



Regular Meeting Agenda

City Council

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

Wednesday, May 6, 2020 7:00 p.m.

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

PUBLIC MEETINGS DURING THE COVID-19 VIRUS EMERGENCY

Public Participation:

In accordance with Executive Orders N-25-20, N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. The Order will be addressed in the following ways:

Members of the public may not physically attend meetings at the Morgan Hill City Council Chamber.

The City Council meeting will be live-streamed on Channel 17 and on the City's website. Members of the public may participate in the meeting remotely through an electronic meeting in the following ways; by either joining the electronic meeting at <https://bit.ly/05062020CityCouncilMeeting> and enter ID: 955 1620 0723 or by calling in (669) 900-9128 enter Meeting ID: 955 1620 0723#.

Public comment for City Council meetings will be accepted via email to ccpubliccomment@morganhill.ca.gov <<mailto:ccpubliccomment@morganhill.ca.gov>>. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

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

Minutes Clerk Angie Gonzalez

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2

Minutes Clerk Angie Gonzalez

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

PUBLIC COMMENT

Members of the public are entitled to address the City Council concerning any item within the Morgan Hill City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

PUBLIC COMMENT SUPPLEMENT 1

PUBLIC COMMENT SUPPLEMENT 2

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. APPROVE AGREEMENT WITH VALLEY TRANSPORTATION AUTHORITY FOR MEASURE B EDUCATION AND ENCOURAGEMENT PROGRAM FUNDING

Recommendation:

Approve and authorize the City Manager to execute and administer a contract with Valley Transportation Authority to receive funding for Measure B Education and Encouragement Programming.

2. APPROVE UTILITY SYSTEM RADIO PURCHASE FROM MOTOROLA

Recommendation:

1. Approve the sole source purchase of radios for the Utilities Division from Motorola for \$142,267; and
2. Authorize the City Manager to approve the purchase order.

3. ADOPT RESOLUTION APPROVING REVISIONS TO CITY COUNCIL POLICY CP-94-04, THE CITY'S INVESTMENT POLICY

Recommendation:

Adopt resolution approving revisions to City Council Policy CP-94-04, the City's Investment Policy.

4. CERTIFY RESULTS OF THE MARCH 3, 2020 SPECIAL MUNICIPAL ELECTION

Recommendation:

Adopt resolution reciting the facts of the Special Municipal Election of March 3, 2020 and declaring the results of such other matters as provided by law.

5. APPROVE THE APRIL 15, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

6. APPROVE THE APRIL 22, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

7. 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 2020-21;
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 3, 2020.

Estimated Time: 5 Minutes

OTHER BUSINESS

8. REVIEW THE NEED TO CONTINUE THE LOCAL EMERGENCY DUE TO COVID-19 RESPONSE AND SHELTER-IN-PLACE ORDERS

Recommendation:

Review current conditions and continue the March 13, 2020 emergency proclamation due to pandemic response.

Estimated Time: 15 Minutes

FUTURE COUNCIL INITIATED AGENDA ITEMS

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

ADJOURNMENT

NOTICE

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

PUBLIC COMMENT

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

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

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

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

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

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

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

SUSTAINABLE MORGAN HILL



VISION

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

Choose Morgan Hill

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

City Council Ongoing Priorities

- Enhancing Public Safety
- Protecting the Environment and Preserving Open Space and Agricultural Land
- Maintaining Infrastructure
- 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

2020-2021 Strategic Priorities

- **Fiscal Sustainability**
- Affordable Housing and Homelessness
- Community Engagement and Messaging
- Economic Development
- Transportation

From: [Michelle Bigelow](#)
To: [Angie Gonzalez](#)
Subject: FW: California High Speed Rail releases Draft Environmental Impact Report
Date: Friday, May 1, 2020 10:51:38 AM
Attachments: [BITEtheBULLETtrain12162016.pdf](#)
[BulletTrainTrojanHorse.pdf](#)
[HSRApanaceaVShell.pdf](#)
[HSRPROFITABLE-HOWTODOIT021810.pdf](#)
[KOPP021696.HSR1.wpd.pdf](#)
[LINDSEY.Lt1.pdf](#)
[MORSHED.LT2.pdf](#)
[MORSHED.LT3.pdf](#)
[MORSHED.LT4.pdf](#)
[MORSHED.LT5.pdf](#)
[TouristsPanacea.pdf](#)
[TrojanHorseCAHSR090809.pdf](#)

Public comment supplement for agenda

Michelle Bigelow, MMC, CPMC

Council Services and Records Manager/Deputy City Clerk

City of Morgan Hill

City Clerk's Office

17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4678 **O:** 408.779.7259

michelle.bigelow@morganhill.ca.gov

morganhill.ca.gov | [facebook](#) | [twitter](#)

From: John Lang <John.Lang@morganhill.ca.gov>

Sent: Friday, May 1, 2020 10:46 AM

To: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>

Subject: Fw: California High Speed Rail releases Draft Environmental Impact Report

for next public comment opportunity.

From: Joseph Patrick Thompson <translaw@pacbell.net>

Sent: Friday, May 1, 2020 8:52 AM

To: John Lang <John.Lang@morganhill.ca.gov>; Barry Holtzclaw <bholtzclaw@newsvmmedia.com>; Gilroy Dispatch Editor <editor@garlic.com>; Nathan Mixter <nmixter@newsvmmedia.com>; shawna freels <shawna.freels@ci.gilroy.ca.us>; Robert T. Dillon <rtdillon@garlic.com>; Dion Bracco <dion.bracco@ci.gilroy.ca.us>; Peter Leroe-Munoz <peter.leroe-munoz@ci.gilroy.ca.us>; carol.marques@ci.gilroy.ca.us <carol.marques@ci.gilroy.ca.us>; Tammy Brownlow <president@gilroyedc.org>; Cat Tucker <cat.tucker@ci.gilroy.ca.us>; City Council Members City of Gilroy <allcouncilmembers@ci.gilroy.ca.us>; Mike Wasserman <askmike@garlic.com>; Gary Walton <gary@custom-1.com>; Eric Howard <ehoward1965@gmail.com>; Sbrcc Balers <onemorejones@yahoo.com>; SBC Board of Supervisors <sbcsuper@supervisor.co.san-benito.ca.us>; sbccog <info@sanbenitocog.org>; Econ Dev SBC <sbcedc@hollinet.com>; sbcsuper@cosb.us <sbcsuper@cosb.us>; Kollin Kosmicki For Supervisor <kollinfor-supervisor@gmail.com>; Rich Constantine <Rich.Constantine@morganhill.ca.gov>;

cityclerk@hollister.ca.gov <cityclerk@hollister.ca.gov>

Subject: Re: California High Speed Rail releases Draft Environmental Impact Report

Dear Mr. Lang,

Thank you for inviting public comment on this nightmare Supermassive Black Hole Virus. Please include this comment in the official record of proceedings so that future generations know that our local elected leaders were warned, warned repeatedly with great emphasis, on how damaging this Supermassive Black Hole Virus will be, warned from the initial breeding and release of this Frankenstein monstrosity from the vested interests at CAHSRA.

Thank you.

Joseph P. Thompson, Esq.,
Past-Chair, Legislation Committee, Transportation Lawyers Assn.
(408) 848-5506; E-Mail: TransLaw@PacBell.Net

cc: PUBLIC COMMENT: NEXT MEETING, REAL OR VIRTUAL, REGULAR OR SPECIAL,
STUDY SESSION, PUBLIC WORKSHOP,

On Friday, May 1, 2020, 08:37:53 AM PDT, John Lang <john.lang@morganhill.ca.gov> wrote:

Hi Folks

The California High Speed Rail Authority (CHSRA) has released the Draft Environmental Impact Report for the San Jose to Merced Section The Draft EIR/EIS evaluates the impacts and benefits of a no project Alternative and four end-to-end project alternatives (Alternatives 1 to 4), including stations. The Authority's Preferred Alternative under NEPA, which serves as the proposed project for CEQA, is Alternative 4. It includes two stations (San Jose Diridon and Downtown Gilroy), an a Maintenance of Way Facility (MOWF), an Maintenance of way siding (MOWS), two tunnels, and traction power facilities.

The comment period is from April 24, 2020, to June 8, 2020. Comments must be received electronically or postmarked on or before June 8, 2020.

You can find a link to the Environmental Documents at <https://www.morganhill.ca.gov/hsr/>. Attached are related documents pertaining to the Environmental process and what happens. The City of Morgan Hill is currently reviewing the Environmental Impact Report document and will provide a written response to the High Speed Rail Authority before the end of the comment period.

I am sending this information to you as someone who is interested in information about High Speed Rail plans for the South County.

Sincerely,

John

WARNING: This message is from an external user. Confidential information such as social security numbers, credit card numbers, bank routing numbers, gift card numbers, wire transfer information and other personally identifiable information should not be transmitted to this user. For question, please contact the Morgan Hill IT Department by opening a new helpdesk request online or call 408-909-0055.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

OPINION

Bite the Bullet Train

From the viewpoint of history, I agree with Hon. Norm Mineta, former Secretary of Commerce for President Clinton, former Secretary of Transportation for President Bush II, former Congressman and chairman of the House Public Works & Transportation Committee, former Mayor of San Jose, we Californians must ask ourselves "the crucial question." In 1995, shortly before leaving the House to join Lockheed-Martin, he said, "The crucial question in transportation today is: What should government do, and what should it leave to others?" I think that is still the crucial question.

Learning from our mistakes with Amtrak, Caltrain, and other government transport boondoggles, California voters voted for self-sufficient high speed rail by approving Prop. 1A in 2008.

Both the President's Blue Ribbon Commission on transport funding, and the California Transportation Commission, concluded that "user fees funding" is how we should fund transport. Simple: the users pay for the costs of their transport.

But we don't follow our own advice; we have a double standard in transport funding. Motorists, truckers and motorcyclists pay 102% of the costs of our transport, including road construction and maintenance. But transit systems' riders pay only about 1% of the fully amortized costs of their rides.

Why do we allow this double standard? It's contrary to the policy adopted by both the Federal and California State governments.

Our professed transport funding policy is sound, sustainable self-sufficient transport. Our conduct in making motorists, truckers and motorcyclists pay 99% of the cost of public transit by all modes is not.

So, since the California High Speed Rail Authority is acting in direct violation of the California voters' decision in 2008, and contrary to the funding policy recommendations of the Federal and State transport Commissions, we ought to do what Florida voters did: repeal our vote, and

LETTERS

terminate the taxpayer-subsidized Frankenstein.

The correct answer to Secretary Mineta's "crucial question" is private sector, not public sector. If we put enough UPS, Fedex and Postal Service tonnage on the Bullet Train, then we would not need to ask taxpayers for a dime. The profits the taxpayers had from the original land grant railroads can be exceeded if we follow Lincoln's decision to reject public ownership of the transcontinental railroads in 1864. We saw the wisdom in his decision when we nationalized the Nation's railroads during WWI, and saw the government run the railroads to a halt, unable to move. We forgot his decision when Congress created the North American Passenger Rail Corporation (Amtrak), when Congressmen stood in the House and promised that Amtrak would be "self-sufficient" in three years. 46 years later Amtrak remains a Black Hole consuming billions of taxpayers' dollars that we must borrow from foreign investors, e.g., China.

Unless we stop the CAHSRA's Bullet Train, its losses will make Amtrak, Caltrain, VTA Light Rail and bus transit look profitable. We must stop putting our credit card transit debt on the backs of our children and grandchildren.

The first priority "shovel ready" infrastructure job facing us is to bury the Bullet Train. Caveat visitor.

JOSEPH P. THOMPSON, ESQ.

Gilroy

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Suite 112, Gilroy, CA 95020
Post Office Box 154, Gilroy, CA 95021-0154
Telephone (408) 848-5506; Fax (408) 848-4246
E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

January 28, 2004

Editor

The *Dispatch*

6400 Monterey Road
Gilroy, CA 95020

Re: Bullet Train or Trojan Horse?

Dear Editor,

When Amtrak was formed in 1970, Congressmen promised that it would be profitable in three years. Well, after 33 years, taxpayers have paid \$31 billion in subsidies, with no end in sight. As *Traffic World* reported, that is a stack of \$100 bills higher than the World Trade Center stood. Supporters of the Bullet-in-the-Brain train will make profit building and operating it, just as VTA does operating Black Hole Lite Rail. However, taxpayers will be the losers. The galley slaves will need to quicken their strokes so that the recipients of their labors will enjoy their rides. Will Rod be successful in converting us to a socialist society, living in concrete high-rise Diredonominiums like the USSR's "affordable housing"? Until Rod was appointed to HSRA, they had projected a \$900 million annual operating loss (truth probably doubles their estimate), but now they project a profitable operation. "Profitable" in the same definition of VTA's "profit." I do not swallow this big lie. Do you?

As with Caltrain, Lite Rail, and Amtrak, taxicabs and limousines would be cheaper for the taxpayers. But have we learned anything from the history of the last Century? If we defeated the USSR, then why are we adopting their philosophy?

I appeared before the High Speed Rail Commission (before it became an "authority") five times and told the commissioners that if they put enough Fedex, UPS, and Postal Service tonnage on their train, then they would not need to ask the taxpayers for a dime. Instead of following a capitalist model, they insist (with Bechtel Corporation's—the builder—support) that California must have a Soviet-style horizontal elevator. Well, if voters believe that B.S., then they deserve to wear this albatross around their necks. But ask yourselves, do our children and grandchildren deserve the consequences of our compulsive spending disorder? Are we building the future for them, or welcoming a monster Trojan Horse? *Caveat viator.*

Very truly yours,

JOSEPH P. THOMPSON

Candidate: American Society of Transportation & Logistics

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

Member: Legislation Committee, Transportation Lawyers Assn.

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Suite 112, Gilroy, CA 95020

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; Fax (408) 848-4246

E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

August 24, 2007

Editor

Email: editor@garlic.com, editor@gilroydispatch.com

The *Dispatch*

6400 Monterey Road

Gilroy, CA 95020

Re: **Bullet Train: Tourists' Panacea, Taxpayers' Hell**

Dear Editor,

The proposal to build the Bullet Train in California is proof that socialists have taken-over our government. Based on past cost overruns, the price tag on this extreme boondoggle is about \$75-\$80 billion in today's dollars. Paid back interest on these bonds will also burden our children and grandchildren and great-grandchildren will billions more. Annual operating losses will exceed those of all Lite Rails combined. Fares won't cover 1% of operating expenses, estimated at \$1 billion/year. Bond debt will bury us.

Technology exists to build it, but how do we pay the construction costs, and operating costs? It's technologically incompatible with existing railroads, so it will need BART-like right-of-way. Eminent domain power, included in the legislation creating it, ensures that it will plow through Gilroy and Morgan Hill and any other place, regardless of opposition. But it cannot cross the UPRR's tracks because the Class I railroads' eminent domain trumps Bullet Train's eminent domain power, according to UP's top commerce counsel on the West Coast. Tourists will ride it, but enjoy a 99% taxpayer subsidy for rides that will cost more than those on the Concorde Supersonic Jets. Local small business owners will pick-up the tab, maybe getting 10% back from tourist dollars if we're lucky.

In 1970 Congressmen stood up in Congress and proclaimed that Amtrak would be "self-sufficient in three years." Yeh. By 9/11/01 taxpayers had thrown about \$30 billion in subsidies down that black hole, but did we have adequate airport security?

In 1863 General Granville Dodge, who was later UPRR's top civil engineer, and who discovered the Sherman Pass over the Continental Divide, was summoned to the White House. He later said that he told the President that the government should own and operate the transcontinental railroad. Lincoln, who as a young member of the Illinois Legislature had seen government owned railroads in Eastern and Midwestern States go bust and shutdown operations in the 1830's and 1840's, said no. He said that private enterprise must do it, although the government would assist with

When will we ever learn?

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

development incentives (my words, not his). They did it. And what did taxpayers receive in the deal? They got about \$460 million (measured in 1940 dollars) more than the value of the land granted to the railroad corporations because of Section 22 in the original Interstate Commerce Act (lower freight rates for government shipments).

A hundred years ago the Progressive Movement, led by William Jennings Bryan, sought nationalization of the railroads and other industries, but their passion was rejected by voters.

When the railroads were nationalized in 1917 during the Administration of Woodrow Wilson, government genius so botched-up shipping that rail traffic came to a standstill. That experiment failed, just as Lincoln predicted it would. In the Transportation Act of 1920 the railroads were de-nationalized, and came to be the envy of the world's nations today; the backbone of our nation's commerce.

Instead of making taxpayers pay for Bullet Train, like we pay for County Transit, Caltrain, Amtrak, Lite Rail, etc., etc., while motorists are paying 100% of their own transport costs, seeing our politicians rewarding transit wastefulness, why not use the unlimited power of capitalism? Have you been on I-5 lately to see the uninterrupted 24-7 tonnage flowing North-South in California? I appeared before the Bullet Train commission five times over the last decade and told them that if they put enough UPS, Fedex and Postal Service tonnage on their trains, then they would not need to ask the taxpayers for a dime. Did they listen?

Like Amtrak's promoters, their pie-in-the-sky predictions show that they did not listen, nor did they learn from history, either United States or world history in the last century and one-half. So, hold on for the ride, and warn your children and grandchildren, our leaders will strap taxpayers to the rocket to Hell. We'll be paying unimaginable sums to attempt what Lenin, Trotsky, Stalin and the USSR failed to achieve, despite all their promises to their citizens that socialism could bring utopia. If they fund it with gas taxes, be prepared to see \$10/gallon for gas at the pumps. They'll tax motorists out of their cars, leaving them to ride our Trojan Horses, and bike or walk the rest of the way.

Caveat Viator!

Respectfully yours,
JOSEPH P. THOMPSON, ESQ.

Member, Executive Committee, Debtor-Creditor-Bankruptcy Section, SCCBA
Member, Legislation Committee, Transportation Lawyers Assn.
Member, Association for Transportation Law, Logistics & Policy
Candidate, American Society of Transportation & Logistics
Winner, AST&L's Best Research Paper Award 1997
Past-President, Gilroy-Morgan Hill Bar Assn.
Post-Doctoral Student, Transportation Law & Policy

When will we ever learn?

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Attorney at Law
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Post Office Box 154, Gilroy, CA 95021-0154
Telephone (408) 848-5506; Fax (408) 848-4246
E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

February 18, 2010

Editor and Editorial Board

Email: editor@garlic.com, editor@gilroydispatch.com

The ***Dispatch***

6400 Monterey Road
Gilroy, CA 95020

Re: MyBulletTrain: Profitable for who?

Dear Editor,

Bullet Train blitzkrieg, multi-million dollar campaign, using taxpayers' money to sell them on the boondoggle claims that it will be profitable. Yeh, but for whom? The planners, consultants, ad men, bond salesmen, foreign equipment manufacturers. The bankruptcy of all State-owned railroads in the USA in 1830's ought to tell us something about the right way to build a railroad. The American experience with nationalization of the railroads in 1918, the collapse of the USSR, and the world-wide privatization revolution of the 1990's should teach us a valuable lesson in railroad building. The insolvency of Amtrak, Caltrain. The bankruptcy last month of the Las Vegas Monorail, etc.—lessons abound from our history, but will we learn from them?

Sustainable rail transport hinges on the bottom line on the balance sheet; do revenues exceed costs? If we use VTA government-style accounting methods, we won't see a sustainable Bullet Train. We have to use the same accounting used by the world's most successful railroads, UP, BNSF, CSX, etc., America's Class One Railroads. If you lose money moving passengers, then you have to make-up your losses by moving freight. Intermodal tonnage on Bullet Trains, moved on separate trains during non-peak commute hours is how I've told the California High Speed Rail Commission, now High Speed Rail Authority, to do it. If the taxpayers purchase the infrastructure for the Bullet Train's owners, it will be like financing the Interstate Highway System, and the State Highways, for the trucking industry.

Transport me as a tourist, and I'll need a 99% fare subsidy. But transport me as a deceased traveller, and my estate, or relatives, have to pay 100% of the cost of moving the dead freight. So, to create a sustainable Bullet Train, you have to think like railroaders, not horizontal elevators in communist nations.

Why do our leaders want to grow bigger government, when common sense people, e.g., Editorial Board of Gilroy Dispatch, say we should be doing just the opposite? Do we have leaders who give a damn about the harm their decisions inflict? Why do we tolerate such hypocrites?

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

Caveat Viator!

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Member, Executive Committee, Debtor-Creditor-Bankruptcy Section, SCCBA

Member, Legislation Committee, Transportation Lawyers Assn.

Member, Association for Transportation Law, Logistics & Policy

Candidate, American Society of Transportation & Logistics

Winner, AST&L's Best Research Paper Award 1997

President, Gilroy-Morgan Hill Bar Assn.

Post-Doctoral Student, Transportation Law & Policy

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

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JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Gilroy, CA 95020

105 East Alisal St., Salinas, CA 93901

981 Fremont Street, Santa Clara, CA 95050

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; (408) 984-8555

Telecopier (408) 292-1061

February 16, 1996

**The Honorable Quentin Kopp
CALIFORNIA STATE SENATE
2057 Capitol Building
Sacramento, CA 95814**

Re: California Transportation Policy

Dear Senator Kopp,

While the need for high speed passenger trains in California, and the entire Nation, is obvious to any student of transportation, it appears to me that the HSR Commission is completely ignoring the only viable alternative to providing them.

Instead of using the existing railroads, staying with private enterprise, which past generations bequeathed to us, the Commission seems to be hypnotized by socialism. At a time when privatization around the world is correcting the mistakes of publicly-owned transportation, e.g., Australia, Canada, New Zealand, England, Western Europe, etc., the Commission seems to be falling under the fatal attraction of a ruinous fiscal belief that cost does not matter.

Do we have the ability to learn from our history? Will we ignore it and be condemned to follow the course of the Soviet Union? HISTPS Executive Director Ron Diridon, addressing the students at SJS, said that transportation decisions hinge on three things, "Finance, finance, finance." Rather, I believe it hinges on policy, because the latter predetermines the former.

The legislative findings in SCR 6 are undoubtedly true, but the solution currently being proposed by the Commission is a nightmare, which, if brought into existence, will certainly plunge us down the path followed by the Soviet Union.

Why not consider changing policy to attain the same goal? Why seek to ruin California's economy in a search for "finance," when by adherence to the nation's transportation policy, and its rail transportation policy, we could have bullet trains without spending tax dollars? If this country had adhered to these national policies since the end of WWII, would we have seen thousands of miles of

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

track abandoned? Would we have invested untold billions in the creation of the interstate highway system? Would we be addicted to automobiles today? Are we in denial about our addiction, which blinds us to our violation of our own national transportation policies?

If the law said: (1) freeze truck lengths, (2) prohibit triples, (3) return weight limits to something that would not break concrete freeways, (4) reverse the intercity freight trend since WWII, then how much less money would we need for such things as: (1) highway maintenance, (2) fuel, (3) injury, death, property damage expenses? If policy were made by wiser men than we seem to have had in charge since the end of WWII, would we have (1) cleaner air, (2) less highway congestion, (3) lower health care costs?

If the government is in control, why not set transportation policy and tell each mode what it was going to do based on decisions favorable to the people? If we can move freight profitably, but not passengers, then why not mix the two in one revenue stream to attain satisfactory corporate profit levels? Divorcing rail passenger from rail freight in 1970 was a big policy mistake, and some in Congress seem to have recognized that now by enacting legislation requiring Amtrak to break-even in seven years. Of course, without the freight revenues it can never do so in the face of highway and airline competition, and the vast federal subsidies given to those modes.

The solution lies in equal treatment by government of the different modes, and in freight revenue subsidizing the unprofitable passenger fares, just as earlier generations, who faced these same decisions, learned. While it might come as a shock to the Commission's staff and members, we have railroads. The trouble is that we ignore them and have favored their competitors with billions of dollars of subsidies. Our policy makers apparently prefer our citizens to use four times as much fuel to move our freight, and to sit on congested freeways, rather than establish transportation policy which capitalizes on the inherent advantages of the railroads. Amazingly, the stated policy is already in the statutes, but in practice we do not follow it! Why?

The Commission's current study suffers from myopic concentration on a fantasy, rather than realistic appreciation for the wisdom of earlier generations. Why are the Commissioners not investigating the obvious solution of using our railroads to accomplish this goal? French and Japanese transit systems, like

those in this Country, operate at a huge loss, requiring taxpayer subsidies of ever more scarce tax dollars.

Instead of trying to imagine millions and billions of dollars, this needs to be put in terms that are understandable, and revealed to the voters for what it is. For example, when Amtrak was formed in 1970 it was cheaper to send a passenger from LA to NY by taxi, and pay the cabby a \$100 tip, than to send him by Amtrak. When METRO was built in Washington, D.C., it was cheaper for each rider to be furnished with a Mercedes than to ride public transit. For BART, the riders could have two BMW's and the taxpayers were better off.

Of course, these solutions are just as stupid as the ones our decision makers and planners gave us. The arrogance of today is to forget the wisdom of the past. Who gained by selling those cars, building those interstate highways?

Harvey Levine's seminal work, National Transportation Policy: A Study of Studies, ought to be required reading for both the Commissioners and the staff, not to mention our decision makers.

When we needed a transcontinental railroad, did we opt for government-owned railroads? Whenever WWI's demands caused nationalization of the railroads, did we keep them that way? Does government owned business work in the long run? Do we want to go the same way as the Soviet Union?

No!

When I testified 2/2/96 before the Commission in Fresno, I showed them the Harvard doctoral dissertation by John D. Donahue, The Privatization Decision (1989), and reminded them of the Wall Street Journal special edition on privatization that was published in October. I said that if they were a board of directors of a corporation then they would have been terminated. They did not effectively cross-examine the experts brought before them by their own staff. They did not realize that the "profits" displayed by the French Officials were for a trunk line route, and that the truth is that system-wide the French experience is no better than that of the best American public transit system. They are considering borrowing billions to create a line that will require \$800 million annually just to service the debt (bonds) it creates! There can be no doubt that Big Brother's slogan pales in comparison with this proposal: "WAR IS PEACE, FREEDOM IS SLAVERY, IGNORANCE IS STRENGTH."

As I said to Mr. Mineta, we are, I believe, about half nationalized and half free-enterprise in transportation. Can this situation last? It is not unlike an earlier period in our history:

"If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed.

A house divided against itself cannot stand."

At this point, too, we are at a crucial stage of evolution in the nation's history: We are a house divided.

The Lincoln administration decided that our railroads would be privately owned, with construction financed by government-backed securities. Today we appear to have rejected the policy of free-enterprise ownership because we continually create "authorities" and "agencies" to own and operate our rail passenger mode. The same is true with bus transportation. Now I hear that Amtrak will be moving freight. We have abandoned not only thousands of miles of rail, but as a nation we have also abandoned the policy of private ownership of transportation. Our elected officials boast about what they have done, but not one of them will tell you how much it costs per passenger (or per passenger-mile) to transport people by bus or rail. Deregulation during the past 15 years has rendered the private transportation sector a virtual graveyard. So where are we, and where are we going? How can we have nationalized industry and reduce the budget deficit?

To paraphrase Mr. Lincoln, if we could first know where we are, and "whither we are tending," we could better judge what to do, and how to do it. Our national transportation policy was initiated with the "avowed object" and confident promise of creating a sound national transportation system. Under the operation of that policy,

one national goal is to make the county competitive on the global arena. In my opinion, it will not happen until a crisis shall have been reached and passed.

Today we are at a point where we are half slave to public ownership of transportation, and half free-enterprise. The trend, however, runs counter to private ownership. Reversing the trend becomes increasingly difficult as we commit vast resources of our society to nationalized modes.

Again to paraphrase, I believe that the nation's transportation system "cannot endure permanently half slave and half free." I do not expect the nation will be dissolved; I do not expect the house to fall; but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of nationalization will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike in all modes of transportation.

We will then have arrived at the stage of development, and an experience similar to that of the demise of the Soviet Union must ultimately follow because government-owned industry does not work in the long-run. Great Britain and other western European countries, Canada, Australia and New Zealand are all privatizing previously nationalized industries because they have realized the truth in this. Nevertheless, our elected representatives push for more government-owned transportation modes each passing year.

Today we could send six passengers by limousine from Gilroy to San Jose cheaper than it costs us to send them on Caltrain. Yet if private industry moved those passengers and a fair share of the available freight tonnage, the burden on the taxpayers would lessen, road congestion, health care costs, and air pollution would decline. Local government would enjoy another source of tax revenue.

Since WWII, creation of the interstate highway system has diverted a greater percentage of intercity freight traffic away from the rails each passing year. Separating freight from passengers on the railroads was a decision rejecting earlier generations' investments, and plunging us along a course toward Soviet-style industry, and we know how well that system worked. I

Hon. Quentin Kopp
February 16, 1996
page 6

keep asking our elected officials: If government ownership of industry failed in the Soviet Union, then why are we trying it? promoting it? How can America compete in "global markets" if it is saddled with deadweight nationalized transportation modes?

The Emperor has no clothes! We cannot afford to borrow billions to build a rail passenger line that loses millions each year. This is especially true when we have an existing alternative that will not cost the taxpayers any money at all. All it takes is someone strong enough to enforce the nation's transportation policies that are already on the books. We need not reinvent government to accomplish this goal, but rather, merely keep this a government of, by, and for the people.

Thank you for giving me an opportunity to make this comment. My formal response to the Commission will follow as soon as I complete it.

Respectfully yours,

JOSEPH P. THOMPSON

Encl.

cc: Hon. Henry Mello
cc: Hon. Dean R. Dunphy
cc: Hon. Peter Frusetta
cc: Commissioners
cc: Executive Director Daniel S. Leavitt
cc: Rod Diridon, IISTPS

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Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Suite 112, Gilroy, CA 95020

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; Fax (408) 848-4246

E-mail: TransLaw@PacBell.Net

Website: <http://home.pacbell.net/TransLaw>

January 15, 2003

FAX (916) 653-2134

Honorable R. Kirk Lindsey, Chairman

California Transportation Commission

1120 N Street, P.O. Box 942873 (MS-52)

Sacramento, CA 94273-0001

Re: Transportation Funding Crisis Workshop Jan. 17, 2003

Dear Mr. Lindsey,

Thank you for sending notice of the CTC's funding issues workshop and for inviting public comment regarding the State's fiscal "crisis." It was a pleasure meeting you at the CTC's meeting in San Jose at the Fairmont Hotel last month. Congratulations on becoming Chairman of the CTC. One cannot help but sense the irony in a trucking company CEO being CTC's chairman when our chickens are coming home to roost. At Mr. Lawrence's invitation I addressed the CTC in December 2001 at the PUC in San Francisco on the subject of intermodal transportation infrastructure improvements for the State, and although I cannot attend the workshop on the 17th of this month, I would like to offer my recommendations.

1. Author. I have 39 years experience in transportation industry (trucking and railroad). I am a post-doctoral student of transportation law and policy. I am a member of the Transportation Lawyers Association, and serve on TLA's legislation, intermodal, arbitration and freight claims committees. I am also a member of the Association for Transportation Law, Logistics & Policy, and a candidate for the American Society of Transportation & Logistics.

2. Background. For additional background, please refer to my paper that I presented to the CTC and handed to Mr. Remen at the CTC's meeting at the PUC in San Francisco, December, 2001.

3. Official Record. Will you please direct your staff to include these remarks as part of CTC's official records.

4. Summary. In response to your call for public comment on the current "funding crisis", I once again give my conclusions reached six years ago during debate on ISTEA reauthorization. *See*, "ISTEA Reauthorization and the National Transportation Policy," 25 *Transportation Law Journal*, pp. 87-*et seq.* (1997), and "ISTEA Reauthorization and the National Transportation Policy:

**Recommendations to CTC Re:
Transportation Funding "Crisis"**

Overlooked Externalities and Forgotten Felt Necessities,” *Transportation Lawyer* (Dec. 1997). A copy of the former is enclosed for your ready review, although I previously submitted it to you in December 2001.

5. Recommendations. The CTC should first frame the fundamental issue facing it, which was identified by Transportation Secretary Mineta while he was serving as Chairman of the Surface Transportation Committee in the House of Representatives: *“The crucial question in transportation today is: What should government do and what should it leave to others?”*

Governor Davis’ call for “structural reform” should focus CTC on Secretary Mineta’s “crucial question.” The answer that CTC gives to Governor Davis and Secretary Mineta will shape the solution for our transportation “funding crisis,” and the future of transportation in California.

These issues are also pending in the 108th Congress as it takes up the subject of reauthorization legislation for Transportation Equity Act for the 21st Century (TEA-21). Please refer to my recommendations to USDOT dated 8-23-02 on this issue (see copy enclosed).

Rather than a band-aid approach to the “funding crisis,” I recommend that CTC strive to achieve “structural reform” in the basic approach that we take to the for-hire carriage of passengers. I believe that CTC should have no “sacred cows” immune from this search and rescue mission. Like waking-up with a hangover, California must swear-off its former excesses.

The Emperor Transit First is stark naked. Unremunerative fares yield insolvent carriers, of both passengers and freight. Deficits piled on top of deficits bring predictable results. Farebox recovery rates that fail to cover fully allocated costs produce a result which does not surprise transportation students or history students. Such public-sector transit systems are not “going broke” in California (or elsewhere), they were conceived insolvent, born bankrupt, and kept operating only with massive blood transfusions from the taxpayers. No member of CTC should be surprised at the present “funding crisis” because we have intentionally navigated the State to this destination, one in which California’s deficit exceeds that of all other States’ combined deficits. We asked for it; we demanded it, even if it meant damning future generations into decades of debt. Bankrupt operations, bankrupt carriers, bankrupt policies, are the result of our myopia. Increasing insolvent transit systems’ operations undermine our financial capability to build and repair transportation infrastructure. Their growing demands have reached a predictable breakingpoint. We must look into the mirror and recognize the problem staring back at us.

There has been occurring a world-wide “privatization revolution” as described by the *Wall Street Journal*, special edition 10-2-95, yet we have steered a contrary course of nationalization, statism, and public-ownership. Only a hypocrite would feign surprise at arriving at our present destination of fiscal “crisis.”

**Recommendations to CTC Re:
Transportation Funding “Crisis”**

CTC and California must ask itself this question if it wants to be cured: “Why did Canada, Mexico, Great Britain, Australia, New Zealand, and many other nations denationalize their publicly-owned transportation industries during the past 25 years?”

We must ask ourselves, if we truly want to bring permanent relief to this and future generations of Californians: “If all of the USSR’s Five Year Plans were such raving successes, then why did the USSR collapse in revolution?”

Why should we adopt the Marx-Engels-Lenin-Trotsky-Stalin theory of government when our Founders placed its foundations on Adam Smith’s theory? Did the USSR win the Cold War, or did we win it? If we defeated the USSR, then why should we adopt their failed economic philosophy?

Answering Governor Davis’ “structural reform” challenge, answering Secretary Mineta’s “crucial question,” learning the lessons of the history of the past century, CTC and California must recognize the error of our policies, unless we have no intention of solving the “funding crisis.” Phony efforts of “reform” will just be wheel-spinning in mud—wasted motion. Genuine “reform” means going back to American free-enterprise in transportation, personal responsibility, not transit welfare. Our galley slaves, i.e., taxpayers, are beyond the breaking point. Our policies have burdened the taxpayers under unsustainable loads. Like overloaded trucks, our axles are breaking. Bankruptcies are at historic highs, both business and individual. Small business failure rates are at 80% on average during the first five years. *Traffic World*’s report that more than 10,000 trucking companies (with 20 or more trucks) either filed for bankruptcy protection or closed during the last two years illustrates what plight business owners are bearing from our ill-conceived government policies. Did you ever think you’d live to see PG&E, United Airlines, and Consolidated Freightways in bankruptcy? We are killing the goose to steal her eggs, but what will our children eat?

The fallacy in our current transport policy can be shown by comparing fares paid to move a 200 pound box with fares paid to move a 200 pound man. The shipper of the former pays 100% of his carrier’s fare; but a passenger on public-sector transit (bus or rail) pays only for the first two pounds, and the taxpayers are expected to pay for 198 pounds (applying generally accepted accounting principles, not the Enron-style accounting method our Legislature authorized for transit agencies’ financial reporting).

“Structural reform” of this unsound policy must be approached in the same manner as Great Britain accepted under the administration of Margaret Thatcher—privatization of nationalized industry. Keeping the *status quo* will only mire us further in misery. Flatboats, bullet trains, rickshaws, lunar escalators, i.e., any mode of transport, must charge user fees (fares) that are remunerative, unless we want to see it fail in the long run. Refer to my letter to HSRA’s former Chairman enclosed.

