



Regular Meeting Agenda

City Council

Rich Constantine - Mayor
John McKay - Mayor Pro Tem
Gino Borgioli - Council Member
Yvonne Martinez Beltran - Council Member
Rene Spring - Council Member

Wednesday, January 20, 2021 7:00 p.m.

Virtual Meeting

VIRTUAL MEETING GUIDELINES AND PUBLIC COMMENT

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. Physical meetings will not be in the City Council Chamber until further notice.

City Council meetings will be live streamed on Channel 17, on the City's website and on the City's Facebook page. Those members of the community that would like to participate in the meetings remotely may do so by joining the virtual meeting at: <https://bit.ly/MHCityCouncilMeeting> or by calling in to: (669) 900-9128, then enter the webinar id: 873 3200 8380#.

Public comment may be provided in the following ways:

- Join the virtual City Council meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes
- Join the virtual meeting by calling in to the number above, dial *9 to raise your hand and be called upon to speak for up to 3 minutes
- Send public comments in writing to the City Clerk at ccpubliccomment@morganhill.ca.gov or ccpubliccomment@morganhill.ca.gov

* Please note that comments made on Facebook are not considered 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

City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
City Clerk Michelle Bigelow

PRESENTATIONS

YAC PRESENTATION- ASSET #32- PLANNING AND DECISION MAKING

RECOGNITIONS

2020 STEM Winners

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)

ADOPTION OF AGENDA

CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Pursuant to City Council Policies and Procedures (CP 97-01), any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action.

Time Estimate for Consent Calendar: 1 - 10 Minutes

1. ACCEPT SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

Recommendation:

Accept the Morgan Hill Community-Based Transportation Plan (CBTP).

2. ADOPT ORDINANCE 2319, NEW SERIES, OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

Recommendation:

Waive the reading, adopt Ordinance No. 2319, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

3. APPROVE CITY POSITION AND COMMUNICATION REGARDING VTA'S PROPOSED MEASURE B FUNDING REALIGNMENT, VALLEY WATER'S FUNDING OF PHASE 2A OF UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT AND FEDERAL STIMULUS SUPPORT FOR STATE AND LOCAL GOVERNMENTS

Recommendation:

1. Ratify City position and accept City communication sent to Santa Clara County Board of Supervisors regarding opposition of Valley Transportation Authority's (VTA) proposed 2016 Measure B 10-year outlook base scenario and funding realignment;
2. Authorize City Manager to communicate the City's position to Valley Transportation Authority Board when the matter is placed on its agenda;
3. Ratify City position and accept City communication sent to Valley Water in support of funding Phase 2A of the Upper Llagas Flood Control Protection Project; and
4. Ratify City position and accept City communication sent to Federal legislative representatives in support for economic stimulus for state and local governments.

4. APPROVE AGREEMENT WITH BLACK & VEATCH FOR RISK AND RESILIENCY ASSESSMENT (RRA) AND EMERGENCY RESPONSE PLAN (ERP) SERVICES

Recommendation:

Approve and authorize the City Manager to execute and administer an agreement with Black & Veatch Corporation in the amount of \$143,880 for the development of a Risk and Resilience Assessment and Emergency Response Plan.

5. APPROVE FIRST AMENDMENT TO AGREEMENT WITH SANTA CLARA COUNTY FOR ISOLATION QUARANTINE PROGRAM

Recommendation:

Approve the First Amendment to the agreement between the County of Santa Clara and the City of Morgan Hill for the Countywide Isolation and Quarantine Support Program to extend the term through June 30, 2021.

6. APPROVE GOVERNMENT CODE 65915 DENSITY BONUS CONCESSIONS FOR A 100 PERCENT AFFORDABLE HOUSING PROJECT (SR2020-0023 WATSONVILLE-HORDNESS)

Recommendation:

Adopt resolution approving the request for the following affordable housing concessions, pursuant to Government Code:

1. Increase in floor area ratio;
2. Reduction in on-site parking;
3. Reduction in common open space; and
4. Increase in building height.

7. APPROVE THE DECEMBER 16, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

8. ADOPT RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY FROM GARCIA FOR THE HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Adopt Resolution of Necessity determining that the public interest and necessity require the acquisition by eminent domain of real property from Rocke and Glenda Garcia as identified in Exhibit A for the Hale Avenue Extension Project; and
2. Authorize the City Attorney to file suit in eminent domain with respect to said property.

Estimated Time: 10 Minutes

OTHER BUSINESS

9. RECEIVE MONTHLY BUDGET UPDATE, DECEMBER 2020 FINANCIAL AND INVESTMENT REPORTS, AND CITY MANAGER AUTHORITY REPORT

Recommendation:

Accept and file report.

Estimated Time: 15 Minutes

10. REVIEW AND APPROVE CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Recommendation:

1. Review, discuss, and approve the City Council appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

Estimated Time: 30 Minutes

FUTURE COUNCIL INITIATED AGENDA ITEMS

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

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



These strategic priorities were established prior to the COVID-19 pandemic. In light of recent events, we recognize that all of these goals and priorities will be viewed through the lens of the global pandemic, and we will continue to have equity, public health, and financial responsibility in mind.



January

Developmental Asset #32

Planning and Decision Making

Young person knows how to plan ahead and make choices.



January

Complementary Asset #21

Achievement Motivation

Young person is motivated to do well in school.

How does planning and decision making aid youth?



Youth will:

- ☐ Prepare for the future
- ☐ Develop a strong work ethic
- ☐ Avoid unnecessary stress
- ☐ Emphasizes independence
- ☐ Understand internal and external consequences



Agnes William, Active Member



→ How has planning and decision making helped you achieve your goals?

- ◆ Organize my thoughts
- ◆ Set goals for myself
- ◆ Prepare for what's to come

Whiteboard

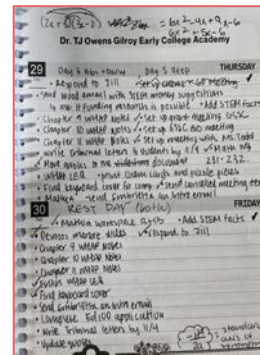


Ria Deshpande, Vice President



→ How has planning and decision making helped you achieve your goals?

- ◆ Develops stability
- ◆ Self-accomplished
 - Motivated for more
- ◆ Confident in my abilities
- ◆ Visualize the future

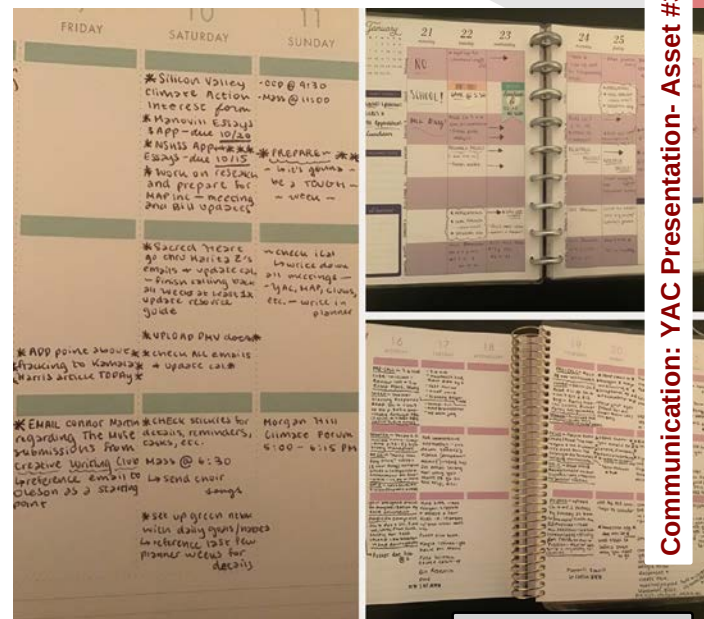


Elizabeth Joseph, Active Member



- How has planning and decision making helped you achieve your goals?
- ◆ High School acceptance-- provided planner
 - ◆ applications that lead to many acceptances

Planner



Tips for Community Members



- ❖ Provide students with planners
- ❖ Practice making a daily to-do list
- ❖ Support independence: help make the “right” decisions
- ❖ Encourage seeking opportunities



Questions to Council:

- What are some tools that you use or have used to help you plan?
- As adults, there are many challenging decisions to make. How do you make decisions?
- How do you prioritize your “to do” list when you have many action items that you find equally important?





CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ACCEPT SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

RECOMMENDATION(S)

Accept the Morgan Hill Community-Based Transportation Plan (CBTP).

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure
Supporting Our Youth
Seniors
and Entire Community
Enhancing Diversity and Inclusiveness
Advancing Regional Initiatives

2020-2021 Strategic Priorities

Transportation

GUIDING DOCUMENTS

Bikeways
Trails
Parks
and Recreation Masterplan
Morgan Hill 2035 General Plan
Vision Zero

REPORT NARRATIVE:

In 2019, the Valley Transportation Authority (VTA) received grant funding to develop a Community-Based Transportation Plan (CBTP) for the City of Morgan Hill. The Community-Based Transportation Planning Program is funded by the Metropolitan Transportation Commission (MTC). MTC is the transportation planning, financing, and coordinating agency for the nine-county San Francisco Bay Area region. The agency collaborates with a network of other public agencies to help support the streets, roads, highways, transit systems and other transportation resources for Bay Area residents.

A key for receiving the funding was the intent to support one census tract in Morgan Hill (Census Tract #512310 located near Barrett Elementary School) that is defined as a Community of Concern (COC) per MTC's definition. Due to the relatively small geographical area of the COC census tract, VTA and the City staff felt that the CBTP may not capture the complete range of transportation issues and comments if the study area was limited to just one census tract. A request to expand the study area to the

entire City and sphere of influence was made and approved by the MTC.

Over the last 20 months of working on development of the Plan a final draft is ready for review and acceptance by the Morgan Hill City Council. The Parks and Recreation Commission, which serves as the advisory body to the City Council on issues relating to Bicycles and Trails, reviewed the Plan at their December meeting and recommended acceptance by the City Council. The Plan is included as Attachment 1.

In the future, the Plan will be used in conjunction with various other City planning documents to support improved transportation for the City. Additionally, the Plan provides a useful tool for grant applications and funding requests.

COMMUNITY ENGAGEMENT: Involve

Significant community outreach occurred in development of the Plan in 2019, however, due to Covid-19, formal adoption has been delayed. The outreach included a steering committee made up of local community members, numerous community meetings and many other activities which are outlined in detail in the Plan.

ALTERNATIVE ACTIONS:

The City Council could choose to not accept the Plan and/or provide specific comments on the Plan.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council received an update on the progress for the Plan on May 21, 2019.

FISCAL AND RESOURCE IMPACT:

The Funding for development of the Plan was provided to the VTA through the MTC. Development of the Plan required staff resources from the Engineering Division, Development Services Department, and the Community Services Department, and were accommodated within their respective workplans and budgets.

CEQA (California Environmental Quality Act): Categorical Exemption.

The Community Based Transportation Plan is a document that will be used to formalize other planning and project documents for the City and is exempt from CEQA under Public Resources Code § 21102, 21150 (Feasibility or planning studies for possible future actions that the agency has not approved, adopted, or funded).

LINKS/ATTACHMENTS:

1. Morgan Hill_CBTP_Report Final

Santa Clara Valley Transportation Authority

Morgan Hill Community-Based Transportation Plan (CBTP) Report



February 2020



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CHAPTER

1

Introduction and Overview of the Morgan Hill Community-Based Transportation Plan (CBTP)

The Morgan Hill Community-Based Transportation Plan (CBTP) is the result of a community-based planning effort in the City of Morgan Hill of Santa Clara County beginning in January of 2019. Residents and community-based organizations

“This study documents specific needs of Morgan Hill residents...”

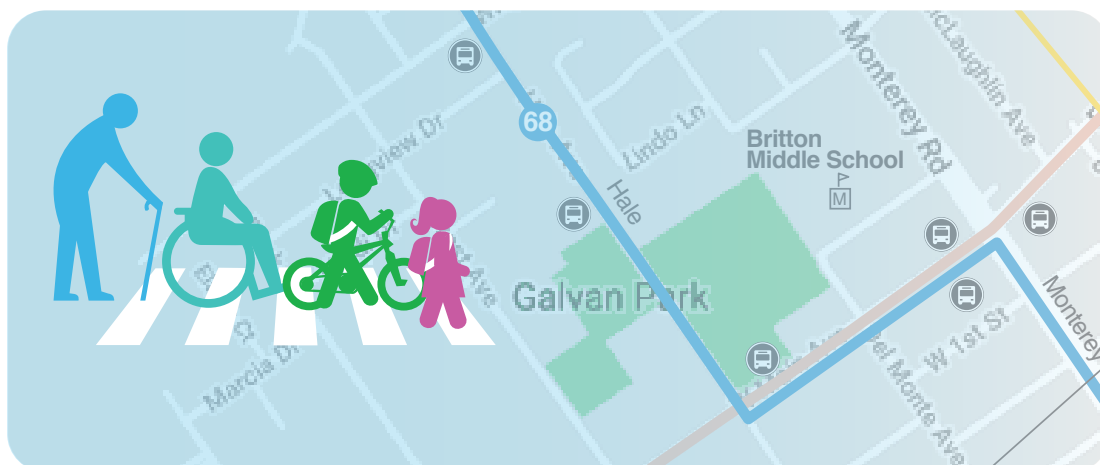
worked closely with government entities to develop this CBTP. The study documents transportation needs of Morgan Hill residents that were gathered through a public outreach process and from previous planning efforts. The Morgan Hill CBTP can

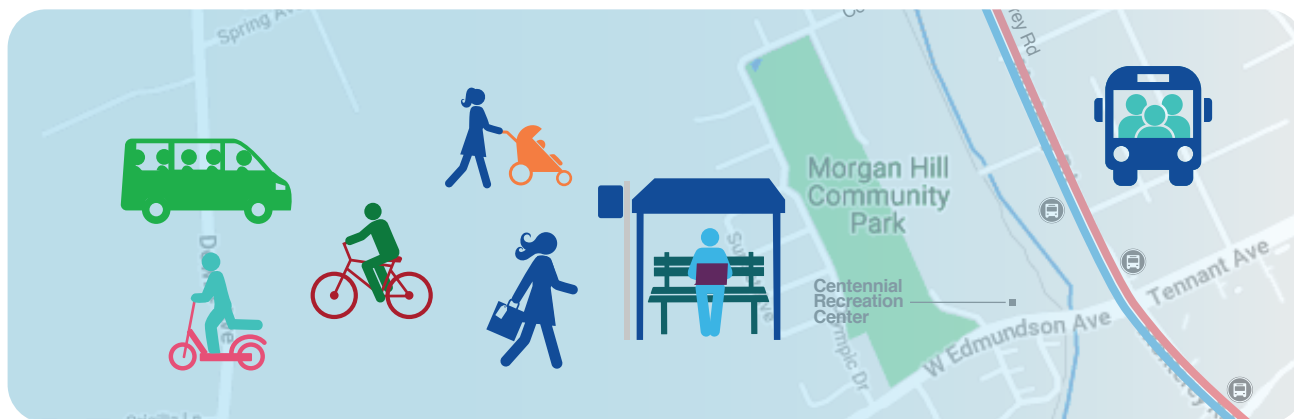
be a starting point for the development and implementation of relevant projects and/or services aimed at improving transportation in the City.

This chapter includes 1) the background and purpose of the Community-Based Transportation Planning Program and 2) the overview of the collaborative effort on the CBTP between VTA, City of Morgan Hill, other government entities, and community organizations.

Background of the CBTP Program

The Community-Based Transportation Planning (CBTP) Program launched in 2002 by the Metropolitan Transportation Commission (MTC). MTC is the transportation planning, financing and coordinating agency for the nine-county San Francisco Bay Area region. The agency collaborates with a network of other public agencies to help support the streets, roads, highways, transit systems and other transportation resources that help Bay Area residents get





where they need to be. The CBTP Program evolved out of two regional studies completed in 2001, the Lifeline Transportation Network (LTN) and the Environmental Justice (EJ). Both studies emphasized on the needs of the communities of concern and the need for MTC to support local planning efforts in these communities. It is important to note that the communities of concern as defined by MTC is based on the thresholds in percentages of 8 different variables: minority (70%), low-income (30%), level of English proficiency (12%), elderly (10%), zero-vehicle households (10%), single parent households (20%), disabled (12%), and rent-burdened households (15%). If a census tract exceeds both threshold values for low-income and minority shares OR exceeds the threshold value for low-income AND exceeds the threshold values for three or more variables, it is considered a Community of Concern (CoC). Since its launch, the CBTP Program has provided roughly \$2.6 million in funding for over 40 collaborative planning processes in CoCs across the Bay Area. Each CBTP reflects the following three goals and objectives of the regional program:

- Emphasize resident participation in the plan development process,
- Foster collaboration between residents, community organizations, local jurisdictions, transit operators, CMAs and MTC; and
- Expand community capacity by engaging community-based organizations throughout the process

Purpose of the Community-Based Transportation Plan (CBTP)

The purpose of the CBTP is to bring residents, community organizations, and government entities together to identify Morgan Hill's most important transportation challenges and develop strategies to overcome them. The CBTP lays the groundwork towards solving transportation needs of the community of concern (COC) as defined by MTC. Residents within COC area and the City of Morgan Hill require safe, affordable and reliable transportation options to meet daily needs, including access to work, education, medical facilities, and other life-enhancing services. The challenge for local agencies and jurisdictions is providing transportation alternatives that not only support agencies' goals but is also responsible and an efficient use of available funding and resources.

The CBTP's public outreach process placed emphasis on the participation of community members through various outlets such as public meetings, focus-group meetings, tabling events, and a survey. Efforts of residents and community organizations contributed to pin pointing transportation issues and prioritizing of relevant projects and/or programs. The projects and programs that closely correspond to the transportation issues heard from the outreach process will be matched with potential funding sources. Public entities can then work collaboratively to apply for funding opportunities when they become available.

Project Management Team



Steering Committee



Project Partners & Involvement of Community-Based Organizations

Through the CBTP Program Guidelines mentioned above, Valley Transportation Authority (VTA), the designated congestion management agency (CMA) for Santa Clara County serves as the lead agency in the CBTP planning process. To ensure the CBTP produced is robust and inclusive of the community's needs, VTA prioritizes working closely with local jurisdictions and stakeholders throughout the planning effort. VTA partnered with the City of Morgan Hill and the Morgan Hill Chamber of Commerce, a local non-profit organization, to form the Project Management Team for the Morgan Hill CBTP. Furthermore, VTA request participation from various agencies, organizations, and groups that have a stake in the Morgan Hill community to provide insights on transportation issues and participate on the Steering Committee. Steering Committee members includes Morgan Hill Unified School District, EAH Housing, the Morgan Hill Bicycle & Pedestrian Advocacy Group (BPAG), and the Youth Action Council. The CBTP will discuss the Steering Committee and its role in the plan in more details in Chapter 3.

Get to Know the City of Morgan Hill!

Morgan Hill Station Area Master Plan

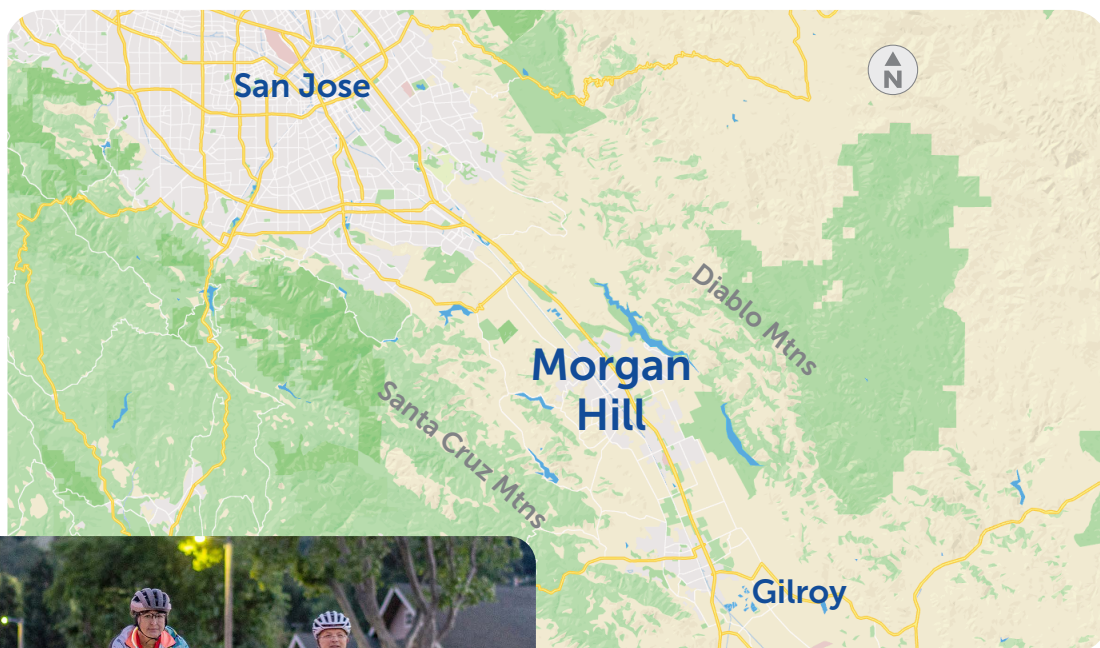
In 2016, the City of Morgan Hill received a grant from Santa Clara Valley Transportation Authority (VTA) to prepare a Station Area Master Plan for the area at and around the Morgan Hill Transit Center. This area is designated as a Priority Development Area (PDA) because of the following characteristics, 1) has been identified and approved for future growth, 2) accessible by more than one transit services, and 3) located near established job centers, shopping districts, and other services. The Station Area Master Plan is focused on strengthening the Morgan Hill Transit Center and Downtown Morgan Hill by identifying considerations and opportunities for multi-modal connectivity, such as transit, bicycling, and walking. To access the Station Area Master Plan and learn more, visit:

<https://www.morgan-hill.ca.gov/1641/Station-Area-Master-Plan>.



CHAPTER 2

Study Area Profile and Existing Conditions



To adequately identify and understand the transportation challenges in the City of Morgan Hill, it is important to look at the study area profile, demographics, travel patterns and the existing services/infrastructures. The purpose of this chapter is to present a deeper understanding of the City of Morgan Hill.

Location

The City of Morgan Hill has a total area of 12.8 square miles and is in the southern part of Santa Clara County, California. The City

is located approximately 20 miles south of downtown San Jose and roughly 10 miles north of Gilroy. The City is surrounded by the Santa Cruz mountain range to the west and the Diablo mountain range to the east.

Morgan Hill's ideal location offers residents and visitors a vibrant Downtown area, year-round outdoor recreational activities, including cycling, golfing, swimming, and boating. In recent years, the City transformed Downtown Morgan Hill into an important destination in South Silicon Valley by offering a variety of culinary and entertainment experiences, pedestrian-friendly streetscapes, public art displays as well as special events and festivals. For a complete list of attractions and activities in Downtown Morgan Hill, visit www.morgan-hill.ca.gov/1150/Morgan-Hill-Downtown-Its-Happening.

Figure 1
Location of a Community of Concern in
Morgan Hill

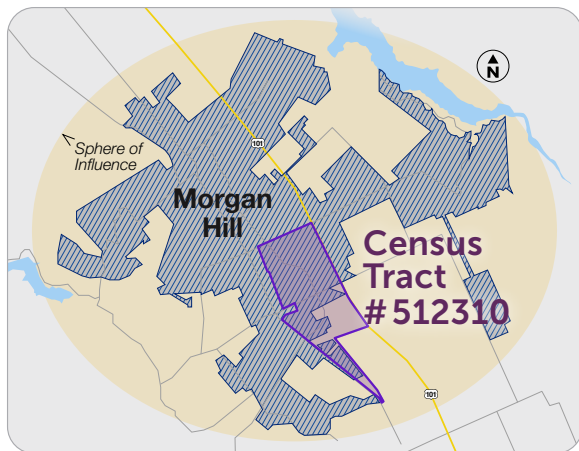


Table 1
Age distribution in the COC Census Tract,
City of Morgan Hill, and Santa Clara County

Age Distribution	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Under 5 years	7.8%	7.1%	6.3%
5 to 9 years	9.1%	7.5%	6.4%
10 to 14 years	10.9%	8.6%	6.5%
15 to 19 years	7.4%	6.0%	6.0%
20 to 24 years	4.8%	5.8%	6.3%
25 to 29 years	7.3%	4.6%	7.7%
30 to 34 years	4.7%	5.5%	7.9%
35 to 39 years	7.0%	6.7%	7.4%
40 to 44 years	8.8%	7.1%	7.4%
45 to 49 years	6.4%	7.5%	7.2%
50 to 54 years	7.6%	7.9%	7.0%
55 to 59 years	5.6%	6.7%	6.3%
60 to 64 years	3.6%	6.3%	5.2%
65 years & up	9.0%	12.7%	12.5%

The study area of the CBTP consists of the entire city of Morgan Hill and areas adjacent to the city boundary, known as the Sphere of Influence. The presence of the Sphere of Influence allows for residents to contribute transportation concerns and recommendations that may happen right at the city's boundary.

MTC's Community of Concern (COC) in Morgan Hill

Despite the study area of the CBTP encompassing the entire City and the Sphere of Influence, there is one census tract (Census Tract #512310) in Morgan Hill that is defined as a Community of Concern (COC) per MTC's definition. Figure 1 shows the location of the COC Census Tract of Morgan Hill. Because of the relatively small geographical area of the COC census tract, VTA and the City of Morgan Hill staff felt that the CBTP may not capture the complete range of transportation issues and comments if the study area was limited to just one census tract. A request was made to MTC to expand the Plan's boundary to its current area. The larger geographical area allows for greater input from the community and offer more comprehensive solutions to transportation issues, especially for the COC. The demographics information presented in subsequent sections will

compare data from COC Census Tract #512310 with citywide and countywide data.

Demographics

Demographics information are from the 2017 American Community Survey (ACS) 5-Year Estimates data by the United States Census Bureau. For more information on the American Community Survey (ACS) or for the latest updates, visit www.census.gov/programs-surveys/acs/about.html.

People and Population

The total population of Morgan Hill is 43,136, with the median age of 38.4 years old. The age distribution of the City is 23.2% of the population is under the age of 15, 64.1% of the population is between 15 to 64 years old, and 12.6% is 65 years or older.

In comparison, the population within Census Tract 512310 is 4,397 with the median age of 32.3 years. The age distribution is 27.8% of the population under the age of 15, 63.2% of the population is between 15 to 64 years old, and 9% is 65 years or older. The age distribution for each age group in the COC Census Tract, City of Morgan Hill, and Santa Clara County is shown in Table 1 for comparison.

Race and Ethnicity

The breakdown of race in Morgan Hill is 71.3% White, 10.9% Asian, 2.0% Black or African American, 0.6% American Indian and Alaska Native, and 0.1% Native Hawaiian and another Pacific Islander. About 33.8% of the City's population identifies as of Hispanic or Latino origin.

The breakdown within the COC Census Tract 512310 has a similar trend to Morgan Hill, except higher percentages of Asians and individuals identifying as having Hispanic or Latino origin. In contrast, 26.1% of the population in Santa Clara County is of Hispanic origin when compared to the 48.3% at the COC Census Tract level.

Table 2 shows the race and ethnicity comparison between the Census Tract, City of Morgan Hill and the whole Santa Clara County.

Language Spoken at Home & Limited English-Speaking Households

About 70.8% of Morgan Hill residents speak only English at home, with 17.9% speaking Spanish as

the primary language. Followed by 5.5% speaking Asian and Pacific Islander languages, 4.9% other Indo-European languages, and 0.9% speaks other languages.

The percentage for English-only speaking household is significantly lower in the COC Census Tract with 57.6%, followed by 26.5% Spanish, 0.0% Asian and Pacific Island languages, and 5.4% speaks other Indo-European languages. Table 3, on the next page, shows the comparison of the percentage of languages spoken at home in the three jurisdictions.

It is also important to note the percentage of limited English-speaking households in the COC Census Tract, City of Morgan Hill and Santa Clara County. A "limited English-speaking household" is one in which no member 14 years and over speaks only English or speaks a non-English language and speaks English "very well". In other words, all members 14 years and over have at least some difficulty with English. About 7.5% of all households within the COC Census Tract is considered a limited English-speaking household. This number is about 1.8 times

Table 2

Race and ethnicity comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Race & Ethnicity	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
White	70.0%	71.3%	45.5%
Black or African American	1.3%	2.0%	2.5%
American Indian and Native Alaska	0.5%	0.6%	0.5%
Asian	16.9%	10.9%	35.1%
Native Hawaiian and Other Pacific Islander	0.0%	0.1%	0.4%
Some other race	5.7%	8.5%	11.0%
Two or more races	5.6%	6.4%	4.9%
Hispanic or Latino origin (of any race)	48.3%	33.8%	26.1%

Table 3

Languages spoken at home comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Language Spoken at Home	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Speak only English	57.6%	70.8%	47.6%
Speak Spanish	26.5%	17.9%	18.1%
Speak Other Indo-European languages	5.4%	4.9%	8.9%
Speak Asian and Pacific Island languages	9.9%	5.5%	24.1%
Speak other languages	0.6%	0.9%	1.3%

Table 4

Limited English-speaking households comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Limited English-Speaking Households	7.5%	4.1%	10.8%

higher than that of Morgan Hill, but lower than the percentage at the countywide level. Morgan Hill and Santa Clara County has 4.1% and 10.8% limited English-speaking households, respectively. Table 4 shows the percentage of limited English-speaking households in the three jurisdictions.

Income and Poverty

The median household income is \$107,161 in the City of Morgan Hill, which is on par with what is observed at the Countywide level, with the average

household size of 3.01. The median household income for the COC Census Tract is significantly less at \$57,276. The percentage of individuals living below poverty level in the past 12 months is 5.8% in the City of Morgan Hill compared to the 10.2% in the COC Census Tract. Table 5 on the following page summarizes the numbers on household income range and poverty level.

Table 5

Household income range & poverty level comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Household Income Range & Poverty Level	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Median Household Income	\$ 57,276	\$ 107,161	\$ 106,761
Average Household Size	2.93	3.01	2.98
Less than \$10,000	3.3%	2.4%	3.4%
\$10,000 to \$14,999	7.6%	2.2%	2.9%
\$15,000 to \$24,999	7.4%	5.8%	5.0%
\$25,000 to \$34,999	2.8%	6.4%	5.0%
\$35,000 to \$49,999	12.7%	6.3%	7.5%
\$50,000 to \$74,999	12.8%	12.5%	12.1%
\$75,000 to \$99,999	6.4%	10.7%	10.7%
\$100,000 to \$149,999	24.7%	20.9%	18.3%
\$150,000 to \$199,999	5.8%	11.6%	12.7%
\$200,000 or more	6.6%	21.1%	22.4%
Percentage of Individuals living below poverty level in the past 12 months	10.2%	5.8%	8.2%

Commuting Characteristics and Employment

The most popular mode of commute is driving alone in both the City of Morgan Hill and the COC Census Tract with 78.5% and 73.6%, respectively. About 13% of the COC Census Tract residents carpool to work, which is higher than at the city and the county level. The use of public transportation in Morgan Hill and COC Census Tract is lower than the 4.4% at the countywide level.

The mean travel time to work is 33.2 minutes for COC Census Tract and 34.6 minutes for the City of Morgan Hill. There is a discrepancy in the unemployment rate between the city and the COC Census Tract, the 10.2% unemployment rate in the COC more than doubles the number at the city level. Table 6 on the following page summarizes the commuting characteristics of the residents.



Table 6

Commuting characteristics & employment comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Commuting Characteristics & Employment	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Auto-Drive alone	73.6%	78.5%	75.1%
Auto- Carpooled	13.0%	10.4%	10.5%
Public transportation (excluding taxicab)	2.5%	3.4%	4.4%
Walked	1.3%	1.1%	2.1%
Bicycle	1.1%	0.9%	1.8%
Taxicab, motorcycle, or other means	0.5%	0.9%	1.3%
Worked at home	8.0%	4.8%	4.8%
Mean travel time to work (minutes)	33.2	34.6	28.0
Unemployment Rate	10.2%	4.7%	5.7%

Popular Destinations

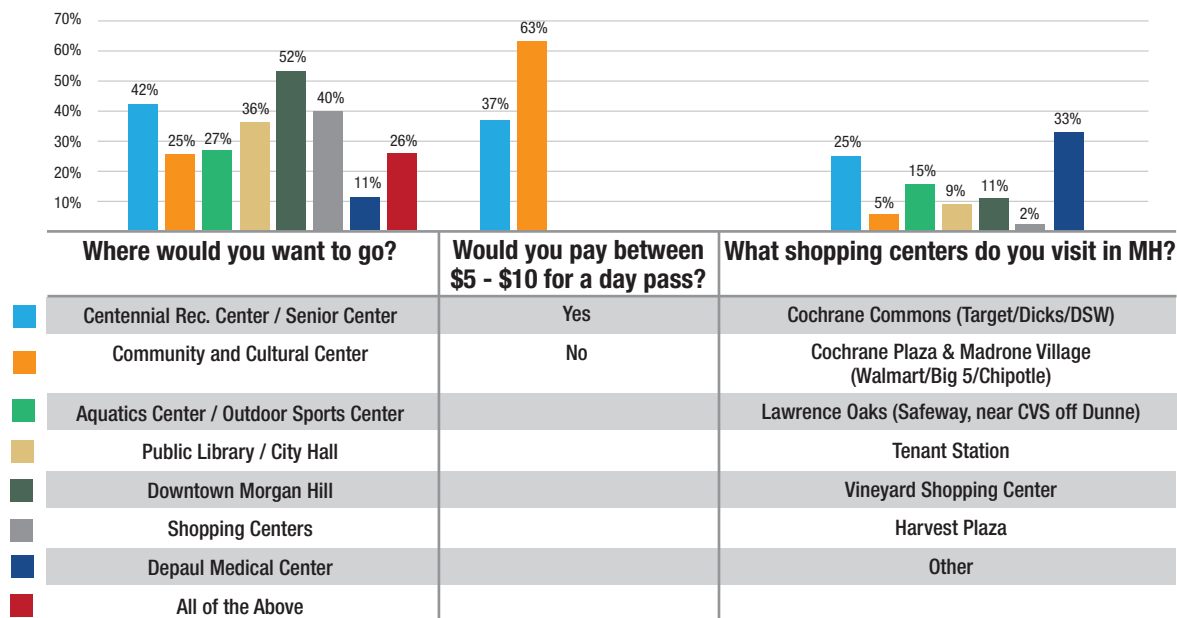
The City of Morgan Hill conducted the Morgan Hill Transit Services survey back in December of 2017 and received 549 responses. The top three most popular destinations are downtown Morgan Hill

with 53%, Centennial Recreation Center/Senior Center with 42%, and shopping centers with 40%. Out of the shopping centers in the City, Cochrane Commons is a popular location. Figure 2 on the next page displays more in-depth details.

Figure 2

Popular Destinations in City of Morgan Hill

Local Shuttle Bus & Where You Shop



Current Transportation Ridership and Statistics

This section presents ridership data and public transportation statistics relating to VTA bus routes currently serving the City of Morgan Hill at the time of this writing in November 2019. Table 7 shows the number of average daily boardings over a 12-month period between July 2018 to June 2019 for weekday, Saturday, and Sunday.

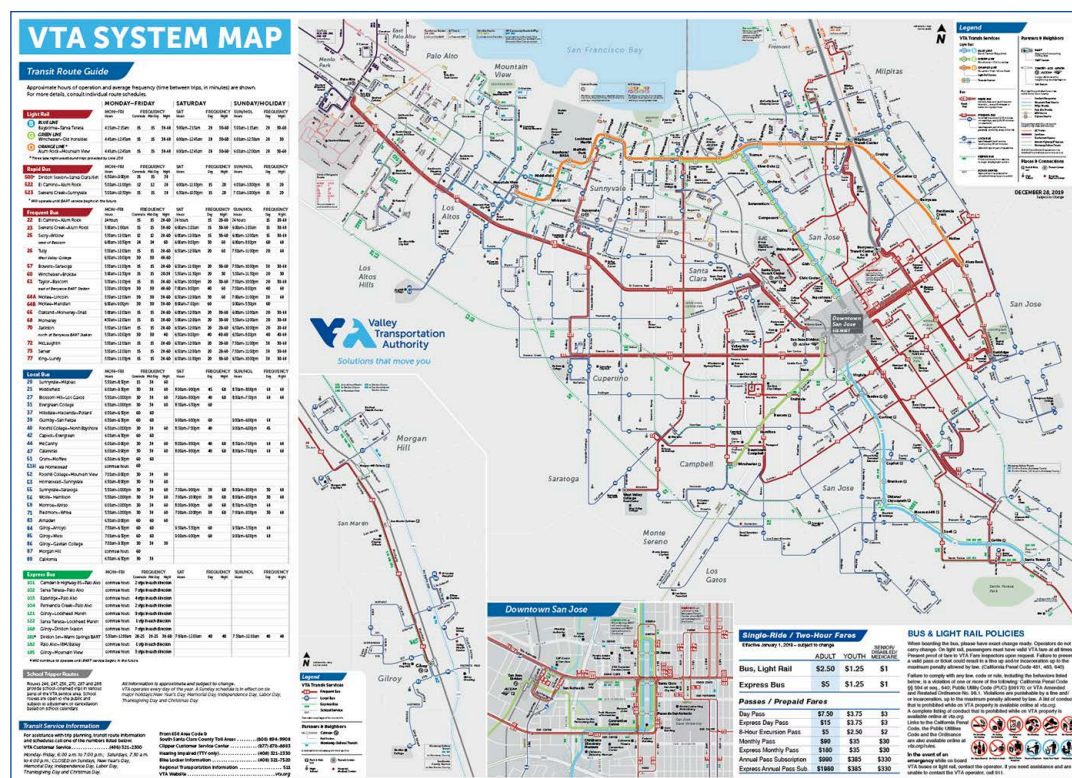
Public Transportation Network under VTA's 2019 New Transit Service (NTS)

The VTA Board of Directors approved the New Transit Service (NTS) in May 2019 and was implemented on December 28, 2019. Figure 3 shows the 2019 New Transit Service map.

Table 7
Average daily boardings of VTA bus routes serving City of Morgan Hill

Route	Description	Weekday Service	Saturday Service	Sunday Service
16	Morgan Hill Civic Center – Burnett Ave	116	N/A	N/A
68	Gilroy Transit Center – San Jose Diridon Transit Center	4,700	3,083	2,644
Express 121	Gilroy Transit Center – Lockheed/Moffett Park	264	N/A	N/A
Express 168	Gilroy Transit Center – San Jose Diridon Transit Center	221	N/A	N/A
Express 185	Gilroy Transit Center – East Whisman/Shoreline	46	N/A	N/A

Figure 3
Example of the 2019 New Transit Service Map



The 2019 New Transit Service is a modification of the Board-adopted 2017 Next Network transit service plan. In addition to the plan's original goals of better connecting VTA transit with the Milpitas and Berryessa BART stations, increasing overall system ridership, and improving VTA's farebox recovery rate, New Transit Service adds three new parameters set by the VTA Board of Directors:

1. Reduce the plan's overall service level equal to today's service level (The Next Network plan would have incurred a \$14.7M increase in annual net operating costs over today)
2. Adjust the network's ridership/coverage balance to 90% ridership and 10% coverage
3. Minimize service cuts in South County.

There are a few notable changes to transit routes in Morgan Hill under VTA's 2019 New Transit Service. The main route serving the City of Morgan Hill, Route 68, originating from the Gilroy Transit Center to the San Jose Diridon Station will increase in frequency

on weekdays and weekends. Frequency will be upgraded to every 15 minutes from the current 20 minutes interval on weekdays between 5:30 am to 6:30 pm. Figure 4 shows the upgraded frequency for all service hours of Route 68.

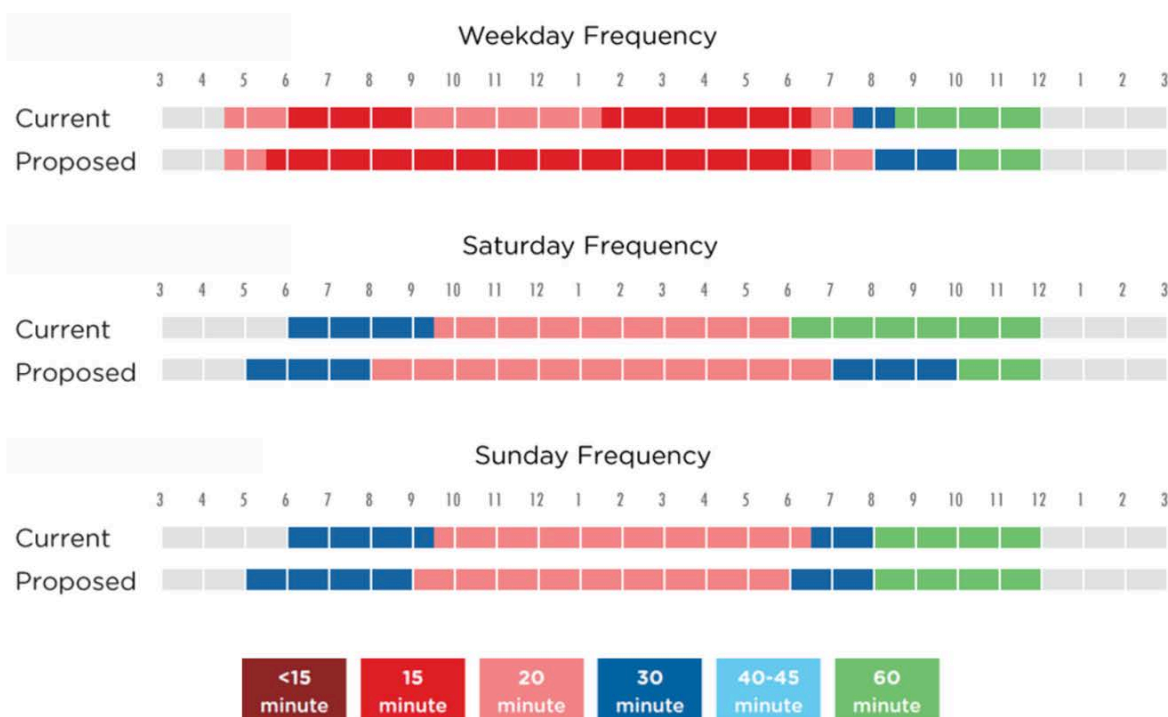
VTA will continue service for Route 16 but will be renaming it Route 87 under the New Transit Service. Operating Route 16/87 is a commitment by VTA to keep transit services in Morgan Hill (and therefore also paratransit service) in addition to the Monterey Highway corridor.

Express Route 168 serving the Morgan Hill Caltrain Station to Downtown San Jose will maintain the same level of service under the New Transit Service until 2021. The service will be converted to a Rapid Bus Service pending further decisions in the near future.

For detailed information of all VTA routes and frequency changes through the 2019 New Transit Service, go online to <http://newtransitplan.vta.org>.

Figure 4

Route 68 upgraded frequency for all service hours.



Challenges in Providing Public Transportation Services in Morgan Hill

There are several challenges to providing public transportation services in the City of Morgan Hill. Morgan Hill has relatively low densities and an auto-oriented urban form, which means that the transit demand and the ridership achieved by VTA is low when compared to other places in Santa Clara County. VTA's ridership minimum standard, which is one of the criteria used to justify a route, is 15 boardings per hour. Table 8 shows the number of boardings per hour for Morgan Hill routes along with

the breakdown of cost-per-boarding between April to June 2019. Each passenger picked up in Morgan Hill has a cost-per-boarding to VTA that is about 2-3 times higher than in denser, more transit-supportive areas. Due to VTA's fixed operating budget, discussions regarding an increase in transit services to Morgan Hill will also need to address where VTA should cut service to offset the additional cost. The situation presents VTA with a tough decision as the agency wants to serve Morgan Hill but must be mindful of how cost-effectively funding is being spent as a public agency.

Table 8

Cost per boarding for VTA bus routes serving City of Morgan Hill

April-June 2019 Metrics for Morgan Hill Routes		
Route 16	8.3 boardings/hour	\$20.62 cost/boarding
Route 68	18.2 boardings/hour	\$8.93 cost/boarding
Route 168	6.2 boardings/hour	\$33.56 cost/boarding
VTA Bus Average	18.3 boardings/hour	\$8.39 cost/boarding

VTA ACCESS Paratransit Service

VTA ACCESS paratransit service is provided to eligible individuals with disabilities who cannot use conventional accessible bus and light rail transit service due to their physical, visual or cognitive disabilities. Paratransit is shared ride public transportation that is complementary to fixed route transit service (bus and light rail). VTA ACCESS operates within the same service area and service times as VTA bus and light rail service. Paratransit standard service area is defined as being within 3/4 mile from an existing VTA bus or light rail routes and premium paratransit service area is an additional one mile from the standard service area. Standard trips are \$4 one-way and premium trips are \$16 one-way. All fares are prepaid, and trips must be booked one to three days in advance.

The eligibility process for VTA ACCESS paratransit service includes a Personal Data Card, over-the-phone interview, and if necessary, a professional verification. Eligibility is based on an individual's functional ability to independently use the bus or light rail system for some or all their trips. Eligibility is not based on age, economic status, or the inability to drive an automobile. Applicants should note that having a medical condition, use of a mobility device (i.e. wheelchair, scooter, etc.), or disability will not



automatically qualify you for service. The eligibility process can take up to twenty-one (21) days from the completed over the phone interview. For more information or to receive an application please contact VTA ACCESS Eligibility Department at 408-321-2381 Monday through Friday from 8 am to 5 pm or go online to www.vta.org/go/paratransit.

Transportation Network Companies (TNCs)

Transportation Network Companies (TNCs) provide prearranged transportation services for compensation using an online-enabled application or platform (such as smart phone apps) to connect drivers using their personal vehicles with passengers. TNCs, such as Lyft and Uber, are operating in the Morgan Hill area.

CHAPTER 3 Community Outreach Strategy and Findings

In this chapter:

1. Various community outreach strategies and materials utilized during the CBTP planning process
2. The role and members of the Steering Committee
3. A summary of community outreach findings

The Community-Based Transportation Planning (CBTP) program is a collaborative planning process which included extensive community outreach in identifying transportation challenges along with potential solutions to address those gaps. Input and support from community members are crucial components in assuring that the completed Plan reflects the true needs of the City of Morgan Hill. Staff from VTA, City of Morgan Hill, and the Morgan Hill Chamber

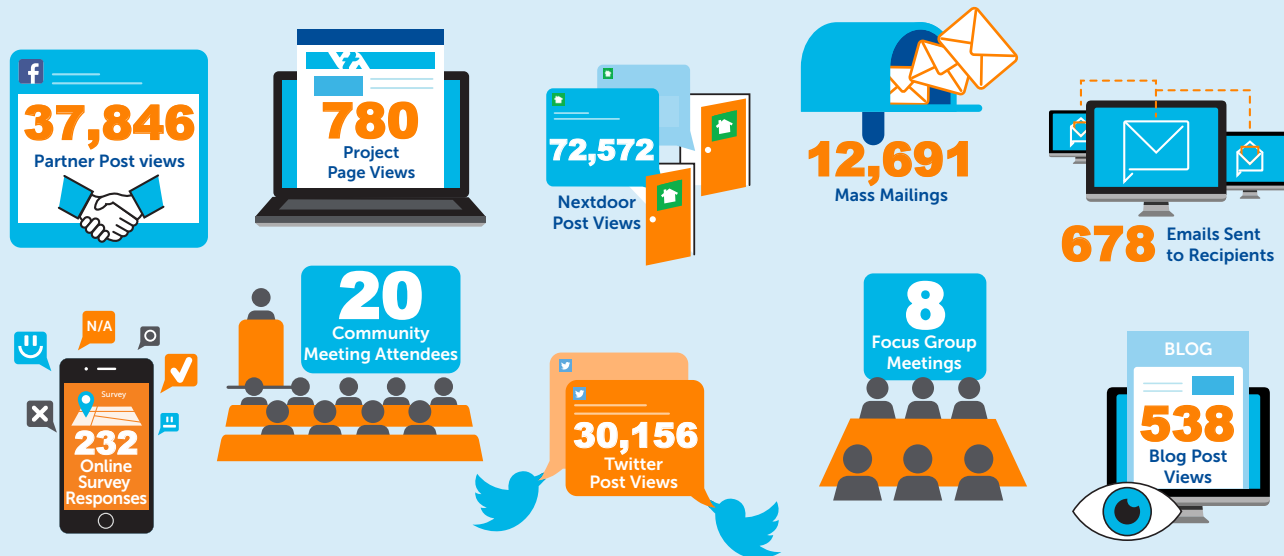
Figure 5

Summary of Public Outreach Efforts

of Commerce partnered to involve residents, the school district, and community-based organizations servicing the Morgan Hill community throughout the planning process.

Community Outreach Plan and Strategies

Community outreach activities were conducted from February through July 2019 with residents and various local stakeholders within the Morgan Hill area. The outreach strategies were designed to maximize community engagements and elicit information on current transportation needs. The main objective of the outreach process was to motivate low-income and other underserved residents to participate in voicing their concerns and gain a thorough understanding of the transportation gaps to better develop solutions and determine potential funding. Figure 5 shows a visual summary of the community outreach statistics.



CBTP Steering Committee

A Steering Committee comprised of representatives from a wide range of interests that have a stake in the community was convened to help the CBTP planning process satisfy the objective of reaching out to underserved residents. The Steering Committee members provided valuable input on the transportation challenges of the population that their groups and/or agencies serve and offered the opportunity for the Project Management Team to acquire more in-depth information of the study area.

Additionally, many Steering Committee members agreed to assist with the outreach process by promoting the CBTP effort on various channels (social media, newsletters, etc.), distributing comment cards, and hosting suggestion boxes in their facilities to collect completed comment cards. The Steering Committee included members from the following groups and/or agencies:

- Morgan Hill Unified School District
- Morgan Hill Youth Development and Outreach
- Morgan Hill Bicycle and Pedestrian Advocacy Group (BPAG)
- Morgan Hill Older Adult Services
- Gavilan College, Morgan Hill Campus
- Community Christian Church
- Eden Housing Incorporated (affordable housing complexes)

Outreach Strategies and Materials

The Project Management Team and the Steering Committee collaborated to develop a comprehensive outreach strategy to identify the appropriate communication methods for achieving maximum project exposure. Since community participation is vital to the success of the CBTP, the project management team employed various communication tools and channels, such as mass mailings, social media, and in-person meetings, to inform the public of the Morgan Hill study. Outreach materials were designed to be as accessible to the public as possible. Whenever feasible, materials were

Steering Committee Members

John Horner – President, Morgan Hill Chamber of Commerce

Tiffany Brown – Associate Planner, City of Morgan Hill

Chris Ghione – Director of Community Services, City of Morgan Hill

Christina Turner – City Manager, City of Morgan Hill

Edith Ramirez – Economic Development Director, City of Morgan Hill

Debbie Vasquez – Adult Services Supervisor (Senior Center), Centennial Recreation Center (CRC)

Kathleen Rael – Director of Transportation, Morgan Hill Unified School District (MHSD)

Chiquy Mejía – Youth Development & Outreach Coordinator, Youth Action Council

Lisa Aragon – Committee Chairperson, (BPAG)

Jennie Tucker – Recreation Manager, Centennial Recreation Center (CRC)

Kyle Windsor – Senior Pastor, Community Christian Church

Felicia Britton – Workability Coordinator, Morgan Hill Unified School District

Linda Bernabe – Director, Gavilan College Morgan Hill Campus

Brenda Preston – Supervisor of Transportation, Morgan Hill Unified School District

John Lang – Economic Development Manager, City of Morgan Hill

Rebecca Garcia – Housing Manager, Housing Programs

Darmin Trokic – Property Supervisor, Eden Housing Inc.

translated to Spanish and Chinese in addition to English to capture the needs of the non-English speaking residents in the community. The following sections explain in greater detail how each communication tool was used to promote the project and encouraged Morgan Hill residents to provide feedback during the outreach phase of the CBTP.

Comment Card

A comment card was created to acquire information on transportation concerns and gather feedback on the type of improvements the community wants to see. The comment card was available digitally and in paper form as well as provided in three different languages, English, Spanish, and Chinese. An option for translations into other languages was available if requested. The digital copy of the comment card was accessible through VTA's CBTP project webpage, while the physical copy version was distributed out to Steering Committee members and placed at key locations in the City of Morgan Hill, such as the Centennial Recreation Center, Senior Center, Morgan Hill Library, and City Hall. Figure 6 shows an image of the comment cards and collection box. The different comment card formats increase the accessibility to the document with the possibility that more community members will be able to provide input.

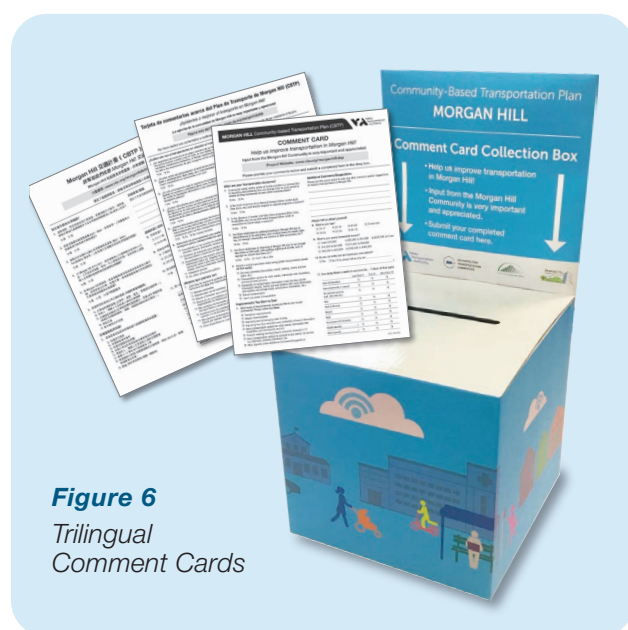


Figure 6
Trilingual
Comment Cards

The comment card included five components: 1) questions regarding transportation concerns, 2) a question listing types of improvements the community wants to see, 3) a blank space to write additional comments and/or suggestions, 4) questions regarding demographic information, and 5) a question on the number of times a week the respondent travels using different modes of transportation.

Outreach Events: Presentations, Focus Group Meetings and Tabling

The Project Management Team engaged in many types of outreach events to have more opportunity to interact with and hear from Morgan Hill residents. The events ranged from informal one-on-one stakeholder meetings to tabling at a community-wide event to hosting smaller focus group meetings with target population. Table 9 on the following page shows a complete list of outreach events attended by project staff.

The outreach events incorporated different types of materials and medium to tailor to the purpose and audience of each meeting. For example, focus group meetings with the Morgan Hill Youth Action Council (YAC) involved a short PowerPoint presentation and interactive activity with poster boards, while focus group meetings at the senior apartment complexes had roundtable style discussions and information sharing. VTA and the City of Morgan Hill placed an importance on reaching out to youth, low-income individuals, and older adults in Morgan Hill to obtain their feedbacks as they are the population with the greatest barriers to mobility. Furthermore, project staff also participated in other types of outreach in addition to focus group meetings such as tabling and presentation to the Morgan Hill Parks & Recreation Commission. Staff tabled at the 2019 Showcase Morgan Hill Business Expo at Live Oak High School on April 11, 2019 and presented to the Commission on May 21, 2019. Figure 7, on the following pages, shows pictures from the events.

Table 9
CBTP Morgan Hill Outreach Events

LEGEND: Internal meeting or presentation with public agencies / project partners One-on-one outreach Focus group outreach

Subject	Location	Date and Time
CBTP Morgan Hill Team Kick-Off Meeting	City of Morgan Hill (Conference room - DSC Grand)	1/30/19, 1 PM
Meeting with Chamber of Commerce	Chamber of Commerce & Visitors Center, Morgan Hill	2/8/19, 10 AM
Meeting w/MH Unified School District (Kick-off part 2)	Morgan Hill Unified School District Office, Morgan Hill	2/14/19, 4 PM
Steering Committee Meeting #1	Morgan Hill Senior Center	2/26/19, 2 PM
Youth Action Council (YAC) meeting	Morgan Hill Senior Center (CRC), Morgan Hill	3/5/19, 5 PM
One-on-One meeting with Lisa Aragon (BPAG)		3/13/19, 3 PM
Presentation to Morgan Hill BPAG	Morgan Hill Council Chambers, Morgan Hill	3/14/19, 6 PM
Steering Committee Meeting #2	Centennial Recreation Center (CRC), Morgan Hill	3/28/19, 2 PM
Tabling at Morgan Hill Business Expo	Live Oak High School (Gymnasium), Morgan Hill	4/11/19, 12 PM
Sycamore Glen, Community Meeting	Sycamore Glen Apts. Community Room, Morgan Hill	4/19/19, 10 AM
Presentation at Senior Nutrition Program	Centennial Recreation Center, Morgan Hill	4/24/19, 11 AM
Presentation at Bella Terra Senior Apartments	Bella Terra Sr. Apts. Community Room, Morgan Hill	4/24/19, 2 PM
MH Property Managers Mtg. on Older Adult Transportation	Morgan Hill City Hall	4/25/19, 9 AM
Meeting w/ Jessica Perez (St. Catherine Church)	St. Catherine of Alexandria Catholic Church, Morgan Hill	4/25/19, 2 PM
Meeting w/ Mayor Constantine & Councilmember Carr	Morgan Hill City Hall	4/30/19, 9 AM
YAC Meeting (Follow Up & Survey)	Morgan Hill Senior Center (CRC)	5/7/19, 5:30 PM
Presentation to Kiwanis International	Kiwanis Club of Morgan Hill	5/7/19, 6:50 PM
Presentation at Jasmine Square Apts (Resident's Com. Mtg.)	Jasmine Square Apartments, Morgan Hill	5/8/19, 5:30 PM
Meeting at Horizons Senior Apartment	Horizons Senior Housing, Morgan Hill	5/13/19, 3 PM
Presentation to Morgan Hill Parks & Recreation Commission	Morgan Hill City Hall	5/21/19, 7 PM
Meeting w/ Boy & Girls Club in Morgan Hill	Galvan Park, Morgan Hill	5/23/19, 2 PM
CBTP Morgan Hill Community Workshop	Morgan Hill Council Chambers, Morgan Hill	5/29/19, 6 PM
Meeting with key local stakeholders + PMT	Morgan Hill City Hall	6/13/19, 2 PM
Meeting with Santa Clara County Staff	Santa Clara County Roads & Airports Dept., San Jose	6/26/19, 2 PM
Meeting with Caltrain (Survey Results + Programs)	Samtrans/Caltrain Office, San Carlos	7/16/19, 2:30 PM
Youth Leadership Program (presentation & workshop)	Community Cultural Center, Morgan Hill	7/23/19, 1 PM
CBTP Morgan Hill: Check-In & Next Steps	Morgan Hill City Hall	7/31/19, 2 PM

Figure 7
CBTP Morgan Hill Outreach Events

Youth Action Council Workshop



Presentation to Kiwanis International



Outreach Tabling Event



Community Meeting

A Community Workshop was held on May 29, 2019 at 7:00 pm at the Morgan Hill Council Chamber. The Community Workshop allowed residents to have open dialogues with the Project Management Team about their transportation needs and offer suggestions on potential improvements. In addition, representative from VTA Access, VTA's Paratransit Services, was present to answer and clarify any questions the residents may have regarding the service. Poster boards and large maps of the City of Morgan Hill were displayed to engage attendees and provide visual representation for the areas of concern. Twenty individuals attended the Community Workshop.

VTA's Blog Posts

The Project Management Team also employed blog posts on VTA's website and websites of project's partners to encourage community members to be involved in the Morgan Hill CBTP project. Two blog posts shared on VTA's website, titled "Share Your Ideas for Transportation Solutions in Morgan Hill" on May 22nd, 2019 and "Morgan Hill Kids Weigh In" on July 24th, 2019 received 299 and 239 views, respectively, for a total of 538 blog posts views. Figure 8 shows the blog posts on VTA's website.

Postal Mailings and Flyers

Flyers publicizing the Community Workshop and the project webpage were distributed to residents, including youth and low-income individuals. Flyers were disseminated at elementary and middle schools in the Morgan Hill Unified School District, to residents living in the Census Tract deemed Community of Concern by MTC, and also on VTA Express Bus routes serving Morgan Hill. In total, 6,196 flyers were sent to schools and 299 flyers were placed on Express Buses. Additionally, 6,196 mass mailings were sent to residents within the Community of Concern boundary. A total of 12,691 flyers and mailers were delivered to community members for the Morgan Hill CBTP project. Figure 9 displays the flyer and mailer that was sent out.

Figure 8
Blog Posts on vta.org

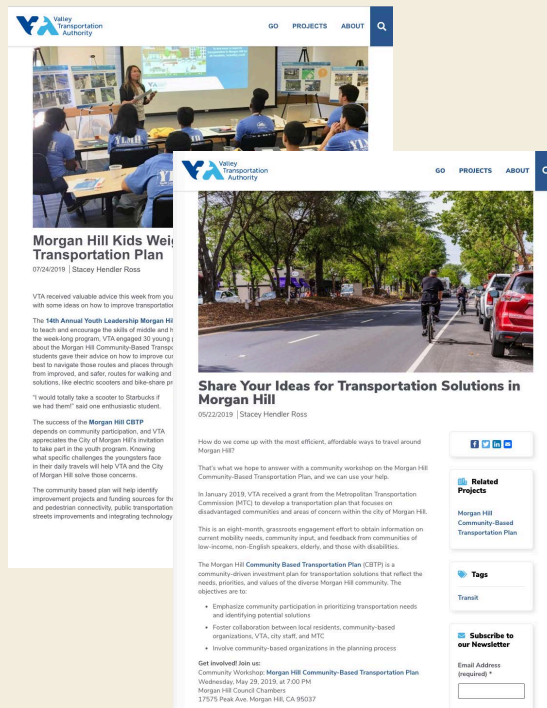
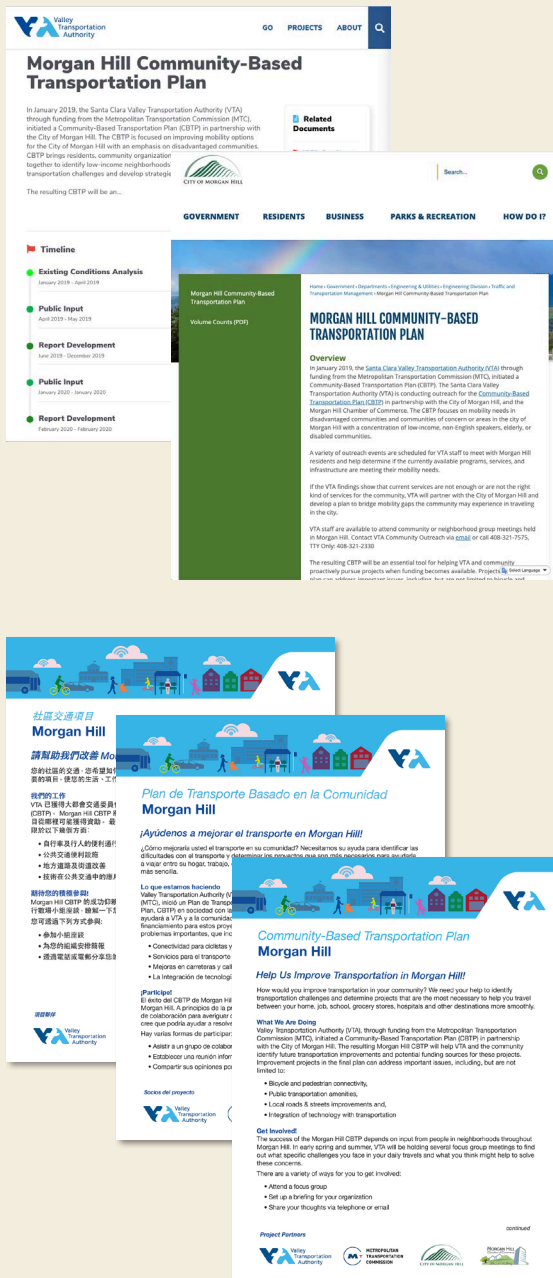


Figure 9
Outreach Mailer



Figure 10*Project Webpages and Fact Sheets***Project Webpage**

Project webpages were created on the websites of VTA and City of Morgan Hill in English with general information regarding the CBTP effort, including purpose, project area, project timeline, and ways for residents to get involved. Fact sheets in English, Spanish and Chinese along with other related documents are also accessible on the project webpages. The VTA's CBTP project webpage has been viewed 780 times since its inception to the time of this writing. Figure 10 showcase the webpages and the fact sheets. Community members are able to request a presentation and additional meetings from project staff for their neighborhood or organization as well as sign up to be on the project's e-mail distribution list, which sends notification on any updates and upcoming meetings for the project. At the date of this writing, a total of 678 emails were sent to the subscribers on the project's distribution list.

**Social Media and Newsletters**

VTA and project partners promoted the CBTP effort through various social media channels, such as Facebook, Twitter, LinkedIn, and Nextdoor, to reach a broader audience. In addition to the social media channels, Ann Sobrato High School included information on the CBTP in their May Newsletter that reached 300 students. To the date of this writing, the CBTP project received 30,156 Twitter views, 72,572 Nextdoor post views, and 37,846 Facebook post views.

Community Outreach Findings

The Project Management Team gained valuable knowledge on transportation needs and the desired improvements from the Morgan Hill residents through the numerous community outreach activities conducted for the CBTP planning process. This section summarizes the comment card results and the comments received from outreach events. The feedbacks received were used to guide the

development of transportation proposals, which are further described in Chapter 4.

Comment Card Multiple Choice Questions Results
A total of 308 comment cards were collected between April 29th through June 7th, 2019; 232 of them were digital responses and 76 were paper responses collected at focus group meetings or from the comment card collection boxes. Figures 11 and 12 illustrate the summary of the online survey responses.

Figure 11

Results of Comment Card Survey

What are your transportation concerns?

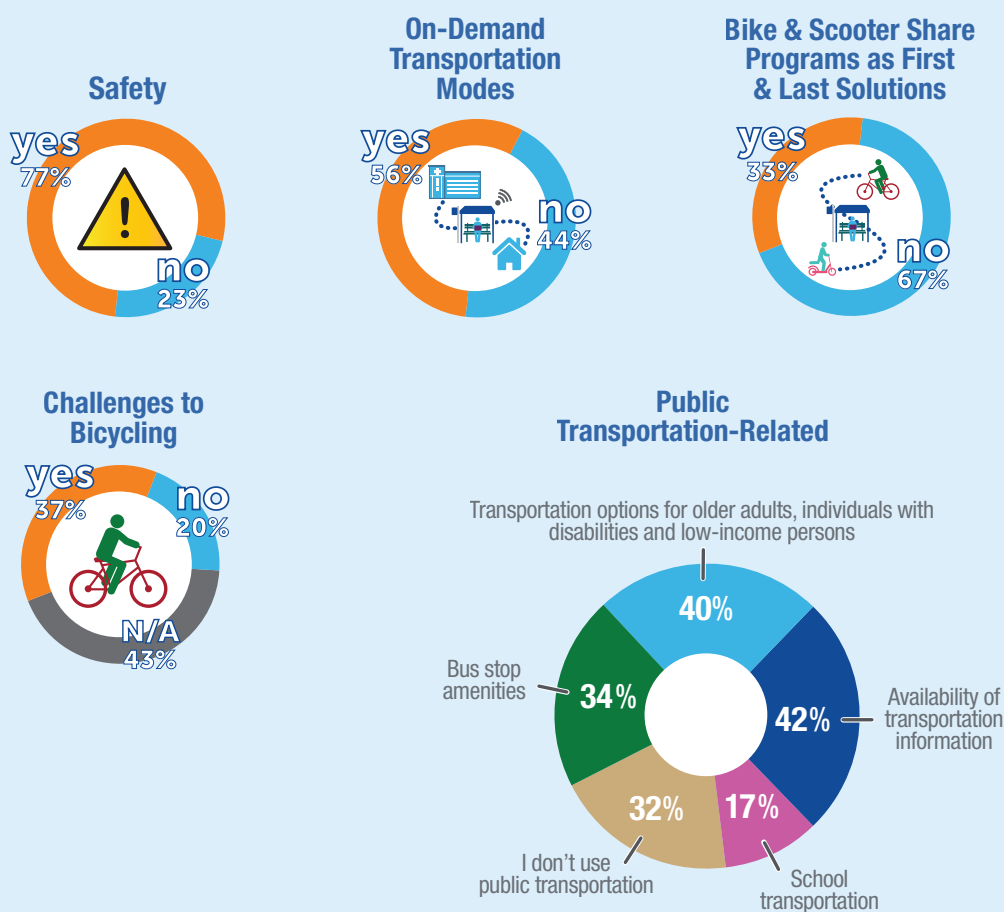
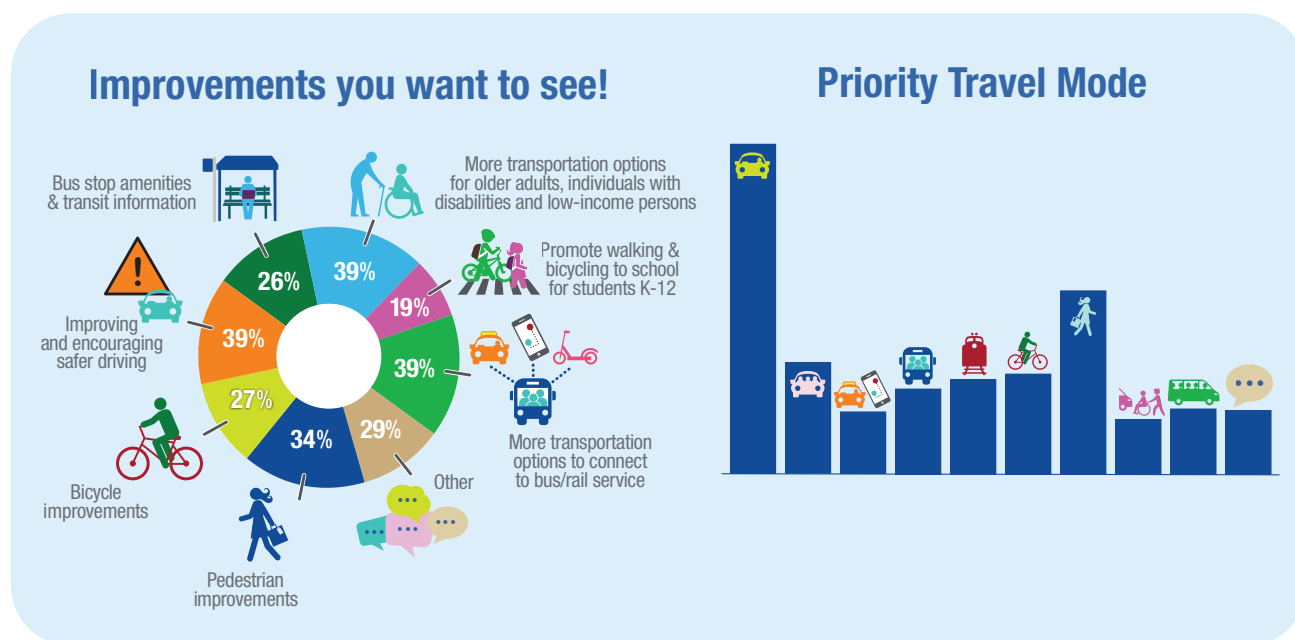


Figure 12
Results of Comment Card Survey (continued)



Key findings from the questions on the comment cards are highlighted below:

- Almost 80% says safety is a concern due to speeding, distracted drivers, not enough time to cross street or unsafe turning movements by cars when crossing the street
- Around 56% says that the current level of service of on-demand transportation modes (Lyft, Uber, taxis, vanpool and/or carpool) programs is a concern
- Close to 67% of respondents says that the absence of scooter and bike share programs (Bird, Lime, etc.) as an alternative transportation mode or transit stops connection is not a concern for Morgan Hill
- Approximately 65% of respondents believe there are challenges to walking and traveling in Morgan Hill due to discontinuous or no sidewalks, lack of street trees for shade, lighting, not enough crosswalks, not seniors or ADA-accessible
- When asked if there are challenges to bicycling in Morgan Hill due to not enough bike lanes or bike path, bike parking, lighting of streets, lack of signage for shared bike lane, etc.; 37% of respondents said yes, 20% said no, and 43% said they do not ride a bike
- The top three concerns regarding public transportation are 1) availability of transportation information such as route information, schedules, and maps, 2) transportation options for older adults, individuals with disabilities, and low-income persons, and 3) Bus stop amenities including bus shelter, bench, lighting, clearly marked signage
- The top three improvements desired by respondents are 1) more transportation options to connect to bus and/or rail service, 2) improving and encouraging safer driving, and 3) more transportation options for older adults, individuals with disabilities, and low-income persons.

Comment Card Suggestions Results

The following section summarize some of the feedbacks received on the suggestion portion of the comment card. The comprehensive list of comments is included in Appendix B. The comments are broken down into 6 different categories to aid the Project Management Team in organizing the responses, the categories are as followed: 1) transit and shuttle, 2) transit amenities, 3) local street and road improvements, 4) bicycle and pedestrian improvements, 5) freeways and congestion, and 6) technology related and others. Figure 13 shows an example of concerns and suggested improvements for each category).

Transit and shuttles

Many comments addressed the limitations of bus and rail services in Morgan Hill, specifically coverage

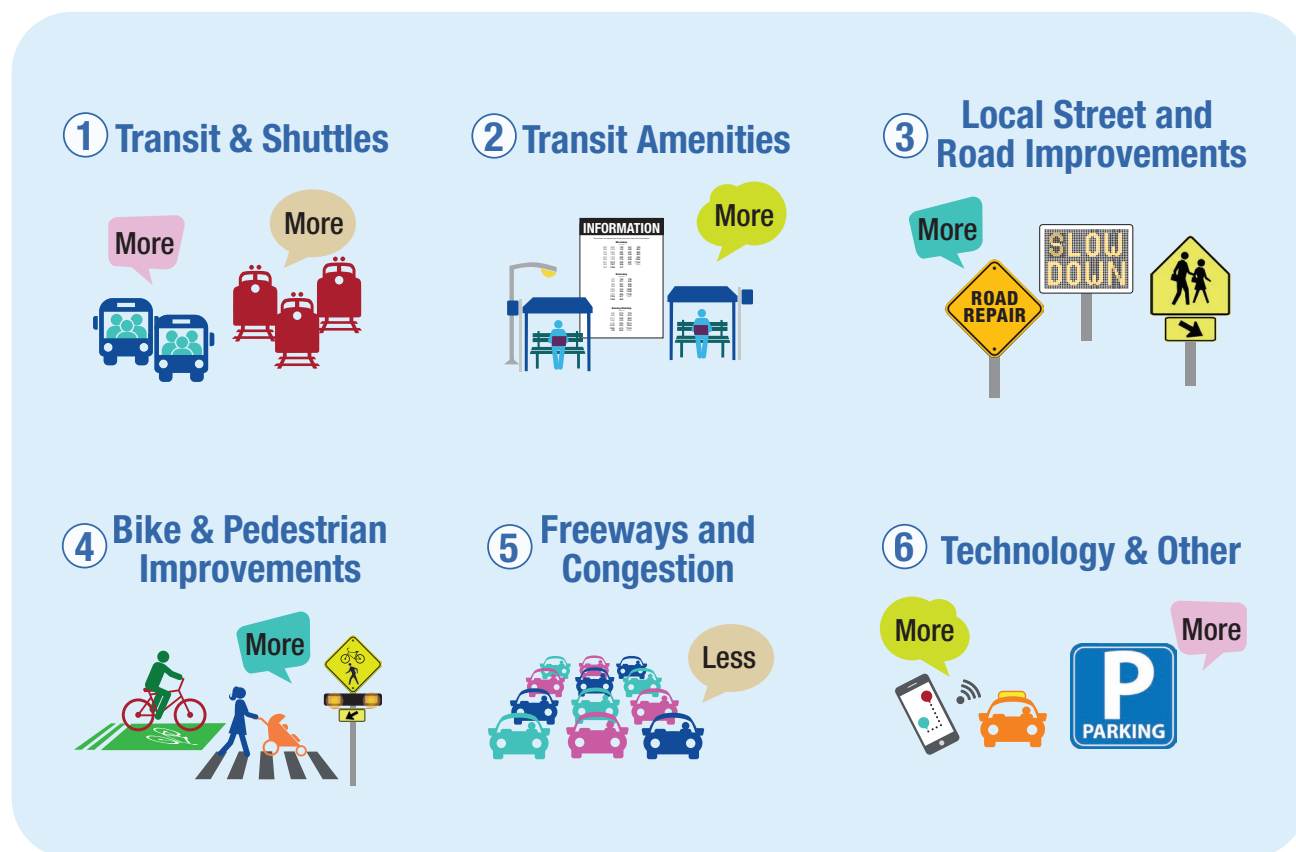
of the bus network and the infrequency of Caltrain stopping at the Morgan Hill station. Respondents suggested increasing Caltrain service to the Morgan Hill station on weekdays and weekends along with the expansion of local bus routes or creation of shuttle services to encompass more of the city in order to serve popular destinations.

Transit amenities

Residents suggest making public transit information, such as schedule, fare rate, route, more readily available to the public. Suggestion includes increase in marketing of VTA's services and promoting on how it can integrate with Caltrain's services. Another resident expressed concern regarding the maintenance of bus stop facilities and the lack of bus stop amenities such as lighting, benches, and shelters.

Figure 13

Most popular suggestions and concerns on Comment Card



Local street and road improvements

Community members raised a concern with speeding through downtown and major arterial roads, such as Butterfield, East Dunne, Hill. Several comments advised increasing crosswalk enforcement and ensuring that speed limits are being honored. Other concerns mentioned pot holes and uneven pavements on popular roads in and near the City limit, notably Santa Teresa Road, Bailey Road, and Monterey Road. Many suggested to improve the pavement condition on these major roads.

Bicycle and pedestrian improvements

Several voiced concerns about the lack of sidewalks near popular destinations, difficulties in walking/biking across freeway interchanges and lack of crosswalks. Comments suggests a more comprehensive protected bike lane network, continuous sidewalks and additional flashing beacon crosswalks within City limits.

Freeways and congestion

Comments discussed traffic congestion on 101 and Monterey Road during commute hours and suggests developing a long-term infrastructure plan for Morgan Hill to address congestion more effectively.

Technology and other

The unreliability of hailing Uber and Lyft in Morgan Hill is a concern as well as the limited parking spaces throughout the city. Support for scooter and bike share programs is mixed.

Comments Received from Focus Group Meetings and Community Meeting

The following section recaps the feedback received from over 10 focus group meetings and a community meeting held on May 29th, 2019. Like the previous section, the comments are also separated into six categories. The comprehensive list of comments from focus group meetings and the community meeting is included in Appendix B.

Transit and shuttles

Similar concerns involving the availability and timing of Caltrain were expressed. Residents want to see

more trains stopping at the Morgan Hill station. Other comments suggested better transit connections from Morgan Hill to other cities in Santa Clara County and door to door/shuttle services that are ADA-accessible at an affordable price, especially for older adults. An individual stated that public transportation does not serve many of the senior complexes in the City limit, such as the Lodge, Huntington, Woodland Estates, and Casa Loma. Several individuals also articulated concerns regarding the inconsistency of pick-up/drop-off times and the ride scheduling system of the VTA Access Paratransit Service.

Transit amenities

Community members recommended an increase in marketing of VTA's services and schedules to a wider audience as well as adding digital displays of real-time transportation information at stops.

Local street and road improvements

Comments from the in-person meetings echoed those from the surveys in that speeding and poorly paved roads are some of the top concerns.



Bicycle and pedestrian improvements

Included are comments from not only the residents but also from the City of Morgan Hill's Bicycle Pedestrian Advocacy Group (BPAG). Several residents commented that they do not feel safe bicycling due to narrow streets and the absence

of bike lanes or shared lane markings. The BPAG brought up concerns relating to bicycle commuting, especially on popular roads in Morgan Hill and the connectivity of trails from San Jose to Morgan Hill. Bicycle commuters experience difficulties on Butterfield Blvd section, on Bailey Ave to Hale Ave to Santa Teresa Blvd, and on county roads. The BPAG suggested educational safety classes to educate drivers and bikers along with campaigns and signage improvement to promote bicycling.

Recommendations for pedestrian improvements include constructing wide and continuous sidewalks on Monterey Road, installation of blinking light crosswalks, and increasing pedestrian safety at Burnett Ave near Sobrato High School.

Freeways and congestion

Comments advocate for traffic signal retiming through downtown to relief congestion during the evening commute. Traffic congestion at major intersections with US 101, such as Cochrane and Monterey, and along US 101 during commute hours was one of the top concerns. Several comments suggested that US 101 be expanded south of Hwy 85.

Technology and other

The difficulty in hailing a TNC in Morgan Hill was mentioned again along with an interest in bike share and scooter share if they do not interfere with the roads or sidewalks.

Evolving the Comments Received into Transportation Proposals

The Project Management Team reviewed the comments received through the outreach process and developed transportation proposals to best address as many needs or concerns expressed by the community as possible. The transportation proposals in the CBTP won't be able to address all of the comments collected, however, the Project Management Team is committed to cooperating with other local agencies to seek out opportunities to incorporate the comments in the future. The following Chapter 4 will explain the transportation proposals in details and rank each by a set of criteria to prioritize the most plausible proposals.

Get to Know the City of Morgan Hill!

Morgan Hill Downtown...It's Happening!

Morgan Hill's ideal location offers residents and visitors a vibrant Downtown, year-round outdoor recreational activities, including cycling, golfing, swimming, and boating. You can visit dozens of award-winning wineries via the new Santa Clara Valley Wine Trail, watch the annual Tarantula migration at Henry W. Coe State Park, set up camp in Coyote-Lake Harvey Bear Ranch Park, go boating at Anderson Lake County Park or simply go for a cool dip at the state-of-the-art Morgan Hill Aquatics Center.

Additionally, Downtown Morgan Hill is the South Silicon Valley culinary and entertainment mecca with more than 30 restaurants offering diners wonderful selections for any palate. The historic downtown offers charming boutiques, public art displays, year-round Farmers' Market, and special events and festivals that attract 250,000 visitors each year. Popular events such as the Mushroom Mardi Gras, the Fourth of July Parade and the Taste of Morgan Hill are family favorites. You can find art walks, brew crawls and wine strolls throughout the year.

To learn more about Morgan Hill and explore restaurants in Downtown, visit:

<https://www.morgan-hill.ca.gov/1150/Morgan-Hill-Downtown-Its-Happening>



CHAPTER 4 Transportation Proposals and Funding Sources

In this chapter:

1. An overview of all transportation proposals
2. A list of the evaluation criteria used to assess each proposal
3. Evaluation results of proposals
4. A detailed description of each proposal
5. An explanation on funding sources and opportunities
6. An action plan matrix to track progress of proposals after the completion of the CBTP process

Through the collaboration with Morgan Hill residents and local stakeholders, the Project Management Team was able to match the needs and challenges heard from the community with ongoing or upcoming project proposals. These proposals were then prioritized by a set of criteria to help the Project Management Team and the Steering Committee know where to focus their efforts, especially with low hanging fruits or upcoming funding opportunities that the proposals have the potential to compete for.

Summary of Transportation Proposals

The Morgan Hill CBTP contains 20 transportation proposals that aim to address transportation challenges identified by community members during the outreach



process. The proposals are grouped into five categories of improvements as followed:

- Freeway Improvements and Congestion Management
- Bicycle and Pedestrian
- Transportation Options and Services
- Public Transportation Amenities, and
- Public Transportation Improvements

Out of the 20 proposals, 6 proposals have full funding that will allow for their implementation in the near-term. Additional information on the funding sources and opportunities for the other 14 proposals on the list is available in a later section, Funding Sources and Opportunities. **The Steering Committee and the general public will have opportunities to comment on the proposals before incorporation into the final version of the plan.** When considered as a whole, the list of transportation proposals presents a realistic, comprehensive, and multimodal approach to minimizing the transportation gaps in Morgan Hill.

Evaluation Criteria for Transportation Proposals

A set of criteria was created by the Project Management Team to evaluate each transportation proposal on whether a project lead exists and what the implementation timeline would be. The criteria also categorize financial feasibility, implementation feasibility, and community benefits from low, medium, or high. There are five different criteria that the proposals are measured against. The explanation for the criteria is as followed and summarized in Table 10.

Identified Lead Agency

This criterion considers whether a champion for the proposal exists and currently has the capability to manage the project. The lead agency will assume leadership role in securing funding and dedicating staff time along with other resources to push the proposal to the implementation phase.

Financial Feasibility

The Project Management Team considered several factors for the financial feasibility criterion, such as whether the cost is reasonable compared to the number of people who will benefit from the proposal. The group also examined if (and when) funding might be available to plan, construct, operate, and/or maintain the proposed projects and programs.

Implementation Feasibility

The Project Management Team looked at how easily the proposals can be implemented given existing conditions and factors, such as political, technology, safety, etc. Another vital component to successful implementation is the opportunity for partnerships amongst multiple organizations. The coordination of agencies can increase available funding opportunities, speed up implementation, and generate a broader support for the proposal. This criterion looks at whether there is a potential to collaborate between the lead agency and other organizations.

Community Benefits and Relevance

The criterion evaluates whether the proposal address the transportation challenges identified through the

Table 10

Evaluation Criteria and Types of Categories Associated

Criteria	Type of Categories
Identified Lead Agency Does the proposal have an agency that will take a leadership role in securing funding and dedicating staff time along with other resources to push the proposal to implementation?	Yes or No
Financial Feasibility <i>Cost effectiveness:</i> Is the cost of the proposal reasonable as compared to the number of people who will benefit? <i>Funding availability/sustainability:</i> Are there funding sources identifiable and likely to be available to construct or operate the proposal?	Low, Medium, or High
Implementation Feasibility <i>Ease of implementation:</i> Can the proposal be easily implemented given existing conditions and factors, such as political, technology, safety, etc.? <i>Potential for coordination between multiple organizations:</i> Because partnerships can increase available funding opportunities, speed up implementation, and generate a broader support for the proposal, is there a potential to collaborate between the lead agency and other organizations?	Low, Medium, or High
Community Benefits/ Relevance Do the proposal address transportation challenges identify through the Morgan Hill CBTP public outreach process? Do the proposal have benefits to populations with the greatest needs and/or underserved community, especially those with the greatest barriers to mobility? Is there community support and other benefits associated with the proposal, whether it would be environmental, public safety, congestion relief, etc.?	Low, Medium, or High
Implementation Timeline Near-term (within 3 years), Mid-term (3-6 years), and Long-term (7+ years)	Near-, Mid-, or Long-Term

Morgan Hill CBTP public outreach process. It also considers whether it benefits the populations with the greatest needs and/or underserved communities, especially those with the greatest barriers to mobility. The Project Management Team also takes into consideration whether there is community support for the proposal and whether there are other benefits associated with the proposal, including environmental, public safety, congestion relief, etc.

Implementation Timeline

This criterion examines the time frame that the proposal can reasonably be implemented and is dependent on several factors, such as the readiness of the lead agency to take a leadership role and/or when funding opportunities that aligns with the proposal will become available. Near-term is defined as the proposal being implemented within 3 years, mid-term within 3-6 years, and long-term in 6 or more years.

Evaluation Results

The 20 transportation proposals were assessed using the evaluation criteria through qualitative analyses and in-depth discussions between the Project Management Team and other public agencies. The Steering Committee members and the public is encouraged to make suggestions on the evaluation of the proposals before incorporation into the final version of the plan. Each proposal was assigned as low, medium, or high under the different criteria. The criteria do not rank the proposals in any order, nor do they suggest that some proposals are more valuable than others, just that some may have more barriers to overcome to reach implementation. Regardless, the Project Management Team, decision makers, and community members can use the criteria to compare the benefits and feasibility of each transportation proposal. The criteria can also be used to inform decisions and rally support for the proposal. Table 11 on the following page provides a summary and greater explanation on the evaluations of each proposal.

Table 11
Evaluation of each proposal

ID #	Proposal/Project Name	Identified Lead Agency	Financial Feasibility	Implementation Feasibility	Community Benefits/Relevance	Implementation Timeline
1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)			Funded		
2	Signalize Santa Teresa Blvd & Watsonville Road intersection	No(?)	High	High	Medium	Long-Term
3	Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave intersection	No(?)	Low/Medium(?)	Medium	Low	Long-Term
4	Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmundson Avenue (Phase II)	(No?)	Medium	Medium	Medium	Near-Term
5	Expansion of Highway 101 adding one additional express lane through Morgan Hill	No	Low	Low	Medium	Long-Term
6	Traffic Signal Intelligent System Management for regional traffic and major arterial streets	No	Low/Medium(?)	Low	Low	Long-Term
7	Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety	(No?)	Medium	Medium	High	Near-to Long-Term
8	Citywide Pedestrian Safety Improvements	Yes	Medium	Medium	High	Near- to Long-Term
9	School Safety Improvements	Yes	Medium	Medium	High	Near- to Long-Term
10	Main Avenue Bike Lane and Sidewalk Project			Funded		
11	Madrone Channel Trail	Yes	Medium	Medium	High	Near-Term
12	West Little Llagas Creek Trail	Yes	Medium	Medium	High	Near-Term
13	Safe Routes to School Program Implementation	Yes	High	Medium	High	Medium-Term
14	Watsonville Road Multi-use Trail	Yes	Low	Medium	High	Medium-Term
15	Rider's Choice Pilot Program			Funded		
16	Mobility Assistance Program (MAP)			Funded		
17	Regional Means-Based Fare Discount Program			Funded		
18	Volunteer Driver Program Expansion	Yes	High	Medium	High	Short-Term
19	Morgan Hill Transit Amenities Improvement Project			Funded		
20	Caltrain Grade Separation at Tennant Avenue and Dunne Avenue	No	Low	Low/Medium(?)	High	Long-Term

Description of Transportation Proposals

This section provides detailed descriptions of all proposals grouped by the type of improvements. There are six proposals under the Freeway Improvements and Congestion Management group, eight under the Bicycle and Pedestrian group, four

under Transportation Options and Services group, one under Public Transportation Amenities, and one under Public Transportation Improvements. The proposals are presented below and in a table format under the Action Plan Matrix section.

Freeway Improvements and Congestion Management

1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)		
	Proposal Details Construction of a 2-lane road connection with trail Hale Avenue/ Sunnyside Avenue from Edmondson Avenue to W. Main Avenue. This proposal is one of the 20 candidate projects identified under 2016 Measure B County Expressways Program to relieve congestion, improve safety, and increase the effectiveness of the expressway system in the county. The proposal was also included in the Expressway Plan 2040 completed in 2017 by the County of Santa Clara Roads and Airports Department.	Community Need Improvement of local roads and streets.	Estimated Costs \$13.5 M
	Implementation The implementation timeline for this proposal is near-term (within 3 years). The proposal is a collaboration between the County of Santa Clara and the City of Morgan Hill.		
	Acquired or Potential Funding Sources This proposal has been fully funded through VTA's 2016 Measure B County Expressways Program with City match contribution. For more information on the 2016 Measure B program, visit: https://www.vta.org/projects/funding/2016-measure-b .		
2	Signalize Santa Teresa Blvd & Watsonville Road Intersection		
	Proposal Details Signalize intersection and add an eastbound left-turn lane.	Community Need Improvement of local roads and streets.	Estimated Costs \$1M as of 2008 estimate
	Implementation The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.		
	Acquired or Potential Funding Sources There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.		

3

Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave Intersection**Proposal Details**

Signalize intersection.

Community Need

Improvement of local roads and streets.

Estimated Costs

\$0.6 M as of 2008 estimate

Implementation

The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.

4

Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmondson Avenue (Phase II)**Proposal Details**

Construction of a 2-lane road connection between Sunnyside and Dewitt at W. Edmondson and add trail at Sunnyside Ave to DeWitt Ave. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and the County Expressway Plan 2040. To access Morgan Hill's General Plan 2035, visit:
<https://www.morgan-hill.ca.gov/75/General-Plan>

Community Need

Improvement of local/regional roads and streets

Estimated Costs

\$12 M

Implementation

The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.

5

Expansion of Highway 101 adding one additional express lane through Morgan Hill**Proposal Details**

Construction of express lanes south through Morgan Hill. The proposal has been identified in the US-101 Comprehensive Corridor Plan and the Transportation Element of the City of Morgan Hill's General Plan. The proposal falls under future phases of VTA's Silicon Valley Express Lanes Program, which aims to increase efficiency of existing roadway by allowing carpoolers and motorcyclist to use for free and by single occupant vehicles to use for a toll paid with a FasTrak transponder. For more information on VTA's Silicon Valley Express Lanes Program, visit:
<https://www.vta.org/programs/silicon-valley-express-lanes>

Community Need

Improvement of highway

Estimated Costs

\$110 M

Implementation

The implementation timeline for this proposal is long-term (6+ years). In-depth discussions and cooperation between VTA, Caltrans, and the County of Santa Clara is needed to move the proposal forward. Before VTA can consider moving this proposal forward, the agency is focusing on delivering Phases 3 and 4 (US 101 and SR-85) of the Express Lanes Program by 2021.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. Local jurisdictions will continue to work together to identify funding sources in the future.

6

Traffic Signal Intelligent System Management for regional traffic & major arterial streets**Proposal Details**

Addition of hardware and software to manage traffic signals on major arterial streets in an integrated system, improving traffic congestion. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and the County Expressway Plan.

Community Need

Improvement of local roads and streets.

Estimated Costs

\$1.3 M

Implementation

The implementation timeline for this proposal is medium-term (3-6 years). Collaboration between City of Morgan Hill and VTA is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. Local jurisdictions will continue to work together to identify funding sources in the future. Potential funding sources include 1) Measure B Local Streets and Roads Program, as the City of Morgan Hill's Pavement Condition Index (PCI) is over 70, and 2) Senate Bill (SB) 83 Vehicle Registration Fund (VRF). For more information on Measure B Local Streets and Roads Program, visit:
<https://www.vta.org/projects/funding/2016-measure-b>

Bicycle and Pedestrian

7

Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety

Proposal Details

Striping, sidewalk and signal improvements at approximately 30 intersections through the City per Bikeway Master Plan. The proposal is also identified in the Transportation Element of the City of Morgan Hill's General Plan.

Community Need

Improvement of bicycle and pedestrian infrastructures

Estimated Costs

\$5 M +

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Measure B Local Streets and Roads Program, as the City of Morgan Hill's Pavement Condition Index (PCI) is over 70, and 2) Transportation Development Act (TDA) Article 3 Program available for use on bicycle and pedestrian projects. For more information on Measure B Local Streets and Roads Program, visit: <https://www.vta.org/projects/funding/2016-measure-b>. For information on TDA Article 3 Program, visit: <https://www.vta.org/programs/congestion-management-program/grants>

8

Citywide Pedestrian Safety Improvements

Proposal Details

Addition of pedestrian activated enhanced crosswalk lighting at 12-20 locations. The proposal has been identified in the City of Morgan Hill's Vision Zero, which prioritize safety, create livable streets, and eliminate traffic fatalities. In-depth information on Morgan Hill's Vision Zero efforts can be found here: <https://www.morgan-hill.ca.gov/1676/Vision-Zero-Morgan-Hill>

Community Need

Improvement pedestrian infrastructures

Estimated Costs

\$800,000-\$1.5M

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Highway Safety Improvement Program (HSIP), and 2) Transportation Impact Fee in Morgan Hill. The HSIP is a core federal-aid program to States for the purpose of achieving a significant reduction in fatalities and serious injuries on all public roads. Information on HSIP can be found on Caltrans' website here: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/highway-safety-improvement-program>. The Transportation Impact Fee in Morgan Hill is dependent on new developments in the City, more information is available here: <https://www.morgan-hill.ca.gov/773/Impact-Fees>.

9

School Safety Improvements**Proposal Details**

Changes and enhancements to school frontages, adjacent crosswalks and other off-site facilities near schools. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and Morgan Hill's Vision Zero.

Community Need

Improvement of school-related infrastructures

Estimated Costs

\$2 M-\$5 M

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Caltrans' Active Transportation Program (ATP) and 2) VTA's Vehicle Emissions Reductions Based at Schools (VERBS) Program. The ATP program is administered by Caltrans in order to encourage increased use of active modes of transportation, such as biking and walking. For more information on the ATP grant, visit: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program>. The VERBS program is focused on reducing greenhouse gases by promoting walking, biking, transit, and carpooling to school, targeting grades K-12. For in-depth information on the VERBS grant, visit: [https://www.vta.org/programs/congestion-management-program/grants#accordion-vehicle-emissions-reductions-based-at-schools-\(verbs\)-program](https://www.vta.org/programs/congestion-management-program/grants#accordion-vehicle-emissions-reductions-based-at-schools-(verbs)-program)

10

Main Avenue Bike Lane and Sidewalk Project**Proposal Details**

Buffered bike lanes and completion of sidewalk projects from Butterfield Avenue to Condit Road. The proposal was identified in the City of Morgan Hill's Bikeways Master Plan. To access the City of Morgan Hill's Bikeways, Trails, Parks and Recreation Master Plan, visit <https://www.morganhill.ca.gov/1429/Master-Plan-for-Parks-Trails-and-Bikeway>

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$650,000

Implementation

The implementation timeline for this proposal is near-term (within 3 years) and the City of Morgan Hill is the proposal sponsor.

Acquired or Potential Funding Sources

The proposal has been fully funded.

11

Madrone Channel Trail**Proposal Details**

Paving existing trail to create a Class 1 Bike/Pedestrian path from Cochrane Road to Tennant Avenue. The proposal has been identified in the City of Morgan Hill's Bikeways Master Plan and also in VTA's Countywide Bike Plan Update 2018. For more on VTA's efforts on the Countywide Bike Plan Update, visit: <https://www.vta.org/projects/santa-clara-countywide-bike-plan-update-2018>.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$1.4 M

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Discussions and collaboration between the City of Morgan Hill and VTA is needed to move the proposal forward.

Acquired or Potential Funding Sources

The proposal has been partially funded. Possible funding source to complete the project is the Caltrans' Active Transportation Program (ATP).

12

West Little Llagas Creek Trail**Proposal Details**

Paving existing trail to create a Class 1 Bike/Pedestrian path south from Watsonville Road to Silveira Lake and north from Spring Avenue to Ciolino Avenue. The proposal has been identified in the City of Morgan Hill's Bikeways Master Plan.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$1.5 M

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Partnership between the City of Morgan Hill and the Santa Clara Valley Water District is needed to move the proposal towards full funding.

Acquired or Potential Funding Sources

The proposal has been partially funded. Possible funding source to complete the project is the Caltrans' Active Transportation Program (ATP).

13

Safe Routes to School Program Implementation**Proposal Details**

Add one full-time Safe Routes to School Coordinator and increase Police Department support. The proposal supports the City of Morgan Hill's Vision Zero.

Community Need

Education and Outreach Program for School Age Youth

Estimated Costs

\$120,000 annually

Implementation

The implementation timeline for this proposal is medium-term (between 3-6 years). Partnership between the City of Morgan Hill, VTA, and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

There is currently limited Measure B funding for the proposal. The proposal may qualify for targeted technical assistance under Safe Routes to School program funded by Measure B and conducted by Santa Clara County's Public Health Department.

14

Watsonville Road Multi-Use Trail**Proposal Details**

Development of a new multi-use trail reusing existing right of way. Pedestrian crossings at multiple locations. The proposal has been identified in City of Morgan Hill's Bikeways Master Plan.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$3.5 M

Implementation

The implementation timeline for this proposal is medium-term (between 3-6 years). The City of Morgan Hill is the project sponsor for this proposal.

Acquired or Potential Funding Sources

The proposal is currently unfunded, but a grant application has been submitted and is awaiting response. Potential funding sources for the proposal includes 1) Recreational Trails Program (RTP) through the California Department of Parks and Recreation and 2) funding opportunities through the Rails-to-Trails Conservancy. The RTP grant funds recreation trail projects for pedestrians, bicyclists, and may also serve as non-motorized transportation corridors. For more information on the RTP grant can be accessed through this page: https://www.parks.ca.gov/?page_id=24324. The Rails-to-Trails Conservancy is a nonprofit organization dedicated to creating a nationwide network of trails from former rail lines and connecting corridors to build healthier places for people. More information on the organization and the grant opportunities available is accessible through this webpage: <https://www.railstotrails.org/>.

Transportation Options and Services

15

Rider's Choice Pilot Program

Proposal Details

This pilot program is a new and innovative solution that VTA offers to its eligible paratransit customers residing in Santa Clara County. It is a cost-effective solution that is flexible and affordable compared to traditional paratransit services and serves as an alternative transportation option. The Rider's Choice Program gives eligible paratransit customers the choice to choose a standard, same day trip with a Transportation Network Company (TNC) within the Rider's Choice Program instead of VTA's paratransit provider. The Rider's Choice Program will offer trip bookings on the same day or in advance, point to point service, no shared ride required, companions ride free, and better on-time performance.

Community Need

Alternative transportation option for VTA's paratransit customers

Estimated Costs

Potential cost savings for paratransit customers. True costs to be determined.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). The pilot program began in April 2019, and VTA has 8 paratransit customers enrolled as of July 2019. We will continue to identify select customers to participate and provide feedback to VTA. In doing so, VTA can better understand what to expect from the program as the Rider's Choice Program grows.

Acquired or Potential Funding Sources

Funding for the pilot phase has been acquired and VTA is currently rolling out the pilot program.

16

Mobility Assistance Program (MAP)

Proposal Details

This project seeks to provide reduced cost and no-cost transportation options for older adults, individuals with disabilities, and low-income persons seeking to find and retain employment. Service includes travel training, door to door rides for new employees, training, community agencies or support services, supporting public transit use, and supporting healthy, independent living.

Community Need

MAP endeavors to address the transportation gaps and barriers affecting older adults, low income families, and individuals with disabilities to where and when public transit is not available or suitable.

Estimated Costs

The total budget for MAP is approximately \$2,617,818.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). MAP is currently in the development phase with the anticipated start date sometime in 2020 and will be in place for three years. VTA is the project sponsor for this proposal.

Acquired or Potential Funding Sources

VTA successfully applied for the Lifeline Transportation Program Cycle 5 Funding, which will be the main funding source for the program. The breakdown of the Lifeline grant funding is 50% from the Federal Transit Administration (FTA), 30% from the State Transit Assistance (STA), and 20% VTA local match.

17

Regional Means-Based Fare Discount Program**Proposal Details**

This is a 12- to 18-month pilot program, expected to begin in early 2020, that will offer a 20% fare discount to eligible low-income residents of the Bay Area for travel on Caltrain, BART, Golden Gate Transit and Ferry and Muni. Program guidelines will allow adults whose annual earnings are up to 200% of the federal poverty level to qualify for the fare discount pilot program and will require riders to use Clipper for fare payment. This effort is being led by MTC with support from the four agencies and social service agencies. At the conclusion of the pilot program, a determination will be made of whether to discontinue/continue the pilot or make it a permanent program.

Community Need

Affordable transportation options for low-income adults

Estimated Costs

MTC committed roughly \$11 million to implement the Regional Means-Based Fare Discount program.

Implementation

The implementation timeline for this proposal is near-term (within 3 years) and is mandated by MTC with the support from Caltrain, BART, Golden Gate Transit and Ferry, and MUNI. The pilot program is expected to begin in early 2020 and will last for 12-18 months.

Acquired or Potential Funding Sources

The Means-Based Fare Discount Program is a program under MTC. The breakdown of the funding sources is \$8 million from the State Transit Assistance (STA) funds generated by the state sales tax on diesel fuel and \$3 million from the statewide Low-Carbon Transit Operations Program (LCTOP). For more information on the STA funds, visit: <https://mtc.ca.gov/our-work/invest-protect/investment-strategies-commitments/transit-21st-century/transit-operating-0>. For information on LCTOP, visit: <https://dot.ca.gov/programs/rail-and-mass-transportation/low-carbon-transit-operations-program-lctop>

18

Volunteer Driver Program Expansion**Proposal Details**

Add one full-time Mobility Management Coordinator for Morgan Hill to manage and grow Volunteer Driver Program. This transportation gap has been identified in the City of Morgan Hill Senior Services Strategic Plan .

Community Need

Transportation for Older Adults

Estimated Costs

\$100,000 annually

Implementation

The implementation timeline for this proposal is near-term (within 3 years) to medium-term (3-6 years).

Acquired or Potential Funding Sources

There are currently no funding sources dedicated to the program. However, a grant application for the program has been submitted under FTA 5310 Enhance Mobility of Seniors and Individuals with Disabilities Program grant in September 2019. For more information on the FTA 5310 Grant, visit: <https://dot.ca.gov/programs/rail-and-mass-transportation/enhanced-mobility-of-seniors-and-individuals-with-disabilities-program-fta-5310>

Public Transportation Amenities

19

Morgan Hill Transit Amenities Improvement Project

Proposal Details

The Morgan Hill Transit Amenities Improvement Project encompass: 1) Replacement of solar lights at Morgan Hill bus stops, 2) Installation of lighting at selected bus stops, 3) Updating of bus shelters at the 3 busiest locations (Morgan Hill Caltrain, NB Monterey FS Tennant, and NB Monterey and Dunne), and 4) Upgrade of wooden benches to new metal benches to meet VTA's standards. The project involves collaboration between VTA's Passenger Facilities and Transit Planning Departments as well as the City of Morgan Hill to identify bus stops that needs lighting and upgraded benches. The improvement project is guided by and adheres to VTA's Transit Passenger Environment Plan, which is accessible through VTA's website. For more information on the Transit Passenger Environment Plan, visit: <https://www.vta.org/projects/transit-passenger-environment-plan>.

Community Need

Improvement of public transit amenities

Estimated Costs

The estimated cost to make the listed improvements are roughly between \$40,000 to \$50,000.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Purchase requisition started in August 2019 and aims to have the items ordered and installed sometime in 2020. VTA is the project sponsor for this proposal.

Acquired or Potential Funding Sources

The full funding for this improvement project has been identified as part of VTA's Passenger Facilities Operating Budget.

