clerk at (408) 779-7271 and a copy will be mailed or e-mailed at no cost to you."
- d. The impartial analysis shall be filed by **December 5, 2019** as set by the City Clerk for the filing of primary arguments for or against the measure.

SECTION 10. The primary arguments for and against the measure shall be submitted to the City Clerk by five o'clock p.m. on **December 5, 2019** to meet the deadline established by the Santa Clara County Registrar of Voters for primary arguments. The arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument to be provided by the City Clerk.

SECTION 11. In accordance with Elections Code section 9285(b), the City of Morgan Hill hereby authorizes the filing of rebuttal arguments as set forth below and in accordance with state law.

The elections official shall send a copy of an argument in favor of the proposition to the authors of any argument against the measure and a copy of an argument against the measure to the authors in any argument in favor of the measure immediately upon receiving the arguments

The author, or a majority of the authors, of any argument relating to the measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

A rebuttal argument may not be signed by more than five authors.

The rebuttal arguments shall be filed with the City Clerk, signed with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement to be provided by the City Clerk and to be filed by the author(s) of the argument.

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 12. That rebuttal arguments for and against the measure shall be submitted to the City Clerk by five o'clock p.m. on **December 12, 2019** to meet the deadline established by the Santa Clara County Registrar of Voters for rebuttals.

SECTION 13. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 14. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 15. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the _th day of _____, 2019 by the following vote:

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

APPROVED:

ATTEST:

RICHARD CONSTANTINE, Mayor

IRMA TORREZ, City Clerk

Resolution No.
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∞ 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 _____, 2019.

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

DATE: _____

IRMA TORREZ, City Clerk

From: [Donald Larkin](#)
To: [Angie Gonzalez](#)
Cc: [Christina Turner](#); [Irma Torrez](#)
Subject: Revised Resolution 1-A Calling For Special Election on Referendum Ord 2295
Date: Wednesday, May 15, 2019 4:18:43 PM
Attachments: [Resolution 1-A Calling For Special Election on Referendum Ord 2295.docx](#)

PLEASE INCLUDE AS A SUPPLEMENT FOR TONIGHT'S MEETING

Dear Mayor and Council Members,

Staff has proposed revised language for the potential ballot measure. The proposed language complies with Elections Code section 13120, but provides additional information about the nature of the ordinance being referended. The revised Resolution also includes language that will allow for the inclusion of an impartial analysis and arguments for and against the measure in the ballot materials.

Donald A. Larkin

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

Tel: (408) 778-3490

Email: donald.larkin@morganhill.ca.gov

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