***Recommendations to CTC Re:
Transportation Funding “Crisis”***

William Jennings Bryan and the Populists were wrong, just as Marx & Engels were, as government nationalization of the railroads proved during World War I.

Neither CTC nor California should be surprised by the “crisis” resulting from this fallacy (or lunacy) in our transport policy. Do we have the will power to reform our policy, or will we take the same route as did the USSR? I pray that God will give you and your fellow Commissioners the wisdom and courage to make a course correction for California now, before it is too late.

Caveat Viator!

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Encl. [Article; Letters]

***Recommendations to CTC Re:
Transportation Funding “Crisis”***

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net

March 23, 2009

Fax: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Environmental Impact Report SF-San Jose-Gilroy-Merced

Dear Mr. Morshed,

Thank you for allowing members of the public to comment on HSRA's EIR for the San Francisco-San Jose-Gilroy-Merced Segment.

Identity of Author. I am a graduate of San Jose State University, and have done post-doctoral study of transportation law and policy at the Mineta Institute at SJSU. I write only for myself, and not on behalf of a client or organization, but merely to express my personal reply to the EIR for the segment that includes Gilroy, where I have practiced law for more than 30 years.

Background. I here refer to and incorporate by reference: (1) my letter to you dated 3/10/04; (2) letter dated 2/23/09, amended 3/13/09, from Mr. J.S. Jerry Wilmoth, UPRR; (3) Map CA-13, CA-17a&b, and CA-18, *Railroad Atlas of North America, California and Nevada*, pp. 18, 22-23; and Wendell Cox & Adrian T. Moore, *The California High Speed Rail Proposal: A Due Diligence Report*, Reason Foundation, Sept. 2008; Legislative Analyst's Office, *The High-Speed Rail Authority*, March 17, 2009 (see copies enclosed).

Summary. The crucial question facing us with HSR's proposal was concisely stated by the Honorable Norman Y. Mineta: "The crucial question in transportation today is: What should government do, and what should it leave to others."¹ The sound, sustainable answer to Secretary Mineta's "crucial question" lies in the private sector; not in the public sector. With free enterprise as a foundation, high speed rail's owners and investors can combine profitable freight revenue with losing passenger fares, rather than asking the maxed-out taxpayers of California for more tax subsidies for yet another public-sector passenger mode of travel.

¹Joseph P. Thompson, "ISTEA Reauthorization and the National Transportation Policy," 25 *Transportation Law Journal*, pp. 87-*etseq.* (1997).

Comment: Funding Source for Operations. The current proposal does not satisfy the requirements of sound railroading, while it adheres to the tax-dependent method of finance akin to Amtrak, Caltrain and urban mass transit, with only a very small fraction of the overall expenses paid for by the patrons. The underlying assumption that taxpayers can continue to pony-up the subsidies for more government-owned transport is wrong. History shows the proposal to be fatally flawed. All of the State-owned railroads in the Nation failed in 1837-1840. Lincoln knew personally about those failures, so when General Granville Dodge recommended to the President in 1864 that the government own the transcontinental railroad, Lincoln said “no.” His theory, which ultimately worked, was that private enterprise own the railroads, but that the government would aid in their construction. When the Nation’s railroads were nationalized during World War I, it only took 18 months before the government’s mismanagement had brought all our railroads to a screeching halt. So, Congress reversed its previous decision and de-nationalized our railroads. In 1970 during debates in Congress on formation of the National Railroad Passenger Corporation (Amtrak), some members promised that Amtrak “would be profitable in three years.” Amtrak has failed to break even, and requires ever-increasing tax subsidies to continue its operations. Our Nation paid dearly for Amtrak’s subsidies because on 9/11/01 we did have Amtrak, but we did not have adequate airport security.

The north-south tonnage flows in California, on Hwy. I-5, US 101, and Hwy. 99, represent a source of funding that could, in a private-sector model, duplicate and exceed taxpayers’ subsidies in the public-sector model as proposed in the EIR. The French government has announced that it will have Fedex freight transported by that nation’s HSR starting next year, so those with experience in operating HSR in Europe have apparently resorted to freight revenue as a source of funding. We could reduce air pollution, traffic congestion, and road and bridge support deterioration and maintenance expenses if we diverted some of that tonnage onto HSR. I have said this to the HSRA since before its creation when it was a Commission.

I believe that reliance on tax subsidies ought to be deemed unfeasible, given the tax/fee burdens already imposed on Californians by all levels of government, not to mention the even larger burdens which our generation is imposing on future generations.

Rather, the manner in which railroads were originally created, and funded, freight revenue combined with losing passenger fares, ought to be the funding formula upon which the HSR is created and maintained.

As the LAO’s Report states (page 5), the HSR service should “not require an operating subsidy.” A feasible “funding source . . . for future years . . .” (page 6, LAO’s Report) exists now and will exist into the future: freight revenue. As with freight moving in the bellies of airliners, HSR can transport freight, thereby decreasing air pollution because the fuel savings per ton/mile is about 75% compared with rubber tires hauling freight on concrete or asphalt. The profit made moving freight can offset the losses sustained transporting passengers. Overnight shipments between Northern and Southern California can be transported without interfering with daytime, commute hours.

Comment: UP’s Property Rights.

In addition to those aspects identified by Cox and Moore (“Reason Report”), the UP’s Coast Main Line, which is part of its incomparable interstate railroad, and considered by many to be the best railroad in the whole world, if not in America, is entirely its to own, for its shareholders’ benefit. The Nation’s national security and interstate commerce justify the position paramount to lesser entities, the States, and local government, which the courts have repeatedly upheld on federal preemption grounds. A look at the Maps of UP’s tracks in the SF Peninsula, San Jose, and South Bay

Area show that the current HSRA proposal is impossible without UP's consent. Since UP has not given its consent (Mr. Wilmoth's Letter enclosed), the proposed route is not a legally possible route, even if the HSRA could find the tax subsidy money to operate it as currently proposed.

Conclusion. I believe that Secretary Mineta was right. However, HSRA's answer is wrong for California, and impossibly burdensome for its taxpayers in this and future generations. By following our predecessors' example, and having learned from their mistakes, we can have sound, sustainable HSR in California.

Caveat Viator!

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net

January 5, 2010

Fax: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Environmental Impact Report SF-San Jose-Gilroy-Merced

Dear Mr. Morshed,

Thank you for allowing members of the public to comment on HSRA's second (judicially-required) EIR for the San Francisco-San Jose-Gilroy-Merced Segment.

Identity of Author. I am a graduate of San Jose State University, and have done post-doctoral study of transportation law and policy at the Mineta Institute at SJSU. I write only for myself, and not on behalf of a client or organization, but merely to express my personal reply to the EIR for the segment that includes Gilroy, where I have practiced law for more than 30 years.

Background. I here refer to and incorporate by reference: (1) my letters to you dated 3/23/09 and 3/10/04; (2) letter dated 2/23/09, amended 3/13/09, from Mr. J.S. Jerry Wilmoth, UPRR; (3) Map CA-13, CA-17a&b, and CA-18, *Railroad Atlas of North America, California and Nevada*, pp. 18, 22-23; and Wendell Cox & Adrian T. Moore, *The California High Speed Rail Proposal: A Due Diligence Report*, Reason Foundation, Sept. 2008; Legislative Analyst's Office, *The High-Speed Rail Authority*, March 17, 2009 (see attached to my letter to you 3/23/09).

Summary. Lenin convinced his fellow countrymen that Marx & Engels were right, with Trotsky's help, and Stalin's "persuasion" tactics. Did that make his philosophy right? No. Just like Lenin, CAHSRA's proponents are wrong. You remind me of heroin addicts who refuse to admit their addiction. Revelations since the election show what a disastrous idea you have proposed for this sad State, dominated by radical socialists in our Legislature, the League of California Cities, and the California State Association of Counties, and the public transit agencies and their public-sector unions. I think that history will be just as kind to the CAHSRA's proponents as it's been to Lenin. The people of California will rue the day that the Trojan Horse was approved in the guise of the Bullet Train.

As I said before, "The crucial question facing us with HSR's proposal was concisely stated by the Honorable Norman Y. Mineta: "The crucial question in transportation today is: What should

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

government do, and what should it leave to others.”¹ The sound, sustainable answer to Secretary Mineta’s “crucial question” lies in the private sector; not in the public sector. With free enterprise as a foundation, high speed rail’s owners and investors can combine profitable freight revenue with losing passenger fares, rather than asking the maxed-out taxpayers of California for more tax subsidies for yet another public-sector passenger mode of travel.

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Caveat Viator!"

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net

November 10, 2010

Fax: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Environmental Impact Report SF-San Jose-Gilroy-Merced

Dear Mr. Morshed,

Referring to my letter to you (copy enclosed), I am enclosing my supplemental remarks about the EIR for the SF-San Jose-Gilroy-Merced Segment.

Will you please add this supplement to the official record of these proceeds.

Future generations must know that you were warned.

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net

January 6, 2012

Fax: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Re-Revised Environmental Impact Report SF-San Jose-Gilroy-Merced

Dear Mr. Morshed,

Referring to my letters to you (copies enclosed), why are you ignoring truth in transportation? Why are you ignoring sound railroading? Why are you ignoring history? Why are you ignoring the will of the voters of California? Why are you ignoring the legislation from our State Legislature signed into law by our State Governor?

Please include these remarks as part of your official record of proceedings and these enclosed supplemental remarks about the re-revised EIR for the SF-San Jose-Gilroy-Merced Segment.

You remind me of the public sector transit advocates and supporters who cram taxpayer-funded transit down our throats so that public sector transit welfare recipients and public sector union employees and joint power authorities staff can enjoy our blood regardless of the damage that it does to our State. Like addicts who refuse to admit their addiction, you seem Hell-bent on your Leninism even though history, both world-wide and American and North American railroad history proves that your concept is fatally flawed and is not sound nor sustainable. I repeat what I said to the High Speed Rail Commission and then State Senator Quinten Kopp: High Speed Rail can only work in the private-sector. Otherwise, you'll just stick another blood-sucking leech on us like Amtrak, Caltrain, Lite Rail, and other public-sector boondoggles that fail every place, and every time that they've been tried around the world.

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Encl.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Suite 112, Gilroy, CA 95020
Post Office Box 154, Gilroy, CA 95021-0154
Telephone (408) 848-5506; Fax (408) 848-4246
E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

August 24, 2007

Editor

Email: editor@garlic.com, editor@gilroydispatch.com

The ***Dispatch***

6400 Monterey Road
Gilroy, CA 95020

Re: Bullet Train: Tourists' Panacea, Taxpayers' Hell

Dear Editor,

The proposal to build the Bullet Train in California is proof that socialists have taken-over our government. Based on past cost overruns, the price tag on this extreme boondoggle is about \$75-\$80 billion in today's dollars. Paid back interest on these bonds will also burden our children and grandchildren and great-grandchildren will billions more. Annual operating losses will exceed those of all Lite Rails combined. Fares won't cover 1% of operating expenses, estimated at \$1 billion/year. Bond debt will bury us.

Technology exists to build it, but how do we pay the construction costs, and operating costs? It's technologically incompatible with existing railroads, so it will need BART-like right-of-way. Eminent domain power, included in the legislation creating it, ensures that it will plow through Gilroy and Morgan Hill and any other place, regardless of opposition. But it cannot cross the UPRR's tracks because the Class I railroads' eminent domain trumps Bullet Train's eminent domain power, according to UP's top commerce counsel on the West Coast. Tourists will ride it, but enjoy a 99% taxpayer subsidy for rides that will cost more than those on the Concorde Supersonic Jets. Local small business owners will pick-up the tab, maybe getting 10% back from tourist dollars if we're lucky.

In 1970 Congressmen stood up in Congress and proclaimed that Amtrak would be "self-sufficient in three years." Yeh. By 9/11/01 taxpayers had thrown about \$30 billion in subsidies down that black hole, but did we have adequate airport security?

In 1863 General Granville Dodge, who was later UPRR's top civil engineer, and who discovered the Sherman Pass over the Continental Divide, was summoned to the White House. He later said that he told the President that the government should own and operate the transcontinental railroad. Lincoln, who as a young member of the Illinois Legislature had seen government owned railroads in Eastern and Midwestern States go bust and shutdown operations in the 1830's and

When will we ever learn?

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

1840's, said no. He said that private enterprise must do it, although the government would assist with development incentives (my words, not his). They did it. And what did taxpayers receive in the deal? They got about \$460 million (measured in 1940 dollars) more than the value of the land granted to the railroad corporations because of Section 22 in the original Interstate Commerce Act (lower freight rates for government shipments).

A hundred years ago the Progressive Movement, led by William Jennings Bryan, sought nationalization of the railroads and other industries, but their passion was rejected by voters.

When the railroads were nationalized in 1917 during the Administration of Woodrow Wilson, government genius so botched-up shipping that rail traffic came to a standstill. That experiment failed, just as Lincoln predicted it would. In the Transportation Act of 1920 the railroads were de-nationalized, and came to be the envy of the world's nations today; the backbone of our nation's commerce.

Instead of making taxpayers pay for Bullet Train, like we pay for County Transit, Caltrain, Amtrak, Lite Rail, etc., etc., while motorists are paying 100% of their own transport costs, seeing our politicians rewarding transit wastefulness, why not use the unlimited power of capitalism? Have you been on I-5 lately to see the uninterrupted 24-7 tonnage flowing North-South in California? I appeared before the Bullet Train commission five times over the last decade and told them that if they put enough UPS, Fedex and Postal Service tonnage on their trains, then they would not need to ask the taxpayers for a dime. Did they listen?

Like Amtrak's promoters, their pie-in-the-sky predictions show that they did not listen, nor did they learn from history, either United States or world history in the last century and one-half. So, hold on for the ride, and warn your children and grandchildren, our leaders will strap taxpayers to the rocket to Hell. We'll be paying unimaginable sums to attempt what Lenin, Trotsky, Stalin and the USSR failed to achieve, despite all their promises to their citizens that socialism could bring utopia. If they fund it with gas taxes, be prepared to see \$10/gallon for gas at the pumps. They'll tax motorists out of their cars, leaving them to ride our Trojan Horses, and bike or walk the rest of the way.

Caveat Viator!

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Member, Association for Transportation Law, Logistics & Policy
Candidate, American Society of Transportation & Logistics
Winner, AST&L's Best Research Paper Award 1997
Past-President, Gilroy-Morgan Hill Bar Assn.
Post-Doctoral Student, Transportation Law & Policy

When will we ever learn?

Editor: this was published in Orange County Register Wednesday, June 14, 2006. Please publish again for Gilroy & Morgan Hill raped taxpayers, about to be re-screwed by utopian insanity by Bullet Train. The author is one of the Nation's top transport policy men.

Joe Thompson

Gilroy

(408) 848-5506

1. **Taking taxpayers for a ride California focus**

Proposed state high-speed rail system would cost too much to do too little

There has been considerable discussion about the proposed California High Speed Rail project. California taxpayers are being subjected to grandiose claims about reduced traffic congestion and cost-effective alternatives to flying and driving.

The HSR system, which would connect Los Angeles, San Francisco, San Diego, Sacramento and areas in between, would require as a down payment a \$10 billion bond issue that voters may consider as soon as November. The California High Speed Rail Authority says the system could cost much more – \$37 billion. Reality is more like \$75 billion.

Luckily, the Assembly last month passed a bill that would delay the bond election until 2008. That bill is now in the Senate Appropriations Committee, where there is no clear indication whether it will come to a vote anytime soon. However, there is evidence the Assembly's caution is justified, and the Senate should follow its lead.

First, the HSR system is likely to cost much more than advertised. Cost projections for large transportation projects are notoriously inaccurate. Boston's two-decade "Big Dig" racked up three times its projected cost, even after accounting for inflation. Across the country, transit megaprojects have escalated in cost after approval; these are not isolated cases.

What's more, it appears these overruns are not accidental. Research by Bengt Flyvbjerg of the University of Aalborg (Denmark) published in the Journal of the American Planning Association demonstrates these projects routinely surpass estimated costs due to "strategic misrepresentation." Planners and proponents underestimate costs in hopes of obtaining project approvals that would otherwise be impossible.

As a Los Angeles County transportation commissioner, I witnessed costs escalate for the Blue Line light rail from Los Angeles to Long Beach eventually exceeding three times original projections (inflation-adjusted). At no point did anyone seriously question the increases, because the taxpayers had already committed to the project. There was simply no incentive to keep costs down. Why should we expect the HSR project to be any different?

Flyvbjerg and others also have found that ridership estimates tend to be overstated. The Los Angeles Red Line subway even today carries less than one-half the ridership that was projected when we approved it.

Ridership is important because the California high-speed rail system is advertised as not needing its operations subsidized by taxpayers. But this claim is likely based on an overestimation of the ridership and an underestimation of the operating costs. Amtrak's high-speed Acela service between Washington, D.C., and New York City carries little more than one-tenth the passengers that proponents promise for the California system, despite serving a larger market. So it is likely taxpayers will need to keep their checkbooks open indefinitely to subsidize HSR operation.

All this would be irrelevant if we needed such a system. The California HSR has been touted as a strategy for reducing highway congestion. In fact, projections indicate that traffic congestion along the rail corridors will still increase 26 percent by 2020, even with the high-speed trains. Without them the increase by 2020 would be 31 percent.

Claims of reduced air traffic congestion are similarly flawed. Most air travel between the San Francisco Bay Area and Southern California already avoids the busy San Francisco International and Los Angeles International airports, and their share of travel is declining. Planners delude themselves into believing HSR will take away half of air traffic volume. But last year Amtrak said its New York-to-Washington high-speed service lost ridership to stronger airline competition. Planners assume airlines will stand idly by as their customers jump on the train. In fact, airlines will compete, and compete hard.

Much has been made of HSR's purported cost-effectiveness, with claims that highway improvements would cost more than twice as much as the rail project. But the highway alternative would produce four times the congestion relief, making it twice as cost-effective, even without the inevitable cost escalations for high-speed rail.

Thus, for California, the question is not whether high-speed rail would be nice – it would be. The fundamental question is whether it is worth the tens of billions it could cost. At this point, there is every reason to believe this project would be, quite simply, a waste of money.

EDITOR: Please publish this letter that I sent to you on 3/2/03:

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Suite 112, Gilroy, CA 95020

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; Fax (408) 848-4246

E-Mail: TransLaw@PacPell.Net

March 2, 2003

Fax (408) 842-2206

Editor

The *Dispatch*

6400 Monterey Road

Gilroy, CA 95020

Re: Downtown Gilroy and Soviet-Style Transportation Policy

Dear Editor,

Could it be that our government intends to oust UP from its right-of-way through downtown Gilroy, supplanting it with Soviet-style Bullet Train and Son-of-Amtrak Caltrain? With VTA's Ministry of Truth touting Gilroy as its newest land-use planning (i.e., Sovietized) poster child, will we see an end to the history of private-sector railroads here? How many jobs will that kill-off? How much commerce will we lose if the VTA-led socialist-communist scheme is crammed down on us? The malignant tumor of socialism-communism is being stimulated by Politico-Transit Alliance advocates in our local government, our County government, and our State government, so will small business owners be able to stop this socialistic train wreck? We've seen the canneries go bankrupt and close their gates. The Black Hole Frankenstein "transit hub," where empty buses stop so public-sector union drivers can rest from the tedium of transporting empty seats around town, is growing—who knows where the socialist policy will stop? If we don't stop runaway government now, how will our children or grandchildren ever stop it? Where is an elected leader with the guts to fight back for us? I believe that it is time for us to retake our government away from the socialist small business killers. *Caveat viator!*

Very truly yours,

JOSEPH P. THOMPSON

Member, Executive Committee, Debtor-Creditor-Bankruptcy Section Santa Clara County Bar Assn.

Member, Legislation Committee, Transportation Lawyers Assn.

Member, Association for Transportation Law, Logistics & Policy

Member, SBC Citizens Rail Advisory Committee

Candidate, American Society of Transportation & Logistics

Winner, AST&L's Best Research Paper Award 1997

Past-President, Gilroy-Morgan Hill Bar Assn.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

EDITOR: Please publish this letter that I sent to you on 8/24/07:

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Suite 112, Gilroy, CA 95020

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; Fax (408) 848-4246

E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

August 24, 2007

Editor

Email: editor@garlic.com, editor@gilroydispatch.com

The *Dispatch*

6400 Monterey Road

Gilroy, CA 95020

Re: Bullet Train: Tourists' Panacea, Taxpayers' Hell

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When will we ever learn?

From: [joni.b](#)
To: [CC Public Comment](#)
Subject: Letter from Fire Marshall
Date: Friday, May 1, 2020 12:19:29 PM

I would like to ask why the Fire Marshall recently sent a written communication demanding that large trees on my property be removed immediately? We understand that certain foliage can be hazardous in view of fire season however, during a global pandemic is not a realistic time to act upon the request. Why weren't such requests sent years prior if the foliage was deemed problematic? This is not a feasible or safe time to have to be dealing with contractors of any kind. Also, the associated costs for large tree abatement would be astronomical. The timing is irrational. I believe myself and any one else who received this notification should be given additional time to address this matter until it is safe and financially realistic to do so.

J. Benevento

Downtown Morgan Hill area

Sent from my iPhone

WARNING: This message is from an external user. Confidential information such as social security numbers, credit card numbers, bank routing numbers, gift card numbers, wire transfer information and other personally identifiable information should not be transmitted to this user. For question, please contact the Morgan Hill IT Department by opening a new helpdesk request online or call 408-909-0055.

Communication: Public Comment Supplement 2 (PUBLIC COMMENT)



CITY COUNCIL STAFF REPORT

MEETING DATE: May 6, 2020

PREPARED BY: Nichole Martin, Community Services Coordinator
APPROVED BY: City Manager

APPROVE AGREEMENT WITH VALLEY TRANSPORTATION AUTHORITY FOR MEASURE B EDUCATION AND ENCOURAGEMENT PROGRAM FUNDING

RECOMMENDATION(S)

Approve and authorize the City Manager to execute and administer a contract with Valley Transportation Authority to receive funding for Measure B Education and Encouragement Programming.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Supporting Our Youth
Seniors
and Entire Community

2020-2021 Strategic Priorities

Community Engagement and Messaging

GUIDING DOCUMENTS

Vision Zero

REPORT NARRATIVE:

In 2016, Santa Clara County voters approved Measure B, which is a 30-year, half-cent countywide sales tax to enhance transit, highways, expressways and active transportation, such as bicycles and pedestrians. Due to a lawsuit filed in 2017, the funding was held in escrow. The California Supreme Court ruled against the challenge and has allowed VTA to begin dispersing funding as of January 30, 2019. Measure B specifically has a limited amount of funding allocated on a per capita basis to each City to use towards education and encouragement activities for non-motorized transportation.

The funding agreement (Attachment 1) outlines the details of the funding and program requirements. The workplan (Attachment 2) outlines the details of the education and encouragement programming that will be created through this funding. This agreement must be approved before programming can begin. City staff intend to use the funding to support staff time from one existing full-time staff member and to fund one part-time teammate for 10 hours per week to work on this program. Remaining funds will be used for program supplies, promotional materials and communications.

COMMUNITY ENGAGEMENT: Collaborate

City Staff has met with the Morgan Hill Bicycle Pedestrian Advocacy Group (November 2019 and December 2019) and has solicited feedback from the Parks and Recreation Commission (November 2019) on the use of program funding. City Staff plans to partner with the Morgan Hill Unified School District, local businesses and other community groups to build and grow the program.

ALTERNATIVE ACTIONS:

City Council could decide to not approve the agreement. Staff does not recommend this alternative as the City of Morgan Hill does not currently have alternative funding for Education and Encouragement programming.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

There is no prior action relating to these specific grant funds.

FISCAL AND RESOURCE IMPACT:

The specified funds would go directly toward the education and encouragement programming planning and execution. This funding would be reimbursement-based and provide approximately \$46,500 per year for the first two years and \$30,000 per year in years after that for the life of the measure. This program will be part of the Community Services division and related grant funding (GL#010.377783) and expenditures (010.2180) are included in the recently released FY 2020-21 and FY 2021-22 recommended biennial budget.

CEQA (California Environmental Quality Act):
Continuing administrative activities are not considered projects for environmental review under CEQA.

LINKS/ATTACHMENTS:

1. VTA Measure B Funding Agreement 2020
2. City of MH Measure B Workplan Final 2020

**FUNDING AGREEMENT
BETWEEN
THE CITY OF MORGAN HILL
AND
SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
FOR
2016 MEASURE B BICYCLE & PEDESTRIAN EDUCATION AND ENCOURAGEMENT PROGRAM**

THIS AGREEMENT ("AGREEMENT") is between the CITY OF MORGAN HILL, referred to herein as "RECIPIENT", and the SANTA CLARA VALLEY TRANSPORTATION AUTHORITY, referred to herein as "VTA". Hereinafter, RECIPIENT and VTA may be individually referred to as "PARTY" or collectively referred to as "PARTIES".

I. RECITALS

1. Whereas, on June 24, 2016, the VTA Board of Directors adopted a resolution to place a ballot measure before the voters of Santa Clara County in November 2016 to authorize a one-half of one percent retail transaction and use tax ("2016 MEASURE B") for 30 years for nine transportation-related program categories; and
2. Whereas, on November 8, 2016, the voters of Santa Clara County enacted 2016 MEASURE B for 30 years to pay for the nine transportation-related program categories; and
3. Whereas, on October 5, 2017, the VTA Board of Directors established the 2016 Measure B Program ("PROGRAM") and adopted the 2016 Measure B Program Category Guidelines; and
4. Whereas, the PROGRAM includes a Bicycle & Pedestrian program category ("BIKE/PED CATEGORY") to fund bicycle and pedestrian projects and educational programs; and
5. Whereas, the BIKE/PED CATEGORY consists of three sub-categories, including the education & encouragement program ("BIKE/PED E&E PROGRAM");
6. Whereas, the duration of 2016 MEASURE B will be 30 years from the initial year of collection, beginning April 1, 2017, and continuing through March 31, 2047; and
7. Whereas, VTA and RECIPIENT desire to specify herein the terms and conditions under which the BIKE/PED E&E PROGRAM funds will be administered to RECIPIENT by VTA as directed by the VTA Board of Directors.

NOW, THEREFORE, the PARTIES agree as follows:

II. AGREEMENT

1. BIKE/PED E&E PROGRAM CATEGORY

The BIKE/PED E&E PROGRAM covers activities and the development and distribution of materials that are designed and intended to satisfy the following goals within the RECIPIENT'S jurisdiction: (i) promote, educate, and/or encourage safe walking or bicycling for residents or visitors of every age and ability; (ii) communicate to residents and visitors the benefits of walking and bicycling; and (iii) communicate to school children, residents, and visitors the rights and responsibilities of pedestrians, bicyclists, and motorists.

2. TERM OF AGREEMENT

The term of this AGREEMENT will commence on July 1, 2019, and continue until (i) June 30, 2021, or (ii) until all BIKE/PED E&E PROGRAM funds allocated to RECIPIENT through June 30, 2021, under this AGREEMENT have been expended entirely, whichever occurs later.

At VTA's sole option, VTA may extend the term of this AGREEMENT for two 2-year periods as follows:

Option Period 1: July 1, 2021, through June 30, 2023, or until all BIKE/PED E&E PROGRAM funds allocated to RECIPIENT through June 30, 2023, under this AGREEMENT have been expended entirely, whichever occurs later.

Option Period 2: July 1, 2023, through June 30, 2025, or until all BIKE/PED E&E PROGRAM funds allocated to RECIPIENT through June 30, 2025, under this AGREEMENT have been expended entirely, whichever occurs later.

VTA may exercise these options by providing written notice to RECIPIENT at least 30 days prior to the expiration of the then-current term.

3. ELIGIBLE USE OF FUNDS

RECIPIENT must use RECIPIENT's allocated BIKE/PED E&E PROGRAM funds for only the following activities/projects (each, an "E&E PROJECT"); provided, however, that RECIPIENT must obtain VTA's prior written approval for such E&E PROJECT (VTA approval must be given by the person identified below in Section 8(d), or his/her designee):

- a. Organization and implementation of K-12 Safe Routes to Schools programs and activities.
- b. Organization and implementation of Vision Zero programs. "Vision Zero" is defined by the Vision Zero Network Campaign as the "Strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all", which definition is adopted herein for purposes of this AGREEMENT.
- c. Organization and implementation of open streets events. "Open streets events" are defined by the Open Streets Project (an advocacy project and collaboration between 8 80 Cities and Street Plans) as "Programs that temporarily open streets to people by closing them to cars", which definition is adopted herein for purposes of this AGREEMENT.

- d. Creation and implementation of marketing to encourage mode shift towards active transportation.
- e. Development and distribution of maps that promote places to walk or bike.
- f. Education of walking and bicycling skills to adults and children.
- g. Working with law enforcement officials to ensure common understanding and consistent application among law enforcement officials of traffic laws related to biking and walking.
- h. Organization and implementation of broad or targeted safety campaigns to promote safe driving, walking, and bicycling behavior.*
- i. Creation and distribution of marketing materials to encourage safe walking, biking, and driving.*
- j. Purchase and distribution of bicycle helmets, lights, reflective vests, or other bicycle/pedestrian safety equipment to be used in education/encouragement activities.
- k. Purchase and distribution of incentives for education/encouragement activities.
- l. Organization and implementation of crosswalk stings or other activities that educate roadway users on traffic laws. Crosswalk stings are activities conducted by law enforcement to educate the public about crosswalk right of way laws that may or may not include citations.
- m. Organization and implementation of special community events focused on achieving the BIKE/PED E&E PROGRAM goals described in Section 1. BIKE/PED E&E PROGRAM CATEGORY, such as community rides or walks.
- n. Energizer stations and other Bike to Work Day activities.
- o. Implementation of valet bicycle parking.
- p. Community-based bicycle/pedestrian surveys of facilities and surrounding areas to learn, observe, and identify bicycle and pedestrian hot spots.
- q. Any other program or activity approved by VTA in writing.

*Any safety campaign or public service announcement targeted to motorists must focus on safe, responsible, and respectful motorist interactions with pedestrians and bicyclists.

RECIPIENT is permitted to use the BIKE/PED E&E PROGRAM funds allocated hereunder for direct costs and staff time costs incurred by RECIPIENT to support E&E PROJECTS. RECIPIENT is permitted to use the BIKE/PED E&E PROGRAM funds allocated hereunder for the costs incurred for evaluation of the E&E PROJECTS (as required under Section 4. EVALUATION REQUIREMENTS).

Notwithstanding any other provision of this AGREEMENT, RECIPIENT is not permitted to use BIKE/PED E&E PROGRAM funds allocated hereunder for capital improvements.

E&E PROJECTS may be targeted and limited to specific demographics (e.g. school children, seniors, people with disabilities, etc.), to the extent not prohibited by applicable law.

Only BIKE/PED E&E PROGRAM costs incurred by RECIPIENT on or after July 1, 2017, will be eligible for reimbursement.

4. EVALUATION REQUIREMENTS

RECIPIENT must identify (i) the project reach and scale of each E&E PROJECT and (ii) one or more metric(s) that will be measured to evaluate whether the goal is achieved. The frequency and schedule of each E&E PROJECT evaluation must also be identified by RECIPIENT and approved by VTA.

Examples of acceptable metrics are set forth in Attachment A.

5. MAXIMUM FUNDING ALLOCATIONS

- a. RECIPIENT's maximum funding allocation for each fiscal year, starting July 1, 2017, will be based upon the VTA Board of Directors Adopted Biennial Budget for the BIKE/PED E&E PROGRAM and the annual fund distribution formula described below.
- b. The BIKE/PED E&E PROGRAM annual fund distribution formula is calculated every two fiscal years (in line with VTA's budget cycle; a fiscal year begins July 1 and ends June 30) and is based on the following:
 - i. First, at the same time that VTA plans and finalizes its budget for the two upcoming fiscal years, the VTA Board of Directors determines the allocation of 2016 MEASURE B funds for the two upcoming fiscal years.
 - ii. Second, the VTA Board of Directors determines the amount of 2016 MEASURE B funds to be allocated amongst the PROGRAM categories and subcategories, including the BIKE/PED E&E PROGRAM category.
 - iii. Third, each city's percentage share ("CITY PERCENTAGE SHARE") and the County of Santa Clara's percentage share ("SCC PERCENTAGE SHARE") of the total population of Santa Clara County, California (including unincorporated areas) (according to the then most current California Department of Finance's annual population estimates (Report E-1, or any successor report)) ("TOTAL SCC POP") is calculated by dividing the city's or County of Santa Clara's (as applicable) total population by the total population of all of Santa Clara County and multiplying the result by 100.
 - iv. Fourth, an allocation is made to VTA and the County of Santa Clara for countywide (with respect to Santa Clara County) BIKE/PED E&E PROGRAM activities ("COUNTYWIDE ACTIVITIES").
 - v. Fifth, the 2016 MEASURE B funds remaining for the BIKE/PED E&E PROGRAM category allocation are calculated by deducting the amount allocated for COUNTYWIDE ACTIVITIES in (iv) immediately above from the total BIKE/PED E&E PROGRAM category allocation ("REMAINING FUNDS").
 - vi. Sixth, each CITY PERCENTAGE SHARE is multiplied by the REMAINING FUNDS to determine the dollar amount that would be allocated to each city based on their CITY PERCENTAGE SHARE; however, no allocation is yet made at this step. Cities that would receive less than \$10,000 as a result of the calculation described in this section (vi) will be identified ("LOW POP CITIES").

- vii. Seventh, each city is allocated \$10,000 ("10K ALLOCATIONS"). LOW POP CITIES will not be allocated any additional funds beyond the 10K ALLOCATIONS made to each city as described in this section (vii).
 - viii. Eighth, the modified REMAINING FUNDS are calculated by subtracting the cumulative total of all 10K ALLOCATIONS from the REMAINING FUNDS ("MOD REMAINING FUNDS").
 - ix. Ninth, a modified Santa Clara County population is calculated by deducting the cumulative populations attributed to the County of Santa Clara (unincorporated areas of Santa Clara County) and all LOW POP CITIES from the TOTAL SCC POP ("MODIFIED POPULATION").
 - x. Tenth, a modified population percentage share ("MOD CITY PERCENTAGE SHARE") is calculated for all cities that are not LOW POP CITIES ("NON-LOW POP CITIES") by dividing the NON-LOW POP CITY's total population by the MODIFIED POPULATION and multiplying the result by 100.
 - xi. Eleventh, each NON-LOW POP CITY's MOD CITY PERCENTAGE SHARE is multiplied by the MOD REMAINING FUNDS to calculate the NON-LOW POP CITY's additional allocation of 2016 MEASURE B funds for the BIKE/PED E&E PROGRAM category. This allocation will be made in addition to the 10K ALLOCATION described above.
- c. RECIPIENT's allocations are subject to change based on variations in annual population and actual 2016 MEASURE B receipts for prior fiscal years.
 - d. BIKE/PED E&E PROGRAM allocations may remain unspent for a maximum of three fiscal years, provided that (i) RECIPIENT provides VTA with a satisfactory explanation for why the allocation is not being spent and (ii) VTA provides RECIPIENT with written approval for such explanation. At the end of the fourth fiscal year, allocations that were unspent for all four fiscal years will be returned by VTA to the pool of 2016 MEASURE B funds allocated to the BIKE/PED E&E PROGRAM category for redistribution in the next allocation cycle pursuant to the formula above.
 - e. All funds will be available to RECIPIENT on a reimbursement basis only.

6. VTA's OBLIGATIONS

VTA will:

- a. Annually update the BIKE/PED E&E PROGRAM formula to reflect the most current populations based on the California Department of Finance's annual population estimates (Report E-1, or any successor report). VTA shall use the updated BIKE/PED E&E PROGRAM allocation formula in the allocations beginning July 1 immediately following each VTA budget cycle.
- b. Annually report to the public the amount of BIKE/PED E&E PROGRAM revenues allocated and distributed to RECIPIENT.

- c. Annually report to the public a summary of E&E PROJECT evaluation metrics submitted by RECIPIENT, as required in Section 4. EVALUATION REQUIREMENTS.
- d. Conduct an assessment regarding the effectiveness of the BIKE/PED E&E PROGRAM using approved metrics and data provided by RECIPIENT (pursuant to Section 4. EVALUATION REQUIREMENTS) related to RECIPIENT's E&E PROJECT(s).
- e. Biennially, or however frequently as VTA determines is appropriate based upon the number of ongoing E&E PROJECTs, report to the public the effectiveness of the BIKE/PED E&E PROGRAM based on the assessment described immediately above in Section 6(d).
- f. Remit the amount due to the RECIPIENT under an invoice within thirty (30) calendar days of receipt of a complete and proper, fully documented invoice complying with the requirements set forth herein.