Public Transportation Improvements

20

Caltrain Grade Separation at Tennant Avenue and Dunne Avenue

Proposal Details

Grade separation of the Caltrain tracks through Morgan Hill at intersections of Tennant Avenue and Dunne Avenue in order to improve safety, traffic flow and accommodate for the increase in train frequency in the future.

Community Need

Public transit improvements

Estimated Costs

The rough estimated cost is \$80 million.

Implementation

The implementation timeline for this proposal is long-term (6+ years). The project will require extensive collaboration between various parties, such as the City of Morgan Hill, UPPR, and Caltrain.

Acquired or Potential Funding Sources

There are currently no funding sources identified for this project.

Funding Sources and Opportunities

It is important to reiterate that the CBTP process is a planning effort, which means that all but 6 transportation proposals that are included in the Plan does not currently have funding sources attached to them. VTA and the City of Morgan Hill will continue to work closely with one another to identify potential funding sources that best fit each transportation proposal as they become available. The information in Appendix D provides a general understanding of the requirements for federal, state, regional, and local funding sources that the lead agency of a transportation proposal can pursue to fund and move the proposal towards implementation.

Funds may be distributed either based on population or through a competitive process, where the lead agency must submit an application for the proposal. Each funding source has requirements that dictate if funding can be applied to planning/feasibility study phase, capital (infrastructure) improvements, operational needs, and/or administrative costs. Lead agency may also be required to provide a local match fund of a certain percentage of the grant amount to implement the program, this requirement can be met through cash contributions, staff costs, and/or other grants received by the agency.

Action Plan Matrix

The Action Plan Matrix presents an overview of the 20 transportation proposals included in the Plan. Information on potential project sponsor(s),

Get to Know the City of Morgan Hill!

Community Events sponsored by the Morgan Hill Chamber of Commerce

The Morgan Hill Chamber of Commerce is a community-based organization that promotes members' local businesses for a strong regional economic, civic, cultural and educational climate in the City of Morgan Hill. Every year the Chamber sponsors numerous fun events in the city, such as the Taste of Morgan Hill in September and Morgan Hill Friday Night Music Series during the summer months.

Taste of Morgan Hill is an annual fun, free, and family-friendly festival held in Downtown Morgan Hill on the last full weekend in September. The festival celebrated its 30th anniversary back in 2019. The event features

local wines and craft beers, wide variety of food vendors, live entertainment, and the 'Classic & Custom' Car Show. For the Taste of Morgan Hill webpage, visit <https://www.morganhill.org/taste-of-morgan-hill/>.



The Morgan Hill Friday Night Music Series features local bands every Friday nights at the Downtown Amphitheater from June through August. The family-friendly event brings the community together for a summer of fun and gives residents the opportunity to enjoy live music under the stars. To stay up to date with the annual event, visit <https://www.morganhill.org/chamber-sponsored-events/>.

Action Plan Matrix

Freeway Improvements and Congestion Management								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)	Improvement of local roads and streets	Construction of a 2-lane road connection with trail Hale Avenue/Sunnyside Avenue from Edmondson Avenue to W. Main Avenue.	County/City of Morgan Hill	\$ 13.5 M	Near-Term	Funded; Measure B with City match contribution	Expressway Plan 2040 Measure B
2	Signalize Santa Teresa Blvd & Watsonville Road intersection	Improvement of local roads and streets	Signalize intersection and add an eastbound left-turn lane	County/City of Morgan Hill	"\$1 M 2008 estimate"	Long-Term	Unfunded collaboration with city needed	Unfunded long term projects
3	Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave intersection	Improvement of local roads and streets	Signalize intersection	County/City of Morgan Hill	"\$0.6 M 2008 estimate"	Long-Term	Unfunded collaboration with city needed	Unfunded long term projects
4	Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmondson Avenue (Phase II)	Improvement of local/regional roads and streets	Construction of a 2-lane road connection between Sunnyside and Dewitt at W. Edmondson and add trail at Sunnyside Ave to DeWitt Ave	County/City of Morgan Hill	\$12 M	Near-Term	Unfunded collaboration with city needed	City General Plan Transportation Element, County Expressway Plan
5	Expansion of Highway 101 adding one express lane through Morgan Hill	Improvement of highway	Construction of express lanes south through Morgan Hill	Caltrans/VTA/County	\$110M	Long-Term	Funding sources to be identified	US 101 Comprehensive Corridor Plan, City of Morgan Hill General Plan Transportation Element
6	Traffic Signal Intelligent System Management for regional traffic and major arterial streets	Improvement of local roads and streets	Addition of hardware and software to manage traffic signals on major arterial streets in an integrated system, improving traffic congestion.	City of Morgan Hill/ VTA	\$1M-\$3M	Mid-Term	Funding sources to be identified	City General Plan Transportation Element, County Expressway Plan

NOTE:

Funded

Action Plan Matrix – continued

Bicycle and Pedestrian								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
7	Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety	Improvement of local roads and streets	Striping, sidewalk and signal improvements at approximately 30 intersections through the City per Bikeway Master Plan.	City of Morgan Hill/ VTA/County Health Department	\$5+	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding: Measure B Local Streets and Roads program through TDA 3 and LSR funding for projects	City General Plan Transportation Element
8	Citywide Pedestrian Safety Improvements	Improvement of local roads and streets	Addition of pedestrian activated enhanced crosswalk lighting at 12-20 locations	City of Morgan Hill/ VTA/County Health Department	\$800,000-\$1.5M	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding sources Highway Safety Improvement Program (HSIP) and Transportation Impact Fee in Morgan Hill	City Vision Zero
9	School Safety Improvements	Improvement of local roads and streets	Changes and enhancements to school frontages, adjacent crosswalks and other off-site facilities near schools.	City of Morgan Hill/ VTA/County Health Department	\$2M-\$5M	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding sources Active Transportation Program funding and VTA's Vehicle Emissions Reductions Based at Schools (VERBS) program	City General Plan Transportation Element, City Vision Zero
10	Main Avenue Bike Lane and Sidewalk Project	Improvement of local roads and streets	Buffered bike lanes and completion of sidewalk projects from Butterfield Avenue to Condit Road.	City of Morgan Hill	\$650,000	Near-Term	Funded	City Bikeways Master Plan
11	Madrone Channel Trail	Pedestrian and Bike Facilities	Paving existing trail to create a Class 1 Bike/Pedestrian path from Cochrane Road to Tennant Avenue.	City of Morgan Hill/ VTA	\$1.4M	Near-Term	Partially Funded; Caltrans' Active Transportation Program funding potential	City & County Bikeways Master Plan
12	West Little Llagas Creek Trail	Pedestrian and Bike Facilities	Paving existing trail to create a Class 1 Bike/Pedestrian path south from Watsonville Road to Silvierra Lake and north from Spring Avenue to Ciolino Avenue.	City of Morgan Hill/ Valley Water	\$1.5M	Near-Term	Partially Funded; Caltrans' Active Transportation Program funding potential	City Bikeways Master Plan
13	Safe Routes to School Program Implementation	Education and Outreach Program for School Age Youth	Add one full-time Safe Routes to School Coordinator and increase Police Department support.	City of Morgan Hill/ VTA/County Health Department	\$120,000 annually	Medium-Term	Limited Measure B funding only at this point; potential to request targeted technical assistance for Safe Routes to School funded by Measure B and conducted by County's Public Works Department	City Vision Zero
14	Watsonville Road Multi-use Trail	Improvement of local roads and streets	Development of a new multi use trail reusing existing right of way. Pedestrian crossings at multiple locations	City of Morgan Hill	\$3.5M	Medium-Term	Unfunded applying for state grant; Potential funding includes Recreational Trails Program (California Department of Parks and Recreation) and other funding opportunities through Rails-to-Trails Conservancy	City Bikeways Master Plan

NOTE: Funded

Action Plan Matrix – continued

Transportation Options and Services								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
15	Rider's Choice Pilot Program	More affordable options through VTA Access Program	Pilot program that allows eligible paratransit customers to choose a standard, same day trip with a Transportation Network Company (TNC) instead of VTA's paratransit provider.	VTA	True costs to be determined	Near-Term	Funding acquired; VTA's operating budget	
16	Mobility Assistance Program (MAP)	More transportation options for COC residents	A 3-years program to provide reduced cost and no-cost transportation options for older adults, individuals with disabilities, and low-income persons seeking to find and retain employment. Anticipated to start in 2020.	VTA	\$2,617,818 for pilot program	Near-Term	Funding acquired; 50% FTA, 30% STA, and 20% VTA match	
17	Regional Means-Based Fare Discount Program	More affordable transportation options for low-income adults	A 12- to 18-month pilot program offering a 20% fare discount to eligible low-income residents of the Bay Area for travel on Caltrain, BART, Golden Gate Transit and Ferry, and Muni.	MTC with support from Caltrain, BART, Golden Gate Transit	\$11 M	Near-Term	Funding acquired; \$8M State Transit Assistance (STA), \$3M Statewide Low-Carbon Transit Operations Program	
18	Volunteer Driver Program Expansion	Transportation for Older Adults	Add one full-time Mobility Management Coordinator for Morgan Hill to manage and grow Volunteer Driver Program.	City of Morgan Hill/ County/VTA	\$100,000 annually	Near-Term to Medium-Term	Grant app in progress; FTA 5310 Grant (Enhanced Mobility of Seniors and Individuals with Disabilities Program)	City Senior Services Strategic Plan

Public Transportation Amenities								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
19	Morgan Hill Transit Amenities Improvement Project	Improvement of public transit amenities	Project encompass four components: 1) replacement of solar lights at Morgan Hill bus stops, 2) installation of lighting at selected bus stops, 3) updating bus shelters at the 3 busiest stops, and 4) upgrade wooden benches to new metal benches to meet VTA's standards	VTA	\$40,000-\$50,000	Near-Term	Funding acquired; VTA's Passenger Facilities Operating Budget	Transit Passenger Environment Plan

Public Transportation Improvements								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
20	Caltrain Grade Separation at Tennant Avenue and Dunne Avenue	Public transit improvements	Grade separating the Caltrain track going through Morgan Hill at Tennant Avenue and Dunne Avenue to improve safety and traffic flow as well as accommodate for the an increase in train frequency in the future	Caltrain/City of Morgan Hill	\$80M	Long-Term	Funding sources to be identified	Caltrain Business Plan 2040, City Vision Zero

NOTE:

Funded

CHAPTER 5 Next Steps and Monitoring of Projects/Programs

In this chapter:

1. Next steps after finalizing and adopting of the CBTP by City of Morgan Hill and VTA committees
2. Methods VTA will use to monitor and evaluate progress of transportation proposals included in the Plan

Critical to the CBTP process is bridging the gap between planning and action. The implementation of projects and consequently, the success of the CBTP relies on multiple jurisdictions and agencies, each responsible for managing and pursuing funding for the transportation proposals detailed in Chapter 4. Funding for the proposals may be acquired from a variety of sources, including at the local, regional, state and federal level.

Next Steps

The Morgan Hill City Council and VTA's Board of Directors will formally adopt the final Morgan Hill CBTP as part of MTC's requirements. The success of the CBTP is dependent on the willingness of the designated lead agency to move each transportation proposal forward to meet the needs of the Morgan Hill community. Potential funding sources and implementation timeline listed in the matrix provide guidance for lead agencies to advance transportation proposals in a timely manner. VTA and the City of Morgan Hill will check-in periodically and continue to cooperate to seek out funding opportunities to move transportation proposals included in the Plan forward after the conclusion of the CBTP planning process.



Monitoring and Evaluation of Projects and Programs

The transportation proposals presented in the plan ranges from improving of Santa Teresa-Hale Corridor to Citywide Pedestrian Safety Improvements to Transit Amenities Improvement Project. The implementation of these proposals is heavily dependent on the availability of funding and finding a champion to advance projects and/or programs at the appropriate lead agency. To evaluate the progress and success of each proposal, VTA and the City of Morgan Hill will work in partnership with MTC to establish monitoring protocols to track the status of projects and programs included in the CBTP every two years after the adoption of the Plan. The reporting protocol includes VTA submitting an updated action plan matrix with additional details on the status of the programs/projects to MTC. VTA is committed to working with the City of Morgan Hill and MTC to maximize the potential of the Morgan Hill CBTP after its completion.

APPENDIX

A

Relevant Transportation Studies, Plans, and Reports

Existing studies, plans, and reports conducted by various government agencies are relevant and provides great value in addressing transportation challenges and creating proposals in Chapter 7 of the CBTP. This chapter examines the current overlying strategies and goals relevant to the City of Morgan Hill and sets the groundwork for the project management team and residents to produce proposals that have the potential to close the gaps. It is important to take the findings from existing plans into consideration for the CBTP to avoid redundancy and make sure that the proposals in the CBTP aligns with what has already been defined by other plans and other regional plans.

Metropolitan Transportation Commission (MTC)

Plan Bay Area 2040

Plan Bay Area 2040 is a long-range Regional Transportation Plan and Sustainable Communities Strategy for the nine-county San Francisco Bay Area. The document discusses how the Bay Area will grow over the next two decades and identifies transportation and land use strategies to enable a more sustainable, equitable and economically vibrant future. The goals and performance targets established in the plan are in Table 12. The CBTP draws from the goals and performance targets that correlates to transportation, especially for lower-income households.

Table 12

Final adopted goals and performance targets for Plan Bay Area 2040

Goal	Target
Climate Protection	Reduce per-capita CO2 emissions
Adequate Housing	House the region's population
Healthy and Safe Communities	Reduce adverse health impacts
Open Space and Agricultural Preservation	Direct development within urban footprint
Equitable Access	Decrease share of lower-income households' budgets spent on housing and transportation
	Increase share of affordable housing
	Do not increase share of households at risk of displacement
Economic Vitality	Increase share of jobs accessible in congested conditions
	Increase jobs in middle-wage industries
	Reduce per-capita delay on freight network
Transportation System Effectiveness	Increase non-auto mode share
	Reduce vehicle operating and maintenance costs due to pavement conditions

Coordinated Public Transit-Human Services Transportation Plan 2018

The Coordinated Public Transit-Human Services Transportation Plan focuses on the mobility needs and cost-effective transportation options of seniors, individuals with disabilities, people on low-incomes, and veterans. The plan identified coordination strategies that MTC and its local partners can implement or facilitate. The strategies are as followed:

- Implement County-based mobility management
- Improve paratransit
- Provide mobility solutions for suburban areas
- Regional means-based transit fare program
- Advocate for the accessibility of shared mobility solutions and autonomous vehicles
- Improve mobility for veterans

City of Morgan Hill

Morgan Hill 2035 General Plan

The General Plan represents the community's collective vision for what Morgan Hill will look and feel like through the year 2035. The overarching goal for the plan is to maintain Morgan Hill's family-friendly character and strong sense of community while the community grows and prospers. The General Plan includes a robust Transportation Element section contains goals, policies, and actions aimed at making the existing road network efficient and user-friendly, implementing strategies to ensure safe and appropriate operation of the transportation system, solving existing traffic and parking problems, and expanding transit and non-motorized travel opportunities. Goals included in the Transportation Element includes:

- A balanced, safe, and efficient circulation system for all segments of the community, meeting local needs and accommodating projected traffic
- A system designed for a healthy, active community based on complete streets, smart growth, and Sustainable Communities strategies
- A coordinated, continuous network of streets and roads

- Emphasis on transportation improvements in the Butterfield, Hale/Santa Teresa, and Monterey corridors
- A safe and efficient transit system that reduces congestion by providing viable non-automotive modes of transportation
- A useable and comprehensive bikeway system that safely connects neighborhoods with workplaces and community destinations
- Expand pedestrian opportunities
- A transportation system that incorporates strategies and technologies to manage traffic efficiently and reduce automotive vehicle trips

Vision Zero: Morgan Hill

The Morgan Hill City Council adopted the Vision Zero concept, which prioritize safety, create livable streets, and eliminate traffic fatalities. The Vision Zero philosophy aligns with the City's vision by implementing safeguards to be included in the plans, projects, and policies related to the community's transportation system with the goal of eliminating traffic deaths and severe injuries. The core principles that guide Vision Zero are:

- Traffic deaths are preventable and unacceptable
- The street system should be safe for all users, for all modes of transportation, in all communities, and for people of all ages and abilities.
- The transportation system should be designed to anticipate error, so the consequence is not severe injury or death
- The transportation system should be designed for speeds that protect human life
- Safe human behaviors, education, and enforcement are essential contributors to a safe system
- Policies at all levels of government need to align with making safety the highest priority for roadways

Bikeways, Trails, Parks and Recreation Master Plan

The vision and goals for the Bikeways, Trails, Parks and Recreation Master Plan were developed from public and stakeholder input, which provide an aspirational description of the City's future parks, recreation, bikeways and trails system. The plan will support community health, economic development, and quality of life in Morgan Hill. The goals outlined in the plan includes:

- Improve connections between residences and the network of City parks and facilities
- Engage people of all ages and all abilities
- Support the health and wellness of all community members
- Ensure equitable access to programs and places for recreation and activity
- Leverage partnerships to maximize community benefit and use resources efficiently
- Enhance safety and navigation to key recreation destinations and along popular routes
- Invest in and maintain existing assets while carefully planning for future growth

The plan recommends priority bikeway and trail projects in Morgan Hill that supports the goals above.

Station Area Master Plan

The Station Area Master Plan summarizes existing transportation services and is focused on strengthening the Morgan Hill Transit Center by identifying considerations and opportunities for future transit needs through further improvement of multi-modal connectivity.

The transportation, planning, and design tools presented throughout the Station Area Master Plan are intended to build upon and update the Multi-Modal Circulation and Streetscapes Chapters contained within the Downtown Specific plan and support officials, transit providers, Morgan Hill residents, business, and property owners, as well as other stakeholders making decisions to improve

and enhance the quality of the multi-modal Station Area Master Plan – Executive Summary Page | E-3 transportation environment throughout the PDA and the Downtown. All tools and recommendations are supplemental to already adopted plans, policies, and initiatives applicable in the area including the Morgan Hill 2035 General Plan, the 2009 Downtown Specific Plan, the 2008 Bikeways Master Plan, the Downtown Placemaking Strategy and the City of Morgan Hill's Street Standards.

The Station Area Master Plan is organized into three main chapters: Transportation Context, Streetscape and Placemaking Toolkit, and Priority Improvements. To access the Station Area Master Plan and learn more, visit <https://www.morgan-hill.ca.gov/1641/Station-Area-Master-Plan>.

Valley Transportation Authority (VTA)

Valley Transportation Plan (VTP) 2040

VTP 2040 provides a long-range vision for the transportation system in Santa Clara County for the next twenty years. The plan identifies programs, projects, and policies that VTA is going to pursue over the lifetime of the plan. The plan also connects projects and programs with anticipated funds and provides a framework for the development and maintenance of the County's transportation. The City of Morgan Hill considered the projects presented in Table 13.

Table 13*List of Projects and Programs in and around the City of Morgan Hill in VTP 2040*

Program Area	Project Title	Project Description
Transit	Caltrain: South County	Double track segments on the Caltrain line between San Jose and Gilroy
Express Lanes/Toll Facilities	Convert Existing HOV Lanes to Express Lanes on US 101 from Whipple Ave. in San Mateo County to Cochrane Rd in Morgan Hill	Convert 34 miles of existing HOV lane on US 101 between Cochrane Rd and Whipple Ave in San Mateo County to express lane operation; two lanes of express lanes within existing footprint
Express Lanes/Toll Facilities	US 101 Express lanes: Cochrane Rd. to Masten Ave	Build new express lanes on US 101 between Cochrane Rd and Masten Ave
Local Streets and County Roads Projects	Butterfield Blvd Extension	Construct Butterfield Blvd and North Rd improvements that include a four-lane arterial, bike lanes, sidewalks, lighting and signal modification
Local Streets and County Roads Projects	Butterfield Blvd South Extension	Construct a new roadway segment by extending Butterfield Blvd between Tennant Ave and Watsonville Rd.
Local Streets and County Roads Projects	Ave ?????	Project improves the roadway between Main Ave and DeWitt Ave. Roadway includes one lane of traffic and bike lanes in both direction, project scope includes sidewalks, street lights, overhead utility relocations, traffic signals
Local Streets and County Roads Projects	Hill Rd. Extension from East Main Ave to Peet Rd	Construct an extension of two-lane alignment for Hill Rd from East Main Ave to Half Rd and connects Peet Ave.
Bicycle Expenditure Program	Main Ave Bike lanes: Butterfield Blvd to Condit Rd	Construct Class II bike lanes on Main Ave
Bicycle Expenditure Program	Sobrato High School Bike Access Improvements: Bike Path Southeast from Burnett Ave to Coyote Creek Trail	Construct a bridge over Coyote Creek, shoulder widening and striping to provide bike access from Sobrato High School east to existing Coyote Creek Trail System
Bicycle Expenditure Program	West Little Llagas Creek Trail: Main Ave to Spring Ave	Construct Class I bicycle/pedestrian trail adjacent to West Little Llagas Creek
Transportation Systems Operations and Management	Citywide Traffic Signal Operation Center	Project provides citywide improvements to signal timing in Morgan Hill
Transportation Systems Operations and Management	Citywide Wireless Vehicle Detection System Installation	Install wireless vehicle detection system at all signalized intersections within Morgan Hill

VTA Strategic Plan

The VTA Strategic Plan establishes the agency's Mission, Vision, and Values. This plan provides a framework to tie all the work by VTA staff into the overall direction and priorities of the agency. VTA's Action Values are Creativity, Collaboration and Leadership. Creativity ensures that a creative approach to services and projects will allow agency to make the best use of the available resources, while meeting the needs of the customers. Collaboration allows for the best use of resources and form relationships with cities, counties, nonprofit organizations, businesses, regional agencies and the community to tailor services and projects to what the community needs. Leadership helps guide the creative development of transportation solutions in Santa Clara County, in collaboration with VTA's partners.

Santa Clara Countywide Bicycle Plan

The Santa Clara Countywide Bicycle Plan envisions a future where Santa Clara is served by a countywide bicycle network that is safe, convenient, and connected, enabling people of all ages and abilities to easily bike to work, school, shopping, transit, and elsewhere. The plan highlights goals for the County's bicycle infrastructure to be 1) comprehensive and continuous, 2) safe and convenient, 3) innovative, and 4) connected to transit. The plan identifies major barriers to bicycle connectivity and put forth potential solutions that include innovations in education, encouragement, technology, funding and delivery. The Plan is a framework to guide bicycle infrastructure improvements project in Santa Clara County, which compasses the City of Morgan Hill.

APPENDIX B Comprehensive List of Comments

Morgan Hill Community-Based Transportation Plan Online Survey Comments

Transit and Shuttle Related Comments

Jun 09 2019 07:41 PM	Improving the Northbound commute from MH (Shuttle services?)
Jun 08 2019 06:03 PM	Rail schedule is too sporadic.
Jun 07 2019 03:02 PM	It takes 2 hours to get to San Francisco via train from Morgan hill. Would like to see a 1 hour service.
Jun 03 2019 10:02 PM	Have route 16 go towards Safeway/Trader Joe's area too and run more often so people can get to the main food source areas.
May 30 2019 04:13 PM	I and my co-workers work for a global organization and as such we have a very dynamic work day. Often times we need to start conferences calls from home to accommodate other regions of the world so the relatively few train/express bus schedules rarely work out for us. Providing a wider range of options by extending the schedules would allow us to take advantage of mass transit more frequently.
May 16 2019 08:45 PM	A better local bus route that encompasses more of the city: to get from one side of town to another without having to walk more than a mile to get to a bus stop, public transportation to downtown to attend events and not deal with larking
May 13 2019 01:41 PM	I'm commuting from Sunnyvale area to Morgan Hill and I wish that I could use public transportation instead of driving 60+ miles (round-trip) every day (5 days a week). In the morning, there's Cal Train that runs from Morgan Hill going Northbound every day, however, there's nothing running the other way from South Bay down to Morgan Hill (the last time I checked) and vice versa in the evening.
May 12 2019 06:49 PM	We need a free or low-income transportation option for seniors and low-income community members. We also need more access to public transportation provided by the county (Caltrain and VTA buses). Let's add more Caltrains that stop at Morgan Hill/Gilroy and provide at least one train option on weekends.
May 09 2019 04:20 PM	Caltrain operating on the weekends would be great.
May 08 2019 06:57 AM	Need express service to other bay area towns
May 07 2019 08:08 AM	Maintaining or increase the number of vta express lines. It's the only alternate form of transportation besides Caltrain. Caltrain has limited lines. Vta is by far best option
May 06 2019 05:38 PM	More VTA and Caltrain options to get to San Jose and back.
May 04 2019 06:50 AM	More CalTrain options in the South Bay! Weekend service to San Fransisco.
May 03 2019 07:31 PM	Incentives to use public transportation ie discounts to passengers who use VTA (including Express buses) on a daily or regular basis.
May 03 2019 01:52 PM	Trains to connect to City

Transit and Shuttle Related Comments

May 03 2019 12:11 PM	CalTrain service is too limited, both on weekends and weekdays.
May 03 2019 11:48 AM	Add more trains during the week and weekend to SJC.
May 01 2019 07:18 PM	Increased Caltrain service to and from Morgan Hill, especially off peak hours and off peak direction. I would love to send my 15yo to Gilroy from MH on the Caltrain and back in the evenings for his sport. I would also like to be able to travel to and from the peninsula during the day via the Caltrain.
Apr 30 2019 03:44 PM	Odor of homeless people on the bus is a problem for the rest of the riders.
Apr 29 2019 07:55 PM	I would like to see a FREE shuttle that runs frequently to the Senior Center on Edmundson. One that runs a circuit around the downtown banks/businesses. I have driven seniors from the Sr Center to the B of A and back. It pains me to see the seniors waiting in the Center lobby waiting for para transit rides. Paratransit doesn't seem to care how long the wait is, as if the seniors have no place to go/things to do. And they PAY for this kind of service. I think a free shuttle that makes frequent stops at services seniors need will help seniors get out into the community and involved with "life".
Apr 29 2019 04:40 PM	More non-rush hour service from MH Caltrain to SJ
Apr 29 2019 03:20 PM	It would be nice if there was a local bus services that connected different sections of town to downtown. CRC to Library to Caltrain to Depot st to the High Schools.
Apr 29 2019 11:38 AM	Community Bus frequency needs improvement- More stops and less wait time in Tennant, E.Dunne, and Cochrane Road.
Apr 29 2019 11:37 AM	more cross town, local bus options..not just Rt.68
Apr 29 2019 10:40 AM	The one VTA bus route in town makes no sense at all. It's the bus to no where. Why isn't there a bus route or routes that run along Cochrane, Hill, Main, Dunne, Tennant, and Monterey that connect to the Caltrain station? Why are the condos adjacent to the Caltrain station allowed to use the Caltrain parking lot for residential use?
Apr 29 2019 10:06 AM	Increase bus frequency
Apr 29 2019 10:05 AM	Need more public transportation options for commuters. With increased housing, the commute gets worse and worse!
Apr 29 2019 10:03 AM	We desperately need more train times. As someone who works in downtown San Jose, it can be very difficult to adjust my schedule around the few train times daily. Additionally, the Diridon station does not allow for ease of access to other downtown San Jose facilities, and thus a rideshare is necessary. An easier way to access light rail, which has a much wider range in the San Jose area, would be of great use to me and many of my neighbors.
Apr 29 2019 09:52 AM	More CALTRAIN Service
Apr 29 2019 09:51 AM	More buses. Weekend options.
Apr 29 2019 09:47 AM	Would love for the baby bullet train to start in Morgan Hill vs. Diridon. I would never have to drive to get to SF and save the 30 minute ride to train station to get the bullet.
Apr 27 2019 03:15 PM	Better bus service.

Transit and Shuttle Related Comments

Apr 27 2019 12:26 PM	Light rail installation in Morgan Hill
Apr 27 2019 11:28 AM	More train times. It is not convenient to commute with the limited train schedule.
Apr 27 2019 08:28 AM	There are no stops on Butterfield and San Pedro. There are many apartments and houses here too.
Apr 27 2019 08:23 AM	Stops on Butterfield and San pedro
Apr 27 2019 08:14 AM	Morgan Hill needs more Caltrain options during the evening commute. We also need more Uber and Lyft drivers. It would be great to have more express buses from Morgan hill to different parts of Silicon Valley. Or how about a Vta bus from MH to the new BART station in San Jose.
Apr 27 2019 08:11 AM	I have to walk 30 minutes from home to bus stop.
Apr 26 2019 09:24 PM	Vta stop in Jackson oaks
Apr 26 2019 05:51 PM	More public transport buses to new areas Like Santacruz directly
Apr 26 2019 04:58 PM	In Morgan Hill, all bus & Train transit is clustered downtown along Monterrey St. There is simply no transportation to any outlying areas on an east/west basis. The cheapest Uber-X ride is ~ \$15.00 each way, or \$30.00 to buy some groceries. Way to expensive for most folks.
Apr 26 2019 04:47 PM	More Caltrain service/stops!
Apr 26 2019 04:40 PM	When cutting service to an area please come up with alternatives for disabled individuals!
Apr 30 2019 09:15 PM	Bring a high speed rail stop to Morgan hill.
Apr 29 2019 06:17 PM	Limited options between Morgan Hill and the greater San Jose area.
Apr 28 2019 05:11 PM	How can anyone expect public transportation to work when it doesn't run all day and late in to the night / starting early in the morning and continuing all day? I'm getting to sell my car in Santa Clara, and it's a nightmare to figure out how I'll get home, never mind the hours wasted waiting for transport. I have a fixed income, while healthy, which cannot cover \$50 or so for taxi's.
Apr 26 2019 06:44 PM	I have a 62 year old senior, lower income friend who is losing her eyesight. She would benefit from consistent options for public transportation, and easy access to shopping using public transportation.
Apr 29 2019 02:05 PM	More access to commuting north. More options to get north for work and home during commuting times.

Transit Amenities

Jun 07 2019 02:57 PM	I would use bus service if it was easier to find schedule information
Jun 07 2019 01:44 PM	Besides Uber, no good information on in town transportation
May 03 2019 01:19 PM	1. Better publicize what VTA has available, and cross-promote with CalTrain so people know they have options that will actually work.
Apr 26 2019 09:05 PM	At a time when you want to entice riders to take VTA. you need to maintain facilities, and enhance the transportation not reduce or discontinue along with increases in fares. The connections are an issue and lighting of facilities is also a big concern

Local Streets and Roads Improvements (Speeding included)

Jun 08 2019 06:20 AM	I am concerned about motorists speeding through the school zone near Nordstrom Elementary and passing stopped school buses letting children out.
May 03 2019 12:22 PM	Better enforcement of crosswalk safety. I see people race through the crosswalk in their car just barely missing pedestrians or waiting until the pedestrian has barely passed and charge through before the pedestrian is safely across
Apr 30 2019 11:45 AM	reduce speed limits : 50 mph down to 40 mph; 40 mph down to 35 mph.
Apr 30 2019 08:48 AM	Connect Butterfield to Monterey on the north side of town. Finally do the Hale Dewitt extension.
Apr 29 2019 01:40 PM	Can the city please partner with the county since we border unincorporated areas? Repair uneven pavements, pot holes too. Add blue emergency phones in risk areas for bikers and walkers. Carpool parking Shuttles to medical facilities Shuttles to schools including colleges
Apr 29 2019 10:20 AM	Ensure the Speed limit is honored along the Butterfield Blvd. Motor bikes going fast and making more noise in the Butterfield blvd causing disturbance in the residential area.
Apr 27 2019 01:29 AM	Speeding in downtown Morgan hill, pedestrians feeling safe to walk around in downtown without the fear of getting hit by cars
May 04 2019 02:46 PM	I live off East Dunne near Hill - concerned that crosswalks are not observed by drivers on East Dunne. Hill Road speed is excessive as it is used as a bypass for the freeway.

Bicycle and Pedestrian Improvements

Jun 07 2019 06:34 PM	More pedestrian friendly.
May 21 2019 10:29 AM	There should be a walking / bike path that goes all around town connecting places of interest eg: all schools, downtown, crc, aquatic center, etc.
May 13 2019 01:35 PM	Would love to see improvements to the bicycle grid, especially protected lanes on busy roads. Paint on the road doesn't protect us from a distracted driver.
May 03 2019 02:04 PM	side walks and lights at night
May 01 2019 03:29 PM	I cycle 2/3x per week. Bikes lane and wider bike lanes would be great.
Apr 29 2019 11:10 AM	I stopped biking for groceries and other errands because going over 101 is a hazard for bikers. The cars that cut in front of you are really dangerous.
Apr 29 2019 09:43 AM	More bike and scooter lanes and improved shoulders
Apr 29 2019 06:31 AM	Not enough sidewalks, especially around live oak high school
Apr 26 2019 06:44 PM	If I felt bike riding was safe, I would do it more.
Apr 26 2019 05:10 PM	I wish I could walk to Safeway BUT due to lack of sidewalks, and the entrance/exit of the 101 freeway makes it very dangerous to cross. MH is small enough for folks to be able to walk 1-2 miles to their destination.

Freeways/Congestion

Jun 08 2019 03:05 PM	Off load from 101 south traffic onto Monterey Road / downtown should be discouraged by return to a single lane downtown with improved bike lane. Encourage the use of butterflyfield if seeking alternative routes to south 101
Jun 07 2019 03:17 PM	long term infrastructure plan to deal with increased residential and commercial development impacts on traffic.
Apr 29 2019 04:27 PM	Commute traffic on surface streets. 101 needs to be widened. Also more CalTrain express and other time options from Morgan Hill. Getting to San Francisco from Morgan Hill takes several hrs vis public transportation- it's too long and too combersome.
Apr 29 2019 10:07 AM	Stop building homes!! The surface streets in Morgan Hill are beyond capacity in the mornings.

Technology Related and Other Comments

Jun 08 2019 06:28 AM	ticket cars parked on street in same place for multiple days
Jun 07 2019 02:41 PM	parking downtown is getting more and more challenging in terms of availability.
May 05 2019 08:05 AM	Parking.
Apr 29 2019 08:00 PM	Too much building with not enough parking
Apr 26 2019 06:12 PM	Availability of Uber, Lyft is unreliable.

Morgan Hill Community-Based Transportation Plan Physical Survey Copy Comments

Transit and Shuttle Related Comments

Paper Survey	We need a smaller shuttle sized bus to get to and from residential areas
Paper Survey	Better transit connections into other cities from Morgan Hill (San Jose, Gilroy)
Paper Survey	More Caltrain trains and extra express buses on the weekend are needed
Paper Survey	There are not enough Express buses
Paper Survey	Add a light rail extension all the way to Gilroy, add another Caltrain for commuting
Paper Survey	Improve light rail options in South County
Paper Survey	Look at how the electrification on the Caltrain Tracks will affect service in south county
Paper Survey	Possible trolley or rail system between Morgan Hill, San Martin/Gilroy for low income seniors
Paper Survey	Caltrain from Morgan Hill to SF on weekends
Paper Survey	Better access to more bus route; destinations such as bookstore, Home Depot, Walgreen's, Target are too far to walk from Cochrane Ave
Paper Survey	Shuttle bus for Morgan Hill that serves Senior Housing, De Paul Clinic, grocery stores, shopping centers, apartments, senior center, and library
Paper Survey	More VTA buses moving E-W; should join with merchants in offering shuttle to popular destinations in Morgan Hill (Target, Walmart, etc.)
Paper Survey	Need of bus service in south Morgan Hill; currently bus route #16 is the only bus that operates in Morgan Hill, which covers South Morgan Hill only, from Main Street to Cochrane
Paper Survey	A community bus would be great here in Morgan Hill
Paper Survey	Lower discount to "60", expansion of routes
Paper Survey	Request to have bus #12 from San Pedro Street to Monterey to be able to most bus 68 for senior people
Paper Survey	Bus stops on Tenant & Barrett; unable to use bus, would like bus going to downtown
Paper Survey	Concerns: no adequate bus coverage network in Morgan Hill, more bus routes up into the neighborhoods on west side of Monterey Highways
Paper Survey	Add train trips during morning and evening hours from Santa Clara to Morgan Hill

Transit Amenities

Paper Survey	Translated from Spanish: I don't have enough information on where to buy the pass of the month, for the bus
Paper Survey	Not enough bus stop benches (for line 68); no shelters
Paper Survey	More bus amenities (bus shelter) between Dunne and Tennant

Local Streets and Roads Improvements (Speeding included)

Paper Survey	Paved or asphalt sidewalks on both sides of the street Butterfield to Monterey Hwy
Paper Survey	Speeding and other traffic violations around town
Paper Survey	Improve the Monterey Road Hwy
Paper Survey	Too many people are starting to cut through the poorly paved Monterey and Santa Teresa roads for commuting
Paper Survey	Fix the Santa Teresa Road and Monterey Road
Paper Survey	Repave Bailey Road to San Jose
Paper Survey	Improve Monterey Road between Gilroy to San Jose
Paper Survey	Repave Monterey Road. It is full of pot holes
Paper Survey	Repave Santa Teresa, there are too many potholes
Paper Survey	Need speed mitigation on the East Dunne Avenue; cars drive too fast
Paper Survey	My concern is speeding drives on the street wher I live, McLaughlin between Main and East Central. No stop sign on East Central
Paper Survey	Hill Road between East Dunne and Barrett Ave is full of potholes and needs to be redone, it's the only place where you haven't repaired the road, please fix
Paper Survey	There is no lighting on my street at night
Paper Survey	Improve conditions of some rural and popular roads
Paper Survey	Longer lasting potholes repairs; stop dangerous exits from Nob Hill parking lot, crossing 4 lanes, make right turn only signs
Paper Survey	Enforce the traffic rules and laws to avoid unnecessary accidents

Bicycle and Pedestrian Improvements

Paper Survey	Add more blinking light crosswalks to alert drivers of pedestrian crossing
Paper Survey	Look at the roads and intersection at Burrent Avenue. It is not safe for senior community and high school students at Sobrato High
Paper Survey	Need improved crosswalk just outside the Sycamore Glen Community; cars do not see the flashing pedestrian sign and roll right past as pedestrians are trying to walk
Paper Survey	There should be a pedestrian island on the street in case we can't cross the entire length of the streeeen time before oncoming traffic comes
Paper Survey	Fix sidewalk between McLaughlin to East Main (corner is too narrow?); need sidewalk on Central between McLaughlin and Monterey; dangerous for senior citizens who are at Horizon
Paper Survey	Need crosswalk Mclaughling to Depot
Paper Survey	Some dirt bike trails not next to roads
Paper Survey	More sidewalks
Paper Survey	Make sure all the street trees are well trimmed to clean the sight for crossing

Freeways/Congestion

Paper Survey	We need more lanes on 101 after Hwy 85
Paper Survey	Add lanes to 101 to Santa Teresa.
Paper Survey	I start my commute at 5 am and still becomes an hour drive, and is already backed up from Gilroy to Morgan Hill, this needs improvement

Technology Related and Other Comments

Paper Survey	Electric scooters should be brought to Morgan Hill
Paper Survey	Time the traffic lights through downtown better, it gets too backed up during rush hour
Paper Survey	Concern about electric scooters coming to Morgan Hill and cluttering the sidewalks

Morgan Hill Community-Based Transportation Plan Public Meeting Comments

Transit and Shuttle Related Comments

Public Meeting	Lack of airport shuttles from South County
Public Meeting	Residents in the Jackson Oaks neighborhood (E. Dunne Ave in the hillside area) stated that there are no bus services in the area, which means that the area is not within the VTA Access corridor. There are a lot of seniors and wheelchair-bound individuals that do not have access to doctor's appointment or other mobility options. Rideshare services aren't not feasible due to not being wheelchair accessible. Suggestions for improvements: extend the corridor of VTA Access service and/or shuttle services that provide wheel-chair accessible vehicles
Public Meeting	Lack of trains. More Caltrain, frequency of service
Public Meeting	On-call short run shuttle
Public Meeting	More express buses, not just during rush hour; no transportation at senior housing; need community buses to go east and west to get to Sports Complex and Aquatic center and other popular attractions/stores in Morgan Hill; no bus service at the Lodge, Huntington, Woodland Estates, and Casa Loma senior complexes; more Caltrain
Public Meeting	Paratransit (VTA Outreach) - long wait on phone to arrange rides, lots of waiting for rides, must schedule way in advance; Morgan Hill is a rural community with very few bus lines and transportation options. Paratransit Access riders are penalized, paying a premium rate which is cost prohibitive for living beyond the ¾ of a bus line. South County should have a more extended core service area of up to 1 mi off a bus line due to the few bus lines and rural community. Several senior housing locations are located out of the core. Seniors are paying \$16 each way on a trip.
Public Meeting	Don't run buses through the downtown corridor
Public Meeting	Buses and paratransit don't serve DePaul Medical Center
Public Meeting	Lack of airport shuttles from South County

Transit Amenities

Public Meeting	Add electronic/ digital displays at bus stops to know when buses are arriving, out of service, etc.
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Local Streets and Roads Improvements (Speeding included)

Public Meeting	Speeding on Mission View, no crosswalks on Mission View
Public Meeting	There are several places throughout the City with no continuous sidewalk. Going south on Monterey Road from Dunne to Tennant is a good example

Bicycle and Pedestrian Improvements

Public Meeting	Likes trees on Monterey-Downtown; pedestrian flags
Public Meeting	Not safe for bicycle on many streets, too narrow
Public Meeting	There is a current attitude in Morgan Hill where cyclists and commuters are at odds with each other. This is due to cyclists needing to use roadways where there are no bike lanes.
Public Meeting	Monterey Road doesn't have full sidewalk

Freeways/Congestion

Public Meeting	Already a bottleneck at Cochrane/101
Public Meeting	101 & Monterey commute is terrible

Technology Related and Other Comments

Public Meeting	Difficult of getting Uber or Lyft in Morgan Hill
Public Meeting	Interest in e-scooters, maybe restrict to pocket
Public Meeting	Open to the idea of scooter and bike share as long as not on the roads

C Focus Group Meeting Agendas

CBTP for Morgan Hill-Team Kick-Off Meeting

Meeting No. 1
 Wednesday, January 30, 2019
 2:00 -3:00 PM
 DSC Grand Conference Room
 City of Morgan Hill

1. **Introductions (5 mins)**
2. **Purpose and Goals (5 mins)**
3. **Project Timeline and Scope of Work (15 mins)**
 - Updated project timeline
 - VTA's specific scope of work
4. **Finalize Project Boundary (15 mins)**
 - Per MTC's Appendix C, each CMA may include adjacent parcels immediately outside the CoCs, if these parcels help establish a contiguous planning area.
 - CMAs may also designate additional CoCs by obtaining advance approval from MTC, based on criteria outlined in program guidelines
5. **Discuss Project Deliverables and Roles/Responsibilities of Team Members (15 mins)**
6. **Next Steps (5 mins)**
 - Draft Outreach Plan

Next Meeting: TBD –end of February

Community-Based Transportation Plan (CBTP) for Morgan Hill

Team Meeting No. 1
Wednesday, January 30, 2019
2:00 – 3:00 PM
DSC Grand Conference Room, City of Morgan Hill




Agenda

- Introductions (5 mins)
- Purpose and Goals (5 mins)
- Project Timeline and Scope of Work (15 mins)
- Finalize Project Boundary (15 mins)
- Discuss Project Deliverables and Roles/Responsibilities of Team Members (15 mins)
- Next Steps (5 mins)



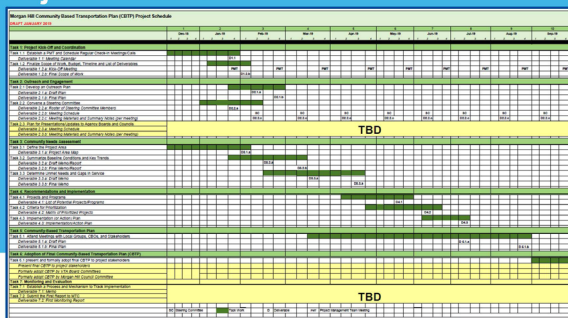
Purpose and Goals



"to improve access and mobility for low-income communities, for commute as well as non-commute trips"



Project Timeline

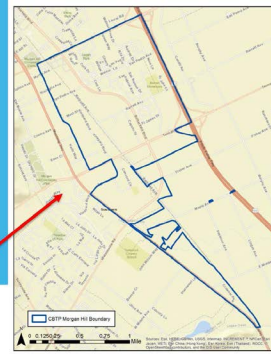


Scope of Work Summary

- Assess baseline conditions and key trends
- Determine unmet needs and transportation challenges
- Identify projects and programs
- Criteria for prioritization of recommendations
- Action plan for each of the prioritized projects and programs



Project Boundary



Deliverables and Roles/Responsibilities of Team Members




Next Steps



Community-Based Transportation Plan (CBTP) for Morgan Hill

Steering Committee Meeting #1
Tuesday, February 20th, 2019
2:00 – 2:30 PM
City of Morgan Hill Senior Center



Agenda

- Introductions
- Project Overview
- Recap
- VTA's Draft 2019 New Transit Service Plan
- Roundtable Discussion
- "What are the most effective ways to solicit feedback from the community?"
- Upcoming Meetings/Next Steps



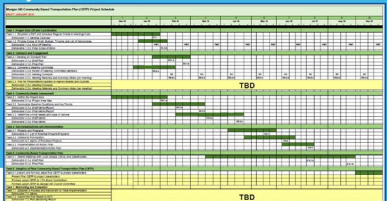
Purpose and Goals



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



Project Timeline




Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Documentation of Existing Conditions/Needs
- Mid-April 2019: First Round of Public Forums
- June-July 2019: Draft CBTP Released
- July 2019: Second Round of Public Forums
- August 2019: Final CBTP Released



Project Boundary




Project Outcome



Potential Areas for Improvement:

- Sidewalk gap closures
- Widened sidewalks
- New curb ramps
- Reduced curb radii

Local Roads & Streets

Technology & Other Proposals



Recap

- Project Management Team Kick-Off Meeting (01/30)
- Meeting with Morgan Hill Chamber of Commerce (02/08)



VTA's Draft 2019 New Transit Service Plan

1. Maintain today's total cost (no service increase)
2. More ridership service & less coverage service
3. Minimize cuts in South County

Project Website:
<http://newtransitplan.vta.org/home>




Morgan Hill

improved

68

no change

87

reduced

121, 168, 185




Next

January: Community engagement

February: Community engagement

March: Revise plan

April: Final plan to VTA committees

May: Final plan to VTA Board of Directors

June: Implementation activities (scheduling, manufacturing signage, preparing and printing passenger materials, operator training, etc.)

July: Implementation activities (scheduling, manufacturing signage, preparing and printing passenger materials, operator training, etc.)

August: Implementation activities (scheduling, manufacturing signage, preparing and printing passenger materials, operator training, etc.)

September: Implementation activities (scheduling, manufacturing signage, preparing and printing passenger materials, operator training, etc.)

Oct – Dec: New service starts when BART service begins



Outreach Example-Milpitas CBTP



Suggestion box in Milpitas Library



Suggestion box near translated in 4 languages




Roundtable Discussion

"What are the most effective ways to solicit feedback from the community?"

Possible Topics for discussion may include:

- Any groups/organizations we should involve?
- Any meetings/committees we should present to?
- Possible venues for public meeting
- Feasibility of doing a survey, survey format (electronically, paper, etc.)
- Outreach to non-English speakers



Upcoming Meetings

- Youth Action Council (YAC) meeting (03/05)
- Reached out to Bicycle and Pedestrian Advocacy Group (BPAG)



Next Steps

- Completing Outreach Plan
- Draft of survey (?)
- Collect input of baseline conditions and transportation challenges



COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

Morgan Hill Youth Action Council (YAC)
Tuesday, March 5th, 2019
5:30 pm
City of Morgan Hill Centennial Recreation Center (CRC)



Outline

- Purpose
- Project Timeline & Boundary
- Project Outcomes
- Next Steps




Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Data Collection on Existing Conditions/Needs in Morgan Hill
- Mid-April 2019: First Round of Public Meetings
- June-July 2019: Draft Community-Based Transportation Plan Released
- July 2019: Second Round of Public Meetings
- August 2019: Final Community-Based Transportation Plan Released**



Project Boundary

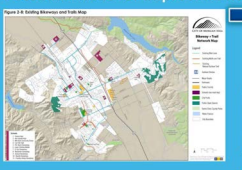



Project Outcome




Potential Areas for Improvement

Figure 1-1 Existing Bikeways and Trails Map



Bikeways & Trails Network




Potential Areas for Improvement

Public Transportation & Amenities (Caltrain/HSR?)




Potential Areas for Improvement

Local Roads & Streets

- Sidewalk gap closures
- Widened sidewalks
- New curb ramps
- Reduced curb radii



High Visibility Crosswalks



Potential Areas for Improvement

Technology & Other Proposals




Next Steps

- Completing Outreach Plan
- Launch of Project Webpage on VTA.org
- Draft of survey (?)
 - Collect input of baseline conditions and transportation challenges



We want to hear from you!

"What are the transportation issues in your city?"

"What improvements would you like to see?"

Send us an e-mail at:
David.Lovato@vta.org



COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

Kiwanis International-Morgan Hill
Tuesday May 7th, 2019
7:00 – 8:00 pm




Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



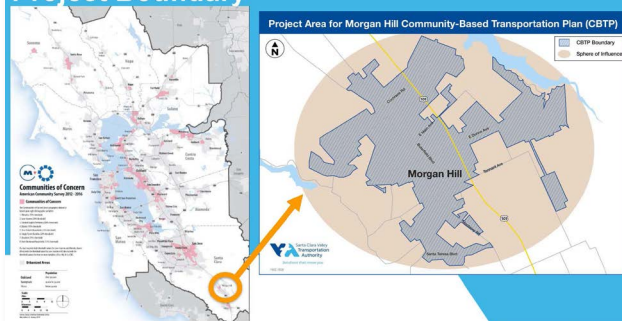
Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Data Collection on Existing Conditions/Needs in Morgan Hill
- Mid-April 2019: Public Engagement & Survey
- May 2019: First Round of Public Meeting
- July 2019: Draft Community-Based Transportation Plan Released & Second Round of Public Meeting

August 2019: Final Community-Based Transportation Plan Released



Project Boundary



Potential Areas for Improvement

Bikeways & Trails Network	Public Transportation Amenities
 	 
Local Roads & Streets	Technology & Other Proposals
 	 

Reasons for Involving Kiwanis International – Morgan Hill

- Input & participation from members of the Kiwanis on transportation issues and improvements
- Assistance with community outreach



We want to hear from you!
"What are the transportation issues in your city?"
"What improvements would you like to see?"



Take the survey at
<http://www.vta.org/morganhillcbtp>

Survey is now live until Friday, June 7th, 2019!

Upcoming Public Workshop #1 for Morgan Hill Community-Based Transportation Plan (CBTP)



City Council Chambers
 17555 Peak Avenue,
 Morgan Hill, CA

Wednesday May 29th
 at 7:00 pm

COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

City of Morgan Hill: Parks & Recreation Commission
Tuesday, May 21st, 2019
7:00 pm
City Council Chamber

Reasons for Involving the Parks & Recreation Commission

- Informing and gathering inputs from members of the Park & Recreation Commission on the project
- Assistance with community outreach for survey and public workshop on May 29th



Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



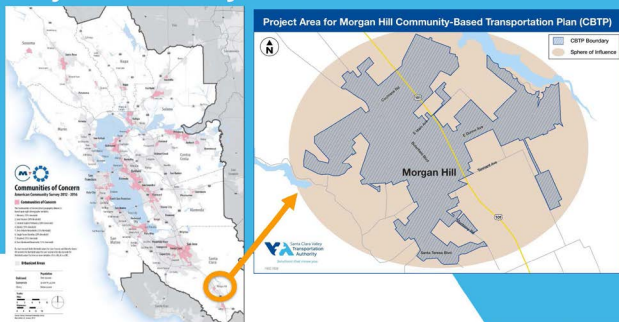
Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Data Collection on Existing Conditions/Needs in Morgan Hill
- Mid-April 2019: Public Engagement & Survey
- May 2019: First Round of Public Meeting
- July 2019: Draft Community-Based Transportation Plan Released & Second Round of Public Meeting

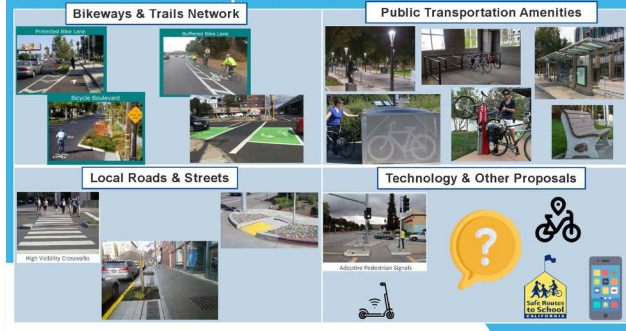
August 2019: Final Community-Based Transportation Plan Released



Project Boundary



Potential Areas for Improvement



Project Webpage & Survey

Survey is now live until Friday, June 7th, 2019!

Take our survey
Respond to questions online
参加調查請到這網頁

Project Page & Survey available at
<http://www.vta.org/morganhillcbtp>

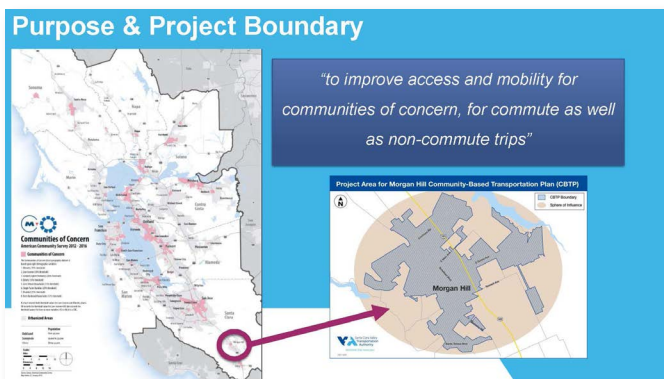
Upcoming

Public Workshop #1 for Morgan Hill Community-Based Transportation Plan (CBTP)



City Council Chambers
17555 Peak Avenue,
Morgan Hill, CA

Wednesday May 29th
at 7:00 pm



CBTP for Morgan Hill Steering Committee

Meeting No. 3

Thursday, June 13th, 2019

2:00 -3:30 PM

Morgan Hill City Hall-Conference Room West

1. **Introductions**
2. **Project Outreach Recap**
3. **Summary of Online Survey Responses and Comments**
4. **Brainstorm Activity**
 - Developing a list of probable solutions based on the comments received during public outreach
5. **Roundtable Discussion: Next Steps**
 - What criteria to use to prioritize transportation projects/proposals from #4 for Morgan Hill?
 - Any projects currently in the works or are planned that will address the concerns?

Next Meeting: **TBD in July** (sometime between July 15th-July 18th)

COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

Morgan Hill Youth Leadership Program
Tuesday, July 23rd, 2019
1:15-2:10 pm



Santa Clara Valley Transportation Authority
Solutions that move you

Why we are doing this project?



To find ways to improve transportation in Morgan Hill for all residents, including youth



Santa Clara Valley Transportation Authority
Solutions that move you

What we are asking from you?



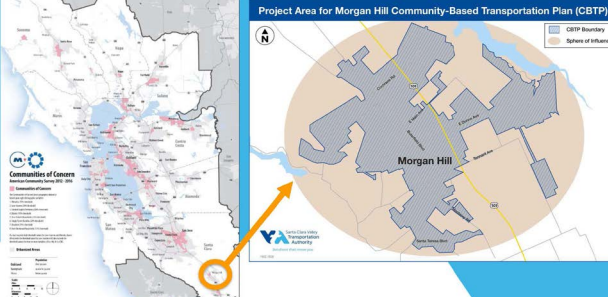
We want to know your answers to these questions:

- How are you currently getting to places where you need to be?
- How would you want to get around to these places?
- What places you travel to other than home and school?



Santa Clara Valley Transportation Authority
Solutions that move you

Project Boundary



Project Area for Morgan Hill Community-Based Transportation Plan (CBTP)



Santa Clara Valley Transportation Authority
Solutions that move you

Morgan Hill Community-Based Transportation Plan

Morgan Hill Youth Leadership Program
Tuesday, July 23rd, 2019

Questions for Small Group Discussions

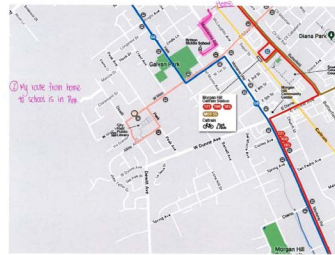
1. Where do you travel to other than home and school? List down 2-3 places and mark on the map where in Morgan Hill they are located. If not in Morgan Hill, write down the city that they're in.

Example:




2. How are you currently getting to school, your home, and the places listed in Question #1? If possible, write down the route you take to get to those places.

Example:




3. How would you like to get around to school, your home, and the places in Question #1? Do you want to bike, walk or scooter more? Are there any problem areas that makes it hard for you to get to these places? Mark problem areas on the map.

Example:




APPENDIX D Funding Sources

Federal

Funding Source*	Purpose	Administrator
FTA Pilot program for expedited project delivery	The Pilot Program for Expedited Project Delivery allows FTA to select up to eight capital transit projects for expedited grant awards. Projects must be supported through a public-private partnership, be operated	FTA
FTA Section 5307 Urbanized Area Formula Program	Purchase of buses, trains, ferries, vans, and other capital improvement, and Americans with Disabilities Act (ADA) required paratransit service. Distributed through the regional Transit Capital	FTA/MTC
FTA Section 5339 Bus and Bus Facilities Program	Provides capital assistance for new and replacement buses, related equipment, and facilities. Part of the Transit Capital Priorities process.	FTA/MTC
FTA Section 5312 Research, Development, Demonstration, and Deployment	To support research activities that improve the safety, reliability, efficiency, and sustainability of public transportation by investing in the development, testing, and deployment of innovative technologies,	FTA
Mobility on Demand (MOD) Sandbox Demonstration Program	To fund project teams to innovate, explore partnerships, develop new business models, integrate transit and MOD solutions, and investigate new, enabling technical capabilities such as integrated payment	FTA
Pilot Program for Transit-Oriented Development Planning	Funding to local communities to integrate land use and transportation planning with a new fixed guideway or core capacity transit capital investment	FTA
Public Transportation Innovation	Funding to develop innovative products and services assisting transit agencies in better meeting the needs of their customers.	FTA
Highway Safety Improvement Program (HSIP)	California's Local HSIP focuses on infrastructure projects with nationally recognized crash reduction factors (CRFs).	Caltrans
FHWA – Surface Transportation Program (STP)	To preserve and improve conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including	FHWA / MTC
FHWA – Congestion Mitigation and Air Quality Improvement Program (CMAQ)	Transportation projects that improve air quality and relieve congestion. Portion of funds included in OneBayArea Grant program.	FHWA / Caltrans / MTC
FTA Section 5309 Fixed Guideway Capital Investment Grants (New Starts, Small Starts and Core Capacity)	Capital support for light rail, rapid rail, commuter rail, automated fixed guideway systems, or a busway/high occupancy vehicle (HOV) facility, or an extension of any of these. Under MAP-21, includes "core	FTA
Transportation Alternatives Program (TAP)	Eligible activities consist of Transportation Alternatives, Recreational Trails, Safe Routes to School, Planning/Design/Construction of roadway in right of way of former highways. Set aside of the	Caltrans
"Highway-Rail Grade Crossings Program"	Develop and implement safety improvement projects to reduce the number and severity of accidents at public highway-rail grade crossings, including signing and pavement markings at crossings,	FHWA / Caltrans
Better Utilizing Investments to Leverage Development (BUILD)	The BUILD Discretionary Grant program provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve critical national objectives.	USDOT

*Note: Funding sources presented in no particular order Source: San Mateo County Transportation Authority Strategic Plan 2014-2019

State

Funding Source*	Purpose	Administrator
State of California Transit and Intercity Rail Capital Program (TIRCP)	Fund transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems, and bus and ferry transit systems. The program's goal is to reduce emissions of greenhouse gases by reducing congestion and vehicle miles traveled throughout California.	Caltrans
Senate Bill 1 – Maintenance and Rehabilitation of the State Highway System	Fund state highway improvements including repairing and resurfacing hundreds of miles of highways to extend the service life of California roads, fix/replace bridges, culverts, and drainage	Caltrans
Senate Bill 1 – Trade Corridor Enhancement Program	Fund freight projects along important trade corridor routes.	Caltrans
Senate Bill 1 – Repairs to Local Streets and Roads	Improve local streets and roads, expand the state's growing network of pedestrian and cycle routes, and increase transit service.	Caltrans
Senate Bill 1 – Solutions for Congested Corridors Program	Money from this new program will go to projects from regional agencies and the state that will improve traffic flow and mobility along the state's most congested routes while also seeking to improve air quality and health.	Caltrans
Senate Bill 1 – Local Partnership Program	This money will go to local entities who are already making their own extra investment in transportation. These matching funds will support the efforts of cities and counties with voter-approved transportation tax measures.	Caltrans
Senate Bill 1 – Bike and Pedestrian Projects	This will go to cities, counties and regional transportation agencies to build or convert more bike paths, crosswalks and sidewalks. It is a significant increase in funding for these projects through the Active Transportation Program (ATP).	Caltrans
State Highway Operation and Protection Program (SHOPP)	State highway rehabilitation projects	Caltrans
Transportation Development Act (TDA)	Transit capital and operating expenses	MTC
State Transit Assistance Funds (STA)	Transit capital and operating expenses	MTC
Transportation Development Act Article 3 (TDA 3)	Provide funding annually for bicycle and pedestrian projects.	MTC
State Transportation Improvement Program (STIP) / Regional Transportation Improvement Program (RTIP)	Roadway and transit capital improvement projects, road rehabilitation, interregional improvements	Caltrans / MTC
Office of Traffic Safety (OTS)	Safety projects, with pedestrian/bicycle safety a priority.	Caltrans OTS
Active Transportation Program (ATP)	Consolidation of previous bicycle and pedestrian funding programs and is designed to promote active modes of transportation, such as walking and biking, and to ensure disadvantaged communities share fully in the program.	Caltrans
California Sustainable Transportation Planning Grant Program	Funds a wide range of transportation planning studies that promote a balanced comprehensive multimodal transportation system. Consists of Strategic Partnerships and Sustainable Communities grants. Replaces former environmental justice, community based and transit planning grant activities, which are eligible under the new program.	Caltrans
Cap and Trade Program	Reduction of the region's transportation-related emissions by: Support Communities of Concern (25% of revenues); Supports Transit Core Capacity Challenge Grant Program, Transit Operating and Efficiency Program, OneBayArea Grant program; Climate Initiatives Program, including Safe Routes to Schools, and goods movement projects.	Various State Agencies
Section 190 Program	Provides funding to projects that either alter or reconstruct existing grade separations, construct new grade separations to eliminate existing at-grade crossings or relocate roadways to eliminate at-grade crossings, thereby improving safety and expediting the movement of vehicles. Eligible projects must first be nominated to the California Public Utilities Commission's Grade Separation Priority List.	Caltrans

*Note: Funding sources presented in no particular order
Source: San Mateo County Transportation Authority Strategic Plan 2014-2019

Local/Regional

Funding Source*	Purpose	Administrator
Regional Bridge Tolls	Projects that mitigate and relieve traffic congestion on the bridges (AB 664, 2%-5%, Regional Measure 2, Regional Measure 3)	MTC
Vehicle Emissions Reductions Based at Schools (VERBS) Program	Reduce greenhouse gases (GHG) by promoting walking, biking, transit, and carpooling to school.	MTC
OneBayArea Grant Program	Integrates the region's federal transportation program with California's climate law and Sustainable Communities Strategy; provides funding investments in surface transportation for a wide variety of programs including mass transit, highway, local road and bicycle and pedestrian projects.	MTC
Transportation Fund for Clean Air (TFCA)	Funds regional competitive and county funding categories. Implementation of the most cost-effective projects in the Bay Area which will decrease motor vehicle emissions and improve air quality.	Bay Area Air Quality Management District (BAAQMD)
Gasoline Tax Subventions	Local streets and road maintenance and rehabilitation	Cities and Counties
Pavement Management Technical Assistance Program (PTAP)	Resources for jurisdictions to better understand their pavement condition to make decisions about pavement maintenance and rehabilitation investments.	MTC
Vehicle Registration Fee	\$10 per year vehicle registration fee in Santa Clara County to pay for local transportation improvements, including pothole repair, paving, traffic control signals, and safety improvements.	VTA
Developer Impact Fees	Cost to local government of a new development, including roads, sidewalks, sewers, and utilities	Local Governments
Property-based Business Improvement District (PBID) / Other Assessments	Generally downtown improvements and services associated with businesses.	Local Governments

*Note: Funding sources presented in no particular order

Source: San Mateo County Transportation Authority Strategic Plan 2014-2019



Solutions that move you



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ADOPT ORDINANCE 2319, NEW SERIES, OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2319, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure

2020-2021 Strategic Priorities

Economic Development

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

On December 16, 2020, the City Council introduced Ordinance No. 2319 New Series, by the following roll call vote: AYES: Borgioli, Constantine, Martinez Beltran, McKay, Spring; NOES: None; ABSTAIN: None; ABSENT: None.

As part of the implementation of the Zoning Ordinance and Noise Ordinances and yearly update, staff identified several clerical errors, inconsistencies between sections, and the need to update certain portions of the Municipal Code as well as provide further clarification or to expand on certain topics within the Code. The purpose of the proposed Ordinance is to correct these issues.

The City Council waived the first and second reading and amended the ordinance to move Vehicle Storage Use and Salvage/Wreckage into the Vehicle Related Use Section.

COMMUNITY ENGAGEMENT: Inform

On November 10, 2020, the Planning Commission held a public hearing regarding the proposed ordinance amendments in which a 10-day public hearing notice was published in the Friday, October 30, 2020 edition of the Morgan Hill Times. A 10-day public hearing notice was published in the Friday, November 20, 2020 edition of the Morgan Hill Times pursuant to Government Code Sections 65090-65096. Notice was also provided on the website and via social media.

ALTERNATIVE ACTIONS:

The City Council could decide not to adopt the ordinance, thereby the Municipal Code will remain as-is, and the clerical errors and inconsistencies within the Code will remain.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On June 6, 2018, the City Council adopted Ordinance No. 2277 N.S., a comprehensive update of Title 18 – Zoning of the City of Morgan Hill Municipal Code. The update included an amendment to the City’s official zoning map consistent with the Morgan Hill 2035 General Plan.

In addition, Subsection D of Section 8.28.040 (Enumeration of unlawful noises) within Chapter 8.28 (Noise) of Title 8 (Health and Safety) was last updated in 1998 by the adoption of Ordinance No. 1405 N.S.

On November 10, 2020, the Planning Commission considered and recommended, unanimously, the City Council approve the proposed draft Ordinance.

FISCAL AND RESOURCE IMPACT:

Staff regularly brings forward bundles of minor amendments as necessary to enhance, correct and/or refine the Code; and therefore, the cost is borne, and work is accommodated, within the respective division’s annual workplan and budget.

CEQA (California Environmental Quality Act):

This Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. The proposed text amendments are covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments consist of miscellaneous minor amendments to correct clerical errors and inconsistencies within the Municipal Code as well as establishing procedures for amending the General Plan.

LINKS/ATTACHMENTS:

1. Ordinance 2319- Misc Code Amendments

ORDINANCE NO. 2319, NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

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

Section 1. Subsection D of Section 8.28.040 (Enumeration of Unlawful Noises) of Chapter 8.28 (Noise) of Title 8 (Health and Safety) is hereby amended to read as follows:

D. Construction Activities.

1. "Construction activities" are defined as including but not limited to excavation, grading, paving, demolition, construction, alteration or repair of any building, site, street or highway, delivery or removal of construction material to a site, or movement of construction materials on a site. Construction activities are prohibited other than between the hours of seven a.m. and eight p.m., Monday through Friday and between the hours of nine a.m. to six p.m. on Saturday. Construction activities may not occur on Sundays or federal holidays. No third person, including but not limited to landowners, construction company owners, contractors, subcontractors, or employers, shall permit or allow any person working on construction activities which are under their ownership, control or direction to violate this provision. Construction activities may occur in the following cases without violation of this provision:
 - a. In the event of urgent necessity in the interests of the public health and safety, and then only with a permit from the chief building official, which permit may be granted for a period of not to exceed three days or less while the emergency

continues and which permit may be renewed for periods of three days or less while the emergency continues.

- b. If the chief building official determines that the public health and safety will not be impaired by the construction activities between the hours of eight p.m. and seven a.m., and that loss or inconvenience would result to any party in interest, the chief building official may grant permission for such work to be done between the hours of eight p.m. and seven a.m. upon an application being made at the time the permit for the work is issued or during the progress of the work.
 - c. The city council finds that construction by the resident of a single residence does not have the same magnitude or frequency of noise impacts as a larger construction project. Therefore, the resident of a single residence may perform construction activities on that home during the hours in this subsection, as well as on Sundays and federal holidays from nine a.m. to six p.m., provided that such activities are limited to the improvement or maintenance undertaken by the resident on a personal basis.
 - d. Public work projects are exempt from this section and the public works director shall determine the hours of construction for public works projects.
2. If it is determined necessary in order to ensure compliance with this section, the chief building official may require fences, gates or other barriers prohibiting access to a construction site by construction crews during hours in which construction is prohibited by this subsection. The project manager of each project shall be responsible for ensuring the fences, gates or barriers are locked and/or in place during hours in which no construction is allowed. This subsection shall apply to construction sites other than public works projects or single dwelling units which are not a part of larger projects.

Section 2. Subsection A of Section 18.18.020 (Land Use Regulations) of Chapter 18.18 (Residential Attached Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows:

- A. Permitted Land Uses. Table 18.18-1 identifies land uses permitted in the residential attached zoning districts.

Table 18.18-1: Permitted Land Uses — Residential Attached Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District	Additional Regulations
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	RAL	RAM	RAH	
Residential Uses				
Accessory Dwelling Units	P	P	P	Chapter 18.84
Duets and Duplexes	P	P	P	
Group Housing	C [1]	C	C	
Multi-Family Dwellings	P	P	P	
Nursing Homes and Long-Term Care	C	C	C	
Residential Care Facilities	C	C	C	
Residential Care Facilities, Small	P	P	P	
Single-Family Attached Dwellings	P	P	P	
Single-Family Detached Dwellings	P [2, 3]	P [3]	P [3]	
Public and Quasi-Public Uses				
Community Assembly	C	C	C	
Cultural Institutions	C	C	C	
Day Care Centers	C	C	C	
Home Day Care, Large and Small	P	P	P	
Parks and Recreational Facilities [4]	C	C	C	
Public Safety Facilities	C	C	C	
Schools, Public and Private	C	C	C	

Transportation, Communication, and Utility Uses				
Wireless Communication Facilities	See Chapter 18.96			
Other Uses				
Accessory Uses and Structures	See Chapter 18.44			
Home Occupations	See Section 18.92.060			
Temporary Uses and Structures	See Section 18.92.150			
Urban Agriculture				
Home Gardens	P	P	P	
Community Gardens	A	A	A	
Urban Farms	C	C	C	

Notes:

[1] Limited to no more than eight residents.

[2] Up to twenty-five percent of homes within a development project may be small-lot single family homes with a maximum lot area of three thousand five hundred square feet.

[3] Permitted only on a lot of record existing prior to July 7, 2018.

[4] Park and recreational facilities accessory to a residential use (e.g., a clubhouse serving a residential subdivision) are permitted by right.

Section 3. Chapter 18.22 (Mixed Use Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.22 - MIXED USE ZONING DISTRICTS

18.22.010 - Purpose of the mixed use zoning districts.

- A. General. The purpose of the mixed use zoning districts is to provide for active and inviting destinations in Morgan Hill with a diversity of residential and commercial land uses. In the mixed use zoning districts the design of development supports a welcoming, pedestrian-friendly public realm. A diversity of local and independent businesses, recreational amenities, and public spaces meet the needs of residents, workers, and visitors. New development respects Morgan Hill's history and reflects its unique small-town feel. The diversity of land uses, pedestrian-friendly development, and general level of activity in the mixed use zoning districts supports a range of transportation choices, including walking, biking, and transit.
- B. Specific.
 1. Downtown Mixed Use (MU-D). The purpose of the Downtown Mixed Use (MU-D) zoning district is to preserve and enhance Downtown as the heart of Morgan Hill and the center of the community. New development supports a walkable Downtown district with active storefronts and a diversity of commercial, residential, and public uses. The intensity of residential uses enhances economic vitality, increases housing options for residents of all ages, and support a vibrant and diverse destination for residents and visitors. The MU-D zoning district implements the community's vision for Downtown Morgan Hill as described in the Downtown Specific Plan.
 2. Neighborhood Mixed Use (MU-N). The purpose of the Neighborhood Mixed Use (MU-N) zoning district accommodates a range of residential and commercial land uses in close proximity to Downtown. A range of housing types provide residents with affordable housing options and increase opportunities to live close to stores, services, jobs, and transit. The MU-N zoning district provides a transition from the higher intensity uses in the Downtown Core to lower density residential neighborhoods.
 3. Mixed Use Flex (MU-F). The purpose of the MU-F zoning district is to accommodate a mixture of residential and commercial uses typically along the Monterey Road corridor north and south of Downtown. New mixed use development may be vertical (residences above ground floor commercial) or horizontal (separate buildings with different uses on a single site). Development in the MU-F zoning district creates attractive gateways into Morgan Hill, provides a range of housing options, and creates new centers of activity to serve surrounding neighborhoods.

18.22.020 - Land use regulations.

- A. Permitted Land Uses. Table 18.22-1 identifies land uses permitted in the MU-N and MU-F zoning districts. For permitted land uses in the MU-D zoning district, see Figure 8 in the Downtown Specific Plan.

Table 18.22-1: Permitted Land Uses — MU-N and MU-F Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District		Additional Regulations
	MU-N	MU-F	
Residential Uses			Section 18.22.030
Accessory Dwelling Units	P	P	Chapter 18.84
Duets and Duplexes	P	C	
Group Housing	C	C	
Live/Work Unit	A	A	
Mixed Use Residential	P	P	
Multi-Family Dwellings	P	C	
Nursing Homes and Long-Term Care	C	C	
Residential Care Facilities	C	C	
Residential Care Facilities, Small	P	P	
Senior Housing, Independent Living	P	C	
Single-Family Attached Dwellings	P	C	
Single-Family Detached Dwellings	P [1]	C	
Public and Quasi-Public Uses			
College and Trade Schools	P	P	

Community Assembly	C	C	
Cultural Institutions	A	A	
Day Care Centers	C	C	
Emergency Shelters	—	C	Section 18.92.050
Government Offices	A	A	
Home Day Care, Large and Small	P	P	
Hospitals	C	C	
Instructional Services	P	P	
Medical Offices and Clinics	P	P	
Parks and Recreational Facilities	P	P	
Public Safety Facilities	C	C	
Schools, Public and Private	C	C	
Social Services	—	C	
Commercial Uses			
Animal-Related Users			
Veterinarian Clinics and Hospitals	C	C	
Banks and Financial Institutions	P	P	
Business Support Services	P	P	

Cinemas and Theaters	A	A	
Commercial Recreation, Indoor			
≤ 15,000 sq. ft.	P	P	
> 15,000 sq. ft.	C	C	
Drive-Through Facilities	C	C	18.92.040
Eating and Drinking Uses			
Bars and Nightclubs	C	C	
Restaurant, Fast Food	P	P	
Restaurants, Sit Down	P	P	
Tasting Rooms	P	P	
Farmers Markets	A	A	
Lodging Facilities			
Bed and Breakfast	A	A	
Hotels and Motels	C	C	
Personal Services	P	P	
Professional Offices	P	P	
Retail			
Convenience Market	A	A	18.92.030
General Retail	P	P	

Vehicle-Related Uses			
Fuel and Service Stations	—	C	
Vehicle Rentals	—	C	
Vehicle Washing	—	C	
Industrial Uses			
Food and Beverage Production			
< 5,000 sq. ft. [3]	P	P	
5,000 sq. ft. to 10,000 sq. ft. [3]	C	C	
Transportation, Communication, and Utility Uses			
Parking Lots or Structures [2]	C	C	
Recycling Facilities			
Reverse Vending Machines	—	C	
Transportation Terminals	—	—	
Wireless Communications Facilities	See Chapter 18.96		
Other Uses			
Accessory Uses	See Chapter 18.44		
Home Occupations	See Section 18.92.060		
Temporary Uses	See Section 18.92.150		

Notes:

[1] Permitted only on a lot of record existing prior to July 7, 2018.

[2] When proposed as a primary use.

[3] On-site wholesale or retail sales required.

- B. Replacement Housing. Any proposed project that would replace existing rental housing occupied by a low or moderate-income household with commercial development or higher density residential uses shall comply with Municipal Code Chapter 15.30 (Replacement Housing).
- C. Additional Permits. In addition to permits identified in Table 18.22-1, development projects in the mixed use zoning districts may also require a design permit pursuant to Section 18.108.040 (Design Permits). Modifications to a historic resource may require a Historic Alteration pursuant to Chapter 18.60 (Historic Resources).
- D. Residential Building Allotments. All residential development must comply with the voter-approved residential development control system (RDCS) as established in Chapter 18.78 (Residential Development Control System). The RDCS requires proposed residential projects to first receive residential building allotments before applying for land use entitlements. Section 18.78.050.C (Exemptions from Allotments) identifies types of residential projects exempt from the requirement to obtain residential building allotments.

18.22.030 - Residential and mixed use in the MU-F zoning district.

Residential and residential mixed use is not allowed in the MU-F zoning district until the completion of a master plan for the Monterey Corridor.

18.22.040 - Development standards.

- A. General. Table 18.22-2 identifies development standards that apply in the mixed zoning districts.

Table 18.22-2: Development Standards in Mixed Use Zoning Districts

	MU-D	MU-N	MU-F	Additional Standards
Site Requirements				
Lot Area, Minimum	3,500 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	
Lot Width, Minimum	40 ft.	60 ft.	60 ft.	
Lot Depth, Minimum	80 ft.	100 ft.	100 ft.	

Floor Area Ratio, Maximum	2.0 [1]	1.0	0.5	
Residential Density				
Minimum	None	8 du/acre	7 du/acre	
Maximum	None	20 du/acre	24 du/acre	
Building Coverage, Maximum	None	75%	50%	
Structure Requirements				
Setbacks	See Table 18.22-3			18.56.030
Height, Maximum	3 stories and 45 ft. [2]	35 ft. [3,4]	35 ft. [3]	18.56.020

Notes:

[1] 2.25 FAR permitted on sites 22,000 sq. ft. or more.

[2] Four stories and 55 ft. permitted on sites 22,000 sq. ft. or more.

[3] 45 ft. permitted with a minimum of 10 ft. devoted to a roof element.

[4] 40 ft. allowed for vertical mixed use, regardless of roof form.

- B. Setbacks. Table 18.22-3 identifies setback standards that apply in the mixed zoning districts. Within each zoning district, setback standards for residential uses are different from setback standards for non-residential and mixed use development. See Figure 18.24.

Table 18.22-3: Setback Standards in Mixed Use Zoning Districts

	MU-D		MU-N		MU-F	
Setback	Res.	Non-Res. [1]	Res.	Non-Res. [1] [5]	Res.	Non-Res. [1] [5]
Front	Min: 6 ft. [2] Max: 15 ft.	Min: 0 ft. Max: 10 ft.	Min: 6 ft. [2] Max: 15 ft.	Min: 0 ft. [3] Max: 10 ft.	Min: 15 ft. [2] Max: None	Min: 10 ft. [4] Max: None

Rear, Min.	0 ft.	10 ft.	0 ft.	10 ft.	20 ft.	10 ft.
Interior Side, Min.	5 ft.	0 ft.	5 ft.	0 ft.	5 ft.	0 ft.
Street Side, Min.	6 ft.	0 ft.	6 ft.	0 ft.	10 ft.	10 ft. [4]

Notes:

- [1] Includes mixed use buildings with residential uses above ground floor commercial.
- [2] Residential porches and similar entry features may project five feet into the front setback. See Figure 18.22-1.
- [3] Building wall must be setback a minimum of ten feet from the edge of curb. See Figure 18.22-2.
- [4] Outdoor seating, courtyards, and other publicly-accessible spaces may project five feet into the front setback.
- [5] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

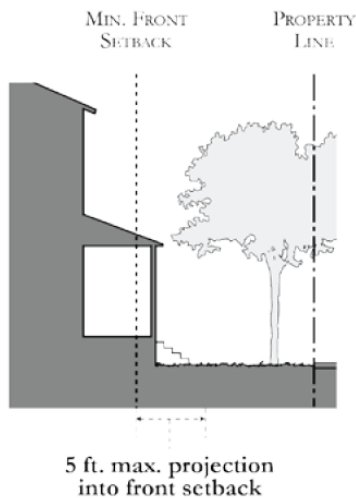


Figure 18.22-1: Permitted Projection Into Front Setback — Residential Uses

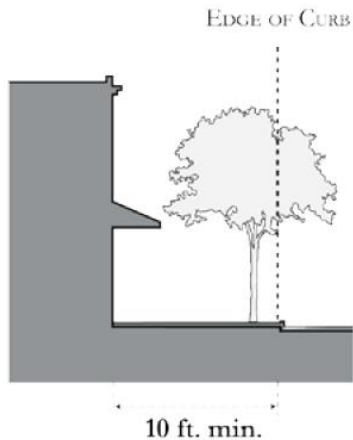


Figure 18.22-2: Minimum Setback From Curb — MU-N Zoning District

Section 4. Section 18.24.030 (Development Standards) of Chapter 18.24 (Commercial Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

- A. General. Table 18.24-2 identifies development standards that apply in the commercial zoning districts.
- B. Residential Transition Standards. Where a property zoned in a commercial zoning district abuts a residential zoning district, projects shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

Table 18.24-2: Development Standards in the Commercial Zoning Districts

	CO	CN	CG	CH	CS	Additional Standards
Site Requirements						
Lot Area, Minimum	6,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	10,000 sq. ft.	
Lot Width, Minimum	60 ft.	100 ft.	100 ft.	70 ft.	100 ft.	

Lot Depth, Minimum	100 ft.	100 ft.	100 ft.	125 ft.	100 ft.	
Building Coverage, Maximum	50%	50%	50%	40%	50%	
Structure Requirements						
Setbacks, Minimum [1]						18.56.030
Front	20 ft.	25 ft.	25 ft.	40 ft.	25 ft.	
Rear	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	
Interior Side	10 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Street Side	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	
Height, Maximum	3 stories or 30 ft., whichever is less	2½ stories or 30 ft., whichever is less	3 stories or 35 ft., whichever is less	4 stories or 55 ft., whichever is less	3 stories or 35 ft., whichever is less	18.24.030.B; 18.56.020

- [1] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

Section 5. Chapter 18.26 (Industrial Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

18.26.010 - Purpose of the industrial zoning districts.

- A. General. The purpose of the industrial zoning districts is to provide locations to maintain and focus industrial development in economically and geographically strategic locations in Morgan Hill. Permitted land uses in the industrial zoning districts are limited to avoid potential conflicts that would adversely impact industrial activities. Development is

designed to enhance the economic vitality of industrial areas and limit impacts on adjacent development.

B. Specific.

1. Commercial Industrial (CI). The purpose of the CI zoning district is to promote job-generating development of lands by allowing flexibility in the mix of industrial, office, and commercial uses that are compatible with existing development. Lodging uses (e.g., hotels) that support primary job generating uses within business districts are allowed.
2. Light Office Industrial (IO). The purpose of the IO zoning district is to provide areas for mixed administrative and executive office uses in appropriate areas within the community.
3. Campus Industrial (IC). The purpose of the IC zoning district is to provide an environment exclusively for and conducive to the development and protection of modern administrative facilities, research institutions and specialized manufacturing operations.
4. Light Industrial (IL). The purpose of the IL zoning district is to provide areas for research, administrative, lighter manufacturing, wholesale and heavy service commercial uses not suitable in commercial districts.
5. General Industrial (IG). The purpose of the IG zoning district is to provide areas for general industrial, manufacturing, wholesale and service uses needed by the city and region subject to regulations necessary to protect other nearby uses from hazards and noise and other disturbances.

18.26.020 - Land use regulations.

- A. Permitted Land Uses. Table 18.26-1 identifies land uses permitted in the industrial zoning districts.

Table 18.26-1 Permitted Land Uses in the Industrial Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District					Additional Regulations
	CI	IO	IC	IL	IG	
Residential Uses						

Caretaker Quarters	—	—	—	C	C	
Public and Quasi-Public Uses						
Colleges and Trade Schools	C	C	C	C	C	
Community Assembly	C	—	—	C	C	
Instructional Services	A	—	—	—	—	
Medical Offices and Clinics	A	—	—	—	—	
Parks and Recreational Facilities	C	—	—	C	C	
Public Safety Facilities	C	—	—	C	C	
Commercial Uses						
Adult Businesses	—	—	P	P	P	18.92.020
Animal-Related Commercial Uses						
Animal Boarding	C	—	—	C	C	
Veterinarian Clinics and Hospitals	A	A	A	C	C	
Banks and Financial Institutions	C [4]	—	—	—	—	
Business Support Services	P	C	P	P	P	
Cinemas and Theaters	A	—	—	—	—	
Commercial Recreation, Indoor						
≤ 15,000 sq. ft.	P	C	C	C	C	
> 15,000 sq. ft.	C	C	C	C	C	

Eating and Drinking Uses						
Restaurants, Fast Food	C [4]	— [5]	— [5]	— [5]	— [5]	
Restaurants, Sit-Down	C [4]	— [5]	— [5]	— [5]	— [5]	
Tasting Rooms	P [6]	—	—	A [6]	A [6]	
Lodging Facilities						
Hotels and Motels	P	—	—	—	—	
Mini-Storage	—	—	—	C	C	18.92.100
Personal Service	C [4]	— [5]	— [5]	— [5]	— [5]	
Plant Nurseries	C	—	—	P	P	
Professional Offices	P	P	P	P	P	
Retail						
Building Materials	C	—	—	P	P	
Convenience Markets	C [4]	— [5]	— [5]	— [5]	— [5]	
General Retail	C [4]	— [5]	— [5]	— [5]	— [5]	
Home Improvement Centers	C	—	—	C	C	
Large Commodity Retail	C	—	—	C	C	
Vehicle-Related Uses						

Salvage and Wrecking	—	—	—	—	C	
Towing and Impound	—	—	—	C	P	
Vehicle Repair and Maintenance, Major	—	—	—	C	P	
Vehicle Repair and Maintenance, Minor	—	—	—	P	P [1]	
Vehicle Storage, Outdoor	—	—	—	C	C	18.52.080.C
Wholesaling	P	—	—	P	P	
Industrial Uses						
Construction and Material Yards	C	C	C	P	P	18.36.030.C
Food and Beverage Production						
< 5,000 sq. ft. [7]	A [2]	A [2]	A [2]	P [2]	P [2]	
5,000 sq. ft. to 10,000 sq. ft. [7]	C [2]	C [2]	C [2]	P [2]	P [2]	
> 10,000 sq. ft.	C	C	C	P [2,8]	P [2,8]	
Manufacturing, Light	P	C [3]	C	P	P	
Manufacturing, General	—	—	—	—	C	
Research and Development	P	P	P	P	P	
Warehousing and Distribution						
Warehousing and Distribution, Large	C	C [3]	C [3]	C	P	
Warehousing and Distribution, Small	C	C [3]	C [3]	P	P	

Warehousing and Distribution with Outdoor Storage	C	—	—	C	C	
Heavy Distribution	—	—	—	—	—	
Parcel Sorting Facilities	—	—	—	—	—	
Parcel Hub Small < 75,000 sq. ft.	—	—	—	—	—	
Parcel Hub Large > 75,000 sq. ft.	—	—	—	—	—	
Recycling Facilities						
Reverse Vending Machine	P	C	C	P	P	
Recycling Collection Facility	C	—	—	C	C	
Recycling Processing Facility	—	—	—	—	C	
Utilities, Major	—	—	—	C	C	
Wireless Communications Facilities	See Chapter 18.96					
Agriculture and Natural Resource Uses						
Crop Cultivation	—		—			
Other Uses						
Accessory Uses	See Chapter 18.44					
Temporary Uses	See Section 18.92.150					

Notes:

- [1] Retail sale of automotive products allowed only when ancillary to a vehicle repair and maintenance use. Retail display areas for automotive products may not exceed twenty-five percent of the building floor area.
- [2] Must be one hundred fifty feet or more from a residential zoning district, otherwise requires a CUP.

- [3] Permitted only when ancillary to another permitted use.
 - [4] Allowed as a primary use only when the planning commission finds that the use supports the primary job-generating uses within a business park setting.
 - [5] Allowed when accessory to a permitted primary use subject to the limitations in Section 18.26.020.D (Accessory Uses).
 - [6] Allowed only when accessory to a brewery, winery, or other alcoholic beverage production facility. Tasting rooms must be located within the building occupied by the primary use and may not exceed five thousand square feet or ten percent of the gross floor area of the building, whichever is less.
 - [7] On-site wholesale or retail sales required.
 - [8] Conditional use permit required when the type of food being produced will emit a generally offensive odor. Examples include primary processing of seafood, coffee roasting, pickled foods, or processes involving primarily fat and oils.
- B. Additional Permits. In addition to permits identified in Table 18.26-1, development projects in the industrial districts may also require a design permit pursuant to Section 18.108.040 (Design Permits). Modifications to a historic resource may require a Historic Alteration pursuant to Chapter 18.60 (Historic Resources).
- C. Outdoor Uses.
- 1. In the IO zoning district, all uses shall be conducted wholly within a completely enclosed building. Outdoor uses are prohibited.
 - 2. In all other industrial zoning districts, outdoor uses shall be screened from public view and the area containing the outdoor use shall meet the minimum design standards applicable to off-street parking facilities as specified in Section 18.72.060 (Parking Design and Development Standards).
- D. Accessory Uses.
- 1. In all industrial zoning districts, retail, personal service, recreation, restaurants, and other similar uses are permitted as an accessory use provided the following conditions are met:
 - a. The use is conducted within the building occupied by the primary use; and
 - b. The use is to serve only employees and guests of the primary use; and
 - c. The use is limited to no more than three thousand square feet or ten percent of the floor area of the primary use, whichever is less.
 - 2. Tasting rooms associated with a brewery, winery, or other alcoholic beverage production facility are allowed in industrial zoning districts as specified in Table 18.26-1.

18.26.030 - Development standards.

- A. General. Table 18.26-2 identifies development standards that apply in the industrial zoning districts.

Table 18.26-2: Industrial Zoning District Development Standards

	CI	IO	IC	IL	IG	Additional Standards
Site Requirements						
Lot Area, Minimum	20,000 sq. ft.	40,000 sq. ft.	5 acres	20,000 sq. ft.	20,000 sq. ft.	
Lot Width, Minimum	100 ft.	100 ft.	300 ft.	100 ft.	150 ft.	
Lot Depth, Minimum	100 ft.	100 ft.	300 ft.	100 ft.	100 ft.	
Floor Area Ratio, Maximum	0.5/0.6 [1]	0.6	0.5	0.6	0.6	
Building Coverage, Maximum	60%	40%	40%	50%	60%	
Structure Requirements						
Setbacks, Minimum [2]						Chapter 18.56
Front	30 ft.	40 ft.	50 ft.	30 ft.	30 ft.	
Rear	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	
Interior Side	10 ft.	10 ft.	25 ft.	10 ft.	15 ft.	
Street Side	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	
Height, Maximum	4 stories or 55 ft.,	35 ft.	50 ft.	50 ft.	50 ft.	18.56

	whichever is less					18.26.030.B
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Notes:

- [1] An FAR of 0.6 is allowed for industrial uses. An FAR of 0.5 is allowed for non-industrial land uses.
- [2] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).
- B. Cul-De-Sac Lot Width. In all industrial zoning districts except for the IC zoning district, the minimum width of a cul-de-sac lot is eighty feet as measured along the radius of the front property line.
- C. Joint Access Agreement — IL, IG Zoning Districts. For parcels of less than forty thousand square feet in area, a joint mutual access agreement between adjoining parcels shall be required for reasonable vehicular and pedestrian passage.

Section 6. Section 18.40.050 (Development Standards) of Chapter 18.40 (Alternative Standards for Medium Density Residential Development) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

- A. General. Minimum lot sizes and dimensions for specific housing types are shown in Table 18.40-2. Lot sizes, dimensions, coverage limits, and setback standards may vary based on the use within the specified zoning district.

Table 18.40-2: Medium Density Residential Development Standards

	Housing Type					
	Duet	Courtyard	SFD	TH	Duplex	Multi
Lot Area (min sq. ft.) [1] [2]	3,000	1,920— 2,999	4,500— 5,500	1,440— 3,999	6,000	6,000
Lot Width (min)	30 ft.	24 ft.	40 ft.	24 ft.	60 ft.	60 ft.
Lot Depth (min)	85 ft.	60 ft.	80 ft.	60 ft.	85 ft.	85 ft.
Lot Coverage (max) [3]	50%	45%	N/A	55%	1 story: 40% 2+ story: 50%	60%

Floor Area Ratio (max)	N/A	N/A	52%	N/A	N/A	N/A
Height	See base zoning district					
Setbacks						
Front [4]	10 ft.	N/A	15 feet	N/A	20 ft.	15
Interior Side	3 ft. [5]	5 ft. [7]	4 ft. [6]	N/A	5 ft. [7]	5 ft.
Street Side	6 ft.	5 ft.	8 ft.	5 ft.	10 ft.	15 ft.
Rear	10 ft.	N/A	15 ft.	N/A	15 ft.	20 ft.

Notes:

[1] Subject to the density requirements specified in the General Plan.

[2] Standards are for individual lots and not for the subdivision as a whole.

[3] Lot coverage limits apply to individual, subdivided parcels and to accessory structures as well as the primary residential structure on the site. Development in the RAL and RAM zoning districts is also subject to an aggregate lot coverage limit for the entire subdivision. See Section 18.18.060.A.

[4] Additional requirements apply for street-facing garages. See Section 18.40.070.H.7.

[5] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least six feet and one setback is at least four feet.

[6] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least eight feet.

[7] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least ten feet.

Section 7. Table 18.44-2 (Minimum Accessory Structure Setbacks) of Section 18.44.030 (Accessory Structures in Residential Zoning Districts) of Chapter 18.44 (Accessory Structures and Uses) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Table 18.44-2: Minimum Accessory Structure Setbacks

Accessory Structure	Minimum Setbacks from Property Lines	
	Front	Side and Rear
Roofed structures such as detached garages and sheds and open, unroofed structures such as trellises		
Height 12 ft. or less		5 ft.
Height greater than 12 ft.	Same as minimum primary structure setback	Same as minimum primary structure setback
Mechanical equipment and mechanical equipment enclosures		50 percent of minimum primary structure setback
Patios and Decks [2]		
Height 18 in. or less (unroofed only)	5 ft.	1 ft.
Height less than 6 ft.	15 ft.	5 ft.
Height greater than 6 ft.	20 ft. or same as minimum primary structure setback, whichever is less	12.5 ft. or same as minimum primary structure setback, whichever is less
In ground pools, spas and hot tubs	Same as minimum primary structure setback	4 ft.
Above ground pools, spas, hot tubs and related equipment, accessories, and improvements	Same as minimum primary structure setback	5 ft.
Ponds less than 18 in. in depth	10 ft.	1 ft.
Fireplaces, barbeque structures, statuary and fountains [1]		

Height 8 ft. or less	3 ft.	3 ft.
Height 8 ft. to 12 ft.	5 ft.	5 ft.

Notes:

[1] All openings for freestanding fireplaces and built-in barbeques shall meet all Uniform Building Code and Uniform Fire Code requirements.

[2] Height measured from ground to walking surface.

Section 8. Chapter 18.52 (Fences and Walls) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.52 - FENCES AND WALLS

18.52.010 - Purpose and applicability.

This chapter establishes standards for fences and walls that apply in all zoning districts. For the purposes of this Title, the term “fence” includes fences or walls. Walls that are required by a mitigation measure and designed and approved through a discretionary permit for noise attenuation are exempt from this Chapter.

18.52.020 - Required permits and approvals.

- A. No Planning Permit Required. Fences and walls consistent with this chapter are permitted by-right without the requirement to obtain any planning permit unless otherwise stated.
- B. Building Permit. Fences and walls may require a building permit as required by California Building Code.
- C. Encroachment Permit. A fence or wall in the public right-of-way requires approval of an encroachment permit consistent with Municipal Code Chapter 12.08 (Excavation and Encroachment).
- D. Minor Exception. The community development director may grant a minor exception to increase the maximum permit height of a fence or wall as described in Section 18.52.050 (Exceptions to Height Limits).

18.52.030 - Measurement of fence and wall height.

- A. Measurement of Height. The height of a fence or wall is measured from the finished grade at the base of the fence or wall to the top edge of the fence or wall.
- B. Fences on Retaining Walls. If a fence or wall is atop a retaining wall, the height of the fence or wall shall be determined exclusive of the height of the retaining wall such that the top of the retaining wall is considered the finished grade.

- C. **Different Finished Grades.** If the adjacent finished grade is different on opposite sides of a fence or wall, the height is measured from the side with the lowest finished grade to the highest point on the fence or wall.

18.52.040 - Height limits.

- A. **Maximum Height.** Fences and walls may not exceed the maximum height shown in Table 18.52-1 and Figure 18.52-1 except as allowed by Section 18.52.050 (Exceptions to Fence Height Limit).

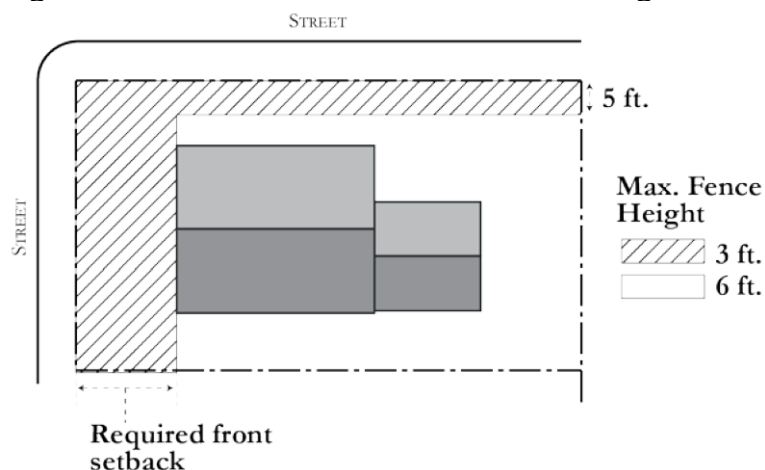
Table 18.52-1: Maximum Fence and Wall Height

Fence and Wall Height	Maximum Height
Fence in front setback area	3 ft.
Fence within 5 ft. of street side property line	3 ft.
Fence within all other areas of a lot	6 ft. [1]

Notes:

- [1] An additional one foot of fence height up to a maximum of seven feet is permitted for lattice work and other decorative features uniformly open to the passage of light and air.

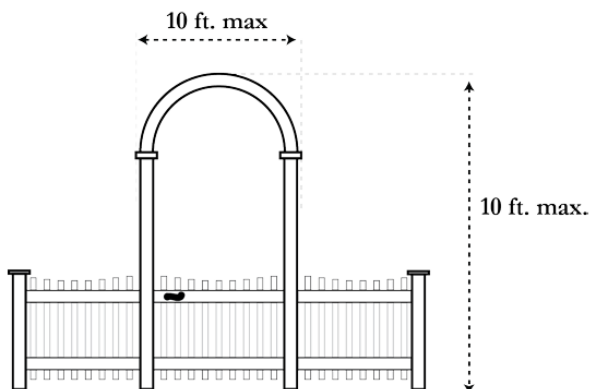
Figure 18.52-1: Maximum Fence and Wall Height



- B. **Decorative Features.** A decorative arch, gate, trellis or other entry feature located along a street frontage may exceed the height limit shown in Table 18.52-1. Decorative features shall be limited to ten feet in width and ten feet in height. Only one decorative feature is permitted per street frontage. See Figure 18.52-2.

- C. Clear Triangle. Walls and fences shall comply with clear triangle requirements in Section 18.92.080 (Intersection Site Distance).

Figure 18.52-2: Decorative Entry Features



18.52.050 - Exceptions to height limits.

The community development director may approve a minor exception (Section 18.108.070) to allow an increase to the maximum permitted height of a fence or wall as described below.

A. Open Space and Residential Estate Zoning Districts.

1. Within the open space and residential estate zoning districts, the community development director may grant a minor exception to increase the maximum height of a fence in the front setback area to a maximum six feet in height.
2. This exception applies only to open, wrought iron or decorative fences that are at least seventy percent open to the passage of light and air.
3. Chain link, chain link with wood or vinyl slats, solid board fences, or any other type of view obstructing fencing may not exceed three feet in height in the front setback area.

B. All Zoning Districts. The community development director may grant a minor exception to increase the maximum height of a fence or wall by two feet in the front setback area and one foot behind the front setback line in the following cases:

1. The topography of sloping sites or a difference in grade between adjoining sites warrants such increase in height to maintain privacy, security, or effectiveness of screening.
2. A property is located adjacent to public parks, other public spaces or adjacent to private common area parks and open space where an increase in fence or wall height would not unreasonably affect desirable views or vistas or the open space value of abutting sites.

18.52.060 - Materials.

The following fence and wall materials and types are prohibited unless otherwise approved by the planning commission:

- A. Residential zoning districts: Barbed wire, razor wire, chain link, sheet metal, and electric fences.
- B. Commercial zoning districts: Chain link and sheet metal fences. Barbed wire, razor wire and electric fences within the front setback area or where a property abuts a residential zoning district or residential land use designation.
- C. Industrial zoning districts: Barbed wire, razor wire, chain link, sheet metal and electric fences within the front setback area.

18.52.070 - Nonconforming fences and walls.

See Chapter 18.68 (Nonconforming Uses and Structures).

18.52.080 – Special fence and wall requirements

- A. Fence and Wall Design. Fences and walls shall be constructed of attractive, long-lasting materials (e.g., masonry, wood, tubular steel, fiberglass, or stone). Walls shall consist of a decorative design and/or be screened with landscaping.
- B. Public Frontage Fencing of Nonresidential and Multi-Family Projects. Where fencing is proposed along public frontages of nonresidential and multi-family projects, such fencing shall be open view unless otherwise required to be solid for noise attenuation. Open view fencing shall also be required when located adjacent to open space areas.
- C. Screening of Outdoor Storage. Outdoor storage shall be fenced or screened from view. Such screening shall utilize enclosures including, but not limited to, fences, walls, landscaping, or earthen berms. Screening shall be visually compatible with the primary buildings and landscape on the property.
- D. Screening for Commercial or Industrial Uses Adjacent to Residential Zones. Commercial and industrial uses shall be screened from adjacent residential zones by a decorative or landscaped masonry wall with a minimum height of seven (7) feet to screen the commercial or industrial use. This requirement is not intended to preclude the development of pedestrian/bicycle access points between commercial and residential.
- E. Screening of Loading Docks and Refuse Areas. Loading docks and refuse storage areas shall be screened from public view, adjoining public streets and rights-of-way, and residentially zoned areas. The method of screening shall be architecturally compatible with other on-site development in terms of colors and materials.
- F. Maintenance. Fences and walls shall be continuously maintained in an orderly and good condition.

Section 9. Section 18.56.040 (Lot Coverage Exceptions) of Chapter 18.56 (Height, Setback

and Lot Coverage Exceptions) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

The community development director may increase the maximum lot coverage requirement by up to ten percent with the approval of a minor exception. See Section 18.108.070 (Minor Exception).

Section 10. Section 18.68.070 (Nonconforming Structures) of Chapter 18.68 (Nonconforming Uses and Structures) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

This section identifies allowed modifications to nonconforming structures, summarized in Table 18.68-1.

Table 18.68-1: Allowed Modifications to Nonconforming Structures

Project Affecting a Nonconforming Structure	Permit Required [1]
Nonstructural repairs, maintenance, and interior alterations	None
Structural repairs, modifications, and additions that do not alter or affect the nonconforming aspect of the structure	None
Structural repairs, modifications, and additions that alter or affect the nonconforming aspect of the structure	Design Permit
Structural repairs, modifications, and additions that increase or exacerbate the nonconforming aspect of the structure	Conditional Use Permit
Reconstruction of an involuntarily damaged or destroyed residential structure	Design Permit

Notes:

[1] The proposed project may require permits and approvals for other reasons not related to its nonconforming status. For example, additions or enlargements to a single-family dwelling often requires a design permit.

A. Alterations Permitted By-Right.

1. Maintenance, nonstructural repairs, and nonstructural interior alterations to any portion of a nonconforming structure are permitted if the changes and improvements do not enlarge or extend the structure.

2. Structural modifications to a nonconforming structure that do not alter or affect the nonconforming aspect of the structure are permitted. For example, an addition to a structure with a non-conforming setback is permitted if no structural changes are made to the portion of the structure projecting into the required setback, and if the addition complies with all setback, height, floor area ratio, and other applicable development standards.
- B. Alterations Requiring a Design Permit.
1. Structural repairs and improvements that affect the nonconforming aspect of a nonconforming structure are allowed with a design permit if the improvement does not increase or exacerbate the nonconformity. For example, structural repairs to a building wall within a required setback are permitted with a design permit if the wall is not moved closer to the property line and the length of the wall within the required setback is not increased.
 2. To approve such an alteration, the community development director shall make all design permit findings (Section 18.108.040) in addition to the findings in Section 18.68.080 (Findings).
- C. Alterations Requiring a Conditional Use Permit
1. Alterations to a non-conforming structure that increase or exacerbate the nonconformity requires a conditional use permit. For example, a remodel that increases the length of an existing building wall located within a required setback is allowed only with the approval of a conditional use permit.
 2. To approve such an alteration, the planning commission shall make all variance findings (Section 18.108.100) in addition to the findings in Section 18.68.080 (Findings).
- D. Damage or Destruction. Except as allowed by Subsection E below, a nonconforming structure damaged or destroyed for any reason shall be brought into full compliance with the requirements of the zoning code if the cost of reconstruction exceeds fifty percent of its market value as determined by the county assessor on the last equalized assessment roll at the time of its destruction.
- E. Involuntary Damage or Destruction — Residential Structures.
1. If a legally established nonconforming building occupied by a residential use is damaged or destroyed by earthquake, fire, flood, or other calamity, the structure may be reconstructed as it existed and may be continued as a legal nonconforming structure with the approval of a design permit.
 2. "Reconstructed" means rebuilding a damaged or destroyed structure in a manner similar but not identical to the original structure. A reconstructed structure generally recreates the original building footprint, mass, and height, but may deviate from design details such as architectural design and the arrangement of doors, windows, and rooflines.