7. RECIPIENT's OBLIGATIONS

RECIPIENT will:

- a. Ensure that all 2016 MEASURE B funds are expended on only allowable BIKE/PED E&E PROGRAM expenditures as described above in Section 3. ELIGIBLE USE OF FUNDS.
- b. Annually complete and submit to VTA, by October 1st of each year, RECIPIENT's proposed work program for the BIKE/PED E&E PROGRAM, in which RECIPIENT will set forth proposed E&E PROJECTs, and develop all such E&E PROJECTs that are approved by VTA as eligible. RECIPIENT's proposed metrics and frequency of E&E PROJECT evaluation must be included with the proposed work program (see Section 4. EVALUATION REQUIREMENTS); VTA must provide approval of these proposed metrics and the frequency of evaluation.
- c. Annually submit to VTA, by October 1st of each year, a summary of the prior fiscal year's completed E&E PROJECTs.
- d. Submit to VTA, on a frequency as approved by VTA, the evaluation of the completed E&E PROJECT pursuant to Section 4. EVALUATION REQUIREMENTS.
- e. If applicable, annually submit to VTA, by October 1st of each year, an explanation of why no BIKE/PED E&E PROGRAM funds are planned for expenditure during the upcoming fiscal year.
- f. Annually complete and submit to VTA, by October 1st of each year, any accompanying reporting requirements for the BIKE/PED E&E PROGRAM.
- g. Submit to VTA all records including contractors' invoices, miscellaneous invoices, and force account charges as substantiation for invoices submitted to VTA for reimbursement hereunder.
- h. Maintain financial records, books, documents, papers, accounting records, and other evidence pertaining to costs related to this AGREEMENT for five (5) years. RECIPIENT shall

make such records available to VTA upon VTA's written request for review and audit purposes. Financial audits will be performed at VTA's sole discretion.

- i. Submit invoices to VTA, no more frequently than monthly, for reimbursement of eligible E&E PROJECT costs (see Section 3. ELIGIBLE USE OF FUNDS). RECIPIENT must submit invoices within one year of the date RECIPIENT incurs the cost submitted on the invoice for reimbursement (unless otherwise approved by VTA in writing).

8. GENERAL TERMS AND CONDITIONS

- a. **Indemnity.** Neither VTA nor any officer or employee thereof will be responsible for any damage or liability arising out of or relating to RECIPIENT's acts or omissions under or in connection with any work, authority, or jurisdiction associated with this AGREEMENT. RECIPIENT shall fully defend, indemnify, and save harmless VTA from any liability imposed for injury (as defined by California Government Code §810.8) arising out of or relating to RECIPIENT's acts or omissions under or in connection with any work, authority, or jurisdiction delegated to RECIPIENT under this AGREEMENT. This provision will survive the termination or expiration of this AGREEMENT.
- b. **Amendment.** No alteration or variation of the terms of this AGREEMENT will be valid unless made in writing and signed by both of the PARTIES hereto, and no oral understanding or agreement not incorporated herein will be binding on any of the PARTIES hereto.
- c. **Entire Agreement.** This AGREEMENT contains the entire understanding between VTA and RECIPIENT relating to the subject matter hereof. This AGREEMENT supersedes any and all other agreements which may have existed between the PARTIES, whether oral or written, relating to the subject matter hereof. This AGREEMENT is binding upon each PARTY, their legal representatives, and successors for the duration of the AGREEMENT.
- d. **Notices.** Any notice which may be required under this AGREEMENT must be in writing, will be effective when received, and must be given by personal service or certified mail to the individuals at the addresses set forth below, or to such other address which may be specified in writing by the PARTIES hereto.

VTA:
 Marcella Rensi
 Deputy Director, Grants & Allocations
 Santa Clara Valley Transportation Authority
 3331 N First Street
 San Jose, CA 95134
 Email: marcella.rensi@vta.org

RECIPIENT:
 Community Services Department
 City of Morgan Hill
 17575 Peak Avenue
 Morgan Hill, CA 95037
 csd@morganhill.ca.gov

Written notification to the other PARTY must be provided, in advance, for changes in the name or address of the individuals identified above.

The individual identified above for RECIPIENT is RECIPIENT's BIKE/PED E&E PROGRAM liaison ("LIAISON"). The LIAISON will be (i) the liaison to VTA pertaining to implementation of this AGREEMENT and (ii) the contact for information about the BIKE/PED E&E PROGRAM and E&E PROJECTS.

- e. **Representation of Authority.** Each PARTY to this AGREEMENT represents and warrants that each person whose signature appears hereon has been duly authorized and has the full authority to execute this AGREEMENT on behalf of the entity that is a party to this AGREEMENT.
- f. **No Waiver.** The failure of either PARTY to insist upon the strict performance of any of the terms, covenants and conditions of this AGREEMENT will not be deemed a waiver of any right or remedy that either PARTY may have, and will not be deemed a waiver of either PARTY's right to require strict performance of all of the terms, covenants, and conditions hereunder.
- g. **Dispute Resolution.** If a question or allegation arises regarding (i) interpretation of this AGREEMENT or its performance, or (ii) the alleged failure of a PARTY to perform, the PARTY raising the question or making the allegation shall give written notice thereof to the other PARTY. The PARTIES shall promptly meet in an effort to resolve the issues raised. If the PARTIES fail to resolve the issues raised, alternative forms of dispute resolution, including mediation, may be pursued by mutual agreement. It is the intent of the PARTIES to the greatest extent possible to avoid litigation as a method of dispute resolution.
- h. **Severability.** If any of the provisions of this AGREEMENT (or portions or applications thereof) are held to be unenforceable or invalid by any court of competent jurisdiction, VTA and RECIPIENT shall negotiate an equitable adjustment in the provisions this AGREEMENT with a view toward effecting the purpose of this AGREEMENT, and the validity and enforceability of the remaining provisions or portions or applications thereof will not be affected thereby.
- i. **Governing Law.** The laws of the State of California will govern this AGREEMENT, as well as any claim that might arise between RECIPIENT and VTA, without regard to conflict of law provisions.
- j. **Venue.** Any lawsuit or legal action arising from this AGREEMENT must be commenced and prosecuted in the courts of Santa Clara County, California. RECIPIENT agrees to submit to the personal jurisdiction of the courts located in Santa Clara County, California for the purpose of litigating all such claims.

Signatures of PARTIES on following page.

IN WITNESS WHEREOF, VTA and RECIPIENT have executed this AGREEMENT as of the last date set forth below.

***Santa Clara Valley
Transportation Authority***

RECIPIENT

Nuria I. Fernandez
General Manager/CEO

Christina Turner
City Manager

Date

Date

Approved as to Form

Approved as to Form

Megan Gritsch
Assistant Counsel

ATTACHMENT A

Example Evaluation Requirement Metrics

- Project reach
 - Hypothetical Example: Online media safety campaign had 10,000 unique views, resulting in 2,000 people taking the “I will drive, walk, and bike safely and responsibly” pledge.
- Mode shift
 - Hypothetical Example: At the end of the school year, 200 bicycles were counted in the bike cage, an increase of 20% over the number of bicycles counted at the beginning of the year.
- Behavior change
 - Hypothetical Example: Individualized marketing packets were provided to 1,200 households. 200 households requested additional information. Before and after surveys showed that 5% of households that requested additional information switched to biking, walking, or taking transit more.
- Safety improvements
 - Hypothetical Example: After the crosswalk sting, motorists were observed yielding to pedestrians 8 out of 10 times, an increase of 10% over the yielding rate before the crosswalk sting. However, these rates decreased over time, suggesting that continued events or infrastructure changes are needed to permanently improve driver behavior.
- Community Engagement
 - Hypothetical Example: At the end of five Train the Trainer events, of the 25 trainees, ten agree to lead Safe Routes to School activities at their schools.

City of Morgan Hill

2016 Measure B Bicycle & Pedestrian Education & Encouragement Program of Projects

July 1, 2020 – June 30, 2021

Project Title	Project Activities Description	Project Locations	Frequency	Project Goals*	Proposed Evaluation Metrics*
Marketing Material Creation and Production	- Develop marketing materials that provide information on safe bicycling and walking. - Distribute Materials at events, Morgan Hill schools (example: Britton Middle School, PA Walsh Elementary and Barrett Elementary Schools), and key parks/trails in Morgan Hill (including: Community Park, Galvan Park, Paradise Park, West Little Llagas Creek Trail). - Create a Safety Pledge card and follow up with participants.	N/A	One-time printing (printing done for first year) and ongoing distribution (materials distributed for multiple years as stock allows)	To raise awareness of bicycle and pedestrian safety and safe routes through Morgan Hill. Align the messaging and goals with efforts related to Vision Zero.	Number of participants reached through events and activities. Number of Safety pledge cards signed.
Bicycle Friendly Business Program	- Create structure for a Bicycle Friendly Business Program - Create promotional materials for the Bicycle Friendly Business Program - Start to build Bicycle Friendly Business Program	Various business locations throughout Morgan Hill (based on participation)	Ongoing	To encourage businesses in Morgan Hill to commit to becoming a Bicycle Friendly Business. Ask participating businesses to have designated bike parking, offer discounts, rewards, or special products for those biking to their businesses. In first year, to have five (5) businesses participate in the program.	Number of program participants in the first year. Ask participating businesses to track participation in the program at their business.
Family Fun Bike Night Event	- Create a Family Fun Bike Night event in Morgan Hill - Promote the event within the community - Invite bike organization and businesses to table or participate	At a City Facility (example: Morgan Hill Community and Cultural Center in downtown Morgan Hill)	Annually (one-time per year)	To encourage Morgan Hill community members to learn about bike and pedestrian safety.	Number of community members that attend the event. Raffle entries for the bike raffle.

	Provide educational materials, giveaways, and a bike raffle at the event				Number of organizations and businesses participating.
Pedestrian and Bicycle Rodeo	- Working with MHUSD Morgan Hill schools (example: PA Walsh and Britton Middle School). Focus on two schools the first year. - Create an educational opportunity for students to learn safe walking and biking skills.	Two schools in MHUSD located in Morgan Hill (example: PA Walsh, Britton Middle School)	Annually (one-time per year)	To provide walking and bicycling skills training to students at Morgan Hill schools.	- Number of students that attend the event. - Reduction in the number of collisions within a reasonable walking/biking distance to participating schools, compared year to year.
Bike to School Day	Encourage MHUSD schools (example: Barrett Elementary, PA Walsh Elementary, and Britton Middle School) to promote and participate in Bike to School Day. Build program with focus on two schools formally participating.	Two schools in MHUSD located in Morgan Hill (example: PA Walsh, Britton Middle School)	Annually (one-time per year, May)	To encourage youth to participate in this national event day by biking to school on the specific Bike to School Day).	Tally on two random days (once in Fall and once in Spring) to count the number of students that bike to school typically. Tally on Bike to School Event day to see if there is a change. Compare these numbers year to year.
Participate in Bike to Work Day Energizer Station	Promote and support the City of Morgan Hill's energizer station located at the Morgan Hill Community and Cultural Center (17000 Monterey Road)	Energizer Station is located at the Morgan Hill Community and Cultural Center	Annually (one-time per year, May)	To encourage adults to participate in this national event day by bicycling to work. Help promote the event and provide giveaways to participants.	Number of participants in that stop by the Morgan Hill energizer station.
Staff Program Support	One PT staff will support this program (8-10 hrs per wk) and one FT staff will supervise (2 hr per wk)	Various (dependent on activity). Based out of City Hall in Morgan Hill (17575 Peak Ave)	Ongoing with approved/executed agreement	To support education and encouragement programming in the Morgan Hill community, funding from Measure B Education and Encouragement.	Hours dedicated to the program facilitation and coordination.

*Note: Project sponsors must identify at least one primary goal and one proposed evaluation metric.



CITY COUNCIL STAFF REPORT

MEETING DATE: May 6, 2020

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

APPROVE UTILITY SYSTEM RADIO PURCHASE FROM MOTOROLA

RECOMMENDATION(S)

1. Approve the sole source purchase of radios for the Utilities Division from Motorola for \$142,267; and
2. Authorize the City Manager to approve the purchase order.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

REPORT NARRATIVE:

In 2010, the City of Morgan Hill entered into the Joint Powers Agreement for the creation of the Silicon Valley Regional Interoperability Authority (SVRIA). The SVRIA is dedicated to the creation, implementation, operation, and sustainability of regional interoperability and communications projects in Santa Clara County. A current project of the SVRIA is the Silicon Valley Regional Communication System (SVRCS). The SVRCS is a county-wide initiative dedicated to establishing interoperable radio systems for public safety agencies within Santa Clara County.

In May 2016, the City Council authorized the Police and Fire Departments to purchase the radios and equipment to move onto the SVRCS system. The investment into the system by the City has been significant and the system supports the City Council's ongoing priority of Enhancing Public Safety. City staff are now proposing purchasing radios to move the City's Utilities Division onto the system. There are multiple reasons for bringing forward this proposal at this time:

- The upgraded system will allow easy and fluid communication between teammates at the Corporation Yard and our public safety teams, which is especially critical in times of emergency.
- The radio system currently used is a decades old system that is no longer serviced, causing repair and replacement of radios at the Corporation Yard to be difficult.
- SVRIA is resetting its "buy-in fees" and beginning July 1, 2020 the City will be required to pay \$2,700 per radio added to the SVRCS system. Purchasing the radios now will save the City over \$110,000.

- New emergency scenarios continue to arise for the City and the direct response by teammates at the Corporation Yard is critical in emergencies such as the prior Public Safety Power Shutoffs. Additionally, response by teammates from the Corporation Yard in support of the Police Department is equally important and these radios will significantly improve the effectiveness and coordination of the response.

The purchase would include 41 radios (32 vehicle radios, 8 hand-held radios, and one base station) for the Corporation Yard. Staff is recommending that City Council approve a sole source purchase of the equipment from Motorola. Motorola is the designated company that is providing negotiated pricing to SVRIA. This negotiated pricing helps to ensure pricing is fair and appropriate. Purchasing the Motorola radios would allow for equipment consistency in line with the Police and Fire Departments and support coordinated maintenance and management on a citywide basis through the Police Department. This consistency will save significant staff time in managing the City's system. Section 3.04.150 of the Municipal Code allows for the Council to approve a sole source purchase that "By affirmative vote of three city council members upon a determination that competitive bids upon notice would not be likely to result in a lower price to the city from a responsible bidder or would cause unnecessary expense or delay under the circumstances."

COMMUNITY ENGAGEMENT: Not Applicable

Managing the City's radio and communications system is an internal responsibility of City staff and is expected by the Community to ensure timely public safety activities.

ALTERNATIVE ACTIONS:

The City Council could choose to not approve purchase of radios by the Utilities Division at this time. City staff would need to further evaluate options based on the increased "buy-in" cost to the SVRCS. Staff would continue to utilize the existing radio system as long as it is possible to repair and maintain it.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council approved joining SVRIA in 2010 through approval of a Joint Powers Agreement. In 2016, the City Council approved the purchase of Motorola equipment to move the Police and Fire Department's communication systems onto the SVRCS.

FISCAL AND RESOURCE IMPACT:

Total funding necessary to purchase the radios would be \$142,267. The radios would be purchased by the Water and Wastewater Enterprise Funds (Funds 650 and 640). No General Fund dollars would be spent on the purchase or ongoing maintenance of these radios. The Water and Wastewater Enterprise Funds have adequate funding for the current purchase in FY 2019-20, and both funds include the ongoing funding necessary for the maintenance and future replacement of the radios. The City will save approximately \$110,000 in fees by committing to this purchase prior to July 1, 2020.

CEQA (California Environmental Quality Act):

Not a Project.

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

LINKS/ATTACHMENTS:

1. Motorola Radio Quote



936 Glennan Dr
Redwood City, CA 94061
Phone: 650-280-3110

Sergeant Ramirez
Morgan Hill

COST AND EQUIPMENT REQUIREMENTS

ITEM	QTY	Nom.	DESCRIPTION	NUP	Qty Incentive	SVRIA Migration Incentive	EXTD.
APX 4000 700/800 P25 Trunked Portable Public Works							
1	8	H51UCH9PW7AN	APX 4000 7/800 MHZ MODEL 3 PORTABLE	\$2,392.00	\$1,722.24	\$1,351.96	\$10,815.68
1a	8	G996AZ	ADD: PROGRAMMING OVER P25 (OTAP)	\$100.00	\$72.00	\$56.52	\$452.16
1b	8	QA02756AB	ENH: 3600 OR 9600 TRUNKING BAUD SINGLE SYSTEM	\$1,570.00	\$1,130.40	\$887.36	\$7,098.88
1c	8	Q887AT	ADD: 5Y ESSENTIAL SERVICE	\$162.00	\$162.00	\$162.00	\$1,296.00
1d	8	QA00582AJ	ALT: IMPRES LI-ION 2500MAH UL BATTERY (NNTN8560A)	\$130.00	\$93.60	\$73.48	\$587.84
1e	8	QA00580AF	ADD: TDMA OPERATION	\$450.00	\$324.00	\$254.34	\$2,034.72
1f	8	Q629AM	ENH: AES ENCRYPTION AND ADP	\$475.00	\$342.00	\$268.47	\$2,147.76
2	2	PMPN4284A	CHARGER DESKTOP MULTI-UNIT IMPRES 2 1 DISPLAY	\$655.00	\$471.60	\$370.21	\$740.42
APX 4500 700/800 P25 Trunked Mobile Public Works							
3	32	M22URS9PW1AN	APX4500 7/800 MHZ	\$1,564.00	\$1,126.08	\$883.97	\$28,287.04
3a	32	GA00318AC	ENH: 5 YEAR ESSENTIAL SVC	\$246.00	\$246.00	\$246.00	\$7,872.00
3b	32	GA00235AA	ADD: NO GPS ANTENNA NEEDED APX	\$0.00	\$0.00	\$0.00	\$0.00
3c	32	GA00580AD	ADD: TDMA OPERATION	\$450.00	\$324.00	\$254.34	\$8,138.88
3d	32	G996BD	ADD: PROGRAMMING OVER P25 (OTAP)	\$100.00	\$72.00	\$56.52	\$1,808.64
3e	32	QA02756AD	ADD: 3600 OR 9600 TRUNKING BAUD SINGLE SYSTEM	\$1,570.00	\$1,130.40	\$887.36	\$28,395.52
3f	32	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	\$60.00	\$43.20	\$33.91	\$1,085.12
3g	32	G843AH	ADD: AES ENCRYPTION AND ADP	\$475.00	\$342.00	\$268.47	\$8,591.04
3h	32	GA00804AA	ADD: APX O2 CH (GREY)	\$492.00	\$354.24	\$278.08	\$8,898.56
3i	32	G335AY	ADD: ANT 1/4 WAVE 762-870MHZ	\$14.00	\$10.08	\$7.91	\$253.12
3j	32	G444AH	ADD: APX CONTROL HEAD SOFTWARE	\$0.00	\$0.00	\$0.00	\$0.00
3k	32	W22BA	ADD: STD PALM MICROPHONE APX	\$72.00	\$51.84	\$40.69	\$1,302.08
3l	32	G66AW	ADD: DASH MOUNT O2 CH WWM	\$125.00	\$90.00	\$70.65	\$2,260.80
Subtotal:							\$122,066.26
Sales Tax @ 9%:							\$10,985.96
Freight:							\$903.19
Total:							\$133,955.41

Pricing Based on the SVRIA Contract

All orders must state that "the purchase is governed by the terms and conditions of the contract between Motorola and the County of Santa Clara, California for SVRCS."

All Agency Migration orders must state: "The equipment and services listed for purchase include all current subscriber and console requirements of the agency to allow participation of [name of agency] on SVRCS for its operational requirements."

Motorola is providing this quotation for budgetary [informational] purposes only and it does not constitute an offer for sale. If you wish to purchase the quoted products, Motorola will be pleased to provide you with our standard terms and conditions of sale or alternatively, receive your purchase order, which will be acknowledged with a letter enclosing the Motorola standard terms and conditions.

TERMS: Net 30 days from shipment
VALIDITY: Prices valid for 60 days
SHIPPING: *Prepay & Add, FOB Ship Point **
Programming and Installation Programming and installation of radios is not included. A quotation will be provided upon request.
PHONE: 650-280-3110
ADDRESS: 936 Glennan Dr, Redwood City, CA 94061

QUOTED BY *sent via email*
DATE: jeff.van.dell@motorolasolutions.com
 Jeff Van Dell
 4/23/2020

Attachment: Motorola Radio Quote (2724 : Utility System Radio Purchase)



936 Glennan Dr
Redwood City, CA 94061
Phone: 650-280-

Mario Ramirez
Morgan Hill

COST AND EQUIPMENT REQUIREMENTS

APX900 700/800 MHz P25 Trunked Console							
Qty	Nomenclature	Description	Price	SVRCS Qty Incentive	SVRCS Migration Incentive	Ext.	
1	1	L37TSS9PW1 N	APX ALL BAND CONSOLETTTE	\$8,040.00	\$5,788.80	\$4,544.21	\$4,544
1a	1	G806	ADD: ASTRO DIGITAL CAI OPERATION	\$515.00	\$370.80	\$291.08	\$291
1b	1	G51	ENH: SMARTZONE OPERATION APX	\$1,500.00	\$1,080.00	\$847.80	\$847
1c	1	G361	ENH: P25 TRUNKING SOFTWARE APX	\$300.00	\$216.00	\$169.56	\$169
1d	1	G996	ENH: OVER THE AIR PROVISIONING	\$100.00	\$72.00	\$56.52	\$56
1e	1	GA00580	ADD: TDMA OPERATION APX	\$450.00	\$324.00	\$254.34	\$254
1f	1	G843	ADD: AES ENCRYPTION APX	\$475.00	\$342.00	\$268.47	\$268
1g	1	L999	ADD: FULL FP W/05/KEYPAD/CLOCK/VU	\$789.00	\$568.08	\$445.94	\$445
1h	1	W382	ADD: CONTROL STATION DESK GCAI MIC	\$169.00	\$121.68	\$95.52	\$95
1i	1	GA00318	ADD: 5Y ESSENTIAL SERVICE	\$319.00	\$319.00	\$319.00	\$319
1j	1	CA01598	ADD: AC LINE CORD US	\$0.00	\$0.00	\$0.00	\$0
2	1	HKN6233C	APX Console Rack Mount Kit	\$200.00	\$144.00	\$113.04	\$113
3	1	H1926B	MULTIPLEXER	\$290.00	\$208.80	\$163.91	\$163
						Subtotal:	\$7,569
						Sales Tax @ 9%:	\$681
						Freight:	\$60
						Total:	\$8,311

Pricing Based on the SVRIA Contract

All orders must state that "the purchase is governed by the terms and conditions of the contract between Motorola and the County of Santa Clara, California for SVRCS."

All Agency Migration orders must state: "The equipment and services listed for purchase include all current subscriber and console requirements of the agency to allow participation on SVRCS for its operational requirements."

Motorola is providing this quotation for budgetary [informational] purposes only and it does not constitute an offer for sale.
If you wish to purchase the quoted products, Motorola will be pleased to provide you with our standard terms and conditions of sale or alternatively, receive your purchase order, which will be acknowledged with a letter enclosing the Motorola standard terms and conditions.

TERMS: Net 30 days from shipment
VALIDITY: Prices valid for 60 days
SHIPPING: *Prepay & Add, FOB Ship Point*
Programming: Motorola has not quoted programming of these radios. Motorola can provide this quotation upon request.

PHONE: 650-280-3110
ADDRESS: 936 Glennan Dr, Redwood City, CA 94061

sent via email
Jeff.van.dell@motorolasolutions.com

QUOTED BY: Jeff Van Dell
DATE: 4/21/2020

Attachment: Motorola Radio Quote (2724 : Utility System Radio Purchase)



CITY COUNCIL STAFF REPORT

MEETING DATE: May 6, 2020

PREPARED BY: Dat Nguyen, Finance Director

APPROVED BY: City Manager

ADOPT RESOLUTION APPROVING REVISIONS TO CITY COUNCIL POLICY CP-94-04, THE CITY'S INVESTMENT POLICY

RECOMMENDATION(S)

Adopt resolution approving revisions to City Council Policy CP-94-04, the City's Investment Policy.

COUNCIL PRIORITIES, GOALS & STRATEGIES

2020-2021 Strategic Priorities

Financial Sustainability

REPORT NARRATIVE:

Best practices in municipal finance recommend investment policies be reviewed annually or at a minimum, the internal treasury staff should conduct a review annually. An update in the investment policy is warranted if staff's review results in a material change in policy due to either a change in statute or a change in the City's investment objectives. Finance continues to monitor changes to the California Government Code regarding investment parameters and allowable investments that may impact the City's investment policy. The redlined version of the City's investment policy is attached for review and approval (Attachment 2). The proposed changes to the investment policy would expand the allowable investment to include certificate of deposits, capping at the maximum Federal Deposit Insurance Corporation (FDIC) legal limit amount per FDIC-insured institution, currently at \$250,000. Expanding the list of allowable investments would allow the City more options as we look to increase the City portfolio's short-term returns while maintaining the City's investment objectives of safety, liquidity, and yield.

COMMUNITY ENGAGEMENT: Inform

Finance periodically renders to City Council for review and approval any changes to the investment policy at a public meeting. In addition, the City's investment policy is available on the City's website.

ALTERNATIVE ACTIONS:

Not Applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council approved the last revision to its investment policy in July 2016.

FISCAL AND RESOURCE IMPACT:

Updating and maintaining the City's investment policy is a part of the Finance Department's on-going work-plan. There is no additional cost associated with the approval of the Investment Policy.

CEQA (California Environmental Quality Act):

Not a Project.

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

LINKS/ATTACHMENTS:

1. Resolution - Investment Policy 2020
2. Exhibit A: Investment Policy - redline version 2020

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING REVISIONS TO CITY COUNCIL POLICY CP-94-04, CITY'S INVESTMENT POLICY

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

WHEREAS, the reasons supporting the revisions to the City's investment policy described in, and that is the subject of, this Resolution are set forth in detail in that certain City Council Staff Report entitled "Adopt resolution approving revisions to City Council Policy CP-94-04, the City's Investment Policy" submitted for City Council consideration at its meeting of May 6, 2020, submitted to the City Council by the City Manager (the "Staff Report"), the contents of which Staff Report are incorporated herein by this reference; and

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

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

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

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

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

a. That the revisions to City Council Policy CP-94-04, City's Investment Policy, as attached hereto and incorporated herein by this reference as Exhibit A, are hereby approved; and

b. That the City's Revised Investment Policy approved by this Resolution supersedes prior versions of this City Council Policy previously approved by Council.

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Morgan Hill at a regular meeting held on the 6th day of May 2020.

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 a regular meeting held on May 6, 2020.

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

DATE: _____

IRMA TORREZ, City Clerk

CITY OF MORGAN HILL

CITY COUNCIL POLICIES AND PROCEDURES

POLICY NUMBER: CP-94-04

TITLE: INVESTMENT POLICY

EFFECTIVE DATE: June 8, 1988

REVISED DATE: [May 6, 2020](#); July 20, 2016; July 15, 2015; January 26, 2011; September 26, 2007;
June 15, 1994

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Attachment: Exhibit A: Investment Policy - redline version 2020 [Revision 4] (2725 : Revised Investment Policy)

CITY OF MORGAN HILL
Statement of Investment Policy

SCOPE

The City of Morgan Hill's (the City's) Investment Policy (the Policy) applies to all funds under the control of the City and includes the general revenues of the City, Successor Agency to the former Morgan Hill Redevelopment Agency (Agency), enterprise fund revenues, and proceeds of bond sales, debt service revenues, and trust funds in the custody of the City.

For simplicity, this Policy shall refer to "City" even when it applies to the Agency, except that the City and Agency shall be distinguished whenever the role of the City Council or Agency Board is described, whenever the role of the City Manager or Executive Director is described, or whenever the role of the City Treasurer or Director of Finance is described.

INVESTMENT OBJECTIVES

The City's funds shall be invested in accordance with all applicable City policies and codes, State statutes, Federal regulations, and bond covenants, and in a manner designed to accomplish the following objectives, which are listed in priority order:

A. Safety of Principal

Safety of principal is the City's foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to minimize capital losses by avoiding credit risk and market risk, as defined below:

1. Credit risk, defined as the risk of loss due to failure of the issuer of a security, shall be mitigated by investing in only the highest quality securities (see authorized investments) and by diversifying the investment portfolio so that the failure of any one issuer would not unduly harm the City's cash flows.
2. Market risk, defined as the risk of market value fluctuations due to overall changes in the general level of interest rates, shall be mitigated by structuring the portfolio so that securities mature at the same time that major cash outflows occur, thus eliminating the need to sell securities prior to maturity. It is explicitly recognized, however, that in a diversified portfolio, occasional measured losses may occur, and must be considered within the context of the overall investment return.

B. Liquidity

Liquidity is the second most important objective of the investment program. The investment portfolio shall remain sufficiently liquid to enable the City to meet all reasonably anticipated operating requirements.

C. Yield

The City portfolio shall be invested to attain a market average rate of return through economic cycles, as long as it does not diminish the superior objectives of safety and liquidity. The market rate of return is defined as the average return on the 1-year U.S. Treasury Bill. Whenever possible, and after the objectives of safety of principal and liquidity have been met, a yield higher than the market rate of return shall be sought.

DELEGATION OF AUTHORITY FOR CITY FUNDS

The City Council has appointed the City Treasurer responsible for undertaking investment transactions on behalf of the City. Unless specifically designated by the City Council, the only officials authorized to undertake investment transactions on behalf of the City are the City Treasurer, ~~Assistant City Manager for Administrative Services~~ Finance Director, and ~~City Manager~~. The City Manager or designee, as applicable, shall review all investment purchases before they occur. The City Treasurer and ~~the City Manager~~ Finance Director will observe, review, and react to the changing conditions that affect the investment portfolio. They will meet on a regular basis to discuss current market conditions, future trends and how each of these affects the investment portfolio and the City.

The City Treasurer, Finance Director and City Manager shall develop and maintain administrative procedures and internal controls, consistent with this Policy, for the operation of the City's investment program. Such procedures shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, or imprudent actions by employees of the City.

DELEGATION OF AUTHORITY FOR AGENCY FUNDS

The Agency Board has appointed the Director of Finance responsible for undertaking investment transactions on behalf of the Agency. Unless specifically designated by the Agency Board, the only officials authorized to undertake investment transactions on behalf of the Agency are the Director of Finance and Agency Executive Director. The Executive Director or designee, as applicable, shall review all investment purchases before they occur. The Director of Finance and Executive Director will observe, review, and react to the changing conditions that affect the investment portfolio. They will meet on a regular basis to discuss current market conditions, future trends and how each of these affects the investment portfolio and the Agency.

The Director of Finance and Executive Director shall develop and maintain administrative procedures and internal controls, consistent with this Policy, for the operation of the Agency's investment program. Such procedures shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, or imprudent actions by employees of the Agency.

ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officers shall disclose any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any larger personal financial/investment positions that could be related to the performance of the City's portfolio. Employees and officers shall subordinate their personal investment transactions to those of the City, particularly with regard to the timing of purchases and sales, and shall avoid transactions that might impair public confidence in the City's ability to govern effectively.

EVALUATION OF INVESTMENTS

The standard of prudence to be used for managing the City's investment program is California Government Code Section 53600.3, the prudent investor standard which states, "When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency."

City investment officers acting in accordance with this Policy and the "prudent person" standard and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that substantial deviations from expectations are reported by the City Treasurer ~~or Assistant City Manager for Administrative Services (for the City)~~ or by the Director of Finance (for the Agency) to the City Manager or Executive Director, as applicable, within three days of discovery. Mutually agreeable remedial action will be taken by the City Treasurer and City Manager (for the City) or by the Director of Finance and Executive Director (for the Agency) and reported to the City Council or Agency Board, as applicable, at their next regularly scheduled meeting.

SELECTION OF BROKER/DEALERS

The City Treasurer (for the City) and Director of Finance (for the Agency) shall jointly maintain a list of broker/dealers approved for investment purposes, and it shall be the policy jointly of the City and the Agency to purchase securities only from those brokers and the firms they represent. Each approved broker/dealer must possess an authorizing certificate from the California Commissioner of Corporations as required by Section 25210 of the California Corporations Code.

To be eligible, a firm must meet at least one of the following criteria:

1. be recognized as Primary Dealers by the Federal Reserve Bank of New York or have a primary dealer within their holding company structure, or
2. report voluntarily to the Federal Reserve Bank of New York, or

3. qualify under Securities and Exchange Commission (SEC) Rule 15c3-1 (Uniform Net Capital Rule).

The City Treasurer (for the City) and Director of Finance (for the Agency) will select broker/dealers on the basis of their expertise in public cash management and their ability to provide service to the account(s). Each authorized broker/dealer shall submit and annually update an approved Broker/Dealer Information Request form that includes the firm's most recent financial statements.

The City Treasurer (for the City) and Director of Finance (for the Agency) shall determine if the broker/dealers are adequately capitalized, make markets on securities appropriate to the City's needs and are recommended by managers of portfolios similar to the City's. The City Treasurer (for the City) or Director of Finance (for the Agency) shall submit findings and recommendations to the City Council or Agency Board, as applicable. The City Council and Agency Board will determine which broker/dealers will be authorized to trade with the City as part of their annual review of this Policy,

In the event that an external investment advisor is not used in the process of recommending a particular transaction in the City's or Agency's portfolio, authorized broker/dealers shall attest in writing that they have read and understand this Policy.

AUTHORIZED INVESTMENTS

All investments and deposits of the City shall be made in accordance with California Government Code Sections 16429.1, 53600-53609 and 53630-53686. The City has further limited the types of allowable securities to those shown in the following list:

- A. United States Treasury Bills and Notes with maturities not exceeding five years from the date of trade settlement. There is no limitation on the percentage of the portfolio which can be invested in this category.
- B. Federal Instrumentality (government sponsored enterprise) debentures, discount notes, callable and step-up securities, with a final maturity not exceeding five years from the date of trade settlement issued by the following only: the Federal Farm Credit Bank System (FFCB), the Federal Home Loan Bank (FHLB), the Federal National Mortgage Association (FNMA or Fannie Mae), the Federal Home Loan Mortgage Corporation (FHLMC or Freddie Mac), the Tennessee Valley Authority (TVA), and the Government National Mortgage Association (GNMA, but only if the security is backed by the full faith and credit of the U.S. government). Although there is no percentage limitation of the dollar amount or percentage of the portfolio that can be invested in these issuers, the "prudent person" rule shall apply for any single agency name.
- C. The Local Agency Investment Fund (LAIF), established by the State Treasurer for the benefit of local agencies and identified under Government Code Section 16429.1, is authorized up to the maximum amount pursuant to California Government Code Section 16429.1

- D. Inactive deposits with Banks and Savings and Loans with a branch within California that has a rating of at least A-1 or the equivalent from a nationally recognized statistical rating organization (NRSRO), and has an equity to total assets ratio of at least 4%. All deposits shall be secured in accordance with Sections 53651 and 53652 of the California Government Code and comply with Schedule I (Policy Statement of Collateralized Time Deposits) attached. If deposits are not collateralized, the maximum placed at any one institution will be \$250,000. The maximum amount of collateralized inactive deposits placed at any one institution shall not constitute more than 10% of the total assets of the institution or \$2,000,000, whichever is less, and shall not exceed the total shareholders' equity of the issuing institution.
- E. Money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 that (1) are "no-load" (meaning no commission or fee shall be charged on purchases or sales of shares); (2) have a constant net asset value per share of \$1.00; (3) invest only in the securities and obligations authorized in the applicable California statutes and (4) have a rating of at least AAAM or the equivalent by at least two NRSROs. The aggregate investment in money market funds shall not exceed 20% of the City's total portfolio. The City shall use only those money market funds consisting of investments considered prudent in nature for any fiduciary.

INVESTMENT POOLS

The Local Agency Investment Fund (LAIF) is authorized under provisions in Section 16429.1 of the California Government Code. The City's participation in the pool was previously approved by the City Council and Agency Board. City Council review and approval is required prior to investment in any other local government investment pool.

SAFEKEEPING OF SECURITIES

The City Treasurer (for the City) and the Director of Finance (for the Agency) shall select one or more banks to provide safekeeping and custodial services for the City. A Safekeeping Agreement approved by the City shall be executed with each custodian bank prior to utilizing that bank's safekeeping services.

Custodian banks will be selected on the basis of their ability to provide services for the City's account and the competitive pricing of their safekeeping related services.

The purchase and sale of securities and repurchase agreement transactions shall be settled on a delivery versus payment basis. All securities shall be perfected in the name of the City. Sufficient evidence to title shall be consistent with modern investment, banking and commercial practices.

All investment securities, except non-negotiable Certificates of Deposit, Money Market Funds and LAIF, purchased by the City will be delivered by either book entry or physical delivery and will be held in third-party safekeeping by a City approved custodian bank, its correspondent bank or its Depository Trust Company (DTC) participant account.

All Fed wireable book entry securities owned by the City shall be held in the Federal Reserve System in a customer account for the custodian bank which will name the City as “customer.”

All DTC eligible securities shall be held in the custodian bank’s DTC participant account and the custodian bank shall provide evidence that the securities are held for the City as “customer.”

DIVERSIFICATION

The City will diversify its investments by security type and investment to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities. With the exception of bond reserve funds, bond escrow funds, and any other funds approved by the City Council, at all times at least 50% of the total portfolio shall mature in three years or less; at least 30% of the total portfolio shall mature in two years or less; and at least 20% of the portfolio shall mature in one year or less.

MAXIMUM MATURITIES

The City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, as approved by the City Council or Agency Board, as applicable, and otherwise allowed by law, the City will not directly invest in securities maturing more than five years from the date of trade settlement. Bond reserve funds, bond escrow funds, and any other funds approved by the City Council or Agency Board, as applicable, may be invested in securities exceeding five years if the maturities of such investments are made to coincide as nearly as possible with the expected use of the funds. The weighted average final maturity of the investment portfolio shall not exceed two and one-half years.

PERFORMANCE BENCHMARKS

The investment portfolio shall be designed to attain a market rate of return throughout budgetary and economic cycles, taking into account prevailing market conditions, risk constraints for eligible securities, and cash flow requirements. The performance of the investment portfolio shall be compared to the average yield on the U.S. Treasury security that most closely corresponds to the investment portfolio’s weighted average effective maturity. When comparing the performance of the investment portfolio, all fees involved with managing it shall be included in the computation of its rate of return net of fees.

BOND PROCEEDS

Proceeds of bond sales and debt service reserve funds and other bond-related monies (or funds) may be invested in any investments authorized under both California Government Code Section 53600, et. seq. and the applicable bond covenants related to a bond sale. Securities authorized by a bond covenant that are not authorized by this Policy will only be used if they are specifically approved by the City Council or Agency Board, as applicable. Unless otherwise approved by the City Council or Agency Board, as applicable, all securities will be held in third-party safekeeping with the bond trustee, and all delivery-versus-payment rules will apply. Fees will be collected annually to compensate for administration costs.

COMPETITIVE TRANSACTIONS

All investment transactions shall be conducted competitively with authorized broker/dealers. At least three broker/dealers shall be contacted for each transaction, except when purchasing new issue securities, and their bid or offering prices shall be recorded.

If the City is offered a security for which there is no other readily available competitive offering, then the City Treasurer (for the City) or the Director of Finance (for the Agency) will document quotations for comparable or alternative securities.

REPORTING REQUIREMENTS

The City Treasurer (for the City) and Director of Finance (for the Agency) shall render, at least quarterly, reports of investment activity to the City Council and Agency Board within 30 days following the end of the quarter. Each report will include the following information:

1. Investment type, issuer, date of maturity, par value and dollar amount invested in all securities, and investments and monies held by the City;
2. A description of the funds, investments and programs managed by contracted parties;
3. A market value as of the date of the report (or the most recent valuation as to assets not valued monthly) and the source of the valuation;
4. A statement of compliance with the investment policy or an explanation for non-compliance; and
5. A statement of the City's ability to meet expenditure requirements for six months, and an explanation of why money will not be available if that is the case.

INVESTMENT POLICY REVIEW

The City Treasurer (for the City), working with the Director of Finance (for the Agency), shall periodically review and make recommendations regarding the City's Investment Policy to ensure its consistency with the overall objectives of preservation of principal, liquidity, yield and diversification and its relevance to current law and economic trends. Amendments to this Investment Policy shall be approved by the City Council.

CITY OF MORGAN HILL
POLICY STATEMENT ON COLLATERALIZED TIME DEPOSITS
 SCHEDULE I

Before the City Treasurer can place a time deposit with a local bank or savings and loan, the following criteria must be met:

1. The bank must provide the City with an executed copy of the "Contract for Deposit for Moneys" as specified in Section 53649 of the California Government Code.
2. The interest rate on the Time Certificate of Deposit must be competitive with rates offered by other banks and savings and loans and must exceed the interest rate for treasury bills for a similar maturity period.
3. For investments less than \$250,000, FDIC insurance will be sufficient without requiring any collateral to be pledged with the Federal Reserve to secure the public fund deposit.
4. For investments exceeding \$250,000, there may be a waiver of collateral for the first \$250,000 deposited, and all of the funds placed on deposit must be collateralized by 110% of U.S. Treasury or Federal Agency securities, or by 150% of mortgages having maturities less than five years in accordance with Section 53652 of the California Government Code. The City must receive confirmation that these securities have been pledged in repayment of the time deposit. The securities pledged must be maintained at a current market value 10% greater than the dollar amount of the deposit.
5. The City must be given a current audited financial statement for the financial year just ended as well as the most recent quarterly statement of financial condition. The financial reports must both include a "statement of financial condition" as well as an "income statement" depicting current and prior year operations.
6. The City will not place a fund deposit for more than \$2,000,000, or 10% of the assets of the institution, whichever is less.
7. The City must receive a certificate of deposit which specifically expresses the terms governing the transaction, (i.e., the period of time, name of depositor, interest rate, etc.).
8. All time certificates must have a maturity period not exceeding two years from the date of deposit with quarterly payments of interest based upon the stated interest rate.
9. The City must also receive a letter from the comptroller and/or treasurer of the bank at the time the deposit is made, that there is no known pending financial disclosure or public announcement of an adverse financial event involving the bank or savings and loan, nor is there any knowledge that a conflict of interest situation exists with any City official, officer or employee at the time the bank is receiving this deposit. The City has a fiduciary responsibility to make prudent investment of public funds, and to assure its investment practices are absent of any financial inducement or conflict in interest whatsoever.

10. Time deposits will only be made with qualified banks and savings and loans having branch office locations within Santa Clara County. However, time deposits with a bank or savings and loan must be centralized at one designated office location rather than making separate deposits with each branch office.

CITY OF MORGAN HILL
POLICY CRITERIA FOR SELECTING BROKER/DEALERS
 SCHEDULE II

1. Each approved broker/dealer must possess an authorizing certificate from the California Commissioner of Corporations as required by Section 25210 of the California Corporations Code.

To be eligible, a firm must meet at least one of the following criteria:

1. be recognized as Primary Dealers by the Federal Reserve Bank of New York or have a primary dealer within their holding company structure, or
2. report voluntarily to the Federal Reserve Bank of New York, or
3. qualify under Securities and Exchange Commission (SEC) Rule 15c3-1 (Uniform Net Capital Rule).

The City Treasurer (for the City) and Director of Finance (for the Agency) will select broker/dealers on the basis of their expertise in public cash management and their ability to provide service to the account(s). Each authorized broker/dealer shall submit and annually update an approved Broker/Dealer Information Request form that includes the firm's most recent financial statements.

The City Treasurer (for the City) and Director of Finance (for the Agency) shall determine if the broker/dealers are adequately capitalized, make markets on securities appropriate to the City's needs and are recommended by managers of portfolios similar to the City's. The City Treasurer (for the City) or Director of Finance (for the Agency) shall submit his findings and recommendations to the City Council or Agency Board, as applicable. As part of their periodic review of the Investment Policy, the City Council and Agency Board will determine which broker/dealers will be authorized to trade with the City.

In the event that an external investment advisor is not used in the process of recommending a particular transaction in the City's or Agency's portfolio, authorized broker/dealers shall attest in writing that they have read and understand a copy of this Policy.

2. The net capital position of the firm shall be in excess of \$100 million.
3. The intent of the City Treasurer (for City) and Director of Finance (for Agency) is to enter into a long-term relationship. Therefore, the integrity of the firm and the personnel assigned to our account is of primary importance.
5. The firm must provide an active secondary market for the securities it sells.
6. The firm must specify the types of securities it specializes in and will be made available for the City's account.

7. It is important that the firm provide related services that will enhance the account relationship which could include:
 - a) An active secondary market for its securities.
 - b) Internal credit research analysis on commercial paper, banker's acceptances and other securities it offers for sale.
 - c) Be willing to trade securities on the City's portfolio.
 - d) Be capable of providing market analysis, economic projections, newsletters.
 - e) Provide market education on new investment products, security spread relationships, graphs, etc.
8. The firm must be willing to provide annual financial statements.
9. If requested, the firm must be willing to provide a list of local government clients or other references, particularly those client relationships established within the State of California.
10. The City is prohibited from the establishment of a broker/dealer account for the purpose of holding the City's securities. All securities must be subject to delivery at the City's custodial bank.
11. Without exception, all transactions are to be conducted on a "delivery vs. payment" basis.
12. The broker/dealer shall be headquartered or have a branch office in California. The City will not conduct security transactions with any firm located out of state.
13. The broker/dealer must have been in operation for more than 5 years.
14. No business relationship shall be established with firms primarily engaged in the sale of "exotic" products. Exotic means "unusually high yields," no ready secondary market, "high price volatility" on the security.
15. The firm must be registered with the State of California's regulatory agency.
16. No broker/dealer or security firm shall be selected who has made a political contribution to the City Treasurer or any member of the City Council or Agency Board or to any candidate for these offices.

Broker/Dealer Questionnaire

Name of Firm:

Address:

Telephone No.:

Primary representative

Manager

Name:

Title:

Telephone No:

1. Are you a recognized primary dealer in Government securities?

() Yes
() No
2. If so, how long has your firm been a primary dealer?
 _____ years.
3. Are you a retail or institutional broker?
4. What was your firm's total volume in U. S. Government and agency securities trading last year?
 Firm-wide \$ _____
 Your office \$ _____
5. Which instruments are offered regularly by your trading desk?

() T-bills

() T-notes and bonds

() Agencies (specify)

FFCB, FHLB, FNMA _____

() BA's (domestic)

() BA's (foreign)

() Commercial Paper

() Bank C. D.'s

FHLMC, SLMA, TVA, GNMA () S & L C. D.'s

WORLD BANK

- () Repurchase Agreements () Medium Term Corporate Notes
- () Reverse Repurchase Agreements () Mutual Funds (eligible for public investment)

6. Identify all personnel who will be trading with or quoting securities to the City.

<u>Name</u>	<u>Title</u>	<u>Phone</u>
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7. Please identify your most directly comparable City/Local Agency clients in our geographical area.

<u>Entity</u>	<u>Contact Person</u>	<u>Phone</u>	<u>Client Since</u>
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8. Is there anything in your background in the government securities business that makes you stand-out above the rest? Why should the City of Morgan Hill deal with you?
9. Have any of your public sector clients ever sustained a loss on a securities transaction arising from a misunderstanding or misrepresentation of the risk characteristics of a particular instrument? If so, please explain.
10. Has any public sector client ever claimed in writing that your firm was responsible for investment losses? Explain.
11. Has your firm consistently complied with the Federal Reserve's capital adequacy guidelines? Include certified documentation of your capital adequacy as measured by Federal Reserve standards.
12. Please provide certified financial statements and other statements regarding your firm's capitalization.
13. Please include samples of research reports that your firm regularly supplies to public sector clients.

14. Are you a Broker instead of a Dealer (i.e., you DO NOT own positions of securities)?
15. What reports, transactions, confirmations and paper trail would the City receive?
16. What training information would you provide to our employees and investment officers?
17. How many and what percentage of your transactions failed last month? Last year?
18. What portfolio information do you require from clients?

--CERTIFICATION--

I hereby certify that I have personally read the City of Morgan Hill's Investment Policy and the California Government Codes pertaining to the investments of the City of Morgan Hill, and have implemented reasonable procedures and a system of controls designed to preclude imprudent investment activities arising out of transactions conducted by our firm on behalf of the City of Morgan Hill, considering the City's investment objectives, strategies and risk constraints. We pledge to exercise due diligence in informing the City Treasurer and staff of all foreseeable risks associated with financial transactions conducted with our firm. I attest to the accuracy of our responses to the above questionnaire.

NOTE: Completion of this questionnaire is only part of the City of Morgan Hill's Certification process and DOES NOT guarantee that the applicant will be approved to do business with the City.

SIGNED
(Account Representative)

SIGNED
(Countersigned by Company President or person in charge of government securities operations.)

DATED

CITY OF MORGAN HILL
FIRMS AUTHORIZED TO CONDUCT INVESTMENT TRANSACTIONS
 SCHEDULE III

The City is authorized to conduct investment security transactions with the following investment firms and broker/dealers, many of which are designated by the Federal Reserve as primary government dealers. Security transactions with firms other than those appearing on this list are prohibited.

A. Firms designated by the Federal Reserve as Primary Government Dealers:

Bank of Nova Scotia, New York Agency
 BMO Capital Markets Corp.
 BNP Paribas Securities Corp.
 Barclays Capital Inc.
 Cantor Fitzgerald & Co.
 Citigroup Global Markets Inc.
 Credit Suisse Securities (USA) LLC
 Daiwa Capital Markets America Inc.
 Deutsche Bank Securities Inc.
 Goldman, Sachs & Co.
 HSBC Securities (USA) Inc.
 Jefferies & Company, Inc.
 J.P. Morgan Securities, LLC
 Merrill Lynch, Pierce, Fenner & Smith, Inc.
 Mizuho Securities USA, Inc.
 Morgan Stanley Smith Barney
 Nomura Securities International, Inc.
 RBC Capital Markets, LLC
 RBS Securities Inc.
 Societe Generale, New York Branch
 TD Securities (USA) LLC
 UBS Securities, LLC
 Wells Fargo Securities, LLC

B. Other authorized firms:

D. A. Davidson and Company
 Fundamental Capital Markets
 Morgan Keegan & Company, Inc.
 UnionBanc Investment Services

CITY OF MORGAN HILL
Authorized Investments Ranked by Authority and Degree of Risk
July 15, 2016May 6, 2020

SCHEDULE IV

AUTHORIZED INVESTMENTS	DIVERSIFICATION	PURCHASE RESTRICTIONS
U.S. TREASURY BILLS & NOTES	No Limit	No Limit
DREYFUSS TREASURY CASH MANAGEMENT FUND	No Limit	No Limit
U.S. GOVERNMENT AGENCIES AND GOVERNMENT SPONSORED ENTERPRISES	No Limit	No Limit
LOCAL AGENCY INVESTMENT FUND	No Limit	Maximum Set by Gov't Code
TIME DEPOSITS	Max 5% of portfolio	Max \$2 million per institution Collateral = 110% to 150%
MONEY MARKET MUTUAL FUNDS	Max 20% of portfolio	No Limit
REPURCHASE AGREEMENTS	Not Authorized	Not Authorized
BANKERS' ACCEPTANCES	Not Authorized	Not Authorized
COMMERCIAL PAPER	Not Authorized	Not Authorized
MEDIUM-TERM CORPORATE NOTES	Not Authorized	Not Authorized
NEGOTIABLE CD'S	<u>Max 5% of portfolio</u> Not Authorized	Not Authorized <u>Up to FDIC insured legal limit per FDIC insured institution</u>
REVERSE REPURCHASE AGREEMENTS	Not Authorized	Not Authorized
ASSET BACKED SECURITIES	Not Authorized	Not Authorized
STATE & LOCAL INDEBTEDNESS	Not Authorized	Not Authorized

GLOSSARY

AGENCY: Debt issued by an agency of the federal government that is explicitly guaranteed by the full faith and credit of the United States government. The Government National Mortgage Association (GNMA or Ginnie Mae), is an example of an agency issuer.

ASKED: The price at which securities are offered. (The price at which a firm will sell a security to an investor.)

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BASIS POINT: One one-hundredth of a percent (i.e., 0.01%).

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.)

BROKER: A broker brings buyers and sellers together for a commission. A broker does not take a position.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COUPON: a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for its own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value (e.g., U.S. Treasury Bills).

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FANNIE MAE (FNMA): FNMA was chartered under the Federal National Mortgage Association Act in 1938. The corporation's purpose is to purchase and securitize mortgages in order to ensure that funds are consistently available to the institutions that lend money to home buyers. It is the largest single provider of residential mortgage funds in the United States. On September 7, 2008, Fannie Mae was placed into conservatorship of the FHFA. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions (e.g. S&L's, Small business

firms, students, farmers, farm cooperatives, and exporters).

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A Federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-a-vis member commercial banks.

FEDERAL INSTRUMENTALITY SECURITY: Debt issued by a government sponsored enterprise that carries an implicit guarantee of the United States government. Examples of instrumentality issuers include the Federal National Mortgage Association (FNMA or Fannie Mae), the Federal Home Loan Mortgage Corporation (FHLMC or Freddie Mac), the Federal Home Loan Banks (FHLB), and the Federal Farm Credit Bank (FFCB).

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, D.C.; 12 regional banks and about 5,700

commercial banks are member of the system.

GINNIE MAE (GNMA): GNMA was created by the United States Federal Government through a 1968 partition of the Federal National Mortgage Association to provide guarantees on mortgage-backed securities (MBS) backed by federally insured or guaranteed loans. Ginnie Mae securities are the only MBS that are backed by the full faith and credit of by the United States government.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL: A local government investment pool is an investment option offered to public entities for the aggregate investment of public funds from political subdivisions. The funds are placed in the custody of the manager, frequently a State Treasurer, for investment and reinvestment. These pools are investments tools that offer safety with a competitive yield and their managers are vested with a public trust that the pool will maintain liquidity, diversity, and follow the investment pool's guidelines.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MARKET REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller- borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See “Asked” and “Bid”.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit. Sales have the opposite effect. Open market operations are the Federal Reserve’s most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker/dealers, banks and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states, the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state--the so-called “legal list”. In other states, the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity; on a bond, the current income return.

REPURCHASE AGREEMENT (RP or REPO): a holder of securities sells these securities to an investor with an agreement to purchase them at a fixed date. The security “buyer” in effect lends the “seller” money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank’s vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three month, six months or one year.

TREASURY BOND: Long-term U.S. Treasury securities having initial maturities of more than 10 years.

TREASURY NOTES: Intermediate-term coupon bearing U.S. Treasury securities having initial maturities of from one year to ten years.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for the security. (b) **NET YIELD or YIELD TO MATURITY** is the current income yield minus any premium above par or plus any discount

from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.



CITY COUNCIL STAFF REPORT

MEETING DATE: May 6, 2020

PREPARED BY: Irma Torrez, City Clerk
APPROVED BY: City Manager

CERTIFY RESULTS OF THE MARCH 3, 2020 SPECIAL MUNICIPAL ELECTION

RECOMMENDATION(S)

Adopt resolution reciting the facts of the Special Municipal Election of March 3, 2020 and declaring the results of such other matters as provided by law.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Preserving and Cultivating Public Trust

2020-2021 Strategic Priorities

Community Engagement and Messaging

REPORT NARRATIVE:

At its February 6, 2019 meeting, the City Council adopted Ordinance No. 2295, New Series; approving an amendment to a Planned Development Master Plan for the Madrone Village Shopping Center located on the northwest corner of Madrone Parkway and Cochrane Road.

On March 6, 2019, the Referendum proponents against Ordinance No. 2295, New Series, submitted a petition containing 3,965 signatures; exceeding the 2,288 minimum signatures required to qualify the Referendum on the ballot. On March 22, 2019, the County of Santa Clara, Registrar of Voters Office provided the City of Morgan Hill with a Certificate verifying the required number of signatures to qualify the Referendum Petition to be reviewed by the City Council for further action as required by law.

The City Council adopted Resolution No. 19-031 on May 15, 2019 calling for a special election to be held on March 3, 2020 to submit to the qualified voters of Morgan Hill an ordinance and Resolution No. 19-032 requesting the Santa Clara County Board of Supervisors and the Registrar of Voters Office to conduct a Special Municipal Election to be held on Tuesday, March 3, 2020 regarding Ordinance No. 2295, New Series.

The Special Municipal Election was held on Tuesday, March 3, 2020 for the purpose of placing the below Measure A regarding the adoption of Ordinance No. 2295, New Series, on the ballot as follows:

MEASURE A

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?	YES
	NO

The Santa Clara County Registrar of Voters Office has concluded canvassing the election returns and has furnished the City Clerk with a Certified Statement of Election Results (Attachment 2). The measure failed, by a vote of 4,726 for and 9,586 against. A resolution reciting the facts of the March 3, 2020 Special Municipal Election has been prepared, reciting the facts of the election, for Council adoption (Attachment 1).

COMMUNITY ENGAGEMENT: Involve

As a General Law City, the City of Morgan Hill is governed by the Government and Election Codes for the purpose of electing municipal officers (e.g., mayor, council members, and city treasurer) and ballot measures.

Adoption of the attached resolution that Certifies the Election Results of the Special Municipal Election held in Morgan Hill on March 3, 2020 memorializes how the registered voters in the City of Morgan Hill were involved in the democratic process in deciding the outcome of Measure A.

ALTERNATIVE ACTIONS:

There are no alternative actions to be taken as Article 4. Canvass of Ballots and Returns, Sections 10260 through 10266 of the California Elections Code outlines the actions to be taken/followed by the Governing Body.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

Municipal Elections are conducted every two years for the purpose of electing officers and presenting ballot measures to the electorate as required by law. On occasion, the City Council calls for special municipal elections to be conducted to address Referendums and Initiative Petitions as was the case on the Referendum against Ordinance No. 2295, New Series, by the City Council. The below listed Ordinance and Resolutions have been adopted by the City Council relating to the March 3, 2020 Special Municipal Election:

Ordinance No. 2295 New Series, adopted February 6, 2019, 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).

Resolution No. 19-031, adopted May 15, 2019, 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.

Resolution No. 19-032, adopted May 15, 2019, Requesting the Board of Supervisors of the County of Santa Clara conduct a Special Municipal Election to be held on Tuesday, March 3, 2020.

FISCAL AND RESOURCE IMPACT:

The invoice for the General Municipal Election has not yet been received. \$150,000 has been budgeted under the Elections Budget (010-2420-42231) to cover the cost of contract services for consolidation of the election for the inclusion of Measure A, to be charged by the Registrar of Voters Office, and other related election costs. Should election costs exceed the budgeted amount, staff may return to the Council with a budget adjustment to augment the cost of the election. Resources for the March 3, 2020 Special Municipal Election are accommodated in the Elections Budget in the General Fund.

CEQA (California Environmental Quality Act):

Certification of election results is an administrative activity and as such is not a project.

LINKS/ATTACHMENTS:

1. Resolution Certifying 3-3-2020 Election Results
2. Exhibit A - Certification of Election Results

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL, CALIFORNIA, RECITING THE FACTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON MARCH 3, 2020, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

WHEREAS, a Special Municipal Election was held and conducted in the City of Morgan Hill, California, on Tuesday, March 3, 2020, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the Santa Clara County, Registrar of Voters Office, canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A".

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

SECTION 1. That the whole number of votes cast in the precincts (including provisional ballots), except vote by mail voter ballots, was 1,583.

That the whole number of vote by mail voter ballots cast in the City was 12,729, making a total of 14,312 ballots cast in the City.

That the measure voted upon at the election is as follows:

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?	YES
	NO

SECTION 2. That the number of votes given at each precinct and the number of votes

given in the City for and against the measure were as listed in Exhibit “A” attached.

SECTION 3. That as a result of the election, a majority of the voters voting on Measure A relating to the adoption of Ordinance No. 2295, New Series did not vote in favor of it, and that Measure A was not carried, and shall not be deemed adopted and ratified.

SECTION 4. The City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of *votes (ballots) cast in the City; (2) The measure(s) voted upon; (3) The number of votes given at each precinct for and against each measure(s); (4) The total number of votes given for and against each measure.

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.

PASSED, APPROVED AND ADOPTED by the City Council of Morgan Hill at a regular meeting held on the 6th day of May 2020 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

City of Morgan Hill
Resolution No.
Page _ of 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 the 6th day of May 2020.

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

DATE: _____

IRMA TORREZ, City Clerk

Attachment: Resolution Certifying 3-3-2020 Election Results [Revision 5] (2683 : Certification of March 2020 Election Results)

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Bldg. 2
San Jose, CA 95112
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360
(408) 299-VOTE (8683) 866-430-VOTE (8683) FAX: (408) 998-7314
www.sccvote.org



April 23, 2020

Ms. Irma Torrez
City Clerk, City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

RE: Certification of Election Results – March 3, 2020 Presidential Primary Election

Dear Ms. Torrez:

Enclosed are the Certificate of Election Results, Official Results and Statement of Votes for the contest in your jurisdiction.

Pursuant to Elections Code Section 15400, the Governing Board should accept the Statement of Votes and Certificate of Election Results, and declare the totals to be the final results of the election.

Please contact Bren Lehr at 408-282-3041 if you have any questions.

Sincerely,

Shannon Bushey
Registrar of Voters

Enclosures

CERTIFICATE OF ELECTION RESULTS

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SANTA CLARA)

I, Shannon Bushey, Registrar of Voters of the County of Santa Clara, State of California, hereby declare:

1. A Presidential Primary Election was held in the County of Santa Clara, in the **City of Morgan Hill**, on March 3, 2020 for the purpose of submitting the following measure to the voters:

A 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?

2. The official canvass of the returns of the election was conducted by the Office of the Registrar of Voters in accordance with the appropriate provisions of the Elections Code of the State of California.

3. The Statement of Votes Cast, now on file at my office, shows the whole number of votes cast for **Measure A** in each of the precincts and the total shown is true and correct.

WITNESS my hand and Official Seal this 23rd day of April, 2020.



Shannon Bushey
 Shannon Bushey, Registrar of Voters

Santa Clara County
March 3, 2020 Presidential Primary Election
Official Final Statement of Vote

District	registered Voters	Voters Cast	% Turnout
Congressional District			
17th Congressional District			
Precinct	256,212	16,028	6.26%
VBM	256,212	112,153	43.77%
17th Congressional District - Total	256,212	128,181	50.03%
18th Congressional District			
Precinct	315,065	23,308	7.40%
VBM	315,065	162,440	51.56%
18th Congressional District - Total	315,065	185,748	58.96%
19th Congressional District			
Precinct	371,893	23,129	6.22%
VBM	371,893	155,524	41.82%
19th Congressional District - Total	371,893	178,653	48.04%
20th Congressional District			
Precinct	8,122	512	6.30%
VBM	8,122	2,697	33.21%
20th Congressional District - Total	8,122	3,209	39.51%
Cumulative			
Precinct	0	0	N/A
VBM	0	0	N/A
Cumulative - Total	0	0	N/A
Congressional District - Total	951,292	495,791	52.12%
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%
State Senator			
10th Senatorial District			
Precinct	153,508	9,375	6.11%
VBM	153,508	64,788	42.20%
10th Senatorial District - Total	153,508	74,163	48.31%
13th Senatorial District			
Precinct	180,733	15,092	8.35%
VBM	180,733	93,781	51.89%
13th Senatorial District - Total	180,733	108,873	60.24%
15th Senatorial District			
Precinct	498,633	31,486	6.31%
VBM	498,633	222,079	44.54%
15th Senatorial District - Total	498,633	253,565	50.85%
17th Senatorial District			
Precinct	118,418	7,024	5.93%
VBM	118,418	52,166	44.05%
17th Senatorial District - Total	118,418	59,190	49.98%
Cumulative			

Santa Clara County
March 3, 2020 Presidential Primary Election
Official Final Statement of Vote

Precinct	0	0	N/A
VBM	0	0	N/A
Cumulative - Total	0	0	N/A
State Senator - Total	951,292	495,791	52.12%
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%
Member of the State Assembly			
24th Assembly District			
Precinct	183,469	15,253	8.31%
VBM	183,469	95,259	51.92%
24th Assembly District - Total	183,469	110,512	60.23%
25th Assembly District			
Precinct	154,028	9,008	5.85%
VBM	154,028	64,151	41.65%
25th Assembly District - Total	154,028	73,159	47.50%
27th Assembly District			
Precinct	219,977	13,683	6.22%
VBM	219,977	81,673	37.13%
27th Assembly District - Total	219,977	95,356	43.35%
28th Assembly District			
Precinct	273,081	17,696	6.48%
VBM	273,081	135,239	49.52%
28th Assembly District - Total	273,081	152,935	56.00%
29th Assembly District			
Precinct	56,871	3,614	6.35%
VBM	56,871	27,041	47.55%
29th Assembly District - Total	56,871	30,655	53.90%
30th Assembly District			
Precinct	63,866	3,723	5.83%
VBM	63,866	29,451	46.11%
30th Assembly District - Total	63,866	33,174	51.94%
Cumulative			
Precinct	0	0	N/A
VBM	0	0	N/A
Cumulative - Total	0	0	N/A
Member of the State Assembly - Total	951,292	495,791	52.12%
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%
Board of Equalization (State)			
State Board Of Equalization #2			
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%

Santa Clara County
March 3, 2020 Presidential Primary Election
Official Final Statement of Vote

State Board Of Equalization #2 - Total	951,292	495,791	52.12%
Cumulative			
Precinct	0	0	N/A
VBM	0	0	N/A
Cumulative - Total	0	0	N/A
Board of Equalization (State) - Total	951,292	495,791	52.12%
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%
County Supervisor			
1st Supervisorial District			
Precinct	207,480	12,507	6.03%
VBM	207,480	99,545	47.98%
1st Supervisorial District - Total	207,480	112,052	54.01%
2nd Supervisorial District			
Precinct	146,611	9,787	6.68%
VBM	146,611	50,833	34.67%
2nd Supervisorial District - Total	146,611	60,620	41.35%
3rd Supervisorial District			
Precinct	188,604	10,702	5.67%
VBM	188,604	78,210	41.47%
3rd Supervisorial District - Total	188,604	88,912	47.14%
4th Supervisorial District			
Precinct	194,702	13,409	6.89%
VBM	194,702	92,448	47.48%
4th Supervisorial District - Total	194,702	105,857	54.37%
5th Supervisorial District			
Precinct	213,895	16,572	7.75%
VBM	213,895	111,778	52.26%
5th Supervisorial District - Total	213,895	128,350	60.01%
Cumulative			
Precinct	0	0	N/A
VBM	0	0	N/A
Cumulative - Total	0	0	N/A
County Supervisor - Total	951,292	495,791	52.12%
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%
County			
County of Santa Clara			
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%
County of Santa Clara - Total	951,292	495,791	52.12%
Cumulative			
Precinct	0	0	N/A
VBM	0	0	N/A
Cumulative - Total	0	0	N/A
County - Total	951,292	495,791	52.12%
Precinct	951,292	62,977	6.62%

Santa Clara County
March 3, 2020 Presidential Primary Election
Official Final Statement of Vote

	VBM	951,292	432,814	45.50%
City				
City of Campbell				
	Precinct	24,168	1,640	6.79%
	VBM	24,168	11,822	48.92%
City of Campbell - Total		24,168	13,462	55.70%
City of Cupertino				
	Precinct	31,498	1,790	5.68%
	VBM	31,498	14,980	47.56%
City of Cupertino - Total		31,498	16,770	53.24%
City of Gilroy				
	Precinct	27,726	1,569	5.66%
	VBM	27,726	11,447	41.29%
City of Gilroy - Total		27,726	13,016	46.95%
City of Los Altos				
	Precinct	21,152	1,448	6.85%
	VBM	21,152	12,258	57.95%
City of Los Altos - Total		21,152	13,706	64.80%
City of Milpitas				
	Precinct	33,274	1,924	5.78%
	VBM	33,274	12,993	39.05%
City of Milpitas - Total		33,274	14,917	44.83%
City of Monte Sereno				
	Precinct	2,657	135	5.08%
	VBM	2,657	1,428	53.74%
City of Monte Sereno - Total		2,657	1,563	58.83%
City of Morgan Hill				
	Precinct	25,582	1,639	6.41%
	VBM	25,582	12,996	50.80%
City of Morgan Hill - Total		25,582	14,635	57.21%
City of Mountain View				
	Precinct	38,812	3,194	8.23%
	VBM	38,812	20,743	53.44%
City of Mountain View - Total		38,812	23,937	61.67%
City of Palo Alto				
	Precinct	41,653	3,846	9.23%
	VBM	41,653	22,830	54.81%
City of Palo Alto - Total		41,653	26,676	64.04%
City of San Jose				
	Precinct	491,367	30,632	6.23%
	VBM	491,367	209,011	42.54%
City of San Jose - Total		491,367	239,643	48.77%
City of Santa Clara				
	Precinct	54,699	3,755	6.86%
	VBM	54,699	24,217	44.27%
City of Santa Clara - Total		54,699	27,972	51.14%
City of Saratoga				
	Precinct	21,578	1,323	6.13%
	VBM	21,578	11,211	51.96%
City of Saratoga - Total		21,578	12,534	58.09%
City of Sunnyvale				
	Precinct	65,262	4,804	7.36%
	VBM	65,262	30,654	46.97%

Santa Clara County
March 3, 2020 Presidential Primary Election
Official Final Statement of Vote

City of Sunnyvale - Total	65,262	35,458	54.33%
Town of Los Altos Hills			
Precinct	6,161	477	7.74%
VBM	6,161	3,334	54.11%
Town of Los Altos Hills - Total	6,161	3,811	61.86%
Town of Los Gatos			
Precinct	21,497	1,397	6.50%
VBM	21,497	11,310	52.61%
Town of Los Gatos - Total	21,497	12,707	59.11%
Unincorporated			
Precinct	44,206	3,404	7.70%
VBM	44,206	21,580	48.82%
Unincorporated - Total	44,206	24,984	56.52%
Cumulative			
Precinct	0	0	N/A
VBM	0	0	N/A
Cumulative - Total	0	0	N/A
City - Total	951,292	495,791	52.12%
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%
Unincorporated Area			
Unincorporated Area			
Precinct	44,206	3,404	7.70%
VBM	44,206	21,580	48.82%
Unincorporated Area - Total	44,206	24,984	56.52%
Unincorporated			
Precinct	907,086	59,573	6.57%
VBM	907,086	411,234	45.34%
Unincorporated - Total	907,086	470,807	51.90%
Cumulative			
Precinct	0	0	N/A
VBM	0	0	N/A
Cumulative - Total	0	0	N/A
Unincorporated Area - Total	951,292	495,791	52.12%
Precinct	951,292	62,977	6.62%
VBM	951,292	432,814	45.50%

Measure A - City of Morgan Hill, General Plan Amendment (Vote for 1)

District	Registered Voters	District	YES		NO		Total Votes
Congressional District		Congressional District					
19th Congressional District		19th Congressional District					
Precinct	25,582	Precinct	468	29.56%	1,115	70.44%	1,583
VBM	25,582	VBM	4,258	33.45%	8,471	66.55%	12,729
19th Congressional District - Total	25,582	19th Congressional District - Total	4,726	33.02%	9,586	66.98%	14,312
Cumulative		Cumulative					
Precinct	0	Precinct	0		0		0
VBM	0	VBM	0		0		0
Cumulative - Total	0	Cumulative - Total	0		0		0
Congressional District - Total	25,582	Congressional District - Total	4,726	33.02%	9,586	66.98%	14,312
State Senator		State Senator					
17th Senatorial District		17th Senatorial District					
Precinct	25,582	Precinct	468	29.56%	1,115	70.44%	1,583
VBM	25,582	VBM	4,258	33.45%	8,471	66.55%	12,729
17th Senatorial District - Total	25,582	17th Senatorial District - Total	4,726	33.02%	9,586	66.98%	14,312
Cumulative		Cumulative					
Precinct	0	Precinct	0		0		0
VBM	0	VBM	0		0		0
Cumulative - Total	0	Cumulative - Total	0		0		0
State Senator - Total	25,582	State Senator - Total	4,726	33.02%	9,586	66.98%	14,312
Member of the State Assembly		Member of the State Assembly					
30th Assembly District		30th Assembly District					
Precinct	25,582	Precinct	468	29.56%	1,115	70.44%	1,583
VBM	25,582	VBM	4,258	33.45%	8,471	66.55%	12,729
30th Assembly District - Total	25,582	30th Assembly District - Total	4,726	33.02%	9,586	66.98%	14,312
Cumulative		Cumulative					
Precinct	0	Precinct	0		0		0
VBM	0	VBM	0		0		0
Cumulative - Total	0	Cumulative - Total	0		0		0
Member of the State Assembly - Total	25,582	Member of the State Assembly - Total	4,726	33.02%	9,586	66.98%	14,312
Board of Equalization (State)		Board of Equalization (State)					
State Board Of Equalization #2		State Board Of Equalization #2					
Precinct	25,582	Precinct	468	29.56%	1,115	70.44%	1,583
VBM	25,582	VBM	4,258	33.45%	8,471	66.55%	12,729
State Board Of Equalization #2 - Total	25,582	State Board Of Equalization #2 - Total	4,726	33.02%	9,586	66.98%	14,312
Cumulative		Cumulative					
Precinct	0	Precinct	0		0		0
VBM	0	VBM	0		0		0
Cumulative - Total	0	Cumulative - Total	0		0		0
Board of Equalization (State) - Total	25,582	Board of Equalization (State) - Total	4,726	33.02%	9,586	66.98%	14,312
County Supervisor		County Supervisor					
1st Supervisorial District		1st Supervisorial District					
Precinct	25,582	Precinct	468	29.56%	1,115	70.44%	1,583
VBM	25,582	VBM	4,258	33.45%	8,471	66.55%	12,729
1st Supervisorial District - Total	25,582	1st Supervisorial District - Total	4,726	33.02%	9,586	66.98%	14,312
Cumulative		Cumulative					
Precinct	0	Precinct	0		0		0
VBM	0	VBM	0		0		0
Cumulative - Total	0	Cumulative - Total	0		0		0

Measure A - City of Morgan Hill, General Plan Amendment (Vote for 1)

County Supervisor - Total	25,582	County Supervisor - Total	4,726	33.02%	9,586	66.98%	14,312
County		County					
County of Santa Clara		County of Santa Clara					
Precinct	25,582	Precinct	468	29.56%	1,115	70.44%	1,583
VBM	25,582	VBM	4,258	33.45%	8,471	66.55%	12,729
County of Santa Clara - Total	25,582	County of Santa Clara - Total	4,726	33.02%	9,586	66.98%	14,312
Cumulative		Cumulative					
Precinct	0	Precinct	0		0		0
VBM	0	VBM	0		0		0
Cumulative - Total	0	Cumulative - Total	0		0		0
County - Total	25,582	County - Total	4,726	33.02%	9,586	66.98%	14,312
City		City					
City of Morgan Hill		City of Morgan Hill					
Precinct	25,582	Precinct	468	29.56%	1,115	70.44%	1,583
VBM	25,582	VBM	4,258	33.45%	8,471	66.55%	12,729
City of Morgan Hill - Total	25,582	City of Morgan Hill - Total	4,726	33.02%	9,586	66.98%	14,312
Cumulative		Cumulative					
Precinct	0	Precinct	0		0		0
VBM	0	VBM	0		0		0
Cumulative - Total	0	Cumulative - Total	0		0		0
City - Total	25,582	City - Total	4,726	33.02%	9,586	66.98%	14,312
Unincorporated Area		Unincorporated Area					
Unincorporated		Unincorporated					
Precinct	25,582	Precinct	468	29.56%	1,115	70.44%	1,583
VBM	25,582	VBM	4,258	33.45%	8,471	66.55%	12,729
Unincorporated - Total	25,582	Unincorporated - Total	4,726	33.02%	9,586	66.98%	14,312
Cumulative		Cumulative					
Precinct	0	Precinct	0		0		0
VBM	0	VBM	0		0		0
Cumulative - Total	0	Cumulative - Total	0		0		0
Unincorporated Area - Total	25,582	Unincorporated Area - Total	4,726	33.02%	9,586	66.98%	14,312

DRAFT



Meeting Minutes City Council

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

Wednesday, April 15, 2020 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

CONTINUED PUBLIC HEARING

The item **Environmental Assessment application EA2019-0017 and Improvement Agreement: Cochrane-Monument Land Company (TechCon Project)** that was publicly noticed for consideration by the City Council at this meeting has been continued to a date certain of April 22, 2020.