3. The city may attach conditions of approval as necessary to protect the public health, safety and welfare, including requirements to reduce or eliminate previously existing nonconformities.
 4. Reconstruction of damaged or destroyed buildings may not increase or exacerbate previously existing nonconformities or create new nonconformities.
 5. The construction of the replacement structure must begin within twenty-four months of the date of the calamity which damaged or destroyed the structure.
- F. Moved Structures. A nonconforming structure that is moved to a new location shall conform to all standards of the applicable zoning district.
- G. Nonconforming Screening, Fences, and Landscaping.
1. Legally established nonconforming screening, fences, and landscaping may continue and remain except as required by Paragraph 2 below.
 2. For additions or renovations that increase by twenty-five percent or more the floor area or market value of one or more buildings on a property, any nonconforming screening, fences, and landscaping shall be brought into compliance with the requirements of the applicable zoning district.

Section 11. Chapter 18.115 (General Plan Amendments) of Title 18 (Zoning) is hereby to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.115 – GENERAL PLAN AMENDMENTS

18.115.010 – Purpose.

This chapter establishes procedures for amending the General Plan text (e.g., goals, policies, or implementation programs) or to change the General Plan land use designation on any parcel(s).

18.115.020 – Initiation.

A General Plan Amendment may be initiated by motion of the Planning Commission or City Council, by application of property owner(s) of parcel(s) to be affected by the General Plan Amendment, or by recommendation of the Development Services Director to clarify text, address changes mandated by state law, maintain internal General Plan consistency, address boundary adjustments affecting land use designation(s), or for any other reason beneficial to the city.

18.115.030 Application.

An application for a general plan amendment shall be filed and reviewed in compliance with Chapter 18.104 (Common Permit Requirements). The application shall include the information and materials required by the development services department, together with all

required application fees. For amendments submitted by a resident, property owner, or business owner it is the responsibility of the applicant to provide evidence in support of the findings required by Section 18.115.060 (Findings for Approval).

18.115.040 – Planning commission hearing and action.

- A. General. The planning commission shall hold a public hearing on a proposed general plan amendment in compliance with Section 18.104.090 (Notice of Hearings).
- B. Recommendation of Approval. The planning commission may recommend to the city council the approval or conditional approval of the proposed general plan amendment, based upon the findings specified in Section 18.115.060 (Findings for Approval). The planning commission shall forward a written recommendation, and the reasons for the recommendation, to the city council within 90 days after the date the hearing was closed to the public. A recommendation for approval shall be made by a majority vote of the total membership of the planning commission.
- C. Denial. The planning commission may deny the proposed general plan amendment based upon the findings specified in Section 18.118.060 (Findings for Approval). For a land use diagram amendment, if the action of the planning commission is to recommend denial, the city council is not required to take further action on the proposed amendment unless an interested party requests a hearing in writing with the city clerk within ten days after the planning commission recommendation is filed with the city council.

18.115.050 – City council hearing and action.

- A. General. After receipt of the planning commission's recommendation to approve a proposed general plan amendment, the city council shall hold a public hearing on the proposal in compliance with Section 18.104.090 (Notice of Hearing).
- B. Approval or Denial. The city council may approve, conditionally approve, or deny the proposed general plan amendment based upon the findings specified in Section 18.115.060 (Findings for Approval).
- C. Finality of Action. The action by the city council shall be made by a majority vote of the total membership of the city council and shall be final and conclusive.
- D. Referral to Planning Commission. If the city council proposes to adopt a substantial modification to the general plan amendment not previously considered by the planning commission, the proposed modification shall be first referred to the planning commission for its recommendation.
- E. Failure to Report. The failure of the planning commission to report back to the city council within forty days after the reference, or within the time set by the city council, shall be deemed a recommendation of approval.

18.115.060 – Findings for approval.

The city council may approve a general plan amendment only if all of the following findings are made:

- A. The city council must find that the proposed amendment meets the letter and intent of the General Plan goals and policies.

18.115.070 – Effective date.

A General Plan Amendment becomes effective immediately following the approval of the resolution by the city council.

18.115.080 – Limitations on resubmittal after denial.

If the city denies a general plan amendment, the city may not accept an application for the same or substantially similar general plan amendment for one year following such denial, except in the following cases:

- A. Upon initiation by the city council or planning commission; or
- B. The application requests a different general plan land use designation than that previously requested.

18.115.090 – Frequency of amendment.

Pursuant to Government Code Section 65358, no mandatory element of the General Plan may be amended more frequently than four times during any calendar year. Subject to that limitation, an amendment may be made at any time and may include more than one change to the General Plan.

18.115.100 – Preliminary review.

- A. When Required. Prior to submittal of an application for a General Plan Amendment, an application must receive preliminary input from the planning commission on the proposed general plan amendment.
- B. Application. A preliminary review application for a proposed general plan amendment shall be submitted with the development services department in accordance with Chapter 18.104 (Common Permit Requirements). The application shall include, at a minimum, the following information and materials:
 1. A statement describing the proposed project and how it complies with the findings required for the approval of a general plan amendment in Section 18.115.060 (Findings for Approval).
 2. Project plans, diagrams, and graphics as needed to illustrate the overall development concept, including proposed land uses, buildings, circulation, open space, and any other significant elements in the project.

- C. Public Hearing. The planning commission shall consider the preliminary review application and a public hearing noticed in accordance with Section 18.104.090 (Notice of Hearing).
- D. Preliminary input.
 - 1. The planning commission shall provide preliminary input on project compliance with findings required for the approval of a General Plan Amendment in Section 18.115.060 (Findings for Approval).
 - 2. Planning commission input shall not be construed as a recommendation for approval or denial of the project. Any recommendation to the applicant is advisory only and shall not be binding on either the applicant or the city.

Section 12. Subsection G of Section 18.128.020 (Definitions) of Chapter 18.128 (General Terms) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

- G. "G" Terms.
 - 1. Garage, Private. An attached or detached accessory structure on a lot developed with a residential dwelling used by residents for the storage of passenger vehicles, and other vehicles and equipment permitted on the lot.
 - 2. Garage, Public. A structure other than a private garage used for the storage, sale, hire, or care of motor vehicles.
 - 3. General Plan. The general plan of the city of Morgan Hill, California.
 - 4. Guest House. A building containing living space that is heated/cooled, with a full bath, without kitchen facilities, and used to house occasional visitors or nonpaying guests of the occupant of the primary dwelling unit. A guest house with a kitchen facility is considered a secondary dwelling unit.

Section 13. **Severability.** Should any provision of this ordinance be deemed unconstitutional or unenforceable by a court of competent jurisdiction, such provision shall be severed from the ordinance, and such severance shall not affect the remainder of the ordinance.

Section 14. **Effective Date; Posting.** This Ordinance shall take effect (30) days after the date of its adoption. The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 16th DAY OF DECEMBER 2020, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 20th DAY OF JANUARY 2021, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATE OF THE CITY CLERK ∞

I, MICHELLE BIGELOW, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2319, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 20th day of January 2021.

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

DATE: _____

MICHELLE BIGELOW, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Christina Turner, City Manager
APPROVED BY: City Manager

APPROVE CITY POSITION AND COMMUNICATION REGARDING VTA'S PROPOSED MEASURE B FUNDING REALIGNMENT, VALLEY WATER'S FUNDING OF PHASE 2A OF UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT AND FEDERAL STIMULUS SUPPORT FOR STATE AND LOCAL GOVERNMENTS

RECOMMENDATION(S)

1. Ratify City position and accept City communication sent to Santa Clara County Board of Supervisors regarding opposition of Valley Transportation Authority's (VTA) proposed 2016 Measure B 10-year outlook base scenario and funding realignment;
2. Authorize City Manager to communicate the City's position to Valley Transportation Authority Board when the matter is placed on its agenda;
3. Ratify City position and accept City communication sent to Valley Water in support of funding Phase 2A of the Upper Llagas Flood Control Protection Project; and
4. Ratify City position and accept City communication sent to Federal legislative representatives in support for economic stimulus for state and local governments.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Protecting the Environment and Preserving
Open Space and Agricultural Land
Maintaining Infrastructure
Preserving and Cultivating Public Trust
Advancing Regional Initiatives

2020-2021 Strategic Priorities

Fiscal Sustainability

GUIDING DOCUMENTS

Storm Drain Master Plan

REPORT NARRATIVE:

Per Resolution No. 20-010 (Attachment 1), the City Council recognizes occasional situations arise where communication indicating support or opposition on pending State, County, or other regional boards' legislation or action that could be important and may occur prior to the next scheduled City Council meeting. Under these circumstances, the Mayor or City Manager is delegated the authority to prepare, execute and transmit written or verbal communications indicating a City's position when any of the following criteria are met: a) the League of California Cities, or a similar organization, has requested the City to comment or take a position, b) the timing to express a position occurs prior to the next scheduled Council meeting, and c) the pending State, County,

or other regional boards' legislation or action clearly supports or clearly hinders the implementation or fulfillment of an adopted City Council Priority, Goal, or Strategy in a substantial manner such that it is in the best interest of the City to indicate its comment or position. When this occurs, a written report to the City Council for comment and acceptance is required at the next possible meeting.

VTA 2016 Measure B Funding Realignment Proposal

On December 15, 2020, County Board of Supervisors considered adoption of a resolution opposing the VTA's proposed 2016 Measure B 10-year Outlook Base Scenario. As outlined in the County's report (Attachment 2), in November 2020, VTA administration began presenting VTA Board of Directors' advisory committees with a proposed 2016 Measure B 10-Year Outlook Base Scenario, covering program allocations for Fiscal Year 2022 to Fiscal Year 2032. The assumptions underlying the Base Scenario include placing the BART Phase II project as the highest priority for the next ten years, providing it with first call on Measure B revenues, and proposing minimal bonding to fund BART Phase II, thereby eliminating, or significantly reducing investment in other Countywide programs such as congestion management, local streets and roads, bicycle and pedestrian, and transit operations, which would further result in increased costs due to delays. Mayor Rich Constantine communicated to the County Board of Supervisors to adopt the resolution to oppose the VTA's proposed 2016 Measure B funding realignment, and urging VTA to partner with the Countywide stakeholders, including the electorate that passed the Measure B with the expectations of repairs to local roadways and congestion relief (Attachment 3).

Valley Water Approval to Proceed with Phase 2A of Upper Llagas Creek Flood Protection Project

On January 12, 2021, Valley Water Board of Directors considered adoption of plans and specifications and authorization for bids for the phase 2A construction of the Upper Llagas Creek Flood Protection Project. The City and Valley Water partnered to deliver the phase 1, and continue to partner to deliver the next phases of the project. Phase 2 will be constructed in phase 2A and 2B. Phase 2A will be constructed in cooperation with the City's proposed Hale Avenue Extension project which the Council approved in November 2020. As outlined in the Valley Water report (Attachment 4), the Phase 2A consists of construction of a portion of Reach 8 from Ciolino Avenue upstream to approximately 300 feet north of the existing West Main Avenue and Hale Avenue intersection. Phase 2A includes construction of the proposed approximately 2,300 linear feet horseshoe-shaped underground high-flow diversion tunnel and approximately 1,600 linear feet of twin reinforced concrete box culverts upstream and downstream of the proposed tunnel. Construction will include traffic control, detours, road work, utility relocations and coordination, fencing, soil testing as required for off-site disposal, concrete and other miscellaneous work, community outreach and coordination. Construction is anticipated to take approximately three years to complete. Mayor Rich Constantine communicated to the Valley Water Board of Supervisors to approve their staff's recommendations to fund the project and begin construction on Phase 2A as quickly as possible, and further recommending that Phase 2B be prioritized in the near term (Attachment 5).

Federal Economic Stimulus Support for State and Local Governments (SLG)

In December 2020, as many of the economic and employment benefits made available under the CARES Act were set to expire, while COVID-19 pandemic was surging at its peak, the federal lawmakers considered and approved the next economic stimulus package. Mayor Rich Constantine communicated to our federal legislative representatives to approve the next economic stimulus support and asked that it include economic support for SLGs (Attachment 6). After lengthy negotiations, the congress passed a \$900 billion package to include direct stimulus payments, unemployment benefits, small business administration loans through paycheck protection program, funding for school and childcare, rental assistance, and funding for vaccine purchase and distribution. Unfortunately, the approved package did not include the proposed \$160 billion support for SLGs. Staff continue to work with Cal Cities and National League of Cities to advocate for the need of economic support for SLGs.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community on City positions/communications which directly impact the City of Morgan Hill.

ALTERNATIVE ACTIONS:

The City Council could rescind positions taken.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

City Council periodically ratifies City positions on various pending State, County or other regional board legislations or actions that have a direct impact on the City of Morgan Hill.

In November 2020, the City Council approved the Hale Avenue Extension Project, which will be constructed in conjunction with the Phase 2A of the Valley Water's Upper Llagas Creek Flood Control Protection Project.

FISCAL AND RESOURCE IMPACT:

If VTA approves the proposed 2016 Measure B funding realignment, it could negatively impact the City's street CIP program.

Staff has previously reported the COVID-19 fiscal impact to be estimated at \$18 million since the start of the pandemic to a full economic recovery expected by fiscal year 2021-22. Since the pandemic continues to surge, additional fiscal impact is expected. Staff continue to closely monitor the budgetary impacts.

Tracking legislation is an activity included in the annual workplan of the City Manager's Office.

CEQA (California Environmental Quality Act):

Not a Project – administrative action/activity without an impact.

LINKS/ATTACHMENTS:

1. Resolution - 20-010

2. County BOS - December 15, 2020 - Staff Report Consideration Resolution Opposing VTA Proposal (weblink)
3. Mayor Letter to SCC - Regarding VTA Matter
4. Valley Water - January 12, 2021 Agenda Item: Phase 2A of Upper Llagas Creek Flood Protection Project (weblink)
5. Mayor Letter for 210112 Phase 2A Board Approval
6. City of Morgan Hill Letter - Stimulus for SLG

RESOLUTION NO. 20-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AUTHORIZING THE MAYOR OR CITY MANAGER TO PREPARE, EXECUTE AND TRANSMIT COMMUNICATIONS INDICATING A POSITION ON PROPOSED STATE, COUNTY, OR OTHER REGIONAL BOARDS' LEGISLATION OR ACTION ON CERTAIN MATTERS THAT MAY HAVE IMPACTS UPON THE CITY IN CERTAIN CIRCUMSTANCES AND DIRECTING A REPORT BACK TO CITY COUNCIL ON ANY SUCH COMMUNICATIONS TRANSMITTED. (THIS RESOLUTION RESCINDS RESOLUTION NO. 6851)

WHEREAS, the City of Morgan Hill, a municipal corporation and general law city duly organized and existing under and pursuant to the Constitution and laws of the State of California ("City"), is authorized to indicate City's position on proposed legislation of the State of California and is sometimes requested to so indicate City's position on such legislation for the benefit of the City; and

WHEREAS, the reasons supporting the adoption of this Resolution are set forth in detail in that certain City Council Staff Report submitted for City Council consideration at its meeting of February 5, 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

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

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

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

Section 2. Approval and Authorization. The City Council prefers, whenever possible, that determinations on whether to take a position on pending State, County, or other regional boards' legislation or action be brought before the City Council as a whole for consideration and action. However, the City Council recognizes that occasional, limited situations arise where communications indicating support or opposition on pending State, County, or other regional boards' legislation or action that could be important to City are requested from cities within timeframes that have deadlines occurring prior to the next scheduled meeting of the City Council as a whole at which the City Council could consider and determine City's position on such pending legislation. For these reasons, the City Council does further resolve, order and/or direct as follows:

- a. That the Mayor and/or the City Manager is delegated authority to and is authorized to prepare, execute and transmit written or verbal communications indicating a City position on proposed pending State, County or other regional boards' legislation or action that may have impacts upon City when any of the following criteria are met:
 - i. The League of California Cities, or a successor or similar organization, has requested City comment or position on a piece of pending legislation or action, or the City has otherwise become aware of such pending legislation or action;
 - ii. A public hearing and an opportunity for City to comment or take a position upon such pending legislation or action is occurring in a timeframe and with a deadline to comment or express a position that occurs prior to the next scheduled meeting of the City Council at which the City Council could consider and determine City's comment or position on such pending legislation or action; or
 - iii. The pending legislation or action clearly supports or clearly hinders the implementation or fulfillment of an adopted City Council Priority, Goal or Strategy in a substantial manner such that it is in the best interests of City to indicate its comment or position on such pending legislation or action.
- b. That the Mayor and/or City Manager is hereby directed to provide a written report to the City Council for the Council's comment and acceptance at the City Council's next possible meeting whenever the Mayor or City Manager prepares, executes and transmits a communication indicating a comment or position on pending legislation or action pursuant to the authority delegated under this Resolution, which report shall include a copy of such pending legislation or action, and the comment or position transmitted.

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

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 5th day of February 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

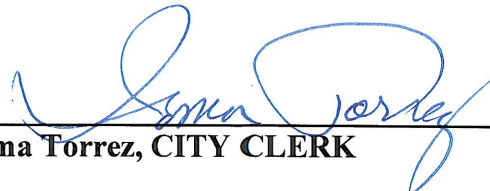
∞ CERTIFICATION ∞

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. 20-010, adopted by the City Council at the meeting held on the 5th day of February 2020.

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

DATE:

3/3/2020



Irma Torrez, CITY CLERK

December 14, 2020

Santa Clara County Board of Supervisors
70 West Hedding Street
East Wing, 10th Floor
San Jose, CA 95110

Re: Agenda Item 18 – December 15, 2020 BOS Meeting

Dear Board of Supervisors,

This item is written in response to Item 18 on the Board Agenda for December 15, 2020 titled “Adopt Resolution opposing the Valley Transportation Authority's Proposed 2016 Measure B 10-Year Outlook Base Scenario”.

In 2016, the City’s elected officials adamantly supported the development and passage of the Measure B sales tax. That support has just begun to pay off and allow the City of Morgan Hill residents to see firsthand the difference that Measure B has made in our community. The Local Streets and Roads funding has helped to halt the deterioration of our City roadways for the last two years. Measure B has brought to fruition the long-anticipated Hale Avenue Extension Project for which the City and County had been working on for decades. Our City is actively pursuing bikeway and innovative transit grant funding as well. Measure B has been transformative.

The City would like to thank the VTA staff who have worked diligently on ensuring these funds are allocated in an expedited manner to our communities. They have done great work and the partnership is very highly valued.

However, the City elected officials and staff have become alarmed at the possibility of local roads funding and other grant funding being deferred for up to a decade to allow the Bart Project to move forward. A base scenario where most Measure B funds are directed to BART for 10 years has been shared in draft format. This scenario leaves significantly reduced or no Measure B funds for the other critical programs for a 10-year period. This scenario has been opposed by communities throughout the County. However, the City also understands the VTA staff have heard our concerns and the City is hopeful that when the item formally comes to the VTA Board in 2021 these concerns will be addressed.

We strongly urge the VTA to proceed with great care to ensure the trust of the electorate that passed Measure B with the expectation of repairs to local roadways and congestion relief for the area. We understand that the VTA staff intends to bring this item forward to the VTA Board of Directors in early 2021. Given the extreme concern Countywide, we ask and anticipate that significant countywide engagement occur prior to any vote on this issue.



OFFICE OF THE MAYOR
17555 PEAK AVENUE
MORGAN HILL, CA 95037
PHONE 408-776-7382
FAX 408-779-3117

3.c

WWW.MORGANHILL.CA.GOV

The City of Morgan Hill looks forward to partnering with the VTA, County and other Cities to find the best path forward.

Sincerely,

Rich Constantine, Mayor

CC: Nuria Fernandez, General Manager, VTA
Morgan Hill City Council
Christina Turner, City Manager
Chris Ghione, Public Services Director

Attachment: Mayor Letter to SCC - Regarding VTA Matter (2974 : Ratify City position on Measure B realignment and Valley Water ULCFPP



January 8, 2021

Valley Water
Board of Directors
5750 Almaden Expressway
San Jose, CA 95188

Dear Board of Directors,

As you are aware, the City of Morgan Hill has partnered with Valley Water for decades on the Upper Llagas Creek Flood Protection Project. The City is very appreciative of the Phase 1 work south of the City. This work is a huge achievement. Approval to move forward with Phase 2A of the Project will continue to move the City towards the desperately needed flood protection for our community. The Morgan Hill City Council and staff fully support moving forward with this project and are committed to supporting Valley Water in this endeavor.

While the City understands that Phase 2B of the Project will be required to provide the needed flood control to the City, continuing the progress by moving forward with Phase 2A is a step in the right direction. The staff at Valley Water have made outstanding progress on the Project in the recent years and with permits and designs ready we must keep the project moving forward. The City has jointly planned its Hale Avenue Extension with the Project to allow staging and construction work for the Project to occur ahead of the Hale Avenue Construction. Delay would cause significant expense increases for Valley Water as the Hale Avenue work must continue.

The City of Morgan Hill urges the Board of Directors to approve the staff recommendation to fund the Project and begin construction on Phase 2A as quickly as possible. The City further recommends that funding for Phase 2B be prioritized in the near term, as completion of this long-awaited project is finally in reach.

Thank you for your time and consideration.

Sincerely,

Rich Constantine, Mayor

CC: Morgan Hill City Council
Christina Turner, City Manager
Chris Ghione, Public Services Director



17575 Peak Avenue
Morgan Hill, CA 95037-4128
TEL: (408) 779-7271
FAX: (408) 779-3117
www.morganhill.ca.gov

December 9, 2020

Senator Dianne Feinstein
United States Senate
Washington, DC 20510

Vice President Elect Kamala Harris
United States Senate
Washington, DC 20510

Representative Zoe Lofgren
U.S. House of Representatives
Washington, DC 20510

Dear Senator Dianne Feinstein, Vice President Elect Kamala Harris, and Representative Zoe Lofgren,

On behalf of the City of Morgan Hill community, we thank you for your efforts in passing Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act provided local governments the needed funding assistance to meet the immediate needs brought on by the COVID-19 pandemic, however since passage of CARES Act, the pandemic has continued to evolve and the number of cases and deaths continue to rise across the world.

The City of Morgan Hill received, through State of California's allocation, approximately \$574,000 in CARES Act monies. The allocation was used to offset City's costs of providing economic support, unemployment benefits, improving telework capabilities, and covering public health related expenditures, totaling \$691,000, just through June 30, 2020. As the COVID-19 pandemic continues to evolve, the City projects spending an additional \$816,000 just through December 2020 on related expenditures. Nationwide, less than 10% of Coronavirus Relief Fund (CRF) monies have been passed by states to local governments with populations under 500,000. Approximately 70% of CRF funds for states have already been obligated by state governments and are unavailable to local governments. Therefore, federal support is necessary. The shutdown was bipartisan, the national response was bipartisan, recovery has been bipartisan, and a final legislative package must also be bipartisan. This next relief package must include proposals developed in close coordination with local government associations to provide fair and equitable funding to every county and local government, at levels appropriate to our needs, with reasonable guardrails to protect the taxpayer, and with minimal additional burden on the state and local government.

Since the start of the pandemic, the City of Morgan Hill is projecting revenue declines of approximately \$7 million in current fiscal year 2020-21, and \$18 million over a three fiscal-year period while additional expenditures – including PPE, remote work technology and overtime pay for essential employees – have increased over the same period, adding to the budget gaps. With the COVID-19 cases on the rise again across the nation, states and local governments are enacting stricter stay-at-home orders, as no vaccine has yet been approved, let alone readily available. This means further lockdown of the economy, resulting in additional declines in crucial revenues for the cities.

We are writing to implore you to reach a bipartisan deal on legislation to prevent catastrophic economic harm that would result if Congress does not pass additional emergency relief before adjourning for the year.

Thank you for your commitment to serve and represent the constituents of the State of California.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Constantine".

Rich Constantine
Mayor
City of Morgan Hill



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Inga Alonzo, Management Analyst
APPROVED BY: City Manager

APPROVE AGREEMENT WITH BLACK & VEATCH FOR RISK AND RESILIENCY ASSESSMENT (RRA) AND EMERGENCY RESPONSE PLAN (ERP) SERVICES

RECOMMENDATION(S)

Approve and authorize the City Manager to execute and administer an agreement with Black & Veatch Corporation in the amount of \$143,880 for the development of a Risk and Resilience Assessment and Emergency Response Plan.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Infrastructure

GUIDING DOCUMENTS

Water System Master Plan

REPORT NARRATIVE:

Background

On October 23, 2018, America's Water Infrastructure Act (AWIA) was signed into law. AWIA Section 2013 requires community (drinking) water systems serving more than 3,300 people to develop or update risk and resilience assessments (RRA's) and emergency response plans (ERPs). The law specifies the components that the RRAs and ERPs must address and establishes deadlines by which water systems must certify to the United States Environmental Protection Agency (EPA) completion of the risk assessment and ERP. The deadline for Morgan Hill's risk assessment is June 30, 2021 and the deadline for the ERP is December 31, 2021.

The Risk and Resilience assessment must include the following:

1. The risk to the system from malevolent acts and natural hazards;
2. The resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
3. The monitoring practices of the system;
4. The financial infrastructure of the system;
5. The use, storage, or handling of various chemicals by the system; and
6. The operation and maintenance of the system.

The assessment may include an evaluation of capital and operational needs for risk and resilience management for the system.

No later than six months after certifying completion of its risk and resilience assessment, each system must prepare or revise, where necessary, an emergency response plan that incorporates the findings of the assessment. The plan must include:

1. Strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;
2. Plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. Actions, procedures, and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes and construction of flood protection barriers; and
4. Strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

Community water systems must, to the extent possible, coordinate with local emergency planning committees established under the Emergency Planning and Community Right-To-Know Act of 1986 when preparing or revising an assessment or emergency response plan under the AWIA. Further, systems must maintain a copy of the assessment and emergency response plan for five years after certifying the plan to the EPA.

Consultant Selection:

Staff solicited Request for Qualifications (RFQ) from qualified consultants. The RFQ was emailed to five known consultants. Additionally, the RFQ was posted to the City website in November 2020 for a period of three weeks. The City received seven responsive submittals.

Staff requested proposal submittals via two separate electronic documents; the first for consultant qualifications and the second for the consultant schedule of costs. An evaluation panel made up of City staff members rated each qualification submittal based on experience and qualifications. Raters scored a maximum of 100 points in four categories including responsiveness and understanding of the City's objectives, technical qualifications and experience, demonstrating the ability to effectively plan and execute the project, and team experience and references. Scores from the evaluators were then averaged into the overall weighted scores (Attachment 1). It was determined by the evaluation team that Black & Veatch was the overall most qualified consultant for this project and therefore recommends that they be awarded this project.

COMMUNITY ENGAGEMENT: Not Applicable

This project supports the ongoing operation of the City's water system, which is an expected activity by residents and businesses.

ALTERNATIVE ACTIONS:

As stated in the narrative, the Risk and Resilience Assessment and Emergency Response Plan is part of a Federal requirement for water systems serving more than 3,300 people. The City Council could choose to not approve the proposed agreement and direct staff to issue a new RFQ or take on the work internally. This is not recommended as having a highly qualified consultant prepare the assessment and emergency response plan will meet federal requirements and provide a useful planning tool for the security of the City's systems.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None.

FISCAL AND RESOURCE IMPACT:

This project will be funded through the Water Operations Fund (650). There are adequate funds budgeted and available for this project.

CEQA (California Environmental Quality Act):

Not a Project.

The development of the assessment and emergency response plan is an administrative activity and is not considered a project for environmental review under CEQA.

LINKS/ATTACHMENTS:

1. RRA and ERP Average Weighted Scores
2. BV -City Standard Consultant Agreement - Executed

Title: Risk and Resilience and Emergency Response Plan RFQ

	LaForge & Associates	IMEG Corp.	Luhdroff & Scalmanini	AARC Consultants	Mott McDonald	Black &Veatch	Launch! Consulting
1. <u>Responsiveness</u> Quality, conciseness, completeness, and relevance of the proposal - demonstrating an understanding of the City's objectives and the ability to meet the City's needs.							
POINTS 20	15.33	12.00	15.00	18.00	15.00	17.00	14.33
2. <u>Qualifications and experience</u> of the Consultant and responsible personnel assigned to the project.							
POINTS 30	19.67	19.67	22.00	27.00	21.00	28.33	23.00
3. <u>Work Plan and Approach</u> demonstrating the ability to effectively plan and execute the project in a timely manner.							
POINTS 30	24.33	20.67	22.33	24.67	21.00	28.67	21.33
4. <u>Team Experience and References.</u> Completion of similar projects. Familiarity with policies and procedures related to the							
POINTS 20	13.00	12.33	14.67	19.00	14.00	19.33	17.33
OVERALL WEIGHTED SCORE	72.33	64.67	74.00	88.67	71.00	93.33	75.99

CONSULTANT AGREEMENT BLACK & VEATCH CORPORATION

THIS AGREEMENT is entered into and becomes effective on _____ (Effective Date), by and between the CITY OF MORGAN HILL, a municipal corporation, ("CITY"), and Black & Veatch Corporation a Delaware corporation duly authorized to do business in California and will remain so during the term of this Agreement ("CONSULTANT"), hereinafter referred to collectively as "Parties." In consideration of the promises and the mutual covenants contained in this Agreement, the Parties agree as follows:

1. **City Authority.** This Agreement is entered into pursuant to the action of the Morgan Hill City Council taken on _____, _____, 20____.
2. **Term of Agreement.** This Agreement shall cover services rendered from the Effective Date of this Agreement until June 30, 2022 at which time CONSULTANT'S services shall be completed. The City Manager is authorized to extend the term of this Agreement for a maximum period of one year. Any such extension shall be in writing and signed by both Parties to this Agreement.
3. **Scope of Service.** The services to be performed by CONSULTANT shall be a Risk and Resilience Assessment and Emergency Response Plan as further described in **Exhibit A.**
4. **Compensation.** CONSULTANT shall be compensated as follows:
 - 4.1. **Amount.** \$143,880.00. Total compensation to CONSULTANT under this Agreement during its initial term set forth in Section 2 above shall not exceed One Hundred Forty-Three Thousand, Eight Hundred Eighty dollars and shall be billed based on the rate and basis set forth in **Exhibit B.** If the City Manager extends the term of this Agreement for up to one year pursuant to the provisions of Section 2 above, the City Manager shall have the authority to increase the maximum compensation allowed to be paid to CONSULTANT during that extended term period, so long as City Council has appropriated sufficient funds therefor, the Parties mutually agree to such amount in a writing signed by both Parties to this Agreement and provided further that in no event shall such maximum compensation allowed for the extended term exceed the City Manager's authority pursuant to Chapter 3.04 of the Morgan Hill Municipal Code, unless otherwise authorized by City Council.
 - 4.2. **Billing.** CONSULTANT shall provide CITY with an invoice containing the dated, detailed, and itemized descriptions of all services performed and expenses incurred (if such expenses are reimbursable pursuant to Exhibit B) by CONSULTANT on a monthly basis unless otherwise specified in Exhibit B. All invoices shall be sent to the CITY addressed to the department head or project manager identified below in Section 13 Notices. Any rate charged shall be prorated where services are interrupted or not provided for any rate period (for example, any monthly rate charge should be prorated when services were interrupted or provided for only part of the month). For services billed on an hourly rate, the minimum unit of billed time shall not exceed one tenth of one hour. CITY shall pay for services and expenses (if so provided in Exhibit B) up to the limit of compensation set forth above, that in the CITY's judgment were necessary and reasonable. Services for work performed and expenses incurred in excess of the total compensation set forth in paragraph 4.1 above shall be at no cost to CITY.
5. **Termination.** CITY or CONSULTANT shall have the right to terminate this Agreement, without cause, by giving thirty (30) days' written notice or less under urgent circumstances. Upon such termination, CONSULTANT shall submit to CITY an itemized statement of services performed for which compensation has not been paid. CITY may require CONSULTANT to complete certain work product or documents and

CONSULTANT shall deliver to CITY all documents in its possession without additional compensation to CONSULTANT. The City Manager of CITY is authorized to terminate this Agreement, in whole or in part, on behalf of CITY.

- 5.1. **Non-Appropriations.** Notwithstanding anything contained in this Agreement to the contrary, if insufficient funds are appropriated, or funds are otherwise unavailable in the budget for CITY for any reason whatsoever in any fiscal year, for payments due under this Agreement, CITY will immediately notify CONSULTANT of such occurrence, and this Agreement shall terminate after the last day during the fiscal year for which appropriations shall have been budgeted for CITY or are otherwise available for payments.

6. **Performance of Work.** CONSULTANT represents that it is qualified by virtue of experience, training, education, and expertise to accomplish these services. Services shall be performed by CONSULTANT in accordance with professional practices in a manner consistent with a level of care, competence and skill exercised by qualified members of the CONSULTANT'S profession. By delivery of completed work, CONSULTANT certifies that the work conforms to the requirements of this Agreement and all applicable federal, state and local laws. CONSULTANT shall perform all work and services under this Agreement in conformance with the time schedule set forth on Exhibit C, "Schedule of Performance," attached hereto and incorporated herein by this reference. CITY's City Manager is authorized on behalf of CITY to modify the timeframes set forth on the Schedule of Performance within the term of this Agreement. If CONSULTANT desires to leave or store any of CONSULTANT's equipment at a CITY site while CONSULTANT is performing work or service pursuant to this Agreement, CONSULTANT will first obtain the consent of CITY's City Manager, or his/her delegate, to do so, and any such storage shall occur only in the manner and location allowed by such CITY official and entirely at CONSULTANT's sole risk.

7. **Insurance Requirements.** CONSULTANT shall procure and provide proof of the insurance coverage required by this section in the form of certificates and endorsements. The required insurance must cover the activities of CONSULTANT, including its subcontractors, employees and agents, relating to or arising from the performance of any work or service under this Agreement, and must remain in full force and effect at all times during the period covered by this Agreement. The coverages may be arranged under a single policy for the full limits required or by a combination of underlying policies with the balance provided by excess or "umbrella" policies, provided each such policy complies with the requirements set forth herein. Any deductibles or self-insured retentions must be declared to and approved by City. CONSULTANT further understands that the CITY reserves the right to modify the insurance requirements set forth herein, with thirty (30) days' notice provided to CONSULTANT, at any time as deemed necessary to protect the interests of the CITY.

7.1. **Insurance Types and Amounts.**

7.1.1. **Commercial General Liability (CGL).** CONSULTANT shall maintain CGL against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

7.1.2. **Automobile Liability.** CONSULTANT shall maintain Automobile Liability covering all owned, non-owned and hired automobiles (if CONSULTANT does not own automobiles, then CONSULTANT shall maintain Hired/Non-owned Automobile Liability) against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00)

combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

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

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

7.1.5. Professional Liability.

7.1.5.1. If the performance of CONSULTANT's work or service under this Agreement involves professional and/or technical services (examples include, but are not limited to, architects, engineers, land surveyors, and appraisers), CONSULTANT shall procure and maintain either a claims made or occurrence Errors and Omission liability insurance in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. Further, if CONSULTANT maintains a claims-made policy, CONSULTANT shall provide written evidence of such insurance to the CITY for at least five (5) years after the completion of work performed under this Agreement.

7.1.5.2. If the performance of CONSULTANT's work or service under this Agreement relates to Information Technology or related services (examples include, but are not limited to computer programmers, software designers, hardware engineers, or other systems consultants), CONSULTANT shall procure and maintain a claims made Errors and Omission liability insurance, including Cyber Liability and Data Breach, in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

- 7.1.6. **Sexual Abuse/Molestation Liability (SML)**: If the performance of CONSULTANT's work or service under this Agreement involves contact with minors, CONSULTANT shall procure and maintain Sexual Abuse and Molestation insurance in the minimum amount of: (i) two hundred thousand dollars (\$200,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.
- 7.2. **Endorsements**. CONSULTANT shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below:
- 7.2.1. **General Liability and pollution liability (when pollution liability applies)**.
- 7.2.1.1. The City of Morgan Hill, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers are named as additional insureds;
- 7.2.1.2. the insurer waives the right of subrogation against the City of Morgan Hill and the CITY's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers; and,
- 7.2.1.3. insurance shall be primary non-contributing.
- 7.2.2. **Workers Compensation**.
- If the performance of CONSULTANT'S work or service under this Agreement involves access to or activity on any property or premises owned or occupied by the CITY, including, but not limited to, CONSULTANT'S presence during site visits and meetings, then insurer waives the right of subrogation against the City of Morgan Hill and the CITY's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.
- 7.3. **Qualification of Insurers**. All insurance required pursuant to this Agreement must be issued by a company licensed and admitted, or otherwise legally authorized to carry out insurance business in the State of California, and each insurer must have a current A.M. Best's financial strength rating of "A" or better and a financial size rating of "VII" or better.
- 7.4. **Certificates**. CONSULTANT shall furnish CITY of Morgan Hill with copies of all certificates as outlined herein, whether new or modified, promptly upon receipt. In the event of a claim or legal action, CONSULTANT shall promptly furnish CITY of Morgan Hill with copies of all policies outlined herein. No policy subject to the CONSULTANT's agreement with the CITY shall be canceled or materially changed except after thirty (30) days' notice by the insurer to CITY. A "material change" is a change that results in non-compliance with any insurance requirements in this section 7. Certificates, including renewal certificates, may be mailed electronically to riskmgmt@morganhill.ca.gov or delivered to the Certificate Holder address provided herein.

Certificate Holder address:

City of Morgan Hill
Attn: Risk Management
17575 Peak Avenue

Morgan Hill, CA 95037

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

9. **Compliance with Law.**

9.1. CONSULTANT and its officers, employees, agents, and subcontractors shall comply with all applicable laws, ordinances, administrative regulations, and permitting requirements in carrying out their obligations under this Agreement. CONSULTANT and its officers, employees, agents, and subcontractors covenant there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, sexual orientation, national origin, mental disability, physical disability, medical condition, or ancestry, in any activity pursuant to this Agreement.

9.2. Compliance with Wage and Hour Laws: Consultant, and any subcontractor it employs to complete work under this Agreement, shall comply with all applicable federal, state and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act and the California Labor Code.

Final Judgments, Decisions, and Orders: For purposes of this Section, a “final judgment, decision, or order” refers to one for which all appeals have been exhausted or the time to appeal has expired. Relevant investigatory government agencies include: the federal Department of Labor, the California Division of Labor Standards Enforcement, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws.

Prior Judgments against CONSULTANT and/or its Subcontractors: BY SIGNING THIS AGREEMENT, CONSULTANT AFFIRMS THAT IT HAS DISCLOSED ANY FINAL JUDGMENTS, DECISIONS OR ORDERS FROM A COURT OR INVESTIGATORY GOVERNMENT AGENCY FINDING – IN THE FIVE (5) YEARS PRIOR TO EXECUTING THIS AGREEMENT – THAT CONSULTANT OR ITS SUBCONTRACTOR(S) HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONSULTANT FURTHER AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) HAS SATISFIED AND COMPLIED WITH – OR HAS REACHED AGREEMENT WITH THE CITY REGARDING THE MANNER IN WHICH IT WILL SATISFY – ANY SUCH JUDGMENTS, DECISIONS OR ORDERS.

Judgments or Decisions During Term of Contract: If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that CONSULTANT or an subcontractor it employs to perform work under this Agreement has violated any applicable wage and hour law, or CONSULTANT learns of such a judgment, decision, or order that was not previously disclosed, CONSULTANT shall inform the City Attorney, no more than fifteen (15) days after the judgment, decision or order becomes final or of learning of the final judgment, decision or order. CONSULTANT and its subcontractors shall promptly satisfy and comply with any such judgment, decision, or order, and shall provide the City Attorney with documentary evidence of compliance with the final judgment, decision or order within five (5) days of satisfying the final judgment, decision or order. The City reserves the right to require CONSULTANT to enter into an agreement with the City regarding the manner in which any such final judgment, decision, or order will be satisfied.

City's Right to Withhold Payment: Where CONSULTANT or any subcontractor it employs to perform work under this Agreement has been found in violation of any applicable wage and hour law by a final judgment, decision or order of a court or government agency, the City reserves the right to withhold payment to CONSULTANT until such judgment, decision or order has been satisfied in full.

Material Breach: Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

Notice to City Related to Wage Theft Prevention: Notice provided to the City Attorney as required under this Section shall be addressed to: City Attorney, City of Morgan Hill, 17575 Peak Avenue, Morgan Hill, CA 95037. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

10. **Independent Contractor**. CONSULTANT is an independent contractor and not an agent or employee of CITY.
11. **Confidentiality**. All data, documents, or other information received by CONSULTANT from CITY or prepared in connection with CONSULTANT'S services under this Agreement are deemed confidential and shall not be disclosed to any third party by CONSULTANT without prior written consent by CITY.
12. **Conflict of Interest and Reporting**. CONSULTANT shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.
13. **Notices**. All notices shall be personally delivered or mailed, via first class mail to the below listed address. These addresses shall be used for delivery of service of process. Notices shall be effective five (5) days after date of mailing, or upon date of personal delivery.

Address of CONSULTANT is as follows:

Black & Veatch Corporation
2999 Oak Road #490
Walnut Creek, CA 94597

Address of CITY is as follows:

Engineering and Utilities Dept.	with a copy to:
City of Morgan Hill	City Clerk
17575 Peak Avenue	City of Morgan Hill
Morgan Hill, CA 95037	17575 Peak Avenue
	Morgan Hill, CA 95037

14. **Licenses, Permits and Fees**. CONSULTANT shall obtain a City of Morgan Hill Business License, all permits and licenses to the extent required by ordinances, codes and regulations of the federal, state and local government.
15. **Consultant's Proposal**. If applicable, this Agreement shall include CONSULTANT'S proposal or bid which is incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.

16. **Maintenance of Records.**

- 16.1. **Maintenance.** CONSULTANT shall prepare, maintain, and preserve all reports and records that may be required by federal, state, and CITY rules and ordinances related to services provided under this Agreement. CONSULTANT shall maintain records for a period of at least 3 years after receipt of final payment under this Agreement. If any litigation, claim, negotiation, audit exception, or other action relating to this Agreement is pending at the end of the 3-year period, then CONSULTANT shall retain said records until such action is resolved.
- 16.2. **Access to and Audit of Records.** The CITY shall have the right to examine, monitor and audit all records, documents, conditions, and activities of the CONSULTANT and its subcontractors related to services under this Agreement. Pursuant to Government Code Section 8546.7, if this Agreement involves the expenditure of public funds in excess of \$10,000, the Parties to this Agreement may be subject, at the request of the CITY or as part of any audit of the CITY, to the examination and audit of the State Auditor pertaining to matters connected with the performance of this Agreement for a period of three years after final payment under the Agreement.
- 16.3. **Ownership of Work Product.** All documents or other information developed or received by CONSULTANT for work performed under this Agreement shall be the property of CITY. CONSULTANT shall provide CITY with copies of these items upon demand or upon termination of this Agreement.

17. **Familiarity with Work.** By executing this Agreement, CONSULTANT represents that: (1) it has investigated the work to be performed; (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the difficulties and restrictions of the work under this Agreement. Should CONSULTANT discover any conditions materially differing from those inherent in the work or as represented by CITY, it shall immediately inform CITY and shall not proceed, except at CONSULTANT'S risk, until written instructions are received from CITY.

18. **Time of Essence.** Time is of the essence in the performance of this Agreement.

19. **No Assignment.** Neither this Agreement nor any portion shall be assigned by CONSULTANT, without prior written consent of CITY. Any attempted assignment not first approved by CITY shall be void and, at CITY's option, shall terminate this Agreement effective as of the date of such attempted assignment.

20. **Attorney Fees.** In any legal action, dispute or arbitration arising out of or relating to this Agreement, the prevailing party shall be entitled to an award of its reasonable attorney fees, costs and expenses incurred.

21. **Defense and Indemnification.**

21.1. **Defense and Indemnification for Design Professional Services.** Consistent with California Civil Code Section 2782.8, for design professional services to be performed under this agreement by a design professional, as that term is defined under said Section 2782.8, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors

in performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement ("CLAIM") to the extent of CONSULTANT'S proportionate percentage of fault.

21.2. Defense and Indemnification for Non-Design Professional Services. For all services performed under this agreement not covered by Section 21.1 above, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the performance of this Agreement or the failure to comply with any obligations contained in this Agreement by CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors ("CLAIM").

21.3. Exceptions. CONSULTANT is not required to indemnify INDEMNITEES against liability for bodily injury, property damage or personal injury, or any other loss, damage or expense arising from the sole negligence, active negligence, or willful misconduct of the CITY.

21.4. Not limited by insurance. The indemnity, defense and hold harmless provisions of this Agreement apply to all CLAIMs alleged against an INDEMNITEE, regardless of whether any insurance policies are applicable. Policy limits do not act as a limitation upon the amount of indemnification or defense to be provided by CONSULTANT.

21.5. Right to Offset. CITY shall have the right to offset against any compensation due CONSULTANT under this Agreement any amount due CITY from CONSULTANT as a result of CONSULTANT's failure to pay CITY promptly any indemnification arising under this Section (21) and any amount due CITY from CONSULTANT arising from CONSULTANT's failure either to (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.

21.6. Interpretation. This Section shall constitute an agreement or contract of indemnity, incorporating the interpretations under California Civil Code Section 2778. It is expressly understood and agreed that the obligation of the CONSULTANT to indemnify the INDEMNITEE shall be as broad and inclusive as permitted by the laws of the State of California and shall survive termination of this Agreement.

22. Entire Agreement; Modification; Conflicting Provisions. This Agreement constitutes the entire Agreement between the Parties and supersedes any previous agreements, oral or written. This Agreement may be modified or provisions waived only by a subsequent mutual written agreement executed by CITY and CONSULTANT. If the provisions contained in the main body of this Agreement conflict with any provision contained in an exhibit to this Agreement, the provisions of the main body of this Agreement shall govern and control over any provision contained in an exhibit to this Agreement.

23. Governing Law and Venue. This Agreement shall be construed in accordance with the laws of the State of California. This Agreement was entered into and is to be performed in the County of Santa Clara. Any action or dispute arising out of this Agreement shall only be brought in Santa Clara County.

24. Interpretation. This Agreement is a negotiated document and shall be deemed to have been drafted jointly by the Parties, and no rule of construction or interpretation shall apply against any particular Party based on a contention that the Agreement was drafted by one of the Parties including, but not limited to, California Civil Code § 1654, the provisions of which are hereby waived. This Agreement shall be construed and interpreted in a neutral manner.

25. **Preservation of Agreement.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the rest of the Agreement shall remain in full force and effect and shall in no way be affected or invalidated.

26. **Binding Agreement.** Notwithstanding the provisions of Section 19 above, this Agreement shall bind any and all successors in interest, legal representatives and/or other permitted assignees or transferees of CONSULTANT in the same manner as if those successors in interest, legal representatives or other permitted assignees or transferees had entered into this Agreement originally.

27. ☐ **Data Sharing.** This Agreement requires access by CONSULTANT to CITY's Geographic Information System (GIS) DATA for CONSULTANT to perform the work. CITY agrees to provide the GIS DATA to CONSULTANT solely for the purpose of performance of contracted work with the CITY upon the terms and conditions specified in Exhibit D, incorporated herein by this reference.

[Signatures on Next Page]

28. **Authority to Execute.** Those individuals who are signing this Agreement on behalf of entities represent and warrant that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

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

AS SET FORTH IN CA. CORP. CODE § 313, TWO SIGNATURES ARE REQUIRED FOR CALIFORNIA CORPORATIONS:

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

ATTEST:

CITY OF MORGAN HILL

 City Clerk/Deputy City Clerk

 City Manager

 Michelle Bigelow

 Christina J. Turner

 Print Name

 Print Name

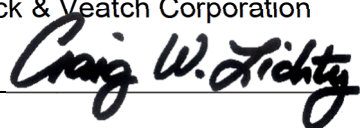
Date: _____

Date: _____

APPROVED AS TO FORM:

Black & Veatch Corporation

 City Attorney

By: 

 Donald A. Larkin

 Craig W. Lichty, Associate Vice President

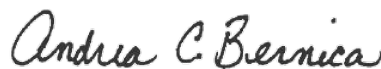
 Print Name

 Print Name and Title of Signer.

If Corporate: Chairman, President or
 Vice President

Date: _____

Date: January 12, 2021



By: Andrea C. Bernica, Assistant Secretary

 Print Name and Title of Signer.

If Corporate: Secretary, Assistant
 Secretary, Chief Financial Officer or
 Assistant Treasurer

Date: January 12, 2021

EXHIBIT A SCOPE OF SERVICES

Consultant team members will conduct meetings and workshops via MS Teams.

TASK 1 – PROJECT MANAGEMENT

Task 1.1 - Project Management and Administration

Consultant shall conduct project set-up, resource management, progress monitoring, scheduling, general correspondence, office administration, and invoicing needed to ensure the successful performance of this project. The project schedule shall maintain compliance with the EPA AWIA to meet or precede the RRA and ERP certification deadlines. Invoices shall be submitted to the City in PDF format with a progress summary in an email. The budget anticipates a maximum of 8 monthly reports and 8 invoices during the performance period. Consultant will set up a secure file sharing site to host project files.

Task 1.2 - Quality Assurance and Quality Control (QA/QC)

The deliverables produced under this scope of work shall undergo QA/QC review per Black & Veatch standards to ensure a quality product.

Task 1.3 - Kick-off Meeting/Screening Workshop

Consultant shall conduct a combined 2-hour project kickoff / screening workshop with city staff to:

- Confirm assessment goals, workplan, project schedule, key deliverables, QA/QC process and identify key points of contact
- Confirm the list of critical assets to be included in the RRA
- Review and prioritize the threats to be included in the RRA

Task 1 - Deliverables to the City

- Monthly progress reports and invoices

TASK 2 – DATA COLLECTION

Task 2.1 - Data Request

Prior to the project kick-off meeting, Consultant will submit a data request that identifies information necessary to conduct the assessment and meet compliance. Consultant shall create and maintain a Data Request Tracking Log as a live document throughout the project. Consultant shall implement necessary processes to keep information secure throughout the project.

Task 2.2 - Asset Characterization

In coordination with City staff, Consultant shall prepare an inventory list of critical assets to be included in the assessment. 'Critical assets' shall be defined per AWWA J100 as assets 'whose absence or unavailability would significantly degrade the ability of a utility to carry out its mission or would have unacceptable financial or political consequences for the owner or the community'. Inventory shall include the asset categories identified in Table 3 of the Baseline Information on Malevolent Acts for Community Water Systems Guideline (EPA, July 2019) (Malevolent Acts Guideline), which include:

- Physical barriers
- Source water
- Pipes and constructed conveyances, water collection and intakes

- Pretreatment and treatment facilities
- Storage and distribution facilities
- Monitoring practices
- Electronic, computer, or other automated systems
- Financial infrastructure
- The use, storage and handling of chemicals
- Operation and maintenance of the system

Task 2.3 – Threat Characterization

Consultant shall perform threat research to determine applicable potential threats to critical water system assets, which will be tailored to City's circumstances and location, and the Malevolent Acts Guideline, Hazard Mitigation Plans, and review of past disruptive events. A draft Threat/Asset Matrix shall be submitted to the City for review after the Screening Workshop. Following the workshop, action items and decisions shall be documented by the consultant in meeting minutes.

HAZARD CATEGORY	HAZARD TYPE	REQUIRED BY AWIA
Natural Hazards	Tornado, Earthquake, Flood, Hurricane, Wildfire, Hydrologic changes	Yes
Malevolent Acts	Physical Attacks, Contamination, Theft or diversion, Cyber Attack, Sabotage	Yes

Task 2 - Deliverables to the City

- Electronic Meeting Minutes
- Draft Threat/Asset Matrix
- Screening Workshop Meeting Minutes

Task 3.1 – Consequence Analysis

Consultant shall analyze what happens to City's ability to continue to provide safe water service when a threat or hazard occurs. Considering potential impacts such as financial costs, duration and severity of service denial for customers, loss of life and injuries, etc. develop consequence criteria based on a four-point scale (Negligible, Low, Medium, High). Consequence criteria shall incorporate the existing ability of the assets to resist and withstand each specified threat.

Consultant shall develop preliminary consequence scores for each threat-asset pair, for up to 80 threat-asset pairs, based on historical information, experience, and professional judgement. The consequence scores shall be captured as part of our Excel-based tool. Specific forms shall be used to document threat specific consequence scores including justification comments as needed. Preliminary consequence scores shall be submitted to the City for review and approval. City shall determine the staff most appropriate to review and validate the consequence data with Consultant staff assistance. The results can be used to screen out low consequence threat- asset pairs from the analysis.

Natural Hazards

The Natural Hazards analysis shall include an assessment of the potential impacts related to each natural hazard identified in the Threat Characterization Task. Consultant shall consider the available information in local hazard mitigation plans, history of events, and publicly available references to assess the potential impacts to the City's critical assets by each selected natural hazard.

Cybersecurity of IT and OT Systems

Both the IT and operations technology OT assessments shall be desktop assessments only and shall include discussions/interviews with the senior software operator and the support person for each software package. No penetration tests of either the IT or OT systems is included in this scope of services.

Consultant shall use the AWWA's Cybersecurity Guidance and Assessment Tool to assess operation technologies. Consultant shall conduct a 2-hour virtual interview with the City to complete the OT system assessment. Consultant shall evaluate the security of the City's IT system using the 100-question assessment based on the National Institute of Standards and Technology (NIST) Cyber Security Framework. Consultant shall conduct a 2-hour virtual interview with the City to complete the OT system assessment.

Physical Security

Consultant shall conduct a high-level desktop evaluation of physical security with respect to the AWWA specific malevolent acts based on previous assessments and other available data. This will include a 2-hour interview with the City staff to review the City's security posture and past experience.

Task 3.2 – Threat Likelihood Analysis

Analyze the likelihood that any of the hazards identified will strike City's facilities. The threat analysis shall be based on AWWA J100 Risk and Resilience Management of Water and Wastewater Systems methodology, the Malevolent Acts Guideline and other available sources. Various methods shall be employed by the Consultant to calculate or estimate threat likelihood with respect to the type of threat considered. For example, the likelihood of vandalism will be evaluated based upon the Malevolent Acts Guideline and adjusted with respect to the crime statistics for the surrounding area, history of vandalism, etc. The likelihood of natural hazards will be based on the general approach provided by the J100 standard and available data from NOAA, USGS, etc.

The threat likelihood estimates will be captured as part of the Consultant's Excel-based tool. Specific forms will be used to document threat likelihood estimates including data sources and justification comments as needed. Preliminary threat likelihood estimates shall be submitted by the consultants to the City for review and approval. City shall determine the staff most appropriate to review and validate the threat likelihood data with the Consultant's staff assistance. The results of the threat likelihood analysis can be used to screen out low probability threat- asset pairs from the analysis.

Task 3.3 - Risk Assessment

Consultant shall complete a system-wide baseline risk evaluation by calculating the risk scores for the threat-asset pairs selected based on the Consequence and Threat Likelihood Analyses in Tasks 3.1 and 3.2, respectively. Baseline scores shall be calculated using the following formula:

Baseline Risk Score = Consequence Score x Threat Likelihood

The risk analysis results shall be documented in the Consultant's Excel-based tool and shall be organized in a 4 x 4 risk matrix. The risk assessment will be used to develop preliminary risk mitigation opportunities.

Task 3.4 - RRA Technical Memorandum

Consultant shall document the RRA in a draft and final RRA Technical Memorandum, which will summarize the risk assessment performed, the resulting baseline risk level and risk mitigation opportunities. Consultant shall provide the Draft RRA TM to City for review, then incorporate City's

comments and finalize the RRA TM. Incorporate City comments and finalize the RRA no later than June 15, 2021. Consultant shall assist the City in the online self-certification process.

Task 3 - Deliverables to the City

- Excel-based tool documenting consequence, threat likelihood and risk assessment results
- Electronic Draft and Final RRA TM
- Assist City in online self-certification process

TASK 4 – EMERGENCY RESPONSE PLAN

Task 4.1 - Emergency Response Plan Assessment

Based on the data collected and analyzed during Task 2 and Task 3, Consultant shall assess City's existing ERP against the requirements in the AWIA and using EPA's 2020 ERP guidance and template. The AWIA requires the ERPs to include the following key components:

1. Strategies and resources to improve the resilience of the system: roles and responsibilities, communications, regional coordination.
2. Risk Mitigation Actions: alternative source water options, interconnections, redundancy improvements, asset hardening, physical and cybersecurity countermeasures.
3. Detection Strategies: intrusion detection, source water contamination, cyber intrusion, etc.
4. Emergency plans and procedures: response plans and procedures (core and incident specific)

Task 4.2 - Emergency Response Plan Meeting

Consultant shall work collaboratively with City staff in a 2-hour meeting to review the ERP assessment gap analysis and the risk mitigation recommendations from the RRA. During the review, data gaps will be confirmed with City staff to ensure that all existing ERP documents have been incorporated into the gap analysis. The gap analysis shall include a checklist that compares the City's existing ERP to the EPA's ERP template and applicable State requirements. Consultant staff shall then work collaboratively with City staff to agree on a process to close these gaps and discuss with the City to determine who (either Black & Veatch staff or City staff) will update and close each gap. The preliminary risk mitigation recommendations developed will be reviewed and prioritized for inclusion in the ERP. The decisions from this workshop shall be documented in a finalized checklist that will serve as a tracking document on who (City vs. Black & Veatch staff) will lead closing each of the gaps that shall be incorporated by the Consultant in the development of the ERP.

Task 4.3 – Existing Emergency Response Plan Update

This task includes up to 80 hours of working with the City to update the existing ERP using EPA's template as a guide. Included in this task is to develop up to 2 (two) new Incident-Specific Response Procedures to address any findings from the RRA including natural hazard risks, physical and cyber security. This task will include up to 4 (four) conference calls with City staff responsible for developing and maintaining emergency plans. The existing strategies and resources to improve resilience and detection strategies will be incorporated by the Consultant into a draft ERP document. City comments will be incorporated, and the final ERP updated. Consultant will assist the City with online self-certification process with the EPA no later than October 15, 2021.

Task 4 - Assumptions

- The ERP has been kept up-to-date and the City will update existing information such as contact information.
- The ERP is available in Word format.
- The ERP will be updated in its current layout.

Task 4 - Deliverables to the City

- Gaps Analysis Checklist
- Draft and Final ERP
- Assistance in online self-certification

TASK 5 - ADDITIONAL SERVICES

The fee estimate for these services is preliminary and may need to be adjusted based on the findings of the RRA.

Additional Task 5.1 - Risk Mitigation Plan

Consultant shall evaluate what risk mitigation options are available to reduce risk and increase resilience. Consultant shall develop countermeasure and risk mitigation options for up to 25 threat-asset pairs that require risk mitigation, rough order of magnitude (ROM) costs and post-improvement risk scores to complete this step. Consultant shall quantify the decreased risk for each identified improvement and ROM cost estimates for implementation. Risk mitigation actions shall be prioritized based on their cost-benefit ratio. Risk mitigation plan shall be documented by the Consultant in a technical memorandum.

Additional Task 5.2 - Physical Security Assessment

Due to very low likelihood of physical threats (per the Malevolent Guideline) the Consultant has not included a comprehensive assessment of physical security and site visits to evaluate vulnerabilities. If justified by the threat likelihood analysis, and requested by the City, Consultant shall provide physical security analysis including two to three days of site visits to representative assets identified as critical for evaluating the vulnerability of facilities and existing physical security equipment. These visits shall be conducted during the day for the bulk of the effort as well as night to inspect CCTV operation (if applicable) and lighting levels. This effort shall also include interviews with City staff and local/regional law enforcement to review response plans, procedures, personnel behavior, etc. City will make initial contact with law enforcement agencies on behalf of the Consultant for these interviews.

EXHIBIT B

SCHEDULE OF COMPENSATION RATES

Role:	Project Director	Project Manager/ RRA Lead	QA/QC	Cyber Security Lead	Natural Hazards Lead	Physical Security Lead	Physical Security Advisor	ERP Lead	Staff Engineer	Finance	Admin	Total Staff Hours	Labor	Expenses	Total Fee
Hourly Rate:	\$295	\$250	\$290	\$210	\$210	\$160	\$210	\$160	\$145	\$150	\$100				
Task/Level of Effort	Craig Lichty	Doland Cheung	Lani Good	Jacques Brados	Kristina Lecina	Judith Kung	Dave Nelson	Lori Reed	Support Staff	Support Staff	Support Staff				
Task 1 – Project Management	4	24	12	2	2	2	0	0	0	16	4	66	\$14,620	\$0	\$14,620
Task 1.1 – Project Management and Administration	4	16								16	4	40	\$7,980		\$7,980
Task 1.2 – Quality Assurance and Quality Control			12									12	\$3,480		\$3,480
Task 1.3 - Kickoff/Screening Workshop		8		2	2	2						14	\$3,160		\$3,160
Task 2 - Research/Data Collection	0	24	0	8	8	8	2	4	16	0	2	72	\$14,220	\$200	\$14,420
Task 2.1 - Data Request		8		2	2	2		4	8		2	28	\$5,160	\$200	\$5,360
Task 2.2 - Asset Characterization		8		2	2	2			4			18	\$3,740		\$3,740
Task 2.3 - Threat Characterization		8		4	4	4	2		4			26	\$5,320		\$5,320
Task 3 - Risk & Resilience Assessment	2	50	0	28	32	32	4	0	32	0	6	186	\$36,890	\$0	\$36,890
Task 3.1 - Consequence Analysis		10		6	8	8			8			40	\$7,880		\$7,880
Task 3.2 - Threat Likelihood Analysis		8		4	6	6	2		6			32	\$6,350		\$6,350
Task 3.3 - Risk and Resilience Assessment		12		8	8	8			6			42	\$8,510		\$8,510
Task 3.4 - RRA Review Workshop	2	8		2	2	2						16	\$3,750		\$3,750
Task 3.5 - RRA Technical Memorandum		12		8	8	8	2		12		6	56	\$10,400		\$10,400
Task 4 - Emergency Response Plan Update	2	14	0	16	12	12	2	98	36	0	8	200	\$34,010	\$0	\$34,010
Task 4.1 - ERP Assessment		4		2	2	2		10	8			28	\$4,920		\$4,920
Task 4.2 - ERP Workshop	2	4		4	4	4		8				26	\$5,190		\$5,190
Task 4.3 - Existing ERP Update		6		10	6	6	2	80	28		8	146	\$23,900		\$23,900
Project Totals	8	112	12	54	54	54	8	102	84	16	20	524	\$99,740	\$200	\$99,940
	\$2,360	\$28,000	\$3,480	\$11,340	\$11,340	\$8,640	\$1,680	\$16,320	\$12,180	\$2,400	\$2,000				
OPTIONAL Task 5 - Supplemental Services	4	48	8	16	0	32	48	8	40	8	8	220	\$43,140	\$800	\$43,940
Task 5.1 – Risk Mitigation Plan	2	32	4	16			16	8	40	4	4	126	\$24,550		\$24,550
Task 5.2 – Physical Security Assessment	2	16	4			32	32			4	4	94	\$18,590	\$800	\$19,390

EXHIBIT C
SCHEDULE OF PERFORMANCE

PHASES & TASKS	2021							
	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Task 1 - Project Management								
Task 1.1 – Project Management & Admin.								
Task 1.2 – QA/QC								
Task 1.3 – Kickoff/Screening Workshop								
Task 2 – Research/Data Collection								
Task 2.1 – Data Request								
Task 2.2 – Asset Characterization								
Task 2.3 – Threat Characterization								
Task 3 – Risk and Resilience Assessment								
Task 3.1 – Consequence Analysis								
Task 3.2 – Threat Likelihood Analysis								
Task 3.3 – Risk and Resilience Assessment								
Task 3.4 – RRA Review Workshop								
Task 3.5 – RRA TM								
Task 4 – Emergency Response Plan								
Task 5.1 – Optional Risk Mitigation Plan								
Task 4.1 – ERP Assessment								
Task 4.2 – Risk Mitigation and ERP Workshop								
Task 4.3 – Existing ERP Update								

Additional Task 5 – Supplemental Services will be completed before the agreement termination date.

EXHIBIT D
Third Party Data Use Agreement

1. CONSULTANT agrees that it shall not use any information provided by CITY for any purpose other than for PROJECT without the prior express written consent of CITY. CONSULTANT also hereby acknowledges that the data delivered by CITY is for use by CONSULTANT only, and is not to be released to any other party by any means whatsoever, including the Internet, without prior written consent of CITY. CONSULTANT shall provide written notice to CITY of any subcontractor with whom Geographic Information System data (GIS DATA) is shared for purposes of completing the PROJECT.
2. All data and files are intended for the use within the ordinary course of users' business and may not be sold, placed on the internet or otherwise provided to other parties. All data shall comply with all statutes such as California State Law, Government Code section 6254.21 which prohibits any state or local agency from posting the home address or telephone number of any "elected or appointed official," residing spouse, or child on the internet, and Revenue and Taxation Code sections 408, 408.1, 408.3, and 409 permitting the County Assessor to collect fees for certain information.
3. CITY, as rightful owners, shall retain all rights, title, interest, and copyright of the data. Any products using the GIS DATA must give credit to CITY as the source of the information. Any and all derivative products of the GIS DATA are owned by CITY and may not be used for any purpose other than the PROJECT without prior written permission of CITY. All derivative products and resulting data shall be provided to CITY Project Manager and CITY GIS Manager at the completion of the PROJECT.
4. CONSULTANT and CITY understand and agree that the information provided pursuant to this Agreement is the product of professional services paid for by CITY and shall remain property of CITY. CONSULTANT may retain copies, including copies stored on magnetic media, only for information and reference, in connection with CONSULTANT'S use for PROJECT.
5. All of the above terms and conditions apply to any subcontractor retained by CONSULTANT.
6. In the event of a conflict between the terms and provisions of this Third Party Data Use Agreement and the terms and provisions of the SERVICE AGREEMENT, the terms of the SERVICE AGREEMENT shall govern and control.



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Rebecca Garcia, Housing Manager
APPROVED BY: City Manager

APPROVE FIRST AMENDMENT TO AGREEMENT WITH SANTA CLARA COUNTY FOR ISOLATION QUARANTINE PROGRAM

RECOMMENDATION(S)

Approve the First Amendment to the agreement between the County of Santa Clara and the City of Morgan Hill for the Countywide Isolation and Quarantine Support Program to extend the term through June 30, 2021.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Supporting Our Youth
Seniors
and Entire Community

2020-2021 Strategic Priorities

Affordable Housing and Homelessness

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

The purpose of this report is to inform the Council and to ratify an amendment to the term of the Countywide Isolation and Quarantine Support Program (I/Q Program) to prevent a disruption in services, extending the term through June 30, 2021 (Attachment 1). The original term was August 1, 2020 through December 31, 2020 (Attachment 2 & 3)). This is a no-cost extension.

In response to COVID-19, the County identified an urgent need to provide Temporary Shelter and Services to help individuals and families effectively isolate or quarantine. Since March 2020, the County and its partners have increased temporary shelter in response to the pandemic. The County has added congregate shelter beds, and reserved hotel/motel rooms. The I/Q Program is for COVID+ cases and close contacts. The County seeks to continue to help residents isolate if they have tested positive for COVID-19, or quarantine if they have been in close contact with a COVID-19 positive person. The City of Morgan Hill has an agreement with the County of Santa Clara for up to \$154,917 to support the on-going activities to serve Morgan Hill residents affected.

The countywide Case Investigation and Contact Tracing team (CICT) makes determinations based on the circumstances of each interaction. The CICT also helps cases and contacts understand how and why it is important to safely isolate or

quarantine. Persons who **test positive for COVID-19 and have symptoms** may discontinue isolation when:

- At least 10 days* have passed since symptoms first started; AND
- At least 24 hours have passed since resolution of fever (without use of fever reducing medication); AND
- Other symptoms have improved

Persons who **test positive for COVID-19 and do not have symptoms** may discontinue isolation when:

- At least 10* days have passed since the first positive test was collected

*The date of symptom onset (or the date of test if asymptomatic) is considered Day 0. Note that individuals with severe illness (e.g., required intensive care) or who are severely immunocompromised may warrant extending isolation for up to 20 days after symptom onset. Please see attached Public Health Guidelines (Attachment 4).

Many individuals and their families will be able to isolate or quarantine in their homes without assistance. Others have situations that make isolating or quarantining difficult. The County's Emergency Operations Center (EOC) established a CICT team to use a contact tracing management information system that is being implemented statewide.

Since September 2020, \$21,752 has been provided to Morgan Hill residents for rental assistance, approximately \$6,000 for in home support (groceries and supplies), and 5 households were placed in a hotel/motel for necessary isolation. The County is requesting an extension on the term due to the recent surge and demand.

SERVICES PROVIDED THROUGH THE PROGRAM

Support Request Line. The team receives requests for assistance from cases, contacts, medical providers, cities' emergency operations centers, Public Health unit and community-based organizations (CBOs) via telephone or email.

Coordination. The team is responsible for coordinating with the Public Health Special Investigations Group (SIG) and CITC to ensure that all teams are aware of and can take appropriate actions for each case and contact.

Support at Home. Even individuals or families who have adequate home settings may need additional assistance, including transportation to/from medically necessary appointments, meals per day and/or groceries, medical screening and connection to medical services, laundry services for linens and personal clothing, and light case management services to help individuals apply for benefits (e.g., unemployment insurance, CalFresh) and other services.

Motels. Some individuals and/or family members may be placed at a motel to isolate or quarantine until they are cleared to return to their home (including a congregate care setting). The Resource Coordinators coordinate placement at one or more motels. In some cases, the individual may be placed in other non-congregate settings, such as a travel trailer. In these out-of-home settings, the program also provides transportation, food, health and behavioral health screenings and services, laundry, and light case management services, as needed.

Rental and Financial Assistance. If there is a documented need, cases and contacts would be eligible for rental and financial assistance up to \$5,000. The rental and financial assistance is limited to households earning 80% or less of the Area Median Income (AMI) adjusted for household size. Rental and financial assistance is primarily administered by Sacred Heart Community Service (SHCS) under contract with the County.

COMMUNITY ENGAGEMENT: Inform

Staff continues to inform and refer community members in need for related services to the County program coordinators.

ALTERNATIVE ACTIONS:

The Council can choose to terminate the contract and cease services.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On September 23, 2020, the Council received a report and approved funding (\$154,917) for the I/Q Program and adopted a resolution to appropriate \$107,208 from the General Fund (010); and authorized an expenditure of \$47,709 from the Housing Fund (236).

FISCAL AND RESOURCE IMPACT:

The first amendment to the agreement is to extend the term through June 2021 and will continue to utilize existing appropriations of \$154,917 previously approved for this agreement. No additional funding is being requested.

CEQA (California Environmental Quality Act):

Not a Project, routine administrative action.

LINKS/ATTACHMENTS:

1. Isolation Quarantine Program_ First Amendment
2. County of Santa Clara - IQ original contract
3. IQ Program staff report 9-23-2020 (weblink)
4. Home-Isolation-Quarantine-Guidelines

**FIRST AMENDMENT TO FUNDING AGREEMENT BETWEEN
THE COUNTY OF SANTA CLARA
AND THE CITY OF MORGAN HILL
FOR COUNTYWIDE ISOLATION AND QUARANTINE SUPPORT PROGRAM**

This First Amendment ("First Amendment") to the Funding Agreement between the County of Santa Clara and the City of Morgan Hill for Countywide Isolation and Quarantine Support Program ("Agreement") is entered into by and between the County of Santa Clara ("County") and the City of Morgan Hill ("City").

This First Amendment amends the Agreement as follows and is effective January 1, 2021:

1. SECTION 1 TERM of the Agreement is amended to read: This Agreement is effective August 1, 2020 and will continue thereafter until June 30, 2021, unless extended by mutual consent.

All other terms and conditions of the Agreement remain in full force and effect. In the event of a conflict between the original Agreement and this First Amendment, this First Amendment controls.

By signing below, signatory warrants and represents that he/she executed this First Amendment in his/her authorized capacity, that he/she has the authority to bind the entity listed below to contractual obligations and that by his/her signature on this First Amendment, the entity on behalf of which he/she acted, executed this First Amendment.

This First Amendment may be executed in counterparts. Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

COUNTY OF SANTA CLARA

CITY OF MORGAN HILL

By: EOC Director

By: Christina Turner
City Manager

Date: _____

Date: _____

APPROVED AS TO FORM AND LEGALITY

APPROVED AS TO FORM

Christopher R. Cheleden
Lead Deputy County Counsel

Donald Larkin
City Attorney

Date: _____

Date: _____

Attachment: Isolation Quarantine Program_ First Amendment (2969 : First Amendment, County Isolation Quarantine Program)

DELEGATION OF AUTHORITY (DOA) COVER SHEET

TO BE COMPLETED BY DEPARTMENT/AGENCY

Department Submitting: Office of Supportive Housing Fiscal Year: 21

Original DOA Approval (Attach Copy): BOS Mtg Date 9/22/20 Agenda # 17 Leg File # 102934

Office of County Contracting Exception/Exemption Approval: ☐ Applicable (Attach Copy if applicable)

Contractor's Name: City of Morgan Hill

Contact Name: Rebecca Garcia

Contact Number: 408-310-4637

Processing Requirements (Specific instructions to the OBA Analyst for distribution of approved copies):

Amount of this Amendment: _____

Max Amount of the Delegation: _____

End Date of the Delegation: _____

Total Approved Delegation:
(including this Amendment) _____

Date Needed: 10/14/2020 Comments: _____

TO BE COMPLETED BY COUNTY COUNSEL, OBA ANALYST, AND OFFICE OF THE COUNTY EXECUTIVE:

Approved by County Counsel for form and legality Yes ☒ No ☐

Recommended for Approval by OBA Yes ☒ No ☐

Approved by Office of the County Executive Yes ☒ No ☐

Name/Date
Christopher Chen 10/14/2020

MERCEDES GARCIA 10/14/2020

Jeff Smith 10/15/2020

DS

CC

DS

MG

DS

JS

County Counsel Comments:

OBA Comments:

Office of the County Executive Comments:

Upon execution of agreement, forward a copy and any subsequent amendment(s) to: delegations@cob.sccgov.org, together with the delegation of authority transmittal. Department retains original copy of agreement on file.

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

**FUNDING AGREEMENT BETWEEN THE
COUNTY OF SANTA CLARA
AND THE CITY OF MORGAN HILL
FOR COUNTYWIDE ISOLATION AND QUARANTINE
SUPPORT PROGRAM**

This Agreement is entered into by and between the **County of Santa Clara** (the “County”) and the **City of Morgan Hill** (the “City”), individually, a “Party” and, collectively, the “Parties,” in order to provide funding for a Countywide Isolation and Quarantine Support Program (“Program”) to be managed by the County.

RECITALS

- A. WHEREAS, on February 3, 2020, the County Health Officer declared a local health emergency, and the County's Director of Emergency Services proclaimed a local emergency, to respond to the Coronavirus Disease (“COVID-19”) pandemic and manage its spread throughout the County; and
- B. WHEREAS, on March 4, 2020, the Governor of California proclaimed a State of Emergency (Executive Order N-25-20) to exist in California because of the threat of COVID-19; and
- C. WHEREAS, on March 16, 2020, the Santa Clara County Public Health Officer issued an Order to all residents to shelter in place and businesses to close except for essential activities, essential services, and governmental services as defined under Section 10 of the Order; and
- D. WHEREAS, on March 19, 2020, the Governor issued an Order (Executive Order N-33-20) that all individuals living in the State of California stay home or at their place of residence, except as needed to maintain continuity of operations for certain critical infrastructure sectors, to protect the public health of Californians, to mitigate the impact of COVID-19, and to ensure the healthcare delivery system is capable of serving all; and
- E. WHEREAS, as a result of the State Executive Orders and their national counterparts and the County Order in response to COVID-19, as may be extended and modified by federal, state, and local authorities, the County and City have identified an urgent need to provide a Countywide Isolation and Quarantine Support Program (“Program”) as part of the response to COVID-19; and,
- F. WHEREAS, the County has established and will operate the Program as described on Exhibit “A” attached hereto and incorporated herein by this reference; and

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

- G. WHEREAS, the Program assists all residents of Santa Clara County to isolate if they have tested positive for Coronavirus (COVID-19) ("Cases") or quarantine if they have been in close contact with a COVID-19 positive person ("Contacts"); and
- H. WHEREAS, the U.S. Centers for Disease Control and Prevention defines a "close contact" as "someone who was within six feet of an infected person for at least 15 minutes starting from 48 hours before illness onset until the time the patient is isolated; however, the County Public Health Department's Special Investigations Unit or Case Investigation and Contact Tracing group ("CICT") will make determinations based on the circumstances of each interaction; and
- I. WHEREAS, many individuals and their families will be able to isolate or quarantine in their homes without assistance; and
- J. WHEREAS, others have situations that make isolating or quarantining difficult. These challenges include, but are not limited to, overcrowded housing, the lack of paid sick leave, recent unemployment, co-habitation with at-risk individuals, and obligations to care for family members. Primary among these challenges are: 1) access to a room in which the case or contact may stay and remain entirely separate from other members of the household; and, 2) access to one's own bathroom or the ability to thoroughly clean the bathroom after each use. The County's CICT group is trained to speak with individuals about what they may need to effectively isolate or quarantine in their own home; and
- K. WHEREAS, it is in the intent of this Agreement that City, along with all other 14 cities within Santa Clara County, will contribute funding to the County to pay the County for its costs in operating the Program.

In consideration of the foregoing Recitals, and the mutual promises and covenants contained in this Agreement, the Parties agree as follows:

AGREEMENT

SECTION 1 TERM

This Agreement is effective August 1, 2020 and will continue thereafter until December 31, 2020, unless extended by mutual consent.

SECTION 2 MAXIMUM FINANCIAL OBLIGATION

As explained in Section 3 below and stated in Exhibit E, City's maximum financial obligation during the Term of this Agreement is \$154,917.

SECTION 3 ESTIMATE OF COUNTYWIDE NEED AND COST SHARING

To ensure that appropriate services are available to all Santa Clara County residents who need help with isolation or quarantine, it is the intent of this Agreement that the County and all 15 cities within the County would share in the Program's costs on a roughly proportional basis as set forth below.

a) **Estimates of Countywide Need:**

- i) Based upon prior utilization data, the County estimates that during the term of this Agreement, approximately 200 households who are Cases or Contacts will be referred to or will contact the Program weekly. Of the 200 households, it is estimated that approximately 25% (about 50 households) will decline services, be ineligible or referrals that cannot be contacted. Of the remaining households (approximately 150 households) who participate in the Program, 90% (about 135 households) will receive assistance to isolate or quarantine at home and 10% (about 15 households) would temporarily move into a motel. Of all households who enroll in the Program (150 households) each week, about 60% (90 households) are also expected to request and receive rental or financial assistance.
- ii) Of the households participating in the program, it is estimated that approximately 82% will be residents of the City of San José. Residency is determined by the person's or family's home address.
- iii) Exhibit B summarizes the projected needs among residents of each jurisdiction by Program component from August 1 through December 31, 2020, which is approximately 22 weeks. The number of residents by jurisdiction is based on current Program utilization and a minimum of five – one per month – for each jurisdiction. For planning purposes, at least one resident from each jurisdiction would need a motel placement.
- iv) If the person or family is homeless, their residency is determined by the location of their last permanent address or the city or unincorporated area where they spend most of their time.

b) **Cost Sharing:** Exhibit C summarizes the assumptions used to determine the Program's fixed costs, the costs of operating a motel room for one month, at-home support services, and rental or other financial assistance. These are intended to be estimates for budgeting purposes.

- i) **Fixed Costs:** Each jurisdiction would reimburse the County for a portion of the Program's fixed costs regardless of utilization by the jurisdiction's residents. Each jurisdiction's share of the fixed costs is proportional to its share of the countywide population as set forth in Exhibit D. The services associated with these costs are necessary because they allow CICT, providers and residents to access the Program's services.
- ii) **Motel Costs:** Each jurisdiction will contribute to the cost of operating motels for isolation and quarantine based on the proportion of motel nights that its residents use. For example, in a given month, if a San Jose resident stayed in one room for 30 days and a Campbell resident stayed in another room for 30 days – and no other jurisdiction's residents stayed at the site – the costs for

operating that motel site, would be evenly split between the City of San Jose and the City of Campbell.

- iii) **At-Home Support Services:** Each jurisdiction will reimburse the County for the cost of supportive services provided directly to the jurisdiction's residents while they isolate or quarantine in their own homes.
- iv) **Rental and Financial Assistance.** Each jurisdiction will reimburse the County for the rental or financial assistance provided directly to the jurisdiction's residents.
- c) **Total Estimated Costs:** Exhibit E summarizes the total estimated cost by jurisdiction. These estimates form the basis for the maximum financial obligation during the term referenced in Section 2 of this Agreement. If the number of City residents participating in the Program exceeds 50% of the total estimated participation shown in Exhibit B, then the City agrees to confer with the County on adjustments to the maximum financial obligation.
- d) The County shall submit invoices for any eligible cost up to the maximum financial obligation. For example, the County may submit the cost of information and referral for all motel rooms located in the City as a strategy to leverage Federal Emergency Management Agency (FEMA) reimbursements. The County may submit invoices to the City even if FEMA has not made a determination on the County's request(s) for reimbursement under FEMA's Public Assistance program. Invoices submitted by County will be supported by backup documentation provided with the invoice.

SECTION 4 ROLES AND RESPONSIBILITIES

County shall operate the Program as indicated in the Program Description attached as Exhibit "A."

SECTION 5 LEVERAGING AND USE OF FUNDS

- a) The City's funds may be used for any expenses that are necessary for successful operation of the Program, as described in this Agreement. This includes expenses that may be categorically ineligible for the FEMA Public Assistance program and the portion of expenses that is calculated to be the local match for the FEMA Public Assistance program.
- b) The County will work with City to leverage state and federal funds and to conserve local resources. However, since some funding sources have limitations the County may not be able to true-up costs for each city until well after the Program has ceased operations. Furthermore, based on determinations of the agencies like FEMA, the County may have to allocate certain funding to specific categories of expenses to maximize state and federal funds.
- c) The County will submit requests for reimbursement through the FEMA Public Assistance program. Reimbursements from this program require a 25% match, and not all funding sources can be used as match.

- d) The County intends to use approximately \$250,000 in Community Development Block Grant Coronavirus (CDBG-CV) funds to operate the program and to pay for a portion of costs associated with unincorporated Santa Clara County. The County would use these funds to offset the actual costs to the "Urban County" cities: Campbell, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill and Saratoga. The County, on behalf of these cities, receives CDBG funds and administers CDBG-eligible programs. Note that CDBG-CV funds cannot be used for hotel costs and can only be used to support households earning 80% or less of AMI.

SECTION 6 MUTUAL INDEMNIFICATION

County and City agree that, pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify and hold each of the other Parties, their officers, board members, employees, and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, board member or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Parties hereto, their officers, board members, employees, or agents, under or in connection with or arising out of any work authority or jurisdiction delegated to such other Parties under this Agreement.

SECTION 7 TERMINATION FOR CAUSE

Either party may terminate this Agreement at any time for cause upon providing notice and a reasonable opportunity to cure to the other party.

SECTION 8 ASSURANCE

Each Party represents and warrants that it has the authority to enter into this Agreement.

SECTION 9 RELATIONSHIP

Nothing contained in this Agreement shall be deemed or construed by the Parties or any third party to create the relationship of partners or joint ventures between the City and the County.

SECTION 10 ENTIRE AGREEMENT

This instrument contains the entire agreement between the Parties, and no statements, promises or inducements made by either Party or the designated agent of either Party that are not contained in this Agreement shall be valid or binding.

SECTION 11 MODIFICATION

This Agreement may not be enlarged, modified, or altered, except if it is evidenced in writing, signed by the Parties and endorsed to this Agreement.

SECTION 12 INSURANCE

Each Party shall, at its own expense, keep in force during the Term, Workers' Compensation Insurance, insuring against and satisfying each Party's obligations and liabilities under the workers' compensation laws of the State of California, including employer's liability insurance in the limits required by the laws of the State of California.

SECTION 13 SEVERABILITY

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in force without being impaired or invalidated in any way.

SECTION 14 NOTICES

Notices to the Parties in connection with this Agreement shall be given personally or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the parties as follows:

COUNTY OF SANTA CLARA

Office of Supportive Housing

Attn: Consuelo Hernandez

Phone: 408-278-6419

Address: 2310 North First St., Suite 201, San Jose, CA 95131

Email: Consuelo.Hernandez@hhs.sccgov.org

CITY OF MORGAN HILL

Attn: Rebecca Garcia

Phone: 408-310-4637

Address: 17575 Peak Avenue, Morgan Hill, CA 95037

Email: Rebecca.Garcia@morganhill.ca.gov

Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated on the date of delivery.

SECTION 15 AMENDMENTS

This Agreement may be amended only by a written instrument signed by the Parties.

SECTION 16 WAIVER

No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted by a Party must be provided, in writing, and shall apply to the specific instance expressly stated.

SECTION 17 GOVERNING LAW and VENUE

This Agreement has been executed and delivered in, and shall be construed and enforced in accordance with, the laws of the State of California. Proper venue for legal action regarding this Agreement shall be in the Santa Clara County.

SECTION 18 COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument.

SECTION 19 THIRD PARTY BENEFICIARIES

This agreement does not, and is not intended to, confer any rights or remedies upon any person or entity other than the parties.

SECTION 20 CONTRACT EXECUTION

Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be entered into as of the day and year of execution of this Agreement.

COUNTY OF SANTA CLARA

DocuSigned by:



21E905DBD1084D7...

Jeffrey V. Smith

County Executive

Date: 10/15/2020

APPROVED AS TO FORM AND LEGALITY

DocuSigned by:



B179ECE83EEF431...

Christopher Cheleden

Lead Deputy County Counsel

Date: 10/14/2020

CITY OF MORGAN HILL

DocuSigned by:



6D0199AF548844D...

Christina Turner

City Manager

Date: 10/13/2020

APPROVED AS TO FORM

DocuSigned by:



4696F0273EA2464...

Don Larkin

City Attorney

Date: 10/8/2020

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

EXHIBIT A

PROGRAM DESCRIPTION

The County shall provide the following services and program organization in operating the Program:

Program Coordination:

- **Support Request Line.** The County will provide staff or contractors to receive requests for assistance from cases, contacts, medical providers, cities' emergency operations centers, and Public Health unit and community-based organizations (CBOs) via telephone or email. The Program's "call center" would be available seven days a week from 8 am to 5 pm. Voice messages or emails received after hours would be responded to the following day.
- **Coordination.** The team and manager assigned to the Support Request Line would also be responsible for coordinating with the Public Health Special Investigations Group (SIG) and CITC to ensure that all teams are aware of and can take appropriate actions for each case and contact. Continuous coordination with SIG and CITC will be necessary because there may be a lag between the time when SIG or CITC become aware of a case or contact and the time when a case or contact or their medical provider reaches out for assistance. The manager of the team would also be responsible for data collection for reports to the County Administration and participating cities.
- **Resource Coordinators.** Coordinators would be assigned to the Support Request Line and would assess cases and contacts for needs and arrange for the services described below.
- **Support at Home.** Even individuals or families who have adequate home settings may need additional assistance including:
 - Transportation to/from medically necessary appointments if the individual is not able to use a private vehicle;
 - Up to three meals per day and/or groceries;
 - Medical screening and connection to medical services; and
 - Weekly laundry services for linens and personal clothing; and, Light case management services to help individuals apply for benefits (e.g., unemployment insurance, CalFresh) and other services.
- **Motels.** Some individuals and/or family members may be placed at a motel to isolate or quarantine until they are cleared to return to their home (including a congregate care setting). The Resource Coordinators would coordinate placement at one or more motels for cases or contacts who cannot

remain at home or do not have a home. In addition to typical motel management staff and services, the County would negotiate agreements with the motel(s), contract with a community-based organization to provide onsite coordinators and oversee security. In some cases, the individual may be placed in other non-congregate settings, such as a travel trailer. In these out-of-home settings, the program would also provide transportation, food, health and behavioral health screenings and services, laundry and light case management services, as needed.

- **Rental and Financial Assistance.** If there is a documented need, cases and contacts would be eligible for rental and financial assistance up to \$5,000. The rental and financial assistance is limited to households earning 80% or less of the Area Median Income (AMI) adjusted for household size. Rental and financial assistance would primarily be provided by Sacred Heart Community Service (SHCS) under contract with the County. The agreement with SHCS enables that organization to:
 - Issue rental assistance or financial assistance within 72 hours of verifying eligibility;
 - Connect cases and contacts to the broader network of homelessness prevention services (e.g., additional rental assistance) which is primarily implemented through the seven CBOs of the Emergency Assistance Network (EAN) and coordinated by SHCS; and,
 - Connect cases and contacts to other community resources.
- **Other Services.** Program resource coordinators would also be responsible for arranging access to other services including, but not limited to, childcare, elder care, in-home support services, and, emergency, urgent, and/or ongoing healthcare services.
- **Department of Employment and Benefit Services (DEBS).** The Resource Coordinators would ensure that (eligible) cases or contacts would be able to access or sign up for General Assistance, CalWORKs, Medi-Cal, CalFresh, or other benefit programs administered by the County. The Resource Coordinators cannot authorize these benefits directly, but the County's DEBS has assigned an Eligibility Supervisor to:
 - Receive referrals directly from Resource Coordinators;
 - Immediately contact the case or contact to help them apply for the appropriate program; and
 - When appropriate, approve the applications for assistance.
- **COVID-19 Assistance Navigation Hotline (CAN-19 Hotline).** For workers who need additional assistance understanding or accessing resources provided through the California Employment Development Department (EDD), such as unemployment insurance, Resource Coordinators would make a connection to the County's CAN-19 Hotline. The CAN-19 Hotline assists in English, Spanish, Vietnamese and Mandarin.

Exhibit B – Projected Needs by Jurisdiction, August 1, 2020 through December 31, 2020

Projection reflects:

- Utilization June 17 through July 31, 2020
- A minimum of 5 households per jurisdiction and at least one motel placement
- 10% of enrollees will need a motel placement and 90% can isolate or quarantine at home
- 60% of all enrollees request rental assistance

	Imputed			60% of Enrollees
	Imputed	At-Home	Total Program	Request Rental
	<u>Motel</u>	<u>Support</u>	<u>Enrollments</u>	<u>Assistance</u>
CAMPBELL	2	22	24	14
CUPERTINO	1	4	5	3
GILROY	4	32	36	22
LOS ALTOS	1	4	5	3
LOS ALTOS HILLS	1	4	5	3
LOS GATOS	1	4	5	3
MILPITAS	2	22	24	14
MONTE SERENO	1	4	5	3
MORGAN HILL	4	32	36	22
MOUNTAIN VIEW	2	22	24	14
PALO ALTO	5	43	48	29
SAN JOSE	270	2430	2700	1620
SANTA CLARA	8	76	84	50
SARATOGA	1	4	5	3
SUNNYVALE	12	108	120	72
UNINCORPORATED	20	184	204	122
TOTAL	335	2995	3330	1997

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

Exhibit C – Estimate of Costs by Service Component

		Fixed Costs	Motel Room	At-Home Support	Financial Assistance
<u>Activity</u>	<u>Est. Rate / Per Unit Cost</u>	<u>per Month</u>	<u>Cost per Month</u>	<u>Costs per HH</u>	<u>Cost per HH</u>
Resource Coordinators, Medical Screening, Program Coordination	7.0 FTE (~\$150K per FTE annually)	\$ 87,500	\$ -	\$ -	\$ -
Sacred Heart Staffing, Operations & Overhead	(28500/3) or \$9,500 per month	\$ 9,500	\$ -	\$ -	\$ -
Rental / Financial Assistance	Up to \$5,000 per HH / Avg. \$3,500 per HH	\$ -	\$ -	\$ -	\$ 3,500
Motel Room Rate & Tax	Average of \$107 per night	\$ -	\$ 3,255	\$ -	\$ -
Motel Site Management	\$25,000 per site per month	\$ -	\$ 424	\$ -	\$ -
Information & Referral Services	\$20,833 per site per month	\$ -	\$ 353	\$ -	\$ -
Motel Security	\$48,400 per site per month	\$ -	\$ 820	\$ -	\$ -
Meal Delivery	Three meals \$33 per person per day	\$ -	\$ 1,004	\$ -	\$ -
Groceries	\$50 per person per week, assume 4 ppl	\$ -	\$ -	\$ 400	\$ -
Transportation	Up to \$400 per incident (1.5/mo)	\$ -	\$ 600	\$ 400	\$ -
Laundry Services	\$40 per household per month	\$ -	\$ 40	\$ -	\$ -
Medical & Behavioral Health Services	3 FTE RN per site per month	\$ -	\$ 742	\$ -	\$ -
Administration	18%	\$ 17,460	\$ 1,303	\$ 144	\$ -
Total		\$ 114,460	\$ 8,540	\$ 944	\$ 3,500

Exhibit D – Estimate of Fixed Costs and Share by Jurisdiction

Jurisdictional Share of Monthly Fixed Costs

County Population: 1/1/2020

Source: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-1/>

	FIXED COSTS			
		<u>% of Total</u>	<u>Monthly Fixed Costs</u>	<u>Aug. 1 thru Dec. 31, 2020</u>
Campbell	42,288	2.2%	\$ 2,467	\$ 12,335
Cupertino	59,549	3.0%	\$ 3,474	\$ 17,370
Gilroy	57,084	2.9%	\$ 3,330	\$ 16,651
Los Altos	30,876	1.6%	\$ 1,801	\$ 9,006
Los Altos Hills	8,413	0.4%	\$ 491	\$ 2,454
Los Gatos	31,439	1.6%	\$ 1,834	\$ 9,171
Milpitas	77,961	4.0%	\$ 4,548	\$ 22,741
Monte Sereno	3,594	0.2%	\$ 210	\$ 1,048
Morgan Hill	46,454	2.4%	\$ 2,710	\$ 13,550
Mountain View	82,272	4.2%	\$ 4,800	\$ 23,998
Palo Alto	69,226	3.5%	\$ 4,039	\$ 20,193
San Jose	1,049,187	53.5%	\$ 61,209	\$ 306,044
Santa Clara	129,104	6.6%	\$ 7,532	\$ 37,659
Saratoga	31,030	1.6%	\$ 1,810	\$ 9,051
Sunnyvale	156,503	8.0%	\$ 9,130	\$ 45,651
Unincorporated	86,989	4.4%	\$ 5,075	\$ 25,374
Total	1,961,969	100%	\$ 114,460	\$ 572,300

Exhibit E – Estimate of Total Costs by Program Component for Each Jurisdiction

For Services from August 1, 2020 through December 31, 2020

<u>Jurisdiction</u>	<u>Fixed Costs</u>	<u>Motel Costs</u>	<u>At-Home Support</u>	<u>Financial Assistance</u>	<u>Total by Jurisdiction</u>
Campbell	\$ 12,335	\$ 17,079	\$ 20,768	\$ 49,000	\$ 99,183
Cupertino	\$ 17,370	\$ 8,540	\$ 3,776	\$ 10,500	\$ 40,186
Gilroy	\$ 16,651	\$ 34,159	\$ 30,208	\$ 77,000	\$ 158,018
Los Altos	\$ 9,006	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,822
Los Altos Hills	\$ 2,454	\$ 8,540	\$ 3,776	\$ 10,500	\$ 25,270
Los Gatos	\$ 9,171	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,986
Milpitas	\$ 22,741	\$ 17,079	\$ 20,768	\$ 49,000	\$ 109,588
Monte Sereno	\$ 1,048	\$ 8,540	\$ 3,776	\$ 10,500	\$ 23,864
Morgan Hill	\$ 13,550	\$ 34,159	\$ 30,208	\$ 77,000	\$ 154,917
Mountain View	\$ 23,998	\$ 17,079	\$ 20,768	\$ 49,000	\$ 110,846
Palo Alto	\$ 20,193	\$ 42,698	\$ 40,592	\$ 101,500	\$ 204,983
San Jose	\$ 306,044	\$ 2,305,717	\$ 2,293,920	\$ 5,670,000	\$ 10,575,682
Santa Clara	\$ 37,659	\$ 68,318	\$ 71,744	\$ 175,000	\$ 352,721
Saratoga	\$ 9,051	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,867
Sunnyvale	\$ 45,651	\$ 102,476	\$ 101,952	\$ 252,000	\$ 502,080
Unincorporated	\$ 25,374	\$ 170,794	\$ 173,696	\$ 427,000	\$ 796,864
Total	\$ 572,300	\$ 2,860,797	\$ 2,827,280	\$ 6,989,500	\$ 13,249,877

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Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

County of Santa Clara
Office of the County Executive
Office of Supportive Housing



102934

DATE: September 22, 2020
TO: Board of Supervisors
FROM: Consuelo Hernandez, Acting Director
SUBJECT: Isolation and Quarantine Support Program

RECOMMENDED ACTION

Consider recommended action related to a countywide Isolation and Quarantine Support Program.

Possible action:

- a. Approve delegation of authority to County Executive, or designee, to negotiate, execute, amend, or terminate retroactive agreement with cities within the county relating to support for a countywide Isolation and Quarantine Support Program in an amount not exceed \$13,249,877 and a contract term that starts no earlier than August 1, 2020, and ends no later than December 31, 2020, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2021.
- b. Approve delegation of authority to County Executive, or designee, to negotiate, execute, amend, or terminate retroactive agreement with Abode Services to provide direct financial payments in an amount not to exceed \$6,989,500 and a contract term that starts no earlier than September 7, 2020 and ends no later than December 31, 2020, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2021.

FISCAL IMPLICATIONS

The recommended action will not have a new negative impact to the County General Fund. If approved, the recommended action would authorize the Administration through the Office of Supportive Housing (OSH) to enter into revenue agreements with cities within Santa Clara County to contribute funding to pay for expenses related to the Isolation and Quarantine Program ("Program") administered by the County. Table 1 provides a breakdown of the costs by city for each of the three components of the program.

Table 1: Estimate of Total Costs by Program Component for Each Jurisdiction

Jurisdiction	Fixed Costs	Motel Costs	At-Home Support	Financial Assistance	Total by Jurisdiction
Campbell	\$ 12,335	\$ 17,079	\$ 20,768	\$ 49,000	\$ 99,183
Cupertino	\$ 17,370	\$ 8,540	\$ 3,776	\$ 10,500	\$ 40,186
Gilroy	\$ 16,651	\$ 34,159	\$ 30,208	\$ 77,000	\$ 158,018
Los Altos	\$ 9,006	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,822
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Milpitas	\$ 22,741	\$ 17,079	\$ 20,768	\$ 49,000	\$ 109,588
Monte Sereno	\$ 1,048	\$ 8,540	\$ 3,776	\$ 10,500	\$ 23,864
Morgan Hill	\$ 13,550	\$ 34,159	\$ 30,208	\$ 77,000	\$ 154,917
Mountain View	\$ 23,998	\$ 17,079	\$ 20,768	\$ 49,000	\$ 110,846
Palo Alto	\$ 20,193	\$ 42,698	\$ 40,592	\$ 101,500	\$ 204,983
San Jose	\$ 306,044	\$ 2,305,717	\$ 2,293,920	\$ 5,670,000	\$ 10,575,682
Santa Clara	\$ 37,659	\$ 68,318	\$ 71,744	\$ 175,000	\$ 352,721
Saratoga	\$ 9,051	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,867
Sunnyvale	\$ 45,651	\$ 102,476	\$ 101,952	\$ 252,000	\$ 502,080
Unincorporated	\$ 25,374	\$ 170,794	\$ 173,696	\$ 427,000	\$ 796,864
Total	\$ 572,300	\$ 2,860,797	\$ 2,827,280	\$ 6,989,500	\$ 13,249,877

In addition, the recommended action would authorize the Administration to enter into an agreement with Abode Services for up to \$6,989,500 to issue direct financial payments to households referred by OSH that been deemed eligible for the program.

REASONS FOR RECOMMENDATION

The County has been expanding and refining the “Isolation and Quarantine Support Program” (“Program”) as the countywide response to the pandemic has evolved. The recommended action is needed to address a backlog in the program’s implementation and scale the Pilot Program that provides Santa Clara County residents with the resources to isolate if they have tested positive for COVID-19 or quarantine if they have been in close contact with a COVID-19 positive person. While many individuals and their families can isolate or quarantine in their homes without assistance, others have situations that make isolation or quarantining difficult.

If approved, recommended action “a” would authorize the Administration to enter into revenue agreements with the 15 cities in the county. As of September 9, 2020, the City of Saratoga has approved participation in the Program. Staff from the cities/towns of Campbell, Gilroy, Los Altos, Los Altos Hills, Milpitas, Morgan Hill and San José, have agreed to bring the agreements for approval or ratification. The remaining cities are either operating their own programs or have not yet informed the Administration of their intention. The Administration will continue to work with the remaining cities should they want to participate in the County-administered program later.

Recommended action “b” would authorize the Administration to enter into an agreement with Abode Services for up to \$6,989,500 to provide direct financial assistance to households deemed eligible by the County.

Collectively the recommended action will allow the Program to scale and provide services to Santa Clara County residents living outside of the unincorporated areas.

Summary of Pilot Phase

Starting in June 2020, the County through an agreement with Sacred Heart Community Services (“SHCS”) launched a pilot Program to provide rental and financial assistance to qualified participants in need. Initially the goal was to disburse financial assistance within a week of referral. However, a review of the program implementation conducted by the Administration on August 3, 2020 revealed two factors were delaying the issuance of resources to households in need. First, the projected number of referrals significantly increased from the original projections made in May 2020. Second, the time it takes households to obtain and submit the necessary documents, such as leases, was taking longer than a week. As of August 28, 2020, of the 552 families referred to SHCS, 180 applications were in process and 219 families had not yet been contacted. To resolve the backlog and to position the program for success moving forward, the Administration through the Director of Emergency Operations Center, executed the first amendment to the agreement to resolve the backlog in providing clients with assistance. In addition, County staff managing the Program has started to contact the 219 families who have not been contacted by SHCS. Each eligible family will receive a flat payment of \$2,000, which is approximately the County Living Wage without health or retirement benefits multiplied by 80 hours. Certain households with exceptional needs may receive an additional up to \$500 in financial assistance. County staff would be responsible for verifying the household’s eligibility and Destination Home would disburse the funds directly to the families through a subcontract with Family Independence Initiative.

Delegation of Authority

While delegations of authority are discouraged except under certain circumstances, this delegation is needed because it allows the Administration to enter into revenue agreements with the cities as each agency is able to process its agreement instead of bringing each or groups of agreements back to the Board for approval. In addition, the recommended action is needed so that OSH can quickly amend the contract with Abode Services to include cities that opt into participating in the Program and allows the Administration to extend the contract if the expenditure deadline for the Coronavirus Relief Fund (CRF) is extended beyond December 30, 2020.

CHILD IMPACT

The recommended action will have a positive impact on children and youth in families who are unable to isolate at home.

SENIOR IMPACT

The recommended action will have a positive impact on seniors. Over the course of the contract period, the program will assist households, including those with seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

BACKGROUND

The countywide Case Investigation and Contract Tracing Team (CICT) developed a process to refer cases and contacts to an isolation and quarantine support program when needed. In June 2020, the Administration through the Emergency Operations Center (EOC) launched a pilot Program primarily to serve residents of the unincorporated areas.

The Program includes three primary components; 1) Motel Component; 2) At-Home Support; and 3) Rental and Financial Support.

1. Motel Component: The first component consists of a motel with supportive services for cases and contacts who cannot safely isolate or quarantine at home or who do not have a home. In addition to typical motel management staff and services, the motel is staffed by a combination of personnel from the County, a community-based organization, and a private security company. At this hotel, the County offers limited case management services, three meals per day and laundry services. Medical and behavioral health staff perform wellness checks weekly and connect individuals to social services, medical and behavioral health services based on their needs. Transportation to and from the motel to initiate or conclude isolation or quarantine can be provided. Once the isolation or quarantine period is complete, the Program staff assist participants to return to their homes or transition to appropriate and available congregate and non-congregate shelter settings.

As of September 11, 2020, the County has placed 384 households (cases and contacts) in a motel. As of September 11, 2020, 20 rooms out of 118 are in use with seven placements pending.

2. At-Home Support: Since mid-June, the second component of the Program has been available to Santa Clara County residents. The second component provides support services for persons who can isolate and quarantine at home, but who need some assistance. The supportive services are similar to what is provided at the motel. Thus far, most participating households need help buying groceries and cleaning supplies. Since September 11, 2020, the Program has provided some level of assistance to help 171 households isolate or quarantine at home.

Thus far, neither assistance with childcare nor eldercare has been identified as a need. Typically, cases or contacts with minor children will isolate or quarantine together. The EOC has alerted the Department of Family and Children's Services to the potential need for help with an emergency placement of minors if a parent or guardian is incapacitated or hospitalized because of COVID-19. In the event that elder care services are needed, those services could be provided through the Institute on Aging's Community Living Connection program which is partially funded by the County.

3. Rental and Financial Support: The third component of the Program is rental and financial assistance specifically for individuals and families participating in this Program. Each household may be eligible for up to \$5,000.

This service is available to households who need to use a hotel and to households who can isolate or quarantine at home. On June 15, 2020, per resolution number BOS-

2020-19 and consistent with Board direction, the Administration executed an agreement with SHCS through the Director of Emergency Operations Center to provide rental and financial assistance to qualified participants in need.

As of August 28, 2020, the County has referred 552 families to SHCS to provide rental and financial assistance. SHCS determines eligibility, verifies need, and issues the financial assistance. The financial assistance is paid directly to the vendor (i.e., landlord, utility company). Households must have household income of less than 80% Area Median Income to be eligible for rental assistance (e.g. a family of four with an annual income of \$112,150 or lower). In addition, households must provide documentation that verifies the need and amount needed. For example, for rental assistance, the household may have to provide a copy of the lease and notice to pay rent or quit. These requirements are necessary because the County has used Community Development Block Grant funds for rental and financial assistance.