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 called the meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Michelle Bigelow called the roll.

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Remote	
Yvonne Martinez Beltran	Mayor Pro Tem	Remote	
Larry Carr	Council Member	Remote	
John McKay	Council Member	Remote	
Rene Spring	Council Member	Remote	

Minutes Acceptance: Minutes of Apr 15, 2020 7:00 PM (CONSENT CALENDAR)

DECLARATION OF POSTING AGENDA

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

CITY MANAGER'S REPORT

City Manager Christina Turner recognized the Morgan Hill Dispatchers for Telecommunications Week. She spoke to the supplement that includes the City's estimated fiscal impacts, COVID-19 actions, and two letters to our legislators regarding the CARES Act and a housing funding request.

She spoke regarding the recent town hall meeting; it was very well received. They have decided to hold these weekly during the Shelter in Place Order and the next one will be tomorrow April 16th at 5:30 p.m.

She shared a link to the video for the first Economic Development Roundtable that was held April 10th. The focus for this webinar was Financial Resources. The next webinar will be on Friday and its focus will be Tourism.

She announced that we have sent out our second newsletter, its focus was primarily for the businesses.

She stated that as of April 8th, Morgan Hill's response rate to the Census was 58.2%. For reference she shared that California's response rate is at 35.5%, the County is at 55%, Gilroy is at 48%, and San Jose is at 53%. Our Census outreach includes Facebook, Instagram, Twitter, our 411, and website.

The County has a dashboard where they are providing information regarding COVID-19 cases.

The County put out a new order asking all businesses and agencies to respond to a survey regarding Personal Protective Equipment (PPE). The Survey is due today. The City has responded and also reached out to businesses to make sure they were aware of that order.

As a result of our restaurants that are doing take out, we now have the ability for restaurants to set up curbside parking. They are allowed to put out signs and those picking up food are able to park as close to the restaurant as possible.

Silicon Valley Clean Energy Authority came out with three different items during COVID-19. One is that they are maintaining their 4% discount. The next is that they have a \$10 million COVID-19 relief fund and lastly, they have a new solar storage project.

CITY MANAGER'S REPORT SUPPLEMENT

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin had no report.

RECOGNITIONS

Recognizing and honoring Dolores Huerta

PUBLIC COMMENT

Mayor Constantine opened the public comment at 7:19 p.m.

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

ADOPTION OF AGENDA

MOTION:

Adopting the amended agenda as posted.

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

CONSENT CALENDAR**MOTION:**

Approving the Consent Calendar.

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

1. FEBRUARY 2020 FINANCIAL AND INVESTMENT REPORT

Recommendation:

Accept and file report.

2. ADOPT RESOLUTION APPROVING FY2020-21 LIST OF STREET REHABILITATION PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT

Recommendation:

Adopt resolution approving a list of street rehabilitation projects to be funded by SB 1, The Road Repair and Accountability Act of 2017.

3. APPROVE AGREEMENTS FOR ON-CALL GENERAL CONTRACTORS

Recommendation:

1. Award two-year On-Call General Contractor Services contracts to the following general contractors in the amount of \$200,000: DRP Builders, Inc., Weston Construction, Inc., Valenti Builders, Inc., Castlewood Construction Company, Inc. and Tucker Construction, Inc.; and
2. Authorize the City Manager to execute and administer the On-Call General Contractor Services contracts with DRP Builders, Inc., Weston Construction, Inc., Valenti Builders, Inc., Castlewood Construction Company, Inc. and Tucker Construction Inc.

4. APPROVE FIRST AMENDMENT TO GENERATOR MAINTENANCE SERVICES AGREEMENT

Recommendation:

Approve and authorize the City Manager to execute and administer an amendment to increase the not to exceed amount by \$25,000 for the current service maintenance agreement with Got Power, Inc. dba CD & Power for a total contract amount of \$144,475 for generator maintenance and repair services.

5. APPROVE THE APRIL 1, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING**6. ADOPT HOUSING CRISIS ACT OF 2019: SB 330 IMPLEMENTATION ORDINANCE**

Recommendation:

1. Open/close the public hearing;
2. Waive the first and second reading of the ordinance Implementing SB 330, Suspending Certain Growth Management Provisions of Residential Development Control System (RDCS) until January 1, 2025; and
3. Introduce ordinance.

Assistant City Manager Leslie Little presented the report.

Mayor Constantine opened the public comment at 7:27 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Continuing this item to a date uncertain.

RESULT:	CONTINUED [4 TO 1]
MOVER:	Larry Carr, Council Member
SECONDER:	John McKay, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay
NAYS:	Spring

7. APPROVE SOLID WASTE MANAGEMENT RATE ADJUSTMENT FOR 2020

Recommendation:

Adopt resolution approving an adjustment in the maximum allowable solid waste charges effective July 1, 2020.

Program Administrator Anthony Eulo presented the report.

Mayor Constantine opened the public comment at 7:46 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

OTHER BUSINESS

8. APPROVE CONSULTANT AGREEMENT WITH DAVID J. POWERS AND ASSOCIATES, INC. (DJPA) FOR PREPARATION OF THE ANNEXATION ENVIRONMENTAL IMPACT REPORT (ANNEXATION EIR)

Recommendation:

Approve and authorize the City Manager to execute and administer a Consultant Agreement with David J. Powers and Associates, Inc. for the not to exceed amount of \$219,000 for preparation of the Annexation Environmental Impact Report.

Principal Planner Adam Paszkowski presented the report.

Mayor Constantine opened the public comment at 7:53 p.m.

Joe Baranowski was called to speak.

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

MOTION:

Approving the recommended action.

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

9. APPROVE CONTRACT WITH DAVID J. POWERS AND ASSOCIATES FOR ASSISTANCE IN REVIEWING THE CALIFORNIA HIGH SPEED RAIL AUTHORITY DRAFT ENVIRONMENTAL IMPACT REPORT AND INITIAL STUDY (EIR/EIS)

Recommendation:

Approve and authorize the City Manager to execute and administer a Consultant Agreement with David J. Powers and Associates for the not to exceed amount of \$104,772 to review and provide technical support services for the Draft Environmental Impact Report (EIR) and Initial Study (EIS) for the San Jose to Merced segment of High Speed Rail through Morgan Hill.

Council Member Carr recused himself from this item.

Economic Development Director Edith Ramirez presented the report.

Mayor Constantine opened the public comment at 8:12 p.m. The following people were called to speak:

Brian Sullivan

Roland Lebrun

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

MOTION:

Approving the recommended action.

RESULT:	APPROVED [4 TO 0]
MOVER:	John McKay, Council Member
SECONDER:	Yvonne Martinez Beltran, Mayor Pro Tem
AYES:	Constantine, Martinez Beltran, McKay, Spring
RECUSED:	Carr

10. RATIFY EMERGENCY RENT FREEZE ORDER

Recommendation:

Ratify the rent freeze order executed on April 8, 2020.

City Attorney Donald Larkin presented the report.

Mayor Constantine opened the public comment at 8:29 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Approving the recommended action.

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

11. DISCUSS REQUEST FOR FUTURE AGENDA ITEMS RELATED TO COVID-19

Recommendation:

Discuss whether to consider moving forward with any of the following:

1. Local rent eviction ordinance;
2. Local rent control ordinance;
3. General Fund support of businesses; and
4. Creation of an economic development taskforce.

City Manager Christina Turner presented the report.

Mayor Constantine opened the public comment at 8:43 p.m.
Hearing no requests to speak, the public comment was closed.

MOTION:

Directing staff to research the possibility to fund a recovery strategy, the possibility of a small business fund, and how we can add some capacity to the economic task force.

RESULT:	LACK OF SECONDER
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FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Spring asked the City to reach out to local non-profits to see if they are covered or if they need additional help that the City may need to ask for.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the meeting at 9:05 p.m.

MINUTES PREPARED BY:

Angie Gonzalez, Minutes Clerk

DRAFT



Meeting Minutes City Council

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

Wednesday, April 22, 2020 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 called the meeting to order at 7:01 p.m.

ROLL CALL ATTENDANCE

Minutes Clerk Angie Gonzalez called the roll.

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Remote	
Yvonne Martinez Beltran	Mayor Pro Tem	Remote	
Larry Carr	Council Member	Remote	
John McKay	Council Member	Remote	
Rene Spring	Council Member	Remote	

DECLARATION OF POSTING AGENDA

Minutes Clerk Angie Gonzalez declared the posting of the agenda.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke regarding the DePaul Health Center. She shared that the City

Minutes Acceptance: Minutes of Apr 22, 2020 7:00 PM (CONSENT CALENDAR)

announced in our email communications that DePaul is now being used as a COVID-19 testing facility. This is specifically for County of Santa Clara Health System patients as well as employees. This includes, St. Louise as well as, Valley Health Center in Gilroy. It is also for uninsured patients and testing is done on a referral basis from a County Physician and by appointment only.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin reported that on Friday, High Speed Rail will be releasing their Draft Environmental Impact Report for the segment between Gilroy and San Francisco. The City met with David J. Powers and several sub-consultants yesterday, we have come up with an aggressive plan to review that document and respond with comments and with mitigation suggestions. We will be meeting frequently over the next few weeks and will come back to Council with our proposals and for some discussion over other things that the City may want to comment on or ask for.

We do have insurance for business interruption, but that insurance is really designed for things like a single entity being hit with a generic disease that interrupts operations. It is not meant to cover a world-wide pandemic. We have \$500,000 in insurance through the Plan JPA. If we get the \$500,000 it would be dolled out between 18 different agencies. There is legislation in Congress that would require insurances to pay the insured, but it is unlikely to pass because it would potentially bankrupt the insurance agencies. There are other legislations in the works. The next round of stimulus legislation is supposed to include some protections for business losses for smaller cities, so we are looking forward to that.

PUBLIC COMMENT

PUBLIC COMMENT SUPPLEMENT

Mayor Constantine opened the public comment at 7:06 p.m.

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving the Consent Calendar.

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

1. APPROVE PUBLIC IMPROVEMENT AGREEMENT WITH COCHRANE-MONUMENT LAND COMPANY FOR MONTEREY/COCHRANE ROAD IMPROVEMENTS (EA2019-0017) AND ADOPT MITIGATED NEGATIVE DECLARATION

Recommendation:

1. Adopt resolution approving Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
2. Approve and authorize the City Manager to execute and administer an Improvement Agreement with the Monument Land Company LLC; and
3. Adopt resolution amending the Fiscal Year 2019-20 budget to appropriate \$324,305 from the School Pedestrian and Traffic Safety Fund (Fund 355) for the Monterey Road and Cochrane Road intersection improvements.

OTHER BUSINESS

2. ACCEPT 2020 CITY INFRASTRUCTURE UPDATE REPORT

Recommendation:

Receive the updated 2020 Report on City Infrastructure.

Public Services Director Chris Ghione presented the report.

Mayor Constantine opened the public comment at 7:38 p.m. The following people were called to speak:

Joe Baranowski

Sean Voss

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

RESULT:	REPORT RECEIVED
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3. ACCEPT MARCH 2020 FINANCIAL AND INVESTMENT AND CITY MANAGER AUTHORITY REPORTS

Recommendation:

Accept and file report.

RESULT:	ACCEPT REPORT
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4. INTRODUCTION TO THE RECOMMENDED FISCAL YEAR (FY) 2020-21 AND FY 2021-22 BIENNIAL OPERATING AND FY 2020-21 THROUGH FY 2025-26 CAPITAL IMPROVEMENT PROGRAM BUDGETS

Recommendation:

Receive presentation.

City Manager Christina Turner presented the report for items 3 and 4.

Mayor Constantine opened the public comment at 9:56 p.m.

Joe Baranowski was called to speak.

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

RESULT:	REPORT RECEIVED
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FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Spring commented on the less than satisfactory service being provided by the local post office regarding break ins and damage to mailboxes. Can the City reach out and get insight into what they are doing to address this. He also requested information into the escalation of car break ins and what we

are doing to prevent this.

ADJOURNMENT

There being no further business, Mayor Constantine adjourned the meeting at 10:19 p.m.

MINUTES PREPARED BY:

Angie Gonzalez, Minutes Clerk

Minutes Acceptance: Minutes of Apr 22, 2020 7:00 PM (CONSENT CALENDAR)



CITY COUNCIL STAFF REPORT

MEETING DATE: May 6, 2020

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 2020-21;
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 3, 2020.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure

2020-2021 Strategic Priorities

Financial Sustainability

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 3, 2020.

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 2020-21 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, City staff have successfully out reached to several areas, and in 2020 were successful in working with the Mill Creek subarea to increase that assessment rate. Although outreach with 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 of funding available to the subarea without the associated increase in assessments levied. Additionally, recent restrictions relating to Covid-19 have resulted in only limited services being provided, most notably significant weeds in most subareas.

With the exception of Mill Creek, which voted for an increased assessment, staff is not proposing increases or decreases to assessments in any areas, so no direct mailing has occurred in relation to this report.

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.

The City Council adopts the annual assessments and the ordering of the levy for assessments for the District each year. This occurred most recently on June 5, 2019.

FISCAL AND RESOURCE IMPACT:

The cost for preparation of the Engineer's Annual Report will be paid for by the Landscape Assessment District Fund (229). It is anticipated that the District will generate \$188,552 in revenues in Fiscal Year 2020-21. Expenses are budgeted at \$171,733 meaning that overall; the District's reserves are projected to be increased by \$16,819 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. Fiscal Year 2020-21 Engineer's Report
2. Reso1_InitiateProceedings_19-20 jv

3. Reso2_ApproveReport_19-20 jv
4. Reso3_IntentPubHearing_19-20 jv

CITY OF MORGAN HILL

Fiscal Year 2020/21 Engineer's Report For:

Landscape Assessment District No. 1

May 2020

CITY OF MORGAN HILL
17575 Peak Avenue
Morgan Hill, CA 95037-4128
Phone: (408) 779-7271
Fax: (408) 778-1564

CITY COUNCIL

Rich Constantine, Mayor

Yvonne Martinez Beltran, Mayor Pro Tem

Larry Carr, Council Member

John K. McKay, Council Member

Rene Spring, Council Member

CITY STAFF

Christina Turner, City Manager

Chris Ghione, Public Services Director

Keri Russell, Maintenance Coordinator

Judy Viegas, Financial & Policy 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 2020/21. 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	2020/21 Maximum Assessment Rate	2020/21 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	219.82	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	296.01	233.67	16,590.57
Llagas/Obata	5	629.16	400.00	2,000.00
Mill Creek ^(2,4)	84	285.00	285.00	23,940.00
Oak Creek I, II, III	119	453.82	350.00	41,650.00
Parsons Corner ⁽³⁾	NOT APPLICABLE			
Rose Haven	27	488.47	400.00	10,800.00
Sandalwood ⁽⁴⁾	11	450.00	450.00	4,950.00
Sparhawk ⁽²⁾	18	315.20	248.82	4,478.76
Stone Creek ⁽²⁾	35	492.08	388.46	13,596.10
Sunnyside/Stonegate ⁽²⁾	10	721.15	375.00	3,750.00
Totals	748			\$188,552.14

(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.

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 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 2020/21 are shown on the following pages.

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Belle Estates</u>
DIRECT EXPENSES	
Maintenance	\$3,640.80
Extra Contract Costs	1,000.00
Water/Sewer	2,600.00
Electricity Costs	0.00
Other Supplies	525.00
Subtotal Direct Expenses	<u>\$7,765.80</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$958.56
Postage/Advertising	10.03
Internal Services	714.52
Administrative/Engineering Contract	354.62
Subtotal Administrative Expenses	<u>\$2,037.73</u>
SUBTOTAL ZONE COST	\$9,803.53
 Fund Balance (Reduction)/Reserve	 1,716.47
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, 2020	 \$11,968.59
Fund Balance Change	<u>1,716.47</u>
Estimated Ending Fund Balance June 30, 2021	<u>\$13,685.07</u>

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Chang / Bertelone</u>
DIRECT EXPENSES	
Maintenance	\$2,091.00
Extra Contract Costs	0.00
Water/Sewer	1,000.00
Electricity Costs	0.00
Other Supplies	400.00
Subtotal Direct Expenses	\$3,491.00
ADMINISTRATIVE EXPENSES	
Salaries	\$213.01
Postage/Advertising	2.23
Internal Services	158.78
Administrative/Engineering Contract	78.80
Subtotal Administrative Expenses	\$452.83
SUBTOTAL ZONE COST	\$3,943.83
Fund Balance (Reduction)/Reserve	456.17
TOTAL BALANCE TO LEVY	\$4,400.00
Number of Assessable Units	8
Assessment Rate per Unit	\$550.00
Estimated Beginning Fund Balance July 1, 2020	\$9,000.32
Fund Balance Change	456.17
Estimated Ending Fund Balance June 30, 2021	\$9,456.49

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone**

	<u>Conte Gardens</u>
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	1,000.00
Water/Sewer	1,500.00
Electricity Costs	200.00
Other Supplies	500.00
Subtotal Direct Expenses	<u>\$3,200.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$292.89
Postage/Advertising	3.06
Internal Services	218.33
Administrative/Engineering Contract	108.36
Subtotal Administrative Expenses	<u>\$622.64</u>
SUBTOTAL ZONE COST	\$3,822.64
Fund Balance (Reduction)/Reserve	192.36
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, 2020	\$11,099.06
Fund Balance Change	<u>192.36</u>
Estimated Ending Fund Balance June 30, 2021	\$11,291.42

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Diana Estates</u>
DIRECT EXPENSES	
Maintenance	\$3,628.50
Extra Contract Costs	500.00
Water/Sewer	800.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$4,928.50</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,704.10
Postage/Advertising	17.83
Internal Services	1,270.26
Administrative/Engineering Contract	630.43
Subtotal Administrative Expenses	<u>\$3,622.63</u>
SUBTOTAL ZONE COST	\$8,551.13
Fund Balance (Reduction)/Reserve	369.83
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, 2020	\$6,791.09
Fund Balance Change	<u>369.83</u>
Estimated Ending Fund Balance June 30, 2021	\$7,160.92

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Fox Hollow</u>
DIRECT EXPENSES	
Maintenance	\$2,091.00
Extra Contract Costs	2,500.00
Water/Sewer	2,150.00
Electricity Costs	0.00
Other Supplies	500.00
Subtotal Direct Expenses	<u>\$7,241.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,997.00
Postage/Advertising	20.89
Internal Services	1,488.59
Administrative/Engineering Contract	738.79
Subtotal Administrative Expenses	<u>\$4,245.26</u>
SUBTOTAL ZONE COST	\$11,486.26
Fund Balance (Reduction)/Reserve	1,528.49
TOTAL BALANCE TO LEVY	<u>\$13,014.75</u>
Number of Assessable Units	75
Assessment Rate per Unit	\$173.53
Estimated Beginning Fund Balance July 1, 2020	\$17,347.24
Fund Balance Change	<u>1,528.49</u>
Estimated Ending Fund Balance June 30, 2021	\$18,875.72

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Hamilton Square</u>
DIRECT EXPENSES	
Maintenance	\$9,292.35
Extra Contract Costs	0.00
Water/Sewer	4,268.00
Electricity Costs	265.00
Other Supplies	1,000.00
Subtotal Direct Expenses	<u>\$14,825.35</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,011.81
Postage/Advertising	10.58
Internal Services	754.22
Administrative/Engineering Contract	374.32
Subtotal Administrative Expenses	<u>\$2,150.93</u>
SUBTOTAL ZONE COST	\$16,976.28
Fund Balance (Reduction)/Reserve	(4,626.28)
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, 2020	\$21,234.04
Fund Balance Change	<u>(4,626.28)</u>
Estimated Ending Fund Balance June 30, 2021	\$16,607.75

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	Jackson Meadows #6
DIRECT EXPENSES	
Maintenance	\$1,729.23
Extra Contract Costs	0.00
Water/Sewer	400.00
Electricity Costs	380.00
Other Supplies	0.00
Subtotal Direct Expenses	\$2,509.23
ADMINISTRATIVE EXPENSES	
Salaries	\$1,863.86
Postage/Advertising	19.50
Internal Services	1,389.35
Administrative/Engineering Contract	689.54
Subtotal Administrative Expenses	\$3,962.25
SUBTOTAL ZONE COST	\$6,471.48
Fund Balance (Reduction)/Reserve	1,088.52
TOTAL BALANCE TO LEVY	\$7,560.00
Number of Assessable Units	70
Assessment Rate per Unit	\$108.00
Estimated Beginning Fund Balance July 1, 2020	(\$508.70)
Fund Balance Change	1,088.52
Estimated Ending Fund Balance June 30, 2021	\$579.81

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 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	\$266.27
Postage/Advertising	2.79
Internal Services	198.48
Administrative/Engineering Contract	98.51
Subtotal Administrative Expenses	\$566.04
SUBTOTAL ZONE COST	\$1,066.04
Fund Balance (Reduction)/Reserve	(66.04)
TOTAL BALANCE TO LEVY	\$1,000.00
Number of Assessable Units	10
Assessment Rate per Unit	\$100.00
Estimated Beginning Fund Balance July 1, 2020	\$4,892.78
Fund Balance Change	(66.04)
Estimated Ending Fund Balance June 30, 2021	\$4,826.74

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 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	\$852.05
Postage/Advertising	8.91
Internal Services	635.13
Administrative/Engineering Contract	315.22
Subtotal Administrative Expenses	<u>\$1,811.31</u>
SUBTOTAL ZONE COST	\$1,811.31
Fund Balance (Reduction)/Reserve	1,004.69
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, 2020	(\$10,194.56)
Fund Balance Change	<u>1,004.69</u>
Estimated Ending Fund Balance June 30, 2021	(\$9,189.87)

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 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	\$319.52
Postage/Advertising	3.34
Internal Services	238.17
Administrative/Engineering Contract	118.21
Subtotal Administrative Expenses	\$679.24
SUBTOTAL ZONE COST	\$679.24
Fund Balance (Reduction)/Reserve	520.76
TOTAL BALANCE TO LEVY	\$1,200.00
Number of Assessable Units	24
Assessment Rate per Unit	\$50.00
Estimated Beginning Fund Balance July 1, 2020	\$1,758.42
Fund Balance Change	520.76
Estimated Ending Fund Balance June 30, 2021	\$2,279.18

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Llagas Creek</u>
DIRECT EXPENSES	
Maintenance	\$5,842.50
Extra Contract Costs	2,000.00
Water/Sewer	3,500.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$11,342.50</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,890.49
Postage/Advertising	19.78
Internal Services	1,409.20
Administrative/Engineering Contract	699.39
Subtotal Administrative Expenses	<u>\$4,018.85</u>
SUBTOTAL ZONE COST	\$15,361.35
 Fund Balance (Reduction)/Reserve	 1,229.22
TOTAL BALANCE TO LEVY	<u>\$16,590.57</u>
 Number of Assessable Units	 71
 Assessment Rate per Unit	 \$233.67
 Estimated Beginning Fund Balance July 1, 2020	 \$7,219.38
Fund Balance Change	<u>1,229.22</u>
Estimated Ending Fund Balance June 30, 2021	\$8,448.60

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Llagas/Obata</u>
DIRECT EXPENSES	
Maintenance	\$1,230.00
Extra Contract Costs	0.00
Water/Sewer	300.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$1,530.00
ADMINISTRATIVE EXPENSES	
Salaries	\$133.13
Postage/Advertising	1.39
Internal Services	99.24
Administrative/Engineering Contract	49.25
Subtotal Administrative Expenses	\$283.02
SUBTOTAL ZONE COST	\$1,813.02
Fund Balance (Reduction)/Reserve	186.98
TOTAL BALANCE TO LEVY	\$2,000.00
Number of Assessable Units	5
Assessment Rate per Unit	\$400.00
Estimated Beginning Fund Balance July 1, 2020	\$209.71
Fund Balance Change	186.98
Estimated Ending Fund Balance June 30, 2021	\$396.69

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	Mill Creek
DIRECT EXPENSES	
Maintenance	\$9,292.35
Extra Contract Costs	500.00
Water/Sewer	3,000.00
Electricity Costs	200.00
Other Supplies	750.00
Subtotal Direct Expenses	\$13,742.35
ADMINISTRATIVE EXPENSES	
Salaries	\$2,236.64
Postage/Advertising	23.40
Internal Services	1,667.22
Administrative/Engineering Contract	827.45
Subtotal Administrative Expenses	\$4,754.70
SUBTOTAL ZONE COST	\$18,497.04
Fund Balance (Reduction)/Reserve	5,442.96
TOTAL BALANCE TO LEVY	\$23,940.00
Number of Assessable Units	84
Assessment Rate per Unit	\$285.00
Estimated Beginning Fund Balance July 1, 2020	(\$365.99)
Fund Balance Change	5,442.96
Estimated Ending Fund Balance June 30, 2021	\$5,076.97

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone**

	<u>Oak Creek I, II, III</u>
DIRECT EXPENSES	
Maintenance	\$14,867.76
Extra Contract Costs	2,000.00
Water/Sewer	10,000.00
Electricity Costs	3,650.00
Other Supplies	3,000.00
Subtotal Direct Expenses	<u>\$33,517.76</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$3,168.57
Postage/Advertising	33.15
Internal Services	2,361.89
Administrative/Engineering Contract	1,172.21
Subtotal Administrative Expenses	<u>\$6,735.82</u>
SUBTOTAL ZONE COST	\$40,253.58
 Fund Balance (Reduction)/Reserve	 1,396.42
TOTAL BALANCE TO LEVY	<u>\$41,650.00</u>
 Number of Assessable Units	 119
 Assessment Rate per Unit	 \$350.00
 Estimated Beginning Fund Balance July 1, 2020	 \$31,508.84
Fund Balance Change	1,396.42
Estimated Ending Fund Balance June 30, 2021	<u>\$32,905.27</u>

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone**

	<u>Rose Haven</u>
DIRECT EXPENSES	
Maintenance	\$7,433.88
Extra Contract Costs	500.00
Water/Sewer	1,500.00
Electricity Costs	215.00
Other Supplies	525.00
Subtotal Direct Expenses	<u>\$10,173.88</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$718.92
Postage/Advertising	7.52
Internal Services	535.89
Administrative/Engineering Contract	265.96
Subtotal Administrative Expenses	<u>\$1,528.30</u>
SUBTOTAL ZONE COST	\$11,702.17
Fund Balance (Reduction)/Reserve	(902.17)
TOTAL BALANCE TO LEVY	<u>\$10,800.00</u>
Number of Assessable Units	27
Assessment Rate per Unit	\$400.00
Estimated Beginning Fund Balance July 1, 2020	\$20,372.73
Fund Balance Change	<u>(902.17)</u>
Estimated Ending Fund Balance June 30, 2021	\$19,470.56

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)



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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Sandalwood</u>
DIRECT EXPENSES	
Maintenance	\$307.50
Extra Contract Costs	0.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$307.50</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$292.89
Postage/Advertising	3.06
Internal Services	218.33
Administrative/Engineering Contract	108.36
Subtotal Administrative Expenses	<u>\$622.64</u>
SUBTOTAL ZONE COST	\$930.14
 Fund Balance (Reduction)/Reserve	 4,019.86
TOTAL BALANCE TO LEVY	<u>\$4,950.00</u>
 Number of Assessable Units	 11
 Assessment Rate per Unit	 \$450.00
 Estimated Beginning Fund Balance July 1, 2020	 \$1,031.07
Fund Balance Change	4,019.86
Estimated Ending Fund Balance June 30, 2021	<u>\$5,050.93</u>

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	Sparhawk
DIRECT EXPENSES	
Maintenance	\$2,091.00
Extra Contract Costs	100.00
Water/Sewer	1,750.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$3,941.00
ADMINISTRATIVE EXPENSES	
Salaries	\$479.28
Postage/Advertising	5.01
Internal Services	357.26
Administrative/Engineering Contract	177.31
Subtotal Administrative Expenses	\$1,018.86
SUBTOTAL ZONE COST	\$4,959.86
Fund Balance (Reduction)/Reserve	(481.10)
TOTAL BALANCE TO LEVY	\$4,478.76
Number of Assessable Units	18
Assessment Rate per Unit	\$248.82
Estimated Beginning Fund Balance July 1, 2020	\$2,384.01
Fund Balance Change	(481.10)
Estimated Ending Fund Balance June 30, 2021	\$1,902.91

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Stone Creek</u>
DIRECT EXPENSES	
Maintenance	\$5,627.25
Extra Contract Costs	0.00
Water/Sewer	3,000.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$8,627.25</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$931.93
Postage/Advertising	9.75
Internal Services	694.67
Administrative/Engineering Contract	344.77
Subtotal Administrative Expenses	<u>\$1,981.12</u>
SUBTOTAL ZONE COST	\$10,608.37
Fund Balance (Reduction)/Reserve	2,987.73
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, 2020	\$1,400.58
Fund Balance Change	<u>2,987.73</u>
Estimated Ending Fund Balance June 30, 2021	\$4,388.31

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone**

	<u>Sunnyside / Stone Gate</u>
DIRECT EXPENSES	
Maintenance	\$929.23
Extra Contract Costs	500.00
Water/Sewer	500.00
Electricity Costs	0.00
Other Supplies	500.00
Subtotal Direct Expenses	<u>\$2,429.23</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$266.27
Postage/Advertising	2.79
Internal Services	198.48
Administrative/Engineering Contract	98.51
Subtotal Administrative Expenses	<u>\$566.04</u>
SUBTOTAL ZONE COST	\$2,995.27
Fund Balance (Reduction)/Reserve	754.73
TOTAL BALANCE TO LEVY	<u>\$3,750.00</u>
Number of Assessable Units	10
Assessment Rate per Unit	\$375.00
Estimated Beginning Fund Balance July 1, 2020	\$11,267.26
Fund Balance Change	<u>754.73</u>
Estimated Ending Fund Balance June 30, 2021	\$12,021.99

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21 Budget by Zone

	<u>Total of all Zones</u>
DIRECT EXPENSES	
Maintenance	\$70,094.35
Extra Contract Costs	11,100.00
Water/Sewer	36,268.00
Electricity Costs	4,910.00
Other Supplies	7,700.00
Subtotal Direct Expenses	\$130,072.35
ADMINISTRATIVE EXPENSES	
Salaries	\$19,597.20
Postage/Advertising	205.00
Internal Services	14,608.00
Administrative/Engineering Contract	7,250.00
Subtotal Administrative Expenses	\$41,660.20
SUBTOTAL ZONE COST	\$171,732.55
Fund Balance (Reduction)/Reserve	16,819.59
TOTAL BALANCE TO LEVY	\$188,552.14
Number of Assessable Units	748
Assessment Rate per Unit	N/A
Estimated Beginning Fund Balance July 1, 2020	\$148,415.88
Fund Balance Change	16,819.59
Estimated Ending Fund Balance June 30, 2021	\$165,235.47

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4. ASSESSMENTS

The amount of the actual assessment for the Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$11,520.00
Total Units	36
Fiscal Year 2020/21 Actual Assessment Per Unit	\$320.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$502.22

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$320.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$4,400.00
Total Units	8
Fiscal Year 2020/21 Actual Assessment Per Unit	\$550.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$1,215.00

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$550.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$4,015.00
Total Units	11
Fiscal Year 2020/21 Actual Assessment Per Unit	\$365.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$477.82

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$365.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$8,920.96
Total Units	64
Fiscal Year 2020/21 Actual Assessment Per Unit ⁽¹⁾	\$139.39
Fiscal Year 2020/21 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 2019/20 Actual Assessment Per Unit	\$139.39
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$13,014.75
Total Units	75
Fiscal Year 2020/21 Actual Assessment Per Unit ⁽¹⁾	\$173.53
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$219.82

(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 2019/20 Actual Assessment Per Unit	\$173.53
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$12,350.00
Total Units	38
Fiscal Year 2020/21 Actual Assessment Per Unit	\$325.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$425.54

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$325.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$7,560.00
Total Units	70
Fiscal Year 2020/21 Actual Assessment Per Unit	\$108.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$108.10

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$108.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$1,000.00
Total Units	10
Fiscal Year 2020/21 Actual Assessment Per Unit	\$100.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$314.58

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$100.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$2,816.00
Total Units	32
Fiscal Year 2020/21 Actual Assessment Per Unit	\$88.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$88.00

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$88.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$1,200.00
Total Units	24
Fiscal Year 2020/21 Actual Assessment Per Unit	\$50.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$142.99

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$50.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$16,590.57
Total Units	71
Fiscal Year 2020/21 Actual Assessment Per Unit	\$233.67
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$296.01

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$233.67
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$2,000.00
Total Units	5
Fiscal Year 2020/21 Actual Assessment Per Unit	\$400.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$629.16

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$400.00
Fiscal Year 2020/21 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. In February 2020, property owners approved the assessment rate increase to \$285.00 per unit and an annual inflator of 3% for the Zone. Property owners approved the rate increase and the inflator. The rate increase takes effect in Fiscal Year 2020/21 and the 3% inflator takes effect in Fiscal Year 2021/22.

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 2020/21 Costs and Fund Adjustment	\$23,940.00
Total Units	84
Fiscal Year 2020/21 Actual Assessment Per Unit	\$285.00
Fiscal Year 2020/21 Maximum Assessment Per Unit ⁽¹⁾	\$285.00

(1) Assessment Rate increase approved by property owners in February 2020.

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$186.82
Fiscal Year 2020/21 Actual Assessment Per Unit	\$285.00
Change in the Actual Assessment Rate	\$98.18

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 2020/21 Costs and Fund Adjustment	\$41,650.00
Total Units	119
Fiscal Year 2020/21 Actual Assessment Per Unit	\$350.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$453.82

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$350.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$10,800.00
Total Units	27
Fiscal Year 2020/21 Actual Assessment Per Unit	\$400.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$488.47

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$400.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$4,950.00
Total Units	11
Fiscal Year 2020/21 Actual Assessment Per Unit	\$450.00
Fiscal Year 2020/21 Maximum Assessment Per Unit ⁽¹⁾	\$450.00

(2) 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 2019/20 Actual Assessment Per Unit	\$450.00
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$4,478.76
Total Units	18
Fiscal Year 2020/21 Actual Assessment Per Unit	\$248.82
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$315.20

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$248.82
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$13,596.10
Total Units	35
Fiscal Year 2020/21 Actual Assessment Per Unit	\$388.46
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$492.08

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$388.46
Fiscal Year 2020/21 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 2020/21 Costs and Fund Adjustment	\$3,750.00
Total Units	10
Fiscal Year 2020/21 Actual Assessment Per Unit	\$375.00
Fiscal Year 2020/21 Maximum Assessment Per Unit	\$721.15

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

Fiscal Year 2019/20 Actual Assessment Per Unit	\$375.00
Fiscal Year 2020/21 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.

6. ASSESSMENT ROLL

The listing of Fiscal Year 2020/21 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 2020/21
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 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

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**City of Morgan Hill
Landscape Assessment District No. 1
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Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

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City of Morgan Hill
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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

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City of Morgan Hill
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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

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**City of Morgan Hill
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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

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**City of Morgan Hill
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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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	285.00	1.00	0.00	285.00
Mill Creek	767-47-002	285.00	1.00	0.00	285.00
Mill Creek	767-47-003	285.00	1.00	0.00	285.00
Mill Creek	767-47-004	285.00	1.00	0.00	285.00
Mill Creek	767-47-005	285.00	1.00	0.00	285.00
Mill Creek	767-47-006	285.00	1.00	0.00	285.00

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
Mill Creek	767-47-007	285.00	1.00	0.00	285.00
Mill Creek	767-47-008	285.00	1.00	0.00	285.00
Mill Creek	767-47-009	285.00	1.00	0.00	285.00
Mill Creek	767-47-010	285.00	1.00	0.00	285.00
Mill Creek	767-47-011	285.00	1.00	0.00	285.00
Mill Creek	767-47-012	285.00	1.00	0.00	285.00
Mill Creek	767-47-013	285.00	1.00	0.00	285.00
Mill Creek	767-47-014	285.00	1.00	0.00	285.00
Mill Creek	767-47-015	285.00	1.00	0.00	285.00
Mill Creek	767-47-016	285.00	1.00	0.00	285.00
Mill Creek	767-47-017	285.00	1.00	0.00	285.00
Mill Creek	767-47-018	285.00	1.00	0.00	285.00
Mill Creek	767-47-019	285.00	1.00	0.00	285.00
Mill Creek	767-47-020	285.00	1.00	0.00	285.00
Mill Creek	767-47-021	285.00	1.00	0.00	285.00
Mill Creek	767-47-022	285.00	1.00	0.00	285.00
Mill Creek	767-47-023	285.00	1.00	0.00	285.00
Mill Creek	767-47-029	285.00	1.00	0.00	285.00
Mill Creek	767-47-030	285.00	1.00	0.00	285.00
Mill Creek	767-47-031	285.00	1.00	0.00	285.00
Mill Creek	767-47-032	285.00	1.00	0.00	285.00
Mill Creek	767-47-033	285.00	1.00	0.00	285.00
Mill Creek	767-47-034	285.00	1.00	0.00	285.00
Mill Creek	767-47-035	285.00	1.00	0.00	285.00
Mill Creek	767-47-036	285.00	1.00	0.00	285.00
Mill Creek	767-47-037	285.00	1.00	0.00	285.00
Mill Creek	767-47-038	285.00	1.00	0.00	285.00
Mill Creek	767-47-039	285.00	1.00	0.00	285.00
Mill Creek	767-47-040	285.00	1.00	0.00	285.00
Mill Creek	767-47-041	285.00	1.00	0.00	285.00
Mill Creek	767-47-042	285.00	1.00	0.00	285.00
Mill Creek	767-47-043	285.00	1.00	0.00	285.00
Mill Creek	767-47-044	285.00	1.00	0.00	285.00
Mill Creek	767-47-045	285.00	1.00	0.00	285.00
Mill Creek	767-47-046	285.00	1.00	0.00	285.00
Mill Creek	767-47-047	285.00	1.00	0.00	285.00
Mill Creek	767-47-048	285.00	1.00	0.00	285.00
Mill Creek	767-47-049	285.00	1.00	0.00	285.00
Mill Creek	767-47-050	285.00	1.00	0.00	285.00
Mill Creek	767-47-051	285.00	1.00	0.00	285.00
Mill Creek	767-47-052	285.00	1.00	0.00	285.00
Mill Creek	767-47-053	285.00	1.00	0.00	285.00
Mill Creek	767-47-054	285.00	1.00	0.00	285.00
Mill Creek	767-47-055	285.00	1.00	0.00	285.00
Mill Creek	767-47-057	285.00	1.00	0.00	285.00
Mill Creek	767-47-058	285.00	1.00	0.00	285.00
Mill Creek	767-47-059	285.00	1.00	0.00	285.00
Mill Creek	767-47-060	285.00	1.00	0.00	285.00
Mill Creek	767-47-061	285.00	1.00	0.00	285.00
Mill Creek	767-47-062	285.00	1.00	0.00	285.00

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
Mill Creek	767-47-063	285.00	1.00	0.00	285.00
Mill Creek	767-47-064	285.00	1.00	0.00	285.00
Mill Creek	767-47-065	285.00	1.00	0.00	285.00
Mill Creek	767-47-066	285.00	1.00	0.00	285.00
Mill Creek	767-47-067	285.00	1.00	0.00	285.00
Mill Creek	767-47-068	285.00	1.00	0.00	285.00
Mill Creek	767-47-069	285.00	1.00	0.00	285.00
Mill Creek	767-47-070	285.00	1.00	0.00	285.00
Mill Creek	767-47-071	285.00	1.00	0.00	285.00
Mill Creek	767-47-072	285.00	1.00	0.00	285.00
Mill Creek	767-47-073	285.00	1.00	0.00	285.00
Mill Creek	767-47-074	285.00	1.00	0.00	285.00
Mill Creek	767-47-075	285.00	1.00	0.00	285.00
Mill Creek	767-47-076	285.00	1.00	0.00	285.00
Mill Creek	767-47-077	285.00	1.00	0.00	285.00
Mill Creek	767-47-078	285.00	1.00	0.00	285.00
Mill Creek	767-47-079	285.00	1.00	0.00	285.00
Mill Creek	767-47-080	285.00	1.00	0.00	285.00
Mill Creek	767-47-081	285.00	1.00	0.00	285.00
Mill Creek	767-47-082	285.00	1.00	0.00	285.00
Mill Creek	767-47-083	285.00	1.00	0.00	285.00
Mill Creek	767-47-084	285.00	1.00	0.00	285.00
Mill Creek	767-47-085	285.00	1.00	0.00	285.00
Mill Creek	767-47-086	285.00	1.00	0.00	285.00
Mill Creek	767-47-087	285.00	1.00	0.00	285.00
Mill Creek	767-47-088	285.00	1.00	0.00	285.00
Mill Creek	767-47-089	285.00	1.00	0.00	285.00
Mill Creek	767-47-090	285.00	1.00	0.00	285.00
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

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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
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

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll**

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2020/21
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2020/21 Assessment (1)
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
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:			748.00	(\$2.10)	\$188,550.04

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

Attachment: Fiscal Year 2020-21 Engineer's Report (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

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	98.10	140.00	88.00	50.00
2015/16	320.00	550.00	400.00	139.39	173.53	425.54	108.00	140.00	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
2020/21	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
2020/21	233.67	400.00	285.00	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 2020-21**

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, 2020 and ending June 30, 2021.
- 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 6th day of May 2020.

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

IRMA TORREZ, City Clerk

Attachment: Reso1_InitiateProceedings_19-20 JV (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

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 6, 2020.

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

DATE:_____

Irma Torrez, CITY CLERK

Attachment: Reso1_InitiateProceedings_19-20 jv (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

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 2020-21**

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, 2020 and ending June 30, 2021.

PASSED, APPROVED AND ADOPTED by the City Council of Morgan Hill at a regular meeting held on the 6th day of May 2020.

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

IRMA TORREZ, City Clerk

Attachment: Reso2_ApproveReport_19-20 JV (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

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 6, 2020.

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

DATE:_____

Irma Torrez, CITY CLERK

Attachment: Reso2_ApproveReport_19-20 jv (2723 : INITIATE LAD ANNUAL ASSESSMENT PROCESS)

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 2020-21**

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, 2020 and ending June 30, 2021. 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 3, 2020 at 7:00 PM** or as soon thereafter as is feasible in the Council Chambers located at 17575 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).

PASSED, APPROVED AND ADOPTED by the City Council of Morgan Hill at a regular meeting held on the 6th day of May 2020.

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 6, 2020.

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

DATE: _____

Irma Torrez, CITY CLERK



CITY COUNCIL STAFF REPORT

MEETING DATE: May 6, 2020

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

REVIEW THE NEED TO CONTINUE THE LOCAL EMERGENCY DUE TO COVID-19 RESPONSE AND SHELTER-IN-PLACE ORDERS

RECOMMENDATION(S)

Review current conditions and continue the March 13, 2020 emergency proclamation due to pandemic response.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Preserving and Cultivating Public Trust
Advancing Regional Initiatives

2020-2021 Strategic Priorities

Financial Sustainability

REPORT NARRATIVE:

On Friday, March 13, 2020, the City Manager/Director of Emergency Services proclaimed a local emergency due to global pandemic (Attachment 1). This proclamation was ratified by the City Council on March 18, 2020 (Attachment 2). Under Government Code section 8620, the Council is required to review the need for continuing the local emergency at least once every 60 days until the emergency is terminated.

The respiratory illness known as COVID-19 has spread to every continent except Antarctica and there are known cases in more than 100 countries. COVID-19 spreads easily through human contact, and can cause severe symptoms for vulnerable populations, particularly older adults, and individuals with underlying chronic health conditions.

Chronology of Emergency Declarations

- January 30, 2020, in response to the rapid spread of COVID-19, the World Health Organization (WHO) declared a public health emergency of international concern.
- January 31, the United States Secretary for Health and Human Services declared a public health emergency in the United States.
- February 10, Santa Clara County proclaimed a local emergency.
- March 4, Governor Newsom declared a statewide emergency.

- March 9, the Santa Clara County Public Health Department issued an order prohibiting mass gathering of over 1000 people, along with other recommendations.
- March 11, WHO declared a global pandemic.
- March 13, the President of the United States declared a national emergency.
- March 13, Santa Clara County public health officials issued orders limiting gatherings of 35 people or more. At the same time, the County Office of Education announced that all public schools would be closed for three weeks.
- March 13, the City Manager/Director of Emergency Services proclaimed a local emergency.
- March 16, Santa Clara County public health officials issued shelter-in-place orders throughout the County.
- March 18, the City Council ratified the proclamation of local emergency.
- March 31, Santa Clara County public health officials extended the shelter-in-place orders through May 3, 2020.
- April 1, the City Council confirmed its ratification of the local emergency.
- April 27, Santa Clara County public health officials announced that the shelter-in-place orders will remain in effect through the month of May.

Local Emergency Considerations

Staff recommends continuing the local emergency throughout the shelter-in-place orders. Efforts to reduce the spread of the virus will result in the disruption of City programs and services. These conditions will continue to be beyond the control of the personnel, equipment, and facilities of the City. In addition, further spread of the virus threatens to impact our provision of essential services.

As a part of our proclamation of a local emergency, Council provided a temporary delegation of authority to the City Manager to waive local purchasing requirements; increase the City Manager's contracting authority to \$150,000; and recognized that certain deadlines, including requirements under the Public Records Act and Permit Streamlining Act, will not be met.

Any actions taken under this increased authority will be brought to the City Council for ratification at the time the emergency is ended.

COMMUNITY ENGAGEMENT: Inform

City staff took action to inform residents and businesses of the existence of a local emergency at the County and City level and is educating the community about available resources.

ALTERNATIVE ACTIONS:

The Council could decide to end the local emergency.

FISCAL AND RESOURCE IMPACT:

The fiscal impact of the local emergency is unknown at this time. Proclamation of a local emergency may make the City eligible for emergency funds, but it is premature to know whether any funds will be made available.

CEQA (California Environmental Quality Act):

Not a Project: Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy, and procedure making (except where the policies and procedures may result in a change to the physical environment).

Specific actions taken under the emergency proclamation may be subject to separate CEQA exemptions. No such actions are currently being proposed. In the event any actions are taken that could result in a change to the physical environment, those actions will be evaluated separately.

LINKS/ATTACHMENTS:

1. Proclamation of Emergency 03-13-20
2. 20-019 Proclamation of Emergency- COVID-19

**A PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES
OF THE CITY OF MORGAN HILL
PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, Ordinance number 706 (Municipal Code Chapter 2.44) of the City of Morgan Hill empowers the City Manager, as Director of Emergency Services, to proclaim, subject to ratification by the City Council within seven (7) days, the existence or threatened existence of a local emergency when the City of Morgan Hill (the "City") is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, the Director of Emergency Services of the City of Morgan Hill does hereby find:

That conditions of extreme peril to the safety of persons and property have arisen within the Santa Clara County caused by COVID-19, a respiratory disease that may result in serious illness or death and is easily transmissible from person to person; and

That efforts to reduce the spread of the COVID-19 disease will result in the disruption of City programs and services, and may require City facilities to be closed; and

That these conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of said City, and;

That the City Council of the City of Morgan Hill is not in session and cannot immediately be called into session;

NOW, THEREFORE, THE DIRECTOR OF EMERGENCY SERVICES DOES HEREBY FIND, DETERMINE, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. That the existence of a local emergency is hereby proclaimed throughout the City; and

Section 2. That during the existence of said local emergency, the powers, functions, and duties of the Director of Emergency Services and the emergency organization of the City shall be those prescribed by state law, ordinances, and resolutions of the City Council and the City's Emergency Operations Plan; and

Section 3. That the Emergency Services Coordinator, or his/her designee, is hereby designated as the authorized representative of the City of Morgan Hill for public and individual assistance for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance; and

Section 4. This Proclamation shall remain in effect until such time as it is continued or terminated by the City Council of the City of Morgan Hill.

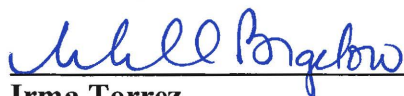
DATE: 3/13/2020



Christina J. Turner
Director of Emergency Services/City Manager

ATTEST:

APPROVED AS TO FORM AND LEGALITY



Irma Torrez
for City Clerk



Donald A. Larkin
City Attorney

Attachment: Proclamation of Emergency 03-13-20 (2727 : Continue Local Emergency)

RESOLUTION NO. 20-019**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL RATIFYING THE ACTION OF THE DIRECTOR OF EMERGENCY SERVICES PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY AND CONTINUING SUCH EMERGENCY**

WHEREAS, Chapter 2.44 of the Morgan Hill Municipal Code provides for a Civil Disaster and Emergency Organization; and

WHEREAS, the declared purposes of Chapter 2.44 are to provide for the preparation and carrying out of plans for the protection of persons and property within the City of Morgan Hill (the "City") in the event of an emergency; and

WHEREAS, the City Manager, as Director of Emergency Services, determined that conditions of extreme peril to the safety of persons and property have arisen within the Santa Clara County caused by COVID-19, a respiratory disease that may result in serious illness or death and is easily transmissible from person to person; and

WHEREAS, efforts to reduce the spread of the COVID-19 disease has or will result in the disruption of City programs and services, and may require City facilities to be closed; and

WHEREAS, these conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of said City; and

WHEREAS, on February 10, 2020, the County of Santa Clara proclaimed a state of emergency due to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency to mitigate the effects of COVID-19, and

WHEREAS, on March 13, 2020, the President of the United States, by authority vested in him, proclaimed that COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020; and

WHEREAS, on March 13, 2020, the Director of Emergency Services, pursuant to Morgan Hill Municipal Code Section 2.44.070, proclaimed the existence of a local emergency within the City; and

WHEREAS, on March 16, 2020, the County of Santa Clara's Public Health Officer put in place an order directing all individuals living in the County to shelter in place with certain exemptions; and

WHEREAS, these emergency conditions are expected to continue into the near future.

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

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

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

- a. That the Proclamation of existence of a local emergency, as issued by the Director of Emergency Services, is hereby ratified and confirmed as well as all actions, including, but not limited to, the entering into of contracts by the City pursuant to the proclamation of local emergency; and
- b. That the local emergency is hereby continued and that during the existence of said local emergency, the powers, functions, and duties of the Director of Emergency Services and the emergency organization of the City shall be those prescribed by state law, ordinances, and resolutions of the City Council and by the City's Emergency Operations Plan; and
- c. That the Chief Building Official, or his/her designee, continues to be designated as the Local Hazard Mitigation Coordinator of the City for the purpose of assessing damage within the City and consulting with federal/state survey teams regarding hazard mitigation actions; and
- d. That the Emergency Services Coordinator, or his/her designee, continues to be designated as the authorized representative of the City for public and individual assistance of the City of Morgan Hill for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.
- e. During the local emergency, the City Manager may, at her discretion, waive the requirements of the City's local purchasing ordinances and policies as needed to continue City services to the extent feasible.
- f. During the local emergency, the City Manager may enter into contracts up to \$150,000 without City Council approval, subject to City Council ratification after the emergency period.
- g. Because non-essential personnel must shelter in place, the City will be unable to timely respond to requests for public records, or meet other deadlines, including those under the Permit Streamlining Act. The City considers any such deadlines to be tolled during the period in which employees are required to shelter in place.

Section 3. This Resolution shall take effect immediately upon adoption and remain in effect until such time as it is terminated by the City Council of the City of Morgan Hill.

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 18th day of March 2020 by the following vote:

AYES:	COUNCIL MEMBERS:	Yvonne Martinez Beltran, Rene Spring, John McKay, Larry Carr, Rich Constantine
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:



RICH CONSTANTINE, Mayor

ATTEST:



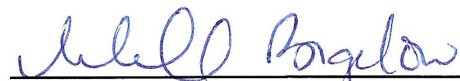
IRMA TORREZ, City Clerk

∞ 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. 20-019 adopted by the City Council at the meeting held on the 18th day of March 2020.

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

DATE: 4/6/20



Irma Torrez, CITY CLERK

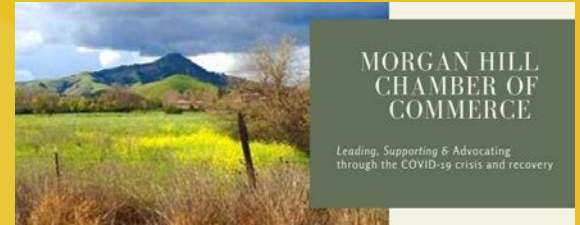


COVID-19 Economic Recovery Work Program

Economic Development

WHAT ARE WE DOING?

1. Information for employers and employees
2. Business Outreach
3. Development Outreach
4. Technical Assistance
5. Financial Programs
6. Business Resiliency
7. Economic Recovery Strategies



CMH NEWSLETTERS



COVID-19 UPDATE FOR MORGAN HILL BUSINESSES

Dear Morgan Hill Businesses:

The City of Morgan Hill and the Economic Development Team are deeply grateful for your efforts to shelter in place during these unprecedented times. We know how much this is affecting you and we recognize that the damage to some businesses is irreparable.

We also know how deeply you care about the safety and the livelihood of your employees. We have heard from many of you and know how hard you are trying to keep people on payroll and how you've changed your business practices to adhere to the safe distancing guidelines. What you are doing to keep everyone safe and employed to the extent possible is immensely appreciated.

The City of Morgan Hill is doing its part in managing this rapidly changing COVID-19 environment. City Hall offices have closed. Many City teammates are working from home, but we continue to provide essential services. What has not changed is our commitment to your health and safety during this public health crisis.

To help you navigate these very dynamic and uncertain times, we have developed a **Business Resources** web page with the most relevant and up-to-date information for employers and employees. We know that things are changing rapidly, sometimes multiple times a day. We are doing our best to identify the available resources at morganhill.ca.gov/covid194biz.

CHOOSE MORGAN HILL



COVID-19 UPDATE FOR MORGAN HILL BUSINESSES

Dear Morgan Hill Business Leaders:

Last week we issued a COVID19 **Business Resources** Newsletter, sharing the City's Business Resources web page with the most relevant and up-to-date information for employers and employees and a **COVID-19 Impact Survey** (please complete).

We also hosted the first virtual Business Resiliency Roundtable on Financial Resources with representatives from SBA, SBDC and Grow Morgan Hill Fund. For a recording of the webinar, please visit www.choosemorganhill.com/covid19roundtables.

Businesses are encouraged to apply for both, the **Paycheck Protection Program (PPP)** and the **Emergency Injury Disaster Program**. Both programs are available to non-profits and religious organizations. Scroll down for a comparison of both programs.

A new program was created for businesses with up to 10,000 employees or revenues less than \$2.5B. The **Federal Reserve New Main Street Lending Program** offers four-year loans with one-year payment deferrals for affected businesses that make "reasonable" efforts to maintain payroll and retain employees. Contact your lending institution for more information!

Facebook announced grants for businesses with two to 50 employees that have been in business for one year. For more information visit <https://www.facebook.com/business/boost/grants>.

Finally, Let's give a shout out to companies that are supporting the COVID19 recovery!

- **Specialized Bicycles** for shifting gears to fill the need on masks!
- **All Sensors** for making sensors for hospital ventilators.
- **Lin Engineering** is increasing motor production for ventilators.
- **Paramit** for continuing to innovate medical equipment solutions.

To these companies and to all that are working tirelessly to support our businesses, on behalf of the Economic Development team, thank you!

Business Roundtable
Tourism Roundtable with the California Tourism Association
April 17, 2020
10:30 a.m.

Community Roundtable
(Website, with Article)
April 22, 2020
10:30 a.m.

Manufacturing Roundtable
with MANE
April 24, 2020
10:30 a.m.

Retail Roundtable
with FedEx
May 1, 2020
10:30 a.m.

Regional Roundtable
with CHC
May 1, 2020
10:30 a.m.

Edith Ramirez
Economic Development Director
City of Morgan Hill
Edith.Ramirez@morganhill.ca.gov



COVID-19 UPDATE FOR MORGAN HILL BUSINESSES

For more information visit: morganhill.ca.gov/covid194biz

The City of Morgan Hill is grateful for what you are doing to keep us safe and keep our economy going. While many businesses are temporarily closed, other businesses are hiring. Click [here](#) or scroll down for a list of some companies that are hiring in Morgan Hill.

Although we may be able to go back to work at the end of May, there will be a new normal. We all need to rethink our business models to adapt to a changing environment. While the City may not have a lot of financial resources, we are thinking about ways we can support the economic recovery. Please email us your ideas: edith.ramirez@morganhill.ca.gov.

We have learned from our **Business Resiliency Roundtables** that we need to expand business hours to help companies run more shifts and meet social distancing requirements. We also know that the way we communicate is more important than ever. For recordings, power points of the webinars, go to www.choosemorganhill.com/covid19roundtables.

Join us for the next **Roundtable focused on Retail** on **May 1 at 10:30 a.m.** and hear directly from representatives from the **California Retailers Association, FedEx and Mainstream Boutique** on the strategies to support retail businesses.

New financial resources?

We are pleased to see the **Paycheck Protection Program (PPP)** receive more funding. We encourage businesses to apply for both the PPP and the **Emergency Injury Disaster Program**. Small businesses who use Quickbooks and/or Sage, can apply for through their applications for the PPP. If your business does not qualify for these programs, you can take advantage of the **Employee Retention Credit (ERC)** from the Internal Revenue Service. The ERC provides a refundable payroll tax credit for 50% of the wages paid by employers during the COVID-19 pandemic up to \$5,000 per employee per quarter. This credit is applied to the employer's quarterly tax liability reported on Form 941. Also, **Salesforce Care for Small Business** is offering \$10,000 grants for small businesses.

Finally, a big shout out to **Sun Basket** and **My Pizza** for donating meals every week to local hospitals and the community. More kids **Visit Morgan Hill** for purchasing masks for our hospitality businesses. The generosity from our community in times of need is heartwarming. We trust that working together we can survive this pandemic and help with the economic recovery. *If you have a story to share, please let us know.*

Edith Ramirez
Economic Development Director
City of Morgan Hill
Edith.Ramirez@morganhill.ca.gov

CHOOSE MORGAN HILL

MH HIRES & MH OPEN

Who is hiring in Morgan Hill?

Specialized

<https://www.specialized.com/us/en>

Positions

- Strategic Planning Program Manager
- Turbo Channel Developer
- Recruiter
- HRIS Analyst
- Outride Research Manager
- Turbo Tech Support Specialist
- HR Business Partner
- USA Financial Analyst
- Graphic Designer
- Wheel Ties Technician
- USA Accountant
- IT Program Analyst

To apply:
<https://www.specialized.com/us/en/careers>

Safeway

<https://www.safeway.com/>

Positions

- Management Positions
- E-Commerce
- Florist
- Pharmacy Dept.
- Front End
- Produce
- Fuel Department
- Beauty

To apply:
<https://recruiting.adp.com/srccar/public/RTI/home?c=1208301&d=Externa>

Extended Stay America

<https://www.extendedstayamerica.com/>

Positions

- Night Guest Laundry Attendant (PT)
- Housekeeper (PT)

To apply:
<https://recruiting.adp.com/srccar/public/RTI/home?c=1218301&d=ESA-Careers>

Walgreens

<https://www.walgreens.com/>

Positions

- Customer Service Associate
- Shift Lead
- Pharmacy Technician
- Certified Pharmacy Technician

To apply:
<https://jobs.walgreens.com/>

Elwyn California

<https://www.elwyn.org/>

Positions

SunBasket

<https://sunbasket.com/>

Positions

Home » Government » Coronavirus (COVID-19) » Information for Businesses » Businesses Open in Morgan Hill

BUSINESSES OPEN IN MORGAN HILL

While many businesses have been impacted by the Shelter in Place there are a few that are open and open business is open and you would like to be added to the list please submit a [intake form](#) and we will post you

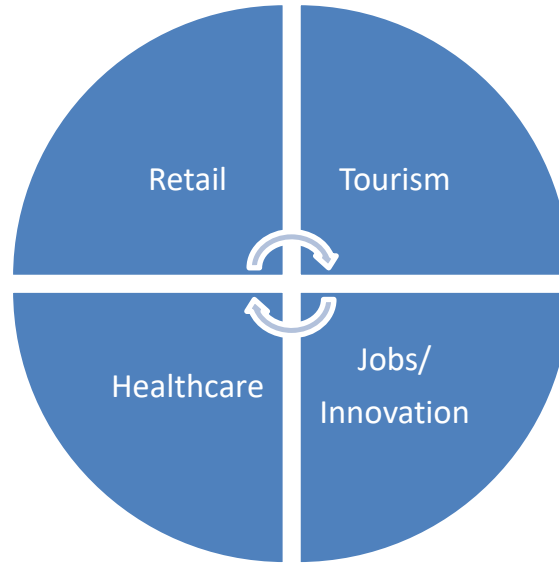
Industry	Type	Address	Telephone	Operations	Website
Automotive (Gas, mechanic, sales)					
Autozone #4048	Auto Parts	16025 Monterey St.	(408) 778-2840	Open Daily	https://www.autozone.com/16025-monterey-st
Big O Tires	Tire Service	15745 Monterey Rd	(408) 778-1222	Open Daily	https://www.bigotires.com/
Shell (East Dunne)	Gas	810 E Dunne Ave	(408) 779-6745	Open Daily	https://find.shell.com/avenue
Advanced Auto Body	Auto Body	16170 Jacqueline Ct.	(408) 778-9678	Limited Hours	https://advancedautobody.com/
O'Reilly Auto Enterprises	Auto Parts	16060	(408) 776-	Daily	

Business Resiliency Roundtables



1. Financial Resources
2. Hospitality
3. Marketing & Social Media
4. Retail
5. Restaurants —May 19th
6. Business Resiliency Strategies—May 22nd

ECONOMIC RECOVERY STRATEGIES





ISSUES TO CONSIDER

Cost

- Financial costs
- Manpower requirements

Alignment

- GP
- Economic Blueprint
- Telecommunications
- Other

Complexity

- Ease to implement
- Timing
- City Control

Impact

- Measures of Success
- Opportunity Cost
- Prioritization

QUESTIONS?

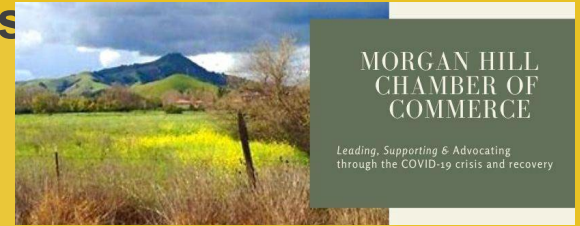


COVID-19 Economic Recovery Work Program

Economic Development

WHAT ARE WE DOING?

1. Information for employers and employees
2. Business Outreach
3. Development Outreach
4. Technical Assistance
5. Financial Programs
6. Business Resiliency
7. Economic Recovery Strategies



CMH NEWSLETTERS



CHOOSE MORGAN HILL

COVID-19 UPDATE FOR MORGAN HILL BUSINESSES

Dear Morgan Hill Businesses:

The City of Morgan Hill and the Economic Development Team are deeply grateful for your efforts to shelter in place during these unprecedented times. We know how much this is affecting you and we recognize that the damage to some businesses is irreparable.

We also know how deeply you care about the safety and the livelihood of your employees. We have heard from many of you and know how hard you are trying to keep people on payroll and how you've changed your business practices to adhere to the safe distancing guidelines. What you are doing to keep everyone safe and employed to the extent possible is immensely appreciated.

The City of Morgan Hill is doing its part in managing this rapidly changing COVID-19 environment. City Hall offices have closed. Many City teammates are working from home, but we continue to provide essential services. What has not changed is our commitment to your health and safety during this public health crisis.

To help you navigate these very dynamic and uncertain times, we have developed a **Business Resources** web page with the most relevant and up-to-date information for employers and employees. We know that things are changing rapidly, sometimes multiple times a day. We are doing our best to identify the available resources at morganhill.ca.gov/covid194biz.



CHOOSE MORGAN HILL



CHOOSE MORGAN HILL

COVID-19 UPDATE FOR MORGAN HILL BUSINESSES

Dear Morgan Hill Business Leaders:

Last week we issued a COVID19 **Business Resources** Newsletter, sharing the City's Business Resources web page with the most relevant and up-to-date information for employers and employees and a **COVID-19 Impact Survey** (please complete).

We also hosted the first virtual Business Resiliency Roundtable on Financial Resources with representatives from SBA, SBOC and Grow Morgan Hill Fund. For a recording of the webinar, please visit www.choosemorganhill.com/covid19roundtables.

Businesses are encouraged to apply for both, the **Paycheck Protection Program (PPP)** and the **Emergency Injury Disaster Program**. Both programs are available to non-profits and religious organizations. Scroll down for a comparison of both programs.

A new program was created for businesses with up to 10,000 employees or revenues less than \$2.5B. The **Federal Reserve New Main Street Lending Program** offers four-year loans with one-year payment deferrals for affected businesses that make "reasonable" efforts to maintain payroll and retain employees. Contact your lending institution for more information!

Facebook announced grants for businesses with two to 50 employees that have been in business for one year. For more information visit <https://www.facebook.com/business/boost/grants>.

Finally, Let's give a shout out to companies that are supporting the COVID19 recovery!

- **Specialized Bicycles** for shifting gears to fill the need on masks!
- **All Sensors** for making sensors for hospital ventilators.
- **Lin Engineering** is increasing motor production for ventilators
- **Paramit** for continuing to innovate medical equipment solutions.

To these companies and to all that are working tirelessly to support our businesses, on behalf of the Economic Development team, thank you!

Business Roundtable
Tourism Roundtable with the California Tourism Association
April 17, 2020
10:30 a.m.

Community Roundtable
(Website, with Artistic Resources)
April 22, 2020
10:30 a.m.

Manufacturing Roundtable
with MANE
April 24, 2020
10:30 a.m.

Retail Roundtable
with FedEx
May 1, 2020
10:30 a.m.

Register at www.choosemorganhill.com/covid19roundtables

Edith Ramirez
Economic Development Director
City of Morgan Hill
Edith.Ramirez@morganhill.ca.gov



CHOOSE MORGAN HILL

COVID-19 UPDATE FOR MORGAN HILL BUSINESSES

For more information visit: morganhill.ca.gov/covid194biz

The City of Morgan Hill is grateful for what you are doing to keep us safe and keep our economy going. While many businesses are temporarily closed, other businesses are hiring. Click [here](#) or scroll down for a list of some companies that are hiring in Morgan Hill.

Although we may be able to go back to work at the end of May, there will be a new normal. We all need to rethink our business models to adapt to a changing environment. While the City may not have a lot of financial resources, we are thinking about ways we can support the economic recovery. Please email us your ideas: edith.ramirez@morganhill.ca.gov.

We have learned from our **Business Resiliency Roundtables** that we need to expand business hours to help companies run more shifts and meet social distancing requirements. We also know that the way we communicate is more important than ever. For recordings, power points of the webinars, go to www.choosemorganhill.com/covid19roundtables.

Join us for the next **Roundtable focused on Retail** on **May 1 at 10:30 a.m.** and hear directly from representatives from the **California Retailers Association, FedEx and Mainstream Boutique** on the strategies to support retail businesses.

New financial resources?

We are pleased to see the **Paycheck Protection Program (PPP)** receive more funding. We encourage businesses to apply for both the PPP and the **Emergency Injury Disaster Program**. Small businesses who use Quickbooks and/or Square, can apply for through their applications for the PPP. If your business does not qualify for these programs, you can take advantage of the **Employee Retention Credit (ERC)** from the Internal Revenue Service. The ERC provides a refundable payroll tax credit for 50% of the wages paid by employers during the COVID-19 pandemic up to \$5,000 per employee per quarter. This credit is applied to the employer's quarterly tax liability reported on Form 941. Also, **Salesforce Care for Small Business** is offering \$10,000 grants for small businesses.

Finally, a big shout out to **Sun Basket** and **My Pizza** for donating meals every week to local hospitals and the community. More kudos [Visit Morgan Hill](#) for purchasing masks for our hospitality businesses. The generosity from our community in times of need is heartwarming. We trust that working together we can survive this pandemic and help with the economic recovery. *If you have a story to share, please let us know.*

Edith Ramirez
Economic Development Director
City of Morgan Hill
Edith.Ramirez@morganhill.ca.gov



CHOOSE MORGAN HILL

MH HIRES & MH OPEN

Who is hiring in Morgan Hill?