Other Key Services

In addition to the services described above, the Program prioritizes connecting individuals to safety-net services, including services which were expanded in response to the pandemic. Program staff can assist (eligible) cases or contacts access or sign up for General Assistance, CalWORKs, Medi-Cal, CalFresh, or other benefit programs administered by the County. While Program staff cannot authorize these benefits directly, the County's Department of Employment and Benefit Services has assigned an Eligibility Supervisor to: a) receive referrals directly from Program staff; b) immediately contact the case or contact to help them apply for the appropriate program; and, c) when appropriate, approve applications for assistance.

For workers who need additional assistance understanding or accessing resources provided through the California Employment Development Department (EDD), such as unemployment insurance, Program staff facilitate a connection to the County's COVID-19 Assistance Navigation Hotline (CAN-19 Hotline). The CAN-19 Hotline assists in English, Spanish, Vietnamese and Mandarin.

Having SHCS administer an important component of the Program also helps participating households access other rental and financial assistance programs through SHCS or other Emergency Assistance Network (EAN) agencies. SHCS coordinates the countywide Homelessness Prevention System, which is also partially funded by the County. In addition, SHCS and the other EAN agencies may be able to provide the households with other types of assistance, like food, when their isolation or quarantine periods end.

CONSEQUENCES OF NEGATIVE ACTION

The County will be unable to recover expenses incurred to provide assistance to households living outside of the unincorporated County areas.

STEPS FOLLOWING APPROVAL

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith
Agenda Date: September 22, 2020

Upon approval, the Clerk of the Board is requested to send email notification to Consuelo Hernandez and Hong Cao of the Office of Supportive Housing.

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

Home Isolation & Quarantine Guidelines

Isolation and Quarantine Steps for People Before and After COVID-19 Diagnostic Test Results

There are a number of reasons why you may need to be tested for COVID-19: (1) because you have symptoms of possible infection, (2) because you were in close contact with someone who was infectious with COVID-19, or (3) because you are in a job that recommends or requires testing. The directions below will help you to determine what you should do while you are waiting for your diagnostic test results, and what to do after your test results are available.

What to do while you're waiting for test results:

(1) If you have any COVID-19 symptoms*, follow the Isolation Steps while you are waiting for results.

**COVID-19 symptoms include:*

- Fever or chills • Cough • Shortness of breath or difficulty breathing • Sore throat
- Muscle or body aches • Fatigue • Nausea, vomiting, or diarrhea • Headache • Loss of taste or smell

(2) If you have no symptoms but were in CLOSE CONTACT with a person who was infectious with COVID-19, follow the Quarantine Steps while you are waiting for your test results.

(3) If you do not have COVID-19 symptoms and are not a close contact, you just need to wait for your test results. You do not need to follow Isolation or Quarantine Steps.

CLOSE CONTACT of a COVID-19 positive person = someone who was within 6 feet of the infected person for at least 15 minutes at any time beginning 2 days before the infected person had symptoms or tested positive. Close contacts include people who had 15 minutes of continuous contact with the infected person, as well as people who had repeated short-duration interactions with the infected person. Being considered a close contact does not depend on whether the contact or the infected person was wearing a face covering during their interaction.

What to do after you get your test results:

If you test COVID-19 positive, follow the Isolation Steps.

If you test negative AND:

1. You were a close contact of a COVID-19 positive person
⇒ continue to **follow the Quarantine Steps**.
2. You have COVID-19 symptoms* but are not a Close Contact ⇒ **follow Isolation Steps** until 24 hours after resolution of fever and improvement of other symptoms (unless otherwise directed by the Public Health Department or a physician to stay home for longer)
3. You were not a close contact and have no COVID-19 symptoms ⇒ you can resume your regular activities.

Restrictions & Information that Apply to BOTH Home Isolation & Home Quarantine:

Separate yourself from others:

- Stay at home except to seek medical care.
- Do not use public transportation.
- Separate yourself from others in your home.
- Do not prepare or serve food to others.
- Limit contact with pets.
- Do not allow visitors.
- Do not go to work, school, or public areas.

If you cannot meet the requirements for Isolation or Quarantine, you can call the COVID-19 Support Team at 408-885-3980 to request assistance with housing, food, or other needs.

Prevent the spread:

- Wear a mask and cover your coughs and sneezes.
- Clean and disinfect all "high-touch" surfaces every day.
- Wash your hands often.
- Do not share household items.

Practice homecare:

- Rest and drink plenty of fluids.
- Seek medical care if you develop symptoms or your symptoms get worse.
- Seek medical care if you experience: difficulty breathing, inability to keep fluids down, dehydration, or confusion.
- Call ahead before seeking medical care, notify the provider you are under isolation, and wear a mask at all times.

Home Isolation Steps	Home Quarantine Steps
If you have been diagnosed with COVID-19 or you are awaiting COVID-19 test results, you must follow the Home Isolation Steps to prevent the spread of disease. <u>Stay home until you have recovered and are not infectious</u> - Most people with COVID-19 have mild illness and can recover at home. - Monitor your symptoms closely and seek medical care if symptoms worsen, especially if you are at a higher risk of serious illness¹. - If you have symptoms, you can be with others after: At least 10 days since symptoms first appeared, AND 24 hours with no fever (without use of fever-reducing medication) AND - Improvement in symptoms - If you have no symptoms, you can be with others after: 10 days have passed since your first positive test was collected Note: If you are severely immunocompromised or ill, your doctor may recommend a longer isolation period. <u>Close Contacts</u> - If you have a test confirmation or doctor's diagnosis of COVID-19, then everyone who you had close contact with from 48 hours before your symptoms began until you self-isolated should follow the Home Quarantine Steps. Please share this document with them. To request help in notifying your Close Contacts without revealing your identity to them, please call 408-970-2870. <u>What if you cannot separate yourself from others?</u> - Anyone who continues to be in close contact with you will need to extend their quarantine until 10 days from the day you finish isolating.	If you live in a household with or had close contact with someone diagnosed with COVID-19, you must follow these Home Quarantine Steps. It can take up to 14 days to become infected with COVID-19. You must stay home and monitor your own health during this time to prevent passing infection to anyone else. <u>Stay home to see if you develop symptoms</u> You must stay home, even if you test negative, and continue to quarantine for the full 10 day period. - If you do not have symptoms, you may end quarantine after Day 10 but should continue monitoring symptoms for a full 14 days. - If you are unable to avoid close contact with the person with COVID-19, you must stay in quarantine for 10 full days after the case's isolation period. This could mean quarantine for 20 days. - If you do not have symptoms, get tested 6 or more days after last exposure to a case. If you are tested before that, get tested again 6 or more days after last exposure to a case. <u>What if you develop symptoms?</u> - If you develop any COVID-19 symptoms, and they are new symptoms that you do not usually have in daily life, then you may have COVID-19, and you must follow the Home Isolation Steps (to the left). - Get tested immediately. - If positive, continue to follow Home Isolation Steps - If negative and the test was earlier than 6 days after last exposure to case, get tested again towards the end of your quarantine period. - If negative and the test was done 6 or more days from the last exposure to the case, no additional testing is needed, but you must remain in quarantine for a full 10 days. <u>Which groups should seek additional information on the period of their quarantine?</u> - Certain workers² should consult with their employer, who may contact the Public Health Department for additional guidance.
¹If you are 60 years or older or have a condition such as heart, lung, or kidney disease, diabetes, high blood pressure, or a weakened immune system, you are at higher risk of getting more seriously ill.	
²Workers with special quarantine considerations: Consult your employer if you are considered a first responder or healthcare worker <u>and</u> compliance with the Public Health Department's isolation and quarantine guidance would compromise the continuity of service of your operation or department. See COVID-19 Quarantine Guidance for Healthcare Workers During Critical Staffing Shortages.	



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Gina Paolini, Interim Principal Planner
APPROVED BY: City Manager

APPROVE GOVERNMENT CODE 65915 DENSITY BONUS CONCESSIONS FOR A 100 PERCENT AFFORDABLE HOUSING PROJECT (SR2020-0023 WATSONVILLE-HORDNESS)

RECOMMENDATION(S)

Adopt resolution approving the request for the following affordable housing concessions, pursuant to Government Code:

1. Increase in floor area ratio;
2. Reduction in on-site parking;
3. Reduction in common open space; and
4. Increase in building height.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Diversity and Inclusiveness

2020-2021 Strategic Priorities

Affordable Housing and Homelessness

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

Project Description

A0702 Morgan Hill, L.P. has submitted Design Review and Tentative Parcel Map applications. The project applicant will be requesting a Green Parking Exemption in accordance with Zoning Code Section 18.72.070.H. through a Conditional Use Permit, which allows reduced parking lot landscaping requirements when solar panels are provided. The project is a 73-unit affordable housing development to be developed at Watsonville Road, south of Monterey Road (formerly known as the Royal Oaks Mushroom Farm). The project would dedicate 36 units to farmworker housing. Details regarding the project have been provided (Attachment 1).

This project is not requesting a density bonus; however, projects that include a certain level of affordable housing are entitled under Density Bonus law to receive concessions based on the number of affordable units and level of affordability provided within the project – the law does not require an actual increase in density. The project is committing to provide 72 units restricted between 30 percent and 60 percent of the Average Median Income (AMI). There will be one manager unit provided. This will be a 100 percent affordable project.

Concession Request

Government Code Section 65915(d)(2)(D) requires the City to grant four incentives or concessions for projects that are 100 percent affordable for lower income households (excluding managers unit), except that up to 20 percent of the total units in the development may be for moderate-income households. Concessions are considered waivers or reductions in development standards, such as height limitation, setback requirement, a floor area ratio (FAR), on-site open space requirement or a parking ratio. This project is entitled to four concessions or incentives, and has requested the following four concessions:

- a. Increase in FAR: 0.68 FAR proposed (0.50 maximum allowed);
- b. Reduction in parking requirements: 140 parking spaces provided (204 required);
- c. Reduction in common open space: 23,840 square feet provided (24,176 square feet required) and,
- d. Increase in height limitation: 45 feet (35 feet maximum allowed).

A link to the site plan and elevations for the project has been provided to demonstrate how the project has been designed with the requested concessions (Attachment 2). Additional details have been provided by the applicant showing how the project design would provide an actual cost reduction to provide for the affordable housing and if required to build in accordance with City requirements, it would physically preclude building the project at the desired density (Attachment 3).

Pursuant to Government Code 65915 (d)(1) the City must grant the concessions or incentives unless the City makes written findings, based upon substantial evidence, of any of the following:

- a. The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents of the targeted units to be set as specified in subdivision (c).
- b. The concession or incentive would have a specific, adverse impact, as defined in paragraph 2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
- c. The concession or incentive would be contrary to state or federal law.

These findings cannot be made for the project; therefore, the concession request should be granted by the City Council (Attachment 4).

COMMUNITY ENGAGEMENT: Inform

A project development web page has been created on the City website to inform the public of the project application. A site plan and project elevations have been provided for public review. The City will continue to inform the public through the public engagement process as the Design Review permit is processed.

ALTERNATIVE ACTIONS:

Government Code Section 65915(d)(2)(D) requires the City to grant four incentives or concessions for projects that are 100 percent affordable unless findings for denial can be made. For this project, findings for denial cannot be made; therefore, there is no alternative action.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None.

FISCAL AND RESOURCE IMPACT:

The City development review functions are cost-recovery, with the fees collected from applicants to cover cost of services. These fees have been collected.

California Environmental Quality Act (CEQA):

A project level environmental assessment will be prepared for the project in conformance with the California Environmental Quality Act. The environmental analysis will be considered during the Design Review permit phase of the project.

LINKS/ATTACHMENTS:

1. Project Narrative and Statement of Operations
2. Site Plans and Elevations (weblink)
3. Exceptions, Concessions, Design Waiver
4. Resolution

PROJECT NARRATIVE

A0702 Morgan Hill, L.P. submits for approval the application to construct a 73-unit multifamily affordable community that will also include 36 units dedicated to farmworker housing situated on a 3.70 net acre site along Watsonville Road, south of Monterey Road, previously known as the Royal Oaks Mushroom Farm. The new construction multifamily project will be comprised of 72 one, two, and three-bedroom apartments for low-income families earning between 30% and 60% of Area Median Income as defined according to the Santa Clara County AMI. there will also be a 3-bedroom unit provided for an on-site Property Manager. The new development will include an approximately 3,611 sf community room that will feature a lounge, management office, a computer room, a central laundry room, and a patio overlooking the play area with a tot lot. 144 parking spaces for residence and guests will be located within the project grounds.

The three proposed three-story buildings will be comprised of stacked flat units accessed either from the ground or walk-up stairwells. Ground level units will be accessible and include 8 ADA units. Each unit (6-one bedroom, 38-two bedroom, 29-three bedroom) will include private balconies or patios, Energy Star appliances, quartz or granite counters, and dedicated net metered solar photovoltaic. The elevations will primarily comprised of Hardiplank siding with a variation of exterior colors, and also include a stone veneer and metal siding. The roof will have a variety of pitches and height levels.

The proposed development is located in the City of Morgan Hill's Mixed-Use Flex Zoning District, with a PD zoning. A0702 Morgan Hill, L.P. is submitting under the entitlement guidelines of the SB330 program; and as an affordable project, will request 3 concessions. 1) Parking at the State levels for affordable projects, 2) an increase in the height of the structures beyond the zoning, 3) a higher F.A.R. than in the Mixed Use Flex zoning. A design waiver will be requested to address the design standard, orientation to the street, to have entries away from street frontage. Details of the requested Exceptions, Concessions, and Design Waiver are further described in: 1m Exceptions, Concessions, Design Waiver.

Entitlement approvals are anticipated by January 2021 in order to be able to qualify for the special allocation of State tax credits that are anticipated to be fully subscribed in the first funding round. It is anticipated the tax-exempt bond application which will include and separate application

Federal and State tax credit will occur early January 2021. The allocation of bonds and tax credits will occur in April, with anticipated financial closing and initiation of construction in August 2021. Completion of construction will occur in October 2022.

STATEMENT OF PROJECT OPERATIONS

The Crossings on Watsonville Road will have 1 full-time on-site property manager, and 1 full time service provider. Staff hours will generally be 9a-5p Mon-Fri with evening and weekend hours as needed. The project anticipates 10-25 visitors per day including friends, family, food delivery and service providers. 144 parking stalls will be provided for the 73 units. From experience, family communities typically park at 1.73 spaces per unit or 126 spaces based on the number of units of the Crossings on Watsonville Road. There are not any planned hazardous materials that will be used or stored regularly on-site.

Requested Exceptions and Design Waiver for Royal Oak Village

The Royal Oak Village is requesting four(4) Exception/Concessions, a Conditional Use Permit, and Design Waiver. Without the F.A.R exception, the economic viability of the project would be reduced. The concessions of State Parking Levels and the increase in Height levels, enhance the quality of the project aesthetically and functionally. The Entry Orientation Design Waiver request has some economic benefit, but more so, increases safety and convenience to the tenants.

1) SB 1818 Parking Levels

Under SB 1818 Section 65915 (p)(1)(A&B) the maximum allowable affordable housing development vehicle ratio, inclusive of ADA and guest parking, is: Zero to One Bedroom: One onsite parking space. Two and Three Bedroom: Two onsite parking spaces.

As calculated, the State Affordable Vehicle Ratio for the Crossings on Watsonville is a total of 140 vehicle spaces based on the unit mix of 6-one bedroom units, 37-two bedroom units, 28-three bedroom units. The number of spaces provided by the Project is 140 parking spaces.

Further exceeding the ratio and adding parking spaces will be at the cost of a reduction of project common open space.

Pursuant to SB 1818, the Project requests parking levels in line with the State vehicle ratio.

2) Increased Height Level:

The Project is requesting an increase to the maximum height of the building. As designed with gabled roofs, the maximum roof height of the buildings is at 45 feet, occurring at the centralized core of the three-story buildings. Other third level roof lines are at a maximum height of 42 feet. Combined, the multiple roof lines provide articulation and multiple massing sections of the structures.

While a lower height level is attainable, it would require a significantly reduced gabled roof pitch, or a flat roof. Besides completely changing the architectural look of the building, flat and minimal pitch roofs are more prone to moisture penetration in the long term.

For architectural articulation and massing, and long-term maintenance, the Project requests an Exception to increase the maximum height of the building.

3) F.A.R. Exception:

The Zoning and General Plan are noted as Mixed Use Flex. Allowable density is 7-24 unit to the acre, with the project at 19.73 units to the acre. The Project F.A.R. is .68 The allowable F.A.R. for the MUF zoning is .50. To achieve a F.A.R. of the zoning, the project would need to combine a reduction of the number of units by 14 units and reduce solar paneled, carport spaces, both which would reduce the economic viability of the project. It would also increase the cost per door of the project as fixed site and improvement of Watsonville Road would be over 59 units, instead of 73 units.

Financially, the cost per door would increase by \$49,459, the project would have a financial gap of \$1,720,293 as a result of less permanent debt and funding sources, and impact fees collected by the City of Morgan Hill would be reduced by \$546,000.

The Project is requesting a concession of the F.A.R to be higher than the F.A.R. of the zoning to maintain the economic viability and higher levels of energy efficiencies.

4) Common Open Space Area:

Initially, the project attained this 15% common open space requirement by our calculations, exceeding the minimum 24,176 sf for the 3.7 net acre site. As a result of adding future EV charger spaces and access, open space was reduced to maintain the State level 140 spaces. Adjusted estimated project common open space is 23,840 sf.

Conditional Use Permit:

The project has taken steps to increase landscape parking fingers to add trees. Yet with the 73 parking spaces covered by solar roof carports, the placement of trees at the landscape fingers has a direct negative impact on the solar generation.

Since the parking lot incorporates solar panels and bioswales, the project is eligible for reduced parking lot landscaping requirements with the approval of a conditional use permit and requests this CUP based on the “Green Parking Exemptions”.

Design Waiver Request:

Only Building B has units (4) that front Watsonville Road. Accessibility is from the parking area to units through two centralized stairwell corridors. Providing access from Watsonville Road, either through the stairwell corridor, or at the patios that front Watsonville Road, would require multiple staired paths and multiple ramps to account for the elevation increase of the building from the street. Additional access points from Watsonville Road will also reduce security/eyes on entries. Access through the stairwell corridor will also eliminate the 6 long term and 6 short term bike storage areas. As a result of the additive costs of estimated at \$30,000, reduced bike storage, and reduced security, we request a Design Waiver on this standard.

RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL GRANTING FOUR CONCESSIONS FOR THE WATSONVILLE-HORDNESS PROJECT, A 73-UNIT AFFORDABLE HOUSING DEVELOPMENT TO BE LOCATED AT WATSONVILLE ROAD, SOUTH OF MONTEREY ROAD (APN: 779-04-075).

WHEREAS, A0702 Morgan Hill, LP has requested four concessions for the 100 percent affordable housing development including a parking reduction, increase in floor area ratio, reduction in common open space and increase in building height.

WHEREAS, the Project is an affordable housing development project that includes 100 percent affordable rental units for lower income households (excluding managers unit) of up to 60 percent AMI.

WHEREAS, pursuant to Government Code Section 65915(d)(2)(D), the Project is allowed up to four concessions.

WHEREAS, none of the findings for denial of the concessions required by Government Code Section 65915(d)(1) are supported by substantial evidence.

WHEREAS, the Watsonville-Hordness Affordable Housing development project to be located at Watsonville Road, south of Monterey Road and identified by Assessor's Parcel Number 779-04-075 will provide a public benefit of a 100 percent affordable housing and will be deed restricted for 55 years, or the four concessions granted for a parking reduction, increase in floor area ratio, reduction in common open space and increase in building height will become null and void.

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

Section 1. The City Council does hereby find that the foregoing recitals are true and correct.

Section 2. The Project is consistent with the Zoning Ordinance and General Plan.

Section 3. The City Council of the City of Morgan Hill hereby grants the density bonus and the four concessions for the Watsonville-Hordness Affordable Housing development project.

Section 4. 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 20th day of January 2021 by the following vote:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 21-0xx, adopted by the City Council at a regular meeting held on January 20, 2021.

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

DATE: _____

MICHELLE BIGELOW, City Clerk

DRAFT



Meeting Minutes City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Mayor Pro Tem
Gino Borgioli - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, December 16, 2020 7:00 pm

Virtual Meeting

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 pm and welcomed new City Council Member Gino Borgioli.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

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

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

PRESENTATIONS

YAC Presentation- Asset # 40- Positive Views of Personal Future

Minutes Acceptance: Minutes of Dec 16, 2020 7:00 PM (CONSENT CALENDAR)

RECOGNITION

Assistant City Manager Leslie Little

Public comment opened and the following people were call to speak:

Nanette Mocano

Elyse Little

Frank Leal

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

ETHICS ACKNOWLEDGEMENT

MORGAN HILL ETHICS POLICY

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentation. She provided an update on the DePaul Health Center. She then shared that the City sent the County a letter regarding VTA and Measure B. The City continues to articulate that we are opposed to any changes in Measure B funding that would take away the funding for our local streets and roads. The City also sent a letter to our legislative representatives, requesting support for a stimulus package. It was a call to action on this package to address the severe impacts that have been endured by local governments from the COVID-19 pandemic. She gave an update regarding the Downtown businesses and the Curb Side Pick-up Program.

She announced that effective January 1, 2021, Edith Ramirez will be the City's new Assistant City Manager.

Public comment opened and the following people were called to speak:

Armando Benavides

Roberto Aguirrez

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

PUBLIC COMMENT

Public comment opened at 8:19 pm. The following people were called to speak:

Nicholas Kuwada

Roberto Aguirrez

John Bendick

There being no further requests, public comment closed.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that there was no reportable action from the closed session items from the December 2, 2020 City Council Agenda. He also shared that we normally talk about new legislation in January, however, there is a new piece of legislation that affects the Brown Act and goes into effect on January 1st. The new legislation means that Council Members cannot comment on communications made, posted or shared on an internet based social media platform by other members of the Council. Council Members should not comment on each other's social media posts and should refrain from liking (or thumbs up) posts about items that may come before the City Council. As of January 1st, it is ok to comment on social media posts (other than other Council Members') but liking posts could be concerning if a majority of the Council ends up liking a post.

The meeting recessed at 8:26 pm and reconvened at 8:35 pm.

ADOPTION OF AGENDA

MOTION:

Adopting the agenda removing item 2.

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

CONSENT CALENDAR**MOTION:**

Approving consent calendar items 1 and 3 through 5.

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

1. APPROVE IMPROVEMENT AGREEMENT WITH VCBLA NIDO, LLC (VOICES CHARTER SCHOOL)

Recommendation:

1. Approve and authorize the City Manager to execute and administer an Improvement Agreement with VCBLA NIDO, LLC; and
2. Authorize the recordation of the Improvement Agreement.

2. APPROVE THE FINAL MAP AND SUBDIVISION IMPROVEMENTS AGREEMENT FOR JASPER - TRACT NO. 10545

Recommendation:

1. Approve the Final Map;
2. Approve and authorize the City Manager to execute the Subdivision Improvements Agreement with City Ventures Homebuilding, LLC, Monterey Morgan Hill, LLC, and Dobby MMH LLC; and
3. Authorize the recordation of the Final Map and Subdivision Improvements Agreement.

Item pulled from the agenda.

3. APPROVE CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2021

Recommendation:

Approve 2021 City Council meeting schedule.

4. APPROVE THE DECEMBER 2, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

5. APPROVE THE DECEMBER 9, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

6. SELECT CITY COUNCIL MAYOR PRO TEMPORE

Recommendation:

1. Open floor to nomination(s) for Mayor Pro Tempore; and
2. Select a Council Member to serve as Mayor Pro Tempore per City Council Policy 99-01.

City Clerk Michelle Bigelow provided the report.

Public comment opened at 8:40 pm.

There being no requests to speak, public comment closed.

MOTION:

Appointing Council Member McKay as Mayor Pro Tem for 2021.

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

CONTINUED PUBLIC HEARING

7. INTRODUCE ORDINANCE AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN (ZA2020-0001: MUNICIPAL CODE AMENDMENT)

Recommendation:

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

Principal Planner Adam Paszkowski provided a presentation and report.

The public hearing opened at 9:09 pm.

Joe Baranowski was called to speak.

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

MOTION:

Waiving the first and second reading and amending the ordinance to move Vehicle Storage Use and Salvage/Wreckage into the Vehicle Related Use Section.

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

MOTION:

Introducing the ordinance and amending the ordinance to move Vehicle Storage Use and Salvage/Wreckage Use into the Vehicle Related Use Section.

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

PUBLIC HEARING

8. APPROVE A DESIGN PERMIT FOR A NEW TWO-STORY 6,600 SQUARE FOOT BUILDING FOR THE USE OF AN ART GALLERY ON THE SOUTHWEST CORNER OF 2ND STREET AND MONTEREY ROAD. (DESIGN PERMIT NO. SR2020-0024: MONTEREY - MCCRANIE).

Recommendation:

Adopt resolution approving a Design Permit for a 6,600 square foot, two-story commercial structure.

Associate Planner Tiffany Brown provided a presentation and report.

The public hearing opened at 10:07 pm. The following people were called to speak:

Mark Oberholzer and Sean Martino spoke on behalf of the applicant

Kathy Sullivan

Brian Sullivan

Doug Hall

Roger Knopf

David Dindak

Brittney Sherman

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

MOTION:

Approving the recommended action considering Council Member Martinez Beltran's recommendations on the front view.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gino Borgioli, Council Member
SECONDER:	Yvonne Martinez Beltran, Mayor Pro Tem
AYES:	Constantine, Martinez Beltran, Borgioli, McKay, Spring

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Spring requested a conversation on Downtown parking.

ADJOURNMENT

There being no further business, the meeting adjourned in honor of outgoing Assistant City Manager Leslie Little and Gemma Abels at 10:54 pm.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ADOPT RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY FROM GARCIA FOR THE HALE AVENUE EXTENSION PROJECT

RECOMMENDATION(S)

1. Adopt Resolution of Necessity determining that the public interest and necessity require the acquisition by eminent domain of real property from Rocke and Glenda Garcia as identified in Exhibit A for the Hale Avenue Extension Project; and
2. Authorize the City Attorney to file suit in eminent domain with respect to said property.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Infrastructure

2020-2021 Strategic Priorities

Fiscal Sustainability
Transportation

GUIDING DOCUMENTS

Bikeways
Trails
Parks
and Recreation Masterplan
Morgan Hill 2035 General Plan
Water System Master Plan

REPORT NARRATIVE:

Background

The Hale Avenue Extension project was formally known as the Santa Teresa “Gap Fill” project because when completed, it would fill a gap in the Santa Teresa corridor allowing for a north-south alternative to Monterey Road. The limits of the Hale Avenue Extension project are Main Avenue at the north end and Spring Avenue at the south end (Attachment 1). The project is designed as a two-lane roadway with a median, bike lanes, and a pedestrian walkway, in conformance with the City’s multi-modal arterial standard. This reach of roadway has been a planned arterial since the 1960’s.

The City continues to actively pursue fee title for two remaining properties for the Hale Avenue Extension project. The two properties are owned by (1) Pacific Gas & Electric Company, and (2) Glenda and Rocke Garcia. The City filed for eminent domain on the PG&E property in 2018 and obtained the rights to construct the project by Court order in

July 2019. Staff is still coordinating with PG&E to resolve the final compensation amount. In 2018, City Council approved a Purchase and Use Agreement (PUA) with the Garcia's for property needed to construct the Hale Extension project, which is the subject of this staff report (Attachment 2).

In March 2017, the City notified the fee owners, Glenda and Rocke Garcia, that their property was required for the Hale Avenue Extension Project. On August 17, 2017, the City made an offer to the fee owners for the appraised value of \$3,563,200, which consisted of 4.09 acres of fee property. At that time, the Garcia family rejected the City's offer. However, the fee owners did allow the City to move forward with construction of the project through a Purchase and Use Agreement (PUA). A condition of the PUA states, in the event an agreement for purchase is not reached within six (6) months of the effective date of the agreement, the City shall have the right to proceed with eminent domain to acquire title to the parcel. It has been well over a year now, and the property owners and the City have not reached an agreement on the value of the property. Thus, staff and the fee owners recommend that the eminent domain process be used to resolve the value of the property. The property owner's representative has informed City staff that they agree with moving forward with eminent domain.

The Hale Avenue Extension construction contract was awarded to DeSilva Gates Construction LP on November 18, 2020 and the anticipated start date is approximately April 1, 2021. Construction is mainly funded by the Santa Clara Valley Transportation Authority's Measure B initiative in the amount of \$16.5 million. With the Purchase and Use Agreement in place the proposed action in this report has no impact on construction of the project.

Resolution of Necessity:

On December 22, 2020, a notice was sent to the owner of record, Glenda and Rocke Garcia, notifying them that a hearing is scheduled on January 20, 2021 before the City Council of Morgan Hill to consider the adoption of a Resolution of Necessity determining the following issues for the property:

1. Whether the public interest and necessity require the project.

Discussion: The Hale Avenue extension is identified in the City's General Plan Circulation Element, Goal 4 as a high priority project based on significant traffic congestion relief for the citizens of Morgan Hill. The project is also included in the County's "2008 Comprehensive County Expressway Planning Study" and the "2016 Measure B" program. The project itself allows for a continuous north/south arterial roadway on the west side of the City, which also reduces vehicle emissions by creating a more direct route while reducing traffic on local streets. The roadway also provides a regional benefit to our north and south neighboring communities. In addition to the roadway, the project will also provide bike lanes and a landscaped pedestrian pathway.

2. Whether the project is planned and located in a manner that would be most compatible with the greatest public good and the least private injury.

Discussion: The first plan line for the Santa Teresa corridor was recorded in 1964. A second plan line was subsequently developed in 1994 but was never officially adopted. More recently, the City adopted the Hale Avenue Plan Line and a Final Environmental Impact Report. The roadway alignment through the Garcia parcel is such that it will occupy the entire parcel. Alternatives were considered; however, this alignment minimizes impacts and maximizes the public benefits.

3. Whether the property sought to be acquired is necessary for the project.

Discussion: The property being sought is located within the Hale Avenue Plan Line alignment, which was adopted by City Council on August 23, 2017 along with the Final Environmental Impact Report. Without this property, the project cannot be constructed as designed and environmentally cleared. The entire Garcia property is needed to construct the project.

4. Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

Discussion: The title report ordered from Old Republic Title Company, updated on August 29, 2018, shows the owner of record to be W. Rocke Garcia and Glenda Garcia, husband and wife, as community property with right of survivorship. A written offer, in accordance with Section 7267.2 of the Government Code was made. On March 8, 2017, Glenda and Rocke Garcia were first notified by the City that their property was needed for the Hale Avenue Extension project. On August 23, 2017, the City made a voluntary offer to the fee owners in the amount of \$3,563,200 based upon a Member Appraisal Institute (MAI) certified appraisal for 4.09 acres of fee title land.

On October 3, 2018, City Council approved a Possession and Use Agreement with Glenda and Rocke Garcia for use of the property (APN 767-01-052) to allow for the construction of the Hale Avenue Extension project. As a condition of the PUA, the City deposited the probable compensation amount of \$3,563,200, which was withdrawn by the fee owners.

On April 16, 2019, a letter was received from the fee owner's attorney, Matteoni O'Laughlin & Hechtman Lawyers, concluding that the fair market price for the subject property was determined to be \$7,790,000 by their appraiser. The attorney claims the appraisal is outdated, does not consider rising real estate rates, and does not include development entitlements. The fee owner is also requesting access off the proposed Hale Avenue Extension.

On May 16, 2019, the City respectively rejected the fee owner's offer and requested proof of valuation or methodology. The fee owner would not share their appraisal or any other information regarding how they arrived at their counteroffer amount of \$7,790,000.

Staff is therefore requesting that the City Council utilize its power of eminent domain under California Government Code sections 40404 and 37350.5 and Sections 1240.010-1240.050, 1240.110, 1240.120, 1240.125, 1240.150, and 1240.220 of the Code of Civil Procedure, all of which authorize the City of Morgan Hill to acquire said property.

The owners of interest have been notified of this hearing and their right to appear and be heard regarding items 1, 2, 3, and 5 in the findings of the attached Resolution (Attachment 3). If the Resolution of Necessity is adopted, the City Attorney or Special Eminent Domain Counsel will then file the required documents with the court to commence the eminent domain action. The Resolution of Necessity must be adopted by a two-thirds Council majority. The owners have submitted a letter requesting future access off the proposed Hale Avenue Extension, however, this request is unrelated to the this Resolution of Necessity.

COMMUNITY ENGAGEMENT: Inform

Numerous community engagement and design meetings were held throughout the early planning and design phases of the project. In addition, the Environmental Impact Report (EIR) process also included opportunities for the community to provide input regarding the scope, content, and potential environmental impacts from the project.

ALTERNATIVE ACTIONS:

City Council could decide to not move forward with the eminent domain process at this time and direct staff to continue negotiations with the Garcia family. However, negotiations have stalled up to this point, thus further negotiations will likely only delay resolving this matter and expend additional City resources.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- The Hale Avenue Extension Project is included in the adopted FY 2018-19 Capital Improvement Program.
- Over the past several years the City has acquired properties from Hosseinpour, Giancola, Tran, Howard, Kerr, Betpolice, and Santa Clara County for this Project.
- On September 5, 2018, City Council adopted a Resolution of Necessity to acquire portions of two parcels from PG&E.
- On October 3, 2018, City Council approved a Possession and Use Agreement with Glenda and Rocke Garcia for fee property (APN 767-01-052) for the Hale Avenue Extension project.
- On November 18, 2020, City Council approved the construction contract with DeSilva Gates Construction LP for the Hale Extension project.

FISCAL AND RESOURCE IMPACT:

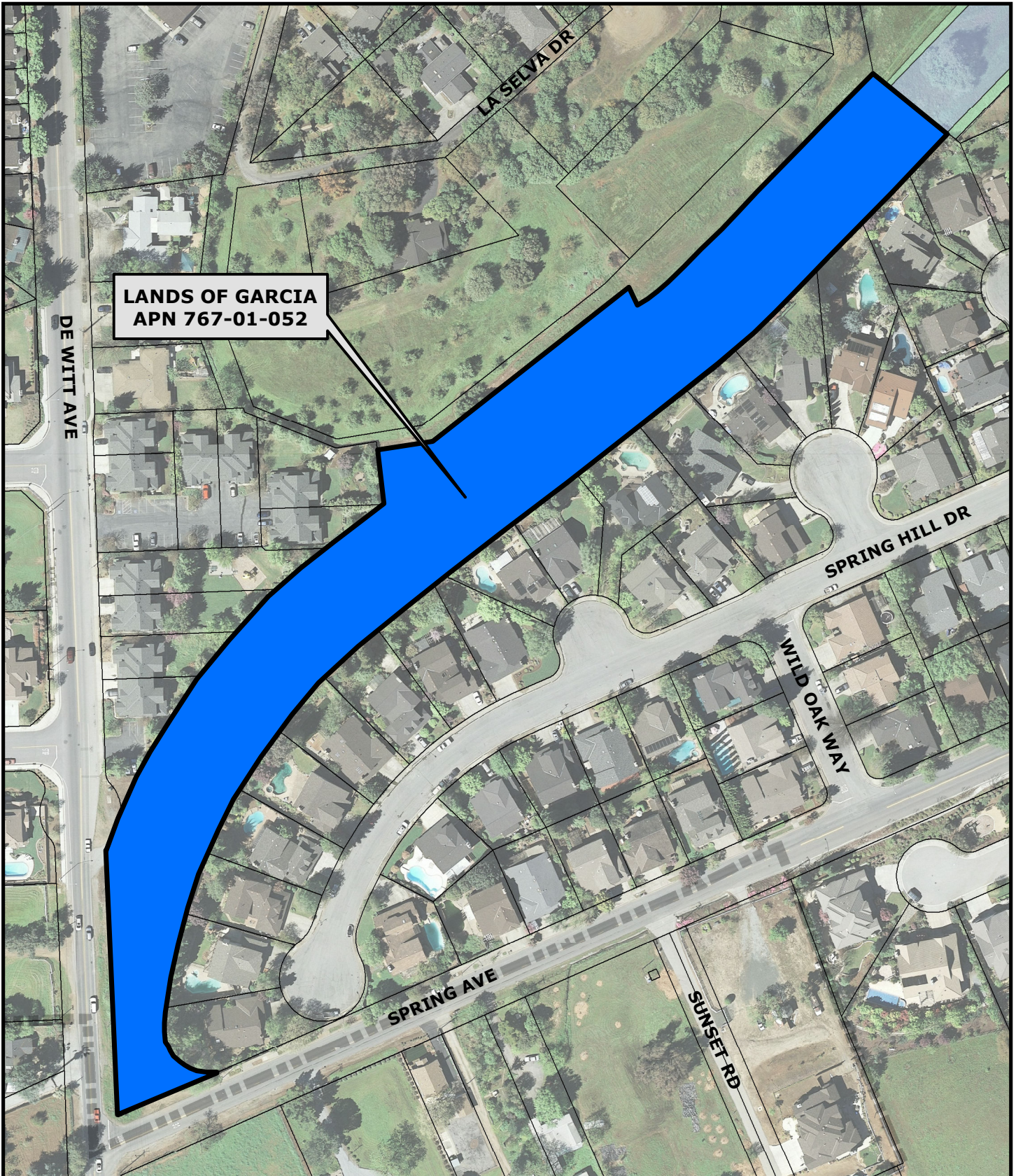
Funds in the amount of \$3,563,200 were deposited in an escrow account and were withdrawn by the property owner. The cost and resource impact of the eminent domain process will be accommodated within the City Attorney's office and its respective budget. The Hale Avenue Extension project is included in the adopted Capital Improvement Program under CIP #546007 funded by the Traffic Impact Fund (309).

CEQA (California Environmental Quality Act): Project

The City Council adopted Resolution 17-071, which certified the Final Environmental Impact Report and adopted a Mitigation Monitoring and Report Program for the Hale Avenue Extension project and the Hale Avenue Plan Line in accordance with the City of Morgan Hill's procedures for compliance with the California Environmental Quality Act (CEQA). All the environmental documents for this Project are incorporated herein by reference and made a part of this staff report and are available for review.

LINKS/ATTACHMENTS:

1. Project Location Map-Garcia
2. Garcia PUA Executed Agreement
3. Resolution-Garcia RON
4. Exhibit A to Resolution
5. Letter from Rocke Garcia



Attachment: Project Location Map-Garcia (2961 : Garcia Resolution of Necessity)



CITY OF MORGAN HILL
Engineering and Utilities Department
CIP Engineering Division

G:\R-14\Proj\GIS\John\Dave_767_01_052.mxd

SITE MAP

LANDS OF GARCIA
APN 767-01-052



0 50 100 200 300 400
 Feet

APN 767-01-052

**CITY OF MORGAN HILL
POSSESSION AND USE AGREEMENT**

This Possession and Use Agreement ("Agreement") is made on October 3, 2018, by and between the City of Morgan Hill, a Municipal Corporation ("City"), and W. Rocke Garcia and Glenda Garcia, husband and wife as community property, with the right of survivorship. ("Owner") shall be collectively referred to as the "Parties."

RECITALS

- A. City requires immediate possession and use of Owner's real property to construct a City project. Owner's property is located in the City of Morgan Hill, Santa Clara County, California, being APN No. 767-01-052, and further described in Exhibit "A" attached hereto and incorporated herein (the "Parcel").
- B. The Parcel is required for the purpose of constructing a portion of Hale Avenue Extension Project (the "Project"). The purpose of this Agreement is to allow the City to proceed with construction of the Project without delay.
- C. The Parties acknowledge and agree that any delay in the start of construction of the Project is contrary to public interest. It is the intent of City to offer fair-market compensation to Owner for permission to enter the Parcel and to construct the Project, and as consideration for the rights set forth in the paragraph entitled "Possession," below. City has made a firm written offer to pay the total sum of \$3,563,200 to Owner and any other persons having an interest in the Parcel. This amount does not include compensation for any loss of business goodwill, pre-condemnation damages, loss of rent or any other claims for just compensation except for the City's appraised fair market value of the Parcel (and, if applicable, severance damages). Owner has not accepted this offer.

OPERATIVE PROVISION

In consideration of the sum to be paid to Owner and in consideration of the foregoing recitals and the promises, covenants and any other conditions set forth in this Agreement, City and Owner agree as follows:

Possession

- a. Owner grants to City and its contractors, agents, representatives, employees and all others deemed necessary by State, the irrevocable right to exclusive possession and use of the Parcel, including but not limited to, the right to remove and dispose of any and all improvements within and/or straddling the right of way, excepting therefrom the existing underground storm drainage and sanitary sewer facilities, which shall remain in place to serve three lots adjacent to the Parcel which are currently owned by Owner. In consideration for this irrevocable grant of possession and use, City will tender into escrow the sum of \$3,563,200. City's right to possess the Parcel and begin construction of the Project shall commence on the date the sum is paid into escrow.

Just Compensation and Appraisal

b. Owner acknowledges that the sum referenced in paragraph a represents the full amount of the approved appraisal of what City believes is just compensation owed for the acquisition of the Parcel. City acknowledges that Owner believes that just compensation for the acquisition of the Parcel is more than the sum referenced in paragraph a. Should the Parties fail to reach a settlement and it becomes necessary for City to file a condemnation action to acquire the Parcel, the Parties agree the amount deposited into escrow shall not be admissible as evidence of value in such condemnation proceeding. The Parties agree that the deposit and payment under this Agreement shall be equivalent to a deposit and payment under California Code of Civil Procedure Section 1255.010 *et seq.* and a withdrawal under CCP Section 1255.210 *et seq.* and that the basis for such deposit, including but not limited to any appraisal, shall be governed by Code of Civil Procedure section 1255.060. Accordingly, the Parties agree that the amount deposited or withdrawn under this Agreement may not be given in evidence or referred to in any trial on the issue of compensation and further agree that any appraiser who prepared any report or statement concerning the deposit may not be called to testify at any such trial, unless designated by Seller as an expert pursuant to CCP Section 1258.210 *et seq.*

Escrow

c. This transaction will be handled through an escrow with Old Republic Title Company "ORTC", for the account of the Owner, Escrow No. 0625008285-LC. City shall pay all escrow fees incurred in this transaction. Owner shall be entitled to disbursement of the entire sum referred to in paragraph 1.

Owner represents and warrants, and City acknowledges that it concurs that there are no other parties having interests in the Parcel who could claim a right to any portion of the proceeds or whose consent is required for disbursement of the proceeds to Owner.

d. This escrow shall remain open until either a final settlement, or until termination of this Agreement, or until a Final Order of Condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court and recorded in the Official Records of Santa Clara County. Any sum disbursed to Owner from this escrow shall be deducted from the ultimate amount received by Owner as a result of any settlement, award, or verdict of just compensation for the Parcel.

Effective Date

e. This Agreement is effective as of October 3, 2018_(the "Effective Date"). From and after the Effective Date, Owner shall not assign, sell, encumber or otherwise transfer all or any portion of their interest in the Parcel, without first obtaining City's prior written consent.

Taxes

f. Owner agrees to submit payment, when due, to the County tax collector for all taxes and special assessments on the Parcel that are due during the period from the date of possession (as set forth in paragraph 1 of this Agreement) to the date title transfers to the City. Title transfers to the City on the date the Grant Deed or Final Order of Condemnation is recorded in the Office of the County Recorder. Owner shall not be required to pay taxes or special assessments on the Parcel on or after the date title transfers to the City. After the date title transfers to the City, the City will request that the County tax collector cancel taxes and/or special assessments for the period from the date of possession to the date title transferred to City. After the tax cancellation request is made by the City, Owner may file a claim with the County tax collector for a refund of any tax overpayment. Notwithstanding any other provision of this Agreement, no cancellation shall be made of all or any portion of any taxes that were due

prior to the date of possession but which were unpaid; escrow shall pay in a timely manner all delinquent property taxes due from the sums deposited into escrow. (California Revenue and Taxation Code Section 5084.)

Eminent Domain Proceedings

g. This Agreement is made with the understanding that City will continue to negotiate in good faith with Owner to acquire its interest in the Parcel by direct purchase. It is further understood that in the event an agreement for purchase is not reached within six (6) months of the Effective Date of this Agreement, such failure will be an acknowledgement that the negotiations to acquire the Parcel have proved futile, and City shall have the right to file a complaint in eminent domain to acquire title to the Parcel. Such complaint shall be filed within a reasonable time after the time period provided in this paragraph has expired.

h. If City begins proceedings in eminent domain, it is understood and agreed that this Agreement shall continue in effect until either a settlement is reached or a Final Order of Condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court and recorded by City.

Waiver Notice Pursuant to Code of Civil Procedure Section 1245.235

i. Section 1245.235 of the California Code of Civil Procedure requires the City of Morgan Hill, to give each person whose property is to be acquired by eminent domain notice and a reasonable opportunity to appear before the City Council and be heard on the matters referred to in section 1240.030 of the Code of Civil Procedure, which provides:

The power of eminent domain may be exercised to acquire property for a proposed project only if all of the following are established:

- i. The public interest and necessity require the project.
- ii. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- iii. The property sought to be acquired is necessary for the project.
- iv. The offer required by section 7267.2 of the Government Code has been made to the Owner or others of record.

By granting this irrevocable right to possession and use of the Parcel to City, Owner agrees to the following:

- v. Owner specifically waives the notice required by Code of Civil Procedure section 1245.235 of the hearing on the matters referred to in Code of Civil Procedure section 1240.030, and Owner shall not object to the adoption of the resolution of necessity by the City Council authorizing the taking of the property described in Exhibit "A."
- vi. Owner shall not object to the filing of an eminent domain proceeding to acquire the property described in Exhibit "A" pursuant to section g of this Agreement.
- vii. In any eminent domain action filed by City to acquire the property described in Exhibit "A," Owner shall not challenge City's right to acquire such property, and the only issue shall be the amount of just compensation for the Parcel.

Refund

j. Owner agrees that in the event the ultimate amount of any settlement, award, or verdict is less than the total of the sums paid to and withdrawn by Owner, Owner shall refund the difference including interest at the apportionment rate of interest as provided in Code of Civil Procedure Section 1268.350 to the City.

Waiver

k. Owner waives any right to challenge City's right to possess and use the Parcel in any subsequent eminent domain proceedings filed by City for the Project. Owner also waives all claims and defenses in its favor in any subsequent eminent domain proceeding for the Project, except a claim for greater compensation.

Date of Valuation

l. In the event proceedings in eminent domain are begun, the date of valuation for determining the amount of just compensation for the Parcel shall be the date City takes possession of the Parcel.

Interest

m. Compensation awarded in an eminent domain proceeding shall draw interest prior to judgment as prescribed by Section 1268.350 of the California Code of Civil Procedure. Owner shall be entitled to receive interest on any sum received as compensation for its interest in the Parcel, whether pursuant to this Agreement, a subsequent settlement or court judgment, beginning on the date City takes possession of the Parcel pursuant to this Agreement and ending on the earliest of the dates as provided in Code of Civil Procedure section 1268.320. Post-judgment interest shall be determined according to law.

Hazardous Materials

n. This Agreement does not affect or impact who is considered the "Responsible Party" for purposes of remediation of contamination under Federal and/or State Law. Each party reserves all its rights to assert any position or contention regarding the effect of contamination (if any exists on the Parcel) on the purchase price. That issue will ultimately be resolved through negotiations or at trial and this Agreement shall have no impact on that determination.

Abandonment of Proceeding

o. Under Section 1268.510 of the California Code of Civil Procedure, at any time after the commencement of proceedings in eminent domain, City reserves the right to abandon the proceeding in whole or in part.

Authority to Execute and Bind

p. Each of the Parties represents and warrants that each of the persons executing this Agreement has full and complete legal authority to do so and thereby binds the party to this Agreement.

Entire Agreement

q. This Agreement reflects the entire agreement between the Parties and shall supersede all prior or contemporaneous oral or written understandings, statements, representations or promises between the Parties concerning the matters contained herein.

Governing Law

r. This Agreement is made and entered into in the City of Morgan Hill, and shall in all respects be interpreted, enforced and governed under the laws of the State of California. The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning and not strictly for or against any of the Parties.

Successors in Interest

s. This Agreement shall be binding upon and inure to the benefit of the heirs, devisees, executors, administrators, legal representatives, successors and assigns of the Parties.

Understanding of Agreement

t. This Agreement has been negotiated in good faith and each party warrants and represents that in executing this Agreement, they are not relying upon any representation, promise, inducement or statement made in negotiation that has not been included in the terms of this Agreement.

u. Intentionally Omitted.

Severability

v. In case any part, term, portion or provision of this Agreement is determined to be illegal, invalid or unenforceable, the remaining parts, terms, portions and provisions shall remain valid, enforceable, and in full force and effect.

Amendment to Agreement

w. This Agreement may only be amended by written agreement, executed by all Parties.

Counterparts

x. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

Memorandum of Agreement

y. City may record a memorandum of this Agreement.

W. Rocke Garcia and Glenda Garcia, husband and wife as community property, with the right of survivorship

DATED: 9/18/18

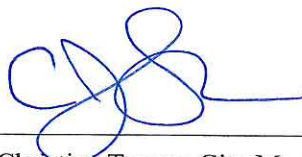
By:

W. Arlene GarciaDATED: 9-18-18

By:

Blonda Garcia**City of Morgan Hill****A Municipal Corporation**DATED: 10-29-18

By:



Christina Turner, City Manager

APPROVED AS TO FORM:DATED: 10-24-18

By:

Cynthia A. Larkin

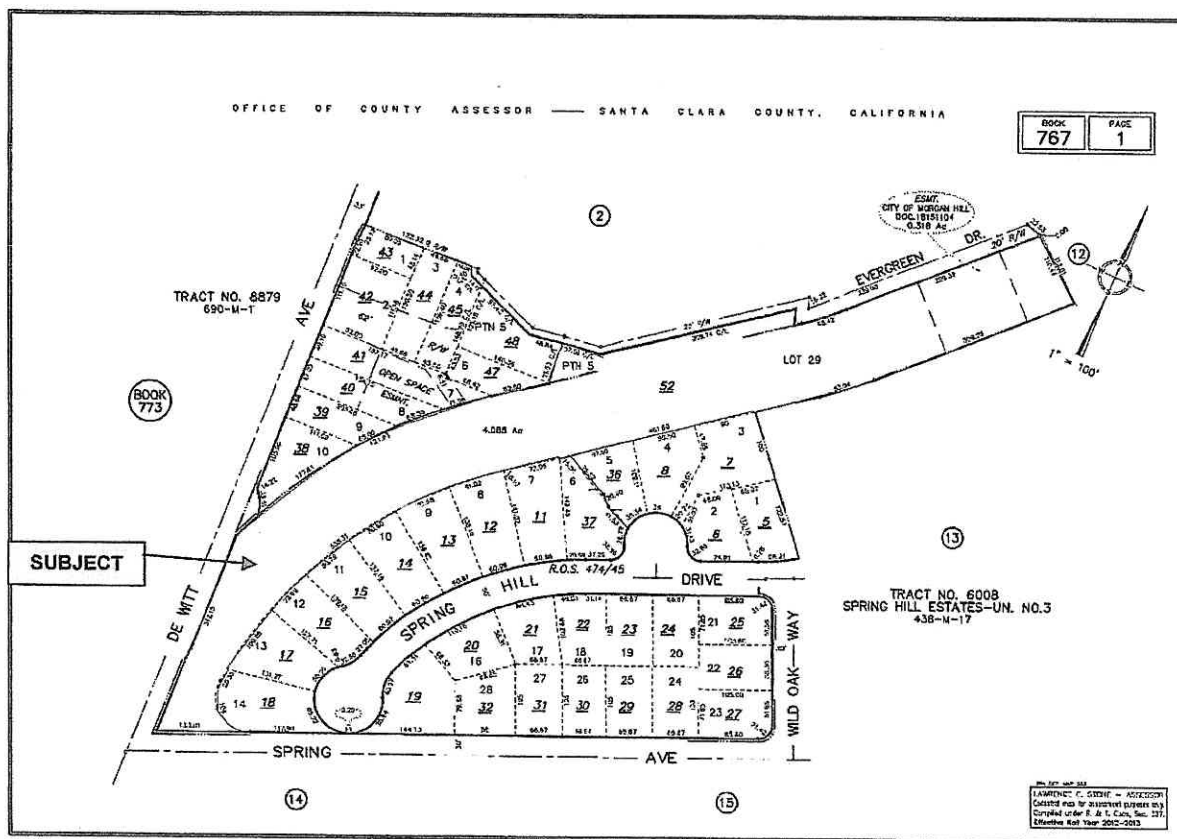
for Don Larkin, City Attorney

City of Morgan Hill
Hale Avenue Extension Project
APN: 767-01-052 – Garcia

EXHIBIT A



Assessor's Parcel Map



RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN REAL PROPERTY INTERESTS FOR A PUBLIC PROJECT (HALE AVENUE EXTENSION PROJECT), AUTHORIZING THE ACQUISITION THEREOF, DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS

WHEREAS, it is desirable and necessary for the City of Morgan Hill (hereinafter the “City”) to acquire certain real property specifically one (1) fee take from property located on the Northeast Side of DeWitt Avenue, Morgan Hill, CA, Assessor’s Parcel Numbers 767-01-052, more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, for the Hale Avenue Extension Project (“Project”); and

WHEREAS, the City is vested with the power of eminent domain to acquire real property by virtue of Article I, Section 19 of the Constitution of the State of California, Section 37350.5 and 40404 of the California Government Code, and Sections 1240.010-1240.050, 1240.110, 1240.120, 1240.125, 1240.150, 1240.220, 1240.410, 1240.610 and 1240.650 of the California Code of Civil Procedure; and

WHEREAS, On August 23, 2017, the City Council approved Resolution 17-071 which certified the Final Environmental Impact Report (EIR) and Mitigation Monitoring and Report Program that completes the CEQA requirements for this project.

WHEREAS, pursuant to the provisions of Section 7267.2 of the California Government Code, the City made an offer to the owners of record to acquire the property interests set forth in **Exhibit A** for the amount which it has established to be just compensation;

WHEREAS, pursuant to the provisions of Section 1245.235 of the California Code of Civil Procedure, notice has been duly given to Rocke and Glenda Garcia, whose property is to be acquired by eminent domain and whose name and address appears on the Santa Clara County Equalized Assessment Roll, and they have been given reasonable opportunity to appear and be heard before the City Council at the Resolution for Necessity hearing held on January 20, 2021 on the following matters:

- a. Whether the public interest and necessity require the Project;
- b. Whether said Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. Whether the fee take described and depicted in **Exhibit A** is necessary for the Project; and
- d. Whether the offer required by Government Code Section 7267.2 has been made to all owners of record.

THEREFORE, BE IT RESOLVED by the City Council of the City of Morgan Hill that it finds and determines as follows:

1. The public interest and necessity require the Project.
2. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The taking of the real property more particularly described in **Exhibit A** is necessary for the Project.
4. All environmental review required by law has been prepared and adopted.
5. The offer required by Section 7267.2 of the California Government Code has been made to the owners of record of the real property.
6. Insofar as any portion of the property has heretofore been appropriated for public use, the proposed use set forth herein constitutes a compatible use under Code of Civil Procedure Section 1240.510 or alternatively a more necessary public use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.410, 1240.610 and 1240.650.
7. The City's attorney or his or her duly authorized designee is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such actions as he or she may deem advisable or necessary in connection therewith.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 20th day of January 2021 by the following vote:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

Michelle Bigelow, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No.21-XXX, adopted by the City Council at the meeting held on January 20, 2021.

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

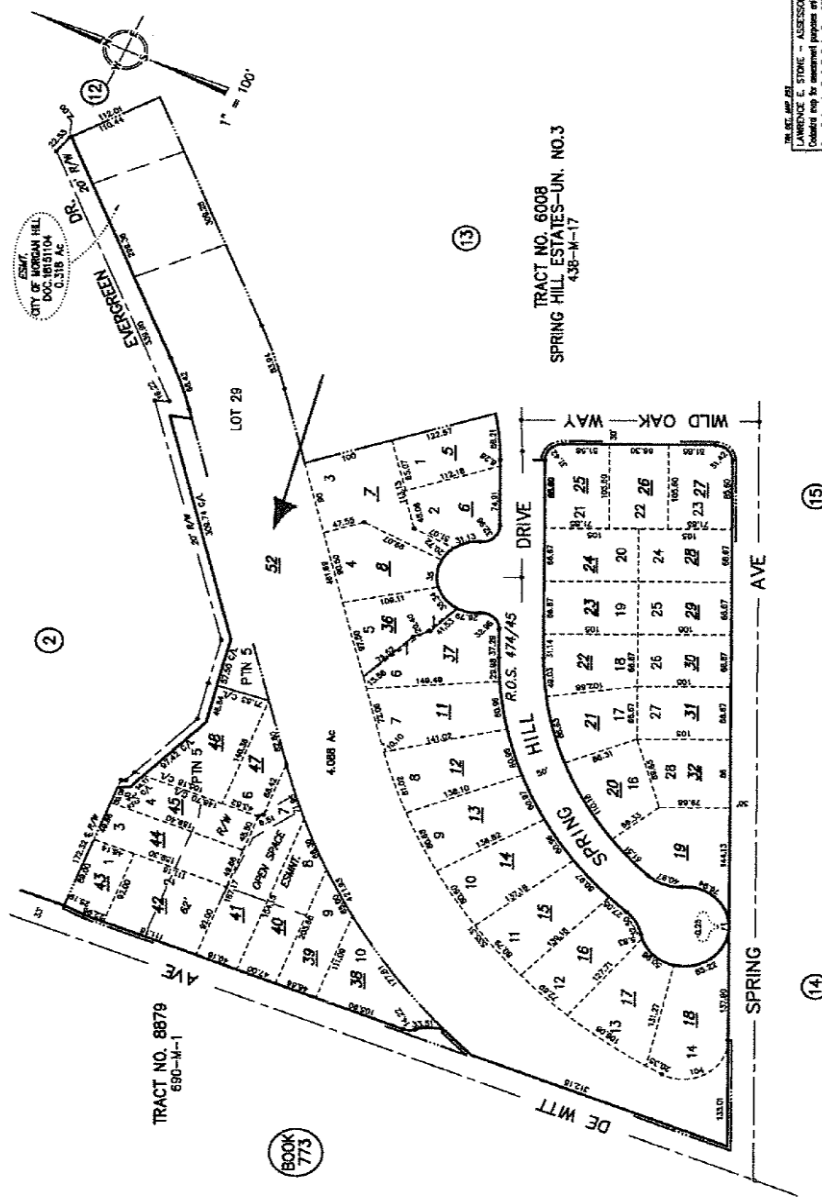
DATE: _____

MICHELLE BIGELOW, City Clerk

Attachment: Resolution-Garcia RON [Revision 2] (2961 : Garcia Resolution of Necessity)

EXHIBIT A

OFFICE OF COUNTY ASSESSOR — SANTA CLARA COUNTY, CALIFORNIA

BOOK
767
PAGE
1

THE STATE OF CALIFORNIA
LAWRENCE E. STONE - ASSESSOR
COUNTY OF SANTA CLARA
Commission Expires 12/31/2023
Effective 8/1/2019-2023

This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon reference to streets or other land. No liability is assumed by reason of any reliance hereon.

Non-Order Search
Doc: CASCLR:MASS 767-00001

Page 1 of 1

Requested By: anac, Printed: 8/3/2018 11:43 AM

January 3, 2021

Via Certified Mail Return Receipt Requested

City Clerk, City of Morgan Hill
17555 Peak Ave.
Morgan Hill, CA 95037

Attn: Chris Ghione

Subject: Notice of Intent to Adapt RON
Hale Ave. extension project
APN: 767-0-052

Dear Chris,

This letter is in response to your letter dated December 22, 2020 and our request to appear (via Zoom) at the January 20, 2021 City Council meeting.

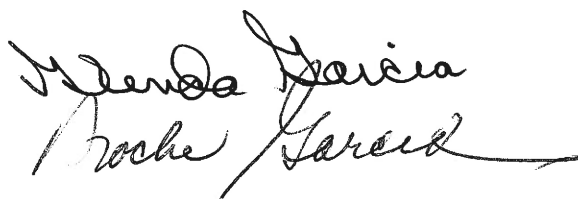
Please know that we have no fundamental objection to the City's plan to seize our private property via eminent domain provided we receive just compensation.

Attachment: Letter from Rocke Garcia (2961 : Garcia Resolution of Necessity)

Here is some of the background on decades of discussions with the City regarding our property.

1. We, Rocke and Glenda Garcia, acquired this property over 43 years ago!!!! It was part of our first development in Morgan Hill, known as Spring Hill.
2. Santa Teresa Blvd, now Hale Ave. was originally mapped and designed to intersect Spring Ave. at right angles approx. 400 feet east of DeWitt Ave.
3. As redesigned with the first subdivision of Spring Hill, Santa Teresa/Hale now wrapped around our homes to merge at DeWitt; instead of taking $\frac{3}{4}$ of an acre, Santa Teresa/Hale now consumed over 4 acres.
4. More importantly, this change removed Evergreen Drive's connection to Spring Ave. per the original subdivision map of Knob Hill Acres (1928)
5. Over the decades, every single Public Works Director has given us their verbal assurance that the City would allow the connection of Evergreen to Santa Teresa/Hale Ave. The agreed solution was a right turn in right turn out from Evergreen in front of our three lots.
6. Our Public Works Director today is denying our access from Evergreen to Santa Teresa/Hale.
7. We would ask that the City Council review this matter and return to us with a solution.

Thank You.

Handwritten signatures of Glenda Garcia and Rocke Garcia. The signatures are written in black ink and are cursive. Glenda's signature is on top and Rocke's is below it.



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Dat Nguyen, Finance Director

APPROVED BY: City Manager

RECEIVE MONTHLY BUDGET UPDATE, DECEMBER 2020 FINANCIAL AND INVESTMENT REPORTS, AND CITY MANAGER AUTHORITY REPORT

RECOMMENDATION(S)

Accept and file report.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure

Preserving and Cultivating Public Trust

2020-2021 Strategic Priorities

Community Engagement and Messaging

Fiscal Sustainability

REPORT NARRATIVE:

As part of the City Council's expectation to maintain a high level of transparency and to be responsible stewards of public funds, staff is providing this monthly budget update, along with the December 2020 financial and investment reports (Attachment 1 and 2).

December 2020 Financial Report

The Revenue and Expense Summary through December 2020 is included on the first page of the monthly financial report (Attachment 2). Overall, General Fund revenues total \$11.0 million or about 28% of the budget as some of the major revenue categories are received later in the fiscal year. Expenditures, including encumbrances, amounted to \$21.1 million or 48% of the budget.

Budget Update

There has been no material change to the City's major revenue categories for the General Fund since the last budget update on December 2, 2020. However, the outlook for the City's sales tax and recreation services revenues continues to be negatively impacted by the surge in the number of Covid-19 cases and the County continues to be under a stay-at-home order and in the Purple Tier (Tier One – Widespread transmission), the most restrictive tier in the State's "Blueprint for a Safer Economy". What this means is that indoor dining and recreation services, just to name a few, are no longer allowed. Staff's earlier projection for recreation services of additional net loss of approximately \$1.6 million in the worst-case scenario is becoming more of a reality. As for sales tax, we are remaining hopeful that this will have little or no material impact to our sales tax consultant's estimate for the year of about \$9.7 million.

As for Transient Occupancy Tax (TOT), the trend continues to show a slow improvement as occupancy rates in some hotels have reached the pre-pandemic level of 70 percent range as of November from the low of 20 percent in April. However, the rise in occupancy rate is offset by the lower average daily rate resulting in lower TOT. In addition, the more restricted stay-at-home order for the region has impacted travel and undoubtedly will negatively impact the TOT. Hotels and lodging can only offer accommodation for COVID-19 mitigation and containment measures, treatment measures, accommodation for essential workers, or providing housing solutions, including measures to protect homeless populations.

City Manager's Authority Report

Pursuant to the City Council Policy 18-05 – Report on delegation of authority to City Manager, Page 17 of Attachment 2 lists the contracts and or agreements between \$25,000 to \$60,000, or the limit of the California Uniform Public Construction Cost Accounting Act (CUPCAA), entered into by the City Manager since the last report from October 3, 2020 through January 6, 2021.

COMMUNITY ENGAGEMENT: Inform

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

ALTERNATIVE ACTIONS:

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

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council receives and files the financial and investment report for each month. At the September 16, 2015 meeting, City Council recommended monthly financial and investment reports be agendaized under the Consent Agenda, and quarterly financial and investment reports be presented to City Council as an "Other Business" item. Beginning in FY 2020-21, budget reports are presented to the City Council monthly.

FISCAL AND RESOURCE IMPACT:

The preparation of the report is a part of the Finance workplan. Staff does not recommend any budget adjustments at this time.

CEQA (California Environmental Quality Act):

Not a Project.

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

LINKS/ATTACHMENTS:

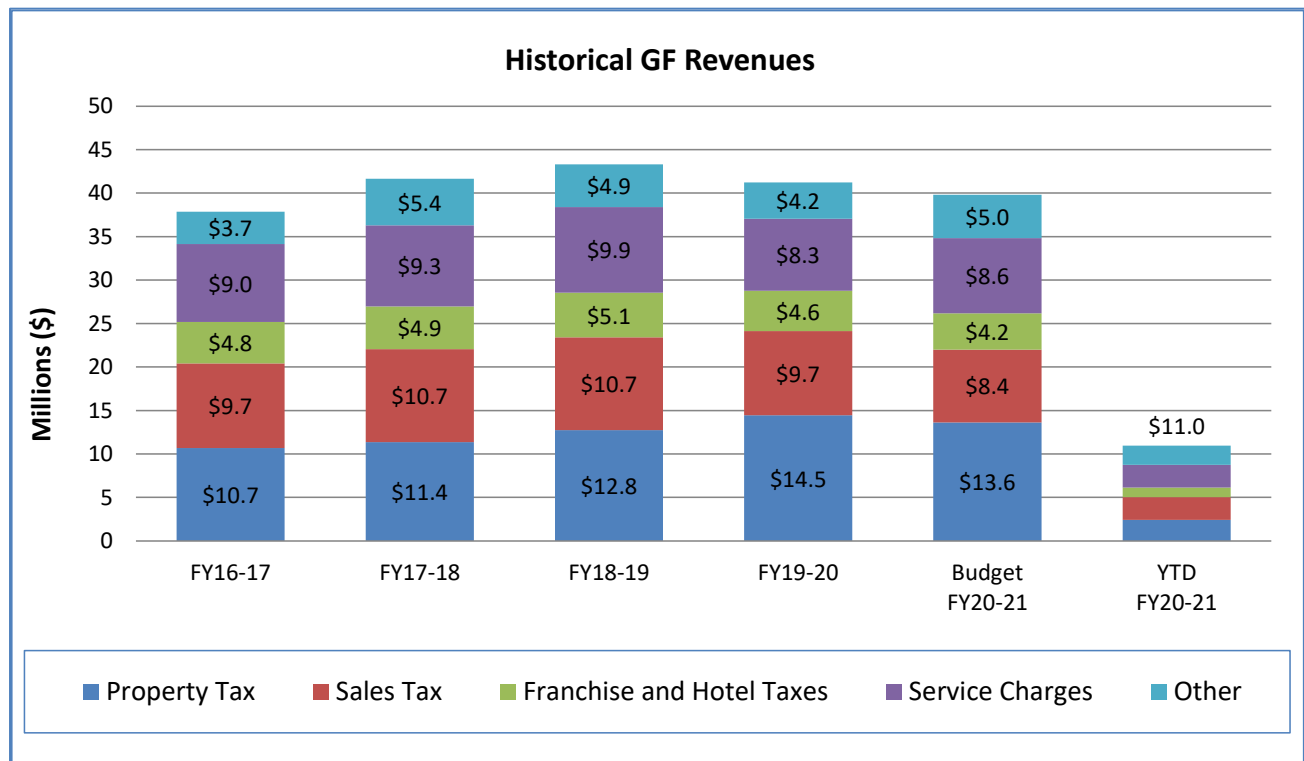
1. December 2020 Financial Statement Analysis
2. December 2020 Financial and Investment Report



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **General Fund** – Revenues through December totaled \$11.0 million, or about 28% of the budgeted revenues as some of the major revenue categories such as property tax are received later in the fiscal year. With respect to the property tax revenue forecast, the most recent County’s estimate projected Morgan Hill property tax revenue, excluding the property transfer tax and excess Educational Revenue Augmentation Fund (ERAF), at \$13.4 million for the fiscal year 2020-21, which matches City’s budgeted amount. The preliminary estimate of the City’s excess ERAF is approximately \$1.7 million versus \$250,000 budgeted. The County’s estimate of City’s excess ERAF amount is subject to State Controller’s Office adjustment which is not known until later in the fiscal year. Excess ERAF is the money that is returned to the cities, counties, and special districts after schools reach their state-mandated thresholds. Property tax is the largest source of Morgan Hill’s General Fund revenue. However, it accounts for only 34% of the approximately \$39.8 million General Fund revenue. Although property tax tends to be a more predictable revenue source, other major revenue categories such as sales tax and transient occupancy tax, which account for a large portion of the City’s General Fund revenue, are more volatile and tend to fluctuate more with swings in the economy.

The chart below shows historical General Fund revenues by major revenue category from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

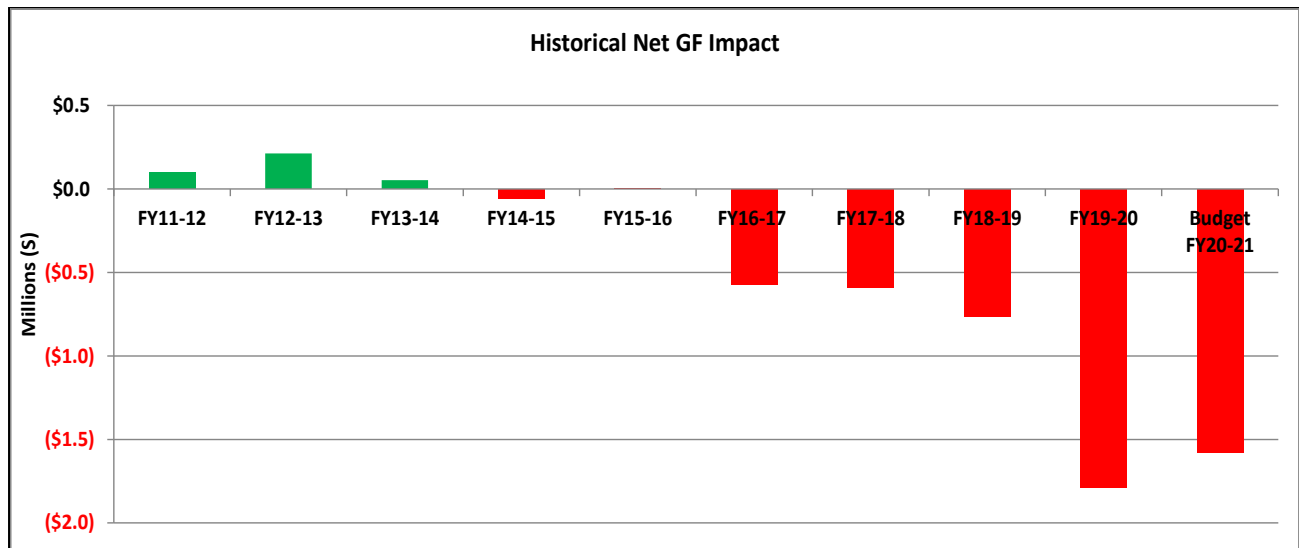


General Fund expenditures and encumbrances as of December 31, 2020 totaled \$21.1 million, of which approximately \$1.6 million is attributable to outstanding encumbrances.



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **Community Services** - The Community Services Department's recreation operations, as reflected in the schedule presented on page 4 of the Monthly Financial and Investments Reports, shows a negative impact to the General Fund of approximately \$2.4 million as of December 31, 2020. The large operating loss for recreation operations reflect the continued closure of indoor recreation facilities since March 2020 due to shelter-in-place order as a result of coronavirus pandemic. The indoor recreation facilities had just begun to open with a very limited capacity in fall, however, with the County moving into the State's Purple Tier (Tier One), which is most restrictive, indoor recreation facilities are closed again.



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

- **Development Services Fund** – Revenues received through December 31, 2020 totaled approximately \$2.3 million. Expenditures, including encumbrances, totaled \$2.8 million. The fund is projected to borrow \$1.0 million from the General Fund for the current fiscal year. Staff has engaged consultant to conduct a comprehensive fee study to update the current fees which were developed about five years ago.
- **Debt Service Funds** – Expenditures through the first quarter totaled \$536,158. The debt service for the first half of the year includes both interest and principal, while the second half of the year will include interest only. Debt service payments were all scheduled when the bonds were issued, and are budgeted for in the months delineated in the underlying bond documents. The General Fund's portion of the annual debt service payments is approximately \$200,000, less than one percent of the General Fund's budgeted revenues.



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **Wastewater Operations** – Revenues from Sewer Operations through the first quarter ending December 31, 2020 totaled \$5.6 million. Expenditures and outstanding encumbrances totaled \$6.5 million or 49% of the budget. The table below shows historical Sewer Operations revenues and expenditures from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

(amount in millions)	FY16-17	FY17-18	FY18-19	FY19-20	Budget FY20-21	YTD FY20-21
Revenues	9.7	10.3	11.4	11.9	13.3	5.6
Expenditures	9.8	10.8	11.4	12.3	13.3	6.5
Operating Margin	(0.1)	(0.5)	-	(0.4)	-	(0.9)
Operating Margin without Encumbrances	(0.0)	(0.3)	0.4	(0.1)	-	(0.7)

- **Water Operations** – Water Operations includes Utility Billing, Water Conservation, and Water Operations. Revenues from Water Operations through the first quarter ending December 31, 2020 totaled \$7.8 million. Water Operations expenditures, including outstanding encumbrances, totaled \$8.3 million. Without the encumbrances, however, the expenditures amounted to \$7.1 million. The table below shows Water Operations revenues and expenditures from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

(amount in millions)	FY16-17	FY17-18	FY18-19	FY19-20	Budget FY20-21	YTD FY20-21
Revenues	10.9	13.0	14.2	15.3	15.6	7.8
Expenditures	11.2	12.1	14.3	16.4	15.6	8.3
Operating Margin	(0.3)	0.9	(0.1)	(1.1)	-	(0.5)
Operating Margin without Encumbrances	(0.1)	1.4	0.8	(0.1)	-	0.7

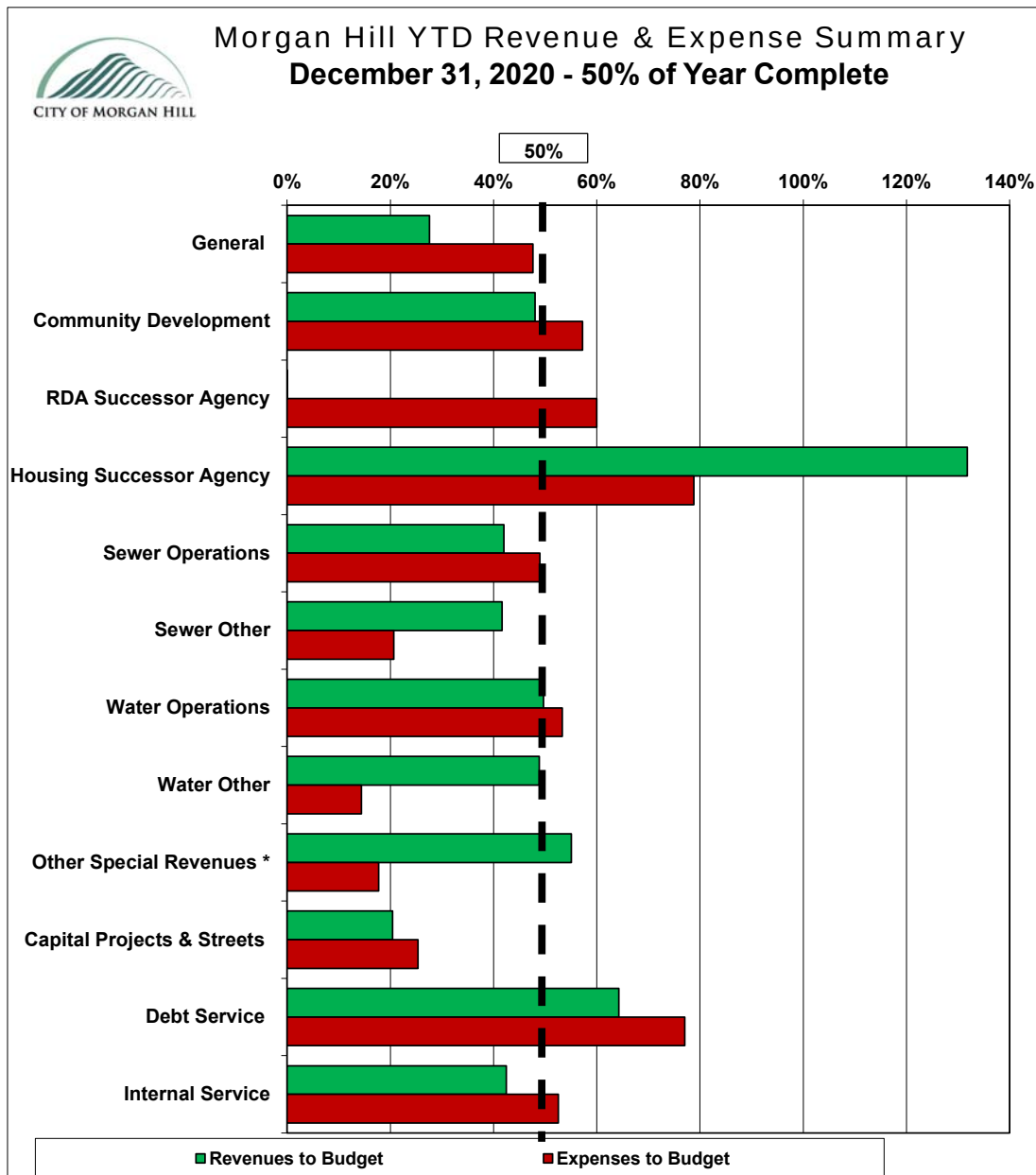
- **Investments** – One security was purchased, and two securities were called during the month of December 2020. Total interest earnings received on investments were \$17,000 during the month.

CITY OF MORGAN HILL
Monthly Financial and Investment Reports
December 31, 2020 - 50% of Year Complete



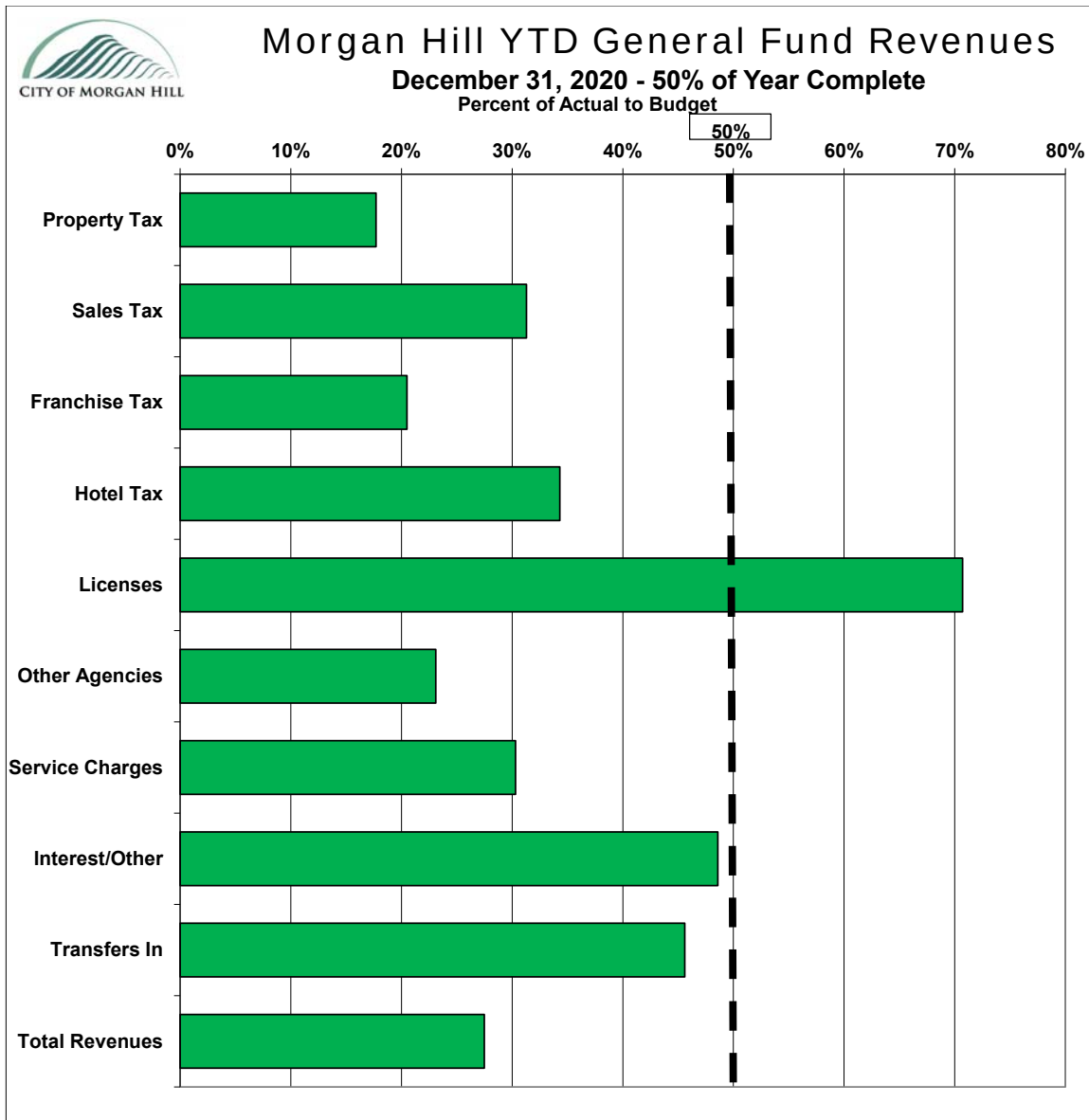
CITY OF MORGAN HILL

Prepared by:
FINANCE DIVISION

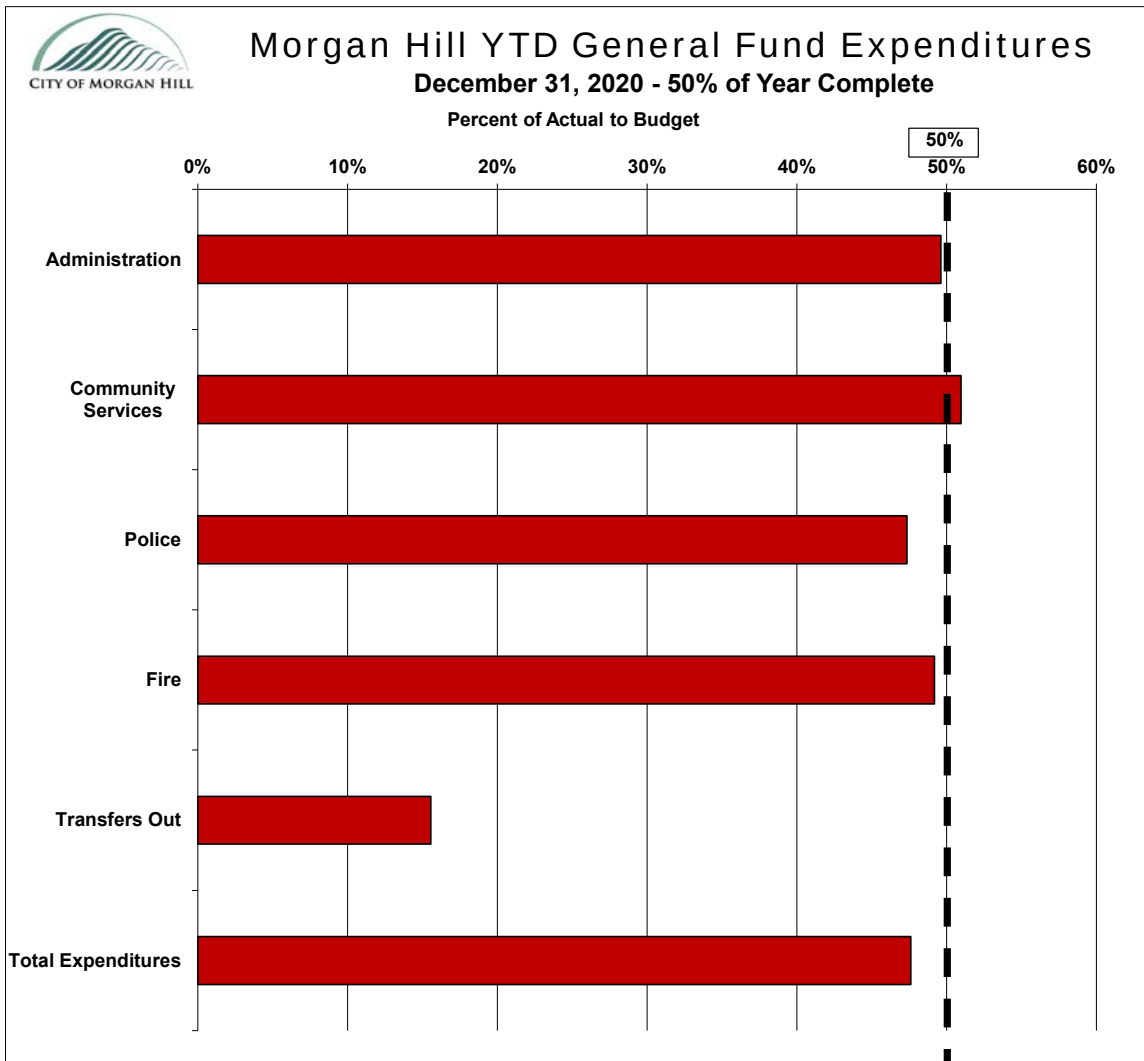


FUND NAME	REVENUES		EXPENSES	
	ACTUAL	% OF BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET
General	\$ 10,965,785	28%	\$ 21,099,669	48%
Community Development	2,281,281	48%	2,784,727	57%
RDA Successor Agency	2,262	0%	4,161,708	60%
Housing Successor Agency	280,817	132%	783,826	79%
Sewer Operations	5,574,678	42%	6,522,886	49%
Sewer Other	4,554,006	42%	5,331,401	21%
Water Operations	7,774,204	50%	8,318,211	53%
Water Other	3,264,306	49%	704,925	14%
Other Special Revenues *	2,041,399	55%	860,581	18%
Capital Projects & Streets	6,218,032	20%	16,714,719	25%
Debt Service	447,588	64%	536,158	77%
Internal Service	4,994,986	42%	6,665,349	53%
TOTAL FOR ALL FUNDS	\$ 48,399,344	33%	\$ 74,484,158	37%

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



REVENUE CATEGORY	BUDGET	ACTUAL	% OF BUDGET	PRIOR YEAR TO DATE	% CHANGE FROM PRIOR YEAR
Property Tax	\$ 13,640,000	\$ 2,417,602	18%	\$ 2,254,060	7%
Sales Tax	8,370,868	2,618,381	31%	2,680,740	-2%
Franchise Tax	2,351,000	481,204	21%	483,529	0%
Hotel Tax	1,819,000	624,704	34%	1,141,835	-45%
Licenses	185,444	131,084	71%	136,490	-4%
Other Agencies	703,650	162,682	23%	186,682	-13%
Service Charges	8,632,432	2,611,410	30%	5,180,048	-50%
Interest/Other	1,619,336	786,619	49%	723,110	9%
Transfers In	2,483,580	1,132,099	46%	748,253	51%
TOTAL REVENUES	\$ 39,805,310	\$ 10,965,785	28%	\$ 13,534,749	-19%



EXPENDITURE CATEGORY	BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET	PRIOR YTD PLUS ENCUMBRANCES	% CHANGE FROM PRIOR YEAR
Administration	\$ 4,633,295	\$ 2,298,530	50%	\$ 2,372,345	-3%
Community Services	12,794,868	6,521,078	51%	6,879,971	-5%
Police	17,890,973	8,471,609	47%	8,427,259	1%
Fire	7,162,540	3,522,870	49%	3,595,683	-2%
Transfers Out	1,834,702	285,582	16%	937,998	-70%
TOTAL EXPENDITURES	\$ 44,316,377	\$ 21,099,669	48%	\$ 22,213,257	-5%

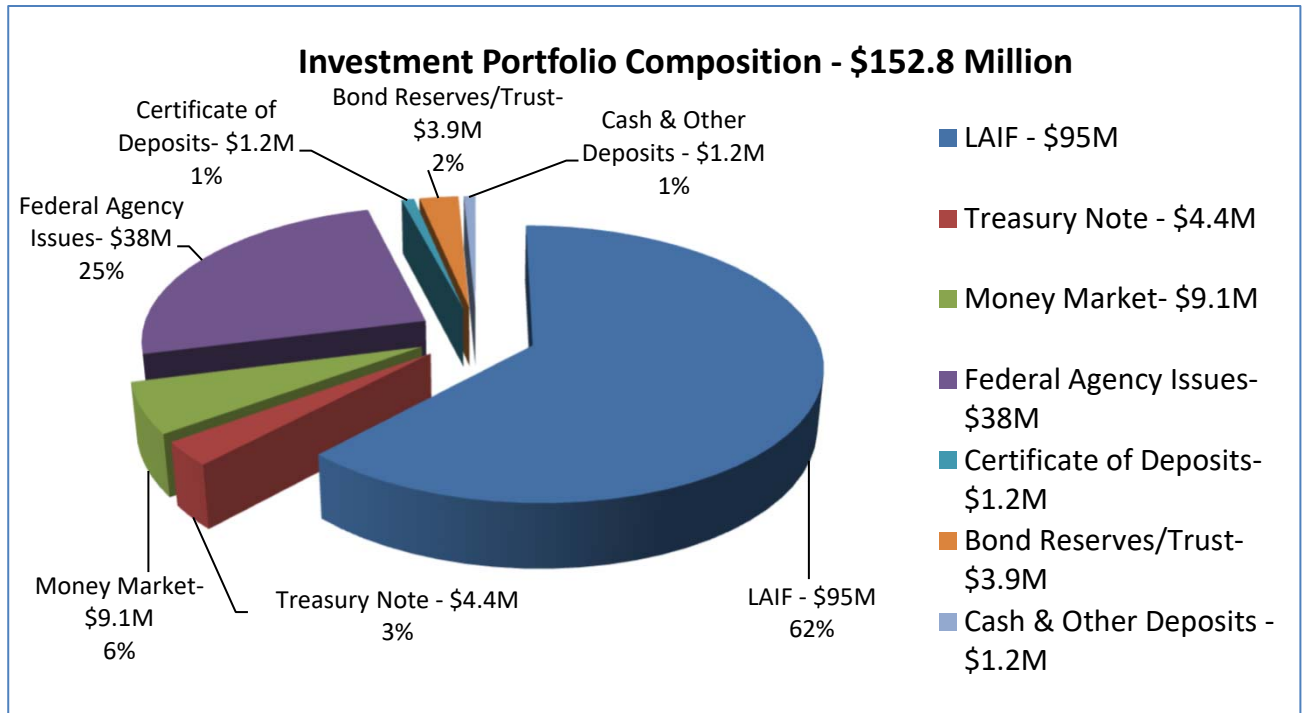


**City of Morgan Hill
Recreation Report - Fiscal Year 2020-21
For the Month and Six Months Ended December 31, 2020
50% of Year Complete**

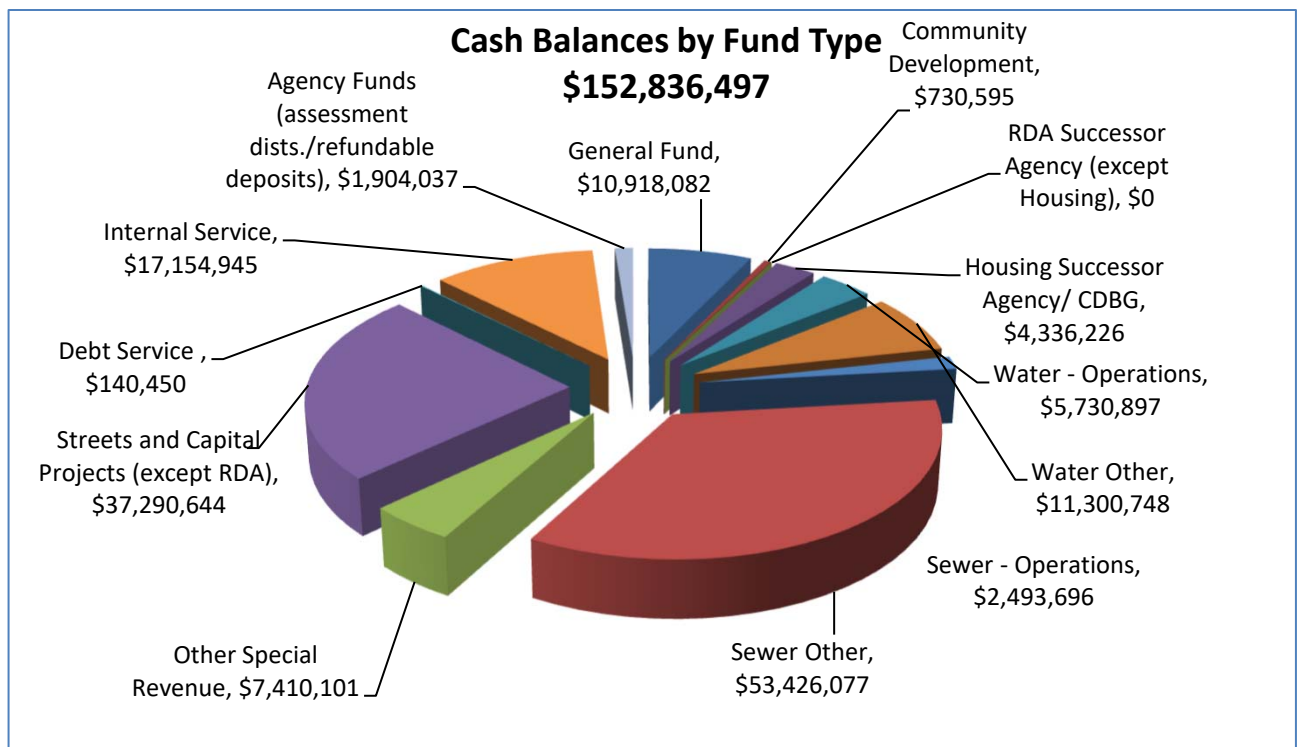
	<u>Budget</u>	<u>December 2020</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues				
Membership Services & Rec Programs	\$ 5,068,448	\$ 214,413	\$ 1,348,769	
Facility Rentals	696,431	5,303	87,830	
Community Services	104,460	-	4,082	
Transfers in	75,000	6,250	37,500	
Total Revenues	<u>\$ 5,944,339</u>	<u>\$ 225,966</u>	<u>\$ 1,478,181</u>	25%
Less: Expenditures				
Membership & Program Services	\$ 5,675,307	\$ 346,022	\$ 2,283,125	
Facility Rentals	1,236,339	82,310	478,485	
Community Services	609,834	43,891	216,174	
Total Expenditures	<u>\$ 7,521,481</u>	<u>\$ 472,222</u>	<u>\$ 2,977,784</u>	40%
Net Impact without encumbrances	<u>\$ (1,577,142)</u>	<u>\$ (246,256)</u>	<u>\$ (1,499,603)</u>	
Encumbrances	-	-	888,379	
Net Impact with encumbrances	<u>\$ (1,577,142)</u>	<u>\$ (246,256)</u>	<u>\$ (2,387,982)</u>	

City of Morgan Hill Monthly Investment Report - December 31, 2020

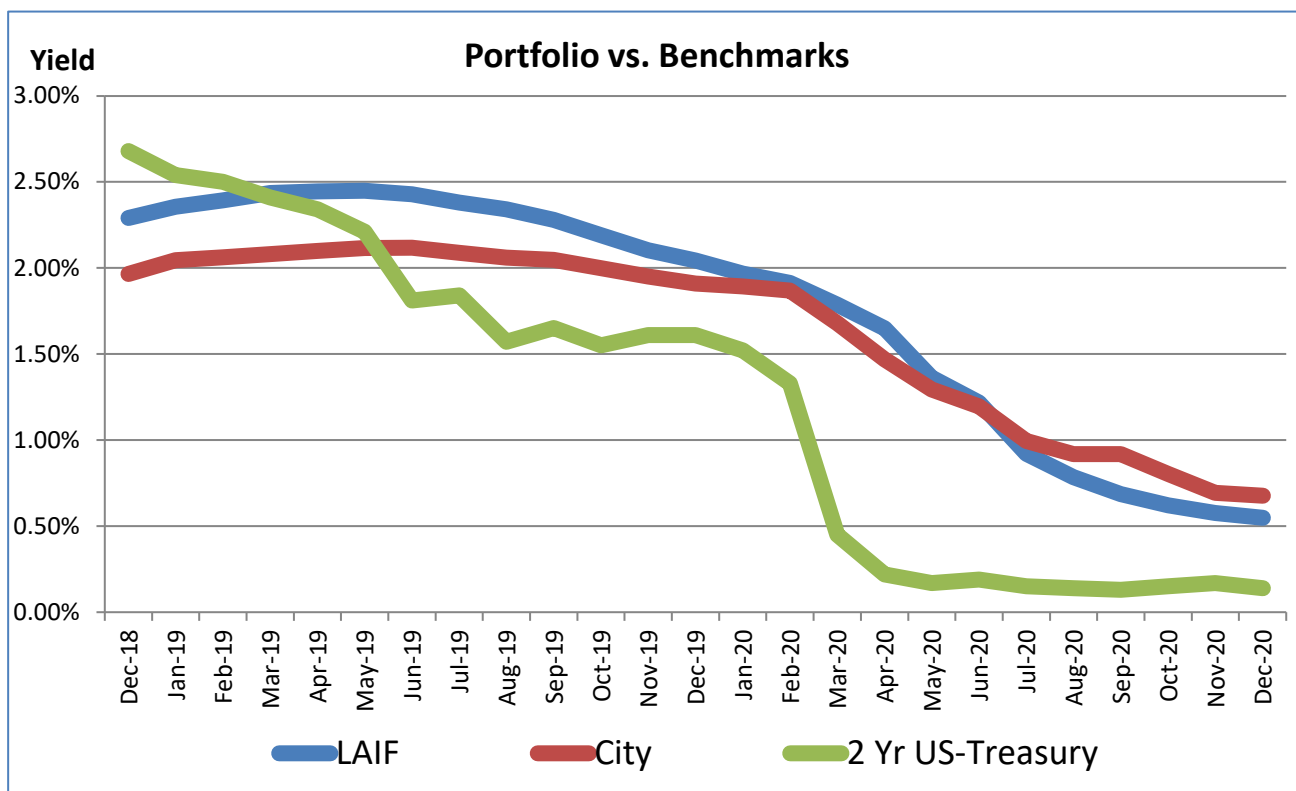
The following are the snapshots of City's investment portfolio as of December 31, 2020. The first chart shows the portfolio composition by investment type:



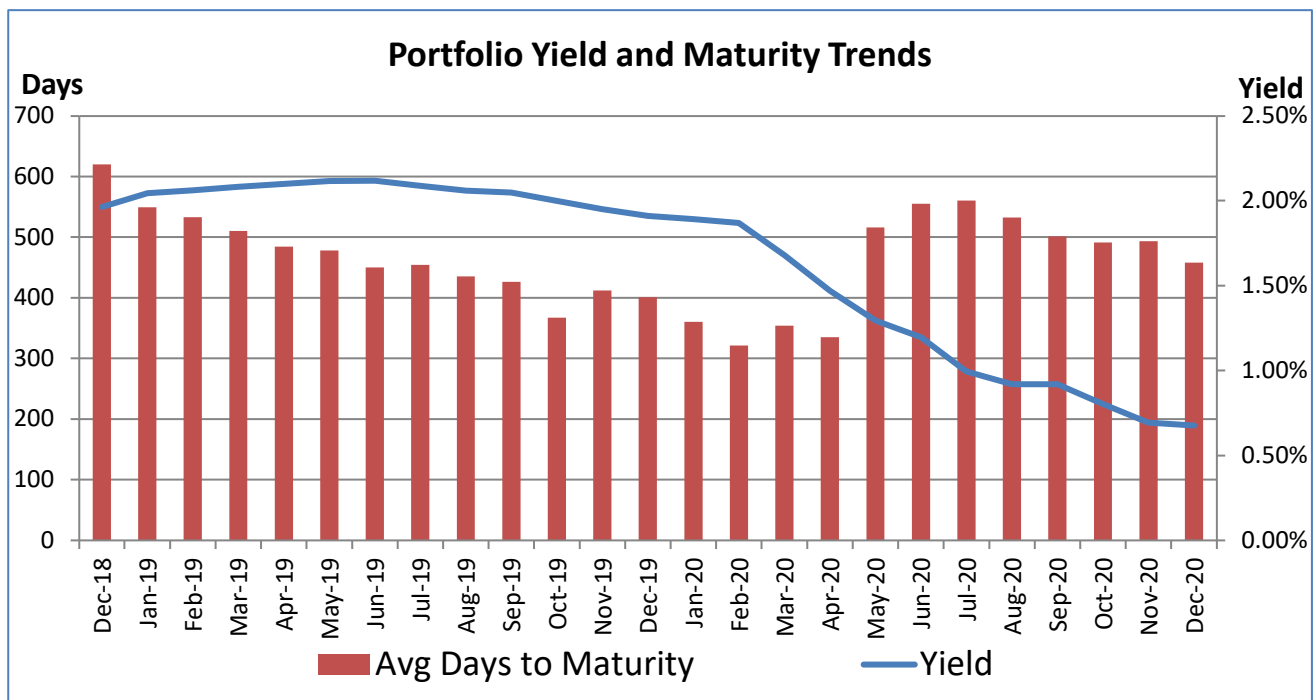
The chart below shows cash balances by fund type reconciled to City's financial system:



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



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





City of Morgan Hill
Investment Portfolio Detail
As of December 31, 2020

Investment Type	Settlement Date	Book Value	% of Portfolio	Market Value	YTM at Cost	Next Call Date	Date of Maturity
L A I F		\$ 94,970,226	62.14%	\$ 95,360,984	0.54%		
City Managed							
FNMA Bond	8/25/2016	4,000,000	2.62%	4,033,760	1.40%	2/25/2021	8/25/2021
Treasury Note	4/30/2018	4,384,431	3.28%	4,637,115	2.73%	3/31/2023	3/31/2023
FFCB Bond	3/17/2020	3,000,000	1.96%	3,004,140	1.13%	3/17/2021	3/17/2025
FFCB Bond	3/24/2020	2,000,000	1.31%	2,002,840	1.00%	3/24/2021	3/24/2023
FFCB Bond	3/25/2020	3,000,000	1.96%	3,003,900	1.20%	3/25/2021	3/25/2025
FFCB Bond	4/8/2020	2,000,000	1.31%	2,003,860	0.88%	4/8/2021	4/8/2024
FFCB Bond	5/27/2020	2,000,000	1.31%	2,002,840	0.73%	5/27/2021	5/27/2025
FHLMC Bond	6/3/2020	2,000,000	1.31%	2,000,220	0.60%	6/3/2021	12/3/2024
FHLMC Bond	10/20/2020	2,000,000	1.31%	2,004,920	0.60%	4/20/2021	10/20/2025
FHLMC Bond	10/27/2020	2,000,000	1.31%	1,994,720	0.63%	4/27/2021	10/27/2025
FHLMC Bond	11/2/2020	2,000,000	1.31%	2,000,800	0.32%	5/2/2021	11/2/2023
FFCB Bond	11/3/2020	2,000,000	1.31%	2,000,860	0.54%	5/3/2021	11/3/2025
FNMA Bond	11/18/2020	2,000,000	1.31%	2,010,580	0.65%	5/18/2021	11/18/2025
FHLMC Bond	11/24/2020	2,000,000	1.31%	2,006,220	0.64%	5/24/2021	11/24/2025
FFCB Bond	11/24/2020	1,000,000	0.65%	1,000,270	0.60%	5/24/2021	11/24/2025
FHLMC Bond	11/25/2020	3,000,000	1.96%	3,010,200	0.63%	5/25/2021	11/25/2025
FHLMC Bond	11/30/2020	2,000,000	1.31%	2,006,440	0.65%	5/26/2021	11/26/2025
FFCB Bond	12/22/2020	2,000,000	1.31%	2,000,720	0.47%	6/22/2021	12/22/2025
CD - Goldman Sachs Bank USA	5/13/2020	250,000	0.16%	251,460	0.50%	5/13/2021	5/13/2022
CD - Woori America Bank	5/13/2020	250,000	0.16%	250,238	0.30%	5/13/2021	5/13/2021
CD - Safra Nat'l Bank	5/14/2020	250,000	0.16%	250,285	0.35%	5/13/2021	5/13/2021
CD - State Bank of India	5/14/2020	250,000	0.16%	250,333	0.40%	5/14/2021	5/14/2021
CD - American Nat'l Bank	5/20/2020	250,000	0.16%	251,130	0.40%	1/20/2021	5/20/2022
Sub Total/Average		\$ 43,634,431	28.96%	\$ 43,977,850	0.98%		
Money Market		\$ 9,169,358	6.00%	\$ 9,169,358	0.03%		
Total City Managed/Average		\$ 147,774,014	97.10%	\$ 148,508,191	0.64%		
Bond Reserve Accounts - Held By Trustees		\$ 517,795	0.34%	\$ 517,795			
Cash/Deposits		\$ 1,157,285	0.76%	\$ 1,157,285			
PARS Trust		\$ 3,387,404	2.22%	\$ 4,235,063			
GRAND TOTAL/AVERAGE		\$ 152,836,497	100%	\$ 154,418,334			