Specialized

<https://www.specialized.com/us/en>

Positions

- Strategic Planning Program Manager
- Turbo Channel Developer
- Recruiter
- HRIS Analyst
- Outride Research Manager
- Turbo Tech Support Specialist
- HR Business Partner
- USA Financial Analyst
- Graphic Designer
- Wheel Test Technician
- USA Accountant
- IT Program Analyst

To apply:
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Safeway

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Positions

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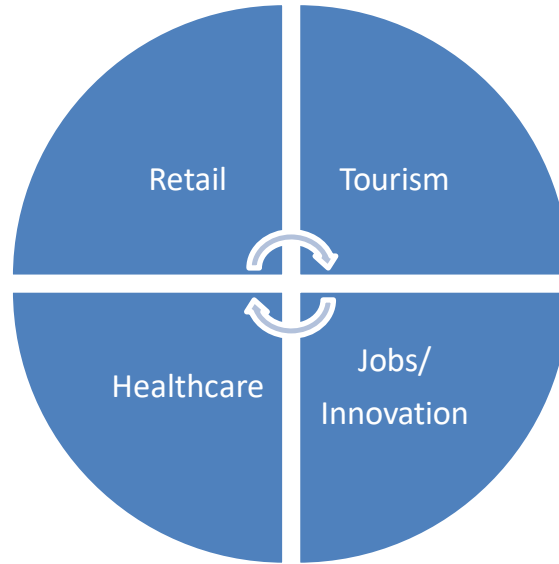
Industry	Type	Address	Telephone	Operations	Website
Automotive (Gas, mechanic, sales)					
Autozone #4048	Auto Parts	16025 Monterey St.	(408) 778-2840	Open Daily	https://www.autozone.com/16025-monterey-st
Big O Tires	Tire Service	15745 Monterey Rd	(408) 778-1222	Open Daily	https://www.bigotires.com/
Shell (East Dunne)	Gas	810 E Dunne Ave	(408) 779-0745	Open Daily	https://find.shell.com/avenue
Advanced Auto Body	Auto Body	16170 Jacqueline Ct.	(408) 778-9678	Limited Hours	https://advancedautobody.com/
O'Reilly Auto Enterprises	Auto Parts	16060 ..	(408) 776-..	Daily	

Business Resiliency Roundtables



1. Financial Resources
2. Hospitality
3. Marketing & Social Media
4. Retail
- 5. Restaurants –May 19th**
- 6. Business Resiliency Strategies—M**

ECONOMIC RECOVERY STRATEGIES





ISSUES TO CONSIDER

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- Economic Blueprint
- Telecommunications
- Other

Complexity

- Ease to implement
- Timing
- City Control

Impact

- Measures of Success
- Opportunity Cost
- Prioritization

QUESTIONS?



Regular Meeting Agenda

City Council

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

Wednesday, May 6, 2020 7:00 p.m.

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

PUBLIC MEETINGS DURING THE COVID-19 VIRUS EMERGENCY

Public Participation:

In accordance with Executive Orders N-25-20, N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. The Order will be addressed in the following ways:

Members of the public may not physically attend meetings at the Morgan Hill City Council Chamber.

The City Council meeting will be live-streamed on Channel 17 and on the City's website. Members of the public may participate in the meeting remotely through an electronic meeting in the following ways; by either joining the electronic meeting at <https://bit.ly/05062020CityCouncilMeeting> and enter ID: 955 1620 0723 or by calling in (669) 900-9128 enter Meeting ID: 955 1620 0723#.

Public comment for City Council meetings will be accepted via email to ccpubliccomment@morganhill.ca.gov <<mailto:ccpubliccomment@morganhill.ca.gov>>. Members of the public participating in the electronic meeting wishing to speak may do so during public comment.

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

Minutes Clerk Angie Gonzalez

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2

Minutes Clerk Angie Gonzalez

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

PUBLIC COMMENT

Members of the public are entitled to address the City Council concerning any item within the Morgan Hill City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda. (See additional noticing at the end of this agenda)

PUBLIC COMMENT SUPPLEMENT 1

PUBLIC COMMENT SUPPLEMENT 2

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. APPROVE AGREEMENT WITH VALLEY TRANSPORTATION AUTHORITY FOR MEASURE B EDUCATION AND ENCOURAGEMENT PROGRAM FUNDING

Recommendation:

Approve and authorize the City Manager to execute and administer a contract with Valley Transportation Authority to receive funding for Measure B Education and Encouragement Programming.

2. APPROVE UTILITY SYSTEM RADIO PURCHASE FROM MOTOROLA

Recommendation:

1. Approve the sole source purchase of radios for the Utilities Division from Motorola for \$142,267; and
2. Authorize the City Manager to approve the purchase order.

3. ADOPT RESOLUTION APPROVING REVISIONS TO CITY COUNCIL POLICY CP-94-04, THE CITY'S INVESTMENT POLICY

Recommendation:

Adopt resolution approving revisions to City Council Policy CP-94-04, the City's Investment Policy.

4. CERTIFY RESULTS OF THE MARCH 3, 2020 SPECIAL MUNICIPAL ELECTION

Recommendation:

Adopt resolution reciting the facts of the Special Municipal Election of March 3, 2020 and declaring the results of such other matters as provided by law.

5. APPROVE THE APRIL 15, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

6. APPROVE THE APRIL 22, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

7. 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 2020-21;
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 3, 2020.

Estimated Time: 5 Minutes

OTHER BUSINESS

8. REVIEW THE NEED TO CONTINUE THE LOCAL EMERGENCY DUE TO COVID-19 RESPONSE AND SHELTER-IN-PLACE ORDERS

Recommendation:

Review current conditions and continue the March 13, 2020 emergency proclamation due to pandemic response.

Estimated Time: 15 Minutes

FUTURE COUNCIL INITIATED AGENDA ITEMS

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

ADJOURNMENT

NOTICE

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

PUBLIC COMMENT

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

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

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

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

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

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

AMERICANS WITH DISABILITIES ACT (ADA)

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (408)779-7259, (408)779-3117 (fax) or by email cityclerk@morganhill.ca.gov. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

SUSTAINABLE MORGAN HILL



VISION

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

Choose Morgan Hill

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

City Council Ongoing Priorities

- Enhancing Public Safety
- Protecting the Environment and Preserving Open Space and Agricultural Land
- Maintaining Infrastructure
- 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

2020-2021 Strategic Priorities

- **Fiscal Sustainability**
- Affordable Housing and Homelessness
- Community Engagement and Messaging
- Economic Development
- Transportation

From: [Michelle Bigelow](#)
To: [Angie Gonzalez](#)
Subject: FW: California High Speed Rail releases Draft Environmental Impact Report
Date: Friday, May 1, 2020 10:51:38 AM
Attachments: [BITEtheBULLETtrain12162016.pdf](#)
[BulletTrainTrojanHorse.pdf](#)
[HSRApanaceaVShell.pdf](#)
[HSRPROFITABLE-HOWTODOIT021810.pdf](#)
[KOPP021696.HSR1.wpd.pdf](#)
[LINDSEY.Lt1.pdf](#)
[MORSHED.LT2.pdf](#)
[MORSHED.LT3.pdf](#)
[MORSHED.LT4.pdf](#)
[MORSHED.LT5.pdf](#)
[TouristsPanacea.pdf](#)
[TrojanHorseCAHSR090809.pdf](#)

Public comment supplement for agenda

Michelle Bigelow, MMC, CPMC

Council Services and Records Manager/Deputy City Clerk

City of Morgan Hill

City Clerk's Office

17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4678 **O:** 408.779.7259

michelle.bigelow@morganhill.ca.gov

morganhill.ca.gov | [facebook](#) | [twitter](#)

From: John Lang <John.Lang@morganhill.ca.gov>

Sent: Friday, May 1, 2020 10:46 AM

To: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>

Subject: Fw: California High Speed Rail releases Draft Environmental Impact Report

for next public comment opportunity.

From: Joseph Patrick Thompson <translaw@pacbell.net>

Sent: Friday, May 1, 2020 8:52 AM

To: John Lang <John.Lang@morganhill.ca.gov>; Barry Holtzclaw <bholtzclaw@newsvmmedia.com>; Gilroy Dispatch Editor <editor@garlic.com>; Nathan Mixter <nmixter@newsvmmedia.com>; shawna freels <shawna.freels@ci.gilroy.ca.us>; Robert T. Dillon <rtdillon@garlic.com>; Dion Bracco <dion.bracco@ci.gilroy.ca.us>; Peter Leroe-Munoz <peter.leroe-munoz@ci.gilroy.ca.us>; carol.marques@ci.gilroy.ca.us <carol.marques@ci.gilroy.ca.us>; Tammy Brownlow <president@gilroyedc.org>; Cat Tucker <cat.tucker@ci.gilroy.ca.us>; City Council Members City of Gilroy <allcouncilmembers@ci.gilroy.ca.us>; Mike Wasserman <askmike@garlic.com>; Gary Walton <gary@custom-1.com>; Eric Howard <ehoward1965@gmail.com>; Sbrcc Balers <onemorejones@yahoo.com>; SBC Board of Supervisors <sbcsuper@supervisor.co.san-benito.ca.us>; sbccog <info@sanbenitocog.org>; Econ Dev SBC <sbcedc@hollinet.com>; sbcsuper@cosb.us <sbcsuper@cosb.us>; Kollin Kosmicki For Supervisor <kollinfor-supervisor@gmail.com>; Rich Constantine <Rich.Constantine@morganhill.ca.gov>;

cityclerk@hollister.ca.gov <cityclerk@hollister.ca.gov>

Subject: Re: California High Speed Rail releases Draft Environmental Impact Report

Dear Mr. Lang,

Thank you for inviting public comment on this nightmare Supermassive Black Hole Virus. Please include this comment in the official record of proceedings so that future generations know that our local elected leaders were warned, warned repeatedly with great emphasis, on how damaging this Supermassive Black Hole Virus will be, warned from the initial breeding and release of this Frankenstein monstrosity from the vested interests at CAHSRA.

Thank you.

Joseph P. Thompson, Esq.,
Past-Chair, Legislation Committee, Transportation Lawyers Assn.
(408) 848-5506; E-Mail: TransLaw@PacBell.Net

cc: PUBLIC COMMENT: NEXT MEETING, REAL OR VIRTUAL, REGULAR OR SPECIAL,
STUDY SESSION, PUBLIC WORKSHOP,

On Friday, May 1, 2020, 08:37:53 AM PDT, John Lang <john.lang@morganhill.ca.gov> wrote:

Hi Folks

The California High Speed Rail Authority (CHSRA) has released the Draft Environmental Impact Report for the San Jose to Merced Section The Draft EIR/EIS evaluates the impacts and benefits of a no project Alternative and four end-to-end project alternatives (Alternatives 1 to 4), including stations. The Authority's Preferred Alternative under NEPA, which serves as the proposed project for CEQA, is Alternative 4. It includes two stations (San Jose Diridon and Downtown Gilroy), an a Maintenance of Way Facility (MOWF), an Maintenance of way siding (MOWS), two tunnels, and traction power facilities.

The comment period is from April 24, 2020, to June 8, 2020. Comments must be received electronically or postmarked on or before June 8, 2020.

You can find a link to the Environmental Documents at <https://www.morganhill.ca.gov/hsr/>. Attached are related documents pertaining to the Environmental process and what happens. The City of Morgan Hill is currently reviewing the Environmental Impact Report document and will provide a written response to the High Speed Rail Authority before the end of the comment period.

I am sending this information to you as someone who is interested in information about High Speed Rail plans for the South County.

Sincerely,

John

WARNING: This message is from an external user. Confidential information such as social security numbers, credit card numbers, bank routing numbers, gift card numbers, wire transfer information and other personally identifiable information should not be transmitted to this user. For question, please contact the Morgan Hill IT Department by opening a new helpdesk request online or call 408-909-0055.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

OPINION

Bite the Bullet Train

From the viewpoint of history, I agree with Hon. Norm Mineta, former Secretary of Commerce for President Clinton, former Secretary of Transportation for President Bush II, former Congressman and chairman of the House Public Works & Transportation Committee, former Mayor of San Jose, we Californians must ask ourselves "the crucial question." In 1995, shortly before leaving the House to join Lockheed-Martin, he said, "The crucial question in transportation today is: What should government do, and what should it leave to others?" I think that is still the crucial question.

Learning from our mistakes with Amtrak, Caltrain, and other government transport boondoggles, California voters voted for self-sufficient high speed rail by approving Prop. 1A in 2008.

Both the President's Blue Ribbon Commission on transport funding, and the California Transportation Commission, concluded that "user fees funding" is how we should fund transport. Simple: the users pay for the costs of their transport.

But we don't follow our own advice; we have a double standard in transport funding. Motorists, truckers and motorcyclists pay 102% of the costs of our transport, including road construction and maintenance. But transit systems' riders pay only about 1% of the fully amortized costs of their rides.

Why do we allow this double standard? It's contrary to the policy adopted by both the Federal and California State governments.

Our professed transport funding policy is sound, sustainable self-sufficient transport. Our conduct in making motorists, truckers and motorcyclists pay 99% of the cost of public transit by all modes is not.

So, since the California High Speed Rail Authority is acting in direct violation of the California voters' decision in 2008, and contrary to the funding policy recommendations of the Federal and State transport Commissions, we ought to do what Florida voters did: repeal our vote, and

LETTERS

terminate the taxpayer-subsidized Frankenstein.

The correct answer to Secretary Mineta's "crucial question" is private sector, not public sector. If we put enough UPS, Fedex and Postal Service tonnage on the Bullet Train, then we would not need to ask taxpayers for a dime. The profits the taxpayers had from the original land grant railroads can be exceeded if we follow Lincoln's decision to reject public ownership of the transcontinental railroads in 1864. We saw the wisdom in his decision when we nationalized the Nation's railroads during WWI, and saw the government run the railroads to a halt, unable to move. We forgot his decision when Congress created the North American Passenger Rail Corporation (Amtrak), when Congressmen stood in the House and promised that Amtrak would be "self-sufficient" in three years. 46 years later Amtrak remains a Black Hole consuming billions of taxpayers' dollars that we must borrow from foreign investors, e.g., China.

Unless we stop the CAHSRA's Bullet Train, its losses will make Amtrak, Caltrain, VTA Light Rail and bus transit look profitable. We must stop putting our credit card transit debt on the backs of our children and grandchildren.

The first priority "shovel ready" infrastructure job facing us is to bury the Bullet Train. Caveat visitor.

JOSEPH P. THOMPSON, ESQ.

Gilroy

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Suite 112, Gilroy, CA 95020
Post Office Box 154, Gilroy, CA 95021-0154
Telephone (408) 848-5506; Fax (408) 848-4246
E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

January 28, 2004

Editor

The *Dispatch*

6400 Monterey Road
Gilroy, CA 95020

Re: Bullet Train or Trojan Horse?

Dear Editor,

When Amtrak was formed in 1970, Congressmen promised that it would be profitable in three years. Well, after 33 years, taxpayers have paid \$31 billion in subsidies, with no end in sight. As *Traffic World* reported, that is a stack of \$100 bills higher than the World Trade Center stood. Supporters of the Bullet-in-the-Brain train will make profit building and operating it, just as VTA does operating Black Hole Lite Rail. However, taxpayers will be the losers. The galley slaves will need to quicken their strokes so that the recipients of their labors will enjoy their rides. Will Rod be successful in converting us to a socialist society, living in concrete high-rise Dirodonominiums like the USSR's "affordable housing"? Until Rod was appointed to HSRA, they had projected a \$900 million annual operating loss (truth probably doubles their estimate), but now they project a profitable operation. "Profitable" in the same definition of VTA's "profit." I do not swallow this big lie. Do you?

As with Caltrain, Lite Rail, and Amtrak, taxicabs and limousines would be cheaper for the taxpayers. But have we learned anything from the history of the last Century? If we defeated the USSR, then why are we adopting their philosophy?

I appeared before the High Speed Rail Commission (before it became an "authority") five times and told the commissioners that if they put enough Fedex, UPS, and Postal Service tonnage on their train, then they would not need to ask the taxpayers for a dime. Instead of following a capitalist model, they insist (with Bechtel Corporation's—the builder—support) that California must have a Soviet-style horizontal elevator. Well, if voters believe that B.S., then they deserve to wear this albatross around their necks. But ask yourselves, do our children and grandchildren deserve the consequences of our compulsive spending disorder? Are we building the future for them, or welcoming a monster Trojan Horse? *Caveat viator.*

Very truly yours,

JOSEPH P. THOMPSON

Candidate: American Society of Transportation & Logistics

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

Member: Legislation Committee, Transportation Lawyers Assn.

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Suite 112, Gilroy, CA 95020

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; Fax (408) 848-4246

E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

August 24, 2007

Editor

Email: editor@garlic.com, editor@gilroydispatch.com

The *Dispatch*

6400 Monterey Road

Gilroy, CA 95020

Re: **Bullet Train: Tourists' Panacea, Taxpayers' Hell**

Dear Editor,

The proposal to build the Bullet Train in California is proof that socialists have taken-over our government. Based on past cost overruns, the price tag on this extreme boondoggle is about \$75-\$80 billion in today's dollars. Paid back interest on these bonds will also burden our children and grandchildren and great-grandchildren will billions more. Annual operating losses will exceed those of all Lite Rails combined. Fares won't cover 1% of operating expenses, estimated at \$1 billion/year. Bond debt will bury us.

Technology exists to build it, but how do we pay the construction costs, and operating costs? It's technologically incompatible with existing railroads, so it will need BART-like right-of-way. Eminent domain power, included in the legislation creating it, ensures that it will plow through Gilroy and Morgan Hill and any other place, regardless of opposition. But it cannot cross the UPRR's tracks because the Class I railroads' eminent domain trumps Bullet Train's eminent domain power, according to UP's top commerce counsel on the West Coast. Tourists will ride it, but enjoy a 99% taxpayer subsidy for rides that will cost more than those on the Concorde Supersonic Jets. Local small business owners will pick-up the tab, maybe getting 10% back from tourist dollars if we're lucky.

In 1970 Congressmen stood up in Congress and proclaimed that Amtrak would be "self-sufficient in three years." Yeh. By 9/11/01 taxpayers had thrown about \$30 billion in subsidies down that black hole, but did we have adequate airport security?

In 1863 General Granville Dodge, who was later UPRR's top civil engineer, and who discovered the Sherman Pass over the Continental Divide, was summoned to the White House. He later said that he told the President that the government should own and operate the transcontinental railroad. Lincoln, who as a young member of the Illinois Legislature had seen government owned railroads in Eastern and Midwestern States go bust and shutdown operations in the 1830's and 1840's, said no. He said that private enterprise must do it, although the government would assist with

When will we ever learn?

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development incentives (my words, not his). They did it. And what did taxpayers receive in the deal? They got about \$460 million (measured in 1940 dollars) more than the value of the land granted to the railroad corporations because of Section 22 in the original Interstate Commerce Act (lower freight rates for government shipments).

A hundred years ago the Progressive Movement, led by William Jennings Bryan, sought nationalization of the railroads and other industries, but their passion was rejected by voters.

When the railroads were nationalized in 1917 during the Administration of Woodrow Wilson, government genius so botched-up shipping that rail traffic came to a standstill. That experiment failed, just as Lincoln predicted it would. In the Transportation Act of 1920 the railroads were de-nationalized, and came to be the envy of the world's nations today; the backbone of our nation's commerce.

Instead of making taxpayers pay for Bullet Train, like we pay for County Transit, Caltrain, Amtrak, Lite Rail, etc., etc., while motorists are paying 100% of their own transport costs, seeing our politicians rewarding transit wastefulness, why not use the unlimited power of capitalism? Have you been on I-5 lately to see the uninterrupted 24-7 tonnage flowing North-South in California? I appeared before the Bullet Train commission five times over the last decade and told them that if they put enough UPS, Fedex and Postal Service tonnage on their trains, then they would not need to ask the taxpayers for a dime. Did they listen?

Like Amtrak's promoters, their pie-in-the-sky predictions show that they did not listen, nor did they learn from history, either United States or world history in the last century and one-half. So, hold on for the ride, and warn your children and grandchildren, our leaders will strap taxpayers to the rocket to Hell. We'll be paying unimaginable sums to attempt what Lenin, Trotsky, Stalin and the USSR failed to achieve, despite all their promises to their citizens that socialism could bring utopia. If they fund it with gas taxes, be prepared to see \$10/gallon for gas at the pumps. They'll tax motorists out of their cars, leaving them to ride our Trojan Horses, and bike or walk the rest of the way.

Caveat Viator!

Respectfully yours,
JOSEPH P. THOMPSON, ESQ.

Member, Executive Committee, Debtor-Creditor-Bankruptcy Section, SCCBA
Member, Legislation Committee, Transportation Lawyers Assn.
Member, Association for Transportation Law, Logistics & Policy
Candidate, American Society of Transportation & Logistics
Winner, AST&L's Best Research Paper Award 1997
Past-President, Gilroy-Morgan Hill Bar Assn.
Post-Doctoral Student, Transportation Law & Policy

When will we ever learn?

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Suite 114, Gilroy, CA 95020
Post Office Box 154, Gilroy, CA 95021-0154
Telephone (408) 848-5506; Fax (408) 848-4246
E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

February 18, 2010

Editor and Editorial Board

Email: editor@garlic.com, editor@gilroydispatch.com

The ***Dispatch***

6400 Monterey Road

Gilroy, CA 95020

Re: MyBulletTrain: Profitable for who?

Dear Editor,

Bullet Train blitzkrieg, multi-million dollar campaign, using taxpayers' money to sell them on the boondoggle claims that it will be profitable. Yeh, but for whom? The planners, consultants, ad men, bond salesmen, foreign equipment manufacturers. The bankruptcy of all State-owned railroads in the USA in 1830's ought to tell us something about the right way to build a railroad. The American experience with nationalization of the railroads in 1918, the collapse of the USSR, and the world-wide privatization revolution of the 1990's should teach us a valuable lesson in railroad building. The insolvency of Amtrak, Caltrain. The bankruptcy last month of the Las Vegas Monorail, etc.—lessons abound from our history, but will we learn from them?

Sustainable rail transport hinges on the bottom line on the balance sheet; do revenues exceed costs? If we use VTA government-style accounting methods, we won't see a sustainable Bullet Train. We have to use the same accounting used by the world's most successful railroads, UP, BNSF, CSX, etc., America's Class One Railroads. If you lose money moving passengers, then you have to make-up your losses by moving freight. Intermodal tonnage on Bullet Trains, moved on separate trains during non-peak commute hours is how I've told the California High Speed Rail Commission, now High Speed Rail Authority, to do it. If the taxpayers purchase the infrastructure for the Bullet Train's owners, it will be like financing the Interstate Highway System, and the State Highways, for the trucking industry.

Transport me as a tourist, and I'll need a 99% fare subsidy. But transport me as a deceased traveller, and my estate, or relatives, have to pay 100% of the cost of moving the dead freight. So, to create a sustainable Bullet Train, you have to think like railroaders, not horizontal elevators in communist nations.

Why do our leaders want to grow bigger government, when common sense people, e.g., Editorial Board of Gilroy Dispatch, say we should be doing just the opposite? Do we have leaders who give a damn about the harm their decisions inflict? Why do we tolerate such hypocrites?

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

Caveat Viator!

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Member, Executive Committee, Debtor-Creditor-Bankruptcy Section, SCCBA

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Post-Doctoral Student, Transportation Law & Policy

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Why do our leaders want to grow bigger government, when common sense people, e.g., Editorial Board of Gilroy Dispatch, say we should be doing just the opposite? Do we have leaders who give a damn about the harm their decisions inflict? Why do we tolerate such hypocrites?

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Gilroy, CA 95020

105 East Alisal St., Salinas, CA 93901

981 Fremont Street, Santa Clara, CA 95050

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; (408) 984-8555

Telecopier (408) 292-1061

February 16, 1996

**The Honorable Quentin Kopp
CALIFORNIA STATE SENATE
2057 Capitol Building
Sacramento, CA 95814**

Re: California Transportation Policy

Dear Senator Kopp,

While the need for high speed passenger trains in California, and the entire Nation, is obvious to any student of transportation, it appears to me that the HSR Commission is completely ignoring the only viable alternative to providing them.

Instead of using the existing railroads, staying with private enterprise, which past generations bequeathed to us, the Commission seems to be hypnotized by socialism. At a time when privatization around the world is correcting the mistakes of publicly-owned transportation, e.g., Australia, Canada, New Zealand, England, Western Europe, etc., the Commission seems to be falling under the fatal attraction of a ruinous fiscal belief that cost does not matter.

Do we have the ability to learn from our history? Will we ignore it and be condemned to follow the course of the Soviet Union? HISTPS Executive Director Ron Diridon, addressing the students at SJS, said that transportation decisions hinge on three things, "Finance, finance, finance." Rather, I believe it hinges on policy, because the latter predetermines the former.

The legislative findings in SCR 6 are undoubtedly true, but the solution currently being proposed by the Commission is a nightmare, which, if brought into existence, will certainly plunge us down the path followed by the Soviet Union.

Why not consider changing policy to attain the same goal? Why seek to ruin California's economy in a search for "finance," when by adherence to the nation's transportation policy, and its rail transportation policy, we could have bullet trains without spending tax dollars? If this country had adhered to these national policies since the end of WWII, would we have seen thousands of miles of

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track abandoned? Would we have invested untold billions in the creation of the interstate highway system? Would we be addicted to automobiles today? Are we in denial about our addiction, which blinds us to our violation of our own national transportation policies?

If the law said: (1) freeze truck lengths, (2) prohibit triples, (3) return weight limits to something that would not break concrete freeways, (4) reverse the intercity freight trend since WWII, then how much less money would we need for such things as: (1) highway maintenance, (2) fuel, (3) injury, death, property damage expenses? If policy were made by wiser men than we seem to have had in charge since the end of WWII, would we have (1) cleaner air, (2) less highway congestion, (3) lower health care costs?

If the government is in control, why not set transportation policy and tell each mode what it was going to do based on decisions favorable to the people? If we can move freight profitably, but not passengers, then why not mix the two in one revenue stream to attain satisfactory corporate profit levels? Divorcing rail passenger from rail freight in 1970 was a big policy mistake, and some in Congress seem to have recognized that now by enacting legislation requiring Amtrak to break-even in seven years. Of course, without the freight revenues it can never do so in the face of highway and airline competition, and the vast federal subsidies given to those modes.

The solution lies in equal treatment by government of the different modes, and in freight revenue subsidizing the unprofitable passenger fares, just as earlier generations, who faced these same decisions, learned. While it might come as a shock to the Commission's staff and members, we have railroads. The trouble is that we ignore them and have favored their competitors with billions of dollars of subsidies. Our policy makers apparently prefer our citizens to use four times as much fuel to move our freight, and to sit on congested freeways, rather than establish transportation policy which capitalizes on the inherent advantages of the railroads. Amazingly, the stated policy is already in the statutes, but in practice we do not follow it! Why?

The Commission's current study suffers from myopic concentration on a fantasy, rather than realistic appreciation for the wisdom of earlier generations. Why are the Commissioners not investigating the obvious solution of using our railroads to accomplish this goal? French and Japanese transit systems, like

those in this Country, operate at a huge loss, requiring taxpayer subsidies of ever more scarce tax dollars.

Instead of trying to imagine millions and billions of dollars, this needs to be put in terms that are understandable, and revealed to the voters for what it is. For example, when Amtrak was formed in 1970 it was cheaper to send a passenger from LA to NY by taxi, and pay the cabby a \$100 tip, than to send him by Amtrak. When METRO was built in Washington, D.C., it was cheaper for each rider to be furnished with a Mercedes than to ride public transit. For BART, the riders could have two BMW's and the taxpayers were better off.

Of course, these solutions are just as stupid as the ones our decision makers and planners gave us. The arrogance of today is to forget the wisdom of the past. Who gained by selling those cars, building those interstate highways?

Harvey Levine's seminal work, National Transportation Policy: A Study of Studies, ought to be required reading for both the Commissioners and the staff, not to mention our decision makers.

When we needed a transcontinental railroad, did we opt for government-owned railroads? Whenever WWI's demands caused nationalization of the railroads, did we keep them that way? Does government owned business work in the long run? Do we want to go the same way as the Soviet Union?

No!

When I testified 2/2/96 before the Commission in Fresno, I showed them the Harvard doctoral dissertation by John D. Donahue, The Privatization Decision (1989), and reminded them of the Wall Street Journal special edition on privatization that was published in October. I said that if they were a board of directors of a corporation then they would have been terminated. They did not effectively cross-examine the experts brought before them by their own staff. They did not realize that the "profits" displayed by the French Officials were for a trunk line route, and that the truth is that system-wide the French experience is no better than that of the best American public transit system. They are considering borrowing billions to create a line that will require \$800 million annually just to service the debt (bonds) it creates! There can be no doubt that Big Brother's slogan pales in comparison with this proposal: "WAR IS PEACE, FREEDOM IS SLAVERY, IGNORANCE IS STRENGTH."

As I said to Mr. Mineta, we are, I believe, about half nationalized and half free-enterprise in transportation. Can this situation last? It is not unlike an earlier period in our history:

"If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed.

A house divided against itself cannot stand."

At this point, too, we are at a crucial stage of evolution in the nation's history: We are a house divided.

The Lincoln administration decided that our railroads would be privately owned, with construction financed by government-backed securities. Today we appear to have rejected the policy of free-enterprise ownership because we continually create "authorities" and "agencies" to own and operate our rail passenger mode. The same is true with bus transportation. Now I hear that Amtrak will be moving freight. We have abandoned not only thousands of miles of rail, but as a nation we have also abandoned the policy of private ownership of transportation. Our elected officials boast about what they have done, but not one of them will tell you how much it costs per passenger (or per passenger-mile) to transport people by bus or rail. Deregulation during the past 15 years has rendered the private transportation sector a virtual graveyard. So where are we, and where are we going? How can we have nationalized industry and reduce the budget deficit?

To paraphrase Mr. Lincoln, if we could first know where we are, and "whither we are tending," we could better judge what to do, and how to do it. Our national transportation policy was initiated with the "avowed object" and confident promise of creating a sound national transportation system. Under the operation of that policy,

one national goal is to make the county competitive on the global arena. In my opinion, it will not happen until a crisis shall have been reached and passed.

Today we are at a point where we are half slave to public ownership of transportation, and half free-enterprise. The trend, however, runs counter to private ownership. Reversing the trend becomes increasingly difficult as we commit vast resources of our society to nationalized modes.

Again to paraphrase, I believe that the nation's transportation system "cannot endure permanently half slave and half free." I do not expect the nation will be dissolved; I do not expect the house to fall; but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of nationalization will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike in all modes of transportation.

We will then have arrived at the stage of development, and an experience similar to that of the demise of the Soviet Union must ultimately follow because government-owned industry does not work in the long-run. Great Britain and other western European countries, Canada, Australia and New Zealand are all privatizing previously nationalized industries because they have realized the truth in this. Nevertheless, our elected representatives push for more government-owned transportation modes each passing year.

Today we could send six passengers by limousine from Gilroy to San Jose cheaper than it costs us to send them on Caltrain. Yet if private industry moved those passengers and a fair share of the available freight tonnage, the burden on the taxpayers would lessen, road congestion, health care costs, and air pollution would decline. Local government would enjoy another source of tax revenue.

Since WWII, creation of the interstate highway system has diverted a greater percentage of intercity freight traffic away from the rails each passing year. Separating freight from passengers on the railroads was a decision rejecting earlier generations' investments, and plunging us along a course toward Soviet-style industry, and we know how well that system worked. I

Hon. Quentin Kopp
February 16, 1996
page 6

keep asking our elected officials: If government ownership of industry failed in the Soviet Union, then why are we trying it? promoting it? How can America compete in "global markets" if it is saddled with deadweight nationalized transportation modes?

The Emperor has no clothes! We cannot afford to borrow billions to build a rail passenger line that loses millions each year. This is especially true when we have an existing alternative that will not cost the taxpayers any money at all. All it takes is someone strong enough to enforce the nation's transportation policies that are already on the books. We need not reinvent government to accomplish this goal, but rather, merely keep this a government of, by, and for the people.

Thank you for giving me an opportunity to make this comment. My formal response to the Commission will follow as soon as I complete it.

Respectfully yours,

JOSEPH P. THOMPSON

Encl.

cc: Hon. Henry Mello
cc: Hon. Dean R. Dunphy
cc: Hon. Peter Frusetta
cc: Commissioners
cc: Executive Director Daniel S. Leavitt
cc: Rod Diridon, IISTPS

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Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Suite 112, Gilroy, CA 95020

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; Fax (408) 848-4246

E-mail: TransLaw@PacBell.Net

Website: <http://home.pacbell.net/TransLaw>

January 15, 2003

FAX (916) 653-2134

Honorable R. Kirk Lindsey, Chairman

California Transportation Commission

1120 N Street, P.O. Box 942873 (MS-52)

Sacramento, CA 94273-0001

Re: Transportation Funding Crisis Workshop Jan. 17, 2003

Dear Mr. Lindsey,

Thank you for sending notice of the CTC's funding issues workshop and for inviting public comment regarding the State's fiscal "crisis." It was a pleasure meeting you at the CTC's meeting in San Jose at the Fairmont Hotel last month. Congratulations on becoming Chairman of the CTC. One cannot help but sense the irony in a trucking company CEO being CTC's chairman when our chickens are coming home to roost. At Mr. Lawrence's invitation I addressed the CTC in December 2001 at the PUC in San Francisco on the subject of intermodal transportation infrastructure improvements for the State, and although I cannot attend the workshop on the 17th of this month, I would like to offer my recommendations.

1. Author. I have 39 years experience in transportation industry (trucking and railroad). I am a post-doctoral student of transportation law and policy. I am a member of the Transportation Lawyers Association, and serve on TLA's legislation, intermodal, arbitration and freight claims committees. I am also a member of the Association for Transportation Law, Logistics & Policy, and a candidate for the American Society of Transportation & Logistics.

2. Background. For additional background, please refer to my paper that I presented to the CTC and handed to Mr. Remen at the CTC's meeting at the PUC in San Francisco, December, 2001.

3. Official Record. Will you please direct your staff to include these remarks as part of CTC's official records.

4. Summary. In response to your call for public comment on the current "funding crisis", I once again give my conclusions reached six years ago during debate on ISTEA reauthorization. *See*, "ISTEA Reauthorization and the National Transportation Policy," 25 *Transportation Law Journal*, pp. 87-*et seq.* (1997), and "ISTEA Reauthorization and the National Transportation Policy:

**Recommendations to CTC Re:
Transportation Funding "Crisis"**

Overlooked Externalities and Forgotten Felt Necessities,” *Transportation Lawyer* (Dec. 1997). A copy of the former is enclosed for your ready review, although I previously submitted it to you in December 2001.

5. Recommendations. The CTC should first frame the fundamental issue facing it, which was identified by Transportation Secretary Mineta while he was serving as Chairman of the Surface Transportation Committee in the House of Representatives: *“The crucial question in transportation today is: What should government do and what should it leave to others?”*

Governor Davis’ call for “structural reform” should focus CTC on Secretary Mineta’s “crucial question.” The answer that CTC gives to Governor Davis and Secretary Mineta will shape the solution for our transportation “funding crisis,” and the future of transportation in California.

These issues are also pending in the 108th Congress as it takes up the subject of reauthorization legislation for Transportation Equity Act for the 21st Century (TEA-21). Please refer to my recommendations to USDOT dated 8-23-02 on this issue (see copy enclosed).

Rather than a band-aid approach to the “funding crisis,” I recommend that CTC strive to achieve “structural reform” in the basic approach that we take to the for-hire carriage of passengers. I believe that CTC should have no “sacred cows” immune from this search and rescue mission. Like waking-up with a hangover, California must swear-off its former excesses.

The Emperor Transit First is stark naked. Unremunerative fares yield insolvent carriers, of both passengers and freight. Deficits piled on top of deficits bring predictable results. Farebox recovery rates that fail to cover fully allocated costs produce a result which does not surprise transportation students or history students. Such public-sector transit systems are not “going broke” in California (or elsewhere), they were conceived insolvent, born bankrupt, and kept operating only with massive blood transfusions from the taxpayers. No member of CTC should be surprised at the present “funding crisis” because we have intentionally navigated the State to this destination, one in which California’s deficit exceeds that of all other States’ combined deficits. We asked for it; we demanded it, even if it meant damning future generations into decades of debt. Bankrupt operations, bankrupt carriers, bankrupt policies, are the result of our myopia. Increasing insolvent transit systems’ operations undermine our financial capability to build and repair transportation infrastructure. Their growing demands have reached a predictable breakingpoint. We must look into the mirror and recognize the problem staring back at us.

There has been occurring a world-wide “privatization revolution” as described by the *Wall Street Journal*, special edition 10-2-95, yet we have steered a contrary course of nationalization, statism, and public-ownership. Only a hypocrite would feign surprise at arriving at our present destination of fiscal “crisis.”

**Recommendations to CTC Re:
Transportation Funding “Crisis”**

CTC and California must ask itself this question if it wants to be cured: “Why did Canada, Mexico, Great Britain, Australia, New Zealand, and many other nations denationalize their publicly-owned transportation industries during the past 25 years?”

We must ask ourselves, if we truly want to bring permanent relief to this and future generations of Californians: “If all of the USSR’s Five Year Plans were such raving successes, then why did the USSR collapse in revolution?”

Why should we adopt the Marx-Engels-Lenin-Trotsky-Stalin theory of government when our Founders placed its foundations on Adam Smith’s theory? Did the USSR win the Cold War, or did we win it? If we defeated the USSR, then why should we adopt their failed economic philosophy?

Answering Governor Davis’ “structural reform” challenge, answering Secretary Mineta’s “crucial question,” learning the lessons of the history of the past century, CTC and California must recognize the error of our policies, unless we have no intention of solving the “funding crisis.” Phony efforts of “reform” will just be wheel-spinning in mud—wasted motion. Genuine “reform” means going back to American free-enterprise in transportation, personal responsibility, not transit welfare. Our galley slaves, i.e., taxpayers, are beyond the breaking point. Our policies have burdened the taxpayers under unsustainable loads. Like overloaded trucks, our axles are breaking. Bankruptcies are at historic highs, both business and individual. Small business failure rates are at 80% on average during the first five years. *Traffic World*’s report that more than 10,000 trucking companies (with 20 or more trucks) either filed for bankruptcy protection or closed during the last two years illustrates what plight business owners are bearing from our ill-conceived government policies. Did you ever think you’d live to see PG&E, United Airlines, and Consolidated Freightways in bankruptcy? We are killing the goose to steal her eggs, but what will our children eat?

The fallacy in our current transport policy can be shown by comparing fares paid to move a 200 pound box with fares paid to move a 200 pound man. The shipper of the former pays 100% of his carrier’s fare; but a passenger on public-sector transit (bus or rail) pays only for the first two pounds, and the taxpayers are expected to pay for 198 pounds (applying generally accepted accounting principles, not the Enron-style accounting method our Legislature authorized for transit agencies’ financial reporting).

“Structural reform” of this unsound policy must be approached in the same manner as Great Britain accepted under the administration of Margaret Thatcher—privatization of nationalized industry. Keeping the *status quo* will only mire us further in misery. Flatboats, bullet trains, rickshaws, lunar escalators, i.e., any mode of transport, must charge user fees (fares) that are remunerative, unless we want to see it fail in the long run. Refer to my letter to HSRA’s former Chairman enclosed.

***Recommendations to CTC Re:
Transportation Funding “Crisis”***

William Jennings Bryan and the Populists were wrong, just as Marx & Engels were, as government nationalization of the railroads proved during World War I.

Neither CTC nor California should be surprised by the “crisis” resulting from this fallacy (or lunacy) in our transport policy. Do we have the will power to reform our policy, or will we take the same route as did the USSR? I pray that God will give you and your fellow Commissioners the wisdom and courage to make a course correction for California now, before it is too late.

Caveat Viator!

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Encl. [Article; Letters]

***Recommendations to CTC Re:
Transportation Funding “Crisis”***

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net

March 23, 2009

Fax: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Environmental Impact Report SF-San Jose-Gilroy-Merced

Dear Mr. Morshed,

Thank you for allowing members of the public to comment on HSRA's EIR for the San Francisco-San Jose-Gilroy-Merced Segment.

Identity of Author. I am a graduate of San Jose State University, and have done post-doctoral study of transportation law and policy at the Mineta Institute at SJSU. I write only for myself, and not on behalf of a client or organization, but merely to express my personal reply to the EIR for the segment that includes Gilroy, where I have practiced law for more than 30 years.

Background. I here refer to and incorporate by reference: (1) my letter to you dated 3/10/04; (2) letter dated 2/23/09, amended 3/13/09, from Mr. J.S. Jerry Wilmoth, UPRR; (3) Map CA-13, CA-17a&b, and CA-18, *Railroad Atlas of North America, California and Nevada*, pp. 18, 22-23; and Wendell Cox & Adrian T. Moore, *The California High Speed Rail Proposal: A Due Diligence Report*, Reason Foundation, Sept. 2008; Legislative Analyst's Office, *The High-Speed Rail Authority*, March 17, 2009 (see copies enclosed).

Summary. The crucial question facing us with HSR's proposal was concisely stated by the Honorable Norman Y. Mineta: "The crucial question in transportation today is: What should government do, and what should it leave to others."¹ The sound, sustainable answer to Secretary Mineta's "crucial question" lies in the private sector; not in the public sector. With free enterprise as a foundation, high speed rail's owners and investors can combine profitable freight revenue with losing passenger fares, rather than asking the maxed-out taxpayers of California for more tax subsidies for yet another public-sector passenger mode of travel.

¹Joseph P. Thompson, "ISTEA Reauthorization and the National Transportation Policy," 25 *Transportation Law Journal*, pp. 87-*et seq.* (1997).

Comment: Funding Source for Operations. The current proposal does not satisfy the requirements of sound railroading, while it adheres to the tax-dependent method of finance akin to Amtrak, Caltrain and urban mass transit, with only a very small fraction of the overall expenses paid for by the patrons. The underlying assumption that taxpayers can continue to pony-up the subsidies for more government-owned transport is wrong. History shows the proposal to be fatally flawed. All of the State-owned railroads in the Nation failed in 1837-1840. Lincoln knew personally about those failures, so when General Granville Dodge recommended to the President in 1864 that the government own the transcontinental railroad, Lincoln said “no.” His theory, which ultimately worked, was that private enterprise own the railroads, but that the government would aid in their construction. When the Nation’s railroads were nationalized during World War I, it only took 18 months before the government’s mismanagement had brought all our railroads to a screeching halt. So, Congress reversed its previous decision and de-nationalized our railroads. In 1970 during debates in Congress on formation of the National Railroad Passenger Corporation (Amtrak), some members promised that Amtrak “would be profitable in three years.” Amtrak has failed to break even, and requires ever-increasing tax subsidies to continue its operations. Our Nation paid dearly for Amtrak’s subsidies because on 9/11/01 we did have Amtrak, but we did not have adequate airport security.

The north-south tonnage flows in California, on Hwy. I-5, US 101, and Hwy. 99, represent a source of funding that could, in a private-sector model, duplicate and exceed taxpayers’ subsidies in the public-sector model as proposed in the EIR. The French government has announced that it will have Fedex freight transported by that nation’s HSR starting next year, so those with experience in operating HSR in Europe have apparently resorted to freight revenue as a source of funding. We could reduce air pollution, traffic congestion, and road and bridge support deterioration and maintenance expenses if we diverted some of that tonnage onto HSR. I have said this to the HSRA since before its creation when it was a Commission.

I believe that reliance on tax subsidies ought to be deemed unfeasible, given the tax/fee burdens already imposed on Californians by all levels of government, not to mention the even larger burdens which our generation is imposing on future generations.

Rather, the manner in which railroads were originally created, and funded, freight revenue combined with losing passenger fares, ought to be the funding formula upon which the HSR is created and maintained.

As the LAO’s Report states (page 5), the HSR service should “not require an operating subsidy.” A feasible “funding source . . . for future years . . .” (page 6, LAO’s Report) exists now and will exist into the future: freight revenue. As with freight moving in the bellies of airliners, HSR can transport freight, thereby decreasing air pollution because the fuel savings per ton/mile is about 75% compared with rubber tires hauling freight on concrete or asphalt. The profit made moving freight can offset the losses sustained transporting passengers. Overnight shipments between Northern and Southern California can be transported without interfering with daytime, commute hours.

Comment: UP’s Property Rights.

In addition to those aspects identified by Cox and Moore (“Reason Report”), the UP’s Coast Main Line, which is part of its incomparable interstate railroad, and considered by many to be the best railroad in the whole world, if not in America, is entirely its to own, for its shareholders’ benefit. The Nation’s national security and interstate commerce justify the position paramount to lesser entities, the States, and local government, which the courts have repeatedly upheld on federal preemption grounds. A look at the Maps of UP’s tracks in the SF Peninsula, San Jose, and South Bay

Area show that the current HSRA proposal is impossible without UP's consent. Since UP has not given its consent (Mr. Wilmoth's Letter enclosed), the proposed route is not a legally possible route, even if the HSRA could find the tax subsidy money to operate it as currently proposed.

Conclusion. I believe that Secretary Mineta was right. However, HSRA's answer is wrong for California, and impossibly burdensome for its taxpayers in this and future generations. By following our predecessors' example, and having learned from their mistakes, we can have sound, sustainable HSR in California.

Caveat Viator!

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net

January 5, 2010

Fax: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Environmental Impact Report SF-San Jose-Gilroy-Merced

Dear Mr. Morshed,

Thank you for allowing members of the public to comment on HSRA's second (judicially-required) EIR for the San Francisco-San Jose-Gilroy-Merced Segment.

Identity of Author. I am a graduate of San Jose State University, and have done post-doctoral study of transportation law and policy at the Mineta Institute at SJSU. I write only for myself, and not on behalf of a client or organization, but merely to express my personal reply to the EIR for the segment that includes Gilroy, where I have practiced law for more than 30 years.

Background. I here refer to and incorporate by reference: (1) my letters to you dated 3/23/09 and 3/10/04; (2) letter dated 2/23/09, amended 3/13/09, from Mr. J.S. Jerry Wilmoth, UPRR; (3) Map CA-13, CA-17a&b, and CA-18, *Railroad Atlas of North America, California and Nevada*, pp. 18, 22-23; and Wendell Cox & Adrian T. Moore, *The California High Speed Rail Proposal: A Due Diligence Report*, Reason Foundation, Sept. 2008; Legislative Analyst's Office, *The High-Speed Rail Authority*, March 17, 2009 (see attached to my letter to you 3/23/09).

Summary. Lenin convinced his fellow countrymen that Marx & Engels were right, with Trotsky's help, and Stalin's "persuasion" tactics. Did that make his philosophy right? No. Just like Lenin, CAHSRA's proponents are wrong. You remind me of heroin addicts who refuse to admit their addiction. Revelations since the election show what a disastrous idea you have proposed for this sad State, dominated by radical socialists in our Legislature, the League of California Cities, and the California State Association of Counties, and the public transit agencies and their public-sector unions. I think that history will be just as kind to the CAHSRA's proponents as it's been to Lenin. The people of California will rue the day that the Trojan Horse was approved in the guise of the Bullet Train.

As I said before, "The crucial question facing us with HSR's proposal was concisely stated by the Honorable Norman Y. Mineta: "The crucial question in transportation today is: What should

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

government do, and what should it leave to others.”¹ The sound, sustainable answer to Secretary Mineta’s “crucial question” lies in the private sector; not in the public sector. With free enterprise as a foundation, high speed rail’s owners and investors can combine profitable freight revenue with losing passenger fares, rather than asking the maxed-out taxpayers of California for more tax subsidies for yet another public-sector passenger mode of travel.

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Conclusion. I believe that Secretary Mineta was right. However, HSRA's answer is wrong for California, and impossibly burdensome for its taxpayers in this and future generations. By following our predecessors' example, and having learned from their mistakes, we can have sound, sustainable HSR in California.

Caveat Viator!"

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net

November 10, 2010

Fax: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Environmental Impact Report SF-San Jose-Gilroy-Merced

Dear Mr. Morshed,

Referring to my letter to you (copy enclosed), I am enclosing my supplemental remarks about the EIR for the SF-San Jose-Gilroy-Merced Segment.

Will you please add this supplement to the official record of these proceeds.

Future generations must know that you were warned.

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Gilroy, CA 95020
Telephone (408) 848-5506; Fax (408) 848-4246
E-mail: TransLaw@PacBell.Net

January 6, 2012

Fax: 916-322-0827
Mr. Mehdi Morshed, Exec. Dir.
High Speed Rail Authority
925 L Street, Suite 1425
P. O. BOX 942874, MS-74
Sacramento, CA 95814

Re: Public Comment HSRA's Re-Revised Environmental Impact Report SF-San Jose-Gilroy-Merced

Dear Mr. Morshed,

Referring to my letters to you (copies enclosed), why are you ignoring truth in transportation? Why are you ignoring sound railroading? Why are you ignoring history? Why are you ignoring the will of the voters of California? Why are you ignoring the legislation from our State Legislature signed into law by our State Governor?

Please include these remarks as part of your official record of proceedings and these enclosed supplemental remarks about the re-revised EIR for the SF-San Jose-Gilroy-Merced Segment.

You remind me of the public sector transit advocates and supporters who cram taxpayer-funded transit down our throats so that public sector transit welfare recipients and public sector union employees and joint power authorities staff can enjoy our blood regardless of the damage that it does to our State. Like addicts who refuse to admit their addiction, you seem Hell-bent on your Leninism even though history, both world-wide and American and North American railroad history proves that your concept is fatally flawed and is not sound nor sustainable. I repeat what I said to the High Speed Rail Commission and then State Senator Quinten Kopp: High Speed Rail can only work in the private-sector. Otherwise, you'll just stick another blood-sucking leech on us like Amtrak, Caltrain, Lite Rail, and other public-sector boondoggles that fail every place, and every time that they've been tried around the world.

Respectfully yours,

JOSEPH P. THOMPSON, ESQ.

Encl.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

JOSEPH P. THOMPSON
Attorney at Law
8339 Church Street, Suite 112, Gilroy, CA 95020
Post Office Box 154, Gilroy, CA 95021-0154
Telephone (408) 848-5506; Fax (408) 848-4246
E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

August 24, 2007

Editor

Email: editor@garlic.com, editor@gilroydispatch.com

The ***Dispatch***

6400 Monterey Road
Gilroy, CA 95020

Re: Bullet Train: Tourists' Panacea, Taxpayers' Hell

Dear Editor,

The proposal to build the Bullet Train in California is proof that socialists have taken-over our government. Based on past cost overruns, the price tag on this extreme boondoggle is about \$75-\$80 billion in today's dollars. Paid back interest on these bonds will also burden our children and grandchildren and great-grandchildren will billions more. Annual operating losses will exceed those of all Lite Rails combined. Fares won't cover 1% of operating expenses, estimated at \$1 billion/year. Bond debt will bury us.

Technology exists to build it, but how do we pay the construction costs, and operating costs? It's technologically incompatible with existing railroads, so it will need BART-like right-of-way. Eminent domain power, included in the legislation creating it, ensures that it will plow through Gilroy and Morgan Hill and any other place, regardless of opposition. But it cannot cross the UPRR's tracks because the Class I railroads' eminent domain trumps Bullet Train's eminent domain power, according to UP's top commerce counsel on the West Coast. Tourists will ride it, but enjoy a 99% taxpayer subsidy for rides that will cost more than those on the Concorde Supersonic Jets. Local small business owners will pick-up the tab, maybe getting 10% back from tourist dollars if we're lucky.

In 1970 Congressmen stood up in Congress and proclaimed that Amtrak would be "self-sufficient in three years." Yeh. By 9/11/01 taxpayers had thrown about \$30 billion in subsidies down that black hole, but did we have adequate airport security?

In 1863 General Granville Dodge, who was later UPRR's top civil engineer, and who discovered the Sherman Pass over the Continental Divide, was summoned to the White House. He later said that he told the President that the government should own and operate the transcontinental railroad. Lincoln, who as a young member of the Illinois Legislature had seen government owned railroads in Eastern and Midwestern States go bust and shutdown operations in the 1830's and

When will we ever learn?

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

1840's, said no. He said that private enterprise must do it, although the government would assist with development incentives (my words, not his). They did it. And what did taxpayers receive in the deal? They got about \$460 million (measured in 1940 dollars) more than the value of the land granted to the railroad corporations because of Section 22 in the original Interstate Commerce Act (lower freight rates for government shipments).

A hundred years ago the Progressive Movement, led by William Jennings Bryan, sought nationalization of the railroads and other industries, but their passion was rejected by voters.

When the railroads were nationalized in 1917 during the Administration of Woodrow Wilson, government genius so botched-up shipping that rail traffic came to a standstill. That experiment failed, just as Lincoln predicted it would. In the Transportation Act of 1920 the railroads were de-nationalized, and came to be the envy of the world's nations today; the backbone of our nation's commerce.

Instead of making taxpayers pay for Bullet Train, like we pay for County Transit, Caltrain, Amtrak, Lite Rail, etc., etc., while motorists are paying 100% of their own transport costs, seeing our politicians rewarding transit wastefulness, why not use the unlimited power of capitalism? Have you been on I-5 lately to see the uninterrupted 24-7 tonnage flowing North-South in California? I appeared before the Bullet Train commission five times over the last decade and told them that if they put enough UPS, Fedex and Postal Service tonnage on their trains, then they would not need to ask the taxpayers for a dime. Did they listen?

Like Amtrak's promoters, their pie-in-the-sky predictions show that they did not listen, nor did they learn from history, either United States or world history in the last century and one-half. So, hold on for the ride, and warn your children and grandchildren, our leaders will strap taxpayers to the rocket to Hell. We'll be paying unimaginable sums to attempt what Lenin, Trotsky, Stalin and the USSR failed to achieve, despite all their promises to their citizens that socialism could bring utopia. If they fund it with gas taxes, be prepared to see \$10/gallon for gas at the pumps. They'll tax motorists out of their cars, leaving them to ride our Trojan Horses, and bike or walk the rest of the way.

Caveat Viator!

Respectfully yours,
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Member, Association for Transportation Law, Logistics & Policy
Candidate, American Society of Transportation & Logistics
Winner, AST&L's Best Research Paper Award 1997
Past-President, Gilroy-Morgan Hill Bar Assn.
Post-Doctoral Student, Transportation Law & Policy

When will we ever learn?

Editor: this was published in Orange County Register Wednesday, June 14, 2006. Please publish again for Gilroy & Morgan Hill raped taxpayers, about to be re-screwed by utopian insanity by Bullet Train. The author is one of the Nation's top transport policy men.

Joe Thompson

Gilroy

(408) 848-5506

1. **Taking taxpayers for a ride California focus**

Proposed state high-speed rail system would cost too much to do too little

There has been considerable discussion about the proposed California High Speed Rail project. California taxpayers are being subjected to grandiose claims about reduced traffic congestion and cost-effective alternatives to flying and driving.

The HSR system, which would connect Los Angeles, San Francisco, San Diego, Sacramento and areas in between, would require as a down payment a \$10 billion bond issue that voters may consider as soon as November. The California High Speed Rail Authority says the system could cost much more – \$37 billion. Reality is more like \$75 billion.

Luckily, the Assembly last month passed a bill that would delay the bond election until 2008. That bill is now in the Senate Appropriations Committee, where there is no clear indication whether it will come to a vote anytime soon. However, there is evidence the Assembly's caution is justified, and the Senate should follow its lead.

First, the HSR system is likely to cost much more than advertised. Cost projections for large transportation projects are notoriously inaccurate. Boston's two-decade "Big Dig" racked up three times its projected cost, even after accounting for inflation. Across the country, transit megaprojects have escalated in cost after approval; these are not isolated cases.

What's more, it appears these overruns are not accidental. Research by Bengt Flyvbjerg of the University of Aalborg (Denmark) published in the Journal of the American Planning Association demonstrates these projects routinely surpass estimated costs due to "strategic misrepresentation." Planners and proponents underestimate costs in hopes of obtaining project approvals that would otherwise be impossible.

As a Los Angeles County transportation commissioner, I witnessed costs escalate for the Blue Line light rail from Los Angeles to Long Beach eventually exceeding three times original projections (inflation-adjusted). At no point did anyone seriously question the increases, because the taxpayers had already committed to the project. There was simply no incentive to keep costs down. Why should we expect the HSR project to be any different?

Flyvbjerg and others also have found that ridership estimates tend to be overstated. The Los Angeles Red Line subway even today carries less than one-half the ridership that was projected when we approved it.

Ridership is important because the California high-speed rail system is advertised as not needing its operations subsidized by taxpayers. But this claim is likely based on an overestimation of the ridership and an underestimation of the operating costs. Amtrak's high-speed Acela service between Washington, D.C., and New York City carries little more than one-tenth the passengers that proponents promise for the California system, despite serving a larger market. So it is likely taxpayers will need to keep their checkbooks open indefinitely to subsidize HSR operation.

All this would be irrelevant if we needed such a system. The California HSR has been touted as a strategy for reducing highway congestion. In fact, projections indicate that traffic congestion along the rail corridors will still increase 26 percent by 2020, even with the high-speed trains. Without them the increase by 2020 would be 31 percent.

Claims of reduced air traffic congestion are similarly flawed. Most air travel between the San Francisco Bay Area and Southern California already avoids the busy San Francisco International and Los Angeles International airports, and their share of travel is declining. Planners delude themselves into believing HSR will take away half of air traffic volume. But last year Amtrak said its New York-to-Washington high-speed service lost ridership to stronger airline competition. Planners assume airlines will stand idly by as their customers jump on the train. In fact, airlines will compete, and compete hard.

Much has been made of HSR's purported cost-effectiveness, with claims that highway improvements would cost more than twice as much as the rail project. But the highway alternative would produce four times the congestion relief, making it twice as cost-effective, even without the inevitable cost escalations for high-speed rail.

Thus, for California, the question is not whether high-speed rail would be nice – it would be. The fundamental question is whether it is worth the tens of billions it could cost. At this point, there is every reason to believe this project would be, quite simply, a waste of money.

EDITOR: Please publish this letter that I sent to you on 3/2/03:

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Suite 112, Gilroy, CA 95020

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; Fax (408) 848-4246

E-Mail: TransLaw@PacPell.Net

March 2, 2003

Fax (408) 842-2206

Editor

The *Dispatch*

6400 Monterey Road

Gilroy, CA 95020

Re: Downtown Gilroy and Soviet-Style Transportation Policy

Dear Editor,

Could it be that our government intends to oust UP from its right-of-way through downtown Gilroy, supplanting it with Soviet-style Bullet Train and Son-of-Amtrak Caltrain? With VTA's Ministry of Truth touting Gilroy as its newest land-use planning (i.e., Sovietized) poster child, will we see an end to the history of private-sector railroads here? How many jobs will that kill-off? How much commerce will we lose if the VTA-led socialist-communist scheme is crammed down on us? The malignant tumor of socialism-communism is being stimulated by Politico-Transit Alliance advocates in our local government, our County government, and our State government, so will small business owners be able to stop this socialistic train wreck? We've seen the canneries go bankrupt and close their gates. The Black Hole Frankenstein "transit hub," where empty buses stop so public-sector union drivers can rest from the tedium of transporting empty seats around town, is growing—who knows where the socialist policy will stop? If we don't stop runaway government now, how will our children or grandchildren ever stop it? Where is an elected leader with the guts to fight back for us? I believe that it is time for us to retake our government away from the socialist small business killers. *Caveat viator!*

Very truly yours,

JOSEPH P. THOMPSON

Member, Executive Committee, Debtor-Creditor-Bankruptcy Section Santa Clara County Bar Assn.

Member, Legislation Committee, Transportation Lawyers Assn.

Member, Association for Transportation Law, Logistics & Policy

Member, SBC Citizens Rail Advisory Committee

Candidate, American Society of Transportation & Logistics

Winner, AST&L's Best Research Paper Award 1997

Past-President, Gilroy-Morgan Hill Bar Assn.

Communication: Public Comment Supplement 1 (PUBLIC COMMENT)

EDITOR: Please publish this letter that I sent to you on 8/24/07:

JOSEPH P. THOMPSON

Attorney at Law

8339 Church Street, Suite 112, Gilroy, CA 95020

Post Office Box 154, Gilroy, CA 95021-0154

Telephone (408) 848-5506; Fax (408) 848-4246

E-Mail: TransLaw@PacPell.Net

Fax (408) 842-2206

August 24, 2007

Editor

Email: editor@garlic.com, editor@gilroydispatch.com

The *Dispatch*

6400 Monterey Road

Gilroy, CA 95020

Re: Bullet Train: Tourists' Panacea, Taxpayers' Hell

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Winner, AST&L's Best Research Paper Award 1997
Past-President, Gilroy-Morgan Hill Bar Assn.
Post-Doctoral Student, Transportation Law & Policy

When will we ever learn?

From: [joni.b](#)
To: [CC Public Comment](#)
Subject: Letter from Fire Marshall
Date: Friday, May 1, 2020 12:19:29 PM

I would like to ask why the Fire Marshall recently sent a written communication demanding that large trees on my property be removed immediately? We understand that certain foliage can be hazardous in view of fire season however, during a global pandemic is not a realistic time to act upon the request. Why weren't such requests sent years prior if the foliage was deemed problematic? This is not a feasible or safe time to have to be dealing with contractors of any kind. Also, the associated costs for large tree abatement would be astronomical. The timing is irrational. I believe myself and any one else who received this notification should be given additional time to address this matter until it is safe and financially realistic to do so.

J. Benevento

Downtown Morgan Hill area

Sent from my iPhone

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Communication: Public Comment Supplement 2 (PUBLIC COMMENT)

PUBLIC COMMENT

AGENDA DATE: 05/06/2020

SUPPLEMENT # 3

From: [Christina Turner](#)
To: jonibagbene@gmail.com
Cc: [CC Public Comment](#)
Subject: RE: Letter from Fire Marshall
Date: Monday, May 4, 2020 10:16:13 PM

Hi Joni – thank you for your email – please find below information prepared in coordination with our Fire Marshal.

Thank you for sharing your concerns. While we realize that this is a seriously challenging time for everyone in the community, it would be a grave disservice to delay these efforts until our residents were threatened by an approaching wildfire. I'm certain you have noticed that more and more communities are being threatened by wildfire and that neighborhoods once thought to be "out of harms way" are now seriously threatened by wildfire. Our community is no different.

Your Fire Marshal is responsible for the enforcement of Fire and Life Safety Codes, including Section 15.44.190 of the Morgan Hill Municipal Code. In support of this, staff inspects more than 3,100 parcels within Morgan Hill's defined Fire Hazard Severity Zones every year. These inspections typically begin in April to provide our residents with an ample opportunity to act on risk reduction measures necessary for their immediate and long-term safety in the face of an ever-growing wildfire threat.

As we continue to analyze data collected from an ever-increasing number of large wildfires, staff strives to apply the most current statistical and scientific knowledge in their ongoing risk reduction efforts and community outreach messaging.

Wildfire will not wait for the end of a pandemic. At this writing, the seasons have already changed and your Fire Department is already engaged in wildfire suppression. As summer approaches, the number of new wildfires (and their severity) will increase at a predictable rate. With that understanding in mind, Santa Clara County's Stay-At-Home Order recognizes the fuel reduction activities associated with wildfire preparation as essential. It is definitely possible to communicate with potential contractors via the phone and in person while practicing effective social distancing practices. In addition, the Santa Clara County Firesafe Council also recently launched a "Shelter in Yard" campaign to remind residents that they can work on their property in preparation for wildfires while maintaining effective social distancing.

More than half of 382 landowners who received notices from the Fire Marshal last month responded by either taking the required action or negotiating for additional time. Although staff is willing to adjust completion timelines for those landowners who need it, it is important to understand that this process is designed to prepare our residents for an event that will not negotiate or sympathize.

Staff will remain responsive to the social and economic challenges faced by our residents, providing supportive resources and guidance where appropriate and necessary. Our telephone and email contact information is prominently featured in every notice. I encourage you to reach out directly to the Fire Marshal if you desire additional information about the specific concerns on your property or resources that he may have available to support you in making your home safer for both you and

your neighborhood.

Regards,
Christina

CITY OF MORGAN HILL

Christina J. Turner, CPA
City Manager

17575 Peak Avenue, Morgan Hill, California, USA 95037

d 408.776.7382 | **c** 408.839.1705

e christina.turner@morganhill.ca.gov | www.morganhill.ca.gov

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-----Original Message-----

From: joni b <jonibagbene@gmail.com>

Sent: Friday, May 1, 2020 12:19 PM

To: CC Public Comment <CCPublicComment@morganhill.ca.gov>

Subject: Letter from Fire Marshall

I would like to ask why the Fire Marshall recently sent a written communication demanding that large trees on my property be removed immediately? We understand that certain foliage can be hazardous in view of fire season however, during a global pandemic is not a realistic time to act upon the request. Why weren't such requests sent years prior if the foliage was deemed problematic? This is not a feasible or safe time to have to be dealing with contractors of any kind. Also, the associated costs for large tree abatement would be astronomical. The timing is irrational. I believe myself and any one else who received this notification should be given additional time to address this matter until it is safe and financially realistic to do so.

J. Benevento

Downtown Morgan Hill area

Sent from my iPhone

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From: [Michelle Bigelow](#)
To: [Angie Gonzalez](#)
Subject: FW: HERE'S JON COUPAL'S MOST RECENT ARTICLE ABOUT CA'S BULLET TRAIN
Date: Wednesday, May 6, 2020 5:32:59 PM
Attachments: [JON COUPAL ARTICLE 4-29-2020.pdf](#)

Michelle Bigelow, MMC, CPMC

Council Services and Records Manager/Deputy City Clerk

City of Morgan Hill

City Clerk's Office

17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4678 **O:** 408.779.7259

michelle.bigelow@morganhill.ca.gov

morganhill.ca.gov | [facebook](#) | [twitter](#)

From: John Lang <John.Lang@morganhill.ca.gov>
Sent: Monday, May 4, 2020 12:58 PM
To: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>
Subject: FW: HERE'S JON COUPAL'S MOST RECENT ARTICLE ABOUT CA'S BULLET TRAIN

Public comment

From: Joseph Patrick Thompson <translaw@pacbell.net>
Sent: Monday, May 04, 2020 10:17 AM
To: Barry Holtzclaw <bholtzclaw@newsymedia.com>; Nathan Mixter <nmixter@newsymedia.com>; Robert T. Dillon <rtdillon@garlic.com>; John Lang <John.Lang@morganhill.ca.gov>; Tammy Brownlow <president@gilroyedc.org>; Gilroy Dispatch Editor <editor@garlic.com>; Sbcrc Balers <onemorejones@yahoo.com>; Econ Dev SBC <sbcedc@hollinet.com>; SBC Board of Supervisors <sbcsuper@supervisor.co.san-benito.ca.us>; sbccog <info@sanbenitocog.org>; sbcsuper@cosb.us; Rich Constantine <Rich.Constantine@morganhill.ca.gov>; cityclerk@hollister.ca.gov; Dion Bracco <dion.bracco@ci.gilroy.ca.us>; Peter Leroe-Munoz <peter.leroe-munoz@ci.gilroy.ca.us>; Cat Tucker <cat.tucker@ci.gilroy.ca.us>; carol.marques@ci.gilroy.ca.us; shawna freels <shawna.freels@ci.gilroy.ca.us>; City Council Members City of Gilroy <allcouncilmembers@ci.gilroy.ca.us>; Mike Wasserman <askmike@garlic.com>; Gary Walton <gary@custom-1.com>; Eric Howard <ehoward1965@gmail.com>; 'Pat Loe' <donpatloe@att.net>; Mary Dinkuhn <mary@sanbenitocog.org>; Jon Coupal <jon@hjta.org>; Sally Bettencourt <sallybettencourt@gmail.com>; Kollin Kosmicki For Supervisor <kollinfor-supervisor@gmail.com>
Subject: Fw: HERE'S JON COUPAL'S MOST RECENT ARTICLE ABOUT CA'S BULLET TRAIN

Dear Editor,

Please publish Jon Coupal's new Article (copy attached) about the Supermassive Black Hole Bullet Train, a train wreck bigger than all the other public sector transit boondoggles, e.g., Caltrain, Amtrak, VTA, Lite Rail, COG, TAMC, SCCRTC, County Transit, Dial-A-Ride, and all the rest of the politicians' transit fiascoes they run using motorists

gas taxes to pay the transit subsidies. We cannot afford to keep these public sector tax-guzzlers running. How high will gas taxes be raised to keep bankrupt-from-conception public sector transit running? If it was a horse, we would shoot it to put it out of its misery.

Joseph P. Thompson, Esq.

(408) 848-5506

e-Mail: TransLaw@PacBell.Net

cc: PUBLIC COMMENT: NEXT MEETING; -- VIRTUAL; REAL; REGULAR, SPECIAL, STUDY SESSION, PUBLIC WORKSHOP, PRIVATE RETREAT, AND/OR UNCONSTITUTIONAL "MOBILITY PARTNERSHIP"

----- Forwarded Message -----

From: Joseph Patrick Thompson <translaw@pacbell.net>

To: Tom Rubin <tarubin@earthlink.net>; Jon Coupal <jon@hjt.org>

Sent: Monday, May 4, 2020, 10:05:33 AM PDT

Subject: HERE'S JON COUPAL'S MOST RECENT ARTICLE ABOUT CA'S BULLET TRAIN

Dear Tom,

Readers will find this of some interest.

I'm sending it to my State Senator.

Joe Thompson

(408) 607---7351 cell phone

PS,

Thanks to Jon Coupal for his leadership. jpt

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NUCLEAR POWERED AIRCRAFT AND HIGH SPEED RAIL

Jon Coupal

A long forgotten aspect of the nuclear arms race was the costly undertaking by the United States to develop a nuclear powered aircraft as a strategic bomber.

Even before Allied powers defeated Nazi Germany in 1945, both the United States and the Soviet Union were battling for post-war superiority. With the successful detonation of two atomic bombs – bringing the Pacific Theater hostilities to an abrupt halt – the U.S. had a brief period of nuclear superiority over the USSR.

That would not last long as the USSR quickly accelerated its nuclear program and the Cold War was on.

In May 1946, the United States Army Air Forces started the Nuclear Energy for the Propulsion of Aircraft (NEPA) project. The alluring idea was to build an aircraft that could, in theory, stay aloft indefinitely. In 1951, the NEPA project was succeeded by the Aircraft Nuclear Propulsion (ANP) program.

However, despite the efforts of America's best nuclear and aviation scientists working with a virtually unlimited budget, the problems were insurmountable. The biggest hurdle was that nuclear reactors are very heavy. Sustaining one aloft with a fixed-wing aircraft turned out to be a challenge that could only be overcome by using a modified B-26 as a platform.

Reducing the weight of the reactors by shielding them with lighter material put the flight crews in danger from the high risk of radiation exposure. This latter problem never worried the Soviets in that their similar programs were willing to so expose the crews. But this led to an unacceptable mortality rate, even for the Russians.

After more than a decade of throwing good dollars after bad, the aircraft nuclear propulsion programs were substantially terminated by President John F. Kennedy in 1961.

The lessons of history should be instructive for Californians, who have watched for more than a decade as the state has thrown their money into the increasingly impossible high-speed rail program.

Even before the California High-Speed Rail bond proposal appeared on the ballot in November 2008, the Howard Jarvis Taxpayers Association commissioned a study in conjunction with the Reason Foundation because of deep concerns about the project's viability. The study, published in September 2008, warned:

"The CHSRA plans as currently proposed are likely to have very little relationship to what would eventually be built due to questionable ridership projections and cost assumptions, overly optimistic projections of ridership diversion from other modes of transport, insufficient attention to potential speed restrictions and safety issues and discounting of potential community or political opposition. Further, the system's environmental benefits have been grossly exaggerated, especially with respect to reduction of greenhouse gas emissions that have been associated with climate change."

Every negative prediction about the project came to be realized. Even initial advocates of the project, including a former chairman of the High Speed Rail Authority, have turned against the costly boondoggle.

At the end of 2018, California's own State Auditor issued a scathing report excoriating the project's mismanagement, waste and lack of transparency. Speed-readers needed to go no further than the subtitle to learn the conclusion: "Flawed Decision Making and Poor Contract Management Have Contributed to Billions in Cost Overruns and Delays in the System's Construction."

Nothing has improved since then, and much looks even worse.

In December of 2019, the Federal Railroad Administration objected to the California High-Speed Rail Authority's plan to issue a request for proposals to build train track and install electrical wiring and maintenance facilities. The FRA warned, "it is premature for CHSRA to undertake another major design-build contract." Disregarding the concerns, the rail authority went ahead the next day with its plan to issue the RFP.

In February, the Authority issued its latest two-year "business plan," which once again increased the projected cost and reported a further delay in completion. Color us shocked.

Soon after, a draft environmental document outlined the preferred route from Bakersfield to Palmdale, an engineering feat that would cost \$18.1 billion and mow down a high school, a homeless shelter, a church, eight motels, 253 housing units, 311 businesses and 175 agricultural fields.

In March, the L.A. Times revealed that employees of the rail authority's top consultant had been ordered to hide bad news about the project.

There's no hiding it. The Legislative Analyst's Office concluded that the latest HSR business plan is not realistic, has significant funding challenges, is susceptible to further cost overruns and is inconsistent with voter intent because it relies on public subsidies.

In the 1960s, the President and Congress wisely pulled the plug on a failed project when it became obvious that all the money in the Pentagon couldn't make it fly. Until California's government wises up, we'll be stuck watching our taxpayer dollars fly out the window.