CITY OF MORGAN HILL CASH AND INVESTMENT REPORT
FOR THE MONTH OF DECEMBER 31, 2020
FOR THE FISCAL YEAR OF 2020-21

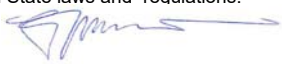
	Invested in Fund	Yield	Book Value End of Month	% of Total	Market Value
Investments					
State Treasurer LAIF - City	All Funds Pooled	0.54%	\$ 74,970,226	49.05%	\$ 75,278,693
2015 Wastewater Rev Bonds - CIP	Wastewater Fund	0.54%	20,000,000	13.09%	20,082,291
Federal Issues	All Funds Pooled	0.87%	38,000,000	24.86%	38,087,290
US Treasury Notes	All Funds Pooled	2.73%	4,384,431	2.87%	4,637,115
Certificate of Deposits	All Funds Pooled	0.39%	1,250,000	0.82%	1,253,445
Dreyfus Treas Cash Management Acct	All Funds Pooled	0.03%	9,169,358	6.00%	9,169,358
	SUBTOTAL		\$ 147,774,014	96.69%	\$ 148,508,191
Bond Reserve Accounts - held by trustees					
Zions Bank - Civic Center/Library Facility	Debt Service	0.01%	5	0.00%	5
Blackrock Liq Fund	Debt Service	0.01%	6	0.00%	6
Zions Bank - MH Police Facility Lease Revenue Bonds	Debt Service	0.01%	6	0.00%	6
Blackrock Liq Fund	Debt Service	0.01%	6	0.00%	6
BNY - RDA Bonds	Successor Fund	0.00%	86	0.00%	86
Dreyfus Cash Mgmt 521	Successor Fund	0.00%	86	0.00%	86
Zions Bank - MH Ranch 2015	Agency Fund	0.01%	255,212	0.17%	255,212
Blackrock Liq Funds Fed Fund -DI -2015	Agency Fund	0.01%	255,212	0.17%	255,212
Zions Bank - Madrone Bus Park Taxable/ Tax Exempt 2015	Agency Fund	0.01%	255,212	0.17%	255,212
Blackrock Liquidity Temp Fund-2015	Agency Fund	0.01%	262,485	0.17%	262,485
	SUBTOTAL		517,795	0.34%	517,795
Other Cash/Deposits					
General Checking	All Funds		1,120,173	0.73%	1,120,173
Workers' Comp Administrators	Workers' Comp		30,000	0.02%	30,000
Petty Cash & Emergency Cash	General Fund		7,112	0.00%	7,112
PARS - OPEB Trust			2,187,404	1.43%	2,770,118 *
PARS - PENSION Trust			1,200,000	0.79%	1,464,945 *
	SUBTOTAL		4,544,689	2.97%	5,392,348
Total Cash and Investments			\$ 152,836,497	100.00%	\$ 154,418,334
* as of 11/30/2020					

CASH ACTIVITY SUMMARY
FY 2020-21

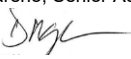
Fund Type	07/1/20 Balance	Change in Cash Balance	12/31/2020 Balance
General Fund	\$ 16,482,660	\$ (5,564,578)	\$ 10,918,082
Community Development	972,100	(241,505)	730,595
RDA Successor Agency (except Housing)	11,666,343	(11,666,343)	(0)
Housing Successor Agency/ CDBG	4,593,710	(257,485)	4,336,226
Water - Operations	3,747,502	1,983,395	5,730,897
Water Other	8,567,976	2,732,772	11,300,748
Sewer - Operations	3,220,859	(727,163)	2,493,696
Sewer Other	32,031,933	21,394,144	53,426,077
Other Special Revenue	5,770,282	1,639,819	7,410,101
Streets and Capital Projects (except RDA)	40,583,676	(3,293,032)	37,290,644
Debt Service	227,953	(87,503)	140,450
Internal Service	17,977,892	(822,947)	17,154,945
Agency Funds (assessment dists./refundable deposits)	3,260,978	(1,356,940)	1,904,037
Total	\$ 149,103,863	\$ 3,732,635	\$ 152,836,497

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

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

Prepared by: 
 Gina Nazareno, Senior Accountant

Approved by:

Reviewed by: 
 Dat Nguyen, Finance Director


 Caitlin Robinett Jachimowicz, Treasurer



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
010 GENERAL FUND							
TAXES							
Property Tax - Secured/Unsecured	\$ 11,354,000	\$ 11,354,000	\$ 2,263,415	20%	\$ 2,194,099	\$ 69,316	3%
Property Tax - RPTTF Residual Distribution	2,144,000	2,144,000	-	n/a	-	-	n/a
Property Tax - Supplemental Roll	142,000	142,000	154,187	109%	59,961	94,225	157%
Sales Tax	8,027,793	8,027,793	2,524,227	31%	2,556,645	(32,417)	-1%
Public Safety Sales Tax	343,075	343,075	94,154	27%	124,095	(29,941)	-24%
Transient Occupancy Taxes	1,819,000	1,819,000	624,704	34%	1,141,835	(517,131)	-45%
Franchise (Refuse, Cable, PG&E)	2,351,000	2,351,000	481,204	20%	483,529	(2,325)	0%
Property Transfer Tax	436,000	436,000	279,304	64%	228,089	51,215	22%
TOTAL TAXES	26,616,868	26,616,868	6,421,195	24%	6,788,253	(367,058)	-5%
LICENSES/PERMITS							
Business License	154,500	154,500	128,465	83%	131,069	(2,604)	-2%
Other Permits	30,944	30,944	2,619	8%	5,421	(2,802)	-52%
TOTAL LICENSES/PERMITS	185,444	185,444	131,084	71%	136,490	(5,406)	-4%
FINES AND PENALTIES							
Parking Enforcement	8,000	8,000	1,728	22%	2,231	(503)	-23%
Bails & Fines	73,645	73,645	17,067	23%	22,676	(5,609)	-25%
Administrative Citations	10,079	10,079	9,803	97%	36,706	(26,903)	-73%
TOTAL FINES AND PENALTIES	91,724	91,724	28,598	31%	61,613	(33,015)	-54%
OTHER AGENCIES							
Motor Vehicle in-Lieu	25,392	25,392	6,286	25%	-	6,286	n/a
Other Revenue - Other Agencies	529,943	703,650	162,682	23%	186,682	(24,001)	-13%
TOTAL OTHER AGENCIES	555,335	729,042	168,968	23%	186,682	(17,715)	-9%
CHARGES CURRENT SERVICES							
Police False Alarm Charge	30,428	30,428	17,598	58%	10,577	7,022	66%
Business License Application Review	37,080	37,080	23,179	63%	21,510	1,669	8%
Membership Services & Rec Programs	5,068,448	5,068,448	1,348,769	27%	3,252,564	(1,903,795)	-59%
Facility Rentals	696,431	696,431	87,830	13%	502,407	(414,577)	-83%
Community Services	104,460	104,460	4,082	4%	26,528	(22,447)	-85%
General Administration Overhead	1,780,917	1,780,917	890,436	50%	895,710	(5,274)	-1%
Other Charges Current Services	914,668	914,668	239,516	26%	470,752	(231,236)	-49%
TOTAL CURRENT SERVICES	8,632,432	8,632,432	2,611,410	30%	5,180,048	(2,568,638)	-50%
OTHER REVENUE							
Use of money/property	816,362	816,362	187,184	23%	273,523	(86,339)	-32%
Other Revenues	249,858	249,858	285,247	114%	159,885	125,362	78%
TOTAL OTHER REVENUE	1,066,220	1,066,220	472,431	44%	433,408	39,023	9%
TRANSFERS IN							
One Time Transfer	225,000	225,000	102,492	46%	89,994	12,498	14%
Public Safety Facilities Fund	25,000	25,000	12,500	50%	92,415	(79,915)	-86%
Supplemental Law Enforcement Fund	100,000	100,000	50,000	50%	-	50,000	n/a
Fire Impact	-	-	-	n/a	25,000	(25,000)	-100%
Streets	699,706	699,706	312,673	45%	138,995	173,678	125%
Park Maintenance	650,000	650,000	325,002	50%	-	325,002	n/a
Police Impact	-	-	-	0%	12,498	(12,498)	-100%
Sewer Operations	354,437	354,437	177,216	50%	175,926	1,290	1%
Water Operations	354,437	354,437	177,216	50%	175,926	1,290	1%
Park Development	75,000	75,000	37,500	50%	37,500	-	n/a
TOTAL TRANSFERS IN	2,483,580	2,483,580	1,194,599	48%	748,253	446,346	60%
TOTAL GENERAL FUND	39,631,603	39,805,310	11,028,285	28%	13,534,749	(2,506,463)	-19%
SPECIAL REVENUE FUNDS							
202 STREET MAINTENANCE							
Gas Tax 2105 - 2107.5	698,292	698,292	312,673	45%	311,642	1,030	0%
Interest / Other Revenue/Other Charges	1,414	1,414	544	38%	1,052	(507)	-48%
202 STREET MAINTENANCE	699,706	699,706	313,217	45%	312,694	523	0%



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
SPECIAL REVENUE FUNDS							
205 SUPPLEMENTAL LAW ENFORCEMENT FUND							
Interest Income	842	842	553	66%	716	(162)	-23%
Police Grant/SLEF/JAG	100,000	100,000	81,727	82%	80,948	779	1%
205 SUPPLEMENTAL LAW ENFORCEMENT FUND	100,842	100,842	82,280	82%	81,664	617	1%
206 DEVELOPMENT SERVICES							
Building Fees	2,162,357	2,162,357	1,202,800	56%	1,651,161	(448,362)	-27%
Planning Fees	743,344	743,344	754,381	101%	662,762	91,619	14%
Engineering Fees	708,809	708,809	258,951	37%	108,659	150,292	138%
Other Revenue/Current Charges	1,133,225	1,133,225	65,150	6%	16,344	48,805	299%
206 DEVELOPMENT SERVICES	4,747,735	4,747,735	2,281,281	48%	2,438,927	(157,645)	-6%
207 LONG RANGE PLANNING	677,026	677,026	330,257	49%	373,975	(43,718)	-12%
215 and 216 HCD BLOCK GRANT							
Interest Income/Other Revenue	3,111	3,111	217	7%	477	(260)	-54%
215 and 216 HCD BLOCK GRANT	3,111	3,111	217	7%	477	(260)	-54%
225 ASSET SEIZURE	1,893	1,893	477	25%	16,849	(16,372)	-97%
229 LIGHTING AND LANDSCAPE	191,075	191,075	469	0%	1,259	(790)	-63%
230 COMMUNITY FACILITIES DISTRICT	1,216	1,216	256	21%	584	(327)	-56%
232 ENVIRONMENTAL PROGRAMS	446,843	446,843	248,069	56%	221,619	26,450	12%
234 MOBILE HOME PARK RENT STAB.	742	742	3,632	490%	6,055	(2,423)	-40%
235 SENIOR HOUSING	3,793	3,793	781	21%	1,716	(935)	-54%
236 HOUSING MITIGATION	2,248,764	2,248,764	1,285,121	57%	590,991	694,130	117%
237 BEGIN	-	-	514	n/a	-	514	n/a
238 CAL HOMES	-	-	80,964	n/a	-	80,964	n/a
240 EMPLOYEE ASSISTANCE	29,068	29,068	7,394	25%	9,471	(2,077)	-22%
247 ENVIRONMENT REMEDIATION	2,400	2,400	967	40%	1,637	(669)	-41%
250 COMH-SUCCESSOR AGENCY-MHRDA	7,112,060	7,112,060	2,262	0%	165,437	(163,175)	-99%
255 HOUSING SUCCESSOR AGENCY	213,057	213,057	280,817	132%	192,143	88,674	46%
TOTAL SPECIAL REVENUE FUNDS	16,479,332	16,479,332	4,918,976	30%	4,415,496	503,480	11%
CAPITAL PROJECTS FUNDS							
301 PARK DEVELOPMENT	2,384,665	2,384,665	1,213,369	51%	715,408	497,961	70%
302 PARK MAINTENANCE	359,071	359,071	50,671	14%	204,509	(153,838)	-75%
303 LOCAL DRAINAGE	1,693,351	1,693,351	711,738	42%	471,638	240,100	51%
304 LOCAL DRAINAGE/NON AB1600	80,333	130,122	5,651	4%	11,705	(6,053)	-52%
306 AGRICULTURE & OPEN SPACE PRESERVATION	178,958	178,958	115,364	64%	655,459	(540,095)	-82%
308 STREET CIP	2,571,010	2,571,010	811,727	32%	2,376,852	(1,565,125)	-66%
309 TRAFFIC IMPACT	16,415,755	16,415,755	852,176	5%	800,393	51,783	6%
311 POLICE IMPACT	-	-	187,219	n/a	131,609	55,610	42%
313 FIRE IMPACT	-	61,598	27,674	45%	72,842	(45,168)	-62%
315 PUBLIC SAFETY FACILITIES IMPACT	984,769	923,171	28,594	3%	-	28,594	n/a
346 PUBLIC FACILITIES NON-AB1600	611,297	611,297	417,549	68%	104,942	312,607	298%
347 PUBLIC FACILITIES IMPACT	336,106	336,106	105,291	31%	136,643	(31,352)	-23%
348 LIBRARY	946,889	946,889	446,929	47%	258,627	188,302	73%
350 UNDERGROUNDING	12,817	12,817	3,239	25%	6,467	(3,229)	-50%
355 SCHOOL PEDESTRIAN/TRAFFIC SAFETY	591,721	591,721	233,449	39%	20,431	213,018	1043%
360 COMMUNITY/REC IMPACT FUND	1,498,683	1,498,683	694,175	46%	455,803	238,372	52%
375 QUIMBY FEE	1,072,238	1,072,238	-	n/a	-	-	n/a
TOTAL CAPITAL PROJECTS FUNDS	29,737,663	29,787,452	5,904,816	20%	6,423,330	(518,514)	-8%
DEBT SERVICE FUNDS							
420 CIVIC CENTER DEBT	312,272	312,272	155,217	50%	150,805	4,412	3%
441 POLICE FACILITY BOND	384,252	384,252	292,371	76%	187,467	104,905	56%
TOTAL DEBT SERVICE FUNDS	696,524	696,524	447,588	64%	338,271	109,317	32%

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City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
ENTERPRISE FUNDS							
640 SEWER OPERATION							
Sewer Service Fees	12,972,441	12,972,441	5,438,561	42%	4,675,595	762,966	16%
Interest Income/Transfers	36,691	36,691	13,049	36%	31,991	(18,942)	-59%
Other Revenue/Current Charges	267,694	267,694	123,068	46%	124,204	(1,135)	-1%
640 SEWER OPERATION	13,276,826	13,276,826	5,574,678	42%	4,831,790	742,888	15%
641 SEWER EXPANSION							
Interest Income	215,876	215,876	75,690	35%	147,789	(72,099)	-49%
Development Impact Fee	6,225,545	6,225,545	2,240,390	36%	2,695,978	(455,588)	-17%
641 SEWER EXPANSION	6,441,421	6,441,421	2,316,080	36%	2,843,767	(527,687)	-19%
642 SEWER RATE STABILIZATION	44,423	44,423	8,966	20%	19,703	(10,737)	-54%
643 SEWER-CAPITAL PROJECT	4,455,944	4,455,944	2,228,959	50%	1,470,879	758,081	52%
TOTAL SEWER FUNDS	24,218,614	24,218,614	10,128,684	42%	9,166,138	962,546	11%
650 WATER OPERATION							
Water Sales	14,525,500	14,525,500	7,055,740	49%	6,438,046	617,694	10%
Meter Install & Service	24,600	24,600	52,054	212%	7,754	44,300	571%
Transfers-In / Interest Income	521,171	521,171	231,864	44%	241,517	(9,653)	-4%
Other Revenue/Current Charges	572,081	572,081	434,546	76%	494,520	(59,974)	-12%
650 WATER OPERATION	15,643,352	15,643,352	7,774,204	50%	7,181,837	592,366	8%
651 WATER EXPANSION							
Interest Income/Other Revenue/Transfer	62,748	62,748	10,737	17%	19,385	(8,648)	-45%
Development Impact Fee	1,689,416	1,689,416	783,540	46%	660,168	123,372	19%
651 WATER EXPANSION	1,752,164	1,752,164	794,277	45%	679,554	114,724	17%
652 Water Rate Stabilization	65,904	65,904	31,051	47%	13,224	17,827	135%
653 Water Capital Project	4,863,152	4,863,152	2,438,977	50%	1,910,927	528,050	28%
TOTAL WATER FUNDS	22,324,572	22,324,572	11,038,509	49%	9,785,542	1,252,967	13%
TOTAL ENTERPRISE FUNDS	46,543,186	46,543,186	21,167,193	45%	18,951,680	2,215,513	12%
INTERNAL SERVICE FUNDS							
730 INFORMATION SYSTEMS	1,850,422	1,850,422	942,451	51%	905,015	37,436	4%
740 BUILDING MAINTENANCE	3,486,066	3,486,066	1,713,817	49%	1,608,898	104,920	7%
741 BUILDING REPLACEMENT	726,251	726,251	339,794	47%	397,373	(57,579)	-14%
745 CIP ADMINISTRATION	1,721,606	1,721,606	461,263	27%	761,274	(300,011)	-39%
760 UNEMPLOYMENT INSURANCE	102,463	102,463	50,310	49%	1,050	49,260	4690%
770 WORKERS COMPENSATION	876,368	876,368	364,034	42%	398,074	(34,040)	-9%
790 EQUIPMENT REPLACEMENT	1,084,748	1,084,748	692,451	64%	594,287	98,164	17%
791 EMPLOYEE BENEFITS	1,031,234	1,031,234	299,292	29%	395,079	(95,787)	-24%
795 GENERAL LIABILITY INSURANCE	877,248	877,248	431,573	49%	534,817	(103,243)	-19%
TOTAL INTERNAL SERVICE FUNDS	11,756,406	11,756,406	5,294,986	45%	5,595,867	(300,882)	-5%
TOTAL FOR ALL FUNDS	\$ 144,844,714	\$ 145,068,210	\$ 48,761,844	34%	\$ 49,259,393	\$ (497,549)	-1%



City of Morgan Hill
Year to Date Expenses - Fiscal Year 2020-21
For the Month and Six Months Ended December 31, 2020
50% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
010 GENERAL FUND								
I. ADMINISTRATION								
	CITY COUNCIL	\$ 39,712	\$ 348,053	\$ 178,599	\$ -	\$ 178,599	51%	\$ 2,211
	CITY ATTORNEY	67,536	717,004	328,363	91,712	420,075	59%	3,411
	CITY MANAGER	52,582	504,773	248,650	-	248,650	49%	2,111
	HUMAN RESOURCES	62,324	674,377	316,870	-	316,870	47%	3,411
	COUNCIL SVCS & RECORDS MGMT							
	Council Svcs & Records Mgmt	53,397	616,687	282,387	32,900	315,287	51%	2,111
	Elections	2,236	186,470	99,568	-	99,568	53%	1,111
	COUNCIL SVCS & RECORDS MGMT	55,633	803,157	381,955	32,900	414,855	52%	3,111
	FINANCE	149,773	1,585,931	706,480	13,000	719,480	45%	7,111
	TOTAL ADMINISTRATION	427,561	4,633,295	2,160,918	137,612	2,298,530	50%	2,211
II. COMMUNITY SERVICES								
	Membership Services & Rec. Programs	346,022	5,675,307	2,283,125	812,970	3,096,095	55%	3,111
	Recreation Facility Rentals	82,310	1,236,339	478,485	-	478,485	39%	6,111
	Community Services	43,891	609,834	216,174	75,409	291,583	48%	3,111
	Park Maintenance	124,737	1,103,136	501,476	97,750	599,226	54%	-
	Environmental Services	21,039	314,680	97,082	-	97,082	31%	1,111
	Street Maintenance	221,562	2,411,237	1,015,428	184,294	1,199,722	50%	9,111
	Downtown Maintenance	15,511	271,270	86,597	50,776	137,373	51%	1,111
	Cable Television	2,347	23,156	10,881	-	10,881	47%	-
	COMMUNITY SERVICES	857,419	11,644,959	4,689,247	1,221,199	5,910,446	51%	5,311
	CODE COMPLIANCE	17,312	160,479	78,344	-	78,344	49%	1,111
	INFRASTRUCTURE PLANNING & CONGESTION MGMT	32,631	335,902	149,764	-	149,764	45%	1,111
	ECONOMIC DEVELOPMENT PROGRAMS	54,407	653,527	326,864	55,661	382,524	59%	3,111
	TOTAL COMMUNITY SERVICES	961,770	12,794,868	5,244,218	1,276,860	6,521,078	51%	5,811
III. PUBLIC SAFETY								
	POLICE							
	PD Administration	132,853	1,373,018	813,858	52,124	865,982	63%	6,111
	Field Operations	773,511	8,709,877	4,037,292	108,306	4,145,599	48%	4,211
	Support Services	208,830	2,370,491	1,093,101	14,000	1,107,101	47%	1,111
	Emergency Services/Haz Mat	19,437	194,391	88,057	-	88,057	45%	1,111
	Special Operations	307,078	3,452,365	1,469,162	5,203	1,474,365	43%	1,211
	Dispatch Services	163,800	1,790,831	790,506	-	790,506	44%	8,111
	POLICE	1,605,509	17,890,973	8,291,976	179,633	8,471,609	47%	8,211
	FIRE	521,921	7,162,540	3,493,997	28,873	3,522,870	49%	3,511
	TOTAL PUBLIC SAFETY	2,127,430	25,053,513	11,785,973	208,506	11,994,479	48%	11,711
IV. TRANSFERS								
	Other	130,207	1,834,702	285,582	-	285,582	16%	9,111
	TOTAL TRANSFERS	130,207	1,834,702	285,582	-	285,582	16%	9,111
	TOTAL GENERAL FUND	3,646,968	44,316,377	19,476,690	1,622,978	21,099,669	48%	20,711

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City of Morgan Hill
 Year to Date Expenses - Fiscal Year 2020-21
 For the Month and Six Months Ended December 31, 2020
 50% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
SPECIAL REVENUE FUNDS								
202	STREET MAINTENANCE	352	703,934	314,785	-	314,785	45%	1,000
205	PUBLIC SAFETY/SUPP.LAW	589	107,069	3,534	-	3,534	3%	1,000
206	DEVELOPMENT SERVICES FUND							
	Planning	171,095	1,590,704	763,941	59,159	823,099	52%	1,000
	Building	194,447	2,114,110	982,284	17,970	1,000,254	47%	1,000
	Engineering	98,821	1,161,439	595,887	365,487	961,374	83%	600
206	DEVELOPMENT SERVICES FUND	464,363	4,866,253	2,342,111	442,616	2,784,727	57%	2,700
207	LONG RANGE PLANNING	118,028	1,523,735	491,615	292,803	784,417	51%	2,700
215/216	CDBG	447	5,365	2,682	-	2,682	50%	1,000
225	ASSET SEIZURE	-	60,024	-	-	-	-	-
229	LIGHTING AND LANDSCAPE	13,263	168,662	71,584	17,663	89,247	53%	1,000
230	COMMUNITY FACILITIES DISTRICT	2,597	36,418	13,100	-	13,100	36%	1,000
232	ENVIRONMENT PROGRAMS	49,205	420,519	193,659	22,171	215,830	51%	2,700
234	MOBILE HOME PARK	37	438	222	-	222	51%	1,000
236	HOUSING MITIGATION	62,529	2,494,568	190,400	138,914	329,314	13%	600
237	BEGIN	-	-	-	-	-	n/a	-
240	EMPLOYEE ASSISTANCE	2,084	28,506	8,048	-	8,048	28%	1,000
247	ENVIRONMENTAL REMEDIATION	-	-	1,683	-	1,683	n/a	1,000
250	COMH-SUCCESSOR AGENCY-MHRDA	4	6,936,625	4,161,708	-	4,161,708	60%	4,100
255	HOUSING SUCCESSOR AGENCY	135,712	994,782	529,659	254,167	783,826	79%	4,100
TOTAL SPECIAL REVENUE FUNDS		849,211	18,346,897	8,324,791	1,168,333	9,493,124	52%	8,800
CAPITAL PROJECT FUNDS								
301	PARK DEVELOPMENT	249,556	10,956,438	2,601,182	4,197,595	6,798,777	62%	1,600
302	PARK MAINTENANCE	41,677	748,230	325,002	25,014	350,016	47%	500
303	LOCAL DRAINAGE	63,116	7,233,369	239,118	43,520	282,638	4%	1,000
304	LOCAL DRAIN. NON-AB1600	58,318	847,644	142,676	58,700	201,375	24%	1,000
306	AGRICULTURE & OPEN SPACE PRESERVATION	2,228	132,691	13,368	35,956	49,324	37%	3,100
308	STREET CIP	1,596,714	6,132,529	2,563,803	962,031	3,525,834	57%	3,500
309	TRAFFIC IMPACT	459,971	32,689,024	1,153,575	28,077	1,181,653	4%	500
311	POLICE IMPACT	-	-	-	-	-	n/a	1,000
313	FIRE IMPACT	-	113,293	-	-	-	n/a	1,000
315	PUBLIC SAFETY FACILITIES IMPACT	19,525	231,008	117,150	-	117,150	51%	-
346	PUBLIC FAC.NON AB1600	632	330,590	142,860	42,975	185,835	56%	1,000
347	PUBLIC FACILITIES IMPACT	2,273	38,692	30,623	-	30,623	79%	1,000
348	LIBRARY IMPACT	18,407	1,732,111	569,022	129,754	698,776	40%	500
350	UNDERGROUNDING	92	1,107	552	-	552	50%	1,000
355	SCHOOL PEDESTRIAN & TRAFFIC SAFETY	502,245	1,995,044	948,873	103,347	1,052,220	53%	2,700
360	COMM/REC CENTER IMPACT	13,558	1,954,607	1,263,383	661,778	1,925,161	98%	3,100
375	QUIMBY FEE	-	100,000	-	-	-	n/a	-
TOTAL CAPITAL PROJECTS FUNDS		3,028,311	65,236,375	10,111,187	6,288,748	16,399,934	25%	11,200
DEBT SERVICE FUNDS								
420	CIVIC CENTER DEBT	1,635	307,813	231,304	-	231,304	75%	2,700
441	POLICE FACILITY BOND DEBT	1,309	388,040	304,854	-	304,854	79%	3,100
TOTAL DEBT SERVICE FUNDS		2,944	695,853	536,158	-	536,158	77%	5,800

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City of Morgan Hill
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FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
ENTERPRISE FUNDS								
SEWER								
640	SEWER OPERATIONS	1,301,189	13,319,581	6,344,487	178,399	6,522,886	49%	5,1
641	SEWER CAPITAL EXPANSION	48,741	7,487,155	324,264	694,140	1,018,404	14%	51
642	SEWER RATE STABILIZATION	93	1,111	558	-	558	50%	
643	SEWER-CAPITAL PROJECTS	18,704	18,341,671	2,109,414	2,203,025	4,312,439	24%	2,8
TOTAL SEWER FUND(S)		1,368,727	39,149,519	8,778,723	3,075,563	11,854,286	30%	8,5
WATER								
	Water Operations	1,220,675	14,583,410	6,689,516	1,111,488	7,801,004	53%	6,8
	Utility Billing	81,470	863,064	408,705	28,692	437,397	51%	3
	Water Conservation	5,823	153,047	32,703	47,107	79,810	52%	
650	WATER OPERATIONS	1,307,968	15,599,521	7,130,924	1,187,287	8,318,211	53%	7,2
651	WATER CAPITAL EXPANSION	77,934	1,027,523	310,545	187,307	497,851	48%	7
652	WATER RATE STABILIZATION	30	362	180	-	180	50%	
653	WATER-CAPITAL PROJECTS	1,955	3,865,574	121,998	84,896	206,894	5%	3
TOTAL WATER FUND(S)		1,387,886	20,492,981	7,563,647	1,459,489	9,023,136	44%	8,4
TOTAL ENTERPRISE FUNDS		2,756,613	59,642,500	16,342,370	4,535,052	20,877,422	35%	16,9
INTERNAL SERVICE FUNDS								
730	INFORMATION SYSTEMS	140,779	2,240,628	888,320	253,404	1,141,724	51%	8
740	BUILDING MAINTENANCE	219,083	3,450,173	1,146,870	206,127	1,352,998	39%	1,4
741	BUILDING REPLACEMENT	14,861	457,000	45,239	601	45,840	10%	1
745	CIP ADMINISTRATION	168,349	1,655,366	788,644	7,736	796,380	48%	7
760	UNEMPLOYMENT	-	75,000	(7,688)	-	(7,688)	-10%	
770	WORKERS COMPENSATION	23,364	860,729	482,358	-	482,358	56%	7
790	EQUIPMENT REPLACEMENT	410,488	1,863,653	682,663	683,076	1,365,739	73%	
791	EMPLOYEE BENEFITS FUND	210,236	625,000	295,244	-	295,244	47%	3
795	GEN. LIABILITY INSURANCE	20,004	1,457,651	1,192,755	-	1,192,755	82%	8
TOTAL INTERNAL SERVICE FUNDS		1,207,165	12,685,200	5,514,405	1,150,943	6,665,349	53%	5,2
REPORT TOTAL		\$ 11,491,213	\$ 200,923,203	\$ 60,305,601	\$ 14,766,055	\$ 75,071,656	37%	\$ 63,5

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and

		 City of Morgan Hill Fund Activity Summary - Fiscal Year 2020-21 For The Six Months Ended December 31, 2020 50% of Year Complete							
Fund No.	Fund	Fund Balance 06-30-20	Revenues		Expenses		Year to-Date Deficit or Carryover	Ending Fund Balance	
			YTD Actual	% of Budget	YTD Actual	% of Budget		Reserved ¹	Unreserved
010	GENERAL FUND	\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
TOTAL GENERAL FUND		\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
202	STREET MAINTENANCE	34,027	\$ 313,217	45%	\$ 314,785	46%	\$ (1,568)	\$ -	\$ 32,459
205	PUBLIC SAFETY/SUPPL. LAW	144,643	82,280	82%	3,534	51%	78,746	-	223,389
206	DEVELOPMENT SERVICES	(24,043)	2,281,281	48%	2,342,111	48%	(60,830)	442,616	(527,489)
207	LONG RANGE PLANNING	1,250,193	330,257	49%	491,615	32%	(161,358)	292,803	796,033
215 / 216	CDBG	52,922	217	7%	2,682	50%	(2,465)	-	50,457
225	ASSET SEIZURE	142,239	477	25%	-	n/a	477	-	142,716
229	LIGHTING AND LANDSCAPE	163,636	469	0%	71,584	42%	(71,115)	17,663	74,858
230	COMMUNITY FACILITIES DISTRICT	126,360	256	21%	13,100	36%	(12,844)	-	113,516
232	ENVIRONMENTAL PROGRAMS	162,637	248,069	56%	193,659	46%	54,410	22,171	194,876
234	MOBILE HOME PK RENT STAB.	58,766	3,632	490%	222	51%	3,410	-	62,176
235	SENIOR HOUSING	232,360	781	21%	-	n/a	781	-	233,141
236	HOUSING MITIGATION	3,702,291	1,285,121	57%	190,400	8%	1,094,720	138,914	4,658,097
237	BEGIN	-	514	n/a	-	n/a	514	-	514
240	EMPLOYEE ASSISTANCE	63,113	7,394	25%	8,048	28%	(654)	-	62,459
247	ENVIRONMENT REMEDIATION	136,785	967	40%	1,683	n/a	(716)	-	136,069
250	COMH-SUCCESSOR AGENCY-MHRDA	3,808,617	2,262	0%	4,161,708	60%	(4,159,446)	-	(350,829)
255	HOUSING SUCCESSOR AGENCY	4,538,622	280,817	132%	529,659	53%	(248,842)	254,167	4,035,613
260	PUBLIC ART	185	-	n/a	-	-	-	-	185
TOTAL SPECIAL REVENUE FUNDS		\$ 14,593,353	\$ 4,838,013	30%	\$ 8,324,791	45%	\$ (3,486,778)	\$ 1,168,333	\$ 9,938,241
301	PARK DEV. IMPACT FUND	\$ 3,569,152	\$ 1,213,369	51%	\$ 2,601,182	24%	\$ (1,387,813)	\$ 4,197,595	\$ (2,016,256)
302	PARK MAINTENANCE	3,411,843	50,671	14%	325,002	43%	(274,331)	25,014	3,112,498
303	LOCAL DRAINAGE	12,765,782	711,738	42%	239,118	3%	472,620	43,520	13,194,882
304	LOCAL DRAINAGE/NON-AB1600	1,445,963	5,651	4%	142,676	17%	(137,024)	58,700	1,250,239
306	AGRICULTURE AND OPEN SPACE PRESERV	6,620,492	115,364	64%	13,368	10%	101,996	35,956	6,686,532
308	STREET CIP	3,866,352	811,727	32%	2,563,803	42%	(1,752,076)	962,031	1,152,245
309	TRAFFIC IMPACT FUND	(430,089)	852,176	5%	1,153,575	4%	(301,399)	28,077	(759,566)
311	POLICE IMPACT FUND	-	187,219	n/a	-	n/a	187,219	-	187,219
313	FIRE IMPACT FUND	-	27,674	45%	-	n/a	27,674	-	27,674
315	PUBLIC SAFETY FACILITIES IMPACT	3,452,398	28,594	3%	117,150	51%	(88,556)	-	3,363,842
346	PUBLIC FACILITIES NON-AB1600	392,026	417,549	68%	142,860	43%	274,689	42,975	623,740
347	PUBLIC FACILITIES IMPACT FUND	839,822	105,291	31%	30,623	79%	74,668	-	914,490
348	LIBRARY IMPACT FUND	1,680,413	446,929	47%	569,022	33%	(122,093)	129,754	1,428,566
350	UNDERGROUNDING	966,109	3,239	25%	552	50%	2,687	-	968,796
355	SCHOOL PEDESTRIAN/TRAFFIC SFTY	1,076,228	233,449	39%	948,873	48%	(715,424)	103,347	257,457
360	COMM/REC CTR IMPACT FUND	2,050,691	694,175	46%	1,263,383	65%	(569,208)	661,778	819,705
TOTAL CAPITAL PROJECT FUNDS		\$ 41,707,182	\$ 5,904,816	20%	\$ 10,111,187	15%	\$ (4,206,371)	\$ 6,288,748	\$ 31,212,063
420	CIVIC CENTER DEBT	\$ 154,609	\$ 155,217	50%	\$ 231,304	75%	\$ (76,087)	\$ -	\$ 78,522
441	POLICE FACILITY BOND DEBT	74,409	292,371	76%	304,854	79%	(12,482)	5	61,922
TOTAL DEBT SERVICE FUNDS		\$ 229,018	\$ 447,588	64%	\$ 536,158	77%	\$ (88,570)	\$ 5	\$ 140,443

 CITY OF MORGAN HILL		City of Morgan Hill Fund Activity Summary - Fiscal Year 2020-21 For The Six Months Ended December 31, 2020 50% of Year Complete					
Fund Balance 06-30-20	Revenues		Expenses		Year to-Date Deficit or Carryover	Ending Fund Balance	
	YTD Actual	% of Budget	YTD Actual	% of Budget		Reserved ¹	Unreserved

640	SEWER OPERATIONS	\$ 3,165,292	\$ 5,574,678	42%	\$ 6,344,487	48%	\$ (769,809)	178,399	2,217,085
641	SEWER IMPACT FUND*	21,717,172	2,316,080	36%	324,264	4%	1,991,816	694,140	23,014,848
642	SEWER RATE STABILIZATION	2,667,854	8,966	20%	558	50%	8,408	-	2,676,262
643	SEWER-CAPITAL PROJECTS	9,246,526	2,228,959	50%	2,109,414	12%	119,546	2,203,025	7,163,047
650	WATER OPERATIONS	3,878,448	7,774,204	50%	7,130,924	46%	643,279	1,187,287	3,334,441
651	WATER IMPACT FUND*	2,780,694	794,277	45%	310,545	30%	483,733	187,307	3,077,120
652	WATER RATE STABILIZATION	2,790,499	31,051	47%	180	50%	30,871	-	2,821,370
653	WATER -CAPITAL PROJECT	4,226,388	2,438,977	50%	121,998	3%	2,316,979	84,896	6,458,471
TOTAL ENTERPRISE FUNDS		\$ 50,472,873	\$ 21,167,193	45%	\$ 16,342,370	27%	\$ 4,824,823	\$ 4,535,052	\$ 50,762,644

730	INFORMATION SERVICES	\$ 686,637	\$ 942,451	51%	\$ 888,320	40%	\$ 54,130	\$ 253,404	\$ 487,364
740	BUILDING MAINTENANCE	415,856	1,713,817	49%	1,146,870	33%	566,947	206,127	776,676
741	BUILDING REPLACEMENT	3,042,909	339,794	47%	45,239	10%	294,555	601	3,336,863
745	CIP ENGINEERING	(108,085)	461,263	27%	788,644	48%	(327,382)	7,736	(443,202)
760	UNEMPLOYMENT	131,342	50,310	49%	(7,688)	-10%	57,998	-	189,340
770	WORKERS COMPENSATION	2,026,064	364,034	42%	482,358	56%	(118,324)	-	1,907,740
790	EQUIPMENT REPLACEMENT	5,816,846	692,451	64%	682,663	37%	9,789	713,076	5,113,559
791	EMPLOYEE BENEFITS FUNDS	6,548	299,292	29%	295,244	47%	4,048	-	10,596
795	GEN. LIABILITY INSURANCE	1,463,809	431,573	49%	1,192,755	82%	(761,182)	-	702,627
TOTAL INTERNAL SERVICE FUNDS		\$ 13,481,926	\$ 5,294,986	45%	\$ 5,514,405	43%	\$ (219,420)	\$ 1,180,943	\$ 12,081,563

SUMMARY BY FUND TYPE

GENERAL FUND GROUP	\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
SPECIAL REVENUE GROUP	14,593,353	4,838,013	30%	8,324,791	45%	(3,486,778)	1,168,333	9,938,241
DEBT SERVICE GROUP	229,018	447,588	64%	536,158	77%	(88,570)	5	140,443
CAPITAL PROJECTS GROUP	41,707,182	5,904,816	20%	10,111,187	15%	(4,206,371)	6,288,748	31,212,063
ENTERPRISE GROUP	50,472,873	21,167,193	45%	16,342,370	27%	4,824,823	4,535,052	50,762,644
INTERNAL SERVICE GROUP	13,481,926	5,294,986	45%	5,514,405	43%	(219,420)	1,180,943	12,081,563
TOTAL ALL GROUPS	\$ 139,659,587	\$ 48,680,881	34%	\$ 60,305,601	30%	\$ (11,624,721)	\$ 14,796,059	\$ 113,238,807

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

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

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

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

City Manager's Signature Authority**Contracts and Agreements Between \$25,000 to \$60,000 Entered Since 10/3/2020 to 1/6/2021**

Vendor Name	Description of Service	Begin Date	End Date	Department	Amount
West Valley Community Services	MOU - RYDE - Reach your Destination Easily Senior Transportation Program	11/1/2020	6/30/2021	E&U	\$30,000
DocuSign, inc.	eSignature Business Pro for Gov and Premier Support	11/25/2020	10/29/2022	CC	\$41,400
Battalion One Fire Protection, Inc.	Fire Protection Sprinkler Inspection, Testing and Maintenance	12/8/2020	12/31/2022	Fire	\$42,210
Ruggeri-Jensen-Azar	Hale Ave-Dewitt ave/Spring Ave Intersection and Traffic Signal Design	12/30/2020	12/31/2021	E&U	\$41,700
Hannah-Brunetti	Design Services for the Fish Basin Capacity Expansion Project	10/6/2020	12/31/2021	E&U	\$41,575

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Michelle Bigelow, City Clerk
APPROVED BY: City Manager

REVIEW AND APPROVE CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

RECOMMENDATION(S)

1. Review, discuss, and approve the City Council appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

COUNCIL PRIORITIES, GOALS & STRATEGIES

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

Community Engagement and Messaging
Economic Development
Fiscal Sustainability
Infrastructure
Regional Initiatives
Affordable Housing and Homelessness
Transportation

REPORT NARRATIVE:

The City Council is committed to actively participating in regional committees and agencies as an important way to influence decisions that benefit Morgan Hill. The City Council is being asked to review, discuss, and make appointments to the outside agencies. The Appointments to Outside Agencies chart only includes appointments made by the City Council to outside agencies. It does not include appointments made by other agencies or organizations. The Mayor will make appointments, subject to Council approval.

Once the appointments are made, the City is required to post the Fair Political Practices Commission (FPPC) Form 806 on its website. The Form 806 lists all the paid appointed positions to which an official can vote on the City's website including those assignments that do not receive a stipend. Staff requests that Council Members notify the City Clerk's

Office immediately when new assignments are made and when there is compensation of \$250.00 or more in a 12-month period.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community of the City Council appointments to outside agencies.

ALTERNATIVE ACTIONS:

Not applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council reviews and confirms the assignments to outside agencies annually.

FISCAL AND RESOURCE IMPACT:

The time necessary to prepare and present this staff report is accommodated in the Council Services & Records Management Operating Budget. The level of City Council and staff resources necessary to actively participate in each outside assignment varies with some requiring a significant amount of time.

CEQA (California Environmental Quality Act):

The preparation of the City Council assignments to outside agencies is an administrative task and as such, is not a project.

LINKS/ATTACHMENTS:

1. DRAFT Council Member Assignments to Committees 2021

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Countywide	<u>Santa Clara County Library District Joint Powers Authority</u> 1370 Dell Avenue Campbell, CA 95008 Cynthia Rios Garcia, Secretary CRiosGarcia@sccl.org (408) 293-2326, ext. 3090 https://www.sccl.org/About/Governance/JPA-Board-Meetings Tracy Ellenberger, Executive Assistant tellenberger@sccl.org 408-293-2326 x3093	Provide policy direction and governance for the Santa Clara County Library District. Cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill & Saratoga.	Meets 4 times per year typically on the 4th Thursday of month; 12:00 pm 1370 Dell Avenue Campbell, CA 95008	(P) Constantine (A) _____	
Environmental	<u>Santa Clara Valley Habitat Agency Governing Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Serves as governing body for JPA and makes all decisions except those delegated to the Implementation Board Staff.	Quarterly, 3rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Avenue	(P) Spring (P) Martinez Beltran (A) McKay (A) _____	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Environmental	<u>Santa Clara Valley Habitat Agency Implementation Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Makes recommendations to the Governing Board regarding fees and budget, appoints executive officers and hiring of other agency personnel, services, and equipment, makes decision regarding real property acquisition and makes recommendations to the executive officers regarding grants and other funding.	Bi-Monthly, 3 rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Avenue	(P) Spring (A) Martinez Beltran (A) McKay (P) Carman (A) Ramirez	
Environmental	<u>Silicon Valley Clean Energy Authority</u> 333 W. El Camino Real, Suite 290 Sunnyvale, CA 94087 Andrea Pizano andreap@svcleanenergy.org (408) 721-5301 x.1005 https://www.svcleanenergy.org/board	The JPA created to collectively study, promote, develop, conduct, operate, and manage energy supply and efficiency programs related to the provision of clean power. Recommended two year assignment per SVCE	2 nd Wednesday of the month 7:00 pm Cupertino City Hall 10350 Torre Ave	(P) Martinez Beltran (A) Eulo	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Flood Control	<u>Pajaro River Watershed Flood Prevention Authority</u> PO Box 809 Marina, CA 93933 Ana Flores Regional Analysis & Planning Services aflores@ambaq.org (831)883-3750 ext. 300 http://www.pajaroriverwatershed.org	Identify, evaluate, fund, and implement environmentally sound flood prevention and control strategies in the Pajaro River Watershed, on an intergovernmental, cooperative basis as required by the Pajaro River Watershed Flood Prevention Authority Act.	Meet bi-monthly 1st Friday 9:00 am Meeting locations alternate between the Cities of Gilroy, Hollister, Salinas & Watsonville	(P) Spring/_____ (non-voting member)	Chris Ghione, Public Service Director
Flood Control	<u>Santa Clara Valley Water District Elected Officials Quarterly Meeting (Llagas Creek PL 566)</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Michelle King, Clerk of the Board board@valleywater.org (408) 265-2600	Specifically address Llagas Creek flooding and Anderson Dam Retrofit Project.	Quarterly on Fridays 10:00 am Morgan Hill City Hall, Grand Conference Room 17575 Peak Ave	(P) Spring (P) _____ (A) Martinez Beltran	Chris Ghione, Public Service Director

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Housing	<u>Santa Clara County Housing & Community Development Advisory Committee (HCDAC)</u> Office of Supportive Housing 3180 Newberry Drive, Ste 150 San Jose, CA 95118 Alejandra Herrera Chavez, Program Manager I Alejandra.herrera@hhs.sccgov.org (408) 278-6414	The role of the HCD Advisory Committee is to be the policy-recommending body to the Board of Supervisors on the planning, implementation, monitoring, and evaluation of the Urban County HCD Program. The Committee guides the development of a coordinated housing and community development plan and hears project proposals, reviews staff recommendations, and makes recommendations to the Board of Supervisors for final approval and forwarding to HUD.	As needed 70 West Hedding Street, 1 st Floor Board Chambers	(P) McKay (A) Martinez Beltran	Rebecca Garcia, Housing Manager
Land Use/ Transportation	<u>South County Joint Planning Advisory Committee</u> Santa Clara Co. Planning Office 70 W. Hedding, E Wing, 7 th Floor San José, CA 95110	Cities of Gilroy & Morgan Hill, County of Santa Clara and unincorporated area of San Martin addressing issues re: land use planning of regional significance. Staff coordination rotates between the three sponsoring organizations, Gilroy, Morgan Hill, and Santa Clara County.	As-needed	(P) _____ (A) McKay Joseph Mueller, Planning Commissioner Dennis Delisle, Citizen Representative _____, Citizen Representative	Jennifer Carman, Community Development Director Rob Eastwood, County of Santa Clara _____ City of Gilroy

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>City-School Liaison Committee</u> Morgan Hill Unified School District; 15600 Concord Circle or City of Morgan Hill 17575 Peak Avenue Morgan Hill, CA 95037-4128 Kelly Shriefer, Secretary to the Superintendent, MHUSD shrieferk@mhusd.org (408) 201-6001 Michelle Bigelow, City Clerk Michelle.bigelow@morganhill.ca.gov (408) 310-4678 http://mhusd.org/board-of-education/cityschool-liaison-committee/	To facilitate communication between the City and School District on issues of common concern.	Every other month, typically on Fridays 8:30 am Meetings alternate between the City of Morgan Hill, City Hall 17575 Peak Ave and the Morgan Hill Unified School District Office 15600 Concord Cir	(P1) Constantine (P2) _____ (A1) Martinez Beltran (A2) McKay	Christina Turner, City Manager Shane Palsgrove, Police Chief Chris Ghione, Public Service Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>South County United for Health Leadership Team</u> County of Santa Clara, Public Health Department Active and Safe Communities Sobrato Center for Nonprofits 1400 Parkmoor Avenue, Suite 120 B San Jose, CA 95126 Alice Kawaguchi, MPH, RD Health Care Program Manager II Alice.Kawaguchi@PHD.sccgov.org (408) 793-2733	South County United for Health is a collaborative effort to create healthier communities where people live, work, learn and play in the cities of Morgan Hill, Gilroy, San Martin, and parts of unincorporated Santa Clara County, also known as South County.	Meets quarterly on Thursdays 10:00 am to noon Morgan Hill Community & Cultural Center 17000 Monterrey Road February 7, 2019 April 4, 2019 August 1, 2019 October 3, 2019	(P) Spring (A) Constantine	
Regional Government	<u>ABAG</u> 375 Beale Street San Francisco Fred Castro, Clerk of the Board fcastro@bayareametro.gov (415) 820-7913 https://abag.ca.gov/overview/ga.html	Council of governments representing Cities & Counties in the Bay Area; a comprehensive planning agency addressing regional social, environmental, and economic issues.	Meets annually, usually in April Location varies (Oakland or San Francisco)	(P) Martinez Beltran (A) McKay	(P) (A) Jennifer Carman, Community Development Director

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>Cities Association of Santa Clara County Board</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordon, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	Promotes cooperation, represents the mutual interest, and presents a unified voice for the fifteen cities of Santa Clara County; each city in Santa Clara County appoints the Mayor or a Council Member to the Board of Directors; advocates for positive action to enhance the quality of life for the people of our county.	Monthly 2nd Thursday 7:00 pm 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	None, unless Morgan Hill serves as President, the City Manager
Regional Government	<u>Cities Association of Santa Clara County Board City Selection Committee</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordan, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	The committee makes recommendations on appointments to regional and countywide organizations.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	
Regional Government	<u>Cities Association of Santa Clara County Board Legislative Action Committee</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordan, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	The committee provides basic legislative updates to cities with little or no legislative staff, organizes emergency responses to urgent issues, and enables the Cities Association to advocate on issues of mutual interest.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>League of California Cities Peninsula Division</u> Seth Miller P.O. Box 5630 San Francisco, CA 94080 sethl_miller@yahoo.com (415) 595-8629 http://www.cacities.org/Member-Engagement/Regional-Divisions/Peninsula	Comprised of the 36 cities from San Francisco to Gilroy, division members work together to enhance the quality of life in our communities, our region, and our state.	4 meetings per year: January 30, 2019; 11:30 – 1:30 March 20, 2019; 8:00 – 10:00 May 22, 2019; 11:30 – 1:30 August 28, 2019; 8:00 – 10:00 special meetings added as needed	(P) Martinez Beltran (A) McKay	
Transportation	<u>Caltrain Local Policy Maker Group</u> 1250 San Carlos Avenue San Carlos, CA 94070 (650) 508-6200 Casey Fromson fromsonc@samtrans.com (650) 508-6493 http://www.caltrain.com/projects/plans/CaltrainModernization/Meetings.html	Advisory group comprised of elected officials and provides a formal venue to facilitate local input and guidance on the Caltrain Modernization Program.	Monthly 4 th Thursday 5:30 pm Edward J. Bacciocco Auditorium, Second Floor 1250 San Carlos Ave	(P) _____ (A) Constantine	Edith Ramirez Assistant City Manager Tiffany Brown Associate Planner

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Comprehensive County Expressway Planning Study Policy Advisory Board</u> Santa Clara County Roads and Airports 101 Skyport Drive San Jose, Ca 95110-1302 Ellen Talbo ellen.talbo01@rda.sccgov.org (408) 573-2462 http://sccgov.igm2.com/citizens/default.aspx?	Provides an elected officials' forum for policy input to the <i>Expressway Plan 2040</i> – a long range plan for the improvement and maintenance of the eight County expressways and the Santa Teresa-Hale Corridor. All areas of need are included: capacity and operational improvements, signal operations, high-occupancy vehicle (HOV) lanes, bicycle, and pedestrian improvements, finishing elements, and ongoing operating and maintenance needs and funding strategy recommendations.	As needed 70 West Hedding Street, 1 st Floor Board Chambers	(P) McKay (A) Constantine	Chris Ghione, Public Service Director
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) Policy Advisory Committee (PAC)</u> 3331 North First Street, Building B-1 st Floor San Jose, CA 95134-1927 Steven Flynn Advisory Committee Coordinator Elaine Baltao, Board Secretary Board.secreatary@vta.org (408) 321-5680 http://www.vta.org/get-involved/advisory-committee/policy-advisory-committee-pac	Advises the Authority Board of Directors on policy matters relating to transportation and congestion management. <i>Board Member cannot serve on the PAC.</i> <i>(Note: participation is State-mandated)</i>	Monthly, 2 nd Thursday 4:00 pm VTA River Oaks Campus 1331 N. 1 st Street Room B-104 San Jose	(P) Constantine (A) Martinez Beltran	Chris Ghione, Public Service Director Edith Ramirez Assistant City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) MG - Group 4</u>	Cities of Morgan Hill and Gilroy advises the PAC (see above) on transportation policy and funding issues. Discuss transportation items of mutual interest to the cities of Morgan Hill and Gilroy	Tuesday before each Thursday Board meeting, 9:00 am Morgan Hill City Hall 17575 Peak Ave	(P) _____ (A) Constantine	Christina Turner, City Manager Chris Ghione, Public Service Director Edith Ramirez Assistant City Manager
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) Board of Directors</u> 3331 North First Street San Jose, CA 95134-1906 Elaine Baltao, Board Secretary board.secretary@vta.org (408) 321-5680 http://www.vta.org/get-involved/board-of-directors	Reviews issues relating to transportation and congestion management.	Monthly, 1 st Thursday 5:30 pm County Government Center 70 W. Hedding St. San Jose	(P) Constantine (A) Marie Blankley (Gilroy) <i>(Alternates between MH and Gilroy every two years based on VTA preference – sometimes longer for continuity)</i>	Christina Turner, City Manager Chris Ghione, Public Service Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Water/Wastewater	<u>Santa Clara Valley Water Commission</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Glenna Brambill gbrambill@valleywater.org (408) 630-2408	Advises the District on water supply, legislative issues, and integrated water resource management. <i>(Note: Most issues relate to imported water; Morgan Hill is 100% ground water)</i>	12:00 pm-2:00 pm January 23, 2019 April 10, 2019 July 24, 2019 October 23, 2019 January 22, 2020 Santa Clara Valley Water District Headquarters Building Boardroom 5700 Almaden Expressway, San Jose	(P) Constantine (A) Martinez Beltran	James Sylvair Deputy Director for Utilities Services Tony Eulo, Program Administrator <i>(Note: Staff member serves as alternate)</i>
Water/Wastewater	<u>South County Regional Wastewater Authority (SCRWA) Board Meeting</u> 1500 Southside Drive Gilroy, CA 95020 Gina Bonnell Gina.bonnell@ch2m.com Secretary/Clerk of the Board (408) 848-0480 http://www.ci.gilroy.ca.us/561/South-County-Regional-Wastewater-Authority	The South County Regional Wastewater Authority established by Joint Powers Agreement (Cities of Gilroy & Morgan Hill) to provide common authority relating to Joint Wastewater Gilroy/Morgan Hill Sewage Treatment Plant located in Gilroy.	1st Wednesday of the Month 8:00 am 1500 Southside Drive Gilroy	(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay Primary delegate	James Sylvair Deputy Director for Utilities Services Chris Ghione, Public Service Director Christina Turner, City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Water/Wastewater	<u>Joint Water Resource Committee</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Natalie Dominguez ndominguez@valleywater.org (408) 630-2659 http://www.valleywater.org/About/CitiesofGilroyMorganHill.aspx X	Advance South County Water interests. This joint committee is made up of two City Council members each from Morgan Hill and Gilroy, and two Santa Clara Valley Water District (SCVWD) Board members. The members from the two cities will also represent the South County Regional Wastewater Authority (SCRWA). Policy matters to be discussed include recycled water, groundwater, and long-term water resource planning.	Meetings follow SCRWA Board Meetings - 1 st Wednesday of the month 8:30 am (at the request of the committee) 1500 Southside Drive Gilroy	(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay	Christina Turner, City Manager Chris Ghione, Public Service Director James Sylvair Deputy Director for Utilities Services
Water/Wastewater	<u>Joint Recycled Water Advisory Committee</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Natalie Dominguez ndominguez@valleywater.org (408) 630-2659 http://www.valleywater.org/About/CitiesofGilroyMorganHill.aspx X	Ensure the continued utilization of recycled water in South County and promote the expansion of water reuse in the region and to advance recycled water production, distribution, and wholesaling in South County. Note: This is a newly proposed Valley Water committee.		(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay	Christina Turner, City Manager Chris Ghione, Public Service Director James Sylvair Deputy Director for Utilities Services

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

LIST OF CITY COUNCIL ADJUNCT COMMITTEES

Mayor Rich Constantine

- Governance, Transparency and Labor Relations Policy Committee for the League of California Cities (Chair)
- City Liaison to the Sister City Committee
- Board Member of the Healthier Kids Foundation
- South County Youth Task Force
- Morgan Hill Chamber of Commerce Board (Mayor is ex-officio member)
- Cities Association LAFCO Representative
- LAFCO Board Member Representative
- Cities Association of Santa Clara County Executive Board
- County of Santa Clara Unhoused Task Force
- Cities Association Bay Area Air Quality Management District Board of Directors

Council Member John McKay

- Downtown Association
- Santa Clara County Representative to the Peninsula Division of the League of California Cities
- Housing, Economic, and Community Development Policy Committee for the League of California Cities
- Legislative Action Committee Co-Chair for the League of California Cities Peninsula Division

Council Member Yvonne Martinez Beltran

- City Liaison to the Sister City Committee (alternate)
- County of Santa Clara Unhoused Task Force
- Transportation, Communication, and Public Works Policy Committee for the League of California Cities
- Housing, Economic, and Community Development Policy Committee for the League of California Cities

From: Joe Baranowski <joe.b@mh-rgc.org>

Date: January 20, 2021 at 3:43:08 PM PST

To: Christina Turner <Christina.Turner@morganhill.ca.gov>

Cc: Jennifer Carman <Jennifer.Carman@morganhill.ca.gov>, Donald Larkin

<Donald.Larkin@morganhill.ca.gov>, Rich Constantine

<Rich.Constantine@morganhill.ca.gov>, Rene Spring <Rene.Spring@morganhill.ca.gov>,

Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>, Gino Borgioli

<Gino.Borgioli@morganhill.ca.gov>, John McKay <john.mckay@morganhill.ca.gov>

Subject: Consent Calendar Item Ordinance 2319: Amending Various Code Provisions Within Title 18 (Zoning Code)

City Staff:

I would like to request the consent item referenced in the title of this email be moved off the consent calendar so that someone from the staff can explain what I find to be confusing language in the text of the proposed changes. Specifically relating to General Plan Amendments:

The chapter heading states the reason: (added emphasis of bold text is by me)

*18.115.010 – Purpose. This chapter establishes procedures for **amending the General Plan** text (e.g., **goals, policies, or implementation programs**) or to change the General Plan land use designation on any parcel(s)*

The Findings required for such amendments to be approved are stated as:

*A. The city council must find that the proposed amendment meets the **letter and intent** of the General Plan **goals and policies**.*

This seems like circular logic that would likely lead to ambiguity and confusion given that an attempt to amend "e.g. goals and policies" may be assumed to have a desired result of changing not meeting the (existing) "letter and intent".

Can someone please explain why the required Findings are stated in such a general manner and why they are not likely to result in a circular argument?

IF the purpose was limited to just "or change the General Plan land use designation on any parcel(s)". the required Findings would make logical sense, although I would still have doubts that meeting the "letter" of the General Plan will, in practice, lead to anything other than having to ignore that word.

Thank you,

Joe Baranowski

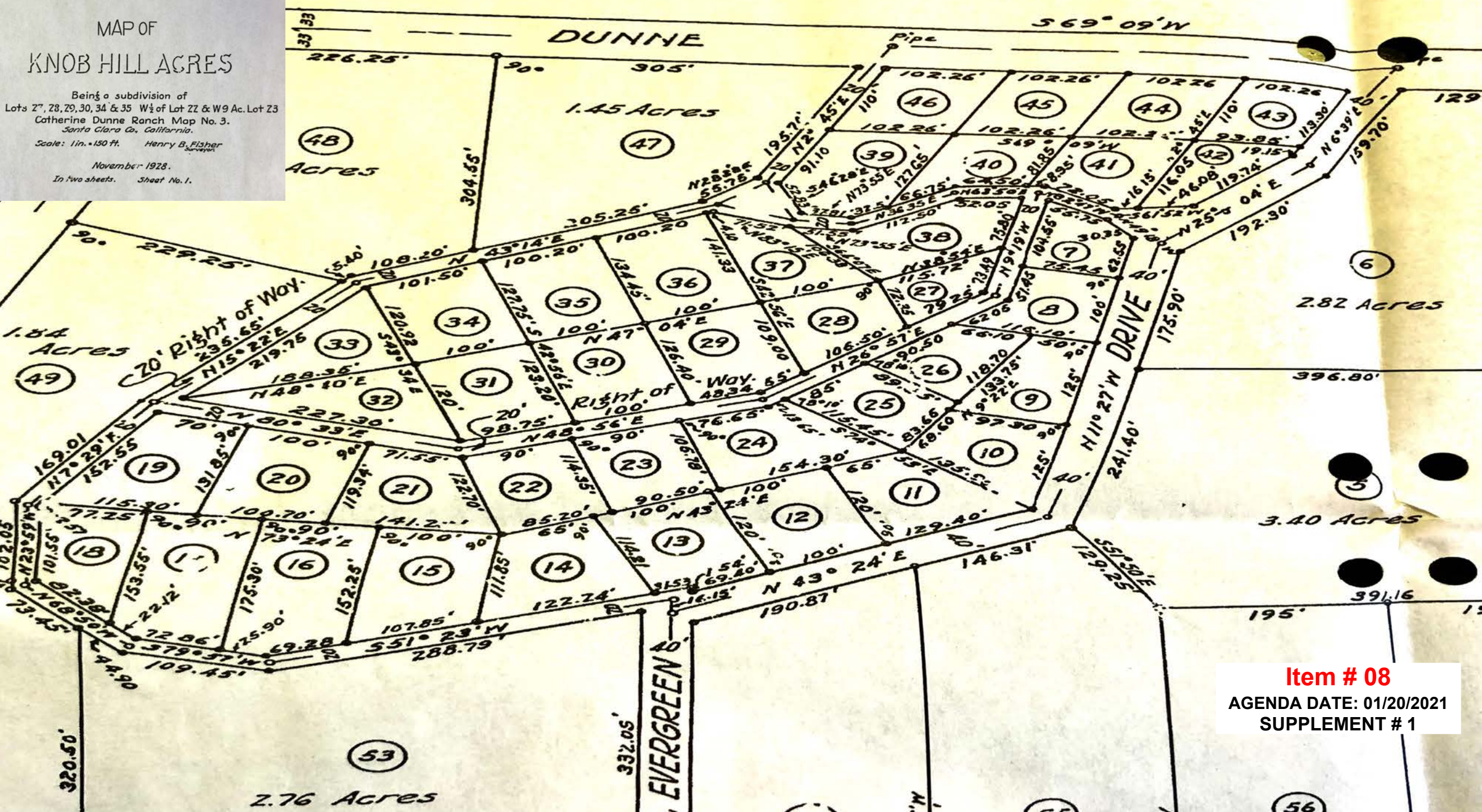
MAP OF KNOB HILL ACRES

Being a subdivision of
Lots 27, 28, 29, 30, 34 & 35 W½ of Lot 22 & W9 Ac. Lot 23
Catherine Dunne Ranch Map No. 3.
Santa Clara Co., California.

Scale: 1 in. = 150 ft. Henry B. Fisher
Surveyor

November 1928.

In two sheets. Sheet No. 1.



Item # 08

AGENDA DATE: 01/20/2021
SUPPLEMENT # 1

Item # 08

AGENDA DATE: 01/20/2021
SUPPLEMENT # 2

From: [Christina Turner](#)
To: [Michelle Bigelow](#); [Angie Gonzalez](#)
Cc: [Chris Ghione](#); [Donald Larkin](#)
Subject: supplement
Date: Wednesday, January 20, 2021 4:07:33 PM

Please supplement this Q&A.

Negotiations on this property outside of court and eminent domain are continuing. The property owner is requesting we move to eminent domain as is stipulated in the possession and use agreement. However, the property owner has agreed to meet and discuss options with the City after the RON hearing. Moving forward with the RON Hearing does not commit the City to not settle outside of court in the future. We do not anticipate this going to court and if it did it would be several years away, due to the County courts backlog. We will setup a follow-up closed session item to discuss in detail with the Council. The Council can provide direction on negotiations at that meeting.

- 1) What appraiser did you use? **Associated Right of Way Services.**
- 2) You indicate that you are using Oct/ 2018 valuation but it's 2021 now, it would seem reasonable to understand how much property valuation has increased? **We could opt to get an appraisal of the current value, but that would not be useful. We will only pay the 2018 Value as stipulated in the agreement, the City is not responsible to pay for any increase in value. We could get another appraisal with the 2018 valuation, but the property owner is currently not interested in that.**
- 3) If this goes to court, (question for Mr Larkin), approx how much would this cost the city? **In the very unlikely scenario that this went all the way to trial there could be costs of up to \$350,000 in legal fees. However, this is highly unlikely and the Council can provide legal direction not to go this route. This legal direction can be discussed at a future closed session and should be done in that manner to protect the City's interest. The RON hearing does not commit the City to going to trial.**
- 4) If this goes to court, how much of an impact will this have on the delay in the project? **There is no impact or delay on the timing of the project. The property is under the possession of the City per the agreement. The project is awarded and work is scheduled to begin in April.**



City Council Meeting Item #9 Monthly Budget Update



January 20, 2021

Overview



- Monthly Budget Update
- Staff does not recommend any budget adjustments at this time

General Fund



- No material change since last update
- State and County restriction in light of recent surge in COVID-19 cases will negatively impact sales tax, recreation services, and TOT
- Recreation Services: The additional \$1.6 million loss is becoming more of a reality

Development Services



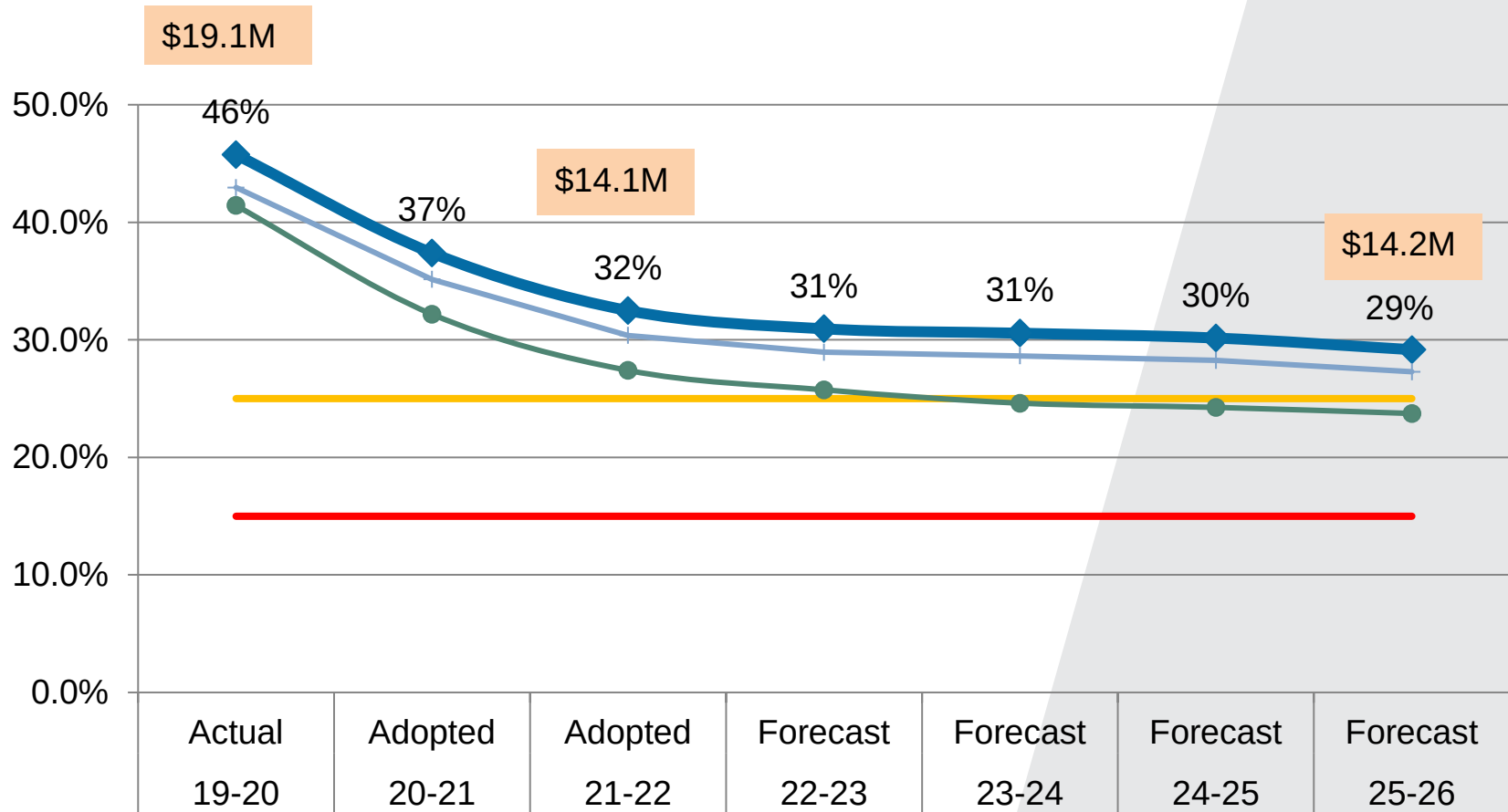
- Revenues are tracking higher than budget
- \$2.3 million received to date or 61% of budget (without \$1.0 million loan)
- No significant impact to development services is expected from County moving back into the “Purple Tier”

Enterprise Funds



- Expecting higher water revenue as well as increased wastewater flows due to higher levels of stay at home residents
- Number of accounts delinquent steady but with higher balance

Updated General Fund Forecast



◆ GF Six Year Forecast October 21, 2020

— Fund Balance Minimum Level of 15% of Revenues

+ GF Six Year Forecast July 22, 2020

— Fund Balance Goal of 25% of Revenues

● GF Six Year Forecast Budget Adoption June 17, 2020

Questions?





City Council Meeting Item #9 Monthly Budget Update



January 20, 2021

Overview



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- Staff does not recommend any budget adjustments at this time

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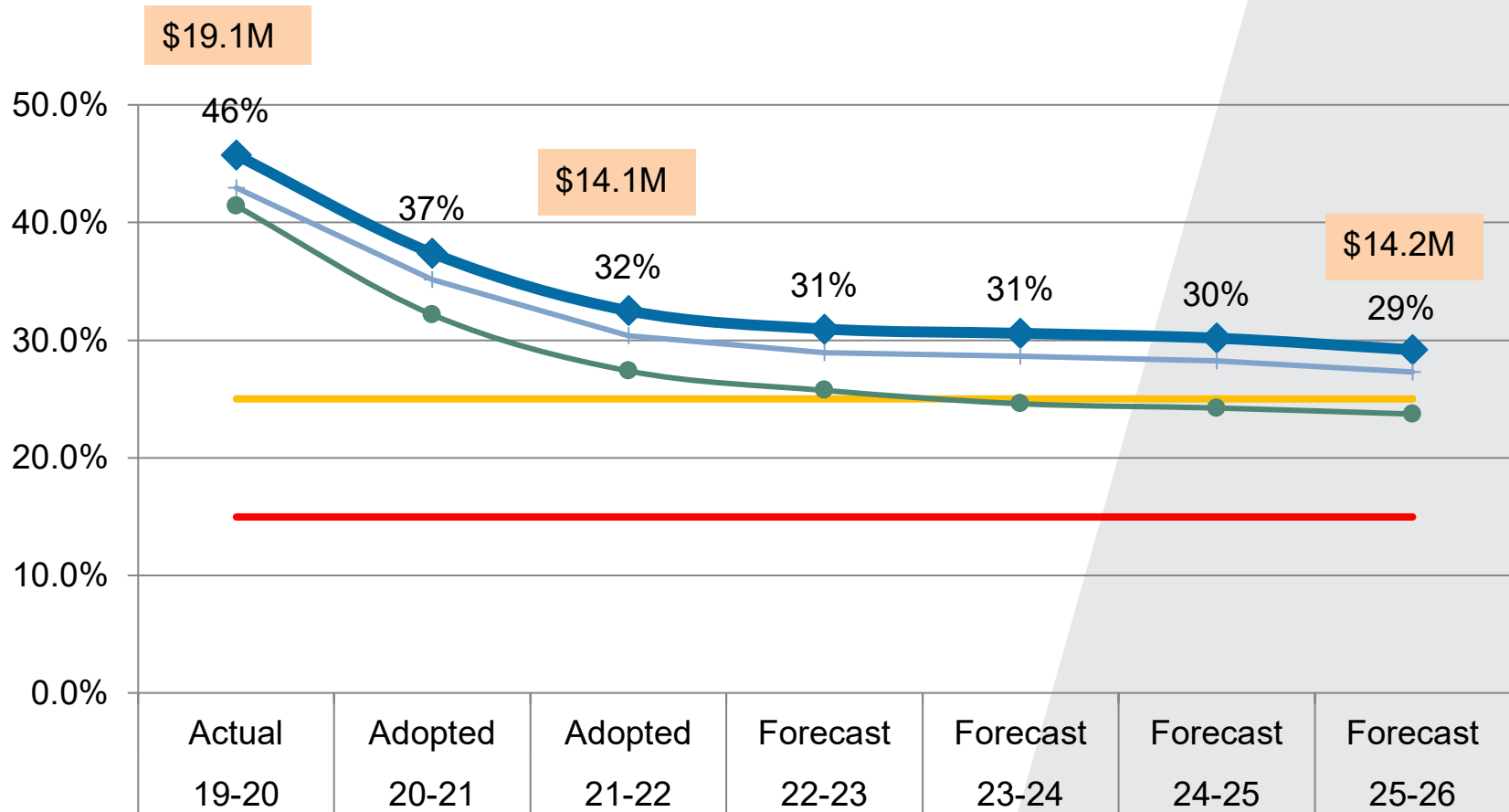
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● GF Six Year Forecast Budget Adoption June 17, 2020

Questions?



From: [D. Muirhead](#)
To: [CC Public Comment](#)
Subject: comment City Council January 20 Agenda Item #10: Outside appointments
Date: Tuesday, January 19, 2021 7:55:42 PM

Dear Morgan Hill City Council,

City Council meeting date: January 20, 2021
Agenda Item #10: City Council appointments to Outside Agencies

I have a general comment on applicability of the Open Meeting law and specific comments on VTA Board and South County Joint Planning.

Applicability of the Open Meeting law

It would be helpful if you identify which meetings are subject to the Open Meeting requirements and which are exempt. For meetings not subject to the Brown Act, this new Council could establish a practice of producing meeting summaries if you continue to exclude public observation (as opposed to public participation) of actual meetings. The PL566 Elected Officials Quarterly Meeting is one of interest to me.

Santa Clara Valley Transportation Authority (VTA) Board of Directors
This seat is intended to alternate between MH and Gilroy every two years. Former Councilmember Carr held that position, so it should rotate to Gilroy. Gilroy Mayor Blankley was the South County Board alternate and is well-positioned to provide continuity.

South County Joint Planning Advisory Committee (SCJPAC)

This committee has not been used for some time for its purpose of addressing issues re: land use planning of regional significance. You should enable it or disband it.

One possible subject would be the City Water Operations Activity Goal to develop South County water supply strategies in cooperation with Gilroy and Water District (Sustainable Water Management Planning Technical Memorandum Sept 2019).

There was "concern" by the previous Gilroy Mayor that this committee would just be a complaint session for residents of unincorporated County. I on the other hand believe that all residents of South County deserve a forum for discussion of common interest.

For the historical record, here are the past meetings that I know of:

2011/09/01 SCJPAC
2012/02/16 SCJPAC - MH Agricultural Policies
2012/08/01 SCJPAC - Cordoba Mosque
2012/09/27 SCJPAC
2015/03/19 SCJPAC - General Plan Rural Local-serving
2017/02/09 SCJPAC - HSR
2017/06/08 SCJPAC

Thank you for your consideration, Doug Muirhead, Morgan Hill

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.

Item # 10

AGENDA DATE: 01/20/2021

SUPPLEMENT # 2

	Outside Agency	Primary 1	Primary 2	Alternate 1	Alternate 2	Alternate 3
1	SCC Library District JPA	Constantine	-----	OPEN	-----	-----
2	SCV Habitat Agency Governing Board	Spring	Martinez Beltran	McKay	OPEN	-----
3	SCV Habitat Agency Implementation Board	Spring	-----	Martinez Beltran	McKay	-----
4	Silicon Valley Clean Energy	Martinez Beltran	-----	staff	-----	-----
5	Pajaro River Watershed Flood Prevention	Spring	OPEN	-----	-----	-----
6	SCVWD Elected Officials PL566	Spring	OPEN	Martinez Beltran	-----	-----
7	SCC Housing & Community Development Advisory Committee	McKay	-----	Martinez Beltran	-----	-----
8	South County Joint Planning Advisory Committee	OPEN	-----	McKay	-----	-----
9	City/School Liaison Committee	Constantine	OPEN	Martinez Beltran	McKay	-----
10	South County United Health Leadership Team	Spring	-----	Constantine	-----	-----
11	ABAG	Martinez Beltran	-----	McKay	-----	-----
12	Cities Association	Constantine	-----	McKay	-----	-----
13	Cities Association - City Selection Committee	Constantine	-----	McKay	-----	-----
14	Cities Association - Legislative Action Committee	Constantine	-----	McKay	-----	-----
15	LOCC Peninsula Division	Martinez Beltran	-----	McKay	-----	-----
16	Caltrain Policy Maker Group	OPEN	-----	Constantine	-----	-----
17	Comprehensive County Expressway Planning Policy Advisory Board	McKay	-----	Constantine	-----	-----
18	MTA Policy Advisory Committee	OPEN	-----	Martinez Beltran	-----	-----
19	MTA MG-Group 4	Constantine	OPEN	-----	-----	-----
20	MTA Board of Directors	Constantine	-----	Gilroy Rep.	-----	-----
21	Valley Water Commission	Constantine	-----	Martinez Beltran	-----	-----
22	South County Regional Wastewater Authority	Spring	OPEN	Constantine	Martinez Beltran	McKay
23	Joint Water Resource Committee	Spring	OPEN	Constantine	Martinez Beltran	McKay



Regular Meeting Agenda

City Council

Rich Constantine - Mayor
John McKay - Mayor Pro Tem
Gino Borgioli - Council Member
Yvonne Martinez Beltran - Council Member
Rene Spring - Council Member

Wednesday, January 20, 2021 7:00 p.m.

Virtual Meeting

VIRTUAL MEETING GUIDELINES AND PUBLIC COMMENT

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. Physical meetings will not be in the City Council Chamber until further notice.

City Council meetings will be live streamed on Channel 17, on the City's website and on the City's Facebook page. Those members of the community that would like to participate in the meetings remotely may do so by joining the virtual meeting at: <https://bit.ly/MHCityCouncilMeeting> or by calling in to: (669) 900-9128, then enter the webinar id: 873 3200 8380#.

Public comment may be provided in the following ways:

- Join the virtual City Council meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes
- Join the virtual meeting by calling in to the number above, dial *9 to raise your hand and be called upon to speak for up to 3 minutes
- Send public comments in writing to the City Clerk at ccpubliccomment@morganhill.ca.gov or ccpubliccomment@morganhill.ca.gov

* Please note that comments made on Facebook are not considered 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

City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
City Clerk Michelle Bigelow

PRESENTATIONS

YAC PRESENTATION- ASSET #32- PLANNING AND DECISION MAKING

RECOGNITIONS

2020 STEM Winners

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)

ADOPTION OF AGENDA

CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Pursuant to City Council Policies and Procedures (CP 97-01), any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action.

Time Estimate for Consent Calendar: 1 - 10 Minutes

1. ACCEPT SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

Recommendation:

Accept the Morgan Hill Community-Based Transportation Plan (CBTP).

2. ADOPT ORDINANCE 2319, NEW SERIES, OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

Recommendation:

Waive the reading, adopt Ordinance No. 2319, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

3. APPROVE CITY POSITION AND COMMUNICATION REGARDING VTA'S PROPOSED MEASURE B FUNDING REALIGNMENT, VALLEY WATER'S FUNDING OF PHASE 2A OF UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT AND FEDERAL STIMULUS SUPPORT FOR STATE AND LOCAL GOVERNMENTS

Recommendation:

1. Ratify City position and accept City communication sent to Santa Clara County Board of Supervisors regarding opposition of Valley Transportation Authority's (VTA) proposed 2016 Measure B 10-year outlook base scenario and funding realignment;
2. Authorize City Manager to communicate the City's position to Valley Transportation Authority Board when the matter is placed on its agenda;
3. Ratify City position and accept City communication sent to Valley Water in support of funding Phase 2A of the Upper Llagas Flood Control Protection Project; and
4. Ratify City position and accept City communication sent to Federal legislative representatives in support for economic stimulus for state and local governments.

4. APPROVE AGREEMENT WITH BLACK & VEATCH FOR RISK AND RESILIENCY ASSESSMENT (RRA) AND EMERGENCY RESPONSE PLAN (ERP) SERVICES

Recommendation:

Approve and authorize the City Manager to execute and administer an agreement with Black & Veatch Corporation in the amount of \$143,880 for the development of a Risk and Resilience Assessment and Emergency Response Plan.

5. APPROVE FIRST AMENDMENT TO AGREEMENT WITH SANTA CLARA COUNTY FOR ISOLATION QUARANTINE PROGRAM

Recommendation:

Approve the First Amendment to the agreement between the County of Santa Clara and the City of Morgan Hill for the Countywide Isolation and Quarantine Support Program to extend the term through June 30, 2021.

6. APPROVE GOVERNMENT CODE 65915 DENSITY BONUS CONCESSIONS FOR A 100 PERCENT AFFORDABLE HOUSING PROJECT (SR2020-0023 WATSONVILLE-HORDNESS)

Recommendation:

Adopt resolution approving the request for the following affordable housing concessions, pursuant to Government Code:

1. Increase in floor area ratio;
2. Reduction in on-site parking;
3. Reduction in common open space; and
4. Increase in building height.

7. APPROVE THE DECEMBER 16, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

8. ADOPT RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY FROM GARCIA FOR THE HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Adopt Resolution of Necessity determining that the public interest and necessity require the acquisition by eminent domain of real property from Rocke and Glenda Garcia as identified in Exhibit A for the Hale Avenue Extension Project; and
2. Authorize the City Attorney to file suit in eminent domain with respect to said property.

Estimated Time: 10 Minutes

OTHER BUSINESS

9. RECEIVE MONTHLY BUDGET UPDATE, DECEMBER 2020 FINANCIAL AND INVESTMENT REPORTS, AND CITY MANAGER AUTHORITY REPORT

Recommendation:

Accept and file report.

Estimated Time: 15 Minutes

10. REVIEW AND APPROVE CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Recommendation:

1. Review, discuss, and approve the City Council appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

Estimated Time: 30 Minutes

FUTURE COUNCIL INITIATED AGENDA ITEMS

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

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



These strategic priorities were established prior to the COVID-19 pandemic. In light of recent events, we recognize that all of these goals and priorities will be viewed through the lens of the global pandemic, and we will continue to have equity, public health, and financial responsibility in mind.



January

Developmental Asset #32

Planning and Decision Making

Young person knows how to plan ahead and make choices.



January

Complementary Asset #21

Achievement Motivation

Young person is motivated to do well in school.

How does planning and decision making aid youth?



Youth will:

- ☐ Prepare for the future
- ☐ Develop a strong work ethic
- ☐ Avoid unnecessary stress
- ☐ Emphasizes independence
- ☐ Understand internal and external consequences



Agnes William, Active Member



→ How has planning and decision making helped you achieve your goals?

- ◆ Organize my thoughts
- ◆ Set goals for myself
- ◆ Prepare for what's to come

Whiteboard



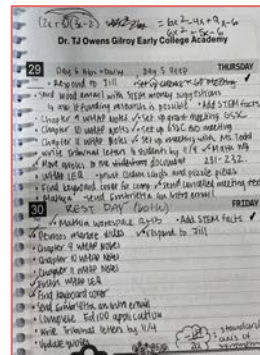
Ria Deshpande, Vice President



→ How has planning and decision making helped you achieve your goals?

- ◆ Develops stability
- ◆ Self-accomplished
 - Motivated for more
- ◆ Confident in my abilities
- ◆ Visualize the future

Scheduling...Life

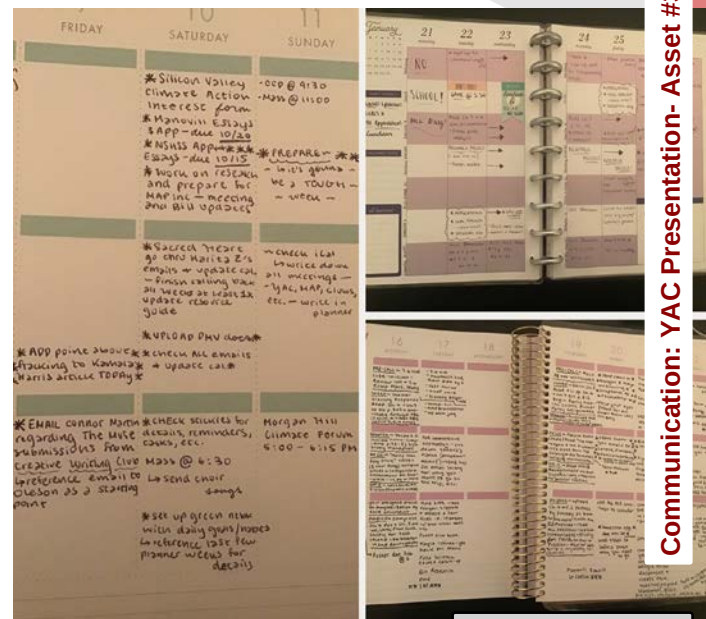


Elizabeth Joseph, Active Member



- How has planning and decision making helped you achieve your goals?
- ◆ High School acceptance-- provided planner
 - ◆ applications that lead to many acceptances

Planner



Tips for Community Members



- ❖ Provide students with planners
- ❖ Practice making a daily to-do list
- ❖ Support independence: help make the “right” decisions
- ❖ Encourage seeking opportunities



Questions to Council:

- What are some tools that you use or have used to help you plan?
- As adults, there are many challenging decisions to make. How do you make decisions?
- How do you prioritize your “to do” list when you have many action items that you find equally important?





CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ACCEPT SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

RECOMMENDATION(S)

Accept the Morgan Hill Community-Based Transportation Plan (CBTP).

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure
Supporting Our Youth
Seniors
and Entire Community
Enhancing Diversity and Inclusiveness
Advancing Regional Initiatives

2020-2021 Strategic Priorities

Transportation

GUIDING DOCUMENTS

Bikeways
Trails
Parks
and Recreation Masterplan
Morgan Hill 2035 General Plan
Vision Zero

REPORT NARRATIVE:

In 2019, the Valley Transportation Authority (VTA) received grant funding to develop a Community-Based Transportation Plan (CBTP) for the City of Morgan Hill. The Community-Based Transportation Planning Program is funded by the Metropolitan Transportation Commission (MTC). MTC is the transportation planning, financing, and coordinating agency for the nine-county San Francisco Bay Area region. The agency collaborates with a network of other public agencies to help support the streets, roads, highways, transit systems and other transportation resources for Bay Area residents.

A key for receiving the funding was the intent to support one census tract in Morgan Hill (Census Tract #512310 located near Barrett Elementary School) that is defined as a Community of Concern (COC) per MTC's definition. Due to the relatively small geographical area of the COC census tract, VTA and the City staff felt that the CBTP may not capture the complete range of transportation issues and comments if the study area was limited to just one census tract. A request to expand the study area to the

entire City and sphere of influence was made and approved by the MTC.

Over the last 20 months of working on development of the Plan a final draft is ready for review and acceptance by the Morgan Hill City Council. The Parks and Recreation Commission, which serves as the advisory body to the City Council on issues relating to Bicycles and Trails, reviewed the Plan at their December meeting and recommended acceptance by the City Council. The Plan is included as Attachment 1.

In the future, the Plan will be used in conjunction with various other City planning documents to support improved transportation for the City. Additionally, the Plan provides a useful tool for grant applications and funding requests.

COMMUNITY ENGAGEMENT: Involve

Significant community outreach occurred in development of the Plan in 2019, however, due to Covid-19, formal adoption has been delayed. The outreach included a steering committee made up of local community members, numerous community meetings and many other activities which are outlined in detail in the Plan.

ALTERNATIVE ACTIONS:

The City Council could choose to not accept the Plan and/or provide specific comments on the Plan.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council received an update on the progress for the Plan on May 21, 2019.

FISCAL AND RESOURCE IMPACT:

The Funding for development of the Plan was provided to the VTA through the MTC. Development of the Plan required staff resources from the Engineering Division, Development Services Department, and the Community Services Department, and were accommodated within their respective workplans and budgets.

CEQA (California Environmental Quality Act): Categorical Exemption.

The Community Based Transportation Plan is a document that will be used to formalize other planning and project documents for the City and is exempt from CEQA under Public Resources Code § 21102, 21150 (Feasibility or planning studies for possible future actions that the agency has not approved, adopted, or funded).

LINKS/ATTACHMENTS:

1. Morgan Hill_CBTP_Report Final

Santa Clara Valley Transportation Authority

Morgan Hill Community-Based Transportation Plan (CBTP) Report



February 2020



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CHAPTER

1

Introduction and Overview of the Morgan Hill Community-Based Transportation Plan (CBTP)

The Morgan Hill Community-Based Transportation Plan (CBTP) is the result of a community-based planning effort in the City of Morgan Hill of Santa Clara County beginning in January of 2019. Residents and community-based organizations

“This study documents specific needs of Morgan Hill residents...”

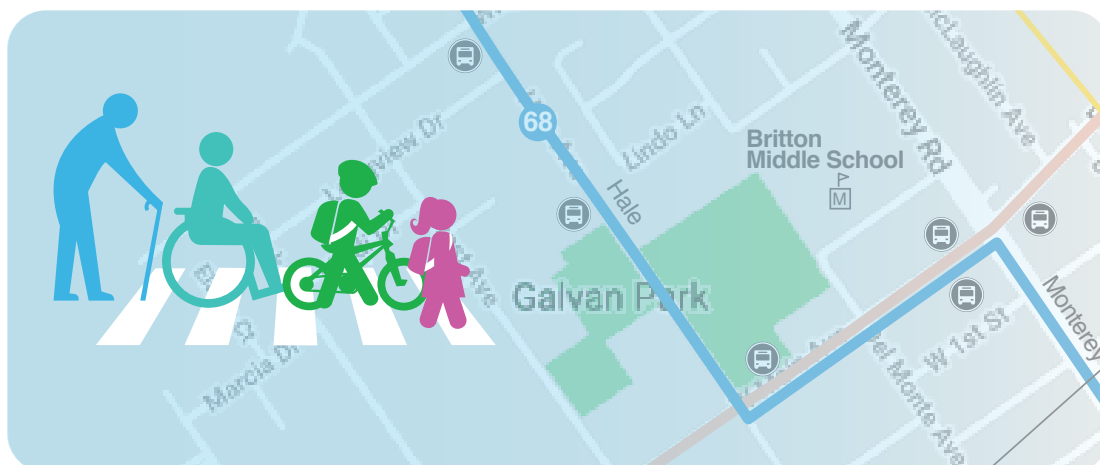
worked closely with government entities to develop this CBTP. The study documents transportation needs of Morgan Hill residents that were gathered through a public outreach process and from previous planning efforts. The Morgan Hill CBTP can

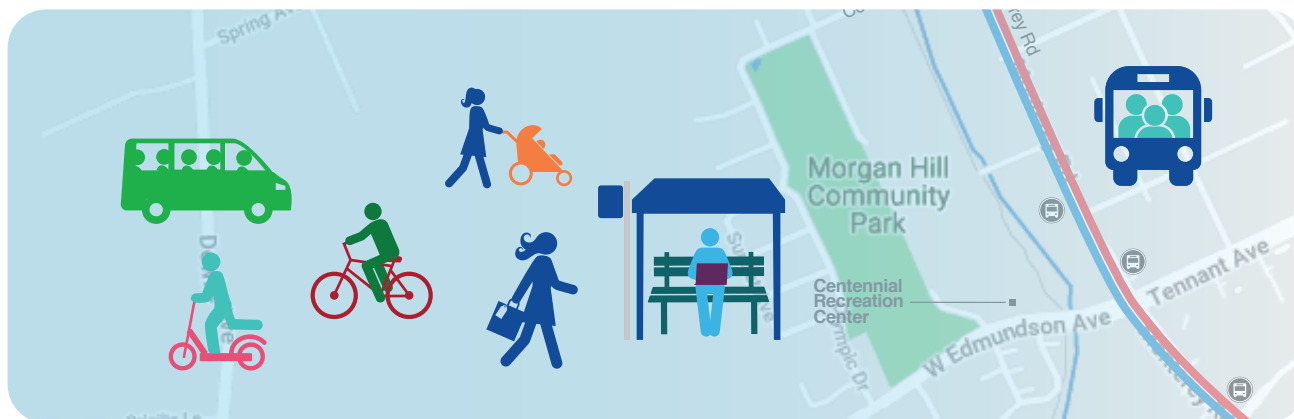
be a starting point for the development and implementation of relevant projects and/or services aimed at improving transportation in the City.

This chapter includes 1) the background and purpose of the Community-Based Transportation Planning Program and 2) the overview of the collaborative effort on the CBTP between VTA, City of Morgan Hill, other government entities, and community organizations.

Background of the CBTP Program

The Community-Based Transportation Planning (CBTP) Program launched in 2002 by the Metropolitan Transportation Commission (MTC). MTC is the transportation planning, financing and coordinating agency for the nine-county San Francisco Bay Area region. The agency collaborates with a network of other public agencies to help support the streets, roads, highways, transit systems and other transportation resources that help Bay Area residents get





where they need to be. The CBTP Program evolved out of two regional studies completed in 2001, the Lifeline Transportation Network (LTN) and the Environmental Justice (EJ). Both studies emphasized on the needs of the communities of concern and the need for MTC to support local planning efforts in these communities. It is important to note that the communities of concern as defined by MTC is based on the thresholds in percentages of 8 different variables: minority (70%), low-income (30%), level of English proficiency (12%), elderly (10%), zero-vehicle households (10%), single parent households (20%), disabled (12%), and rent-burdened households (15%). If a census tract exceeds both threshold values for low-income and minority shares OR exceeds the threshold value for low-income AND exceeds the threshold values for three or more variables, it is considered a Community of Concern (CoC). Since its launch, the CBTP Program has provided roughly \$2.6 million in funding for over 40 collaborative planning processes in CoCs across the Bay Area. Each CBTP reflects the following three goals and objectives of the regional program:

- Emphasize resident participation in the plan development process,
- Foster collaboration between residents, community organizations, local jurisdictions, transit operators, CMAs and MTC; and
- Expand community capacity by engaging community-based organizations throughout the process

Purpose of the Community-Based Transportation Plan (CBTP)

The purpose of the CBTP is to bring residents, community organizations, and government entities together to identify Morgan Hill's most important transportation challenges and develop strategies to overcome them. The CBTP lays the groundwork towards solving transportation needs of the community of concern (COC) as defined by MTC. Residents within COC area and the City of Morgan Hill require safe, affordable and reliable transportation options to meet daily needs, including access to work, education, medical facilities, and other life-enhancing services. The challenge for local agencies and jurisdictions is providing transportation alternatives that not only support agencies' goals but is also responsible and an efficient use of available funding and resources.

The CBTP's public outreach process placed emphasis on the participation of community members through various outlets such as public meetings, focus-group meetings, tabling events, and a survey. Efforts of residents and community organizations contributed to pin pointing transportation issues and prioritizing of relevant projects and/or programs. The projects and programs that closely correspond to the transportation issues heard from the outreach process will be matched with potential funding sources. Public entities can then work collaboratively to apply for funding opportunities when they become available.

Project Management Team



Steering Committee



Project Partners & Involvement of Community-Based Organizations

Through the CBTP Program Guidelines mentioned above, Valley Transportation Authority (VTA), the designated congestion management agency (CMA) for Santa Clara County serves as the lead agency in the CBTP planning process. To ensure the CBTP produced is robust and inclusive of the community's needs, VTA prioritizes working closely with local jurisdictions and stakeholders throughout the planning effort. VTA partnered with the City of Morgan Hill and the Morgan Hill Chamber of Commerce, a local non-profit organization, to form the Project Management Team for the Morgan Hill CBTP. Furthermore, VTA request participation from various agencies, organizations, and groups that have a stake in the Morgan Hill community to provide insights on transportation issues and participate on the Steering Committee. Steering Committee members includes Morgan Hill Unified School District, EAH Housing, the Morgan Hill Bicycle & Pedestrian Advocacy Group (BPAG), and the Youth Action Council. The CBTP will discuss the Steering Committee and its role in the plan in more details in Chapter 3.

Get to Know the City of Morgan Hill!

Morgan Hill Station Area Master Plan

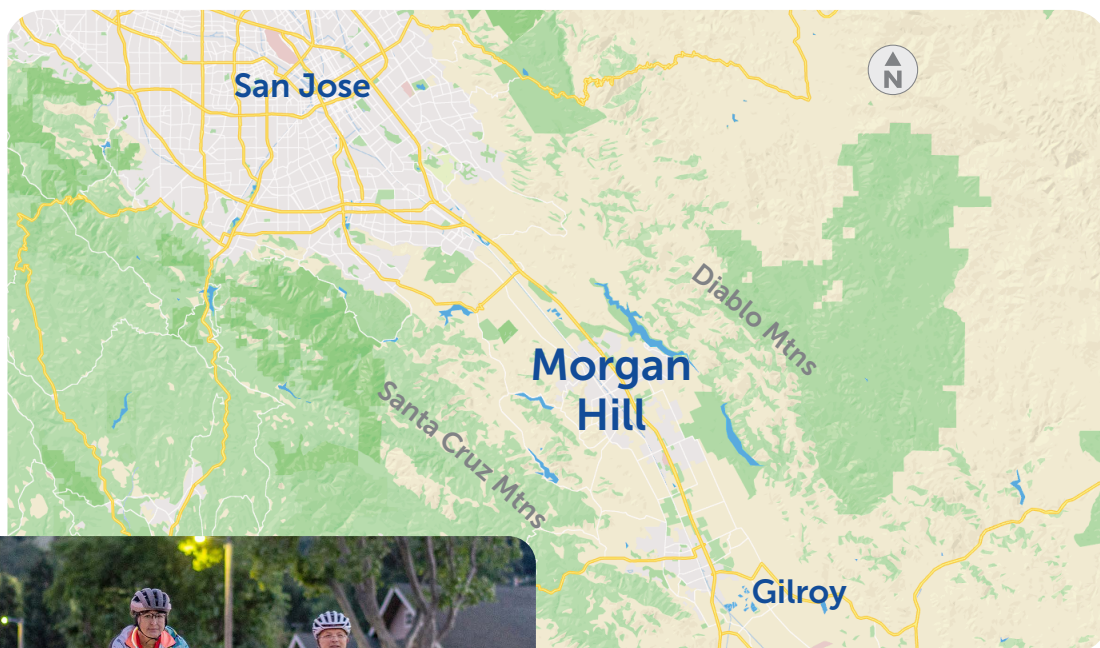
In 2016, the City of Morgan Hill received a grant from Santa Clara Valley Transportation Authority (VTA) to prepare a Station Area Master Plan for the area at and around the Morgan Hill Transit Center. This area is designated as a Priority Development Area (PDA) because of the following characteristics, 1) has been identified and approved for future growth, 2) accessible by more than one transit services, and 3) located near established job centers, shopping districts, and other services. The Station Area Master Plan is focused on strengthening the Morgan Hill Transit Center and Downtown Morgan Hill by identifying considerations and opportunities for multi-modal connectivity, such as transit, bicycling, and walking. To access the Station Area Master Plan and learn more, visit:

<https://www.morgan-hill.ca.gov/1641/Station-Area-Master-Plan>.



CHAPTER 2

Study Area Profile and Existing Conditions



To adequately identify and understand the transportation challenges in the City of Morgan Hill, it is important to look at the study area profile, demographics, travel patterns and the existing services/infrastructures. The purpose of this chapter is to present a deeper understanding of the City of Morgan Hill.

Location

The City of Morgan Hill has a total area of 12.8 square miles and is in the southern part of Santa Clara County, California. The City

is located approximately 20 miles south of downtown San Jose and roughly 10 miles north of Gilroy. The City is surrounded by the Santa Cruz mountain range to the west and the Diablo mountain range to the east.

Morgan Hill's ideal location offers residents and visitors a vibrant Downtown area, year-round outdoor recreational activities, including cycling, golfing, swimming, and boating. In recent years, the City transformed Downtown Morgan Hill into an important destination in South Silicon Valley by offering a variety of culinary and entertainment experiences, pedestrian-friendly streetscapes, public art displays as well as special events and festivals. For a complete list of attractions and activities in Downtown Morgan Hill, visit www.morgan-hill.ca.gov/1150/Morgan-Hill-Downtown-Its-Happening.

Figure 1
Location of a Community of Concern in
Morgan Hill

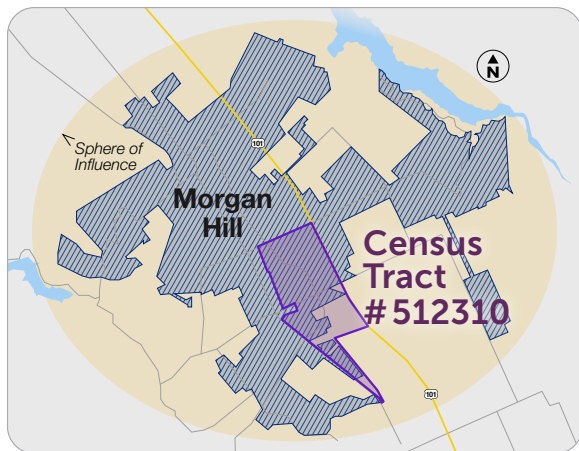


Table 1
Age distribution in the COC Census Tract,
City of Morgan Hill, and Santa Clara County

Age Distribution	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Under 5 years	7.8%	7.1%	6.3%
5 to 9 years	9.1%	7.5%	6.4%
10 to 14 years	10.9%	8.6%	6.5%
15 to 19 years	7.4%	6.0%	6.0%
20 to 24 years	4.8%	5.8%	6.3%
25 to 29 years	7.3%	4.6%	7.7%
30 to 34 years	4.7%	5.5%	7.9%
35 to 39 years	7.0%	6.7%	7.4%
40 to 44 years	8.8%	7.1%	7.4%
45 to 49 years	6.4%	7.5%	7.2%
50 to 54 years	7.6%	7.9%	7.0%
55 to 59 years	5.6%	6.7%	6.3%
60 to 64 years	3.6%	6.3%	5.2%
65 years & up	9.0%	12.7%	12.5%

The study area of the CBTP consists of the entire city of Morgan Hill and areas adjacent to the city boundary, known as the Sphere of Influence. The presence of the Sphere of Influence allows for residents to contribute transportation concerns and recommendations that may happen right at the city's boundary.

MTC's Community of Concern (COC) in Morgan Hill

Despite the study area of the CBTP encompassing the entire City and the Sphere of Influence, there is one census tract (Census Tract #512310) in Morgan Hill that is defined as a Community of Concern (COC) per MTC's definition. Figure 1 shows the location of the COC Census Tract of Morgan Hill. Because of the relatively small geographical area of the COC census tract, VTA and the City of Morgan Hill staff felt that the CBTP may not capture the complete range of transportation issues and comments if the study area was limited to just one census tract. A request was made to MTC to expand the Plan's boundary to its current area. The larger geographical area allows for greater input from the community and offer more comprehensive solutions to transportation issues, especially for the COC. The demographics information presented in subsequent sections will

compare data from COC Census Tract #512310 with citywide and countywide data.

Demographics

Demographics information are from the 2017 American Community Survey (ACS) 5-Year Estimates data by the United States Census Bureau. For more information on the American Community Survey (ACS) or for the latest updates, visit www.census.gov/programs-surveys/acs/about.html.

People and Population

The total population of Morgan Hill is 43,136, with the median age of 38.4 years old. The age distribution of the City is 23.2% of the population is under the age of 15, 64.1% of the population is between 15 to 64 years old, and 12.6% is 65 years or older.

In comparison, the population within Census Tract 512310 is 4,397 with the median age of 32.3 years. The age distribution is 27.8% of the population under the age of 15, 63.2% of the population is between 15 to 64 years old, and 9% is 65 years or older. The age distribution for each age group in the COC Census Tract, City of Morgan Hill, and Santa Clara County is shown in Table 1 for comparison.

Race and Ethnicity

The breakdown of race in Morgan Hill is 71.3% White, 10.9% Asian, 2.0% Black or African American, 0.6% American Indian and Alaska Native, and 0.1% Native Hawaiian and another Pacific Islander. About 33.8% of the City's population identifies as of Hispanic or Latino origin.

The breakdown within the COC Census Tract 512310 has a similar trend to Morgan Hill, except higher percentages of Asians and individuals identifying as having Hispanic or Latino origin. In contrast, 26.1% of the population in Santa Clara County is of Hispanic origin when compared to the 48.3% at the COC Census Tract level.

Table 2 shows the race and ethnicity comparison between the Census Tract, City of Morgan Hill and the whole Santa Clara County.

Language Spoken at Home & Limited English-Speaking Households

About 70.8% of Morgan Hill residents speak only English at home, with 17.9% speaking Spanish as

the primary language. Followed by 5.5% speaking Asian and Pacific Islander languages, 4.9% other Indo-European languages, and 0.9% speaks other languages.

The percentage for English-only speaking household is significantly lower in the COC Census Tract with 57.6%, followed by 26.5% Spanish, 0.0% Asian and Pacific Island languages, and 5.4% speaks other Indo-European languages. Table 3, on the next page, shows the comparison of the percentage of languages spoken at home in the three jurisdictions.

It is also important to note the percentage of limited English-speaking households in the COC Census Tract, City of Morgan Hill and Santa Clara County. A "limited English-speaking household" is one in which no member 14 years and over speaks only English or speaks a non-English language and speaks English "very well". In other words, all members 14 years and over have at least some difficulty with English. About 7.5% of all households within the COC Census Tract is considered a limited English-speaking household. This number is about 1.8 times

Table 2

Race and ethnicity comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Race & Ethnicity	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
White	70.0%	71.3%	45.5%
Black or African American	1.3%	2.0%	2.5%
American Indian and Native Alaska	0.5%	0.6%	0.5%
Asian	16.9%	10.9%	35.1%
Native Hawaiian and Other Pacific Islander	0.0%	0.1%	0.4%
Some other race	5.7%	8.5%	11.0%
Two or more races	5.6%	6.4%	4.9%
Hispanic or Latino origin (of any race)	48.3%	33.8%	26.1%

Table 3

Languages spoken at home comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Language Spoken at Home	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Speak only English	57.6%	70.8%	47.6%
Speak Spanish	26.5%	17.9%	18.1%
Speak Other Indo-European languages	5.4%	4.9%	8.9%
Speak Asian and Pacific Island languages	9.9%	5.5%	24.1%
Speak other languages	0.6%	0.9%	1.3%

Table 4

Limited English-speaking households comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Limited English-Speaking Households	7.5%	4.1%	10.8%

higher than that of Morgan Hill, but lower than the percentage at the countywide level. Morgan Hill and Santa Clara County has 4.1% and 10.8% limited English-speaking households, respectively. Table 4 shows the percentage of limited English-speaking households in the three jurisdictions.

Income and Poverty

The median household income is \$107,161 in the City of Morgan Hill, which is on par with what is observed at the Countywide level, with the average

household size of 3.01. The median household income for the COC Census Tract is significantly less at \$57,276. The percentage of individuals living below poverty level in the past 12 months is 5.8% in the City of Morgan Hill compared to the 10.2% in the COC Census Tract. Table 5 on the following page summarizes the numbers on household income range and poverty level.

Table 5

Household income range & poverty level comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Household Income Range & Poverty Level	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Median Household Income	\$ 57,276	\$ 107,161	\$ 106,761
Average Household Size	2.93	3.01	2.98
Less than \$10,000	3.3%	2.4%	3.4%
\$10,000 to \$14,999	7.6%	2.2%	2.9%
\$15,000 to \$24,999	7.4%	5.8%	5.0%
\$25,000 to \$34,999	2.8%	6.4%	5.0%
\$35,000 to \$49,999	12.7%	6.3%	7.5%
\$50,000 to \$74,999	12.8%	12.5%	12.1%
\$75,000 to \$99,999	6.4%	10.7%	10.7%
\$100,000 to \$149,999	24.7%	20.9%	18.3%
\$150,000 to \$199,999	5.8%	11.6%	12.7%
\$200,000 or more	6.6%	21.1%	22.4%
Percentage of Individuals living below poverty level in the past 12 months	10.2%	5.8%	8.2%

Commuting Characteristics and Employment

The most popular mode of commute is driving alone in both the City of Morgan Hill and the COC Census Tract with 78.5% and 73.6%, respectively. About 13% of the COC Census Tract residents carpool to work, which is higher than at the city and the county level. The use of public transportation in Morgan Hill and COC Census Tract is lower than the 4.4% at the countywide level.

The mean travel time to work is 33.2 minutes for COC Census Tract and 34.6 minutes for the City of Morgan Hill. There is a discrepancy in the unemployment rate between the city and the COC Census Tract, the 10.2% unemployment rate in the COC more than doubles the number at the city level. Table 6 on the following page summarizes the commuting characteristics of the residents.



Table 6

Commuting characteristics & employment comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Commuting Characteristics & Employment	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Auto-Drive alone	73.6%	78.5%	75.1%
Auto- Carpooled	13.0%	10.4%	10.5%
Public transportation (excluding taxicab)	2.5%	3.4%	4.4%
Walked	1.3%	1.1%	2.1%
Bicycle	1.1%	0.9%	1.8%
Taxicab, motorcycle, or other means	0.5%	0.9%	1.3%
Worked at home	8.0%	4.8%	4.8%
Mean travel time to work (minutes)	33.2	34.6	28.0
Unemployment Rate	10.2%	4.7%	5.7%

Popular Destinations

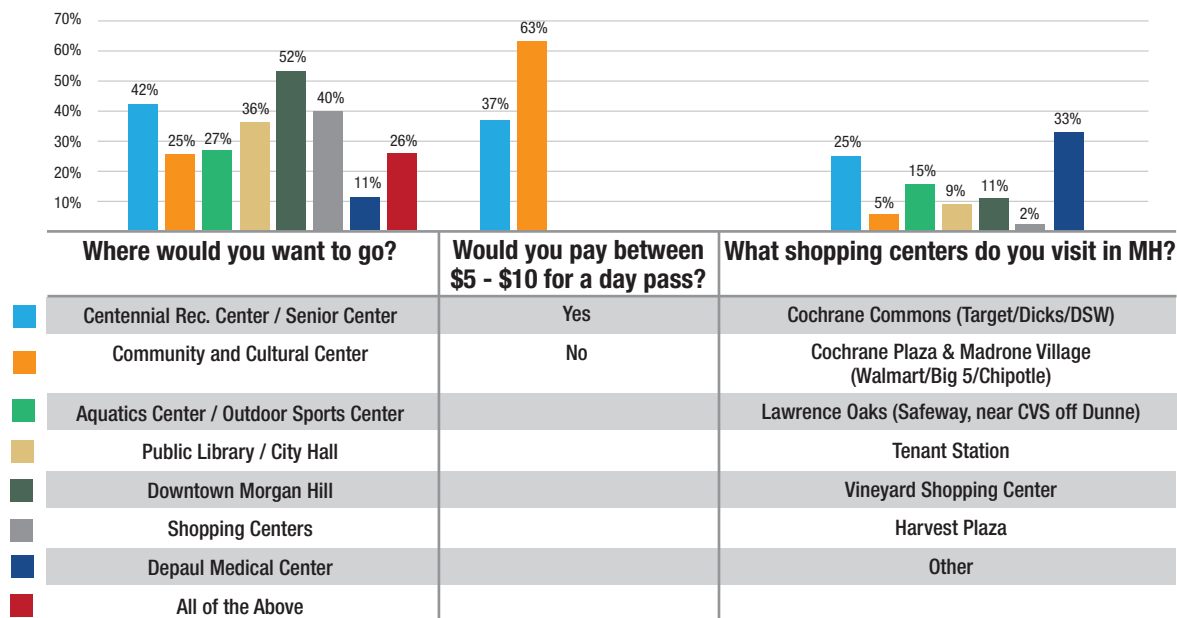
The City of Morgan Hill conducted the Morgan Hill Transit Services survey back in December of 2017 and received 549 responses. The top three most popular destinations are downtown Morgan Hill

with 53%, Centennial Recreation Center/Senior Center with 42%, and shopping centers with 40%. Out of the shopping centers in the City, Cochrane Commons is a popular location. Figure 2 on the next page displays more in-depth details.

Figure 2

Popular Destinations in City of Morgan Hill

Local Shuttle Bus & Where You Shop



Current Transportation Ridership and Statistics

This section presents ridership data and public transportation statistics relating to VTA bus routes currently serving the City of Morgan Hill at the time of this writing in November 2019. Table 7 shows the number of average daily boardings over a 12-month period between July 2018 to June 2019 for weekday, Saturday, and Sunday.

Public Transportation Network under VTA's 2019 New Transit Service (NTS)

The VTA Board of Directors approved the New Transit Service (NTS) in May 2019 and was implemented on December 28, 2019. Figure 3 shows the 2019 New Transit Service map.

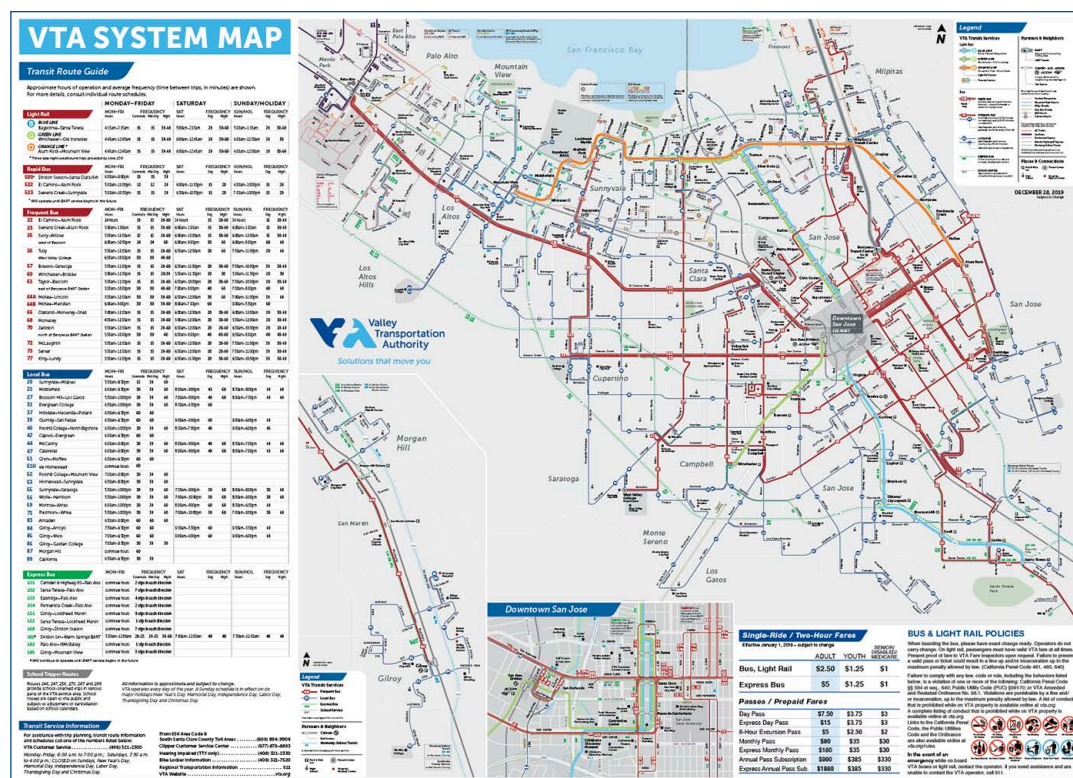
Table 7

Average daily boardings of VTA bus routes serving City of Morgan Hill

Route	Description	Weekday Service	Saturday Service	Sunday Service
16	Morgan Hill Civic Center – Burnett Ave	116	N/A	N/A
68	Gilroy Transit Center – San Jose Diridon Transit Center	4,700	3,083	2,644
Express 121	Gilroy Transit Center – Lockheed/Moffett Park	264	N/A	N/A
Express 168	Gilroy Transit Center – San Jose Diridon Transit Center	221	N/A	N/A
Express 185	Gilroy Transit Center – East Whisman/Shoreline	46	N/A	N/A

Figure 3

Example of the 2019 New Transit Service Map



The 2019 New Transit Service is a modification of the Board-adopted 2017 Next Network transit service plan. In addition to the plan's original goals of better connecting VTA transit with the Milpitas and Berryessa BART stations, increasing overall system ridership, and improving VTA's farebox recovery rate, New Transit Service adds three new parameters set by the VTA Board of Directors:

1. Reduce the plan's overall service level equal to today's service level (The Next Network plan would have incurred a \$14.7M increase in annual net operating costs over today)
2. Adjust the network's ridership/coverage balance to 90% ridership and 10% coverage
3. Minimize service cuts in South County.

There are a few notable changes to transit routes in Morgan Hill under VTA's 2019 New Transit Service. The main route serving the City of Morgan Hill, Route 68, originating from the Gilroy Transit Center to the San Jose Diridon Station will increase in frequency

on weekdays and weekends. Frequency will be upgraded to every 15 minutes from the current 20 minutes interval on weekdays between 5:30 am to 6:30 pm. Figure 4 shows the upgraded frequency for all service hours of Route 68.

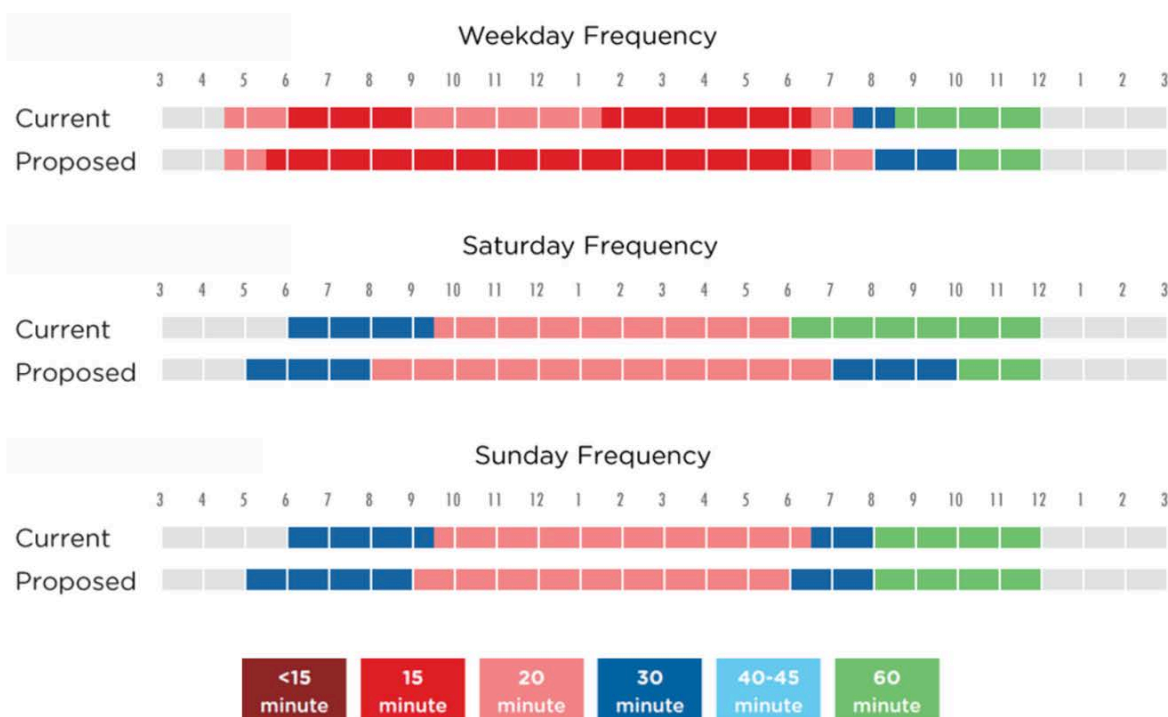
VTA will continue service for Route 16 but will be renaming it Route 87 under the New Transit Service. Operating Route 16/87 is a commitment by VTA to keep transit services in Morgan Hill (and therefore also paratransit service) in addition to the Monterey Highway corridor.

Express Route 168 serving the Morgan Hill Caltrain Station to Downtown San Jose will maintain the same level of service under the New Transit Service until 2021. The service will be converted to a Rapid Bus Service pending further decisions in the near future.

For detailed information of all VTA routes and frequency changes through the 2019 New Transit Service, go online to <http://newtransitplan.vta.org>.

Figure 4

Route 68 upgraded frequency for all service hours.



Challenges in Providing Public Transportation Services in Morgan Hill

There are several challenges to providing public transportation services in the City of Morgan Hill. Morgan Hill has relatively low densities and an auto-oriented urban form, which means that the transit demand and the ridership achieved by VTA is low when compared to other places in Santa Clara County. VTA's ridership minimum standard, which is one of the criteria used to justify a route, is 15 boardings per hour. Table 8 shows the number of boardings per hour for Morgan Hill routes along with

the breakdown of cost-per-boarding between April to June 2019. Each passenger picked up in Morgan Hill has a cost-per-boarding to VTA that is about 2-3 times higher than in denser, more transit-supportive areas. Due to VTA's fixed operating budget, discussions regarding an increase in transit services to Morgan Hill will also need to address where VTA should cut service to offset the additional cost. The situation presents VTA with a tough decision as the agency wants to serve Morgan Hill but must be mindful of how cost-effectively funding is being spent as a public agency.

Table 8

Cost per boarding for VTA bus routes serving City of Morgan Hill

April-June 2019 Metrics for Morgan Hill Routes		
Route 16	8.3 boardings/hour	\$20.62 cost/boarding
Route 68	18.2 boardings/hour	\$8.93 cost/boarding
Route 168	6.2 boardings/hour	\$33.56 cost/boarding
VTA Bus Average	18.3 boardings/hour	\$8.39 cost/boarding

VTA ACCESS Paratransit Service

VTA ACCESS paratransit service is provided to eligible individuals with disabilities who cannot use conventional accessible bus and light rail transit service due to their physical, visual or cognitive disabilities. Paratransit is shared ride public transportation that is complementary to fixed route transit service (bus and light rail). VTA ACCESS operates within the same service area and service times as VTA bus and light rail service. Paratransit standard service area is defined as being within 3/4 mile from an existing VTA bus or light rail routes and premium paratransit service area is an additional one mile from the standard service area. Standard trips are \$4 one-way and premium trips are \$16 one-way. All fares are prepaid, and trips must be booked one to three days in advance.

The eligibility process for VTA ACCESS paratransit service includes a Personal Data Card, over-the-phone interview, and if necessary, a professional verification. Eligibility is based on an individual's functional ability to independently use the bus or light rail system for some or all their trips. Eligibility is not based on age, economic status, or the inability to drive an automobile. Applicants should note that having a medical condition, use of a mobility device (i.e. wheelchair, scooter, etc.), or disability will not



automatically qualify you for service. The eligibility process can take up to twenty-one (21) days from the completed over the phone interview. For more information or to receive an application please contact VTA ACCESS Eligibility Department at 408-321-2381 Monday through Friday from 8 am to 5 pm or go online to www.vta.org/go/paratransit.

Transportation Network Companies (TNCs)

Transportation Network Companies (TNCs) provide prearranged transportation services for compensation using an online-enabled application or platform (such as smart phone apps) to connect drivers using their personal vehicles with passengers. TNCs, such as Lyft and Uber, are operating in the Morgan Hill area.

CHAPTER 3 Community Outreach Strategy and Findings

In this chapter:

1. Various community outreach strategies and materials utilized during the CBTP planning process
2. The role and members of the Steering Committee
3. A summary of community outreach findings

The Community-Based Transportation Planning (CBTP) program is a collaborative planning process which included extensive community outreach in identifying transportation challenges along with potential solutions to address those gaps. Input and support from community members are crucial components in assuring that the completed Plan reflects the true needs of the City of Morgan Hill. Staff from VTA, City of Morgan Hill, and the Morgan Hill Chamber

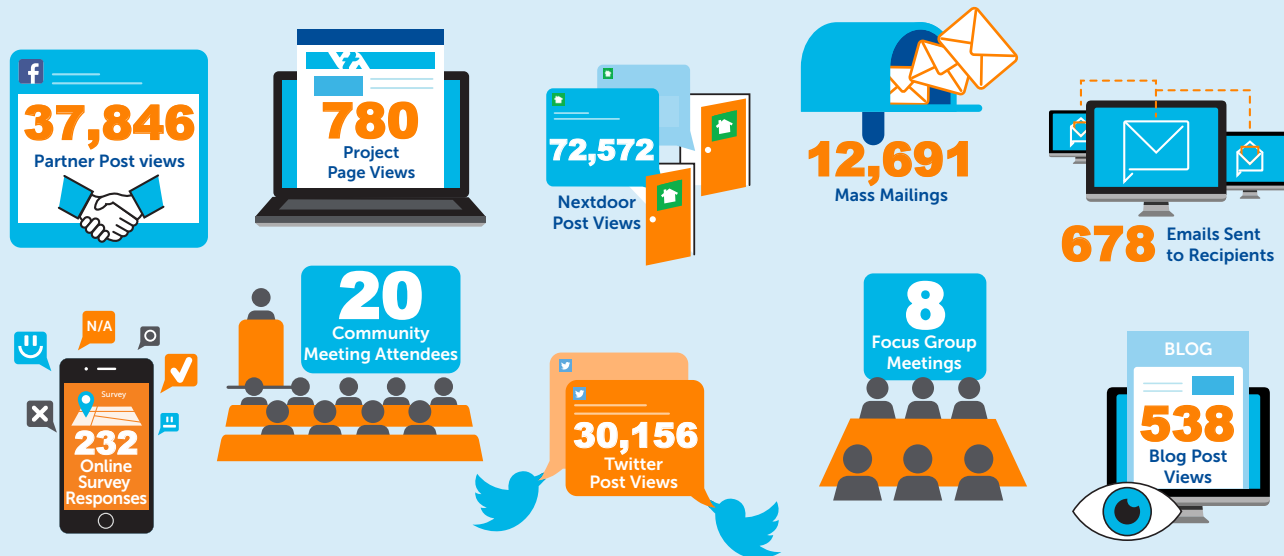
Figure 5

Summary of Public Outreach Efforts

of Commerce partnered to involve residents, the school district, and community-based organizations servicing the Morgan Hill community throughout the planning process.

Community Outreach Plan and Strategies

Community outreach activities were conducted from February through July 2019 with residents and various local stakeholders within the Morgan Hill area. The outreach strategies were designed to maximize community engagements and elicit information on current transportation needs. The main objective of the outreach process was to motivate low-income and other underserved residents to participate in voicing their concerns and gain a thorough understanding of the transportation gaps to better develop solutions and determine potential funding. Figure 5 shows a visual summary of the community outreach statistics.



CBTP Steering Committee

A Steering Committee comprised of representatives from a wide range of interests that have a stake in the community was convened to help the CBTP planning process satisfy the objective of reaching out to underserved residents. The Steering Committee members provided valuable input on the transportation challenges of the population that their groups and/or agencies serve and offered the opportunity for the Project Management Team to acquire more in-depth information of the study area.

Additionally, many Steering Committee members agreed to assist with the outreach process by promoting the CBTP effort on various channels (social media, newsletters, etc.), distributing comment cards, and hosting suggestion boxes in their facilities to collect completed comment cards. The Steering Committee included members from the following groups and/or agencies:

- Morgan Hill Unified School District
- Morgan Hill Youth Development and Outreach
- Morgan Hill Bicycle and Pedestrian Advocacy Group (BPAG)
- Morgan Hill Older Adult Services
- Gavilan College, Morgan Hill Campus
- Community Christian Church
- Eden Housing Incorporated (affordable housing complexes)

Outreach Strategies and Materials

The Project Management Team and the Steering Committee collaborated to develop a comprehensive outreach strategy to identify the appropriate communication methods for achieving maximum project exposure. Since community participation is vital to the success of the CBTP, the project management team employed various communication tools and channels, such as mass mailings, social media, and in-person meetings, to inform the public of the Morgan Hill study. Outreach materials were designed to be as accessible to the public as possible. Whenever feasible, materials were

Steering Committee Members

John Horner – President, Morgan Hill Chamber of Commerce

Tiffany Brown – Associate Planner, City of Morgan Hill

Chris Ghione – Director of Community Services, City of Morgan Hill

Christina Turner – City Manager, City of Morgan Hill

Edith Ramirez – Economic Development Director, City of Morgan Hill

Debbie Vasquez – Adult Services Supervisor (Senior Center), Centennial Recreation Center (CRC)

Kathleen Rael – Director of Transportation, Morgan Hill Unified School District (MHSD)

Chiquy Mejía – Youth Development & Outreach Coordinator, Youth Action Council

Lisa Aragon – Committee Chairperson, (BPAG)

Jennie Tucker – Recreation Manager, Centennial Recreation Center (CRC)

Kyle Windsor – Senior Pastor, Community Christian Church

Felicia Britton – Workability Coordinator, Morgan Hill Unified School District

Linda Bernabe – Director, Gavilan College Morgan Hill Campus

Brenda Preston – Supervisor of Transportation, Morgan Hill Unified School District

John Lang – Economic Development Manager, City of Morgan Hill

Rebecca Garcia – Housing Manager, Housing Programs

Darmin Trokic – Property Supervisor, Eden Housing Inc.

translated to Spanish and Chinese in addition to English to capture the needs of the non-English speaking residents in the community. The following sections explain in greater detail how each communication tool was used to promote the project and encouraged Morgan Hill residents to provide feedback during the outreach phase of the CBTP.

Comment Card

A comment card was created to acquire information on transportation concerns and gather feedback on the type of improvements the community wants to see. The comment card was available digitally and in paper form as well as provided in three different languages, English, Spanish, and Chinese. An option for translations into other languages was available if requested. The digital copy of the comment card was accessible through VTA's CBTP project webpage, while the physical copy version was distributed out to Steering Committee members and placed at key locations in the City of Morgan Hill, such as the Centennial Recreation Center, Senior Center, Morgan Hill Library, and City Hall. Figure 6 shows an image of the comment cards and collection box. The different comment card formats increase the accessibility to the document with the possibility that more community members will be able to provide input.

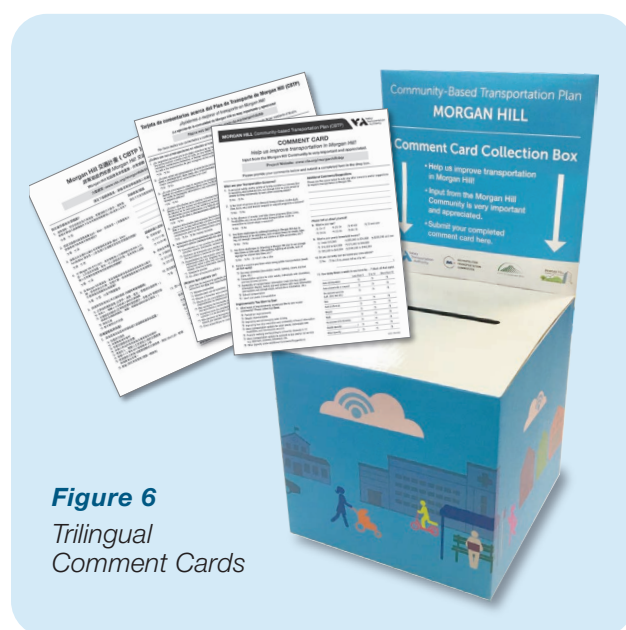


Figure 6
Trilingual
Comment Cards

The comment card included five components: 1) questions regarding transportation concerns, 2) a question listing types of improvements the community wants to see, 3) a blank space to write additional comments and/or suggestions, 4) questions regarding demographic information, and 5) a question on the number of times a week the respondent travels using different modes of transportation.

Outreach Events: Presentations, Focus Group Meetings and Tabling

The Project Management Team engaged in many types of outreach events to have more opportunity to interact with and hear from Morgan Hill residents. The events ranged from informal one-on-one stakeholder meetings to tabling at a community-wide event to hosting smaller focus group meetings with target population. Table 9 on the following page shows a complete list of outreach events attended by project staff.

The outreach events incorporated different types of materials and medium to tailor to the purpose and audience of each meeting. For example, focus group meetings with the Morgan Hill Youth Action Council (YAC) involved a short PowerPoint presentation and interactive activity with poster boards, while focus group meetings at the senior apartment complexes had roundtable style discussions and information sharing. VTA and the City of Morgan Hill placed an importance on reaching out to youth, low-income individuals, and older adults in Morgan Hill to obtain their feedbacks as they are the population with the greatest barriers to mobility. Furthermore, project staff also participated in other types of outreach in addition to focus group meetings such as tabling and presentation to the Morgan Hill Parks & Recreation Commission. Staff tabled at the 2019 Showcase Morgan Hill Business Expo at Live Oak High School on April 11, 2019 and presented to the Commission on May 21, 2019. Figure 7, on the following pages, shows pictures from the events.

Table 9
CBTP Morgan Hill Outreach Events

LEGEND: Internal meeting or presentation with public agencies / project partners One-on-one outreach Focus group outreach

Subject	Location	Date and Time
CBTP Morgan Hill Team Kick-Off Meeting	City of Morgan Hill (Conference room - DSC Grand)	1/30/19, 1 PM
Meeting with Chamber of Commerce	Chamber of Commerce & Visitors Center, Morgan Hill	2/8/19, 10 AM
Meeting w/MH Unified School District (Kick-off part 2)	Morgan Hill Unified School District Office, Morgan Hill	2/14/19, 4 PM
Steering Committee Meeting #1	Morgan Hill Senior Center	2/26/19, 2 PM
Youth Action Council (YAC) meeting	Morgan Hill Senior Center (CRC), Morgan Hill	3/5/19, 5 PM
One-on-One meeting with Lisa Aragon (BPAG)		3/13/19, 3 PM
Presentation to Morgan Hill BPAG	Morgan Hill Council Chambers, Morgan Hill	3/14/19, 6 PM
Steering Committee Meeting #2	Centennial Recreation Center (CRC), Morgan Hill	3/28/19, 2 PM
Tabling at Morgan Hill Business Expo	Live Oak High School (Gymnasium), Morgan Hill	4/11/19, 12 PM
Sycamore Glen, Community Meeting	Sycamore Glen Apts. Community Room, Morgan Hill	4/19/19, 10 AM
Presentation at Senior Nutrition Program	Centennial Recreation Center, Morgan Hill	4/24/19, 11 AM
Presentation at Bella Terra Senior Apartments	Bella Terra Sr. Apts. Community Room, Morgan Hill	4/24/19, 2 PM
MH Property Managers Mtg. on Older Adult Transportation	Morgan Hill City Hall	4/25/19, 9 AM
Meeting w/ Jessica Perez (St. Catherine Church)	St. Catherine of Alexandria Catholic Church, Morgan Hill	4/25/19, 2 PM
Meeting w/ Mayor Constantine & Councilmember Carr	Morgan Hill City Hall	4/30/19, 9 AM
YAC Meeting (Follow Up & Survey)	Morgan Hill Senior Center (CRC)	5/7/19, 5:30 PM
Presentation to Kiwanis International	Kiwanis Club of Morgan Hill	5/7/19, 6:50 PM
Presentation at Jasmine Square Apts (Resident's Com. Mtg.)	Jasmine Square Apartments, Morgan Hill	5/8/19, 5:30 PM
Meeting at Horizons Senior Apartment	Horizons Senior Housing, Morgan Hill	5/13/19, 3 PM
Presentation to Morgan Hill Parks & Recreation Commission	Morgan Hill City Hall	5/21/19, 7 PM
Meeting w/ Boy & Girls Club in Morgan Hill	Galvan Park, Morgan Hill	5/23/19, 2 PM
CBTP Morgan Hill Community Workshop	Morgan Hill Council Chambers, Morgan Hill	5/29/19, 6 PM
Meeting with key local stakeholders + PMT	Morgan Hill City Hall	6/13/19, 2 PM
Meeting with Santa Clara County Staff	Santa Clara County Roads & Airports Dept., San Jose	6/26/19, 2 PM
Meeting with Caltrain (Survey Results + Programs)	Samtrans/Caltrain Office, San Carlos	7/16/19, 2:30 PM
Youth Leadership Program (presentation & workshop)	Community Cultural Center, Morgan Hill	7/23/19, 1 PM
CBTP Morgan Hill: Check-In & Next Steps	Morgan Hill City Hall	7/31/19, 2 PM

Figure 7
CBTP Morgan Hill Outreach Events

Youth Action Council Workshop



Presentation to Kiwanis International



Outreach Tabling Event



Community Meeting

A Community Workshop was held on May 29, 2019 at 7:00 pm at the Morgan Hill Council Chamber. The Community Workshop allowed residents to have open dialogues with the Project Management Team about their transportation needs and offer suggestions on potential improvements. In addition, representative from VTA Access, VTA's Paratransit Services, was present to answer and clarify any questions the residents may have regarding the service. Poster boards and large maps of the City of Morgan Hill were displayed to engage attendees and provide visual representation for the areas of concern. Twenty individuals attended the Community Workshop.

VTA's Blog Posts

The Project Management Team also employed blog posts on VTA's website and websites of project's partners to encourage community members to be involved in the Morgan Hill CBTP project. Two blog posts shared on VTA's website, titled "Share Your Ideas for Transportation Solutions in Morgan Hill" on May 22nd, 2019 and "Morgan Hill Kids Weigh In" on July 24th, 2019 received 299 and 239 views, respectively, for a total of 538 blog posts views. Figure 8 shows the blog posts on VTA's website.

Postal Mailings and Flyers

Flyers publicizing the Community Workshop and the project webpage were distributed to residents, including youth and low-income individuals. Flyers were disseminated at elementary and middle schools in the Morgan Hill Unified School District, to residents living in the Census Tract deemed Community of Concern by MTC, and also on VTA Express Bus routes serving Morgan Hill. In total, 6,196 flyers were sent to schools and 299 flyers were placed on Express Buses. Additionally, 6,196 mass mailings were sent to residents within the Community of Concern boundary. A total of 12,691 flyers and mailers were delivered to community members for the Morgan Hill CBTP project. Figure 9 displays the flyer and mailer that was sent out.

Figure 8
Blog Posts on vta.org

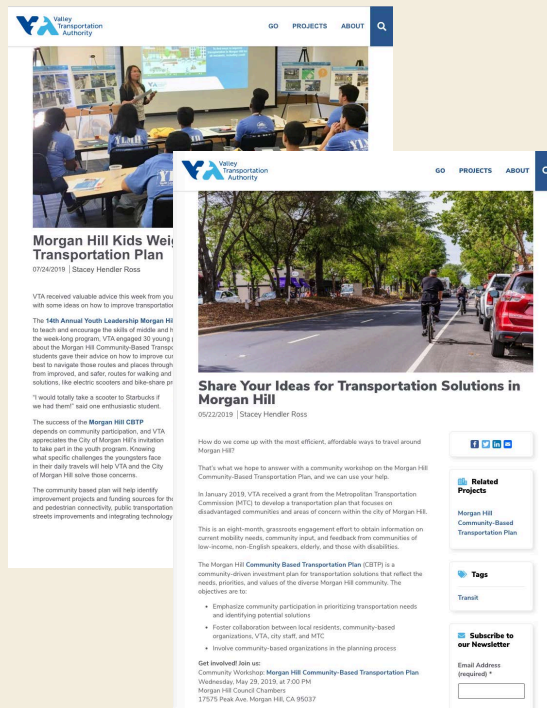
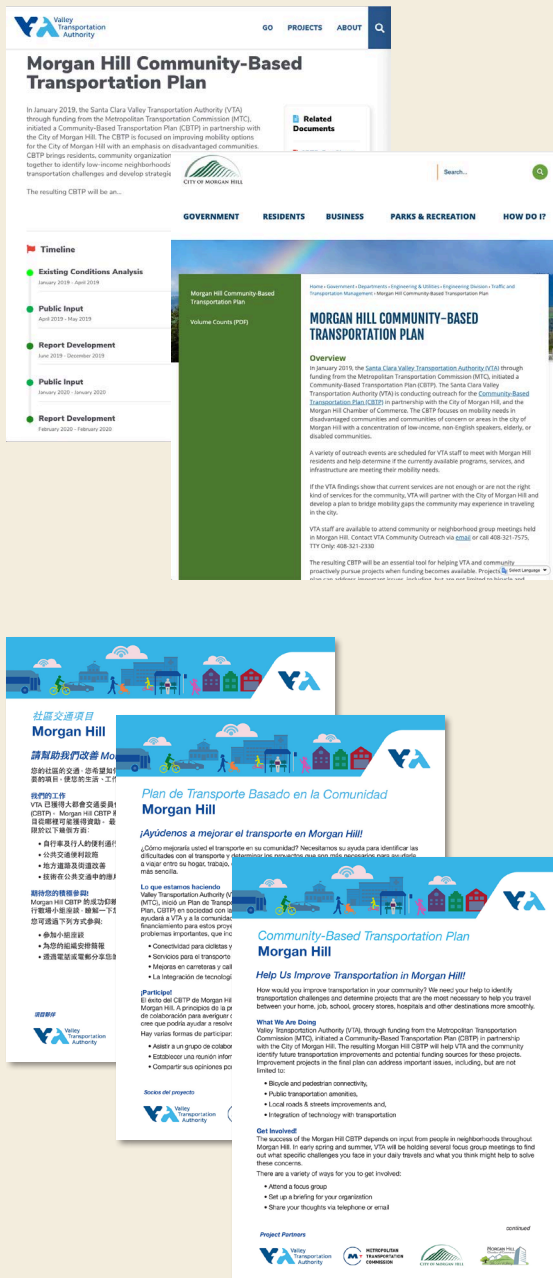


Figure 9
Outreach Mailer



Figure 10*Project Webpages and Fact Sheets***Project Webpage**

Project webpages were created on the websites of VTA and City of Morgan Hill in English with general information regarding the CBTP effort, including purpose, project area, project timeline, and ways for residents to get involved. Fact sheets in English, Spanish and Chinese along with other related documents are also accessible on the project webpages. The VTA's CBTP project webpage has been viewed 780 times since its inception to the time of this writing. Figure 10 showcase the webpages and the fact sheets. Community members are able to request a presentation and additional meetings from project staff for their neighborhood or organization as well as sign up to be on the project's e-mail distribution list, which sends notification on any updates and upcoming meetings for the project. At the date of this writing, a total of 678 emails were sent to the subscribers on the project's distribution list.

**Social Media and Newsletters**

VTA and project partners promoted the CBTP effort through various social media channels, such as Facebook, Twitter, LinkedIn, and Nextdoor, to reach a broader audience. In addition to the social media channels, Ann Sobrato High School included information on the CBTP in their May Newsletter that reached 300 students. To the date of this writing, the CBTP project received 30,156 Twitter views, 72,572 Nextdoor post views, and 37,846 Facebook post views.

Community Outreach Findings

The Project Management Team gained valuable knowledge on transportation needs and the desired improvements from the Morgan Hill residents through the numerous community outreach activities conducted for the CBTP planning process. This section summarizes the comment card results and the comments received from outreach events. The feedbacks received were used to guide the

development of transportation proposals, which are further described in Chapter 4.

Comment Card Multiple Choice Questions Results
A total of 308 comment cards were collected between April 29th through June 7th, 2019; 232 of them were digital responses and 76 were paper responses collected at focus group meetings or from the comment card collection boxes. Figures 11 and 12 illustrate the summary of the online survey responses.

Figure 11
Results of Comment Card Survey

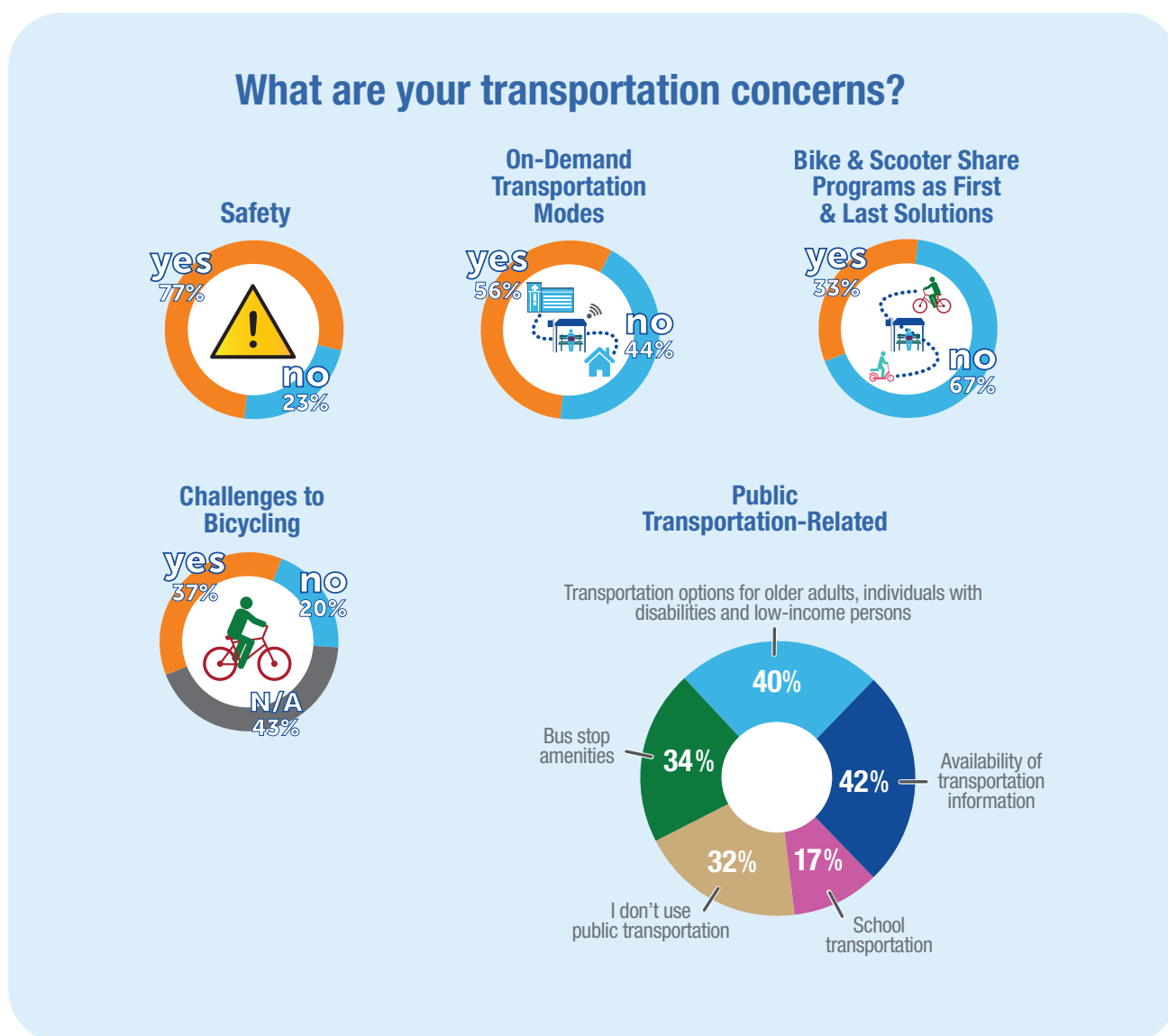
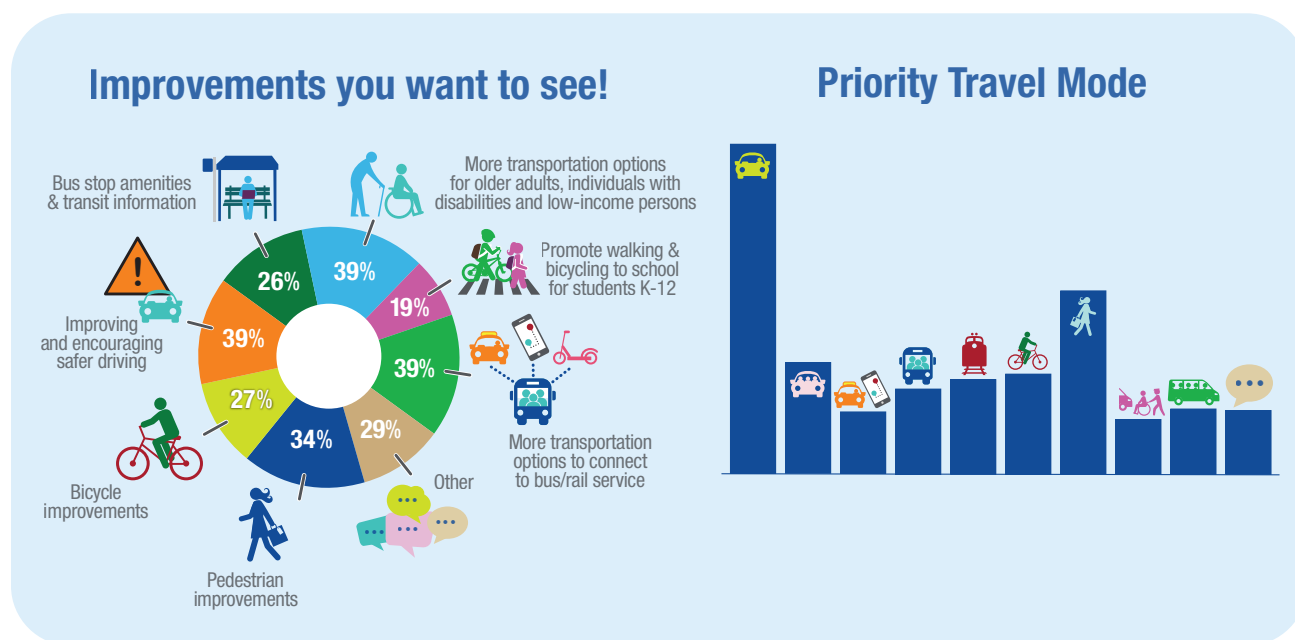


Figure 12
Results of Comment Card Survey (continued)



Key findings from the questions on the comment cards are highlighted below:

- Almost 80% says safety is a concern due to speeding, distracted drivers, not enough time to cross street or unsafe turning movements by cars when crossing the street
- Around 56% says that the current level of service of on-demand transportation modes (Lyft, Uber, taxis, vanpool and/or carpool) programs is a concern
- Close to 67% of respondents says that the absence of scooter and bike share programs (Bird, Lime, etc.) as an alternative transportation mode or transit stops connection is not a concern for Morgan Hill
- Approximately 65% of respondents believe there are challenges to walking and traveling in Morgan Hill due to discontinuous or no sidewalks, lack of street trees for shade, lighting, not enough crosswalks, not seniors or ADA-accessible
- When asked if there are challenges to bicycling in Morgan Hill due to not enough bike lanes or bike path, bike parking, lighting of streets, lack of signage for shared bike lane, etc.; 37% of respondents said yes, 20% said no, and 43% said they do not ride a bike
- The top three concerns regarding public transportation are 1) availability of transportation information such as route information, schedules, and maps, 2) transportation options for older adults, individuals with disabilities, and low-income persons, and 3) Bus stop amenities including bus shelter, bench, lighting, clearly marked signage
- The top three improvements desired by respondents are 1) more transportation options to connect to bus and/or rail service, 2) improving and encouraging safer driving, and 3) more transportation options for older adults, individuals with disabilities, and low-income persons.

Comment Card Suggestions Results

The following section summarizes some of the feedbacks received on the suggestion portion of the comment card. The comprehensive list of comments is included in Appendix B. The comments are broken down into 6 different categories to aid the Project Management Team in organizing the responses, the categories are as followed: 1) transit and shuttle, 2) transit amenities, 3) local street and road improvements, 4) bicycle and pedestrian improvements, 5) freeways and congestion, and 6) technology related and others. Figure 13 shows an example of concerns and suggested improvements for each category).

Transit and shuttles

Many comments addressed the limitations of bus and rail services in Morgan Hill, specifically coverage

of the bus network and the infrequency of Caltrain stopping at the Morgan Hill station. Respondents suggested increasing Caltrain service to the Morgan Hill station on weekdays and weekends along with the expansion of local bus routes or creation of shuttle services to encompass more of the city in order to serve popular destinations.

Transit amenities

Residents suggest making public transit information, such as schedule, fare rate, route, more readily available to the public. Suggestion includes increase in marketing of VTA's services and promoting on how it can integrate with Caltrain's services. Another resident expressed concern regarding the maintenance of bus stop facilities and the lack of bus stop amenities such as lighting, benches, and shelters.

Figure 13

Most popular suggestions and concerns on Comment Card



Local street and road improvements

Community members raised a concern with speeding through downtown and major arterial roads, such as Butterfield, East Dunne, Hill. Several comments advised increasing crosswalk enforcement and ensuring that speed limits are being honored. Other concerns mentioned pot holes and uneven pavements on popular roads in and near the City limit, notably Santa Teresa Road, Bailey Road, and Monterey Road. Many suggested to improve the pavement condition on these major roads.

Bicycle and pedestrian improvements

Several voiced concerns about the lack of sidewalks near popular destinations, difficulties in walking/biking across freeway interchanges and lack of crosswalks. Comments suggests a more comprehensive protected bike lane network, continuous sidewalks and additional flashing beacon crosswalks within City limits.

Freeways and congestion

Comments discussed traffic congestion on 101 and Monterey Road during commute hours and suggests developing a long-term infrastructure plan for Morgan Hill to address congestion more effectively.

Technology and other

The unreliability of hailing Uber and Lyft in Morgan Hill is a concern as well as the limited parking spaces throughout the city. Support for scooter and bike share programs is mixed.

Comments Received from Focus Group Meetings and Community Meeting

The following section recaps the feedback received from over 10 focus group meetings and a community meeting held on May 29th, 2019. Like the previous section, the comments are also separated into six categories. The comprehensive list of comments from focus group meetings and the community meeting is included in Appendix B.

Transit and shuttles

Similar concerns involving the availability and timing of Caltrain were expressed. Residents want to see

more trains stopping at the Morgan Hill station. Other comments suggested better transit connections from Morgan Hill to other cities in Santa Clara County and door to door/shuttle services that are ADA-accessible at an affordable price, especially for older adults. An individual stated that public transportation does not serve many of the senior complexes in the City limit, such as the Lodge, Huntington, Woodland Estates, and Casa Loma. Several individuals also articulated concerns regarding the inconsistency of pick-up/drop-off times and the ride scheduling system of the VTA Access Paratransit Service.

Transit amenities

Community members recommended an increase in marketing of VTA's services and schedules to a wider audience as well as adding digital displays of real-time transportation information at stops.

Local street and road improvements

Comments from the in-person meetings echoed those from the surveys in that speeding and poorly paved roads are some of the top concerns.



Bicycle and pedestrian improvements

Included are comments from not only the residents but also from the City of Morgan Hill's Bicycle Pedestrian Advocacy Group (BPAG). Several residents commented that they do not feel safe bicycling due to narrow streets and the absence

of bike lanes or shared lane markings. The BPAG brought up concerns relating to bicycle commuting, especially on popular roads in Morgan Hill and the connectivity of trails from San Jose to Morgan Hill. Bicycle commuters experience difficulties on Butterfield Blvd section, on Bailey Ave to Hale Ave to Santa Teresa Blvd, and on county roads. The BPAG suggested educational safety classes to educate drivers and bikers along with campaigns and signage improvement to promote bicycling.

Recommendations for pedestrian improvements include constructing wide and continuous sidewalks on Monterey Road, installation of blinking light crosswalks, and increasing pedestrian safety at Burnett Ave near Sobrato High School.

Freeways and congestion

Comments advocate for traffic signal retiming through downtown to relief congestion during the evening commute. Traffic congestion at major intersections with US 101, such as Cochrane and Monterey, and along US 101 during commute hours was one of the top concerns. Several comments suggested that US 101 be expanded south of Hwy 85.

Technology and other

The difficulty in hailing a TNC in Morgan Hill was mentioned again along with an interest in bike share and scooter share if they do not interfere with the roads or sidewalks.

Evolving the Comments Received into Transportation Proposals

The Project Management Team reviewed the comments received through the outreach process and developed transportation proposals to best address as many needs or concerns expressed by the community as possible. The transportation proposals in the CBTP won't be able to address all of the comments collected, however, the Project Management Team is committed to cooperating with other local agencies to seek out opportunities to incorporate the comments in the future. The following Chapter 4 will explain the transportation proposals in details and rank each by a set of criteria to prioritize the most plausible proposals.

Get to Know the City of Morgan Hill!

Morgan Hill Downtown...It's Happening!

Morgan Hill's ideal location offers residents and visitors a vibrant Downtown, year-round outdoor recreational activities, including cycling, golfing, swimming, and boating. You can visit dozens of award-winning wineries via the new Santa Clara Valley Wine Trail, watch the annual Tarantula migration at Henry W. Coe State Park, set up camp in Coyote-Lake Harvey Bear Ranch Park, go boating at Anderson Lake County Park or simply go for a cool dip at the state-of-the-art Morgan Hill Aquatics Center.

Additionally, Downtown Morgan Hill is the South Silicon Valley culinary and entertainment mecca with more than 30 restaurants offering diners wonderful selections for any palate. The historic downtown offers charming boutiques, public art displays, year-round Farmers' Market, and special events and festivals that attract 250,000 visitors each year. Popular events such as the Mushroom Mardi Gras, the Fourth of July Parade and the Taste of Morgan Hill are family favorites. You can find art walks, brew crawls and wine strolls throughout the year.

To learn more about Morgan Hill and explore restaurants in Downtown, visit:

<https://www.morgan-hill.ca.gov/1150/Morgan-Hill-Downtown-Its-Happening>



CHAPTER 4 Transportation Proposals and Funding Sources

In this chapter:

1. An overview of all transportation proposals
2. A list of the evaluation criteria used to assess each proposal
3. Evaluation results of proposals
4. A detailed description of each proposal
5. An explanation on funding sources and opportunities
6. An action plan matrix to track progress of proposals after the completion of the CBTP process

Through the collaboration with Morgan Hill residents and local stakeholders, the Project Management Team was able to match the needs and challenges heard from the community with ongoing or upcoming project proposals. These proposals were then prioritized by a set of criteria to help the Project Management Team and the Steering Committee know where to focus their efforts, especially with low hanging fruits or upcoming funding opportunities that the proposals have the potential to compete for.

Summary of Transportation Proposals

The Morgan Hill CBTP contains 20 transportation proposals that aim to address transportation challenges identified by community members during the outreach



process. The proposals are grouped into five categories of improvements as followed:

- Freeway Improvements and Congestion Management
- Bicycle and Pedestrian
- Transportation Options and Services
- Public Transportation Amenities, and
- Public Transportation Improvements

Out of the 20 proposals, 6 proposals have full funding that will allow for their implementation in the near-term. Additional information on the funding sources and opportunities for the other 14 proposals on the list is available in a later section, Funding Sources and Opportunities. **The Steering Committee and the general public will have opportunities to comment on the proposals before incorporation into the final version of the plan.** When considered as a whole, the list of transportation proposals presents a realistic, comprehensive, and multimodal approach to minimizing the transportation gaps in Morgan Hill.

Evaluation Criteria for Transportation Proposals

A set of criteria was created by the Project Management Team to evaluate each transportation proposal on whether a project lead exists and what the implementation timeline would be. The criteria also categorize financial feasibility, implementation feasibility, and community benefits from low, medium, or high. There are five different criteria that the proposals are measured against. The explanation for the criteria is as followed and summarized in Table 10.

Identified Lead Agency

This criterion considers whether a champion for the proposal exists and currently has the capability to manage the project. The lead agency will assume leadership role in securing funding and dedicating staff time along with other resources to push the proposal to the implementation phase.

Financial Feasibility

The Project Management Team considered several factors for the financial feasibility criterion, such as whether the cost is reasonable compared to the number of people who will benefit from the proposal. The group also examined if (and when) funding might be available to plan, construct, operate, and/or maintain the proposed projects and programs.

Implementation Feasibility

The Project Management Team looked at how easily the proposals can be implemented given existing conditions and factors, such as political, technology, safety, etc. Another vital component to successful implementation is the opportunity for partnerships amongst multiple organizations. The coordination of agencies can increase available funding opportunities, speed up implementation, and generate a broader support for the proposal. This criterion looks at whether there is a potential to collaborate between the lead agency and other organizations.

Community Benefits and Relevance

The criterion evaluates whether the proposal address the transportation challenges identified through the

Table 10

Evaluation Criteria and Types of Categories Associated

Criteria	Type of Categories
Identified Lead Agency Does the proposal have an agency that will take a leadership role in securing funding and dedicating staff time along with other resources to push the proposal to implementation?	Yes or No
Financial Feasibility <i>Cost effectiveness:</i> Is the cost of the proposal reasonable as compared to the number of people who will benefit? <i>Funding availability/sustainability:</i> Are there funding sources identifiable and likely to be available to construct or operate the proposal?	Low, Medium, or High
Implementation Feasibility <i>Ease of implementation:</i> Can the proposal be easily implemented given existing conditions and factors, such as political, technology, safety, etc.? <i>Potential for coordination between multiple organizations:</i> Because partnerships can increase available funding opportunities, speed up implementation, and generate a broader support for the proposal, is there a potential to collaborate between the lead agency and other organizations?	Low, Medium, or High
Community Benefits/ Relevance Do the proposal address transportation challenges identify through the Morgan Hill CBTP public outreach process? Do the proposal have benefits to populations with the greatest needs and/or underserved community, especially those with the greatest barriers to mobility? Is there community support and other benefits associated with the proposal, whether it would be environmental, public safety, congestion relief, etc.?	Low, Medium, or High
Implementation Timeline Near-term (within 3 years), Mid-term (3-6 years), and Long-term (7+ years)	Near-, Mid-, or Long-Term

Morgan Hill CBTP public outreach process. It also considers whether it benefits the populations with the greatest needs and/or underserved communities, especially those with the greatest barriers to mobility. The Project Management Team also takes into consideration whether there is community support for the proposal and whether there are other benefits associated with the proposal, including environmental, public safety, congestion relief, etc.

Implementation Timeline

This criterion examines the time frame that the proposal can reasonably be implemented and is dependent on several factors, such as the readiness of the lead agency to take a leadership role and/or when funding opportunities that aligns with the proposal will become available. Near-term is defined as the proposal being implemented within 3 years, mid-term within 3-6 years, and long-term in 6 or more years.

Evaluation Results

The 20 transportation proposals were assessed using the evaluation criteria through qualitative analyses and in-depth discussions between the Project Management Team and other public agencies. The Steering Committee members and the public is encouraged to make suggestions on the evaluation of the proposals before incorporation into the final version of the plan. Each proposal was assigned as low, medium, or high under the different criteria. The criteria do not rank the proposals in any order, nor do they suggest that some proposals are more valuable than others, just that some may have more barriers to overcome to reach implementation. Regardless, the Project Management Team, decision makers, and community members can use the criteria to compare the benefits and feasibility of each transportation proposal. The criteria can also be used to inform decisions and rally support for the proposal. Table 11 on the following page provides a summary and greater explanation on the evaluations of each proposal.

Table 11
Evaluation of each proposal

ID #	Proposal/Project Name	Identified Lead Agency	Financial Feasibility	Implementation Feasibility	Community Benefits/Relevance	Implementation Timeline
1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)			Funded		
2	Signalize Santa Teresa Blvd & Watsonville Road intersection	No(?)	High	High	Medium	Long-Term
3	Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave intersection	No(?)	Low/Medium(?)	Medium	Low	Long-Term
4	Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmundson Avenue (Phase II)	(No?)	Medium	Medium	Medium	Near-Term
5	Expansion of Highway 101 adding one additional express lane through Morgan Hill	No	Low	Low	Medium	Long-Term
6	Traffic Signal Intelligent System Management for regional traffic and major arterial streets	No	Low/Medium(?)	Low	Low	Long-Term
7	Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety	(No?)	Medium	Medium	High	Near-to Long-Term
8	Citywide Pedestrian Safety Improvements	Yes	Medium	Medium	High	Near- to Long-Term
9	School Safety Improvements	Yes	Medium	Medium	High	Near- to Long-Term
10	Main Avenue Bike Lane and Sidewalk Project			Funded		
11	Madrone Channel Trail	Yes	Medium	Medium	High	Near-Term
12	West Little Llagas Creek Trail	Yes	Medium	Medium	High	Near-Term
13	Safe Routes to School Program Implementation	Yes	High	Medium	High	Medium-Term
14	Watsonville Road Multi-use Trail	Yes	Low	Medium	High	Medium-Term
15	Rider's Choice Pilot Program			Funded		
16	Mobility Assistance Program (MAP)			Funded		
17	Regional Means-Based Fare Discount Program			Funded		
18	Volunteer Driver Program Expansion	Yes	High	Medium	High	Short-Term
19	Morgan Hill Transit Amenities Improvement Project			Funded		
20	Caltrain Grade Separation at Tennant Avenue and Dunne Avenue	No	Low	Low/Medium(?)	High	Long-Term

Description of Transportation Proposals

This section provides detailed descriptions of all proposals grouped by the type of improvements. There are six proposals under the Freeway Improvements and Congestion Management group, eight under the Bicycle and Pedestrian group, four

under Transportation Options and Services group, one under Public Transportation Amenities, and one under Public Transportation Improvements. The proposals are presented below and in a table format under the Action Plan Matrix section.

Freeway Improvements and Congestion Management

1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)		
	Proposal Details Construction of a 2-lane road connection with trail Hale Avenue/ Sunnyside Avenue from Edmondson Avenue to W. Main Avenue. This proposal is one of the 20 candidate projects identified under 2016 Measure B County Expressways Program to relieve congestion, improve safety, and increase the effectiveness of the expressway system in the county. The proposal was also included in the Expressway Plan 2040 completed in 2017 by the County of Santa Clara Roads and Airports Department.	Community Need Improvement of local roads and streets.	Estimated Costs \$13.5 M
	Implementation The implementation timeline for this proposal is near-term (within 3 years). The proposal is a collaboration between the County of Santa Clara and the City of Morgan Hill.		
	Acquired or Potential Funding Sources This proposal has been fully funded through VTA's 2016 Measure B County Expressways Program with City match contribution. For more information on the 2016 Measure B program, visit: https://www.vta.org/projects/funding/2016-measure-b .		
2	Signalize Santa Teresa Blvd & Watsonville Road Intersection		
	Proposal Details Signalize intersection and add an eastbound left-turn lane.	Community Need Improvement of local roads and streets.	Estimated Costs \$1M as of 2008 estimate
	Implementation The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.		
	Acquired or Potential Funding Sources There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.		

3

Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave Intersection**Proposal Details**

Signalize intersection.

Community Need

Improvement of local roads and streets.

Estimated Costs

\$0.6 M as of 2008 estimate

Implementation

The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.

4

Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmondson Avenue (Phase II)**Proposal Details**

Construction of a 2-lane road connection between Sunnyside and Dewitt at W. Edmondson and add trail at Sunnyside Ave to DeWitt Ave. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and the County Expressway Plan 2040. To access Morgan Hill's General Plan 2035, visit:
<https://www.morgan-hill.ca.gov/75/General-Plan>

Community Need

Improvement of local/regional roads and streets

Estimated Costs

\$12 M

Implementation

The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.

5

Expansion of Highway 101 adding one additional express lane through Morgan Hill**Proposal Details**

Construction of express lanes south through Morgan Hill. The proposal has been identified in the US-101 Comprehensive Corridor Plan and the Transportation Element of the City of Morgan Hill's General Plan. The proposal falls under future phases of VTA's Silicon Valley Express Lanes Program, which aims to increase efficiency of existing roadway by allowing carpoolers and motorcyclist to use for free and by single occupant vehicles to use for a toll paid with a FasTrak transponder. For more information on VTA's Silicon Valley Express Lanes Program, visit:
<https://www.vta.org/programs/silicon-valley-express-lanes>

Community Need

Improvement of highway

Estimated Costs

\$110 M

Implementation

The implementation timeline for this proposal is long-term (6+ years). In-depth discussions and cooperation between VTA, Caltrans, and the County of Santa Clara is needed to move the proposal forward. Before VTA can consider moving this proposal forward, the agency is focusing on delivering Phases 3 and 4 (US 101 and SR-85) of the Express Lanes Program by 2021.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. Local jurisdictions will continue to work together to identify funding sources in the future.

6

Traffic Signal Intelligent System Management for regional traffic & major arterial streets**Proposal Details**

Addition of hardware and software to manage traffic signals on major arterial streets in an integrated system, improving traffic congestion. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and the County Expressway Plan.

Community Need

Improvement of local roads and streets.

Estimated Costs

\$1.3 M

Implementation

The implementation timeline for this proposal is medium-term (3-6 years). Collaboration between City of Morgan Hill and VTA is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. Local jurisdictions will continue to work together to identify funding sources in the future. Potential funding sources include 1) Measure B Local Streets and Roads Program, as the City of Morgan Hill's Pavement Condition Index (PCI) is over 70, and 2) Senate Bill (SB) 83 Vehicle Registration Fund (VRF). For more information on Measure B Local Streets and Roads Program, visit:
<https://www.vta.org/projects/funding/2016-measure-b>

Bicycle and Pedestrian

7

Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety

Proposal Details

Striping, sidewalk and signal improvements at approximately 30 intersections through the City per Bikeway Master Plan. The proposal is also identified in the Transportation Element of the City of Morgan Hill's General Plan.

Community Need

Improvement of bicycle and pedestrian infrastructures

Estimated Costs

\$5 M +

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Measure B Local Streets and Roads Program, as the City of Morgan Hill's Pavement Condition Index (PCI) is over 70, and 2) Transportation Development Act (TDA) Article 3 Program available for use on bicycle and pedestrian projects. For more information on Measure B Local Streets and Roads Program, visit: <https://www.vta.org/projects/funding/2016-measure-b>. For information on TDA Article 3 Program, visit: <https://www.vta.org/programs/congestion-management-program/grants>

8

Citywide Pedestrian Safety Improvements

Proposal Details

Addition of pedestrian activated enhanced crosswalk lighting at 12-20 locations. The proposal has been identified in the City of Morgan Hill's Vision Zero, which prioritize safety, create livable streets, and eliminate traffic fatalities. In-depth information on Morgan Hill's Vision Zero efforts can be found here: <https://www.morgan-hill.ca.gov/1676/Vision-Zero-Morgan-Hill>

Community Need

Improvement pedestrian infrastructures

Estimated Costs

\$800,000-\$1.5M

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Highway Safety Improvement Program (HSIP), and 2) Transportation Impact Fee in Morgan Hill. The HSIP is a core federal-aid program to States for the purpose of achieving a significant reduction in fatalities and serious injuries on all public roads. Information on HSIP can be found on Caltrans' website here: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/highway-safety-improvement-program>. The Transportation Impact Fee in Morgan Hill is dependent on new developments in the City, more information is available here: <https://www.morgan-hill.ca.gov/773/Impact-Fees>.

9

School Safety Improvements**Proposal Details**

Changes and enhancements to school frontages, adjacent crosswalks and other off-site facilities near schools. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and Morgan Hill's Vision Zero.

Community Need

Improvement of school-related infrastructures

Estimated Costs

\$2 M-\$5 M

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Caltrans' Active Transportation Program (ATP) and 2) VTA's Vehicle Emissions Reductions Based at Schools (VERBS) Program. The ATP program is administered by Caltrans in order to encourage increased use of active modes of transportation, such as biking and walking. For more information on the ATP grant, visit: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program>. The VERBS program is focused on reducing greenhouse gases by promoting walking, biking, transit, and carpooling to school, targeting grades K-12. For in-depth information on the VERBS grant, visit: [https://www.vta.org/programs/congestion-management-program/grants#accordion-vehicle-emissions-reductions-based-at-schools-\(verbs\)-program](https://www.vta.org/programs/congestion-management-program/grants#accordion-vehicle-emissions-reductions-based-at-schools-(verbs)-program)

10

Main Avenue Bike Lane and Sidewalk Project**Proposal Details**

Buffered bike lanes and completion of sidewalk projects from Butterfield Avenue to Condit Road. The proposal was identified in the City of Morgan Hill's Bikeways Master Plan. To access the City of Morgan Hill's Bikeways, Trails, Parks and Recreation Master Plan, visit <https://www.morganhill.ca.gov/1429/Master-Plan-for-Parks-Trails-and-Bikeway>

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$650,000

Implementation

The implementation timeline for this proposal is near-term (within 3 years) and the City of Morgan Hill is the proposal sponsor.

Acquired or Potential Funding Sources

The proposal has been fully funded.

11

Madrone Channel Trail**Proposal Details**

Paving existing trail to create a Class 1 Bike/Pedestrian path from Cochrane Road to Tennant Avenue. The proposal has been identified in the City of Morgan Hill's Bikeways Master Plan and also in VTA's Countywide Bike Plan Update 2018. For more on VTA's efforts on the Countywide Bike Plan Update, visit: <https://www.vta.org/projects/santa-clara-countywide-bike-plan-update-2018>.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$1.4 M

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Discussions and collaboration between the City of Morgan Hill and VTA is needed to move the proposal forward.

Acquired or Potential Funding Sources

The proposal has been partially funded. Possible funding source to complete the project is the Caltrans' Active Transportation Program (ATP).

12

West Little Llagas Creek Trail**Proposal Details**

Paving existing trail to create a Class 1 Bike/Pedestrian path south from Watsonville Road to Silveira Lake and north from Spring Avenue to Ciolino Avenue. The proposal has been identified in the City of Morgan Hill's Bikeways Master Plan.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$1.5 M

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Partnership between the City of Morgan Hill and the Santa Clara Valley Water District is needed to move the proposal towards full funding.

Acquired or Potential Funding Sources

The proposal has been partially funded. Possible funding source to complete the project is the Caltrans' Active Transportation Program (ATP).

13

Safe Routes to School Program Implementation**Proposal Details**

Add one full-time Safe Routes to School Coordinator and increase Police Department support. The proposal supports the City of Morgan Hill's Vision Zero.

Community Need

Education and Outreach Program for School Age Youth

Estimated Costs

\$120,000 annually

Implementation

The implementation timeline for this proposal is medium-term (between 3-6 years). Partnership between the City of Morgan Hill, VTA, and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

There is currently limited Measure B funding for the proposal. The proposal may qualify for targeted technical assistance under Safe Routes to School program funded by Measure B and conducted by Santa Clara County's Public Health Department.

14

Watsonville Road Multi-Use Trail**Proposal Details**

Development of a new multi-use trail reusing existing right of way. Pedestrian crossings at multiple locations. The proposal has been identified in City of Morgan Hill's Bikeways Master Plan.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$3.5 M

Implementation

The implementation timeline for this proposal is medium-term (between 3-6 years). The City of Morgan Hill is the project sponsor for this proposal.

Acquired or Potential Funding Sources

The proposal is currently unfunded, but a grant application has been submitted and is awaiting response. Potential funding sources for the proposal includes 1) Recreational Trails Program (RTP) through the California Department of Parks and Recreation and 2) funding opportunities through the Rails-to-Trails Conservancy. The RTP grant funds recreation trail projects for pedestrians, bicyclists, and may also serve as non-motorized transportation corridors. For more information on the RTP grant can be accessed through this page: https://www.parks.ca.gov/?page_id=24324. The Rails-to-Trails Conservancy is a nonprofit organization dedicated to creating a nationwide network of trails from former rail lines and connecting corridors to build healthier places for people. More information on the organization and the grant opportunities available is accessible through this webpage: <https://www.railstotrails.org/>.

Transportation Options and Services

15

Rider's Choice Pilot Program

Proposal Details

This pilot program is a new and innovative solution that VTA offers to its eligible paratransit customers residing in Santa Clara County. It is a cost-effective solution that is flexible and affordable compared to traditional paratransit services and serves as an alternative transportation option. The Rider's Choice Program gives eligible paratransit customers the choice to choose a standard, same day trip with a Transportation Network Company (TNC) within the Rider's Choice Program instead of VTA's paratransit provider. The Rider's Choice Program will offer trip bookings on the same day or in advance, point to point service, no shared ride required, companions ride free, and better on-time performance.

Community Need

Alternative transportation option for VTA's paratransit customers

Estimated Costs

Potential cost savings for paratransit customers. True costs to be determined.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). The pilot program began in April 2019, and VTA has 8 paratransit customers enrolled as of July 2019. We will continue to identify select customers to participate and provide feedback to VTA. In doing so, VTA can better understand what to expect from the program as the Rider's Choice Program grows.

Acquired or Potential Funding Sources

Funding for the pilot phase has been acquired and VTA is currently rolling out the pilot program.

16

Mobility Assistance Program (MAP)

Proposal Details

This project seeks to provide reduced cost and no-cost transportation options for older adults, individuals with disabilities, and low-income persons seeking to find and retain employment. Service includes travel training, door to door rides for new employees, training, community agencies or support services, supporting public transit use, and supporting healthy, independent living.

Community Need

MAP endeavors to address the transportation gaps and barriers affecting older adults, low income families, and individuals with disabilities to where and when public transit is not available or suitable.

Estimated Costs

The total budget for MAP is approximately \$2,617,818.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). MAP is currently in the development phase with the anticipated start date sometime in 2020 and will be in place for three years. VTA is the project sponsor for this proposal.

Acquired or Potential Funding Sources

VTA successfully applied for the Lifeline Transportation Program Cycle 5 Funding, which will be the main funding source for the program. The breakdown of the Lifeline grant funding is 50% from the Federal Transit Administration (FTA), 30% from the State Transit Assistance (STA), and 20% VTA local match.

17

Regional Means-Based Fare Discount Program**Proposal Details**

This is a 12- to 18-month pilot program, expected to begin in early 2020, that will offer a 20% fare discount to eligible low-income residents of the Bay Area for travel on Caltrain, BART, Golden Gate Transit and Ferry and Muni. Program guidelines will allow adults whose annual earnings are up to 200% of the federal poverty level to qualify for the fare discount pilot program and will require riders to use Clipper for fare payment. This effort is being led by MTC with support from the four agencies and social service agencies. At the conclusion of the of the pilot program, a determination will be made of whether to discontinue/continue the pilot or make it a permanent program.

Community Need

Affordable transportation options for low-income adults

Estimated Costs

MTC committed roughly \$11 million to implement the Regional Means-Based Fare Discount program.

Implementation

The implementation timeline for this proposal is near-term (within 3 years) and is mandated by MTC with the support from Caltrain, BART, Golden Gate Transit and Ferry, and MUNI. The pilot program is expected to begin in early 2020 and will last for 12-18 months.

Acquired or Potential Funding Sources

The Means-Based Fare Discount Program is a program under MTC. The breakdown of the funding sources is \$8 million from the State Transit Assistance (STA) funds generated by the state sales tax on diesel fuel and \$3 million from the statewide Low-Carbon Transit Operations Program (LCTOP). For more information on the STA funds, visit: <https://mtc.ca.gov/our-work/invest-protect/investment-strategies-commitments/transit-21st-century/transit-operating-0>. For information on LCTOP, visit: <https://dot.ca.gov/programs/rail-and-mass-transportation/low-carbon-transit-operations-program-lctop>

18

Volunteer Driver Program Expansion**Proposal Details**

Add one full-time Mobility Management Coordinator for Morgan Hill to manage and grow Volunteer Driver Program. This transportation gap has been identified in the City of Morgan Hill Senior Services Strategic Plan .

Community Need

Transportation for Older Adults

Estimated Costs

\$100,000 annually

Implementation

The implementation timeline for this proposal is near-term (within 3 years) to medium-term (3-6 years).

Acquired or Potential Funding Sources

There are currently no funding sources dedicated to the program. However, a grant application for the program has been submitted under FTA 5310 Enhance Mobility of Seniors and Individuals with Disabilities Program grant in September 2019. For more information on the FTA 5310 Grant, visit: <https://dot.ca.gov/programs/rail-and-mass-transportation/enhanced-mobility-of-seniors-and-individuals-with-disabilities-program-fta-5310>

Public Transportation Amenities

19

Morgan Hill Transit Amenities Improvement Project

Proposal Details

The Morgan Hill Transit Amenities Improvement Project encompass: 1) Replacement of solar lights at Morgan Hill bus stops, 2) Installation of lighting at selected bus stops, 3) Updating of bus shelters at the 3 busiest locations (Morgan Hill Caltrain, NB Monterey FS Tennant, and NB Monterey and Dunne), and 4) Upgrade of wooden benches to new metal benches to meet VTA's standards. The project involves collaboration between VTA's Passenger Facilities and Transit Planning Departments as well as the City of Morgan Hill to identify bus stops that needs lighting and upgraded benches. The improvement project is guided by and adheres to VTA's Transit Passenger Environment Plan, which is accessible through VTA's website. For more information on the Transit Passenger Environment Plan, visit: <https://www.vta.org/projects/transit-passenger-environment-plan>.

Community Need

Improvement of public transit amenities

Estimated Costs

The estimated cost to make the listed improvements are roughly between \$40,000 to \$50,000.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Purchase requisition started in August 2019 and aims to have the items ordered and installed sometime in 2020. VTA is the project sponsor for this proposal.

Acquired or Potential Funding Sources

The full funding for this improvement project has been identified as part of VTA's Passenger Facilities Operating Budget.

Public Transportation Improvements

20

Caltrain Grade Separation at Tennant Avenue and Dunne Avenue

Proposal Details

Grade separation of the Caltrain tracks through Morgan Hill at intersections of Tennant Avenue and Dunne Avenue in order to improve safety, traffic flow and accommodate for the increase in train frequency in the future.

Community Need

Public transit improvements

Estimated Costs

The rough estimated cost is \$80 million.

Implementation

The implementation timeline for this proposal is long-term (6+ years). The project will require extensive collaboration between various parties, such as the City of Morgan Hill, UPPR, and Caltrain.

Acquired or Potential Funding Sources

There are currently no funding sources identified for this project.

Funding Sources and Opportunities

It is important to reiterate that the CBTP process is a planning effort, which means that all but 6 transportation proposals that are included in the Plan does not currently have funding sources attached to them. VTA and the City of Morgan Hill will continue to work closely with one another to identify potential funding sources that best fit each transportation proposal as they become available. The information in Appendix D provides a general understanding of the requirements for federal, state, regional, and local funding sources that the lead agency of a transportation proposal can pursue to fund and move the proposal towards implementation.

Funds may be distributed either based on population or through a competitive process, where the lead agency must submit an application for the proposal. Each funding source has requirements that dictate if funding can be applied to planning/feasibility study phase, capital (infrastructure) improvements, operational needs, and/or administrative costs. Lead agency may also be required to provide a local match fund of a certain percentage of the grant amount to implement the program, this requirement can be met through cash contributions, staff costs, and/or other grants received by the agency.

Action Plan Matrix

The Action Plan Matrix presents an overview of the 20 transportation proposals included in the Plan. Information on potential project sponsor(s),

Get to Know the City of Morgan Hill!

Community Events sponsored by the Morgan Hill Chamber of Commerce

The Morgan Hill Chamber of Commerce is a community-based organization that promotes members' local businesses for a strong regional economic, civic, cultural and educational climate in the City of Morgan Hill. Every year the Chamber sponsors numerous fun events in the city, such as the Taste of Morgan Hill in September and Morgan Hill Friday Night Music Series during the summer months.

Taste of Morgan Hill is an annual fun, free, and family-friendly festival held in Downtown Morgan Hill on the last full weekend in September. The festival celebrated its 30th anniversary back in 2019. The event features

local wines and craft beers, wide variety of food vendors, live entertainment, and the 'Classic & Custom' Car Show. For the Taste of Morgan Hill webpage, visit <https://www.morganhill.org/taste-of-morgan-hill/>.



The Morgan Hill Friday Night Music Series features local bands every Friday nights at the Downtown Amphitheater from June through August. The family-friendly event brings the community together for a summer of fun and gives residents the opportunity to enjoy live music under the stars. To stay up to date with the annual event, visit <https://www.morganhill.org/chamber-sponsored-events/>.

Action Plan Matrix

Freeway Improvements and Congestion Management								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)	Improvement of local roads and streets	Construction of a 2-lane road connection with trail Hale Avenue/Sunnyside Avenue from Edmondson Avenue to W. Main Avenue.	County/City of Morgan Hill	\$ 13.5 M	Near-Term	Funded; Measure B with City match contribution	Expressway Plan 2040 Measure B
2	Signalize Santa Teresa Blvd & Watsonville Road intersection	Improvement of local roads and streets	Signalize intersection and add an eastbound left-turn lane	County/City of Morgan Hill	"\$1 M 2008 estimate"	Long-Term	Unfunded collaboration with city needed	Unfunded long term projects
3	Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave intersection	Improvement of local roads and streets	Signalize intersection	County/City of Morgan Hill	"\$0.6 M 2008 estimate"	Long-Term	Unfunded collaboration with city needed	Unfunded long term projects
4	Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmondson Avenue (Phase II)	Improvement of local/regional roads and streets	Construction of a 2-lane road connection between Sunnyside and Dewitt at W. Edmondson and add trail at Sunnyside Ave to DeWitt Ave	County/City of Morgan Hill	\$12 M	Near-Term	Unfunded collaboration with city needed	City General Plan Transportation Element, County Expressway Plan
5	Expansion of Highway 101 adding one express lane through Morgan Hill	Improvement of highway	Construction of express lanes south through Morgan Hill	Caltrans/VTA/County	\$110M	Long-Term	Funding sources to be identified	US 101 Comprehensive Corridor Plan, City of Morgan Hill General Plan Transportation Element
6	Traffic Signal Intelligent System Management for regional traffic and major arterial streets	Improvement of local roads and streets	Addition of hardware and software to manage traffic signals on major arterial streets in an integrated system, improving traffic congestion.	City of Morgan Hill/ VTA	\$1M-\$3M	Mid-Term	Funding sources to be identified	City General Plan Transportation Element, County Expressway Plan

NOTE:

Funded

Action Plan Matrix – continued

Bicycle and Pedestrian								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
7	Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety	Improvement of local roads and streets	Striping, sidewalk and signal improvements at approximately 30 intersections through the City per Bikeway Master Plan.	City of Morgan Hill/ VTA/County Health Department	\$5+	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding: Measure B Local Streets and Roads program through TDA 3 and LSR funding for projects	City General Plan Transportation Element
8	Citywide Pedestrian Safety Improvements	Improvement of local roads and streets	Addition of pedestrian activated enhanced crosswalk lighting at 12-20 locations	City of Morgan Hill/ VTA/County Health Department	\$800,000-\$1.5M	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding sources Highway Safety Improvement Program (HSIP) and Transportation Impact Fee in Morgan Hill	City Vision Zero
9	School Safety Improvements	Improvement of local roads and streets	Changes and enhancements to school frontages, adjacent crosswalks and other off-site facilities near schools.	City of Morgan Hill/ VTA/County Health Department	\$2M-\$5M	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding sources Active Transportation Program funding and VTA's Vehicle Emissions Reductions Based at Schools (VERBS) program	City General Plan Transportation Element, City Vision Zero
10	Main Avenue Bike Lane and Sidewalk Project	Improvement of local roads and streets	Buffered bike lanes and completion of sidewalk projects from Butterfield Avenue to Condit Road.	City of Morgan Hill	\$650,000	Near-Term	Funded	City Bikeways Master Plan
11	Madrone Channel Trail	Pedestrian and Bike Facilities	Paving existing trail to create a Class 1 Bike/Pedestrian path from Cochrane Road to Tennant Avenue.	City of Morgan Hill/ VTA	\$1.4M	Near-Term	Partially Funded; Caltrans' Active Transportation Program funding potential	City & County Bikeways Master Plan
12	West Little Llagas Creek Trail	Pedestrian and Bike Facilities	Paving existing trail to create a Class 1 Bike/Pedestrian path south from Watsonville Road to Silvierra Lake and north from Spring Avenue to Ciolino Avenue.	City of Morgan Hill/ Valley Water	\$1.5M	Near-Term	Partially Funded; Caltrans' Active Transportation Program funding potential	City Bikeways Master Plan
13	Safe Routes to School Program Implementation	Education and Outreach Program for School Age Youth	Add one full-time Safe Routes to School Coordinator and increase Police Department support.	City of Morgan Hill/ VTA/County Health Department	\$120,000 annually	Medium-Term	Limited Measure B funding only at this point; potential to request targeted technical assistance for Safe Routes to School funded by Measure B and conducted by County's Public Works Department	City Vision Zero
14	Watsonville Road Multi-use Trail	Improvement of local roads and streets	Development of a new multi use trail reusing existing right of way. Pedestrian crossings at multiple locations	City of Morgan Hill	\$3.5M	Medium-Term	Unfunded applying for state grant; Potential funding includes Recreational Trails Program (California Department of Parks and Recreation) and other funding opportunities through Rails-to-Trails Conservancy	City Bikeways Master Plan

NOTE: Funded

Action Plan Matrix – continued

Transportation Options and Services								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
15	Rider's Choice Pilot Program	More affordable options through VTA Access Program	Pilot program that allows eligible paratransit customers to choose a standard, same day trip with a Transportation Network Company (TNC) instead of VTA's paratransit provider.	VTA	True costs to be determined	Near-Term	Funding acquired; VTA's operating budget	
16	Mobility Assistance Program (MAP)	More transportation options for COC residents	A 3-years program to provide reduced cost and no-cost transportation options for older adults, individuals with disabilities, and low-income persons seeking to find and retain employment. Anticipated to start in 2020.	VTA	\$2,617,818 for pilot program	Near-Term	Funding acquired; 50% FTA, 30% STA, and 20% VTA match	
17	Regional Means-Based Fare Discount Program	More affordable transportation options for low-income adults	A 12- to 18-month pilot program offering a 20% fare discount to eligible low-income residents of the Bay Area for travel on Caltrain, BART, Golden Gate Transit and Ferry, and Muni.	MTC with support from Caltrain, BART, Golden Gate Transit	\$11 M	Near-Term	Funding acquired; \$8M State Transit Assistance (STA), \$3M Statewide Low-Carbon Transit Operations Program	
18	Volunteer Driver Program Expansion	Transportation for Older Adults	Add one full-time Mobility Management Coordinator for Morgan Hill to manage and grow Volunteer Driver Program.	City of Morgan Hill/ County/VTA	\$100,000 annually	Near-Term to Medium-Term	Grant app in progress; FTA 5310 Grant (Enhanced Mobility of Seniors and Individuals with Disabilities Program)	City Senior Services Strategic Plan

Public Transportation Amenities								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
19	Morgan Hill Transit Amenities Improvement Project	Improvement of public transit amenities	Project encompass four components: 1) replacement of solar lights at Morgan Hill bus stops, 2) installation of lighting at selected bus stops, 3) updating bus shelters at the 3 busiest stops, and 4) upgrade wooden benches to new metal benches to meet VTA's standards	VTA	\$40,000-\$50,000	Near-Term	Funding acquired; VTA's Passenger Facilities Operating Budget	Transit Passenger Environment Plan

Public Transportation Improvements								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
20	Caltrain Grade Separation at Tennant Avenue and Dunne Avenue	Public transit improvements	Grade separating the Caltrain track going through Morgan Hill at Tennant Avenue and Dunne Avenue to improve safety and traffic flow as well as accommodate for the an increase in train frequency in the future	Caltrain/City of Morgan Hill	\$80M	Long-Term	Funding sources to be identified	Caltrain Business Plan 2040, City Vision Zero

NOTE:

Funded

CHAPTER 5 Next Steps and Monitoring of Projects/Programs

In this chapter:

1. Next steps after finalizing and adopting of the CBTP by City of Morgan Hill and VTA committees
2. Methods VTA will use to monitor and evaluate progress of transportation proposals included in the Plan

Critical to the CBTP process is bridging the gap between planning and action. The implementation of projects and consequently, the success of the CBTP relies on multiple jurisdictions and agencies, each responsible for managing and pursuing funding for the transportation proposals detailed in Chapter 4. Funding for the proposals may be acquired from a variety of sources, including at the local, regional, state and federal level.

Next Steps

The Morgan Hill City Council and VTA's Board of Directors will formally adopt the final Morgan Hill CBTP as part of MTC's requirements. The success of the CBTP is dependent on the willingness of the designated lead agency to move each transportation proposal forward to meet the needs of the Morgan Hill community. Potential funding sources and implementation timeline listed in the matrix provide guidance for lead agencies to advance transportation proposals in a timely manner. VTA and the City of Morgan Hill will check-in periodically and continue to cooperate to seek out funding opportunities to move transportation proposals included in the Plan forward after the conclusion of the CBTP planning process.



Monitoring and Evaluation of Projects and Programs

The transportation proposals presented in the plan ranges from improving of Santa Teresa-Hale Corridor to Citywide Pedestrian Safety Improvements to Transit Amenities Improvement Project. The implementation of these proposals is heavily dependent on the availability of funding and finding a champion to advance projects and/or programs at the appropriate lead agency. To evaluate the progress and success of each proposal, VTA and the City of Morgan Hill will work in partnership with MTC to establish monitoring protocols to track the status of projects and programs included in the CBTP every two years after the adoption of the Plan. The reporting protocol includes VTA submitting an updated action plan matrix with additional details on the status of the programs/projects to MTC. VTA is committed to working with the City of Morgan Hill and MTC to maximize the potential of the Morgan Hill CBTP after its completion.

APPENDIX

A

Relevant Transportation Studies, Plans, and Reports

Existing studies, plans, and reports conducted by various government agencies are relevant and provides great value in addressing transportation challenges and creating proposals in Chapter 7 of the CBTP. This chapter examines the current overlying strategies and goals relevant to the City of Morgan Hill and sets the groundwork for the project management team and residents to produce proposals that have the potential to close the gaps. It is important to take the findings from existing plans into consideration for the CBTP to avoid redundancy and make sure that the proposals in the CBTP aligns with what has already been defined by other plans and other regional plans.

Metropolitan Transportation Commission (MTC)

Plan Bay Area 2040

Plan Bay Area 2040 is a long-range Regional Transportation Plan and Sustainable Communities Strategy for the nine-county San Francisco Bay Area. The document discusses how the Bay Area will grow over the next two decades and identifies transportation and land use strategies to enable a more sustainable, equitable and economically vibrant future. The goals and performance targets established in the plan are in Table 12. The CBTP draws from the goals and performance targets that correlates to transportation, especially for lower-income households.

Table 12

Final adopted goals and performance targets for Plan Bay Area 2040

Goal	Target
Climate Protection	Reduce per-capita CO2 emissions
Adequate Housing	House the region's population
Healthy and Safe Communities	Reduce adverse health impacts
Open Space and Agricultural Preservation	Direct development within urban footprint
Equitable Access	Decrease share of lower-income households' budgets spent on housing and transportation
	Increase share of affordable housing
	Do not increase share of households at risk of displacement
Economic Vitality	Increase share of jobs accessible in congested conditions
	Increase jobs in middle-wage industries
	Reduce per-capita delay on freight network
Transportation System Effectiveness	Increase non-auto mode share
	Reduce vehicle operating and maintenance costs due to pavement conditions

Coordinated Public Transit-Human Services Transportation Plan 2018

The Coordinated Public Transit-Human Services Transportation Plan focuses on the mobility needs and cost-effective transportation options of seniors, individuals with disabilities, people on low-incomes, and veterans. The plan identified coordination strategies that MTC and its local partners can implement or facilitate. The strategies are as followed:

- Implement County-based mobility management
- Improve paratransit
- Provide mobility solutions for suburban areas
- Regional means-based transit fare program
- Advocate for the accessibility of shared mobility solutions and autonomous vehicles
- Improve mobility for veterans

City of Morgan Hill

Morgan Hill 2035 General Plan

The General Plan represents the community's collective vision for what Morgan Hill will look and feel like through the year 2035. The overarching goal for the plan is to maintain Morgan Hill's family-friendly character and strong sense of community while the community grows and prospers. The General Plan includes a robust Transportation Element section contains goals, policies, and actions aimed at making the existing road network efficient and user-friendly, implementing strategies to ensure safe and appropriate operation of the transportation system, solving existing traffic and parking problems, and expanding transit and non-motorized travel opportunities. Goals included in the Transportation Element includes:

- A balanced, safe, and efficient circulation system for all segments of the community, meeting local needs and accommodating projected traffic
- A system designed for a healthy, active community based on complete streets, smart growth, and Sustainable Communities strategies
- A coordinated, continuous network of streets and roads

- Emphasis on transportation improvements in the Butterfield, Hale/Santa Teresa, and Monterey corridors
- A safe and efficient transit system that reduces congestion by providing viable non-automotive modes of transportation
- A useable and comprehensive bikeway system that safely connects neighborhoods with workplaces and community destinations
- Expand pedestrian opportunities
- A transportation system that incorporates strategies and technologies to manage traffic efficiently and reduce automotive vehicle trips

Vision Zero: Morgan Hill

The Morgan Hill City Council adopted the Vision Zero concept, which prioritize safety, create livable streets, and eliminate traffic fatalities. The Vision Zero philosophy aligns with the City's vision by implementing safeguards to be included in the plans, projects, and policies related to the community's transportation system with the goal of eliminating traffic deaths and severe injuries. The core principles that guide Vision Zero are:

- Traffic deaths are preventable and unacceptable
- The street system should be safe for all users, for all modes of transportation, in all communities, and for people of all ages and abilities.
- The transportation system should be designed to anticipate error, so the consequence is not severe injury or death
- The transportation system should be designed for speeds that protect human life
- Safe human behaviors, education, and enforcement are essential contributors to a safe system
- Policies at all levels of government need to align with making safety the highest priority for roadways

Bikeways, Trails, Parks and Recreation Master Plan

The vision and goals for the Bikeways, Trails, Parks and Recreation Master Plan were developed from public and stakeholder input, which provide an aspirational description of the City's future parks, recreation, bikeways and trails system. The plan will support community health, economic development, and quality of life in Morgan Hill. The goals outlined in the plan includes:

- Improve connections between residences and the network of City parks and facilities
- Engage people of all ages and all abilities
- Support the health and wellness of all community members
- Ensure equitable access to programs and places for recreation and activity
- Leverage partnerships to maximize community benefit and use resources efficiently
- Enhance safety and navigation to key recreation destinations and along popular routes
- Invest in and maintain existing assets while carefully planning for future growth

The plan recommends priority bikeway and trail projects in Morgan Hill that supports the goals above.

Station Area Master Plan

The Station Area Master Plan summarizes existing transportation services and is focused on strengthening the Morgan Hill Transit Center by identifying considerations and opportunities for future transit needs through further improvement of multi-modal connectivity.

The transportation, planning, and design tools presented throughout the Station Area Master Plan are intended to build upon and update the Multi-Modal Circulation and Streetscapes Chapters contained within the Downtown Specific plan and support officials, transit providers, Morgan Hill residents, business, and property owners, as well as other stakeholders making decisions to improve

and enhance the quality of the multi-modal Station Area Master Plan – Executive Summary Page | E-3 transportation environment throughout the PDA and the Downtown. All tools and recommendations are supplemental to already adopted plans, policies, and initiatives applicable in the area including the Morgan Hill 2035 General Plan, the 2009 Downtown Specific Plan, the 2008 Bikeways Master Plan, the Downtown Placemaking Strategy and the City of Morgan Hill's Street Standards.

The Station Area Master Plan is organized into three main chapters: Transportation Context, Streetscape and Placemaking Toolkit, and Priority Improvements. To access the Station Area Master Plan and learn more, visit <https://www.morgan-hill.ca.gov/1641/Station-Area-Master-Plan>.

Valley Transportation Authority (VTA)

Valley Transportation Plan (VTP) 2040

VTP 2040 provides a long-range vision for the transportation system in Santa Clara County for the next twenty years. The plan identifies programs, projects, and policies that VTA is going to pursue over the lifetime of the plan. The plan also connects projects and programs with anticipated funds and provides a framework for the development and maintenance of the County's transportation. The City of Morgan Hill considered the projects presented in Table 13.

Table 13*List of Projects and Programs in and around the City of Morgan Hill in VTP 2040*

Program Area	Project Title	Project Description
Transit	Caltrain: South County	Double track segments on the Caltrain line between San Jose and Gilroy
Express Lanes/Toll Facilities	Convert Existing HOV Lanes to Express Lanes on US 101 from Whipple Ave. in San Mateo County to Cochrane Rd in Morgan Hill	Convert 34 miles of existing HOV lane on US 101 between Cochrane Rd and Whipple Ave in San Mateo County to express lane operation; two lanes of express lanes within existing footprint
Express Lanes/Toll Facilities	US 101 Express lanes: Cochrane Rd. to Masten Ave	Build new express lanes on US 101 between Cochrane Rd and Masten Ave
Local Streets and County Roads Projects	Butterfield Blvd Extension	Construct Butterfield Blvd and North Rd improvements that include a four-lane arterial, bike lanes, sidewalks, lighting and signal modification
Local Streets and County Roads Projects	Butterfield Blvd South Extension	Construct a new roadway segment by extending Butterfield Blvd between Tennant Ave and Watsonville Rd.
Local Streets and County Roads Projects	Ave ?????	Project improves the roadway between Main Ave and DeWitt Ave. Roadway includes one lane of traffic and bike lanes in both direction, project scope includes sidewalks, street lights, overhead utility relocations, traffic signals
Local Streets and County Roads Projects	Hill Rd. Extension from East Main Ave to Peet Rd	Construct an extension of two-lane alignment for Hill Rd from East Main Ave to Half Rd and connects Peet Ave.
Bicycle Expenditure Program	Main Ave Bike lanes: Butterfield Blvd to Condit Rd	Construct Class II bike lanes on Main Ave
Bicycle Expenditure Program	Sobrato High School Bike Access Improvements: Bike Path Southeast from Burnett Ave to Coyote Creek Trail	Construct a bridge over Coyote Creek, shoulder widening and striping to provide bike access from Sobrato High School east to existing Coyote Creek Trail System
Bicycle Expenditure Program	West Little Llagas Creek Trail: Main Ave to Spring Ave	Construct Class I bicycle/pedestrian trail adjacent to West Little Llagas Creek
Transportation Systems Operations and Management	Citywide Traffic Signal Operation Center	Project provides citywide improvements to signal timing in Morgan Hill
Transportation Systems Operations and Management	Citywide Wireless Vehicle Detection System Installation	Install wireless vehicle detection system at all signalized intersections within Morgan Hill

VTA Strategic Plan

The VTA Strategic Plan establishes the agency's Mission, Vision, and Values. This plan provides a framework to tie all the work by VTA staff into the overall direction and priorities of the agency. VTA's Action Values are Creativity, Collaboration and Leadership. Creativity ensures that a creative approach to services and projects will allow agency to make the best use of the available resources, while meeting the needs of the customers. Collaboration allows for the best use of resources and form relationships with cities, counties, nonprofit organizations, businesses, regional agencies and the community to tailor services and projects to what the community needs. Leadership helps guide the creative development of transportation solutions in Santa Clara County, in collaboration with VTA's partners.

Santa Clara Countywide Bicycle Plan

The Santa Clara Countywide Bicycle Plan envisions a future where Santa Clara is served by a countywide bicycle network that is safe, convenient, and connected, enabling people of all ages and abilities to easily bike to work, school, shopping, transit, and elsewhere. The plan highlights goals for the County's bicycle infrastructure to be 1) comprehensive and continuous, 2) safe and convenient, 3) innovative, and 4) connected to transit. The plan identifies major barriers to bicycle connectivity and put forth potential solutions that include innovations in education, encouragement, technology, funding and delivery. The Plan is a framework to guide bicycle infrastructure improvements project in Santa Clara County, which compasses the City of Morgan Hill.

APPENDIX B Comprehensive List of Comments

Morgan Hill Community-Based Transportation Plan Online Survey Comments

Transit and Shuttle Related Comments

Jun 09 2019 07:41 PM	Improving the Northbound commute from MH (Shuttle services?)
Jun 08 2019 06:03 PM	Rail schedule is too sporadic.
Jun 07 2019 03:02 PM	It takes 2 hours to get to San Francisco via train from Morgan hill. Would like to see a 1 hour service.
Jun 03 2019 10:02 PM	Have route 16 go towards Safeway/Trader Joe's area too and run more often so people can get to the main food source areas.
May 30 2019 04:13 PM	I and my co-workers work for a global organization and as such we have a very dynamic work day. Often times we need to start conferences calls from home to accommodate other regions of the world so the relatively few train/express bus schedules rarely work out for us. Providing a wider range of options by extending the schedules would allow us to take advantage of mass transit more frequently.
May 16 2019 08:45 PM	A better local bus route that encompasses more of the city: to get from one side of town to another without having to walk more than a mile to get to a bus stop, public transportation to downtown to attend events and not deal with larking
May 13 2019 01:41 PM	I'm commuting from Sunnyvale area to Morgan Hill and I wish that I could use public transportation instead of driving 60+ miles (round-trip) every day (5 days a week). In the morning, there's Cal Train that runs from Morgan Hill going Northbound every day, however, there's nothing running the other way from South Bay down to Morgan Hill (the last time I checked) and vice versa in the evening.
May 12 2019 06:49 PM	We need a free or low-income transportation option for seniors and low-income community members. We also need more access to public transportation provided by the county (Caltrain and VTA buses). Let's add more Caltrains that stop at Morgan Hill/Gilroy and provide at least one train option on weekends.
May 09 2019 04:20 PM	Caltrain operating on the weekends would be great.
May 08 2019 06:57 AM	Need express service to other bay area towns
May 07 2019 08:08 AM	Maintaining or increase the number of vta express lines. It's the only alternate form of transportation besides Caltrain. Caltrain has limited lines. Vta is by far best option
May 06 2019 05:38 PM	More VTA and Caltrain options to get to San Jose and back.
May 04 2019 06:50 AM	More CalTrain options in the South Bay! Weekend service to San Fransisco.
May 03 2019 07:31 PM	Incentives to use public transportation ie discounts to passengers who use VTA (including Express buses) on a daily or regular basis.
May 03 2019 01:52 PM	Trains to connect to City

Transit and Shuttle Related Comments

May 03 2019 12:11 PM	CalTrain service is too limited, both on weekends and weekdays.
May 03 2019 11:48 AM	Add more trains during the week and weekend to SJC.
May 01 2019 07:18 PM	Increased Caltrain service to and from Morgan Hill, especially off peak hours and off peak direction. I would love to send my 15yo to Gilroy from MH on the Caltrain and back in the evenings for his sport. I would also like to be able to travel to and from the peninsula during the day via the Caltrain.
Apr 30 2019 03:44 PM	Odor of homeless people on the bus is a problem for the rest of the riders.
Apr 29 2019 07:55 PM	I would like to see a FREE shuttle that runs frequently to the Senior Center on Edmundson. One that runs a circuit around the downtown banks/businesses. I have driven seniors from the Sr Center to the B of A and back. It pains me to see the seniors waiting in the Center lobby waiting for para transit rides. Paratransit doesn't seem to care how long the wait is, as if the seniors have no place to go/things to do. And they PAY for this kind of service. I think a free shuttle that makes frequent stops at services seniors need will help seniors get out into the community and involved with "life".
Apr 29 2019 04:40 PM	More non-rush hour service from MH Caltrain to SJ
Apr 29 2019 03:20 PM	It would be nice if there was a local bus services that connected different sections of town to downtown. CRC to Library to Caltrain to Depot st to the High Schools.
Apr 29 2019 11:38 AM	Community Bus frequency needs improvement- More stops and less wait time in Tennant, E.Dunne, and Cochrane Road.
Apr 29 2019 11:37 AM	more cross town, local bus options..not just Rt.68
Apr 29 2019 10:40 AM	The one VTA bus route in town makes no sense at all. It's the bus to no where. Why isn't there a bus route or routes that run along Cochrane, Hill, Main, Dunne, Tennant, and Monterey that connect to the Caltrain station? Why are the condos adjacent to the Caltrain station allowed to use the Caltrain parking lot for residential use?
Apr 29 2019 10:06 AM	Increase bus frequency
Apr 29 2019 10:05 AM	Need more public transportation options for commuters. With increased housing, the commute gets worse and worse!
Apr 29 2019 10:03 AM	We desperately need more train times. As someone who works in downtown San Jose, it can be very difficult to adjust my schedule around the few train times daily. Additionally, the Diridon station does not allow for ease of access to other downtown San Jose facilities, and thus a rideshare is necessary. An easier way to access light rail, which has a much wider range in the San Jose area, would be of great use to me and many of my neighbors.
Apr 29 2019 09:52 AM	More CALTRAIN Service
Apr 29 2019 09:51 AM	More buses. Weekend options.
Apr 29 2019 09:47 AM	Would love for the baby bullet train to start in Morgan Hill vs. Diridon. I would never have to drive to get to SF and save the 30 minute ride to train station to get the bullet.
Apr 27 2019 03:15 PM	Better bus service.

Transit and Shuttle Related Comments

Apr 27 2019 12:26 PM	Light rail installation in Morgan Hill
Apr 27 2019 11:28 AM	More train times. It is not convenient to commute with the limited train schedule.
Apr 27 2019 08:28 AM	There are no stops on Butterfield and San Pedro. There are many apartments and houses here too.
Apr 27 2019 08:23 AM	Stops on Butterfield and San pedro
Apr 27 2019 08:14 AM	Morgan Hill needs more Caltrain options during the evening commute. We also need more Uber and Lyft drivers. It would be great to have more express buses from Morgan hill to different parts of Silicon Valley. Or how about a Vta bus from MH to the new BART station in San Jose.
Apr 27 2019 08:11 AM	I have to walk 30 minutes from home to bus stop.
Apr 26 2019 09:24 PM	Vta stop in Jackson oaks
Apr 26 2019 05:51 PM	More public transport buses to new areas Like Santacruz directly
Apr 26 2019 04:58 PM	In Morgan Hill, all bus & Train transit is clustered downtown along Monterrey St. There is simply no transportation to any outlying areas on an east/west basis. The cheapest Uber-X ride is ~ \$15.00 each way, or \$30.00 to buy some groceries. Way to expensive for most folks.
Apr 26 2019 04:47 PM	More Caltrain service/stops!
Apr 26 2019 04:40 PM	When cutting service to an area please come up with alternatives for disabled individuals!
Apr 30 2019 09:15 PM	Bring a high speed rail stop to Morgan hill.
Apr 29 2019 06:17 PM	Limited options between Morgan Hill and the greater San Jose area.
Apr 28 2019 05:11 PM	How can anyone expect public transportation to work when it doesn't run all day and late in to the night / starting early in the morning and continuing all day? I'm getting to sell my car in Santa Clara, and it's a nightmare to figure out how I'll get home, never mind the hours wasted waiting for transport. I have a fixed income, while healthy, which cannot cover \$50 or so for taxi's.
Apr 26 2019 06:44 PM	I have a 62 year old senior, lower income friend who is losing her eyesight. She would benefit from consistent options for public transportation, and easy access to shopping using public transportation.
Apr 29 2019 02:05 PM	More access to commuting north. More options to get north for work and home during commuting times.

Transit Amenities

Jun 07 2019 02:57 PM	I would use bus service if it was easier to find schedule information
Jun 07 2019 01:44 PM	Besides Uber, no good information on in town transportation
May 03 2019 01:19 PM	1. Better publicize what VTA has available, and cross-promote with CalTrain so people know they have options that will actually work.
Apr 26 2019 09:05 PM	At a time when you want to entice riders to take VTA. you need to maintain facilities, and enhance the transportation not reduce or discontinue along with increases in fares. The connections are an issue and lighting of facilities is also a big concern

Local Streets and Roads Improvements (Speeding included)

Jun 08 2019 06:20 AM	I am concerned about motorists speeding through the school zone near Nordstrom Elementary and passing stopped school buses letting children out.
May 03 2019 12:22 PM	Better enforcement of crosswalk safety. I see people race through the crosswalk in their car just barely missing pedestrians or waiting until the pedestrian has barely passed and charge through before the pedestrian is safely across
Apr 30 2019 11:45 AM	reduce speed limits : 50 mph down to 40 mph; 40 mph down to 35 mph.
Apr 30 2019 08:48 AM	Connect Butterfield to Monterey on the north side of town. Finally do the Hale Dewitt extension.
Apr 29 2019 01:40 PM	Can the city please partner with the county since we border unincorporated areas? Repair uneven pavements, pot holes too. Add blue emergency phones in risk areas for bikers and walkers. Carpool parking Shuttles to medical facilities Shuttles to schools including colleges
Apr 29 2019 10:20 AM	Ensure the Speed limit is honored along the Butterfield Blvd. Motor bikes going fast and making more noise in the Butterfield blvd causing disturbance in the residential area.
Apr 27 2019 01:29 AM	Speeding in downtown Morgan hill, pedestrians feeling safe to walk around in downtown without the fear of getting hit by cars
May 04 2019 02:46 PM	I live off East Dunne near Hill - concerned that crosswalks are not observed by drivers on East Dunne. Hill Road speed is excessive as it is used as a bypass for the freeway.

Bicycle and Pedestrian Improvements

Jun 07 2019 06:34 PM	More pedestrian friendly.
May 21 2019 10:29 AM	There should be a walking / bike path that goes all around town connecting places of interest eg: all schools, downtown, crc, aquatic center, etc.
May 13 2019 01:35 PM	Would love to see improvements to the bicycle grid, especially protected lanes on busy roads. Paint on the road doesn't protect us from a distracted driver.
May 03 2019 02:04 PM	side walks and lights at night
May 01 2019 03:29 PM	I cycle 2/3x per week. Bikes lane and wider bike lanes would be great.
Apr 29 2019 11:10 AM	I stopped biking for groceries and other errands because going over 101 is a hazard for bikers. The cars that cut in front of you are really dangerous.
Apr 29 2019 09:43 AM	More bike and scooter lanes and improved shoulders
Apr 29 2019 06:31 AM	Not enough sidewalks, especially around live oak high school
Apr 26 2019 06:44 PM	If I felt bike riding was safe, I would do it more.
Apr 26 2019 05:10 PM	I wish I could walk to Safeway BUT due to lack of sidewalks, and the entrance/exit of the 101 freeway makes it very dangerous to cross. MH is small enough for folks to be able to walk 1-2 miles to their destination.

Freeways/Congestion

Jun 08 2019 03:05 PM	Off load from 101 south traffic onto Monterey Road / downtown should be discouraged by return to a single lane downtown with improved bike lane. Encourage the use of butterflyfield if seeking alternative routes to south 101
Jun 07 2019 03:17 PM	long term infrastructure plan to deal with increased residential and commercial development impacts on traffic.
Apr 29 2019 04:27 PM	Commute traffic on surface streets. 101 needs to be widened. Also more CalTrain express and other time options from Morgan Hill. Getting to San Francisco from Morgan Hill takes several hrs vis public transportation- it's too long and too combersome.
Apr 29 2019 10:07 AM	Stop building homes!! The surface streets in Morgan Hill are beyond capacity in the mornings.

Technology Related and Other Comments

Jun 08 2019 06:28 AM	ticket cars parked on street in same place for multiple days
Jun 07 2019 02:41 PM	parking downtown is getting more and more challenging in terms of availability.
May 05 2019 08:05 AM	Parking.
Apr 29 2019 08:00 PM	Too much building with not enough parking
Apr 26 2019 06:12 PM	Availability of Uber, Lyft is unreliable.

Morgan Hill Community-Based Transportation Plan Physical Survey Copy Comments

Transit and Shuttle Related Comments

Paper Survey	We need a smaller shuttle sized bus to get to and from residential areas
Paper Survey	Better transit connections into other cities from Morgan Hill (San Jose, Gilroy)
Paper Survey	More Caltrain trains and extra express buses on the weekend are needed
Paper Survey	There are not enough Express buses
Paper Survey	Add a light rail extension all the way to Gilroy, add another Caltrain for commuting
Paper Survey	Improve light rail options in South County
Paper Survey	Look at how the electrification on the Caltrain Tracks will affect service in south county
Paper Survey	Possible trolley or rail system between Morgan Hill, San Martin/Gilroy for low income seniors
Paper Survey	Caltrain from Morgan Hill to SF on weekends
Paper Survey	Better access to more bus route; destinations such as bookstore, Home Depot, Walgreen's, Target are too far to walk from Cochrane Ave
Paper Survey	Shuttle bus for Morgan Hill that serves Senior Housing, De Paul Clinic, grocery stores, shopping centers, apartments, senior center, and library
Paper Survey	More VTA buses moving E-W; should join with merchants in offering shuttle to popular destinations in Morgan Hill (Target, Walmart, etc.)
Paper Survey	Need of bus service in south Morgan Hill; currently bus route #16 is the only bus that operates in Morgan Hill, which covers South Morgan Hill only, from Main Street to Cochrane
Paper Survey	A community bus would be great here in Morgan Hill
Paper Survey	Lower discount to "60", expansion of routes
Paper Survey	Request to have bus #12 from San Pedro Street to Monterey to be able to most bus 68 for senior people
Paper Survey	Bus stops on Tenant & Barrett; unable to use bus, would like bus going to downtown
Paper Survey	Concerns: no adequate bus coverage network in Morgan Hill, more bus routes up into the neighborhoods on west side of Monterey Highways
Paper Survey	Add train trips during morning and evening hours from Santa Clara to Morgan Hill

Transit Amenities

Paper Survey	Translated from Spanish: I don't have enough information on where to buy the pass of the month, for the bus
Paper Survey	Not enough bus stop benches (for line 68); no shelters
Paper Survey	More bus amenities (bus shelter) between Dunne and Tennant

Local Streets and Roads Improvements (Speeding included)

Paper Survey	Paved or asphalt sidewalks on both sides of the street Butterfield to Monterey Hwy
Paper Survey	Speeding and other traffic violations around town
Paper Survey	Improve the Monterey Road Hwy
Paper Survey	Too many people are starting to cut through the poorly paved Monterey and Santa Teresa roads for commuting
Paper Survey	Fix the Santa Teresa Road and Monterey Road
Paper Survey	Repave Bailey Road to San Jose
Paper Survey	Improve Monterey Road between Gilroy to San Jose
Paper Survey	Repave Monterey Road. It is full of pot holes
Paper Survey	Repave Santa Teresa, there are too many potholes
Paper Survey	Need speed mitigation on the East Dunne Avenue; cars drive too fast
Paper Survey	My concern is speeding drives on the street wher I live, McLaughlin between Main and East Central. No stop sign on East Central
Paper Survey	Hill Road between East Dunne and Barrett Ave is full of potholes and needs to be redone, it's the only place where you haven't repaired the road, please fix
Paper Survey	There is no lighting on my street at night
Paper Survey	Improve conditions of some rural and popular roads
Paper Survey	Longer lasting potholes repairs; stop dangerous exits from Nob Hill parking lot, crossing 4 lanes, make right turn only signs
Paper Survey	Enforce the traffic rules and laws to avoid unnecessary accidents

Bicycle and Pedestrian Improvements

Paper Survey	Add more blinking light crosswalks to alert drivers of pedestrian crossing
Paper Survey	Look at the roads and intersection at Burrent Avenue. It is not safe for senior community and high school students at Sobrato High
Paper Survey	Need improved crosswalk just outside the Sycamore Glen Community; cars do not see the flashing pedestrian sign and roll right past as pedestrians are trying to walk
Paper Survey	There should be a pedestrian island on the street in case we can't cross the entire length of the streeeen time before oncoming traffic comes
Paper Survey	Fix sidewalk between McLaughlin to East Main (corner is too narrow?); need sidewalk on Central between McLaughlin and Monterey; dangerous for senior citizens who are at Horizon
Paper Survey	Need crosswalk Mclaughling to Depot
Paper Survey	Some dirt bike trails not next to roads
Paper Survey	More sidewalks
Paper Survey	Make sure all the street trees are well trimmed to clean the sight for crossing

Freeways/Congestion

Paper Survey	We need more lanes on 101 after Hwy 85
Paper Survey	Add lanes to 101 to Santa Teresa.
Paper Survey	I start my commute at 5 am and still becomes an hour drive, and is already backed up from Gilroy to Morgan Hill, this needs improvement

Technology Related and Other Comments

Paper Survey	Electric scooters should be brought to Morgan Hill
Paper Survey	Time the traffic lights through downtown better, it gets too backed up during rush hour
Paper Survey	Concern about electric scooters coming to Morgan Hill and cluttering the sidewalks

Morgan Hill Community-Based Transportation Plan Public Meeting Comments

Transit and Shuttle Related Comments

Public Meeting	Lack of airport shuttles from South County
Public Meeting	Residents in the Jackson Oaks neighborhood (E. Dunne Ave in the hillside area) stated that there are no bus services in the area, which means that the area is not within the VTA Access corridor. There are a lot of seniors and wheelchair-bound individuals that do not have access to doctor's appointment or other mobility options. Rideshare services aren't not feasible due to not being wheelchair accessible. Suggestions for improvements: extend the corridor of VTA Access service and/or shuttle services that provide wheel-chair accessible vehicles
Public Meeting	Lack of trains. More Caltrain, frequency of service
Public Meeting	On-call short run shuttle
Public Meeting	More express buses, not just during rush hour; no transportation at senior housing; need community buses to go east and west to get to Sports Complex and Aquatic center and other popular attractions/stores in Morgan Hill; no bus service at the Lodge, Huntington, Woodland Estates, and Casa Loma senior complexes; more Caltrain
Public Meeting	Paratransit (VTA Outreach) - long wait on phone to arrange rides, lots of waiting for rides, must schedule way in advance; Morgan Hill is a rural community with very few bus lines and transportation options. Paratransit Access riders are penalized, paying a premium rate which is cost prohibitive for living beyond the ¾ of a bus line. South County should have a more extended core service area of up to 1 mi off a bus line due to the few bus lines and rural community. Several senior housing locations are located out of the core. Seniors are paying \$16 each way on a trip.
Public Meeting	Don't run buses through the downtown corridor
Public Meeting	Buses and paratransit don't serve DePaul Medical Center
Public Meeting	Lack of airport shuttles from South County

Transit Amenities

Public Meeting	Add electronic/ digital displays at bus stops to know when buses are arriving, out of service, etc.
----------------	---

Local Streets and Roads Improvements (Speeding included)

Public Meeting	Speeding on Mission View, no crosswalks on Mission View
Public Meeting	There are several places throughout the City with no continuous sidewalk. Going south on Monterey Road from Dunne to Tennant is a good example

Bicycle and Pedestrian Improvements

Public Meeting	Likes trees on Monterey-Downtown; pedestrian flags
Public Meeting	Not safe for bicycle on many streets, too narrow
Public Meeting	There is a current attitude in Morgan Hill where cyclists and commuters are at odds with each other. This is due to cyclists needing to use roadways where there are no bike lanes.
Public Meeting	Monterey Road doesn't have full sidewalk

Freeways/Congestion

Public Meeting	Already a bottleneck at Cochrane/101
Public Meeting	101 & Monterey commute is terrible

Technology Related and Other Comments

Public Meeting	Difficult of getting Uber or Lyft in Morgan Hill
Public Meeting	Interest in e-scooters, maybe restrict to pocket
Public Meeting	Open to the idea of scooter and bike share as long as not on the roads

C Focus Group Meeting Agendas

CBTP for Morgan Hill-Team Kick-Off Meeting

Meeting No. 1
 Wednesday, January 30, 2019
 2:00 -3:00 PM
 DSC Grand Conference Room
 City of Morgan Hill

1. **Introductions (5 mins)**
2. **Purpose and Goals (5 mins)**
3. **Project Timeline and Scope of Work (15 mins)**
 - Updated project timeline
 - VTA's specific scope of work
4. **Finalize Project Boundary (15 mins)**
 - Per MTC's Appendix C, each CMA may include adjacent parcels immediately outside the CoCs, if these parcels help establish a contiguous planning area.
 - CMAs may also designate additional CoCs by obtaining advance approval from MTC, based on criteria outlined in program guidelines
5. **Discuss Project Deliverables and Roles/Responsibilities of Team Members (15 mins)**
6. **Next Steps (5 mins)**
 - Draft Outreach Plan

Next Meeting: TBD –end of February

Community-Based Transportation Plan (CBTP) for Morgan Hill

Team Meeting No. 1
Wednesday, January 30, 2019
2:00 – 3:00 PM
DSC Grand Conference Room, City of Morgan Hill




Agenda

- Introductions (5 mins)
 - Purpose and Goals (5 mins)
 - Project Timeline and Scope of Work (15 mins)
 - Finalize Project Boundary (15 mins)
 - Discuss Project Deliverables and Roles/Responsibilities of Team Members (15 mins)
 - Next Steps (5 mins)
- 

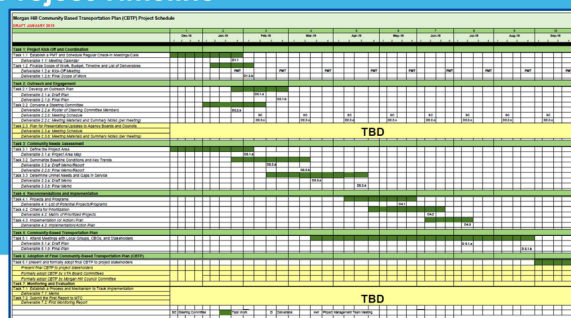
Purpose and Goals



"to improve access and mobility for low-income communities, for commute as well as non-commute trips"



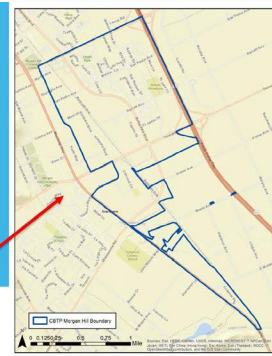
Project Timeline



Scope of Work Summary

- Assess baseline conditions and key trends
 - Determine unmet needs and transportation challenges
 - Identify projects and programs
 - Criteria for prioritization of recommendations
 - Action plan for each of the prioritized projects and programs
- 

Project Boundary



Deliverables and Roles/Responsibilities of Team Members



Next Steps



Community-Based Transportation Plan (CBTP) for Morgan Hill

Steering Committee Meeting #1
Tuesday, February 20th, 2019
2:00 – 2:30 PM
City of Morgan Hill Senior Center



Agenda

- Introductions
- Project Overview
- Recap
- VTA's Draft 2019 New Transit Service Plan
- Roundtable Discussion
- "What are the most effective ways to solicit feedback from the community?"
- Upcoming Meetings/Next Steps



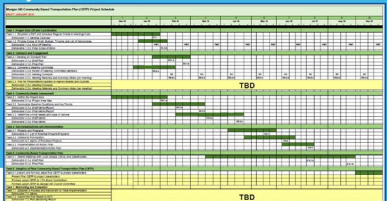
Purpose and Goals



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



Project Timeline




Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Documentation of Existing Conditions/Needs
- Mid-April 2019: First Round of Public Forums
- June-July 2019: Draft CBTP Released
- July 2019: Second Round of Public Forums
- August 2019: Final CBTP Released



Project Boundary




Project Outcome



Potential Areas for Improvement:

- Sidewalk gap closures
- Widened sidewalks
- New curb ramps
- Reduced curb radii

Local Roads & Streets

Technology & Other Proposals



Recap

- Project Management Team Kick-Off Meeting (01/30)
- Meeting with Morgan Hill Chamber of Commerce (02/08)



VTA's Draft 2019 New Transit Service Plan

1. Maintain today's total cost (no service increase)
2. More ridership service & less coverage service
3. Minimize cuts in South County

Project Website:
<http://newtransitplan.vta.org/home>




Morgan Hill

improved

68

no change

87

reduced

121, 168, 185




Next

January Community engagement

February Community engagement

March Revise plan

April Final plan to VTA committees

May Final plan to VTA Board of Directors

June Implementation activities (scheduling, manufacturing signage, preparing and printing passenger materials, operator training, etc.)

July

August

September

Oct – Dec New service starts when BART service begins



Outreach Example-Milpitas CBTP




Roundtable Discussion

"What are the most effective ways to solicit feedback from the community?"

Possible Topics for discussion may include:

- Any groups/organizations we should involve?
- Any meetings/committees we should present to?
- Possible venues for public meeting
- Feasibility of doing a survey, survey format (electronically, paper, etc.)
- Outreach to non-English speakers




Upcoming Meetings

- Youth Action Council (YAC) meeting (03/05)
- Reached out to Bicycle and Pedestrian Advocacy Group (BPAG)



Next Steps

- Completing Outreach Plan
- Draft of survey (?)
- Collect input of baseline conditions and transportation challenges



COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

Morgan Hill Youth Action Council (YAC)
Tuesday, March 5th, 2019
5:30 pm
City of Morgan Hill Centennial Recreation Center (CRC)



Outline

- Purpose
- Project Timeline & Boundary
- Project Outcomes
- Next Steps




Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Data Collection on Existing Conditions/Needs in Morgan Hill
- Mid-April 2019: First Round of Public Meetings
- June-July 2019: Draft Community-Based Transportation Plan Released
- July 2019: Second Round of Public Meetings
- August 2019: Final Community-Based Transportation Plan Released**



Project Boundary

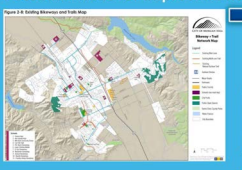



Project Outcome




Potential Areas for Improvement

Figure 1-1 Existing Bikeways and Trails Map



Bikeways & Trails Network




Potential Areas for Improvement

Public Transportation & Amenities (Caltrain/HSR?)




Potential Areas for Improvement

Local Roads & Streets

- Sidewalk gap closures
- Widened sidewalks
- New curb ramps
- Reduced curb radii



High Visibility Crosswalks




Potential Areas for Improvement

Technology & Other Proposals




Next Steps

- Completing Outreach Plan
- Launch of Project Webpage on VTA.org
- Draft of survey (?)
 - Collect input of baseline conditions and transportation challenges



We want to hear from you!

"What are the transportation issues in your city?"

"What improvements would you like to see?"

Send us an e-mail at:
David.Lovato@vta.org



COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

Kiwanis International-Morgan Hill
Tuesday May 7th, 2019
7:00 – 8:00 pm




Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



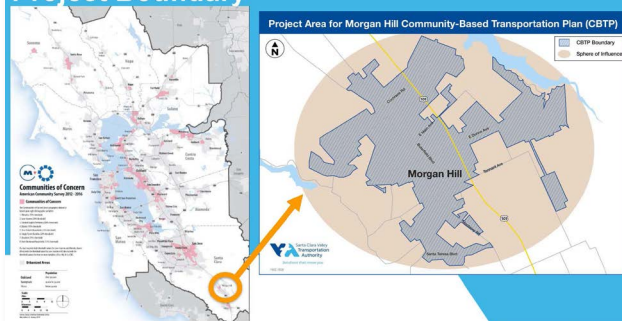
Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Data Collection on Existing Conditions/Needs in Morgan Hill
- Mid-April 2019: Public Engagement & Survey
- May 2019: First Round of Public Meeting
- July 2019: Draft Community-Based Transportation Plan Released & Second Round of Public Meeting

August 2019: Final Community-Based Transportation Plan Released



Project Boundary



Potential Areas for Improvement

Bikeways & Trails Network	Public Transportation Amenities
 	 
Local Roads & Streets	Technology & Other Proposals
 	 

Reasons for Involving Kiwanis International – Morgan Hill

- Input & participation from members of the Kiwanis on transportation issues and improvements
- Assistance with community outreach



We want to hear from you!
"What are the transportation issues in your city?"
"What improvements would you like to see?"



Take our survey
Respond to requests online
參加我們的在线調查

Survey is now live until Friday, June 7th, 2019!

Take the survey at
<http://www.vta.org/morganhillcbtp>

Upcoming

Public Workshop #1 for Morgan Hill Community-Based Transportation Plan (CBTP)



City Council Chambers
17555 Peak Avenue,
Morgan Hill, CA

Wednesday May 29th
at 7:00 pm

COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

City of Morgan Hill: Parks & Recreation Commission
Tuesday, May 21st, 2019
7:00 pm
City Council Chamber



Reasons for Involving the Parks & Recreation Commission

- Informing and gathering inputs from members of the Park & Recreation Commission on the project
- Assistance with community outreach for survey and public workshop on May 29th



Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



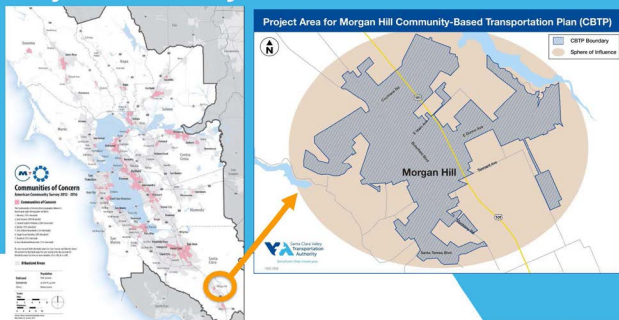
Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Data Collection on Existing Conditions/Needs in Morgan Hill
- Mid-April 2019: Public Engagement & Survey
- May 2019: First Round of Public Meeting
- July 2019: Draft Community-Based Transportation Plan Released & Second Round of Public Meeting

August 2019: Final Community-Based Transportation Plan Released



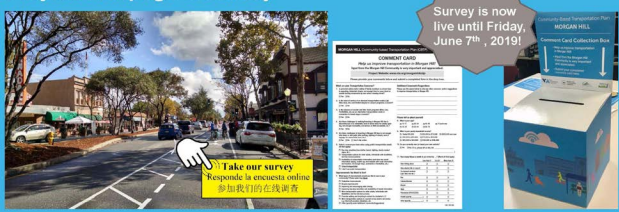
Project Boundary



Potential Areas for Improvement



Project Webpage & Survey



Survey is now live until Friday, June 7th, 2019!

Take our survey
Respond to questions online
参加調查請到以下網址

Project Page & Survey available at
<http://www.vta.org/morganhillcbtp>

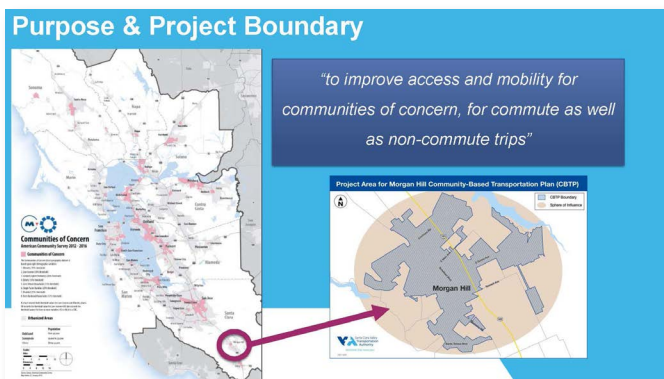
Upcoming

Public Workshop #1 for Morgan Hill Community-Based Transportation Plan (CBTP)



City Council Chambers
17555 Peak Avenue,
Morgan Hill, CA

Wednesday May 29th
at 7:00 pm



CBTP for Morgan Hill Steering Committee

Meeting No. 3

Thursday, June 13th, 2019

2:00 -3:30 PM

Morgan Hill City Hall-Conference Room West

1. **Introductions**
2. **Project Outreach Recap**
3. **Summary of Online Survey Responses and Comments**
4. **Brainstorm Activity**
 - Developing a list of probable solutions based on the comments received during public outreach
5. **Roundtable Discussion: Next Steps**
 - What criteria to use to prioritize transportation projects/proposals from #4 for Morgan Hill?
 - Any projects currently in the works or are planned that will address the concerns?

Next Meeting: **TBD in July** (sometime between July 15th-July 18th)

COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

Morgan Hill Youth Leadership Program
Tuesday, July 23rd, 2019
1:15-2:10 pm



Santa Clara Valley Transportation Authority
Solutions that move you

Why we are doing this project?



To find ways to improve transportation in Morgan Hill for all residents, including youth



Santa Clara Valley Transportation Authority
Solutions that move you

What we are asking from you?



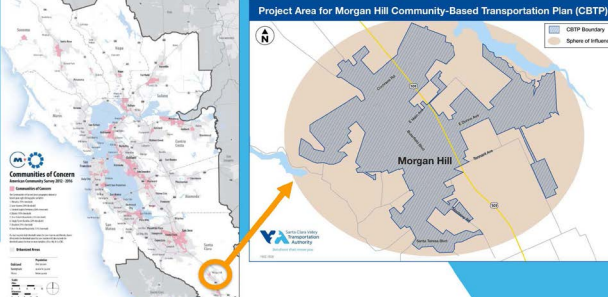
We want to know your answers to these questions:

- How are you currently getting to places where you need to be?
- How would you want to get around to these places?
- What places you travel to other than home and school?



Santa Clara Valley Transportation Authority
Solutions that move you

Project Boundary



Project Area for Morgan Hill Community-Based Transportation Plan (CBTP)



Santa Clara Valley Transportation Authority
Solutions that move you

Morgan Hill Community-Based Transportation Plan

Morgan Hill Youth Leadership Program
Tuesday, July 23rd, 2019

Questions for Small Group Discussions

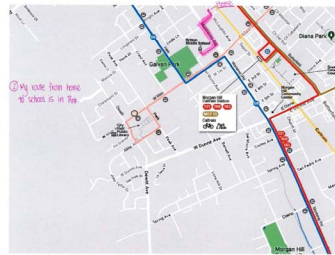
1. Where do you travel to other than home and school? List down 2-3 places and mark on the map where in Morgan Hill they are located. If not in Morgan Hill, write down the city that they're in.

Example:




2. How are you currently getting to school, your home, and the places listed in Question #1? If possible, write down the route you take to get to those places.

Example:




3. How would you like to get around to school, your home, and the places in Question #1? Do you want to bike, walk or scooter more? Are there any problem areas that makes it hard for you to get to these places? Mark problem areas on the map.

Example:




APPENDIX D Funding Sources

Federal

Funding Source*	Purpose	Administrator
FTA Pilot program for expedited project delivery	The Pilot Program for Expedited Project Delivery allows FTA to select up to eight capital transit projects for expedited grant awards. Projects must be supported through a public-private partnership, be operated	FTA
FTA Section 5307 Urbanized Area Formula Program	Purchase of buses, trains, ferries, vans, and other capital improvement, and Americans with Disabilities Act (ADA) required paratransit service. Distributed through the regional Transit Capital	FTA/MTC
FTA Section 5339 Bus and Bus Facilities Program	Provides capital assistance for new and replacement buses, related equipment, and facilities. Part of the Transit Capital Priorities process.	FTA/MTC
FTA Section 5312 Research, Development, Demonstration, and Deployment	To support research activities that improve the safety, reliability, efficiency, and sustainability of public transportation by investing in the development, testing, and deployment of innovative technologies,	FTA
Mobility on Demand (MOD) Sandbox Demonstration Program	To fund project teams to innovate, explore partnerships, develop new business models, integrate transit and MOD solutions, and investigate new, enabling technical capabilities such as integrated payment	FTA
Pilot Program for Transit-Oriented Development Planning	Funding to local communities to integrate land use and transportation planning with a new fixed guideway or core capacity transit capital investment	FTA
Public Transportation Innovation	Funding to develop innovative products and services assisting transit agencies in better meeting the needs of their customers.	FTA
Highway Safety Improvement Program (HSIP)	California's Local HSIP focuses on infrastructure projects with nationally recognized crash reduction factors (CRFs).	Caltrans
FHWA – Surface Transportation Program (STP)	To preserve and improve conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including	FHWA / MTC
FHWA – Congestion Mitigation and Air Quality Improvement Program (CMAQ)	Transportation projects that improve air quality and relieve congestion. Portion of funds included in OneBayArea Grant program.	FHWA / Caltrans / MTC
FTA Section 5309 Fixed Guideway Capital Investment Grants (New Starts, Small Starts and Core Capacity)	Capital support for light rail, rapid rail, commuter rail, automated fixed guideway systems, or a busway/high occupancy vehicle (HOV) facility, or an extension of any of these. Under MAP-21, includes "core	FTA
Transportation Alternatives Program (TAP)	Eligible activities consist of Transportation Alternatives, Recreational Trails, Safe Routes to School, Planning/Design/Construction of roadway in right of way of former highways. Set aside of the	Caltrans
"Highway-Rail Grade Crossings Program"	Develop and implement safety improvement projects to reduce the number and severity of accidents at public highway-rail grade crossings, including signing and pavement markings at crossings,	FHWA / Caltrans
Better Utilizing Investments to Leverage Development (BUILD)	The BUILD Discretionary Grant program provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve critical national objectives.	USDOT

*Note: Funding sources presented in no particular order Source: San Mateo County Transportation Authority Strategic Plan 2014-2019

State

Funding Source*	Purpose	Administrator
State of California Transit and Intercity Rail Capital Program (TIRCP)	Fund transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems, and bus and ferry transit systems. The program's goal is to reduce emissions of greenhouse gases by reducing congestion and vehicle miles traveled throughout California.	Caltrans
Senate Bill 1 – Maintenance and Rehabilitation of the State Highway System	Fund state highway improvements including repairing and resurfacing hundreds of miles of highways to extend the service life of California roads, fix/replace bridges, culverts, and drainage	Caltrans
Senate Bill 1 – Trade Corridor Enhancement Program	Fund freight projects along important trade corridor routes.	Caltrans
Senate Bill 1 – Repairs to Local Streets and Roads	Improve local streets and roads, expand the state's growing network of pedestrian and cycle routes, and increase transit service.	Caltrans
Senate Bill 1 – Solutions for Congested Corridors Program	Money from this new program will go to projects from regional agencies and the state that will improve traffic flow and mobility along the state's most congested routes while also seeking to improve air quality and health.	Caltrans
Senate Bill 1 – Local Partnership Program	This money will go to local entities who are already making their own extra investment in transportation. These matching funds will support the efforts of cities and counties with voter-approved transportation tax measures.	Caltrans
Senate Bill 1 – Bike and Pedestrian Projects	This will go to cities, counties and regional transportation agencies to build or convert more bike paths, crosswalks and sidewalks. It is a significant increase in funding for these projects through the Active Transportation Program (ATP).	Caltrans
State Highway Operation and Protection Program (SHOPP)	State highway rehabilitation projects	Caltrans
Transportation Development Act (TDA)	Transit capital and operating expenses	MTC
State Transit Assistance Funds (STA)	Transit capital and operating expenses	MTC
Transportation Development Act Article 3 (TDA 3)	Provide funding annually for bicycle and pedestrian projects.	MTC
State Transportation Improvement Program (STIP) / Regional Transportation Improvement Program (RTIP)	Roadway and transit capital improvement projects, road rehabilitation, interregional improvements	Caltrans / MTC
Office of Traffic Safety (OTS)	Safety projects, with pedestrian/bicycle safety a priority.	Caltrans OTS
Active Transportation Program (ATP)	Consolidation of previous bicycle and pedestrian funding programs and is designed to promote active modes of transportation, such as walking and biking, and to ensure disadvantaged communities share fully in the program.	Caltrans
California Sustainable Transportation Planning Grant Program	Funds a wide range of transportation planning studies that promote a balanced comprehensive multimodal transportation system. Consists of Strategic Partnerships and Sustainable Communities grants. Replaces former environmental justice, community based and transit planning grant activities, which are eligible under the new program.	Caltrans
Cap and Trade Program	Reduction of the region's transportation-related emissions by: Support Communities of Concern (25% of revenues); Supports Transit Core Capacity Challenge Grant Program, Transit Operating and Efficiency Program, OneBayArea Grant program; Climate Initiatives Program, including Safe Routes to Schools, and goods movement projects.	Various State Agencies
Section 190 Program	Provides funding to projects that either alter or reconstruct existing grade separations, construct new grade separations to eliminate existing at-grade crossings or relocate roadways to eliminate at-grade crossings, thereby improving safety and expediting the movement of vehicles. Eligible projects must first be nominated to the California Public Utilities Commission's Grade Separation Priority List.	Caltrans

*Note: Funding sources presented in no particular order
Source: San Mateo County Transportation Authority Strategic Plan 2014-2019

Local/Regional

Funding Source*	Purpose	Administrator
Regional Bridge Tolls	Projects that mitigate and relieve traffic congestion on the bridges (AB 664, 2%-5%, Regional Measure 2, Regional Measure 3)	MTC
Vehicle Emissions Reductions Based at Schools (VERBS) Program	Reduce greenhouse gases (GHG) by promoting walking, biking, transit, and carpooling to school.	MTC
OneBayArea Grant Program	Integrates the region's federal transportation program with California's climate law and Sustainable Communities Strategy; provides funding investments in surface transportation for a wide variety of programs including mass transit, highway, local road and bicycle and pedestrian projects.	MTC
Transportation Fund for Clean Air (TFCA)	Funds regional competitive and county funding categories. Implementation of the most cost-effective projects in the Bay Area which will decrease motor vehicle emissions and improve air quality.	Bay Area Air Quality Management District (BAAQMD)
Gasoline Tax Subventions	Local streets and road maintenance and rehabilitation	Cities and Counties
Pavement Management Technical Assistance Program (PTAP)	Resources for jurisdictions to better understand their pavement condition to make decisions about pavement maintenance and rehabilitation investments.	MTC
Vehicle Registration Fee	\$10 per year vehicle registration fee in Santa Clara County to pay for local transportation improvements, including pothole repair, paving, traffic control signals, and safety improvements.	VTA
Developer Impact Fees	Cost to local government of a new development, including roads, sidewalks, sewers, and utilities	Local Governments
Property-based Business Improvement District (PBID) / Other Assessments	Generally downtown improvements and services associated with businesses.	Local Governments

*Note: Funding sources presented in no particular order

Source: San Mateo County Transportation Authority Strategic Plan 2014-2019



Solutions that move you

1907-1927



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ADOPT ORDINANCE 2319, NEW SERIES, OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2319, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure

2020-2021 Strategic Priorities

Economic Development

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

On December 16, 2020, the City Council introduced Ordinance No. 2319 New Series, by the following roll call vote: AYES: Borgioli, Constantine, Martinez Beltran, McKay, Spring; NOES: None; ABSTAIN: None; ABSENT: None.

As part of the implementation of the Zoning Ordinance and Noise Ordinances and yearly update, staff identified several clerical errors, inconsistencies between sections, and the need to update certain portions of the Municipal Code as well as provide further clarification or to expand on certain topics within the Code. The purpose of the proposed Ordinance is to correct these issues.

The City Council waived the first and second reading and amended the ordinance to move Vehicle Storage Use and Salvage/Wreckage into the Vehicle Related Use Section.

COMMUNITY ENGAGEMENT: Inform

On November 10, 2020, the Planning Commission held a public hearing regarding the proposed ordinance amendments in which a 10-day public hearing notice was published in the Friday, October 30, 2020 edition of the Morgan Hill Times. A 10-day public hearing notice was published in the Friday, November 20, 2020 edition of the Morgan Hill Times pursuant to Government Code Sections 65090-65096. Notice was also provided on the website and via social media.

ALTERNATIVE ACTIONS:

The City Council could decide not to adopt the ordinance, thereby the Municipal Code will remain as-is, and the clerical errors and inconsistencies within the Code will remain.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On June 6, 2018, the City Council adopted Ordinance No. 2277 N.S., a comprehensive update of Title 18 – Zoning of the City of Morgan Hill Municipal Code. The update included an amendment to the City’s official zoning map consistent with the Morgan Hill 2035 General Plan.

In addition, Subsection D of Section 8.28.040 (Enumeration of unlawful noises) within Chapter 8.28 (Noise) of Title 8 (Health and Safety) was last updated in 1998 by the adoption of Ordinance No. 1405 N.S.

On November 10, 2020, the Planning Commission considered and recommended, unanimously, the City Council approve the proposed draft Ordinance.

FISCAL AND RESOURCE IMPACT:

Staff regularly brings forward bundles of minor amendments as necessary to enhance, correct and/or refine the Code; and therefore, the cost is borne, and work is accommodated, within the respective division’s annual workplan and budget.

CEQA (California Environmental Quality Act):

This Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. The proposed text amendments are covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments consist of miscellaneous minor amendments to correct clerical errors and inconsistencies within the Municipal Code as well as establishing procedures for amending the General Plan.

LINKS/ATTACHMENTS:

1. Ordinance 2319- Misc Code Amendments

ORDINANCE NO. 2319, NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

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

Section 1. Subsection D of Section 8.28.040 (Enumeration of Unlawful Noises) of Chapter 8.28 (Noise) of Title 8 (Health and Safety) is hereby amended to read as follows:

D. Construction Activities.

1. "Construction activities" are defined as including but not limited to excavation, grading, paving, demolition, construction, alteration or repair of any building, site, street or highway, delivery or removal of construction material to a site, or movement of construction materials on a site. Construction activities are prohibited other than between the hours of seven a.m. and eight p.m., Monday through Friday and between the hours of nine a.m. to six p.m. on Saturday. Construction activities may not occur on Sundays or federal holidays. No third person, including but not limited to landowners, construction company owners, contractors, subcontractors, or employers, shall permit or allow any person working on construction activities which are under their ownership, control or direction to violate this provision. Construction activities may occur in the following cases without violation of this provision:
 - a. In the event of urgent necessity in the interests of the public health and safety, and then only with a permit from the chief building official, which permit may be granted for a period of not to exceed three days or less while the emergency

continues and which permit may be renewed for periods of three days or less while the emergency continues.

- b. If the chief building official determines that the public health and safety will not be impaired by the construction activities between the hours of eight p.m. and seven a.m., and that loss or inconvenience would result to any party in interest, the chief building official may grant permission for such work to be done between the hours of eight p.m. and seven a.m. upon an application being made at the time the permit for the work is issued or during the progress of the work.
 - c. The city council finds that construction by the resident of a single residence does not have the same magnitude or frequency of noise impacts as a larger construction project. Therefore, the resident of a single residence may perform construction activities on that home during the hours in this subsection, as well as on Sundays and federal holidays from nine a.m. to six p.m., provided that such activities are limited to the improvement or maintenance undertaken by the resident on a personal basis.
 - d. Public work projects are exempt from this section and the public works director shall determine the hours of construction for public works projects.
2. If it is determined necessary in order to ensure compliance with this section, the chief building official may require fences, gates or other barriers prohibiting access to a construction site by construction crews during hours in which construction is prohibited by this subsection. The project manager of each project shall be responsible for ensuring the fences, gates or barriers are locked and/or in place during hours in which no construction is allowed. This subsection shall apply to construction sites other than public works projects or single dwelling units which are not a part of larger projects.

Section 2. Subsection A of Section 18.18.020 (Land Use Regulations) of Chapter 18.18 (Residential Attached Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows:

- A. Permitted Land Uses. Table 18.18-1 identifies land uses permitted in the residential attached zoning districts.

Table 18.18-1: Permitted Land Uses — Residential Attached Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District	Additional Regulations
--	-----------------	------------------------

	RAL	RAM	RAH	
Residential Uses				
Accessory Dwelling Units	P	P	P	Chapter 18.84
Duets and Duplexes	P	P	P	
Group Housing	C [1]	C	C	
Multi-Family Dwellings	P	P	P	
Nursing Homes and Long-Term Care	C	C	C	
Residential Care Facilities	C	C	C	
Residential Care Facilities, Small	P	P	P	
Single-Family Attached Dwellings	P	P	P	
Single-Family Detached Dwellings	P [2, 3]	P [3]	P [3]	
Public and Quasi-Public Uses				
Community Assembly	C	C	C	
Cultural Institutions	C	C	C	
Day Care Centers	C	C	C	
Home Day Care, Large and Small	P	P	P	
Parks and Recreational Facilities [4]	C	C	C	
Public Safety Facilities	C	C	C	
Schools, Public and Private	C	C	C	

Transportation, Communication, and Utility Uses				
Wireless Communication Facilities	See Chapter 18.96			
Other Uses				
Accessory Uses and Structures	See Chapter 18.44			
Home Occupations	See Section 18.92.060			
Temporary Uses and Structures	See Section 18.92.150			
Urban Agriculture				
Home Gardens	P	P	P	
Community Gardens	A	A	A	
Urban Farms	C	C	C	

Notes:

[1] Limited to no more than eight residents.

[2] Up to twenty-five percent of homes within a development project may be small-lot single family homes with a maximum lot area of three thousand five hundred square feet.

[3] Permitted only on a lot of record existing prior to July 7, 2018.

[4] Park and recreational facilities accessory to a residential use (e.g., a clubhouse serving a residential subdivision) are permitted by right.

Section 3. Chapter 18.22 (Mixed Use Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.22 - MIXED USE ZONING DISTRICTS

18.22.010 - Purpose of the mixed use zoning districts.

- A. General. The purpose of the mixed use zoning districts is to provide for active and inviting destinations in Morgan Hill with a diversity of residential and commercial land uses. In the mixed use zoning districts the design of development supports a welcoming, pedestrian-friendly public realm. A diversity of local and independent businesses, recreational amenities, and public spaces meet the needs of residents, workers, and visitors. New development respects Morgan Hill's history and reflects its unique small-town feel. The diversity of land uses, pedestrian-friendly development, and general level of activity in the mixed use zoning districts supports a range of transportation choices, including walking, biking, and transit.
- B. Specific.
 1. Downtown Mixed Use (MU-D). The purpose of the Downtown Mixed Use (MU-D) zoning district is to preserve and enhance Downtown as the heart of Morgan Hill and the center of the community. New development supports a walkable Downtown district with active storefronts and a diversity of commercial, residential, and public uses. The intensity of residential uses enhances economic vitality, increases housing options for residents of all ages, and support a vibrant and diverse destination for residents and visitors. The MU-D zoning district implements the community's vision for Downtown Morgan Hill as described in the Downtown Specific Plan.
 2. Neighborhood Mixed Use (MU-N). The purpose of the Neighborhood Mixed Use (MU-N) zoning district accommodates a range of residential and commercial land uses in close proximity to Downtown. A range of housing types provide residents with affordable housing options and increase opportunities to live close to stores, services, jobs, and transit. The MU-N zoning district provides a transition from the higher intensity uses in the Downtown Core to lower density residential neighborhoods.
 3. Mixed Use Flex (MU-F). The purpose of the MU-F zoning district is to accommodate a mixture of residential and commercial uses typically along the Monterey Road corridor north and south of Downtown. New mixed use development may be vertical (residences above ground floor commercial) or horizontal (separate buildings with different uses on a single site). Development in the MU-F zoning district creates attractive gateways into Morgan Hill, provides a range of housing options, and creates new centers of activity to serve surrounding neighborhoods.

18.22.020 - Land use regulations.

- A. Permitted Land Uses. Table 18.22-1 identifies land uses permitted in the MU-N and MU-F zoning districts. For permitted land uses in the MU-D zoning district, see Figure 8 in the Downtown Specific Plan.

Table 18.22-1: Permitted Land Uses — MU-N and MU-F Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District		Additional Regulations
	MU-N	MU-F	
Residential Uses			Section 18.22.030
Accessory Dwelling Units	P	P	Chapter 18.84
Duets and Duplexes	P	C	
Group Housing	C	C	
Live/Work Unit	A	A	
Mixed Use Residential	P	P	
Multi-Family Dwellings	P	C	
Nursing Homes and Long-Term Care	C	C	
Residential Care Facilities	C	C	
Residential Care Facilities, Small	P	P	
Senior Housing, Independent Living	P	C	
Single-Family Attached Dwellings	P	C	
Single-Family Detached Dwellings	P [1]	C	
Public and Quasi-Public Uses			
College and Trade Schools	P	P	

Community Assembly	C	C	
Cultural Institutions	A	A	
Day Care Centers	C	C	
Emergency Shelters	—	C	Section 18.92.050
Government Offices	A	A	
Home Day Care, Large and Small	P	P	
Hospitals	C	C	
Instructional Services	P	P	
Medical Offices and Clinics	P	P	
Parks and Recreational Facilities	P	P	
Public Safety Facilities	C	C	
Schools, Public and Private	C	C	
Social Services	—	C	
Commercial Uses			
Animal-Related Users			
Veterinarian Clinics and Hospitals	C	C	
Banks and Financial Institutions	P	P	
Business Support Services	P	P	

Cinemas and Theaters	A	A	
Commercial Recreation, Indoor			
≤ 15,000 sq. ft.	P	P	
> 15,000 sq. ft.	C	C	
Drive-Through Facilities	C	C	18.92.040
Eating and Drinking Uses			
Bars and Nightclubs	C	C	
Restaurant, Fast Food	P	P	
Restaurants, Sit Down	P	P	
Tasting Rooms	P	P	
Farmers Markets	A	A	
Lodging Facilities			
Bed and Breakfast	A	A	
Hotels and Motels	C	C	
Personal Services	P	P	
Professional Offices	P	P	
Retail			
Convenience Market	A	A	18.92.030
General Retail	P	P	

Vehicle-Related Uses			
Fuel and Service Stations	—	C	
Vehicle Rentals	—	C	
Vehicle Washing	—	C	
Industrial Uses			
Food and Beverage Production			
< 5,000 sq. ft. [3]	P	P	
5,000 sq. ft. to 10,000 sq. ft. [3]	C	C	
Transportation, Communication, and Utility Uses			
Parking Lots or Structures [2]	C	C	
Recycling Facilities			
Reverse Vending Machines	—	C	
Transportation Terminals	—	—	
Wireless Communications Facilities	See Chapter 18.96		
Other Uses			
Accessory Uses	See Chapter 18.44		
Home Occupations	See Section 18.92.060		
Temporary Uses	See Section 18.92.150		

Notes:

[1] Permitted only on a lot of record existing prior to July 7, 2018.

[2] When proposed as a primary use.

[3] On-site wholesale or retail sales required.

- B. Replacement Housing. Any proposed project that would replace existing rental housing occupied by a low or moderate-income household with commercial development or higher density residential uses shall comply with Municipal Code Chapter 15.30 (Replacement Housing).
- C. Additional Permits. In addition to permits identified in Table 18.22-1, development projects in the mixed use zoning districts may also require a design permit pursuant to Section 18.108.040 (Design Permits). Modifications to a historic resource may require a Historic Alteration pursuant to Chapter 18.60 (Historic Resources).
- D. Residential Building Allotments. All residential development must comply with the voter-approved residential development control system (RDCS) as established in Chapter 18.78 (Residential Development Control System). The RDCS requires proposed residential projects to first receive residential building allotments before applying for land use entitlements. Section 18.78.050.C (Exemptions from Allotments) identifies types of residential projects exempt from the requirement to obtain residential building allotments.

18.22.030 - Residential and mixed use in the MU-F zoning district.

Residential and residential mixed use is not allowed in the MU-F zoning district until the completion of a master plan for the Monterey Corridor.

18.22.040 - Development standards.

- A. General. Table 18.22-2 identifies development standards that apply in the mixed zoning districts.

Table 18.22-2: Development Standards in Mixed Use Zoning Districts

	MU-D	MU-N	MU-F	Additional Standards
Site Requirements				
Lot Area, Minimum	3,500 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	
Lot Width, Minimum	40 ft.	60 ft.	60 ft.	
Lot Depth, Minimum	80 ft.	100 ft.	100 ft.	

Floor Area Ratio, Maximum	2.0 [1]	1.0	0.5	
Residential Density				
Minimum	None	8 du/acre	7 du/acre	
Maximum	None	20 du/acre	24 du/acre	
Building Coverage, Maximum	None	75%	50%	
Structure Requirements				
Setbacks	See Table 18.22-3			18.56.030
Height, Maximum	3 stories and 45 ft. [2]	35 ft. [3,4]	35 ft. [3]	18.56.020

Notes:

[1] 2.25 FAR permitted on sites 22,000 sq. ft. or more.

[2] Four stories and 55 ft. permitted on sites 22,000 sq. ft. or more.

[3] 45 ft. permitted with a minimum of 10 ft. devoted to a roof element.

[4] 40 ft. allowed for vertical mixed use, regardless of roof form.

- B. Setbacks. Table 18.22-3 identifies setback standards that apply in the mixed zoning districts. Within each zoning district, setback standards for residential uses are different from setback standards for non-residential and mixed use development. See Figure 18.24.

Table 18.22-3: Setback Standards in Mixed Use Zoning Districts

	MU-D		MU-N		MU-F	
Setback	Res.	Non-Res. [1]	Res.	Non-Res. [1] [5]	Res.	Non-Res. [1] [5]
Front	Min: 6 ft. [2] Max: 15 ft.	Min: 0 ft. Max: 10 ft.	Min: 6 ft. [2] Max: 15 ft.	Min: 0 ft. [3] Max: 10 ft.	Min: 15 ft. [2] Max: None	Min: 10 ft. [4] Max: None

Rear, Min.	0 ft.	10 ft.	0 ft.	10 ft.	20 ft.	10 ft.
Interior Side, Min.	5 ft.	0 ft.	5 ft.	0 ft.	5 ft.	0 ft.
Street Side, Min.	6 ft.	0 ft.	6 ft.	0 ft.	10 ft.	10 ft. [4]

Notes:

- [1] Includes mixed use buildings with residential uses above ground floor commercial.
- [2] Residential porches and similar entry features may project five feet into the front setback. See Figure 18.22-1.
- [3] Building wall must be setback a minimum of ten feet from the edge of curb. See Figure 18.22-2.
- [4] Outdoor seating, courtyards, and other publicly-accessible spaces may project five feet into the front setback.
- [5] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

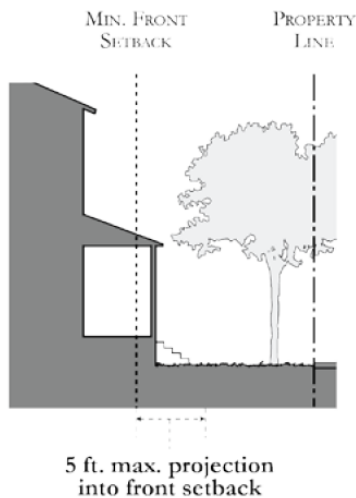


Figure 18.22-1: Permitted Projection Into Front Setback — Residential Uses

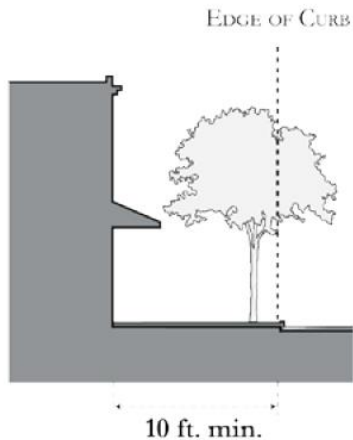


Figure 18.22-2: Minimum Setback From Curb — MU-N Zoning District

Section 4. Section 18.24.030 (Development Standards) of Chapter 18.24 (Commercial Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

- A. General. Table 18.24-2 identifies development standards that apply in the commercial zoning districts.
- B. Residential Transition Standards. Where a property zoned in a commercial zoning district abuts a residential zoning district, projects shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

Table 18.24-2: Development Standards in the Commercial Zoning Districts

	CO	CN	CG	CH	CS	Additional Standards
Site Requirements						
Lot Area, Minimum	6,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	10,000 sq. ft.	
Lot Width, Minimum	60 ft.	100 ft.	100 ft.	70 ft.	100 ft.	

Lot Depth, Minimum	100 ft.	100 ft.	100 ft.	125 ft.	100 ft.	
Building Coverage, Maximum	50%	50%	50%	40%	50%	
Structure Requirements						
Setbacks, Minimum [1]						18.56.030
Front	20 ft.	25 ft.	25 ft.	40 ft.	25 ft.	
Rear	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	
Interior Side	10 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Street Side	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	
Height, Maximum	3 stories or 30 ft., whichever is less	2½ stories or 30 ft., whichever is less	3 stories or 35 ft., whichever is less	4 stories or 55 ft., whichever is less	3 stories or 35 ft., whichever is less	18.24.030.B; 18.56.020

- [1] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

Section 5. Chapter 18.26 (Industrial Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

18.26.010 - Purpose of the industrial zoning districts.

- A. General. The purpose of the industrial zoning districts is to provide locations to maintain and focus industrial development in economically and geographically strategic locations in Morgan Hill. Permitted land uses in the industrial zoning districts are limited to avoid potential conflicts that would adversely impact industrial activities. Development is

designed to enhance the economic vitality of industrial areas and limit impacts on adjacent development.

B. Specific.

1. Commercial Industrial (CI). The purpose of the CI zoning district is to promote job-generating development of lands by allowing flexibility in the mix of industrial, office, and commercial uses that are compatible with existing development. Lodging uses (e.g., hotels) that support primary job generating uses within business districts are allowed.
2. Light Office Industrial (IO). The purpose of the IO zoning district is to provide areas for mixed administrative and executive office uses in appropriate areas within the community.
3. Campus Industrial (IC). The purpose of the IC zoning district is to provide an environment exclusively for and conducive to the development and protection of modern administrative facilities, research institutions and specialized manufacturing operations.
4. Light Industrial (IL). The purpose of the IL zoning district is to provide areas for research, administrative, lighter manufacturing, wholesale and heavy service commercial uses not suitable in commercial districts.
5. General Industrial (IG). The purpose of the IG zoning district is to provide areas for general industrial, manufacturing, wholesale and service uses needed by the city and region subject to regulations necessary to protect other nearby uses from hazards and noise and other disturbances.

18.26.020 - Land use regulations.

- A. Permitted Land Uses. Table 18.26-1 identifies land uses permitted in the industrial zoning districts.

Table 18.26-1 Permitted Land Uses in the Industrial Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District					Additional Regulations
	CI	IO	IC	IL	IG	
Residential Uses						

Caretaker Quarters	—	—	—	C	C	
Public and Quasi-Public Uses						
Colleges and Trade Schools	C	C	C	C	C	
Community Assembly	C	—	—	C	C	
Instructional Services	A	—	—	—	—	
Medical Offices and Clinics	A	—	—	—	—	
Parks and Recreational Facilities	C	—	—	C	C	
Public Safety Facilities	C	—	—	C	C	
Commercial Uses						
Adult Businesses	—	—	P	P	P	18.92.020
Animal-Related Commercial Uses						
Animal Boarding	C	—	—	C	C	
Veterinarian Clinics and Hospitals	A	A	A	C	C	
Banks and Financial Institutions	C [4]	—	—	—	—	
Business Support Services	P	C	P	P	P	
Cinemas and Theaters	A	—	—	—	—	
Commercial Recreation, Indoor						
≤ 15,000 sq. ft.	P	C	C	C	C	
> 15,000 sq. ft.	C	C	C	C	C	

Eating and Drinking Uses						
Restaurants, Fast Food	C [4]	— [5]	— [5]	— [5]	— [5]	
Restaurants, Sit-Down	C [4]	— [5]	— [5]	— [5]	— [5]	
Tasting Rooms	P [6]	—	—	A [6]	A [6]	
Lodging Facilities						
Hotels and Motels	P	—	—	—	—	
Mini-Storage	—	—	—	C	C	18.92.100
Personal Service	C [4]	— [5]	— [5]	— [5]	— [5]	
Plant Nurseries	C	—	—	P	P	
Professional Offices	P	P	P	P	P	
Retail						
Building Materials	C	—	—	P	P	
Convenience Markets	C [4]	— [5]	— [5]	— [5]	— [5]	
General Retail	C [4]	— [5]	— [5]	— [5]	— [5]	
Home Improvement Centers	C	—	—	C	C	
Large Commodity Retail	C	—	—	C	C	
Vehicle-Related Uses						

Salvage and Wrecking	—	—	—	—	C	
Towing and Impound	—	—	—	C	P	
Vehicle Repair and Maintenance, Major	—	—	—	C	P	
Vehicle Repair and Maintenance, Minor	—	—	—	P	P [1]	
Vehicle Storage, Outdoor	—	—	—	C	C	18.52.080.C
Wholesaling	P	—	—	P	P	
Industrial Uses						
Construction and Material Yards	C	C	C	P	P	18.36.030.C
Food and Beverage Production						
< 5,000 sq. ft. [7]	A [2]	A [2]	A [2]	P [2]	P [2]	
5,000 sq. ft. to 10,000 sq. ft. [7]	C [2]	C [2]	C [2]	P [2]	P [2]	
> 10,000 sq. ft.	C	C	C	P [2,8]	P [2,8]	
Manufacturing, Light	P	C [3]	C	P	P	
Manufacturing, General	—	—	—	—	C	
Research and Development	P	P	P	P	P	
Warehousing and Distribution						
Warehousing and Distribution, Large	C	C [3]	C [3]	C	P	
Warehousing and Distribution, Small	C	C [3]	C [3]	P	P	

Warehousing and Distribution with Outdoor Storage	C	—	—	C	C	
Heavy Distribution	—	—	—	—	—	
Parcel Sorting Facilities	—	—	—	—	—	
Parcel Hub Small < 75,000 sq. ft.	—	—	—	—	—	
Parcel Hub Large > 75,000 sq. ft.	—	—	—	—	—	
Recycling Facilities						
Reverse Vending Machine	P	C	C	P	P	
Recycling Collection Facility	C	—	—	C	C	
Recycling Processing Facility	—	—	—	—	C	
Utilities, Major	—	—	—	C	C	
Wireless Communications Facilities	See Chapter 18.96					
Agriculture and Natural Resource Uses						
Crop Cultivation	—		—			
Other Uses						
Accessory Uses	See Chapter 18.44					
Temporary Uses	See Section 18.92.150					

Notes:

- [1] Retail sale of automotive products allowed only when ancillary to a vehicle repair and maintenance use. Retail display areas for automotive products may not exceed twenty-five percent of the building floor area.
- [2] Must be one hundred fifty feet or more from a residential zoning district, otherwise requires a CUP.

- [3] Permitted only when ancillary to another permitted use.
 - [4] Allowed as a primary use only when the planning commission finds that the use supports the primary job-generating uses within a business park setting.
 - [5] Allowed when accessory to a permitted primary use subject to the limitations in Section 18.26.020.D (Accessory Uses).
 - [6] Allowed only when accessory to a brewery, winery, or other alcoholic beverage production facility. Tasting rooms must be located within the building occupied by the primary use and may not exceed five thousand square feet or ten percent of the gross floor area of the building, whichever is less.
 - [7] On-site wholesale or retail sales required.
 - [8] Conditional use permit required when the type of food being produced will emit a generally offensive odor. Examples include primary processing of seafood, coffee roasting, pickled foods, or processes involving primarily fat and oils.
- B. Additional Permits. In addition to permits identified in Table 18.26-1, development projects in the industrial districts may also require a design permit pursuant to Section 18.108.040 (Design Permits). Modifications to a historic resource may require a Historic Alteration pursuant to Chapter 18.60 (Historic Resources).
- C. Outdoor Uses.
- 1. In the IO zoning district, all uses shall be conducted wholly within a completely enclosed building. Outdoor uses are prohibited.
 - 2. In all other industrial zoning districts, outdoor uses shall be screened from public view and the area containing the outdoor use shall meet the minimum design standards applicable to off-street parking facilities as specified in Section 18.72.060 (Parking Design and Development Standards).
- D. Accessory Uses.
- 1. In all industrial zoning districts, retail, personal service, recreation, restaurants, and other similar uses are permitted as an accessory use provided the following conditions are met:
 - a. The use is conducted within the building occupied by the primary use; and
 - b. The use is to serve only employees and guests of the primary use; and
 - c. The use is limited to no more than three thousand square feet or ten percent of the floor area of the primary use, whichever is less.
 - 2. Tasting rooms associated with a brewery, winery, or other alcoholic beverage production facility are allowed in industrial zoning districts as specified in Table 18.26-1.

18.26.030 - Development standards.

- A. General. Table 18.26-2 identifies development standards that apply in the industrial zoning districts.

Table 18.26-2: Industrial Zoning District Development Standards

	CI	IO	IC	IL	IG	Additional Standards
Site Requirements						
Lot Area, Minimum	20,000 sq. ft.	40,000 sq. ft.	5 acres	20,000 sq. ft.	20,000 sq. ft.	
Lot Width, Minimum	100 ft.	100 ft.	300 ft.	100 ft.	150 ft.	
Lot Depth, Minimum	100 ft.	100 ft.	300 ft.	100 ft.	100 ft.	
Floor Area Ratio, Maximum	0.5/0.6 [1]	0.6	0.5	0.6	0.6	
Building Coverage, Maximum	60%	40%	40%	50%	60%	
Structure Requirements						
Setbacks, Minimum [2]						Chapter 18.56
Front	30 ft.	40 ft.	50 ft.	30 ft.	30 ft.	
Rear	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	
Interior Side	10 ft.	10 ft.	25 ft.	10 ft.	15 ft.	
Street Side	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	
Height, Maximum	4 stories or 55 ft.,	35 ft.	50 ft.	50 ft.	50 ft.	18.56

	whichever is less					18.26.030.B
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Notes:

- [1] An FAR of 0.6 is allowed for industrial uses. An FAR of 0.5 is allowed for non-industrial land uses.
- [2] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).
- B. Cul-De-Sac Lot Width. In all industrial zoning districts except for the IC zoning district, the minimum width of a cul-de-sac lot is eighty feet as measured along the radius of the front property line.
- C. Joint Access Agreement — IL, IG Zoning Districts. For parcels of less than forty thousand square feet in area, a joint mutual access agreement between adjoining parcels shall be required for reasonable vehicular and pedestrian passage.

Section 6. Section 18.40.050 (Development Standards) of Chapter 18.40 (Alternative Standards for Medium Density Residential Development) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

- A. General. Minimum lot sizes and dimensions for specific housing types are shown in Table 18.40-2. Lot sizes, dimensions, coverage limits, and setback standards may vary based on the use within the specified zoning district.

Table 18.40-2: Medium Density Residential Development Standards

	Housing Type					
	Duet	Courtyard	SFD	TH	Duplex	Multi
Lot Area (min sq. ft.) [1] [2]	3,000	1,920— 2,999	4,500— 5,500	1,440— 3,999	6,000	6,000
Lot Width (min)	30 ft.	24 ft.	40 ft.	24 ft.	60 ft.	60 ft.
Lot Depth (min)	85 ft.	60 ft.	80 ft.	60 ft.	85 ft.	85 ft.
Lot Coverage (max) [3]	50%	45%	N/A	55%	1 story: 40% 2+ story: 50%	60%

Floor Area Ratio (max)	N/A	N/A	52%	N/A	N/A	N/A
Height	See base zoning district					
Setbacks						
Front [4]	10 ft.	N/A	15 feet	N/A	20 ft.	15
Interior Side	3 ft. [5]	5 ft. [7]	4 ft. [6]	N/A	5 ft. [7]	5 ft.
Street Side	6 ft.	5 ft.	8 ft.	5 ft.	10 ft.	15 ft.
Rear	10 ft.	N/A	15 ft.	N/A	15 ft.	20 ft.

Notes:

[1] Subject to the density requirements specified in the General Plan.

[2] Standards are for individual lots and not for the subdivision as a whole.

[3] Lot coverage limits apply to individual, subdivided parcels and to accessory structures as well as the primary residential structure on the site. Development in the RAL and RAM zoning districts is also subject to an aggregate lot coverage limit for the entire subdivision. See Section 18.18.060.A.

[4] Additional requirements apply for street-facing garages. See Section 18.40.070.H.7.

[5] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least six feet and one setback is at least four feet.

[6] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least eight feet.

[7] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least ten feet.

Section 7. Table 18.44-2 (Minimum Accessory Structure Setbacks) of Section 18.44.030 (Accessory Structures in Residential Zoning Districts) of Chapter 18.44 (Accessory Structures and Uses) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Table 18.44-2: Minimum Accessory Structure Setbacks

Accessory Structure	Minimum Setbacks from Property Lines	
	Front	Side and Rear
Roofed structures such as detached garages and sheds and open, unroofed structures such as trellises		
Height 12 ft. or less		5 ft.
Height greater than 12 ft.	Same as minimum primary structure setback	Same as minimum primary structure setback
Mechanical equipment and mechanical equipment enclosures		50 percent of minimum primary structure setback
Patios and Decks [2]		
Height 18 in. or less (unroofed only)	5 ft.	1 ft.
Height less than 6 ft.	15 ft.	5 ft.
Height greater than 6 ft.	20 ft. or same as minimum primary structure setback, whichever is less	12.5 ft. or same as minimum primary structure setback, whichever is less
In ground pools, spas and hot tubs	Same as minimum primary structure setback	4 ft.
Above ground pools, spas, hot tubs and related equipment, accessories, and improvements	Same as minimum primary structure setback	5 ft.
Ponds less than 18 in. in depth	10 ft.	1 ft.
Fireplaces, barbeque structures, statuary and fountains [1]		

Height 8 ft. or less	3 ft.	3 ft.
Height 8 ft. to 12 ft.	5 ft.	5 ft.

Notes:

[1] All openings for freestanding fireplaces and built-in barbeques shall meet all Uniform Building Code and Uniform Fire Code requirements.

[2] Height measured from ground to walking surface.

Section 8. Chapter 18.52 (Fences and Walls) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.52 - FENCES AND WALLS

18.52.010 - Purpose and applicability.

This chapter establishes standards for fences and walls that apply in all zoning districts. For the purposes of this Title, the term “fence” includes fences or walls. Walls that are required by a mitigation measure and designed and approved through a discretionary permit for noise attenuation are exempt from this Chapter.

18.52.020 - Required permits and approvals.

- A. No Planning Permit Required. Fences and walls consistent with this chapter are permitted by-right without the requirement to obtain any planning permit unless otherwise stated.
- B. Building Permit. Fences and walls may require a building permit as required by California Building Code.
- C. Encroachment Permit. A fence or wall in the public right-of-way requires approval of an encroachment permit consistent with Municipal Code Chapter 12.08 (Excavation and Encroachment).
- D. Minor Exception. The community development director may grant a minor exception to increase the maximum permit height of a fence or wall as described in Section 18.52.050 (Exceptions to Height Limits).

18.52.030 - Measurement of fence and wall height.

- A. Measurement of Height. The height of a fence or wall is measured from the finished grade at the base of the fence or wall to the top edge of the fence or wall.
- B. Fences on Retaining Walls. If a fence or wall is atop a retaining wall, the height of the fence or wall shall be determined exclusive of the height of the retaining wall such that the top of the retaining wall is considered the finished grade.

- C. **Different Finished Grades.** If the adjacent finished grade is different on opposite sides of a fence or wall, the height is measured from the side with the lowest finished grade to the highest point on the fence or wall.

18.52.040 - Height limits.

- A. **Maximum Height.** Fences and walls may not exceed the maximum height shown in Table 18.52-1 and Figure 18.52-1 except as allowed by Section 18.52.050 (Exceptions to Fence Height Limit).

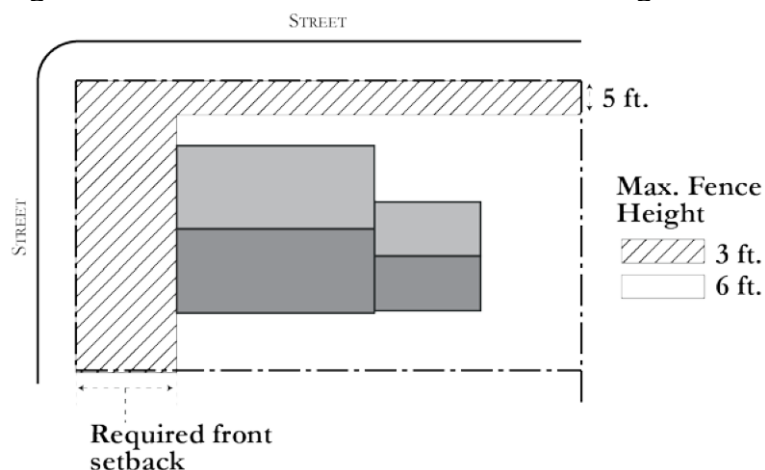
Table 18.52-1: Maximum Fence and Wall Height

Fence and Wall Height	Maximum Height
Fence in front setback area	3 ft.
Fence within 5 ft. of street side property line	3 ft.
Fence within all other areas of a lot	6 ft. [1]

Notes:

- [1] An additional one foot of fence height up to a maximum of seven feet is permitted for lattice work and other decorative features uniformly open to the passage of light and air.

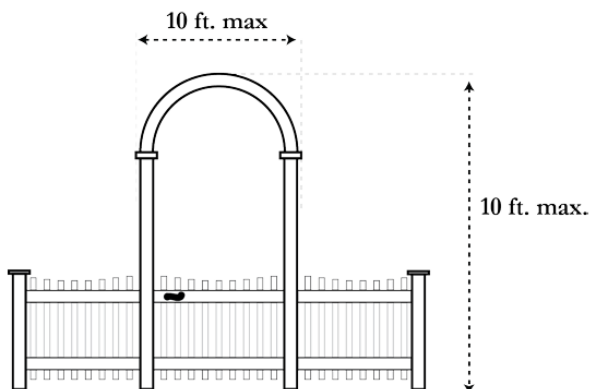
Figure 18.52-1: Maximum Fence and Wall Height



- B. **Decorative Features.** A decorative arch, gate, trellis or other entry feature located along a street frontage may exceed the height limit shown in Table 18.52-1. Decorative features shall be limited to ten feet in width and ten feet in height. Only one decorative feature is permitted per street frontage. See Figure 18.52-2.

- C. Clear Triangle. Walls and fences shall comply with clear triangle requirements in Section 18.92.080 (Intersection Site Distance).

Figure 18.52-2: Decorative Entry Features



18.52.050 - Exceptions to height limits.

The community development director may approve a minor exception (Section 18.108.070) to allow an increase to the maximum permitted height of a fence or wall as described below.

A. Open Space and Residential Estate Zoning Districts.

1. Within the open space and residential estate zoning districts, the community development director may grant a minor exception to increase the maximum height of a fence in the front setback area to a maximum six feet in height.
2. This exception applies only to open, wrought iron or decorative fences that are at least seventy percent open to the passage of light and air.
3. Chain link, chain link with wood or vinyl slats, solid board fences, or any other type of view obstructing fencing may not exceed three feet in height in the front setback area.

B. All Zoning Districts. The community development director may grant a minor exception to increase the maximum height of a fence or wall by two feet in the front setback area and one foot behind the front setback line in the following cases:

1. The topography of sloping sites or a difference in grade between adjoining sites warrants such increase in height to maintain privacy, security, or effectiveness of screening.
2. A property is located adjacent to public parks, other public spaces or adjacent to private common area parks and open space where an increase in fence or wall height would not unreasonably affect desirable views or vistas or the open space value of abutting sites.

18.52.060 - Materials.

The following fence and wall materials and types are prohibited unless otherwise approved by the planning commission:

- A. Residential zoning districts: Barbed wire, razor wire, chain link, sheet metal, and electric fences.
- B. Commercial zoning districts: Chain link and sheet metal fences. Barbed wire, razor wire and electric fences within the front setback area or where a property abuts a residential zoning district or residential land use designation.
- C. Industrial zoning districts: Barbed wire, razor wire, chain link, sheet metal and electric fences within the front setback area.

18.52.070 - Nonconforming fences and walls.

See Chapter 18.68 (Nonconforming Uses and Structures).

18.52.080 – Special fence and wall requirements

- A. Fence and Wall Design. Fences and walls shall be constructed of attractive, long-lasting materials (e.g., masonry, wood, tubular steel, fiberglass, or stone). Walls shall consist of a decorative design and/or be screened with landscaping.
- B. Public Frontage Fencing of Nonresidential and Multi-Family Projects. Where fencing is proposed along public frontages of nonresidential and multi-family projects, such fencing shall be open view unless otherwise required to be solid for noise attenuation. Open view fencing shall also be required when located adjacent to open space areas.
- C. Screening of Outdoor Storage. Outdoor storage shall be fenced or screened from view. Such screening shall utilize enclosures including, but not limited to, fences, walls, landscaping, or earthen berms. Screening shall be visually compatible with the primary buildings and landscape on the property.
- D. Screening for Commercial or Industrial Uses Adjacent to Residential Zones. Commercial and industrial uses shall be screened from adjacent residential zones by a decorative or landscaped masonry wall with a minimum height of seven (7) feet to screen the commercial or industrial use. This requirement is not intended to preclude the development of pedestrian/bicycle access points between commercial and residential.
- E. Screening of Loading Docks and Refuse Areas. Loading docks and refuse storage areas shall be screened from public view, adjoining public streets and rights-of-way, and residentially zoned areas. The method of screening shall be architecturally compatible with other on-site development in terms of colors and materials.
- F. Maintenance. Fences and walls shall be continuously maintained in an orderly and good condition.

Section 9. Section 18.56.040 (Lot Coverage Exceptions) of Chapter 18.56 (Height, Setback

and Lot Coverage Exceptions) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

The community development director may increase the maximum lot coverage requirement by up to ten percent with the approval of a minor exception. See Section 18.108.070 (Minor Exception).

Section 10. Section 18.68.070 (Nonconforming Structures) of Chapter 18.68 (Nonconforming Uses and Structures) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

This section identifies allowed modifications to nonconforming structures, summarized in Table 18.68-1.

Table 18.68-1: Allowed Modifications to Nonconforming Structures

Project Affecting a Nonconforming Structure	Permit Required [1]
Nonstructural repairs, maintenance, and interior alterations	None
Structural repairs, modifications, and additions that do not alter or affect the nonconforming aspect of the structure	None
Structural repairs, modifications, and additions that alter or affect the nonconforming aspect of the structure	Design Permit
Structural repairs, modifications, and additions that increase or exacerbate the nonconforming aspect of the structure	Conditional Use Permit
Reconstruction of an involuntarily damaged or destroyed residential structure	Design Permit

Notes:

[1] The proposed project may require permits and approvals for other reasons not related to its nonconforming status. For example, additions or enlargements to a single-family dwelling often requires a design permit.

A. Alterations Permitted By-Right.

1. Maintenance, nonstructural repairs, and nonstructural interior alterations to any portion of a nonconforming structure are permitted if the changes and improvements do not enlarge or extend the structure.

2. Structural modifications to a nonconforming structure that do not alter or affect the nonconforming aspect of the structure are permitted. For example, an addition to a structure with a non-conforming setback is permitted if no structural changes are made to the portion of the structure projecting into the required setback, and if the addition complies with all setback, height, floor area ratio, and other applicable development standards.
- B. Alterations Requiring a Design Permit.
1. Structural repairs and improvements that affect the nonconforming aspect of a nonconforming structure are allowed with a design permit if the improvement does not increase or exacerbate the nonconformity. For example, structural repairs to a building wall within a required setback are permitted with a design permit if the wall is not moved closer to the property line and the length of the wall within the required setback is not increased.
 2. To approve such an alteration, the community development director shall make all design permit findings (Section 18.108.040) in addition to the findings in Section 18.68.080 (Findings).
- C. Alterations Requiring a Conditional Use Permit
1. Alterations to a non-conforming structure that increase or exacerbate the nonconformity requires a conditional use permit. For example, a remodel that increases the length of an existing building wall located within a required setback is allowed only with the approval of a conditional use permit.
 2. To approve such an alteration, the planning commission shall make all variance findings (Section 18.108.100) in addition to the findings in Section 18.68.080 (Findings).
- D. Damage or Destruction. Except as allowed by Subsection E below, a nonconforming structure damaged or destroyed for any reason shall be brought into full compliance with the requirements of the zoning code if the cost of reconstruction exceeds fifty percent of its market value as determined by the county assessor on the last equalized assessment roll at the time of its destruction.
- E. Involuntary Damage or Destruction — Residential Structures.
1. If a legally established nonconforming building occupied by a residential use is damaged or destroyed by earthquake, fire, flood, or other calamity, the structure may be reconstructed as it existed and may be continued as a legal nonconforming structure with the approval of a design permit.
 2. "Reconstructed" means rebuilding a damaged or destroyed structure in a manner similar but not identical to the original structure. A reconstructed structure generally recreates the original building footprint, mass, and height, but may deviate from design details such as architectural design and the arrangement of doors, windows, and rooflines.

3. The city may attach conditions of approval as necessary to protect the public health, safety and welfare, including requirements to reduce or eliminate previously existing nonconformities.
 4. Reconstruction of damaged or destroyed buildings may not increase or exacerbate previously existing nonconformities or create new nonconformities.
 5. The construction of the replacement structure must begin within twenty-four months of the date of the calamity which damaged or destroyed the structure.
- F. Moved Structures. A nonconforming structure that is moved to a new location shall conform to all standards of the applicable zoning district.
- G. Nonconforming Screening, Fences, and Landscaping.
1. Legally established nonconforming screening, fences, and landscaping may continue and remain except as required by Paragraph 2 below.
 2. For additions or renovations that increase by twenty-five percent or more the floor area or market value of one or more buildings on a property, any nonconforming screening, fences, and landscaping shall be brought into compliance with the requirements of the applicable zoning district.

Section 11. Chapter 18.115 (General Plan Amendments) of Title 18 (Zoning) is hereby to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.115 – GENERAL PLAN AMENDMENTS

18.115.010 – Purpose.

This chapter establishes procedures for amending the General Plan text (e.g., goals, policies, or implementation programs) or to change the General Plan land use designation on any parcel(s).

18.115.020 – Initiation.

A General Plan Amendment may be initiated by motion of the Planning Commission or City Council, by application of property owner(s) of parcel(s) to be affected by the General Plan Amendment, or by recommendation of the Development Services Director to clarify text, address changes mandated by state law, maintain internal General Plan consistency, address boundary adjustments affecting land use designation(s), or for any other reason beneficial to the city.

18.115.030 Application.

An application for a general plan amendment shall be filed and reviewed in compliance with Chapter 18.104 (Common Permit Requirements). The application shall include the information and materials required by the development services department, together with all

required application fees. For amendments submitted by a resident, property owner, or business owner it is the responsibility of the applicant to provide evidence in support of the findings required by Section 18.115.060 (Findings for Approval).

18.115.040 – Planning commission hearing and action.

- A. General. The planning commission shall hold a public hearing on a proposed general plan amendment in compliance with Section 18.104.090 (Notice of Hearings).
- B. Recommendation of Approval. The planning commission may recommend to the city council the approval or conditional approval of the proposed general plan amendment, based upon the findings specified in Section 18.115.060 (Findings for Approval). The planning commission shall forward a written recommendation, and the reasons for the recommendation, to the city council within 90 days after the date the hearing was closed to the public. A recommendation for approval shall be made by a majority vote of the total membership of the planning commission.
- C. Denial. The planning commission may deny the proposed general plan amendment based upon the findings specified in Section 18.118.060 (Findings for Approval). For a land use diagram amendment, if the action of the planning commission is to recommend denial, the city council is not required to take further action on the proposed amendment unless an interested party requests a hearing in writing with the city clerk within ten days after the planning commission recommendation is filed with the city council.

18.115.050 – City council hearing and action.

- A. General. After receipt of the planning commission's recommendation to approve a proposed general plan amendment, the city council shall hold a public hearing on the proposal in compliance with Section 18.104.090 (Notice of Hearing).
- B. Approval or Denial. The city council may approve, conditionally approve, or deny the proposed general plan amendment based upon the findings specified in Section 18.115.060 (Findings for Approval).
- C. Finality of Action. The action by the city council shall be made by a majority vote of the total membership of the city council and shall be final and conclusive.
- D. Referral to Planning Commission. If the city council proposes to adopt a substantial modification to the general plan amendment not previously considered by the planning commission, the proposed modification shall be first referred to the planning commission for its recommendation.
- E. Failure to Report. The failure of the planning commission to report back to the city council within forty days after the reference, or within the time set by the city council, shall be deemed a recommendation of approval.

18.115.060 – Findings for approval.

The city council may approve a general plan amendment only if all of the following findings are made:

- A. The city council must find that the proposed amendment meets the letter and intent of the General Plan goals and policies.

18.115.070 – Effective date.

A General Plan Amendment becomes effective immediately following the approval of the resolution by the city council.

18.115.080 – Limitations on resubmittal after denial.

If the city denies a general plan amendment, the city may not accept an application for the same or substantially similar general plan amendment for one year following such denial, except in the following cases:

- A. Upon initiation by the city council or planning commission; or
- B. The application requests a different general plan land use designation than that previously requested.

18.115.090 – Frequency of amendment.

Pursuant to Government Code Section 65358, no mandatory element of the General Plan may be amended more frequently than four times during any calendar year. Subject to that limitation, an amendment may be made at any time and may include more than one change to the General Plan.

18.115.100 – Preliminary review.

- A. When Required. Prior to submittal of an application for a General Plan Amendment, an application must receive preliminary input from the planning commission on the proposed general plan amendment.
- B. Application. A preliminary review application for a proposed general plan amendment shall be submitted with the development services department in accordance with Chapter 18.104 (Common Permit Requirements). The application shall include, at a minimum, the following information and materials:
 1. A statement describing the proposed project and how it complies with the findings required for the approval of a general plan amendment in Section 18.115.060 (Findings for Approval).
 2. Project plans, diagrams, and graphics as needed to illustrate the overall development concept, including proposed land uses, buildings, circulation, open space, and any other significant elements in the project.

- C. Public Hearing. The planning commission shall consider the preliminary review application and a public hearing noticed in accordance with Section 18.104.090 (Notice of Hearing).
- D. Preliminary input.
 - 1. The planning commission shall provide preliminary input on project compliance with findings required for the approval of a General Plan Amendment in Section 18.115.060 (Findings for Approval).
 - 2. Planning commission input shall not be construed as a recommendation for approval or denial of the project. Any recommendation to the applicant is advisory only and shall not be binding on either the applicant or the city.

Section 12. Subsection G of Section 18.128.020 (Definitions) of Chapter 18.128 (General Terms) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

G. "G" Terms.

- 1. Garage, Private. An attached or detached accessory structure on a lot developed with a residential dwelling used by residents for the storage of passenger vehicles, and other vehicles and equipment permitted on the lot.
- 2. Garage, Public. A structure other than a private garage used for the storage, sale, hire, or care of motor vehicles.
- 3. General Plan. The general plan of the city of Morgan Hill, California.
- 4. Guest House. A building containing living space that is heated/cooled, with a full bath, without kitchen facilities, and used to house occasional visitors or nonpaying guests of the occupant of the primary dwelling unit. A guest house with a kitchen facility is considered a secondary dwelling unit.

Section 13. **Severability.** Should any provision of this ordinance be deemed unconstitutional or unenforceable by a court of competent jurisdiction, such provision shall be severed from the ordinance, and such severance shall not affect the remainder of the ordinance.

Section 14. **Effective Date; Posting.** This Ordinance shall take effect (30) days after the date of its adoption. The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 16th DAY OF DECEMBER 2020, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 20th DAY OF JANUARY 2021, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATE OF THE CITY CLERK ∞

I, MICHELLE BIGELOW, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2319, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 20th day of January 2021.

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

DATE: _____

MICHELLE BIGELOW, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Christina Turner, City Manager
APPROVED BY: City Manager

APPROVE CITY POSITION AND COMMUNICATION REGARDING VTA'S PROPOSED MEASURE B FUNDING REALIGNMENT, VALLEY WATER'S FUNDING OF PHASE 2A OF UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT AND FEDERAL STIMULUS SUPPORT FOR STATE AND LOCAL GOVERNMENTS

RECOMMENDATION(S)

1. Ratify City position and accept City communication sent to Santa Clara County Board of Supervisors regarding opposition of Valley Transportation Authority's (VTA) proposed 2016 Measure B 10-year outlook base scenario and funding realignment;
2. Authorize City Manager to communicate the City's position to Valley Transportation Authority Board when the matter is placed on its agenda;
3. Ratify City position and accept City communication sent to Valley Water in support of funding Phase 2A of the Upper Llagas Flood Control Protection Project; and
4. Ratify City position and accept City communication sent to Federal legislative representatives in support for economic stimulus for state and local governments.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Protecting the Environment and Preserving
Open Space and Agricultural Land
Maintaining Infrastructure
Preserving and Cultivating Public Trust
Advancing Regional Initiatives

2020-2021 Strategic Priorities

Fiscal Sustainability

GUIDING DOCUMENTS

Storm Drain Master Plan

REPORT NARRATIVE:

Per Resolution No. 20-010 (Attachment 1), the City Council recognizes occasional situations arise where communication indicating support or opposition on pending State, County, or other regional boards' legislation or action that could be important and may occur prior to the next scheduled City Council meeting. Under these circumstances, the Mayor or City Manager is delegated the authority to prepare, execute and transmit written or verbal communications indicating a City's position when any of the following criteria are met: a) the League of California Cities, or a similar organization, has requested the City to comment or take a position, b) the timing to express a position occurs prior to the next scheduled Council meeting, and c) the pending State, County,

or other regional boards' legislation or action clearly supports or clearly hinders the implementation or fulfillment of an adopted City Council Priority, Goal, or Strategy in a substantial manner such that it is in the best interest of the City to indicate its comment or position. When this occurs, a written report to the City Council for comment and acceptance is required at the next possible meeting.

VTA 2016 Measure B Funding Realignment Proposal

On December 15, 2020, County Board of Supervisors considered adoption of a resolution opposing the VTA's proposed 2016 Measure B 10-year Outlook Base Scenario. As outlined in the County's report (Attachment 2), in November 2020, VTA administration began presenting VTA Board of Directors' advisory committees with a proposed 2016 Measure B 10-Year Outlook Base Scenario, covering program allocations for Fiscal Year 2022 to Fiscal Year 2032. The assumptions underlying the Base Scenario include placing the BART Phase II project as the highest priority for the next ten years, providing it with first call on Measure B revenues, and proposing minimal bonding to fund BART Phase II, thereby eliminating, or significantly reducing investment in other Countywide programs such as congestion management, local streets and roads, bicycle and pedestrian, and transit operations, which would further result in increased costs due to delays. Mayor Rich Constantine communicated to the County Board of Supervisors to adopt the resolution to oppose the VTA's proposed 2016 Measure B funding realignment, and urging VTA to partner with the Countywide stakeholders, including the electorate that passed the Measure B with the expectations of repairs to local roadways and congestion relief (Attachment 3).

Valley Water Approval to Proceed with Phase 2A of Upper Llagas Creek Flood Protection Project

On January 12, 2021, Valley Water Board of Directors considered adoption of plans and specifications and authorization for bids for the phase 2A construction of the Upper Llagas Creek Flood Protection Project. The City and Valley Water partnered to deliver the phase 1, and continue to partner to deliver the next phases of the project. Phase 2 will be constructed in phase 2A and 2B. Phase 2A will be constructed in cooperation with the City's proposed Hale Avenue Extension project which the Council approved in November 2020. As outlined in the Valley Water report (Attachment 4), the Phase 2A consists of construction of a portion of Reach 8 from Ciolino Avenue upstream to approximately 300 feet north of the existing West Main Avenue and Hale Avenue intersection. Phase 2A includes construction of the proposed approximately 2,300 linear feet horseshoe-shaped underground high-flow diversion tunnel and approximately 1,600 linear feet of twin reinforced concrete box culverts upstream and downstream of the proposed tunnel. Construction will include traffic control, detours, road work, utility relocations and coordination, fencing, soil testing as required for off-site disposal, concrete and other miscellaneous work, community outreach and coordination. Construction is anticipated to take approximately three years to complete. Mayor Rich Constantine communicated to the Valley Water Board of Supervisors to approve their staff's recommendations to fund the project and begin construction on Phase 2A as quickly as possible, and further recommending that Phase 2B be prioritized in the near term (Attachment 5).

Federal Economic Stimulus Support for State and Local Governments (SLG)

In December 2020, as many of the economic and employment benefits made available under the CARES Act were set to expire, while COVID-19 pandemic was surging at its peak, the federal lawmakers considered and approved the next economic stimulus package. Mayor Rich Constantine communicated to our federal legislative representatives to approve the next economic stimulus support and asked that it include economic support for SLGs (Attachment 6). After lengthy negotiations, the congress passed a \$900 billion package to include direct stimulus payments, unemployment benefits, small business administration loans through paycheck protection program, funding for school and childcare, rental assistance, and funding for vaccine purchase and distribution. Unfortunately, the approved package did not include the proposed \$160 billion support for SLGs. Staff continue to work with Cal Cities and National League of Cities to advocate for the need of economic support for SLGs.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community on City positions/communications which directly impact the City of Morgan Hill.

ALTERNATIVE ACTIONS:

The City Council could rescind positions taken.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

City Council periodically ratifies City positions on various pending State, County or other regional board legislations or actions that have a direct impact on the City of Morgan Hill.

In November 2020, the City Council approved the Hale Avenue Extension Project, which will be constructed in conjunction with the Phase 2A of the Valley Water's Upper Llagas Creek Flood Control Protection Project.

FISCAL AND RESOURCE IMPACT:

If VTA approves the proposed 2016 Measure B funding realignment, it could negatively impact the City's street CIP program.

Staff has previously reported the COVID-19 fiscal impact to be estimated at \$18 million since the start of the pandemic to a full economic recovery expected by fiscal year 2021-22. Since the pandemic continues to surge, additional fiscal impact is expected. Staff continue to closely monitor the budgetary impacts.

Tracking legislation is an activity included in the annual workplan of the City Manager's Office.

CEQA (California Environmental Quality Act):

Not a Project – administrative action/activity without an impact.

LINKS/ATTACHMENTS:

1. Resolution - 20-010

2. County BOS - December 15, 2020 - Staff Report Consideration Resolution Opposing VTA Proposal (weblink)
3. Mayor Letter to SCC - Regarding VTA Matter
4. Valley Water - January 12, 2021 Agenda Item: Phase 2A of Upper Llagas Creek Flood Protection Project (weblink)
5. Mayor Letter for 210112 Phase 2A Board Approval
6. City of Morgan Hill Letter - Stimulus for SLG

RESOLUTION NO. 20-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AUTHORIZING THE MAYOR OR CITY MANAGER TO PREPARE, EXECUTE AND TRANSMIT COMMUNICATIONS INDICATING A POSITION ON PROPOSED STATE, COUNTY, OR OTHER REGIONAL BOARDS' LEGISLATION OR ACTION ON CERTAIN MATTERS THAT MAY HAVE IMPACTS UPON THE CITY IN CERTAIN CIRCUMSTANCES AND DIRECTING A REPORT BACK TO CITY COUNCIL ON ANY SUCH COMMUNICATIONS TRANSMITTED. (THIS RESOLUTION RESCINDS RESOLUTION NO. 6851)

WHEREAS, the City of Morgan Hill, a municipal corporation and general law city duly organized and existing under and pursuant to the Constitution and laws of the State of California ("City"), is authorized to indicate City's position on proposed legislation of the State of California and is sometimes requested to so indicate City's position on such legislation for the benefit of the City; and

WHEREAS, the reasons supporting the adoption of this Resolution are set forth in detail in that certain City Council Staff Report submitted for City Council consideration at its meeting of February 5, 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

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

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

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

Section 2. Approval and Authorization. The City Council prefers, whenever possible, that determinations on whether to take a position on pending State, County, or other regional boards' legislation or action be brought before the City Council as a whole for consideration and action. However, the City Council recognizes that occasional, limited situations arise where communications indicating support or opposition on pending State, County, or other regional boards' legislation or action that could be important to City are requested from cities within timeframes that have deadlines occurring prior to the next scheduled meeting of the City Council as a whole at which the City Council could consider and determine City's position on such pending legislation. For these reasons, the City Council does further resolve, order and/or direct as follows:

- a. That the Mayor and/or the City Manager is delegated authority to and is authorized to prepare, execute and transmit written or verbal communications indicating a City position on proposed pending State, County or other regional boards' legislation or action that may have impacts upon City when any of the following criteria are met:
 - i. The League of California Cities, or a successor or similar organization, has requested City comment or position on a piece of pending legislation or action, or the City has otherwise become aware of such pending legislation or action;
 - ii. A public hearing and an opportunity for City to comment or take a position upon such pending legislation or action is occurring in a timeframe and with a deadline to comment or express a position that occurs prior to the next scheduled meeting of the City Council at which the City Council could consider and determine City's comment or position on such pending legislation or action; or
 - iii. The pending legislation or action clearly supports or clearly hinders the implementation or fulfillment of an adopted City Council Priority, Goal or Strategy in a substantial manner such that it is in the best interests of City to indicate its comment or position on such pending legislation or action.
- b. That the Mayor and/or City Manager is hereby directed to provide a written report to the City Council for the Council's comment and acceptance at the City Council's next possible meeting whenever the Mayor or City Manager prepares, executes and transmits a communication indicating a comment or position on pending legislation or action pursuant to the authority delegated under this Resolution, which report shall include a copy of such pending legislation or action, and the comment or position transmitted.

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

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 5th day of February 2020 by the following vote:

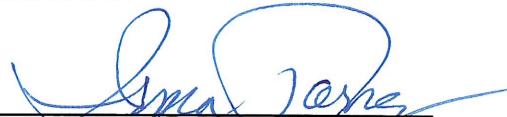
AYES:	COUNCIL MEMBERS:	Yvonne Martinez Beltran, Rene Spring, John McKay, Larry Carr, Rich Constantine
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

APPROVED:



RICH CONSTANTINE, Mayor

ATTEST:



IRMA TORREZ, City Clerk

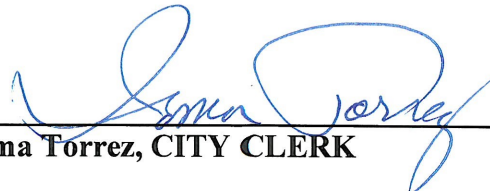
∞ CERTIFICATION ∞

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. 20-010, adopted by the City Council at the meeting held on the 5th day of February 2020.

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

DATE:

3/3/2020



Irma Torrez, CITY CLERK

December 14, 2020

Santa Clara County Board of Supervisors
70 West Hedding Street
East Wing, 10th Floor
San Jose, CA 95110

Re: Agenda Item 18 – December 15, 2020 BOS Meeting

Dear Board of Supervisors,

This item is written in response to Item 18 on the Board Agenda for December 15, 2020 titled “Adopt Resolution opposing the Valley Transportation Authority's Proposed 2016 Measure B 10-Year Outlook Base Scenario”.

In 2016, the City’s elected officials adamantly supported the development and passage of the Measure B sales tax. That support has just begun to pay off and allow the City of Morgan Hill residents to see firsthand the difference that Measure B has made in our community. The Local Streets and Roads funding has helped to halt the deterioration of our City roadways for the last two years. Measure B has brought to fruition the long-anticipated Hale Avenue Extension Project for which the City and County had been working on for decades. Our City is actively pursuing bikeway and innovative transit grant funding as well. Measure B has been transformative.

The City would like to thank the VTA staff who have worked diligently on ensuring these funds are allocated in an expedited manner to our communities. They have done great work and the partnership is very highly valued.

However, the City elected officials and staff have become alarmed at the possibility of local roads funding and other grant funding being deferred for up to a decade to allow the Bart Project to move forward. A base scenario where most Measure B funds are directed to BART for 10 years has been shared in draft format. This scenario leaves significantly reduced or no Measure B funds for the other critical programs for a 10-year period. This scenario has been opposed by communities throughout the County. However, the City also understands the VTA staff have heard our concerns and the City is hopeful that when the item formally comes to the VTA Board in 2021 these concerns will be addressed.

We strongly urge the VTA to proceed with great care to ensure the trust of the electorate that passed Measure B with the expectation of repairs to local roadways and congestion relief for the area. We understand that the VTA staff intends to bring this item forward to the VTA Board of Directors in early 2021. Given the extreme concern Countywide, we ask and anticipate that significant countywide engagement occur prior to any vote on this issue.



OFFICE OF THE MAYOR
17555 PEAK AVENUE
MORGAN HILL, CA 95037
PHONE 408-776-7382
FAX 408-779-3117

3.c

WWW.MORGANHILL.CA.GOV

The City of Morgan Hill looks forward to partnering with the VTA, County and other Cities to find the best path forward.

Sincerely,

Rich Constantine, Mayor

CC: Nuria Fernandez, General Manager, VTA
Morgan Hill City Council
Christina Turner, City Manager
Chris Ghione, Public Services Director

Attachment: Mayor Letter to SCC - Regarding VTA Matter (2974 : Ratify City position on Measure B realignment and Valley Water ULCFPP



January 8, 2021

Valley Water
Board of Directors
5750 Almaden Expressway
San Jose, CA 95188

Dear Board of Directors,

As you are aware, the City of Morgan Hill has partnered with Valley Water for decades on the Upper Llagas Creek Flood Protection Project. The City is very appreciative of the Phase 1 work south of the City. This work is a huge achievement. Approval to move forward with Phase 2A of the Project will continue to move the City towards the desperately needed flood protection for our community. The Morgan Hill City Council and staff fully support moving forward with this project and are committed to supporting Valley Water in this endeavor.

While the City understands that Phase 2B of the Project will be required to provide the needed flood control to the City, continuing the progress by moving forward with Phase 2A is a step in the right direction. The staff at Valley Water have made outstanding progress on the Project in the recent years and with permits and designs ready we must keep the project moving forward. The City has jointly planned its Hale Avenue Extension with the Project to allow staging and construction work for the Project to occur ahead of the Hale Avenue Construction. Delay would cause significant expense increases for Valley Water as the Hale Avenue work must continue.

The City of Morgan Hill urges the Board of Directors to approve the staff recommendation to fund the Project and begin construction on Phase 2A as quickly as possible. The City further recommends that funding for Phase 2B be prioritized in the near term, as completion of this long-awaited project is finally in reach.

Thank you for your time and consideration.

Sincerely,

Rich Constantine, Mayor

CC: Morgan Hill City Council
Christina Turner, City Manager
Chris Ghione, Public Services Director



17575 Peak Avenue
Morgan Hill, CA 95037-4128
TEL: (408) 779-7271
FAX: (408) 779-3117
www.morganhill.ca.gov

December 9, 2020

Senator Dianne Feinstein
United States Senate
Washington, DC 20510

Vice President Elect Kamala Harris
United States Senate
Washington, DC 20510

Representative Zoe Lofgren
U.S. House of Representatives
Washington, DC 20510

Dear Senator Dianne Feinstein, Vice President Elect Kamala Harris, and Representative Zoe Lofgren,

On behalf of the City of Morgan Hill community, we thank you for your efforts in passing Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act provided local governments the needed funding assistance to meet the immediate needs brought on by the COVID-19 pandemic, however since passage of CARES Act, the pandemic has continued to evolve and the number of cases and deaths continue to rise across the world.

The City of Morgan Hill received, through State of California's allocation, approximately \$574,000 in CARES Act monies. The allocation was used to offset City's costs of providing economic support, unemployment benefits, improving telework capabilities, and covering public health related expenditures, totaling \$691,000, just through June 30, 2020. As the COVID-19 pandemic continues to evolve, the City projects spending an additional \$816,000 just through December 2020 on related expenditures. Nationwide, less than 10% of Coronavirus Relief Fund (CRF) monies have been passed by states to local governments with populations under 500,000. Approximately 70% of CRF funds for states have already been obligated by state governments and are unavailable to local governments. Therefore, federal support is necessary. The shutdown was bipartisan, the national response was bipartisan, recovery has been bipartisan, and a final legislative package must also be bipartisan. This next relief package must include proposals developed in close coordination with local government associations to provide fair and equitable funding to every county and local government, at levels appropriate to our needs, with reasonable guardrails to protect the taxpayer, and with minimal additional burden on the state and local government.

Since the start of the pandemic, the City of Morgan Hill is projecting revenue declines of approximately \$7 million in current fiscal year 2020-21, and \$18 million over a three fiscal-year period while additional expenditures – including PPE, remote work technology and overtime pay for essential employees – have increased over the same period, adding to the budget gaps. With the COVID-19 cases on the rise again across the nation, states and local governments are enacting stricter stay-at-home orders, as no vaccine has yet been approved, let alone readily available. This means further lockdown of the economy, resulting in additional declines in crucial revenues for the cities.

We are writing to implore you to reach a bipartisan deal on legislation to prevent catastrophic economic harm that would result if Congress does not pass additional emergency relief before adjourning for the year.

Thank you for your commitment to serve and represent the constituents of the State of California.

Sincerely,



Rich Constantine
Mayor
City of Morgan Hill



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Inga Alonzo, Management Analyst
APPROVED BY: City Manager

APPROVE AGREEMENT WITH BLACK & VEATCH FOR RISK AND RESILIENCY ASSESSMENT (RRA) AND EMERGENCY RESPONSE PLAN (ERP) SERVICES

RECOMMENDATION(S)

Approve and authorize the City Manager to execute and administer an agreement with Black & Veatch Corporation in the amount of \$143,880 for the development of a Risk and Resilience Assessment and Emergency Response Plan.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Infrastructure

GUIDING DOCUMENTS

Water System Master Plan

REPORT NARRATIVE:

Background

On October 23, 2018, America's Water Infrastructure Act (AWIA) was signed into law. AWIA Section 2013 requires community (drinking) water systems serving more than 3,300 people to develop or update risk and resilience assessments (RRA's) and emergency response plans (ERPs). The law specifies the components that the RRAs and ERPs must address and establishes deadlines by which water systems must certify to the United States Environmental Protection Agency (EPA) completion of the risk assessment and ERP. The deadline for Morgan Hill's risk assessment is June 30, 2021 and the deadline for the ERP is December 31, 2021.

The Risk and Resilience assessment must include the following:

1. The risk to the system from malevolent acts and natural hazards;
2. The resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
3. The monitoring practices of the system;
4. The financial infrastructure of the system;
5. The use, storage, or handling of various chemicals by the system; and
6. The operation and maintenance of the system.

The assessment may include an evaluation of capital and operational needs for risk and resilience management for the system.

No later than six months after certifying completion of its risk and resilience assessment, each system must prepare or revise, where necessary, an emergency response plan that incorporates the findings of the assessment. The plan must include:

1. Strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;
2. Plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. Actions, procedures, and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes and construction of flood protection barriers; and
4. Strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

Community water systems must, to the extent possible, coordinate with local emergency planning committees established under the Emergency Planning and Community Right-To-Know Act of 1986 when preparing or revising an assessment or emergency response plan under the AWIA. Further, systems must maintain a copy of the assessment and emergency response plan for five years after certifying the plan to the EPA.

Consultant Selection:

Staff solicited Request for Qualifications (RFQ) from qualified consultants. The RFQ was emailed to five known consultants. Additionally, the RFQ was posted to the City website in November 2020 for a period of three weeks. The City received seven responsive submittals.

Staff requested proposal submittals via two separate electronic documents; the first for consultant qualifications and the second for the consultant schedule of costs. An evaluation panel made up of City staff members rated each qualification submittal based on experience and qualifications. Raters scored a maximum of 100 points in four categories including responsiveness and understanding of the City's objectives, technical qualifications and experience, demonstrating the ability to effectively plan and execute the project, and team experience and references. Scores from the evaluators were then averaged into the overall weighted scores (Attachment 1). It was determined by the evaluation team that Black & Veatch was the overall most qualified consultant for this project and therefore recommends that they be awarded this project.

COMMUNITY ENGAGEMENT: Not Applicable

This project supports the ongoing operation of the City's water system, which is an expected activity by residents and businesses.

ALTERNATIVE ACTIONS:

As stated in the narrative, the Risk and Resilience Assessment and Emergency Response Plan is part of a Federal requirement for water systems serving more than 3,300 people. The City Council could choose to not approve the proposed agreement and direct staff to issue a new RFQ or take on the work internally. This is not recommended as having a highly qualified consultant prepare the assessment and emergency response plan will meet federal requirements and provide a useful planning tool for the security of the City's systems.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None.

FISCAL AND RESOURCE IMPACT:

This project will be funded through the Water Operations Fund (650). There are adequate funds budgeted and available for this project.

CEQA (California Environmental Quality Act):

Not a Project.

The development of the assessment and emergency response plan is an administrative activity and is not considered a project for environmental review under CEQA.

LINKS/ATTACHMENTS:

1. RRA and ERP Average Weighted Scores
2. BV -City Standard Consultant Agreement - Executed

Title: Risk and Resilience and Emergency Response Plan RFQ

	LaForge & Associates	IMEG Corp.	Luhdroff & Scalmanini	AARC Consultants	Mott McDonald	Black &Veatch	Launch! Consulting
1. <u>Responsiveness</u> Quality, conciseness, completeness, and relevance of the proposal - demonstrating an understanding of the City's objectives and the ability to meet the City's needs.							
POINTS 20	15.33	12.00	15.00	18.00	15.00	17.00	14.33
2. <u>Qualifications and experience</u> of the Consultant and responsible personnel assigned to the project.							
POINTS 30	19.67	19.67	22.00	27.00	21.00	28.33	23.00
3. <u>Work Plan and Approach</u> demonstrating the ability to effectively plan and execute the project in a timely manner.							
POINTS 30	24.33	20.67	22.33	24.67	21.00	28.67	21.33
4. <u>Team Experience and References.</u> Completion of similar projects. Familiarity with policies and procedures related to the							
POINTS 20	13.00	12.33	14.67	19.00	14.00	19.33	17.33
OVERALL WEIGHTED SCORE	72.33	64.67	74.00	88.67	71.00	93.33	75.99

CONSULTANT AGREEMENT BLACK & VEATCH CORPORATION

THIS AGREEMENT is entered into and becomes effective on _____ (Effective Date), by and between the CITY OF MORGAN HILL, a municipal corporation, ("CITY"), and Black & Veatch Corporation a Delaware corporation duly authorized to do business in California and will remain so during the term of this Agreement ("CONSULTANT"), hereinafter referred to collectively as "Parties." In consideration of the promises and the mutual covenants contained in this Agreement, the Parties agree as follows:

1. **City Authority.** This Agreement is entered into pursuant to the action of the Morgan Hill City Council taken on _____, _____, 20____.
2. **Term of Agreement.** This Agreement shall cover services rendered from the Effective Date of this Agreement until June 30, 2022 at which time CONSULTANT'S services shall be completed. The City Manager is authorized to extend the term of this Agreement for a maximum period of one year. Any such extension shall be in writing and signed by both Parties to this Agreement.
3. **Scope of Service.** The services to be performed by CONSULTANT shall be a Risk and Resilience Assessment and Emergency Response Plan as further described in **Exhibit A.**
4. **Compensation.** CONSULTANT shall be compensated as follows:
 - 4.1. **Amount.** \$143,880.00. Total compensation to CONSULTANT under this Agreement during its initial term set forth in Section 2 above shall not exceed One Hundred Forty-Three Thousand, Eight Hundred Eighty dollars and shall be billed based on the rate and basis set forth in **Exhibit B.** If the City Manager extends the term of this Agreement for up to one year pursuant to the provisions of Section 2 above, the City Manager shall have the authority to increase the maximum compensation allowed to be paid to CONSULTANT during that extended term period, so long as City Council has appropriated sufficient funds therefor, the Parties mutually agree to such amount in a writing signed by both Parties to this Agreement and provided further that in no event shall such maximum compensation allowed for the extended term exceed the City Manager's authority pursuant to Chapter 3.04 of the Morgan Hill Municipal Code, unless otherwise authorized by City Council.
 - 4.2. **Billing.** CONSULTANT shall provide CITY with an invoice containing the dated, detailed, and itemized descriptions of all services performed and expenses incurred (if such expenses are reimbursable pursuant to Exhibit B) by CONSULTANT on a monthly basis unless otherwise specified in Exhibit B. All invoices shall be sent to the CITY addressed to the department head or project manager identified below in Section 13 Notices. Any rate charged shall be prorated where services are interrupted or not provided for any rate period (for example, any monthly rate charge should be prorated when services were interrupted or provided for only part of the month). For services billed on an hourly rate, the minimum unit of billed time shall not exceed one tenth of one hour. CITY shall pay for services and expenses (if so provided in Exhibit B) up to the limit of compensation set forth above, that in the CITY's judgment were necessary and reasonable. Services for work performed and expenses incurred in excess of the total compensation set forth in paragraph 4.1 above shall be at no cost to CITY.
5. **Termination.** CITY or CONSULTANT shall have the right to terminate this Agreement, without cause, by giving thirty (30) days' written notice or less under urgent circumstances. Upon such termination, CONSULTANT shall submit to CITY an itemized statement of services performed for which compensation has not been paid. CITY may require CONSULTANT to complete certain work product or documents and

CONSULTANT shall deliver to CITY all documents in its possession without additional compensation to CONSULTANT. The City Manager of CITY is authorized to terminate this Agreement, in whole or in part, on behalf of CITY.

- 5.1. **Non-Appropriations.** Notwithstanding anything contained in this Agreement to the contrary, if insufficient funds are appropriated, or funds are otherwise unavailable in the budget for CITY for any reason whatsoever in any fiscal year, for payments due under this Agreement, CITY will immediately notify CONSULTANT of such occurrence, and this Agreement shall terminate after the last day during the fiscal year for which appropriations shall have been budgeted for CITY or are otherwise available for payments.

6. **Performance of Work.** CONSULTANT represents that it is qualified by virtue of experience, training, education, and expertise to accomplish these services. Services shall be performed by CONSULTANT in accordance with professional practices in a manner consistent with a level of care, competence and skill exercised by qualified members of the CONSULTANT'S profession. By delivery of completed work, CONSULTANT certifies that the work conforms to the requirements of this Agreement and all applicable federal, state and local laws. CONSULTANT shall perform all work and services under this Agreement in conformance with the time schedule set forth on Exhibit C, "Schedule of Performance," attached hereto and incorporated herein by this reference. CITY's City Manager is authorized on behalf of CITY to modify the timeframes set forth on the Schedule of Performance within the term of this Agreement. If CONSULTANT desires to leave or store any of CONSULTANT's equipment at a CITY site while CONSULTANT is performing work or service pursuant to this Agreement, CONSULTANT will first obtain the consent of CITY's City Manager, or his/her delegate, to do so, and any such storage shall occur only in the manner and location allowed by such CITY official and entirely at CONSULTANT's sole risk.

7. **Insurance Requirements.** CONSULTANT shall procure and provide proof of the insurance coverage required by this section in the form of certificates and endorsements. The required insurance must cover the activities of CONSULTANT, including its subcontractors, employees and agents, relating to or arising from the performance of any work or service under this Agreement, and must remain in full force and effect at all times during the period covered by this Agreement. The coverages may be arranged under a single policy for the full limits required or by a combination of underlying policies with the balance provided by excess or "umbrella" policies, provided each such policy complies with the requirements set forth herein. Any deductibles or self-insured retentions must be declared to and approved by City. CONSULTANT further understands that the CITY reserves the right to modify the insurance requirements set forth herein, with thirty (30) days' notice provided to CONSULTANT, at any time as deemed necessary to protect the interests of the CITY.

7.1. **Insurance Types and Amounts.**

7.1.1. **Commercial General Liability (CGL).** CONSULTANT shall maintain CGL against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

7.1.2. **Automobile Liability.** CONSULTANT shall maintain Automobile Liability covering all owned, non-owned and hired automobiles (if CONSULTANT does not own automobiles, then CONSULTANT shall maintain Hired/Non-owned Automobile Liability) against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00)

combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

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

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

7.1.5. Professional Liability.

7.1.5.1. If the performance of CONSULTANT's work or service under this Agreement involves professional and/or technical services (examples include, but are not limited to, architects, engineers, land surveyors, and appraisers), CONSULTANT shall procure and maintain either a claims made or occurrence Errors and Omission liability insurance in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. Further, if CONSULTANT maintains a claims-made policy, CONSULTANT shall provide written evidence of such insurance to the CITY for at least five (5) years after the completion of work performed under this Agreement.

7.1.5.2. If the performance of CONSULTANT's work or service under this Agreement relates to Information Technology or related services (examples include, but are not limited to computer programmers, software designers, hardware engineers, or other systems consultants), CONSULTANT shall procure and maintain a claims made Errors and Omission liability insurance, including Cyber Liability and Data Breach, in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

- 7.1.6. **Sexual Abuse/Molestation Liability (SML)**: If the performance of CONSULTANT's work or service under this Agreement involves contact with minors, CONSULTANT shall procure and maintain Sexual Abuse and Molestation insurance in the minimum amount of: (i) two hundred thousand dollars (\$200,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.
- 7.2. **Endorsements**. CONSULTANT shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below:
- 7.2.1. **General Liability and pollution liability (when pollution liability applies)**.
- 7.2.1.1. The City of Morgan Hill, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers are named as additional insureds;
- 7.2.1.2. the insurer waives the right of subrogation against the City of Morgan Hill and the CITY's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers; and,
- 7.2.1.3. insurance shall be primary non-contributing.
- 7.2.2. **Workers Compensation**.
- If the performance of CONSULTANT'S work or service under this Agreement involves access to or activity on any property or premises owned or occupied by the CITY, including, but not limited to, CONSULTANT'S presence during site visits and meetings, then insurer waives the right of subrogation against the City of Morgan Hill and the CITY's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.
- 7.3. **Qualification of Insurers**. All insurance required pursuant to this Agreement must be issued by a company licensed and admitted, or otherwise legally authorized to carry out insurance business in the State of California, and each insurer must have a current A.M. Best's financial strength rating of "A" or better and a financial size rating of "VII" or better.
- 7.4. **Certificates**. CONSULTANT shall furnish CITY of Morgan Hill with copies of all certificates as outlined herein, whether new or modified, promptly upon receipt. In the event of a claim or legal action, CONSULTANT shall promptly furnish CITY of Morgan Hill with copies of all policies outlined herein. No policy subject to the CONSULTANT's agreement with the CITY shall be canceled or materially changed except after thirty (30) days' notice by the insurer to CITY. A "material change" is a change that results in non-compliance with any insurance requirements in this section 7. Certificates, including renewal certificates, may be mailed electronically to riskmgmt@morganhill.ca.gov or delivered to the Certificate Holder address provided herein.

Certificate Holder address:

City of Morgan Hill
Attn: Risk Management
17575 Peak Avenue

Morgan Hill, CA 95037

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

9. **Compliance with Law.**

9.1. CONSULTANT and its officers, employees, agents, and subcontractors shall comply with all applicable laws, ordinances, administrative regulations, and permitting requirements in carrying out their obligations under this Agreement. CONSULTANT and its officers, employees, agents, and subcontractors covenant there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, sexual orientation, national origin, mental disability, physical disability, medical condition, or ancestry, in any activity pursuant to this Agreement.

9.2. Compliance with Wage and Hour Laws: Consultant, and any subcontractor it employs to complete work under this Agreement, shall comply with all applicable federal, state and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act and the California Labor Code.

Final Judgments, Decisions, and Orders: For purposes of this Section, a “final judgment, decision, or order” refers to one for which all appeals have been exhausted or the time to appeal has expired. Relevant investigatory government agencies include: the federal Department of Labor, the California Division of Labor Standards Enforcement, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws.

Prior Judgments against CONSULTANT and/or its Subcontractors: BY SIGNING THIS AGREEMENT, CONSULTANT AFFIRMS THAT IT HAS DISCLOSED ANY FINAL JUDGMENTS, DECISIONS OR ORDERS FROM A COURT OR INVESTIGATORY GOVERNMENT AGENCY FINDING – IN THE FIVE (5) YEARS PRIOR TO EXECUTING THIS AGREEMENT – THAT CONSULTANT OR ITS SUBCONTRACTOR(S) HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONSULTANT FURTHER AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) HAS SATISFIED AND COMPLIED WITH – OR HAS REACHED AGREEMENT WITH THE CITY REGARDING THE MANNER IN WHICH IT WILL SATISFY – ANY SUCH JUDGMENTS, DECISIONS OR ORDERS.

Judgments or Decisions During Term of Contract: If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that CONSULTANT or an subcontractor it employs to perform work under this Agreement has violated any applicable wage and hour law, or CONSULTANT learns of such a judgment, decision, or order that was not previously disclosed, CONSULTANT shall inform the City Attorney, no more than fifteen (15) days after the judgment, decision or order becomes final or of learning of the final judgment, decision or order. CONSULTANT and its subcontractors shall promptly satisfy and comply with any such judgment, decision, or order, and shall provide the City Attorney with documentary evidence of compliance with the final judgment, decision or order within five (5) days of satisfying the final judgment, decision or order. The City reserves the right to require CONSULTANT to enter into an agreement with the City regarding the manner in which any such final judgment, decision, or order will be satisfied.

City's Right to Withhold Payment: Where CONSULTANT or any subcontractor it employs to perform work under this Agreement has been found in violation of any applicable wage and hour law by a final judgment, decision or order of a court or government agency, the City reserves the right to withhold payment to CONSULTANT until such judgment, decision or order has been satisfied in full.

Material Breach: Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

Notice to City Related to Wage Theft Prevention: Notice provided to the City Attorney as required under this Section shall be addressed to: City Attorney, City of Morgan Hill, 17575 Peak Avenue, Morgan Hill, CA 95037. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

10. **Independent Contractor**. CONSULTANT is an independent contractor and not an agent or employee of CITY.
11. **Confidentiality**. All data, documents, or other information received by CONSULTANT from CITY or prepared in connection with CONSULTANT'S services under this Agreement are deemed confidential and shall not be disclosed to any third party by CONSULTANT without prior written consent by CITY.
12. **Conflict of Interest and Reporting**. CONSULTANT shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.
13. **Notices**. All notices shall be personally delivered or mailed, via first class mail to the below listed address. These addresses shall be used for delivery of service of process. Notices shall be effective five (5) days after date of mailing, or upon date of personal delivery.

Address of CONSULTANT is as follows:

Black & Veatch Corporation
2999 Oak Road #490
Walnut Creek, CA 94597

Address of CITY is as follows:

Engineering and Utilities Dept.	with a copy to:
City of Morgan Hill	City Clerk
17575 Peak Avenue	City of Morgan Hill
Morgan Hill, CA 95037	17575 Peak Avenue
	Morgan Hill, CA 95037

14. **Licenses, Permits and Fees**. CONSULTANT shall obtain a City of Morgan Hill Business License, all permits and licenses to the extent required by ordinances, codes and regulations of the federal, state and local government.
15. **Consultant's Proposal**. If applicable, this Agreement shall include CONSULTANT'S proposal or bid which is incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.

16. **Maintenance of Records.**

- 16.1. **Maintenance.** CONSULTANT shall prepare, maintain, and preserve all reports and records that may be required by federal, state, and CITY rules and ordinances related to services provided under this Agreement. CONSULTANT shall maintain records for a period of at least 3 years after receipt of final payment under this Agreement. If any litigation, claim, negotiation, audit exception, or other action relating to this Agreement is pending at the end of the 3-year period, then CONSULTANT shall retain said records until such action is resolved.
- 16.2. **Access to and Audit of Records.** The CITY shall have the right to examine, monitor and audit all records, documents, conditions, and activities of the CONSULTANT and its subcontractors related to services under this Agreement. Pursuant to Government Code Section 8546.7, if this Agreement involves the expenditure of public funds in excess of \$10,000, the Parties to this Agreement may be subject, at the request of the CITY or as part of any audit of the CITY, to the examination and audit of the State Auditor pertaining to matters connected with the performance of this Agreement for a period of three years after final payment under the Agreement.
- 16.3. **Ownership of Work Product.** All documents or other information developed or received by CONSULTANT for work performed under this Agreement shall be the property of CITY. CONSULTANT shall provide CITY with copies of these items upon demand or upon termination of this Agreement.

17. **Familiarity with Work.** By executing this Agreement, CONSULTANT represents that: (1) it has investigated the work to be performed; (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the difficulties and restrictions of the work under this Agreement. Should CONSULTANT discover any conditions materially differing from those inherent in the work or as represented by CITY, it shall immediately inform CITY and shall not proceed, except at CONSULTANT'S risk, until written instructions are received from CITY.

18. **Time of Essence.** Time is of the essence in the performance of this Agreement.

19. **No Assignment.** Neither this Agreement nor any portion shall be assigned by CONSULTANT, without prior written consent of CITY. Any attempted assignment not first approved by CITY shall be void and, at CITY's option, shall terminate this Agreement effective as of the date of such attempted assignment.

20. **Attorney Fees.** In any legal action, dispute or arbitration arising out of or relating to this Agreement, the prevailing party shall be entitled to an award of its reasonable attorney fees, costs and expenses incurred.

21. **Defense and Indemnification.**

21.1. **Defense and Indemnification for Design Professional Services.** Consistent with California Civil Code Section 2782.8, for design professional services to be performed under this agreement by a design professional, as that term is defined under said Section 2782.8, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors

in performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement ("CLAIM") to the extent of CONSULTANT'S proportionate percentage of fault.

21.2. Defense and Indemnification for Non-Design Professional Services. For all services performed under this agreement not covered by Section 21.1 above, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the performance of this Agreement or the failure to comply with any obligations contained in this Agreement by CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors ("CLAIM").

21.3. Exceptions. CONSULTANT is not required to indemnify INDEMNITEES against liability for bodily injury, property damage or personal injury, or any other loss, damage or expense arising from the sole negligence, active negligence, or willful misconduct of the CITY.

21.4. Not limited by insurance. The indemnity, defense and hold harmless provisions of this Agreement apply to all CLAIMs alleged against an INDEMNITEE, regardless of whether any insurance policies are applicable. Policy limits do not act as a limitation upon the amount of indemnification or defense to be provided by CONSULTANT.

21.5. Right to Offset. CITY shall have the right to offset against any compensation due CONSULTANT under this Agreement any amount due CITY from CONSULTANT as a result of CONSULTANT's failure to pay CITY promptly any indemnification arising under this Section (21) and any amount due CITY from CONSULTANT arising from CONSULTANT's failure either to (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.

21.6. Interpretation. This Section shall constitute an agreement or contract of indemnity, incorporating the interpretations under California Civil Code Section 2778. It is expressly understood and agreed that the obligation of the CONSULTANT to indemnify the INDEMNITEE shall be as broad and inclusive as permitted by the laws of the State of California and shall survive termination of this Agreement.

22. Entire Agreement; Modification; Conflicting Provisions. This Agreement constitutes the entire Agreement between the Parties and supersedes any previous agreements, oral or written. This Agreement may be modified or provisions waived only by a subsequent mutual written agreement executed by CITY and CONSULTANT. If the provisions contained in the main body of this Agreement conflict with any provision contained in an exhibit to this Agreement, the provisions of the main body of this Agreement shall govern and control over any provision contained in an exhibit to this Agreement.

23. Governing Law and Venue. This Agreement shall be construed in accordance with the laws of the State of California. This Agreement was entered into and is to be performed in the County of Santa Clara. Any action or dispute arising out of this Agreement shall only be brought in Santa Clara County.

24. Interpretation. This Agreement is a negotiated document and shall be deemed to have been drafted jointly by the Parties, and no rule of construction or interpretation shall apply against any particular Party based on a contention that the Agreement was drafted by one of the Parties including, but not limited to, California Civil Code § 1654, the provisions of which are hereby waived. This Agreement shall be construed and interpreted in a neutral manner.

25. **Preservation of Agreement.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the rest of the Agreement shall remain in full force and effect and shall in no way be affected or invalidated.

26. **Binding Agreement.** Notwithstanding the provisions of Section 19 above, this Agreement shall bind any and all successors in interest, legal representatives and/or other permitted assignees or transferees of CONSULTANT in the same manner as if those successors in interest, legal representatives or other permitted assignees or transferees had entered into this Agreement originally.

27. ☐ **Data Sharing.** This Agreement requires access by CONSULTANT to CITY's Geographic Information System (GIS) DATA for CONSULTANT to perform the work. CITY agrees to provide the GIS DATA to CONSULTANT solely for the purpose of performance of contracted work with the CITY upon the terms and conditions specified in Exhibit D, incorporated herein by this reference.

[Signatures on Next Page]

28. **Authority to Execute.** Those individuals who are signing this Agreement on behalf of entities represent and warrant that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

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

AS SET FORTH IN CA. CORP. CODE § 313, TWO SIGNATURES ARE REQUIRED FOR CALIFORNIA CORPORATIONS:

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

ATTEST:

CITY OF MORGAN HILL

 City Clerk/Deputy City Clerk

 City Manager

 Michelle Bigelow

 Christina J. Turner

 Print Name

 Print Name

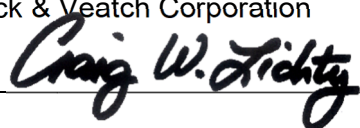
Date: _____

Date: _____

APPROVED AS TO FORM:

Black & Veatch Corporation

 City Attorney

By: 

 Donald A. Larkin

 Craig W. Lichty, Associate Vice President

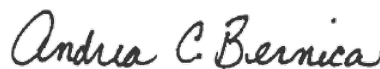
 Print Name

 Print Name and Title of Signer.

If Corporate: Chairman, President or
 Vice President

Date: _____

Date: January 12, 2021



By: Andrea C. Bernica, Assistant Secretary

 Print Name and Title of Signer.

If Corporate: Secretary, Assistant
 Secretary, Chief Financial Officer or
 Assistant Treasurer

Date: January 12, 2021

EXHIBIT A SCOPE OF SERVICES

Consultant team members will conduct meetings and workshops via MS Teams.

TASK 1 – PROJECT MANAGEMENT

Task 1.1 - Project Management and Administration

Consultant shall conduct project set-up, resource management, progress monitoring, scheduling, general correspondence, office administration, and invoicing needed to ensure the successful performance of this project. The project schedule shall maintain compliance with the EPA AWIA to meet or precede the RRA and ERP certification deadlines. Invoices shall be submitted to the City in PDF format with a progress summary in an email. The budget anticipates a maximum of 8 monthly reports and 8 invoices during the performance period. Consultant will set up a secure file sharing site to host project files.

Task 1.2 - Quality Assurance and Quality Control (QA/QC)

The deliverables produced under this scope of work shall undergo QA/QC review per Black & Veatch standards to ensure a quality product.

Task 1.3 - Kick-off Meeting/Screening Workshop

Consultant shall conduct a combined 2-hour project kickoff / screening workshop with city staff to:

- Confirm assessment goals, workplan, project schedule, key deliverables, QA/QC process and identify key points of contact
- Confirm the list of critical assets to be included in the RRA
- Review and prioritize the threats to be included in the RRA

Task 1 - Deliverables to the City

- Monthly progress reports and invoices

TASK 2 – DATA COLLECTION

Task 2.1 - Data Request

Prior to the project kick-off meeting, Consultant will submit a data request that identifies information necessary to conduct the assessment and meet compliance. Consultant shall create and maintain a Data Request Tracking Log as a live document throughout the project. Consultant shall implement necessary processes to keep information secure throughout the project.

Task 2.2 - Asset Characterization

In coordination with City staff, Consultant shall prepare an inventory list of critical assets to be included in the assessment. 'Critical assets' shall be defined per AWWA J100 as assets 'whose absence or unavailability would significantly degrade the ability of a utility to carry out its mission or would have unacceptable financial or political consequences for the owner or the community'. Inventory shall include the asset categories identified in Table 3 of the Baseline Information on Malevolent Acts for Community Water Systems Guideline (EPA, July 2019) (Malevolent Acts Guideline), which include:

- Physical barriers
- Source water
- Pipes and constructed conveyances, water collection and intakes

- Pretreatment and treatment facilities
- Storage and distribution facilities
- Monitoring practices
- Electronic, computer, or other automated systems
- Financial infrastructure
- The use, storage and handling of chemicals
- Operation and maintenance of the system

Task 2.3 – Threat Characterization

Consultant shall perform threat research to determine applicable potential threats to critical water system assets, which will be tailored to City's circumstances and location, and the Malevolent Acts Guideline, Hazard Mitigation Plans, and review of past disruptive events. A draft Threat/Asset Matrix shall be submitted to the City for review after the Screening Workshop. Following the workshop, action items and decisions shall be documented by the consultant in meeting minutes.

HAZARD CATEGORY	HAZARD TYPE	REQUIRED BY AWIA
Natural Hazards	Tornado, Earthquake, Flood, Hurricane, Wildfire, Hydrologic changes	Yes
Malevolent Acts	Physical Attacks, Contamination, Theft or diversion, Cyber Attack, Sabotage	Yes

Task 2 - Deliverables to the City

- Electronic Meeting Minutes
- Draft Threat/Asset Matrix
- Screening Workshop Meeting Minutes

Task 3.1 – Consequence Analysis

Consultant shall analyze what happens to City's ability to continue to provide safe water service when a threat or hazard occurs. Considering potential impacts such as financial costs, duration and severity of service denial for customers, loss of life and injuries, etc. develop consequence criteria based on a four-point scale (Negligible, Low, Medium, High). Consequence criteria shall incorporate the existing ability of the assets to resist and withstand each specified threat.

Consultant shall develop preliminary consequence scores for each threat-asset pair, for up to 80 threat-asset pairs, based on historical information, experience, and professional judgement. The consequence scores shall be captured as part of our Excel-based tool. Specific forms shall be used to document threat specific consequence scores including justification comments as needed. Preliminary consequence scores shall be submitted to the City for review and approval. City shall determine the staff most appropriate to review and validate the consequence data with Consultant staff assistance. The results can be used to screen out low consequence threat- asset pairs from the analysis.

Natural Hazards

The Natural Hazards analysis shall include an assessment of the potential impacts related to each natural hazard identified in the Threat Characterization Task. Consultant shall consider the available information in local hazard mitigation plans, history of events, and publicly available references to assess the potential impacts to the City's critical assets by each selected natural hazard.

Cybersecurity of IT and OT Systems

Both the IT and operations technology OT assessments shall be desktop assessments only and shall include discussions/interviews with the senior software operator and the support person for each software package. No penetration tests of either the IT or OT systems is included in this scope of services.

Consultant shall use the AWWA's Cybersecurity Guidance and Assessment Tool to assess operation technologies. Consultant shall conduct a 2-hour virtual interview with the City to complete the OT system assessment. Consultant shall evaluate the security of the City's IT system using the 100-question assessment based on the National Institute of Standards and Technology (NIST) Cyber Security Framework. Consultant shall conduct a 2-hour virtual interview with the City to complete the OT system assessment.

Physical Security

Consultant shall conduct a high-level desktop evaluation of physical security with respect to the AWWA specific malevolent acts based on previous assessments and other available data. This will include a 2-hour interview with the City staff to review the City's security posture and past experience.

Task 3.2 – Threat Likelihood Analysis

Analyze the likelihood that any of the hazards identified will strike City's facilities. The threat analysis shall be based on AWWA J100 Risk and Resilience Management of Water and Wastewater Systems methodology, the Malevolent Acts Guideline and other available sources. Various methods shall be employed by the Consultant to calculate or estimate threat likelihood with respect to the type of threat considered. For example, the likelihood of vandalism will be evaluated based upon the Malevolent Acts Guideline and adjusted with respect to the crime statistics for the surrounding area, history of vandalism, etc. The likelihood of natural hazards will be based on the general approach provided by the J100 standard and available data from NOAA, USGS, etc.

The threat likelihood estimates will be captured as part of the Consultant's Excel-based tool. Specific forms will be used to document threat likelihood estimates including data sources and justification comments as needed. Preliminary threat likelihood estimates shall be submitted by the consultants to the City for review and approval. City shall determine the staff most appropriate to review and validate the threat likelihood data with the Consultant's staff assistance. The results of the threat likelihood analysis can be used to screen out low probability threat- asset pairs from the analysis.

Task 3.3 - Risk Assessment

Consultant shall complete a system-wide baseline risk evaluation by calculating the risk scores for the threat-asset pairs selected based on the Consequence and Threat Likelihood Analyses in Tasks 3.1 and 3.2, respectively. Baseline scores shall be calculated using the following formula:

Baseline Risk Score = Consequence Score x Threat Likelihood

The risk analysis results shall be documented in the Consultant's Excel-based tool and shall be organized in a 4 x 4 risk matrix. The risk assessment will be used to develop preliminary risk mitigation opportunities.

Task 3.4 - RRA Technical Memorandum

Consultant shall document the RRA in a draft and final RRA Technical Memorandum, which will summarize the risk assessment performed, the resulting baseline risk level and risk mitigation opportunities. Consultant shall provide the Draft RRA TM to City for review, then incorporate City's

comments and finalize the RRA TM. Incorporate City comments and finalize the RRA no later than June 15, 2021. Consultant shall assist the City in the online self-certification process.

Task 3 - Deliverables to the City

- Excel-based tool documenting consequence, threat likelihood and risk assessment results
- Electronic Draft and Final RRA TM
- Assist City in online self-certification process

TASK 4 – EMERGENCY RESPONSE PLAN

Task 4.1 - Emergency Response Plan Assessment

Based on the data collected and analyzed during Task 2 and Task 3, Consultant shall assess City's existing ERP against the requirements in the AWIA and using EPA's 2020 ERP guidance and template. The AWIA requires the ERPs to include the following key components:

1. Strategies and resources to improve the resilience of the system: roles and responsibilities, communications, regional coordination.
2. Risk Mitigation Actions: alternative source water options, interconnections, redundancy improvements, asset hardening, physical and cybersecurity countermeasures.
3. Detection Strategies: intrusion detection, source water contamination, cyber intrusion, etc.
4. Emergency plans and procedures: response plans and procedures (core and incident specific)

Task 4.2 - Emergency Response Plan Meeting

Consultant shall work collaboratively with City staff in a 2-hour meeting to review the ERP assessment gap analysis and the risk mitigation recommendations from the RRA. During the review, data gaps will be confirmed with City staff to ensure that all existing ERP documents have been incorporated into the gap analysis. The gap analysis shall include a checklist that compares the City's existing ERP to the EPA's ERP template and applicable State requirements. Consultant staff shall then work collaboratively with City staff to agree on a process to close these gaps and discuss with the City to determine who (either Black & Veatch staff or City staff) will update and close each gap. The preliminary risk mitigation recommendations developed will be reviewed and prioritized for inclusion in the ERP. The decisions from this workshop shall be documented in a finalized checklist that will serve as a tracking document on who (City vs. Black & Veatch staff) will lead closing each of the gaps that shall be incorporated by the Consultant in the development of the ERP.

Task 4.3 – Existing Emergency Response Plan Update

This task includes up to 80 hours of working with the City to update the existing ERP using EPA's template as a guide. Included in this task is to develop up to 2 (two) new Incident-Specific Response Procedures to address any findings from the RRA including natural hazard risks, physical and cyber security. This task will include up to 4 (four) conference calls with City staff responsible for developing and maintaining emergency plans. The existing strategies and resources to improve resilience and detection strategies will be incorporated by the Consultant into a draft ERP document. City comments will be incorporated, and the final ERP updated. Consultant will assist the City with online self-certification process with the EPA no later than October 15, 2021.

Task 4 - Assumptions

- The ERP has been kept up-to-date and the City will update existing information such as contact information.
- The ERP is available in Word format.
- The ERP will be updated in its current layout.

Task 4 - Deliverables to the City

- Gaps Analysis Checklist
- Draft and Final ERP
- Assistance in online self-certification

TASK 5 - ADDITIONAL SERVICES

The fee estimate for these services is preliminary and may need to be adjusted based on the findings of the RRA.

Additional Task 5.1 - Risk Mitigation Plan

Consultant shall evaluate what risk mitigation options are available to reduce risk and increase resilience. Consultant shall develop countermeasure and risk mitigation options for up to 25 threat-asset pairs that require risk mitigation, rough order of magnitude (ROM) costs and post-improvement risk scores to complete this step. Consultant shall quantify the decreased risk for each identified improvement and ROM cost estimates for implementation. Risk mitigation actions shall be prioritized based on their cost-benefit ratio. Risk mitigation plan shall be documented by the Consultant in a technical memorandum.

Additional Task 5.2 - Physical Security Assessment

Due to very low likelihood of physical threats (per the Malevolent Guideline) the Consultant has not included a comprehensive assessment of physical security and site visits to evaluate vulnerabilities. If justified by the threat likelihood analysis, and requested by the City, Consultant shall provide physical security analysis including two to three days of site visits to representative assets identified as critical for evaluating the vulnerability of facilities and existing physical security equipment. These visits shall be conducted during the day for the bulk of the effort as well as night to inspect CCTV operation (if applicable) and lighting levels. This effort shall also include interviews with City staff and local/regional law enforcement to review response plans, procedures, personnel behavior, etc. City will make initial contact with law enforcement agencies on behalf of the Consultant for these interviews.

EXHIBIT B

SCHEDULE OF COMPENSATION RATES

Role:	Project Director	Project Manager/ RRA Lead	QA/QC	Cyber Security Lead	Natural Hazards Lead	Physical Security Lead	Physical Security Advisor	ERP Lead	Staff Engineer	Finance	Admin	Total Staff Hours	Labor	Expenses	Total Fee
Hourly Rate:	\$295	\$250	\$290	\$210	\$210	\$160	\$210	\$160	\$145	\$150	\$100				
Task/Level of Effort	Craig Lichty	Doland Cheung	Lani Good	Jacques Brados	Kristina Lecina	Judith Kung	Dave Nelson	Lori Reed	Support Staff	Support Staff	Support Staff				
Task 1 – Project Management	4	24	12	2	2	2	0	0	0	16	4	66	\$14,620	\$0	\$14,620
Task 1.1 – Project Management and Administration	4	16								16	4	40	\$7,980		\$7,980
Task 1.2 – Quality Assurance and Quality Control			12									12	\$3,480		\$3,480
Task 1.3 - Kickoff/Screening Workshop		8		2	2	2						14	\$3,160		\$3,160
Task 2 - Research/Data Collection	0	24	0	8	8	8	2	4	16	0	2	72	\$14,220	\$200	\$14,420
Task 2.1 - Data Request		8		2	2	2		4	8		2	28	\$5,160	\$200	\$5,360
Task 2.2 - Asset Characterization		8		2	2	2			4			18	\$3,740		\$3,740
Task 2.3 - Threat Characterization		8		4	4	4	2		4			26	\$5,320		\$5,320
Task 3 - Risk & Resilience Assessment	2	50	0	28	32	32	4	0	32	0	6	186	\$36,890	\$0	\$36,890
Task 3.1 - Consequence Analysis		10		6	8	8			8			40	\$7,880		\$7,880
Task 3.2 - Threat Likelihood Analysis		8		4	6	6	2		6			32	\$6,350		\$6,350
Task 3.3 - Risk and Resilience Assessment		12		8	8	8			6			42	\$8,510		\$8,510
Task 3.4 - RRA Review Workshop	2	8		2	2	2						16	\$3,750		\$3,750
Task 3.5 - RRA Technical Memorandum		12		8	8	8	2		12		6	56	\$10,400		\$10,400
Task 4 - Emergency Response Plan Update	2	14	0	16	12	12	2	98	36	0	8	200	\$34,010	\$0	\$34,010
Task 4.1 - ERP Assessment		4		2	2	2		10	8			28	\$4,920		\$4,920
Task 4.2 - ERP Workshop	2	4		4	4	4		8				26	\$5,190		\$5,190
Task 4.3 - Existing ERP Update		6		10	6	6	2	80	28		8	146	\$23,900		\$23,900
Project Totals	8	112	12	54	54	54	8	102	84	16	20	524	\$99,740	\$200	\$99,940
	\$2,360	\$28,000	\$3,480	\$11,340	\$11,340	\$8,640	\$1,680	\$16,320	\$12,180	\$2,400	\$2,000				
OPTIONAL Task 5 - Supplemental Services	4	48	8	16	0	32	48	8	40	8	8	220	\$43,140	\$800	\$43,940
Task 5.1 – Risk Mitigation Plan	2	32	4	16			16	8	40	4	4	126	\$24,550		\$24,550
Task 5.2 – Physical Security Assessment	2	16	4			32	32			4	4	94	\$18,590	\$800	\$19,390

EXHIBIT C
SCHEDULE OF PERFORMANCE

PHASES & TASKS	2021							
	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Task 1 - Project Management								
Task 1.1 – Project Management & Admin.								
Task 1.2 – QA/QC								
Task 1.3 – Kickoff/Screening Workshop								
Task 2 – Research/Data Collection								
Task 2.1 – Data Request								
Task 2.2 – Asset Characterization								
Task 2.3 – Threat Characterization								
Task 3 – Risk and Resilience Assessment								
Task 3.1 – Consequence Analysis								
Task 3.2 – Threat Likelihood Analysis								
Task 3.3 – Risk and Resilience Assessment								
Task 3.4 – RRA Review Workshop								
Task 3.5 – RRA TM								
Task 4 – Emergency Response Plan								
Task 5.1 – Optional Risk Mitigation Plan								
Task 4.1 – ERP Assessment								
Task 4.2 – Risk Mitigation and ERP Workshop								
Task 4.3 – Existing ERP Update								

Additional Task 5 – Supplemental Services will be completed before the agreement termination date.

EXHIBIT D
Third Party Data Use Agreement

1. CONSULTANT agrees that it shall not use any information provided by CITY for any purpose other than for PROJECT without the prior express written consent of CITY. CONSULTANT also hereby acknowledges that the data delivered by CITY is for use by CONSULTANT only, and is not to be released to any other party by any means whatsoever, including the Internet, without prior written consent of CITY. CONSULTANT shall provide written notice to CITY of any subcontractor with whom Geographic Information System data (GIS DATA) is shared for purposes of completing the PROJECT.
2. All data and files are intended for the use within the ordinary course of users' business and may not be sold, placed on the internet or otherwise provided to other parties. All data shall comply with all statutes such as California State Law, Government Code section 6254.21 which prohibits any state or local agency from posting the home address or telephone number of any "elected or appointed official," residing spouse, or child on the internet, and Revenue and Taxation Code sections 408, 408.1, 408.3, and 409 permitting the County Assessor to collect fees for certain information.
3. CITY, as rightful owners, shall retain all rights, title, interest, and copyright of the data. Any products using the GIS DATA must give credit to CITY as the source of the information. Any and all derivative products of the GIS DATA are owned by CITY and may not be used for any purpose other than the PROJECT without prior written permission of CITY. All derivative products and resulting data shall be provided to CITY Project Manager and CITY GIS Manager at the completion of the PROJECT.
4. CONSULTANT and CITY understand and agree that the information provided pursuant to this Agreement is the product of professional services paid for by CITY and shall remain property of CITY. CONSULTANT may retain copies, including copies stored on magnetic media, only for information and reference, in connection with CONSULTANT'S use for PROJECT.
5. All of the above terms and conditions apply to any subcontractor retained by CONSULTANT.
6. In the event of a conflict between the terms and provisions of this Third Party Data Use Agreement and the terms and provisions of the SERVICE AGREEMENT, the terms of the SERVICE AGREEMENT shall govern and control.



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Rebecca Garcia, Housing Manager
APPROVED BY: City Manager

APPROVE FIRST AMENDMENT TO AGREEMENT WITH SANTA CLARA COUNTY FOR ISOLATION QUARANTINE PROGRAM

RECOMMENDATION(S)

Approve the First Amendment to the agreement between the County of Santa Clara and the City of Morgan Hill for the Countywide Isolation and Quarantine Support Program to extend the term through June 30, 2021.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Supporting Our Youth
Seniors
and Entire Community

2020-2021 Strategic Priorities

Affordable Housing and Homelessness

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

The purpose of this report is to inform the Council and to ratify an amendment to the term of the Countywide Isolation and Quarantine Support Program (I/Q Program) to prevent a disruption in services, extending the term through June 30, 2021 (Attachment 1). The original term was August 1, 2020 through December 31, 2020 (Attachment 2 & 3)). This is a no-cost extension.

In response to COVID-19, the County identified an urgent need to provide Temporary Shelter and Services to help individuals and families effectively isolate or quarantine. Since March 2020, the County and its partners have increased temporary shelter in response to the pandemic. The County has added congregate shelter beds, and reserved hotel/motel rooms. The I/Q Program is for COVID+ cases and close contacts. The County seeks to continue to help residents isolate if they have tested positive for COVID-19, or quarantine if they have been in close contact with a COVID-19 positive person. The City of Morgan Hill has an agreement with the County of Santa Clara for up to \$154,917 to support the on-going activities to serve Morgan Hill residents affected.

The countywide Case Investigation and Contact Tracing team (CICT) makes determinations based on the circumstances of each interaction. The CICT also helps cases and contacts understand how and why it is important to safely isolate or

quarantine. Persons who **test positive for COVID-19 and have symptoms** may discontinue isolation when:

- At least 10 days* have passed since symptoms first started; AND
- At least 24 hours have passed since resolution of fever (without use of fever reducing medication); AND
- Other symptoms have improved

Persons who **test positive for COVID-19 and do not have symptoms** may discontinue isolation when:

- At least 10* days have passed since the first positive test was collected

*The date of symptom onset (or the date of test if asymptomatic) is considered Day 0. Note that individuals with severe illness (e.g., required intensive care) or who are severely immunocompromised may warrant extending isolation for up to 20 days after symptom onset. Please see attached Public Health Guidelines (Attachment 4).

Many individuals and their families will be able to isolate or quarantine in their homes without assistance. Others have situations that make isolating or quarantining difficult. The County's Emergency Operations Center (EOC) established a CICT team to use a contact tracing management information system that is being implemented statewide.

Since September 2020, \$21,752 has been provided to Morgan Hill residents for rental assistance, approximately \$6,000 for in home support (groceries and supplies), and 5 households were placed in a hotel/motel for necessary isolation. The County is requesting an extension on the term due to the recent surge and demand.

SERVICES PROVIDED THROUGH THE PROGRAM

Support Request Line. The team receives requests for assistance from cases, contacts, medical providers, cities' emergency operations centers, Public Health unit and community-based organizations (CBOs) via telephone or email.

Coordination. The team is responsible for coordinating with the Public Health Special Investigations Group (SIG) and CITC to ensure that all teams are aware of and can take appropriate actions for each case and contact.

Support at Home. Even individuals or families who have adequate home settings may need additional assistance, including transportation to/from medically necessary appointments, meals per day and/or groceries, medical screening and connection to medical services, laundry services for linens and personal clothing, and light case management services to help individuals apply for benefits (e.g., unemployment insurance, CalFresh) and other services.

Motels. Some individuals and/or family members may be placed at a motel to isolate or quarantine until they are cleared to return to their home (including a congregate care setting). The Resource Coordinators coordinate placement at one or more motels. In some cases, the individual may be placed in other non-congregate settings, such as a travel trailer. In these out-of-home settings, the program also provides transportation, food, health and behavioral health screenings and services, laundry, and light case management services, as needed.

Rental and Financial Assistance. If there is a documented need, cases and contacts would be eligible for rental and financial assistance up to \$5,000. The rental and financial assistance is limited to households earning 80% or less of the Area Median Income (AMI) adjusted for household size. Rental and financial assistance is primarily administered by Sacred Heart Community Service (SHCS) under contract with the County.

COMMUNITY ENGAGEMENT: Inform

Staff continues to inform and refer community members in need for related services to the County program coordinators.

ALTERNATIVE ACTIONS:

The Council can choose to terminate the contract and cease services.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On September 23, 2020, the Council received a report and approved funding (\$154,917) for the I/Q Program and adopted a resolution to appropriate \$107,208 from the General Fund (010); and authorized an expenditure of \$47,709 from the Housing Fund (236).

FISCAL AND RESOURCE IMPACT:

The first amendment to the agreement is to extend the term through June 2021 and will continue to utilize existing appropriations of \$154,917 previously approved for this agreement. No additional funding is being requested.

CEQA (California Environmental Quality Act):

Not a Project, routine administrative action.

LINKS/ATTACHMENTS:

1. Isolation Quarantine Program_ First Amendment
2. County of Santa Clara - IQ original contract
3. IQ Program staff report 9-23-2020 (weblink)
4. Home-Isolation-Quarantine-Guidelines

**FIRST AMENDMENT TO FUNDING AGREEMENT BETWEEN
THE COUNTY OF SANTA CLARA
AND THE CITY OF MORGAN HILL
FOR COUNTYWIDE ISOLATION AND QUARANTINE SUPPORT PROGRAM**

This First Amendment ("First Amendment") to the Funding Agreement between the County of Santa Clara and the City of Morgan Hill for Countywide Isolation and Quarantine Support Program ("Agreement") is entered into by and between the County of Santa Clara ("County") and the City of Morgan Hill ("City").

This First Amendment amends the Agreement as follows and is effective January 1, 2021:

1. SECTION 1 TERM of the Agreement is amended to read: This Agreement is effective August 1, 2020 and will continue thereafter until June 30, 2021, unless extended by mutual consent.

All other terms and conditions of the Agreement remain in full force and effect. In the event of a conflict between the original Agreement and this First Amendment, this First Amendment controls.

By signing below, signatory warrants and represents that he/she executed this First Amendment in his/her authorized capacity, that he/she has the authority to bind the entity listed below to contractual obligations and that by his/her signature on this First Amendment, the entity on behalf of which he/she acted, executed this First Amendment.

This First Amendment may be executed in counterparts. Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

COUNTY OF SANTA CLARA

CITY OF MORGAN HILL

By: EOC Director

By: Christina Turner
City Manager

Date: _____

Date: _____

APPROVED AS TO FORM AND LEGALITY

APPROVED AS TO FORM

Christopher R. Cheleden
Lead Deputy County Counsel

Donald Larkin
City Attorney

Date: _____

Date: _____

DELEGATION OF AUTHORITY (DOA) COVER SHEET

TO BE COMPLETED BY DEPARTMENT/AGENCY

Department Submitting: Office of Supportive Housing Fiscal Year: 21

Original DOA Approval (Attach Copy): BOS Mtg Date 9/22/20 Agenda # 17 Leg File # 102934

Office of County Contracting Exception/Exemption Approval: ☐ Applicable (Attach Copy if applicable)

Contractor's Name: City of Morgan Hill

Contact Name: Rebecca Garcia

Contact Number: 408-310-4637

Processing Requirements (Specific instructions to the OBA Analyst for distribution of approved copies):

Amount of this Amendment: _____

Max Amount of the Delegation: _____

End Date of the Delegation: _____

Total Approved Delegation:
(including this Amendment) _____

Date Needed: 10/14/2020 Comments: _____

TO BE COMPLETED BY COUNTY COUNSEL, OBA ANALYST, AND OFFICE OF THE COUNTY EXECUTIVE:

Approved by County Counsel for form and legality Yes ☒ No ☐

Recommended for Approval by OBA Yes ☒ No ☐

Approved by Office of the County Executive Yes ☒ No ☐

Name/Date
Christopher Chen 10/14/2020

MERCEDES GARCIA 10/14/2020

Jeff Smith 10/15/2020

DS

CC

DS

MG

DS

JS

County Counsel Comments:

OBA Comments:

Office of the County Executive Comments:

Upon execution of agreement, forward a copy and any subsequent amendment(s) to: delegations@cob.sccgov.org, together with the delegation of authority transmittal. Department retains original copy of agreement on file.

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

**FUNDING AGREEMENT BETWEEN THE
COUNTY OF SANTA CLARA
AND THE CITY OF MORGAN HILL
FOR COUNTYWIDE ISOLATION AND QUARANTINE
SUPPORT PROGRAM**

This Agreement is entered into by and between the **County of Santa Clara** (the “County”) and the **City of Morgan Hill** (the “City”), individually, a “Party” and, collectively, the “Parties,” in order to provide funding for a Countywide Isolation and Quarantine Support Program (“Program”) to be managed by the County.

RECITALS

- A. WHEREAS, on February 3, 2020, the County Health Officer declared a local health emergency, and the County's Director of Emergency Services proclaimed a local emergency, to respond to the Coronavirus Disease (“COVID-19”) pandemic and manage its spread throughout the County; and
- B. WHEREAS, on March 4, 2020, the Governor of California proclaimed a State of Emergency (Executive Order N-25-20) to exist in California because of the threat of COVID-19; and
- C. WHEREAS, on March 16, 2020, the Santa Clara County Public Health Officer issued an Order to all residents to shelter in place and businesses to close except for essential activities, essential services, and governmental services as defined under Section 10 of the Order; and
- D. WHEREAS, on March 19, 2020, the Governor issued an Order (Executive Order N-33-20) that all individuals living in the State of California stay home or at their place of residence, except as needed to maintain continuity of operations for certain critical infrastructure sectors, to protect the public health of Californians, to mitigate the impact of COVID-19, and to ensure the healthcare delivery system is capable of serving all; and
- E. WHEREAS, as a result of the State Executive Orders and their national counterparts and the County Order in response to COVID-19, as may be extended and modified by federal, state, and local authorities, the County and City have identified an urgent need to provide a Countywide Isolation and Quarantine Support Program (“Program”) as part of the response to COVID-19; and,
- F. WHEREAS, the County has established and will operate the Program as described on Exhibit “A” attached hereto and incorporated herein by this reference; and

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

- G. WHEREAS, the Program assists all residents of Santa Clara County to isolate if they have tested positive for Coronavirus (COVID-19) ("Cases") or quarantine if they have been in close contact with a COVID-19 positive person ("Contacts"); and
- H. WHEREAS, the U.S. Centers for Disease Control and Prevention defines a "close contact" as "someone who was within six feet of an infected person for at least 15 minutes starting from 48 hours before illness onset until the time the patient is isolated; however, the County Public Health Department's Special Investigations Unit or Case Investigation and Contact Tracing group ("CICT") will make determinations based on the circumstances of each interaction; and
- I. WHEREAS, many individuals and their families will be able to isolate or quarantine in their homes without assistance; and
- J. WHEREAS, others have situations that make isolating or quarantining difficult. These challenges include, but are not limited to, overcrowded housing, the lack of paid sick leave, recent unemployment, co-habitation with at-risk individuals, and obligations to care for family members. Primary among these challenges are: 1) access to a room in which the case or contact may stay and remain entirely separate from other members of the household; and, 2) access to one's own bathroom or the ability to thoroughly clean the bathroom after each use. The County's CICT group is trained to speak with individuals about what they may need to effectively isolate or quarantine in their own home; and
- K. WHEREAS, it is in the intent of this Agreement that City, along with all other 14 cities within Santa Clara County, will contribute funding to the County to pay the County for its costs in operating the Program.

In consideration of the foregoing Recitals, and the mutual promises and covenants contained in this Agreement, the Parties agree as follows:

AGREEMENT

SECTION 1 TERM

This Agreement is effective August 1, 2020 and will continue thereafter until December 31, 2020, unless extended by mutual consent.

SECTION 2 MAXIMUM FINANCIAL OBLIGATION

As explained in Section 3 below and stated in Exhibit E, City's maximum financial obligation during the Term of this Agreement is \$154,917.

SECTION 3 ESTIMATE OF COUNTYWIDE NEED AND COST SHARING

To ensure that appropriate services are available to all Santa Clara County residents who need help with isolation or quarantine, it is the intent of this Agreement that the County and all 15 cities within the County would share in the Program's costs on a roughly proportional basis as set forth below.

a) **Estimates of Countywide Need:**

- i) Based upon prior utilization data, the County estimates that during the term of this Agreement, approximately 200 households who are Cases or Contacts will be referred to or will contact the Program weekly. Of the 200 households, it is estimated that approximately 25% (about 50 households) will decline services, be ineligible or referrals that cannot be contacted. Of the remaining households (approximately 150 households) who participate in the Program, 90% (about 135 households) will receive assistance to isolate or quarantine at home and 10% (about 15 households) would temporarily move into a motel. Of all households who enroll in the Program (150 households) each week, about 60% (90 households) are also expected to request and receive rental or financial assistance.
- ii) Of the households participating in the program, it is estimated that approximately 82% will be residents of the City of San José. Residency is determined by the person's or family's home address.
- iii) Exhibit B summarizes the projected needs among residents of each jurisdiction by Program component from August 1 through December 31, 2020, which is approximately 22 weeks. The number of residents by jurisdiction is based on current Program utilization and a minimum of five – one per month – for each jurisdiction. For planning purposes, at least one resident from each jurisdiction would need a motel placement.
- iv) If the person or family is homeless, their residency is determined by the location of their last permanent address or the city or unincorporated area where they spend most of their time.

b) **Cost Sharing:** Exhibit C summarizes the assumptions used to determine the Program's fixed costs, the costs of operating a motel room for one month, at-home support services, and rental or other financial assistance. These are intended to be estimates for budgeting purposes.

- i) **Fixed Costs:** Each jurisdiction would reimburse the County for a portion of the Program's fixed costs regardless of utilization by the jurisdiction's residents. Each jurisdiction's share of the fixed costs is proportional to its share of the countywide population as set forth in Exhibit D. The services associated with these costs are necessary because they allow CICT, providers and residents to access the Program's services.
- ii) **Motel Costs:** Each jurisdiction will contribute to the cost of operating motels for isolation and quarantine based on the proportion of motel nights that its residents use. For example, in a given month, if a San Jose resident stayed in one room for 30 days and a Campbell resident stayed in another room for 30 days – and no other jurisdiction's residents stayed at the site – the costs for

operating that motel site, would be evenly split between the City of San Jose and the City of Campbell.

- iii) **At-Home Support Services:** Each jurisdiction will reimburse the County for the cost of supportive services provided directly to the jurisdiction's residents while they isolate or quarantine in their own homes.
- iv) **Rental and Financial Assistance.** Each jurisdiction will reimburse the County for the rental or financial assistance provided directly to the jurisdiction's residents.
- c) **Total Estimated Costs:** Exhibit E summarizes the total estimated cost by jurisdiction. These estimates form the basis for the maximum financial obligation during the term referenced in Section 2 of this Agreement. If the number of City residents participating in the Program exceeds 50% of the total estimated participation shown in Exhibit B, then the City agrees to confer with the County on adjustments to the maximum financial obligation.
- d) The County shall submit invoices for any eligible cost up to the maximum financial obligation. For example, the County may submit the cost of information and referral for all motel rooms located in the City as a strategy to leverage Federal Emergency Management Agency (FEMA) reimbursements. The County may submit invoices to the City even if FEMA has not made a determination on the County's request(s) for reimbursement under FEMA's Public Assistance program. Invoices submitted by County will be supported by backup documentation provided with the invoice.

SECTION 4 ROLES AND RESPONSIBILITIES

County shall operate the Program as indicated in the Program Description attached as Exhibit "A."

SECTION 5 LEVERAGING AND USE OF FUNDS

- a) The City's funds may be used for any expenses that are necessary for successful operation of the Program, as described in this Agreement. This includes expenses that may be categorically ineligible for the FEMA Public Assistance program and the portion of expenses that is calculated to be the local match for the FEMA Public Assistance program.
- b) The County will work with City to leverage state and federal funds and to conserve local resources. However, since some funding sources have limitations the County may not be able to true-up costs for each city until well after the Program has ceased operations. Furthermore, based on determinations of the agencies like FEMA, the County may have to allocate certain funding to specific categories of expenses to maximize state and federal funds.
- c) The County will submit requests for reimbursement through the FEMA Public Assistance program. Reimbursements from this program require a 25% match, and not all funding sources can be used as match.

- d) The County intends to use approximately \$250,000 in Community Development Block Grant Coronavirus (CDBG-CV) funds to operate the program and to pay for a portion of costs associated with unincorporated Santa Clara County. The County would use these funds to offset the actual costs to the "Urban County" cities: Campbell, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill and Saratoga. The County, on behalf of these cities, receives CDBG funds and administers CDBG-eligible programs. Note that CDBG-CV funds cannot be used for hotel costs and can only be used to support households earning 80% or less of AMI.

SECTION 6 MUTUAL INDEMNIFICATION

County and City agree that, pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify and hold each of the other Parties, their officers, board members, employees, and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, board member or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Parties hereto, their officers, board members, employees, or agents, under or in connection with or arising out of any work authority or jurisdiction delegated to such other Parties under this Agreement.

SECTION 7 TERMINATION FOR CAUSE

Either party may terminate this Agreement at any time for cause upon providing notice and a reasonable opportunity to cure to the other party.

SECTION 8 ASSURANCE

Each Party represents and warrants that it has the authority to enter into this Agreement.

SECTION 9 RELATIONSHIP

Nothing contained in this Agreement shall be deemed or construed by the Parties or any third party to create the relationship of partners or joint ventures between the City and the County.

SECTION 10 ENTIRE AGREEMENT

This instrument contains the entire agreement between the Parties, and no statements, promises or inducements made by either Party or the designated agent of either Party that are not contained in this Agreement shall be valid or binding.

SECTION 11 MODIFICATION

This Agreement may not be enlarged, modified, or altered, except if it is evidenced in writing, signed by the Parties and endorsed to this Agreement.

SECTION 12 INSURANCE

Each Party shall, at its own expense, keep in force during the Term, Workers' Compensation Insurance, insuring against and satisfying each Party's obligations and liabilities under the workers' compensation laws of the State of California, including employer's liability insurance in the limits required by the laws of the State of California.

SECTION 13 SEVERABILITY

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in force without being impaired or invalidated in any way.

SECTION 14 NOTICES

Notices to the Parties in connection with this Agreement shall be given personally or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the parties as follows:

COUNTY OF SANTA CLARA

Office of Supportive Housing

Attn: Consuelo Hernandez

Phone: 408-278-6419

Address: 2310 North First St., Suite 201, San Jose, CA 95131

Email: Consuelo.Hernandez@hhs.sccgov.org

CITY OF MORGAN HILL

Attn: Rebecca Garcia

Phone: 408-310-4637

Address: 17575 Peak Avenue, Morgan Hill, CA 95037

Email: Rebecca.Garcia@morganhill.ca.gov

Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated on the date of delivery.

SECTION 15 AMENDMENTS

This Agreement may be amended only by a written instrument signed by the Parties.

SECTION 16 WAIVER

No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted by a Party must be provided, in writing, and shall apply to the specific instance expressly stated.

SECTION 17 GOVERNING LAW and VENUE

This Agreement has been executed and delivered in, and shall be construed and enforced in accordance with, the laws of the State of California. Proper venue for legal action regarding this Agreement shall be in the Santa Clara County.

SECTION 18 COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument.

SECTION 19 THIRD PARTY BENEFICIARIES

This agreement does not, and is not intended to, confer any rights or remedies upon any person or entity other than the parties.

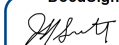
SECTION 20 CONTRACT EXECUTION

Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be entered into as of the day and year of execution of this Agreement.

COUNTY OF SANTA CLARA

DocuSigned by:



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Jeffrey V. Smith

County Executive

Date: 10/15/2020

APPROVED AS TO FORM AND LEGALITY

DocuSigned by:



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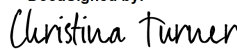
Christopher Cheleden

Lead Deputy County Counsel

Date: 10/14/2020

CITY OF MORGAN HILL

DocuSigned by:



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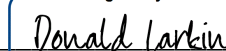
Christina Turner

City Manager

Date: 10/13/2020

APPROVED AS TO FORM

DocuSigned by:



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Don Larkin

City Attorney

Date: 10/8/2020

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

EXHIBIT A

PROGRAM DESCRIPTION

The County shall provide the following services and program organization in operating the Program:

Program Coordination:

- **Support Request Line.** The County will provide staff or contractors to receive requests for assistance from cases, contacts, medical providers, cities' emergency operations centers, and Public Health unit and community-based organizations (CBOs) via telephone or email. The Program's "call center" would be available seven days a week from 8 am to 5 pm. Voice messages or emails received after hours would be responded to the following day.
- **Coordination.** The team and manager assigned to the Support Request Line would also be responsible for coordinating with the Public Health Special Investigations Group (SIG) and CITC to ensure that all teams are aware of and can take appropriate actions for each case and contact. Continuous coordination with SIG and CITC will be necessary because there may be a lag between the time when SIG or CITC become aware of a case or contact and the time when a case or contact or their medical provider reaches out for assistance. The manager of the team would also be responsible for data collection for reports to the County Administration and participating cities.
- **Resource Coordinators.** Coordinators would be assigned to the Support Request Line and would assess cases and contacts for needs and arrange for the services described below.
- **Support at Home.** Even individuals or families who have adequate home settings may need additional assistance including:
 - Transportation to/from medically necessary appointments if the individual is not able to use a private vehicle;
 - Up to three meals per day and/or groceries;
 - Medical screening and connection to medical services; and
 - Weekly laundry services for linens and personal clothing; and, Light case management services to help individuals apply for benefits (e.g., unemployment insurance, CalFresh) and other services.
- **Motels.** Some individuals and/or family members may be placed at a motel to isolate or quarantine until they are cleared to return to their home (including a congregate care setting). The Resource Coordinators would coordinate placement at one or more motels for cases or contacts who cannot

remain at home or do not have a home. In addition to typical motel management staff and services, the County would negotiate agreements with the motel(s), contract with a community-based organization to provide onsite coordinators and oversee security. In some cases, the individual may be placed in other non-congregate settings, such as a travel trailer. In these out-of-home settings, the program would also provide transportation, food, health and behavioral health screenings and services, laundry and light case management services, as needed.

- **Rental and Financial Assistance.** If there is a documented need, cases and contacts would be eligible for rental and financial assistance up to \$5,000. The rental and financial assistance is limited to households earning 80% or less of the Area Median Income (AMI) adjusted for household size. Rental and financial assistance would primarily be provided by Sacred Heart Community Service (SHCS) under contract with the County. The agreement with SHCS enables that organization to:
 - Issue rental assistance or financial assistance within 72 hours of verifying eligibility;
 - Connect cases and contacts to the broader network of homelessness prevention services (e.g., additional rental assistance) which is primarily implemented through the seven CBOs of the Emergency Assistance Network (EAN) and coordinated by SHCS; and,
 - Connect cases and contacts to other community resources.
- **Other Services.** Program resource coordinators would also be responsible for arranging access to other services including, but not limited to, childcare, elder care, in-home support services, and, emergency, urgent, and/or ongoing healthcare services.
- **Department of Employment and Benefit Services (DEBS).** The Resource Coordinators would ensure that (eligible) cases or contacts would be able to access or sign up for General Assistance, CalWORKs, Medi-Cal, CalFresh, or other benefit programs administered by the County. The Resource Coordinators cannot authorize these benefits directly, but the County's DEBS has assigned an Eligibility Supervisor to:
 - Receive referrals directly from Resource Coordinators;
 - Immediately contact the case or contact to help them apply for the appropriate program; and
 - When appropriate, approve the applications for assistance.
- **COVID-19 Assistance Navigation Hotline (CAN-19 Hotline).** For workers who need additional assistance understanding or accessing resources provided through the California Employment Development Department (EDD), such as unemployment insurance, Resource Coordinators would make a connection to the County's CAN-19 Hotline. The CAN-19 Hotline assists in English, Spanish, Vietnamese and Mandarin.

Exhibit B – Projected Needs by Jurisdiction, August 1, 2020 through December 31, 2020

Projection reflects:

- Utilization June 17 through July 31, 2020
- A minimum of 5 households per jurisdiction and at least one motel placement
- 10% of enrollees will need a motel placement and 90% can isolate or quarantine at home
- 60% of all enrollees request rental assistance

	Imputed			60% of Enrollees
	Imputed	At-Home	Total Program	Request Rental
	<u>Motel</u>	<u>Support</u>	<u>Enrollments</u>	<u>Assistance</u>
CAMPBELL	2	22	24	14
CUPERTINO	1	4	5	3
GILROY	4	32	36	22
LOS ALTOS	1	4	5	3
LOS ALTOS HILLS	1	4	5	3
LOS GATOS	1	4	5	3
MILPITAS	2	22	24	14
MONTE SERENO	1	4	5	3
MORGAN HILL	4	32	36	22
MOUNTAIN VIEW	2	22	24	14
PALO ALTO	5	43	48	29
SAN JOSE	270	2430	2700	1620
SANTA CLARA	8	76	84	50
SARATOGA	1	4	5	3
SUNNYVALE	12	108	120	72
UNINCORPORATED	20	184	204	122
TOTAL	335	2995	3330	1997

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

Exhibit C – Estimate of Costs by Service Component

		Fixed Costs	Motel Room	At-Home Support	Financial Assistance
<u>Activity</u>	<u>Est. Rate / Per Unit Cost</u>	<u>per Month</u>	<u>Cost per Month</u>	<u>Costs per HH</u>	<u>Cost per HH</u>
Resource Coordinators, Medical Screening, Program Coordination	7.0 FTE (~\$150K per FTE annually)	\$ 87,500	\$ -	\$ -	\$ -
Sacred Heart Staffing, Operations & Overhead	(28500/3) or \$9,500 per month	\$ 9,500	\$ -	\$ -	\$ -
Rental / Financial Assistance	Up to \$5,000 per HH / Avg. \$3,500 per HH	\$ -	\$ -	\$ -	\$ 3,500
Motel Room Rate & Tax	Average of \$107 per night	\$ -	\$ 3,255	\$ -	\$ -
Motel Site Management	\$25,000 per site per month	\$ -	\$ 424	\$ -	\$ -
Information & Referral Services	\$20,833 per site per month	\$ -	\$ 353	\$ -	\$ -
Motel Security	\$48,400 per site per month	\$ -	\$ 820	\$ -	\$ -
Meal Delivery	Three meals \$33 per person per day	\$ -	\$ 1,004	\$ -	\$ -
Groceries	\$50 per person per week, assume 4 ppl	\$ -	\$ -	\$ 400	\$ -
Transportation	Up to \$400 per incident (1.5/mo)	\$ -	\$ 600	\$ 400	\$ -
Laundry Services	\$40 per household per month	\$ -	\$ 40	\$ -	\$ -
Medical & Behavioral Health Services	3 FTE RN per site per month	\$ -	\$ 742	\$ -	\$ -
Administration	18%	\$ 17,460	\$ 1,303	\$ 144	\$ -
Total		\$ 114,460	\$ 8,540	\$ 944	\$ 3,500

Exhibit D – Estimate of Fixed Costs and Share by Jurisdiction

Jurisdictional Share of Monthly Fixed Costs

County Population: 1/1/2020

Source: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-1/>

	FIXED COSTS			
		<u>% of Total</u>	<u>Monthly Fixed Costs</u>	<u>Aug. 1 thru Dec. 31, 2020</u>
Campbell	42,288	2.2%	\$ 2,467	\$ 12,335
Cupertino	59,549	3.0%	\$ 3,474	\$ 17,370
Gilroy	57,084	2.9%	\$ 3,330	\$ 16,651
Los Altos	30,876	1.6%	\$ 1,801	\$ 9,006
Los Altos Hills	8,413	0.4%	\$ 491	\$ 2,454
Los Gatos	31,439	1.6%	\$ 1,834	\$ 9,171
Milpitas	77,961	4.0%	\$ 4,548	\$ 22,741
Monte Sereno	3,594	0.2%	\$ 210	\$ 1,048
Morgan Hill	46,454	2.4%	\$ 2,710	\$ 13,550
Mountain View	82,272	4.2%	\$ 4,800	\$ 23,998
Palo Alto	69,226	3.5%	\$ 4,039	\$ 20,193
San Jose	1,049,187	53.5%	\$ 61,209	\$ 306,044
Santa Clara	129,104	6.6%	\$ 7,532	\$ 37,659
Saratoga	31,030	1.6%	\$ 1,810	\$ 9,051
Sunnyvale	156,503	8.0%	\$ 9,130	\$ 45,651
Unincorporated	86,989	4.4%	\$ 5,075	\$ 25,374
Total	1,961,969	100%	\$ 114,460	\$ 572,300

Exhibit E – Estimate of Total Costs by Program Component for Each Jurisdiction

For Services from August 1, 2020 through December 31, 2020

<u>Jurisdiction</u>	<u>Fixed Costs</u>	<u>Motel Costs</u>	<u>At-Home Support</u>	<u>Financial Assistance</u>	<u>Total by Jurisdiction</u>
Campbell	\$ 12,335	\$ 17,079	\$ 20,768	\$ 49,000	\$ 99,183
Cupertino	\$ 17,370	\$ 8,540	\$ 3,776	\$ 10,500	\$ 40,186
Gilroy	\$ 16,651	\$ 34,159	\$ 30,208	\$ 77,000	\$ 158,018
Los Altos	\$ 9,006	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,822
Los Altos Hills	\$ 2,454	\$ 8,540	\$ 3,776	\$ 10,500	\$ 25,270
Los Gatos	\$ 9,171	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,986
Milpitas	\$ 22,741	\$ 17,079	\$ 20,768	\$ 49,000	\$ 109,588
Monte Sereno	\$ 1,048	\$ 8,540	\$ 3,776	\$ 10,500	\$ 23,864
Morgan Hill	\$ 13,550	\$ 34,159	\$ 30,208	\$ 77,000	\$ 154,917
Mountain View	\$ 23,998	\$ 17,079	\$ 20,768	\$ 49,000	\$ 110,846
Palo Alto	\$ 20,193	\$ 42,698	\$ 40,592	\$ 101,500	\$ 204,983
San Jose	\$ 306,044	\$ 2,305,717	\$ 2,293,920	\$ 5,670,000	\$ 10,575,682
Santa Clara	\$ 37,659	\$ 68,318	\$ 71,744	\$ 175,000	\$ 352,721
Saratoga	\$ 9,051	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,867
Sunnyvale	\$ 45,651	\$ 102,476	\$ 101,952	\$ 252,000	\$ 502,080
Unincorporated	\$ 25,374	\$ 170,794	\$ 173,696	\$ 427,000	\$ 796,864
Total	\$ 572,300	\$ 2,860,797	\$ 2,827,280	\$ 6,989,500	\$ 13,249,877

1277987.1

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

County of Santa Clara
Office of the County Executive
Office of Supportive Housing



102934

DATE: September 22, 2020
TO: Board of Supervisors
FROM: Consuelo Hernandez, Acting Director
SUBJECT: Isolation and Quarantine Support Program

RECOMMENDED ACTION

Consider recommended action related to a countywide Isolation and Quarantine Support Program.

Possible action:

- a. Approve delegation of authority to County Executive, or designee, to negotiate, execute, amend, or terminate retroactive agreement with cities within the county relating to support for a countywide Isolation and Quarantine Support Program in an amount not exceed \$13,249,877 and a contract term that starts no earlier than August 1, 2020, and ends no later than December 31, 2020, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2021.
- b. Approve delegation of authority to County Executive, or designee, to negotiate, execute, amend, or terminate retroactive agreement with Abode Services to provide direct financial payments in an amount not to exceed \$6,989,500 and a contract term that starts no earlier than September 7, 2020 and ends no later than December 31, 2020, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2021.

FISCAL IMPLICATIONS

The recommended action will not have a new negative impact to the County General Fund. If approved, the recommended action would authorize the Administration through the Office of Supportive Housing (OSH) to enter into revenue agreements with cities within Santa Clara County to contribute funding to pay for expenses related to the Isolation and Quarantine Program ("Program") administered by the County. Table 1 provides a breakdown of the costs by city for each of the three components of the program.

Table 1: Estimate of Total Costs by Program Component for Each Jurisdiction

	Fixed	Motel	At-Home	Financial	Total by
<u>Jurisdiction</u>	<u>Costs</u>	<u>Costs</u>	<u>Support</u>	<u>Assistance</u>	<u>Jurisdiction</u>
Campbell	\$ 12,335	\$ 17,079	\$ 20,768	\$ 49,000	\$ 99,183
Cupertino	\$ 17,370	\$ 8,540	\$ 3,776	\$ 10,500	\$ 40,186
Gilroy	\$ 16,651	\$ 34,159	\$ 30,208	\$ 77,000	\$ 158,018
Los Altos	\$ 9,006	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,822
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San Jose	\$ 306,044	\$ 2,305,717	\$ 2,293,920	\$ 5,670,000	\$ 10,575,682
Santa Clara	\$ 37,659	\$ 68,318	\$ 71,744	\$ 175,000	\$ 352,721
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Sunnyvale	\$ 45,651	\$ 102,476	\$ 101,952	\$ 252,000	\$ 502,080
Unincorporated	\$ 25,374	\$ 170,794	\$ 173,696	\$ 427,000	\$ 796,864
Total	\$ 572,300	\$ 2,860,797	\$ 2,827,280	\$ 6,989,500	\$ 13,249,877

In addition, the recommended action would authorize the Administration to enter into an agreement with Abode Services for up to \$6,989,500 to issue direct financial payments to households referred by OSH that been deemed eligible for the program.

REASONS FOR RECOMMENDATION

The County has been expanding and refining the “Isolation and Quarantine Support Program” (“Program”) as the countywide response to the pandemic has evolved. The recommended action is needed to address a backlog in the program’s implementation and scale the Pilot Program that provides Santa Clara County residents with the resources to isolate if they have tested positive for COVID-19 or quarantine if they have been in close contact with a COVID-19 positive person. While many individuals and their families can isolate or quarantine in their homes without assistance, others have situations that make isolation or quarantining difficult.

If approved, recommended action “a” would authorize the Administration to enter into revenue agreements with the 15 cities in the county. As of September 9, 2020, the City of Saratoga has approved participation in the Program. Staff from the cities/towns of Campbell, Gilroy, Los Altos, Los Altos Hills, Milpitas, Morgan Hill and San José, have agreed to bring the agreements for approval or ratification. The remaining cities are either operating their own programs or have not yet informed the Administration of their intention. The Administration will continue to work with the remaining cities should they want to participate in the County-administered program later.

Recommended action “b” would authorize the Administration to enter into an agreement with Abode Services for up to \$6,989,500 to provide direct financial assistance to households deemed eligible by the County.

Collectively the recommended action will allow the Program to scale and provide services to Santa Clara County residents living outside of the unincorporated areas.

Summary of Pilot Phase

Starting in June 2020, the County through an agreement with Sacred Heart Community Services (“SHCS”) launched a pilot Program to provide rental and financial assistance to qualified participants in need. Initially the goal was to disburse financial assistance within a week of referral. However, a review of the program implementation conducted by the Administration on August 3, 2020 revealed two factors were delaying the issuance of resources to households in need. First, the projected number of referrals significantly increased from the original projections made in May 2020. Second, the time it takes households to obtain and submit the necessary documents, such as leases, was taking longer than a week. As of August 28, 2020, of the 552 families referred to SHCS, 180 applications were in process and 219 families had not yet been contacted. To resolve the backlog and to position the program for success moving forward, the Administration through the Director of Emergency Operations Center, executed the first amendment to the agreement to resolve the backlog in providing clients with assistance. In addition, County staff managing the Program has started to contact the 219 families who have not been contacted by SHCS. Each eligible family will receive a flat payment of \$2,000, which is approximately the County Living Wage without health or retirement benefits multiplied by 80 hours. Certain households with exceptional needs may receive an additional up to \$500 in financial assistance. County staff would be responsible for verifying the household’s eligibility and Destination Home would disburse the funds directly to the families through a subcontract with Family Independence Initiative.

Delegation of Authority

While delegations of authority are discouraged except under certain circumstances, this delegation is needed because it allows the Administration to enter into revenue agreements with the cities as each agency is able to process its agreement instead of bringing each or groups of agreements back to the Board for approval. In addition, the recommended action is needed so that OSH can quickly amend the contract with Abode Services to include cities that opt into participating in the Program and allows the Administration to extend the contract if the expenditure deadline for the Coronavirus Relief Fund (CRF) is extended beyond December 30, 2020.

CHILD IMPACT

The recommended action will have a positive impact on children and youth in families who are unable to isolate at home.

SENIOR IMPACT

The recommended action will have a positive impact on seniors. Over the course of the contract period, the program will assist households, including those with seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

BACKGROUND

The countywide Case Investigation and Contract Tracing Team (CICT) developed a process to refer cases and contacts to an isolation and quarantine support program when needed. In June 2020, the Administration through the Emergency Operations Center (EOC) launched a pilot Program primarily to serve residents of the unincorporated areas.

The Program includes three primary components; 1) Motel Component; 2) At-Home Support; and 3) Rental and Financial Support.

1. **Motel Component:** The first component consists of a motel with supportive services for cases and contacts who cannot safely isolate or quarantine at home or who do not have a home. In addition to typical motel management staff and services, the motel is staffed by a combination of personnel from the County, a community-based organization, and a private security company. At this hotel, the County offers limited case management services, three meals per day and laundry services. Medical and behavioral health staff perform wellness checks weekly and connect individuals to social services, medical and behavioral health services based on their needs. Transportation to and from the motel to initiate or conclude isolation or quarantine can be provided. Once the isolation or quarantine period is complete, the Program staff assist participants to return to their homes or transition to appropriate and available congregate and non-congregate shelter settings.

As of September 11, 2020, the County has placed 384 households (cases and contacts) in a motel. As of September 11, 2020, 20 rooms out of 118 are in use with seven placements pending.

2. **At-Home Support:** Since mid-June, the second component of the Program has been available to Santa Clara County residents. The second component provides support services for persons who can isolate and quarantine at home, but who need some assistance. The supportive services are similar to what is provided at the motel. Thus far, most participating households need help buying groceries and cleaning supplies. Since September 11, 2020, the Program has provided some level of assistance to help 171 households isolate or quarantine at home.

Thus far, neither assistance with childcare nor eldercare has been identified as a need. Typically, cases or contacts with minor children will isolate or quarantine together. The EOC has alerted the Department of Family and Children's Services to the potential need for help with an emergency placement of minors if a parent or guardian is incapacitated or hospitalized because of COVID-19. In the event that elder care services are needed, those services could be provided through the Institute on Aging's Community Living Connection program which is partially funded by the County.

3. **Rental and Financial Support:** The third component of the Program is rental and financial assistance specifically for individuals and families participating in this Program. Each household may be eligible for up to \$5,000.

This service is available to households who need to use a hotel and to households who can isolate or quarantine at home. On June 15, 2020, per resolution number BOS-

2020-19 and consistent with Board direction, the Administration executed an agreement with SHCS through the Director of Emergency Operations Center to provide rental and financial assistance to qualified participants in need.

As of August 28, 2020, the County has referred 552 families to SHCS to provide rental and financial assistance. SHCS determines eligibility, verifies need, and issues the financial assistance. The financial assistance is paid directly to the vendor (i.e., landlord, utility company). Households must have household income of less than 80% Area Median Income to be eligible for rental assistance (e.g. a family of four with an annual income of \$112,150 or lower). In addition, households must provide documentation that verifies the need and amount needed. For example, for rental assistance, the household may have to provide a copy of the lease and notice to pay rent or quit. These requirements are necessary because the County has used Community Development Block Grant funds for rental and financial assistance.

Other Key Services

In addition to the services described above, the Program prioritizes connecting individuals to safety-net services, including services which were expanded in response to the pandemic. Program staff can assist (eligible) cases or contacts access or sign up for General Assistance, CalWORKs, Medi-Cal, CalFresh, or other benefit programs administered by the County. While Program staff cannot authorize these benefits directly, the County's Department of Employment and Benefit Services has assigned an Eligibility Supervisor to: a) receive referrals directly from Program staff; b) immediately contact the case or contact to help them apply for the appropriate program; and, c) when appropriate, approve applications for assistance.

For workers who need additional assistance understanding or accessing resources provided through the California Employment Development Department (EDD), such as unemployment insurance, Program staff facilitate a connection to the County's COVID-19 Assistance Navigation Hotline (CAN-19 Hotline). The CAN-19 Hotline assists in English, Spanish, Vietnamese and Mandarin.

Having SHCS administer an important component of the Program also helps participating households access other rental and financial assistance programs through SHCS or other Emergency Assistance Network (EAN) agencies. SHCS coordinates the countywide Homelessness Prevention System, which is also partially funded by the County. In addition, SHCS and the other EAN agencies may be able to provide the households with other types of assistance, like food, when their isolation or quarantine periods end.

CONSEQUENCES OF NEGATIVE ACTION

The County will be unable to recover expenses incurred to provide assistance to households living outside of the unincorporated County areas.

STEPS FOLLOWING APPROVAL

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith
Agenda Date: September 22, 2020

Upon approval, the Clerk of the Board is requested to send email notification to Consuelo Hernandez and Hong Cao of the Office of Supportive Housing.

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

Home Isolation & Quarantine Guidelines

Isolation and Quarantine Steps for People Before and After COVID-19 Diagnostic Test Results

There are a number of reasons why you may need to be tested for COVID-19: (1) because you have symptoms of possible infection, (2) because you were in close contact with someone who was infectious with COVID-19, or (3) because you are in a job that recommends or requires testing. The directions below will help you to determine what you should do while you are waiting for your diagnostic test results, and what to do after your test results are available.

What to do while you're waiting for test results:

(1) If you have any COVID-19 symptoms*, follow the Isolation Steps while you are waiting for results.

**COVID-19 symptoms include:*

- Fever or chills • Cough • Shortness of breath or difficulty breathing • Sore throat
- Muscle or body aches • Fatigue • Nausea, vomiting, or diarrhea • Headache • Loss of taste or smell

(2) If you have no symptoms but were in CLOSE CONTACT with a person who was infectious with COVID-19, follow the Quarantine Steps while you are waiting for your test results.

(3) If you do not have COVID-19 symptoms and are not a close contact, you just need to wait for your test results. You do not need to follow Isolation or Quarantine Steps.

CLOSE CONTACT of a COVID-19 positive person = someone who was within 6 feet of the infected person for at least 15 minutes at any time beginning 2 days before the infected person had symptoms or tested positive. Close contacts include people who had 15 minutes of continuous contact with the infected person, as well as people who had repeated short-duration interactions with the infected person. Being considered a close contact does not depend on whether the contact or the infected person was wearing a face covering during their interaction.

What to do after you get your test results:

If you test COVID-19 positive, follow the Isolation Steps.

If you test negative AND:

1. You were a close contact of a COVID-19 positive person
⇒ continue to **follow the Quarantine Steps**.
2. You have COVID-19 symptoms* but are not a Close Contact ⇒ **follow Isolation Steps** until 24 hours after resolution of fever and improvement of other symptoms (unless otherwise directed by the Public Health Department or a physician to stay home for longer)
3. You were not a close contact and have no COVID-19 symptoms ⇒ you can resume your regular activities.

Restrictions & Information that Apply to BOTH Home Isolation & Home Quarantine:

Separate yourself from others:

- Stay at home except to seek medical care.
- Do not use public transportation.
- Separate yourself from others in your home.
- Do not prepare or serve food to others.
- Limit contact with pets.
- Do not allow visitors.
- Do not go to work, school, or public areas.

If you cannot meet the requirements for Isolation or Quarantine, you can call the COVID-19 Support Team at 408-885-3980 to request assistance with housing, food, or other needs.

Prevent the spread:

- Wear a mask and cover your coughs and sneezes.
- Clean and disinfect all "high-touch" surfaces every day.
- Wash your hands often.
- Do not share household items.

Practice homecare:

- Rest and drink plenty of fluids.
- Seek medical care if you develop symptoms or your symptoms get worse.
- Seek medical care if you experience: difficulty breathing, inability to keep fluids down, dehydration, or confusion.
- Call ahead before seeking medical care, notify the provider you are under isolation, and wear a mask at all times.

Home Isolation Steps	Home Quarantine Steps
If you have been diagnosed with COVID-19 or you are awaiting COVID-19 test results, you must follow the Home Isolation Steps to prevent the spread of disease. <u>Stay home until you have recovered and are not infectious</u> - Most people with COVID-19 have mild illness and can recover at home. - Monitor your symptoms closely and seek medical care if symptoms worsen, especially if you are at a higher risk of serious illness¹. - If you have symptoms, you can be with others after: At least 10 days since symptoms first appeared, AND 24 hours with no fever (without use of fever-reducing medication) AND - Improvement in symptoms - If you have no symptoms, you can be with others after: 10 days have passed since your first positive test was collected Note: If you are severely immunocompromised or ill, your doctor may recommend a longer isolation period. <u>Close Contacts</u> - If you have a test confirmation or doctor's diagnosis of COVID-19, then everyone who you had close contact with from 48 hours before your symptoms began until you self-isolated should follow the Home Quarantine Steps. Please share this document with them. To request help in notifying your Close Contacts without revealing your identity to them, please call 408-970-2870. <u>What if you cannot separate yourself from others?</u> - Anyone who continues to be in close contact with you will need to extend their quarantine until 10 days from the day you finish isolating.	If you live in a household with or had close contact with someone diagnosed with COVID-19, you must follow these Home Quarantine Steps. It can take up to 14 days to become infected with COVID-19. You must stay home and monitor your own health during this time to prevent passing infection to anyone else. <u>Stay home to see if you develop symptoms</u> You must stay home, even if you test negative, and continue to quarantine for the full 10 day period. - If you do not have symptoms, you may end quarantine after Day 10 but should continue monitoring symptoms for a full 14 days. - If you are unable to avoid close contact with the person with COVID-19, you must stay in quarantine for 10 full days after the case's isolation period. This could mean quarantine for 20 days. - If you do not have symptoms, get tested 6 or more days after last exposure to a case. If you are tested before that, get tested again 6 or more days after last exposure to a case. <u>What if you develop symptoms?</u> - If you develop any COVID-19 symptoms, and they are new symptoms that you do not usually have in daily life, then you may have COVID-19, and you must follow the Home Isolation Steps (to the left). - Get tested immediately. - If positive, continue to follow Home Isolation Steps - If negative and the test was earlier than 6 days after last exposure to case, get tested again towards the end of your quarantine period. - If negative and the test was done 6 or more days from the last exposure to the case, no additional testing is needed, but you must remain in quarantine for a full 10 days. <u>Which groups should seek additional information on the period of their quarantine?</u> - Certain workers² should consult with their employer, who may contact the Public Health Department for additional guidance.
¹If you are 60 years or older or have a condition such as heart, lung, or kidney disease, diabetes, high blood pressure, or a weakened immune system, you are at higher risk of getting more seriously ill.	
²Workers with special quarantine considerations: Consult your employer if you are considered a first responder or healthcare worker <u>and</u> compliance with the Public Health Department's isolation and quarantine guidance would compromise the continuity of service of your operation or department. See COVID-19 Quarantine Guidance for Healthcare Workers During Critical Staffing Shortages.	



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Gina Paolini, Interim Principal Planner
APPROVED BY: City Manager

APPROVE GOVERNMENT CODE 65915 DENSITY BONUS CONCESSIONS FOR A 100 PERCENT AFFORDABLE HOUSING PROJECT (SR2020-0023 WATSONVILLE-HORDNESS)

RECOMMENDATION(S)

Adopt resolution approving the request for the following affordable housing concessions, pursuant to Government Code:

1. Increase in floor area ratio;
2. Reduction in on-site parking;
3. Reduction in common open space; and
4. Increase in building height.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Diversity and Inclusiveness

2020-2021 Strategic Priorities

Affordable Housing and Homelessness

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

Project Description

A0702 Morgan Hill, L.P. has submitted Design Review and Tentative Parcel Map applications. The project applicant will be requesting a Green Parking Exemption in accordance with Zoning Code Section 18.72.070.H. through a Conditional Use Permit, which allows reduced parking lot landscaping requirements when solar panels are provided. The project is a 73-unit affordable housing development to be developed at Watsonville Road, south of Monterey Road (formerly known as the Royal Oaks Mushroom Farm). The project would dedicate 36 units to farmworker housing. Details regarding the project have been provided (Attachment 1).

This project is not requesting a density bonus; however, projects that include a certain level of affordable housing are entitled under Density Bonus law to receive concessions based on the number of affordable units and level of affordability provided within the project – the law does not require an actual increase in density. The project is committing to provide 72 units restricted between 30 percent and 60 percent of the Average Median Income (AMI). There will be one manager unit provided. This will be a 100 percent affordable project.

Concession Request

Government Code Section 65915(d)(2)(D) requires the City to grant four incentives or concessions for projects that are 100 percent affordable for lower income households (excluding managers unit), except that up to 20 percent of the total units in the development may be for moderate-income households. Concessions are considered waivers or reductions in development standards, such as height limitation, setback requirement, a floor area ratio (FAR), on-site open space requirement or a parking ratio. This project is entitled to four concessions or incentives, and has requested the following four concessions:

- a. Increase in FAR: 0.68 FAR proposed (0.50 maximum allowed);
- b. Reduction in parking requirements: 140 parking spaces provided (204 required);
- c. Reduction in common open space: 23,840 square feet provided (24,176 square feet required) and,
- d. Increase in height limitation: 45 feet (35 feet maximum allowed).

A link to the site plan and elevations for the project has been provided to demonstrate how the project has been designed with the requested concessions (Attachment 2). Additional details have been provided by the applicant showing how the project design would provide an actual cost reduction to provide for the affordable housing and if required to build in accordance with City requirements, it would physically preclude building the project at the desired density (Attachment 3).

Pursuant to Government Code 65915 (d)(1) the City must grant the concessions or incentives unless the City makes written findings, based upon substantial evidence, of any of the following:

- a. The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents of the targeted units to be set as specified in subdivision (c).
- b. The concession or incentive would have a specific, adverse impact, as defined in paragraph 2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
- c. The concession or incentive would be contrary to state or federal law.

These findings cannot be made for the project; therefore, the concession request should be granted by the City Council (Attachment 4).

COMMUNITY ENGAGEMENT: Inform

A project development web page has been created on the City website to inform the public of the project application. A site plan and project elevations have been provided for public review. The City will continue to inform the public through the public engagement process as the Design Review permit is processed.

ALTERNATIVE ACTIONS:

Government Code Section 65915(d)(2)(D) requires the City to grant four incentives or concessions for projects that are 100 percent affordable unless findings for denial can be made. For this project, findings for denial cannot be made; therefore, there is no alternative action.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None.

FISCAL AND RESOURCE IMPACT:

The City development review functions are cost-recovery, with the fees collected from applicants to cover cost of services. These fees have been collected.

California Environmental Quality Act (CEQA):

A project level environmental assessment will be prepared for the project in conformance with the California Environmental Quality Act. The environmental analysis will be considered during the Design Review permit phase of the project.

LINKS/ATTACHMENTS:

1. Project Narrative and Statement of Operations
2. Site Plans and Elevations (weblink)
3. Exceptions, Concessions, Design Waiver
4. Resolution

PROJECT NARRATIVE

A0702 Morgan Hill, L.P. submits for approval the application to construct a 73-unit multifamily affordable community that will also include 36 units dedicated to farmworker housing situated on a 3.70 net acre site along Watsonville Road, south of Monterey Road, previously known as the Royal Oaks Mushroom Farm. The new construction multifamily project will be comprised of 72 one, two, and three-bedroom apartments for low-income families earning between 30% and 60% of Area Median Income as defined according to the Santa Clara County AMI. there will also be a 3-bedroom unit provided for an on-site Property Manager. The new development will include an approximately 3,611 sf community room that will feature a lounge, management office, a computer room, a central laundry room, and a patio overlooking the play area with a tot lot. 144 parking spaces for residence and guests will be located within the project grounds.

The three proposed three-story buildings will be comprised of stacked flat units accessed either from the ground or walk-up stairwells. Ground level units will be accessible and include 8 ADA units. Each unit (6-one bedroom, 38-two bedroom, 29-three bedroom) will include private balconies or patios, Energy Star appliances, quartz or granite counters, and dedicated net metered solar photovoltaic. The elevations will primarily comprised of Hardiplank siding with a variation of exterior colors, and also include a stone veneer and metal siding. The roof will have a variety of pitches and height levels.

The proposed development is located in the City of Morgan Hill's Mixed-Use Flex Zoning District, with a PD zoning. A0702 Morgan Hill, L.P. is submitting under the entitlement guidelines of the SB330 program; and as an affordable project, will request 3 concessions. 1) Parking at the State levels for affordable projects, 2) an increase in the height of the structures beyond the zoning, 3) a higher F.A.R. than in the Mixed Use Flex zoning. A design waiver will be requested to address the design standard, orientation to the street, to have entries away from street frontage. Details of the requested Exceptions, Concessions, and Design Waiver are further described in: 1m Exceptions, Concessions, Design Waiver.

Entitlement approvals are anticipated by January 2021 in order to be able to qualify for the special allocation of State tax credits that are anticipated to be fully subscribed in the first funding round. It is anticipated the tax-exempt bond application which will include and separate application

Federal and State tax credit will occur early January 2021. The allocation of bonds and tax credits will occur in April, with anticipated financial closing and initiation of construction in August 2021. Completion of construction will occur in October 2022.

STATEMENT OF PROJECT OPERATIONS

The Crossings on Watsonville Road will have 1 full-time on-site property manager, and 1 full time service provider. Staff hours will generally be 9a-5p Mon-Fri with evening and weekend hours as needed. The project anticipates 10-25 visitors per day including friends, family, food delivery and service providers. 144 parking stalls will be provided for the 73 units. From experience, family communities typically park at 1.73 spaces per unit or 126 spaces based on the number of units of the Crossings on Watsonville Road. There are not any planned hazardous materials that will be used or stored regularly on-site.

Requested Exceptions and Design Waiver for Royal Oak Village

The Royal Oak Village is requesting four(4) Exception/Concessions, a Conditional Use Permit, and Design Waiver. Without the F.A.R exception, the economic viability of the project would be reduced. The concessions of State Parking Levels and the increase in Height levels, enhance the quality of the project aesthetically and functionally. The Entry Orientation Design Waiver request has some economic benefit, but more so, increases safety and convenience to the tenants.

1) SB 1818 Parking Levels

Under SB 1818 Section 65915 (p)(1)(A&B) the maximum allowable affordable housing development vehicle ratio, inclusive of ADA and guest parking, is: Zero to One Bedroom: One onsite parking space. Two and Three Bedroom: Two onsite parking spaces.

As calculated, the State Affordable Vehicle Ratio for the Crossings on Watsonville is a total of 140 vehicle spaces based on the unit mix of 6-one bedroom units, 37-two bedroom units, 28-three bedroom units. The number of spaces provided by the Project is 140 parking spaces.

Further exceeding the ratio and adding parking spaces will be at the cost of a reduction of project common open space.

Pursuant to SB 1818, the Project requests parking levels in line with the State vehicle ratio.

2) Increased Height Level:

The Project is requesting an increase to the maximum height of the building. As designed with gabled roofs, the maximum roof height of the buildings is at 45 feet, occurring at the centralized core of the three-story buildings. Other third level roof lines are at a maximum height of 42 feet. Combined, the multiple roof lines provide articulation and multiple massing sections of the structures.

While a lower height level is attainable, it would require a significantly reduced gabled roof pitch, or a flat roof. Besides completely changing the architectural look of the building, flat and minimal pitch roofs are more prone to moisture penetration in the long term.

For architectural articulation and massing, and long-term maintenance, the Project requests an Exception to increase the maximum height of the building.

3) F.A.R. Exception:

The Zoning and General Plan are noted as Mixed Use Flex. Allowable density is 7-24 unit to the acre, with the project at 19.73 units to the acre. The Project F.A.R. is .68 The allowable F.A.R. for the MUF zoning is .50. To achieve a F.A.R. of the zoning, the project would need to combine a reduction of the number of units by 14 units and reduce solar paneled, carport spaces, both which would reduce the economic viability of the project. It would also increase the cost per door of the project as fixed site and improvement of Watsonville Road would be over 59 units, instead of 73 units.

Financially, the cost per door would increase by \$49,459, the project would have a financial gap of \$1,720,293 as a result of less permanent debt and funding sources, and impact fees collected by the City of Morgan Hill would be reduced by \$546,000.

The Project is requesting a concession of the F.A.R to be higher than the F.A.R. of the zoning to maintain the economic viability and higher levels of energy efficiencies.

4) Common Open Space Area:

Initially, the project attained this 15% common open space requirement by our calculations, exceeding the minimum 24,176 sf for the 3.7 net acre site. As a result of adding future EV charger spaces and access, open space was reduced to maintain the State level 140 spaces. Adjusted estimated project common open space is 23,840 sf.

Conditional Use Permit:

The project has taken steps to increase landscape parking fingers to add trees. Yet with the 73 parking spaces covered by solar roof carports, the placement of trees at the landscape fingers has a direct negative impact on the solar generation.

Since the parking lot incorporates solar panels and bioswales, the project is eligible for reduced parking lot landscaping requirements with the approval of a conditional use permit and requests this CUP based on the “Green Parking Exemptions”.

Design Waiver Request:

Only Building B has units (4) that front Watsonville Road. Accessibility is from the parking area to units through two centralized stairwell corridors. Providing access from Watsonville Road, either through the stairwell corridor, or at the patios that front Watsonville Road, would require multiple staired paths and multiple ramps to account for the elevation increase of the building from the street. Additional access points from Watsonville Road will also reduce security/eyes on entries. Access through the stairwell corridor will also eliminate the 6 long term and 6 short term bike storage areas. As a result of the additive costs of estimated at \$30,000, reduced bike storage, and reduced security, we request a Design Waiver on this standard.

RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL GRANTING FOUR CONCESSIONS FOR THE WATSONVILLE-HORDNESS PROJECT, A 73-UNIT AFFORDABLE HOUSING DEVELOPMENT TO BE LOCATED AT WATSONVILLE ROAD, SOUTH OF MONTEREY ROAD (APN: 779-04-075).

WHEREAS, A0702 Morgan Hill, LP has requested four concessions for the 100 percent affordable housing development including a parking reduction, increase in floor area ratio, reduction in common open space and increase in building height.

WHEREAS, the Project is an affordable housing development project that includes 100 percent affordable rental units for lower income households (excluding managers unit) of up to 60 percent AMI.

WHEREAS, pursuant to Government Code Section 65915(d)(2)(D), the Project is allowed up to four concessions.

WHEREAS, none of the findings for denial of the concessions required by Government Code Section 65915(d)(1) are supported by substantial evidence.

WHEREAS, the Watsonville-Hordness Affordable Housing development project to be located at Watsonville Road, south of Monterey Road and identified by Assessor's Parcel Number 779-04-075 will provide a public benefit of a 100 percent affordable housing and will be deed restricted for 55 years, or the four concessions granted for a parking reduction, increase in floor area ratio, reduction in common open space and increase in building height will become null and void.

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

Section 1. The City Council does hereby find that the foregoing recitals are true and correct.

Section 2. The Project is consistent with the Zoning Ordinance and General Plan.

Section 3. The City Council of the City of Morgan Hill hereby grants the density bonus and the four concessions for the Watsonville-Hordness Affordable Housing development project.

Section 4. 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 20th day of January 2021 by the following vote:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 21-0xx, adopted by the City Council at a regular meeting held on January 20, 2021.

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

DATE: _____

MICHELLE BIGELOW, City Clerk

DRAFT



Meeting Minutes City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Mayor Pro Tem
Gino Borgioli - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, December 16, 2020 7:00 pm

Virtual Meeting

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 pm and welcomed new City Council Member Gino Borgioli.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

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

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

PRESENTATIONS

YAC Presentation- Asset # 40- Positive Views of Personal Future

Minutes Acceptance: Minutes of Dec 16, 2020 7:00 PM (CONSENT CALENDAR)

RECOGNITION

Assistant City Manager Leslie Little

Public comment opened and the following people were call to speak:

Nanette Mocano

Elyse Little

Frank Leal

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

ETHICS ACKNOWLEDGEMENT

MORGAN HILL ETHICS POLICY

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentation. She provided an update on the DePaul Health Center. She then shared that the City sent the County a letter regarding VTA and Measure B. The City continues to articulate that we are opposed to any changes in Measure B funding that would take away the funding for our local streets and roads. The City also sent a letter to our legislative representatives, requesting support for a stimulus package. It was a call to action on this package to address the severe impacts that have been endured by local governments from the COVID-19 pandemic. She gave an update regarding the Downtown businesses and the Curb Side Pick-up Program.

She announced that effective January 1, 2021, Edith Ramirez will be the City's new Assistant City Manager.

Public comment opened and the following people were called to speak:

Armando Benavides

Roberto Aguirrez

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

PUBLIC COMMENT

Public comment opened at 8:19 pm. The following people were called to speak:

Nicholas Kuwada

Roberto Aguirrez

John Bendick

There being no further requests, public comment closed.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that there was no reportable action from the closed session items from the December 2, 2020 City Council Agenda. He also shared that we normally talk about new legislation in January, however, there is a new piece of legislation that affects the Brown Act and goes into effect on January 1st. The new legislation means that Council Members cannot comment on communications made, posted or shared on an internet based social media platform by other members of the Council. Council Members should not comment on each other's social media posts and should refrain from liking (or thumbs up) posts about items that may come before the City Council. As of January 1st, it is ok to comment on social media posts (other than other Council Members') but liking posts could be concerning if a majority of the Council ends up liking a post.

The meeting recessed at 8:26 pm and reconvened at 8:35 pm.

ADOPTION OF AGENDA

MOTION:

Adopting the agenda removing item 2.

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

CONSENT CALENDAR**MOTION:**

Approving consent calendar items 1 and 3 through 5.

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

1. APPROVE IMPROVEMENT AGREEMENT WITH VCBLA NIDO, LLC (VOICES CHARTER SCHOOL)

Recommendation:

1. Approve and authorize the City Manager to execute and administer an Improvement Agreement with VCBLA NIDO, LLC; and
2. Authorize the recordation of the Improvement Agreement.

2. APPROVE THE FINAL MAP AND SUBDIVISION IMPROVEMENTS AGREEMENT FOR JASPER - TRACT NO. 10545

Recommendation:

1. Approve the Final Map;
2. Approve and authorize the City Manager to execute the Subdivision Improvements Agreement with City Ventures Homebuilding, LLC, Monterey Morgan Hill, LLC, and Dobby MMH LLC; and
3. Authorize the recordation of the Final Map and Subdivision Improvements Agreement.

Item pulled from the agenda.

3. APPROVE CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2021

Recommendation:

Approve 2021 City Council meeting schedule.

4. APPROVE THE DECEMBER 2, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

5. APPROVE THE DECEMBER 9, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

6. SELECT CITY COUNCIL MAYOR PRO TEMPORE

Recommendation:

1. Open floor to nomination(s) for Mayor Pro Tempore; and
2. Select a Council Member to serve as Mayor Pro Tempore per City Council Policy 99-01.

City Clerk Michelle Bigelow provided the report.

Public comment opened at 8:40 pm.

There being no requests to speak, public comment closed.

MOTION:

Appointing Council Member McKay as Mayor Pro Tem for 2021.

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

CONTINUED PUBLIC HEARING

7. INTRODUCE ORDINANCE AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN (ZA2020-0001: MUNICIPAL CODE AMENDMENT)

Recommendation:

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

Principal Planner Adam Paszkowski provided a presentation and report.

The public hearing opened at 9:09 pm.

Joe Baranowski was called to speak.

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

MOTION:

Waiving the first and second reading and amending the ordinance to move Vehicle Storage Use and Salvage/Wreckage into the Vehicle Related Use Section.

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

MOTION:

Introducing the ordinance and amending the ordinance to move Vehicle Storage Use and Salvage/Wreckage Use into the Vehicle Related Use Section.

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

PUBLIC HEARING

8. APPROVE A DESIGN PERMIT FOR A NEW TWO-STORY 6,600 SQUARE FOOT BUILDING FOR THE USE OF AN ART GALLERY ON THE SOUTHWEST CORNER OF 2ND STREET AND MONTEREY ROAD. (DESIGN PERMIT NO. SR2020-0024: MONTEREY - MCCRANIE).

Recommendation:

Adopt resolution approving a Design Permit for a 6,600 square foot, two-story commercial structure.

Associate Planner Tiffany Brown provided a presentation and report.

The public hearing opened at 10:07 pm. The following people were called to speak:

Mark Oberholzer and Sean Martino spoke on behalf of the applicant

Kathy Sullivan

Brian Sullivan

Doug Hall

Roger Knopf

David Dindak

Brittney Sherman

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

MOTION:

Approving the recommended action considering Council Member Martinez Beltran's recommendations on the front view.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gino Borgioli, Council Member
SECONDER:	Yvonne Martinez Beltran, Mayor Pro Tem
AYES:	Constantine, Martinez Beltran, Borgioli, McKay, Spring

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Spring requested a conversation on Downtown parking.

ADJOURNMENT

There being no further business, the meeting adjourned in honor of outgoing Assistant City Manager Leslie Little and Gemma Abels at 10:54 pm.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ADOPT RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY FROM GARCIA FOR THE HALE AVENUE EXTENSION PROJECT

RECOMMENDATION(S)

1. Adopt Resolution of Necessity determining that the public interest and necessity require the acquisition by eminent domain of real property from Rocke and Glenda Garcia as identified in Exhibit A for the Hale Avenue Extension Project; and
2. Authorize the City Attorney to file suit in eminent domain with respect to said property.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Infrastructure

2020-2021 Strategic Priorities

Fiscal Sustainability
Transportation

GUIDING DOCUMENTS

Bikeways
Trails
Parks
and Recreation Masterplan
Morgan Hill 2035 General Plan
Water System Master Plan

REPORT NARRATIVE:

Background

The Hale Avenue Extension project was formally known as the Santa Teresa “Gap Fill” project because when completed, it would fill a gap in the Santa Teresa corridor allowing for a north-south alternative to Monterey Road. The limits of the Hale Avenue Extension project are Main Avenue at the north end and Spring Avenue at the south end (Attachment 1). The project is designed as a two-lane roadway with a median, bike lanes, and a pedestrian walkway, in conformance with the City’s multi-modal arterial standard. This reach of roadway has been a planned arterial since the 1960’s.

The City continues to actively pursue fee title for two remaining properties for the Hale Avenue Extension project. The two properties are owned by (1) Pacific Gas & Electric Company, and (2) Glenda and Rocke Garcia. The City filed for eminent domain on the PG&E property in 2018 and obtained the rights to construct the project by Court order in

July 2019. Staff is still coordinating with PG&E to resolve the final compensation amount. In 2018, City Council approved a Purchase and Use Agreement (PUA) with the Garcia's for property needed to construct the Hale Extension project, which is the subject of this staff report (Attachment 2).

In March 2017, the City notified the fee owners, Glenda and Rocke Garcia, that their property was required for the Hale Avenue Extension Project. On August 17, 2017, the City made an offer to the fee owners for the appraised value of \$3,563,200, which consisted of 4.09 acres of fee property. At that time, the Garcia family rejected the City's offer. However, the fee owners did allow the City to move forward with construction of the project through a Purchase and Use Agreement (PUA). A condition of the PUA states, in the event an agreement for purchase is not reached within six (6) months of the effective date of the agreement, the City shall have the right to proceed with eminent domain to acquire title to the parcel. It has been well over a year now, and the property owners and the City have not reached an agreement on the value of the property. Thus, staff and the fee owners recommend that the eminent domain process be used to resolve the value of the property. The property owner's representative has informed City staff that they agree with moving forward with eminent domain.

The Hale Avenue Extension construction contract was awarded to DeSilva Gates Construction LP on November 18, 2020 and the anticipated start date is approximately April 1, 2021. Construction is mainly funded by the Santa Clara Valley Transportation Authority's Measure B initiative in the amount of \$16.5 million. With the Purchase and Use Agreement in place the proposed action in this report has no impact on construction of the project.

Resolution of Necessity:

On December 22, 2020, a notice was sent to the owner of record, Glenda and Rocke Garcia, notifying them that a hearing is scheduled on January 20, 2021 before the City Council of Morgan Hill to consider the adoption of a Resolution of Necessity determining the following issues for the property:

1. Whether the public interest and necessity require the project.

Discussion: The Hale Avenue extension is identified in the City's General Plan Circulation Element, Goal 4 as a high priority project based on significant traffic congestion relief for the citizens of Morgan Hill. The project is also included in the County's "2008 Comprehensive County Expressway Planning Study" and the "2016 Measure B" program. The project itself allows for a continuous north/south arterial roadway on the west side of the City, which also reduces vehicle emissions by creating a more direct route while reducing traffic on local streets. The roadway also provides a regional benefit to our north and south neighboring communities. In addition to the roadway, the project will also provide bike lanes and a landscaped pedestrian pathway.

2. Whether the project is planned and located in a manner that would be most compatible with the greatest public good and the least private injury.

Discussion: The first plan line for the Santa Teresa corridor was recorded in 1964. A second plan line was subsequently developed in 1994 but was never officially adopted. More recently, the City adopted the Hale Avenue Plan Line and a Final Environmental Impact Report. The roadway alignment through the Garcia parcel is such that it will occupy the entire parcel. Alternatives were considered; however, this alignment minimizes impacts and maximizes the public benefits.

3. Whether the property sought to be acquired is necessary for the project.

Discussion: The property being sought is located within the Hale Avenue Plan Line alignment, which was adopted by City Council on August 23, 2017 along with the Final Environmental Impact Report. Without this property, the project cannot be constructed as designed and environmentally cleared. The entire Garcia property is needed to construct the project.

4. Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

Discussion: The title report ordered from Old Republic Title Company, updated on August 29, 2018, shows the owner of record to be W. Rocke Garcia and Glenda Garcia, husband and wife, as community property with right of survivorship. A written offer, in accordance with Section 7267.2 of the Government Code was made. On March 8, 2017, Glenda and Rocke Garcia were first notified by the City that their property was needed for the Hale Avenue Extension project. On August 23, 2017, the City made a voluntary offer to the fee owners in the amount of \$3,563,200 based upon a Member Appraisal Institute (MAI) certified appraisal for 4.09 acres of fee title land.

On October 3, 2018, City Council approved a Possession and Use Agreement with Glenda and Rocke Garcia for use of the property (APN 767-01-052) to allow for the construction of the Hale Avenue Extension project. As a condition of the PUA, the City deposited the probable compensation amount of \$3,563,200, which was withdrawn by the fee owners.

On April 16, 2019, a letter was received from the fee owner's attorney, Matteoni O'Laughlin & Hechtman Lawyers, concluding that the fair market price for the subject property was determined to be \$7,790,000 by their appraiser. The attorney claims the appraisal is outdated, does not consider rising real estate rates, and does not include development entitlements. The fee owner is also requesting access off the proposed Hale Avenue Extension.

On May 16, 2019, the City respectively rejected the fee owner's offer and requested proof of valuation or methodology. The fee owner would not share their appraisal or any other information regarding how they arrived at their counteroffer amount of \$7,790,000.

Staff is therefore requesting that the City Council utilize its power of eminent domain under California Government Code sections 40404 and 37350.5 and Sections 1240.010-1240.050, 1240.110, 1240.120, 1240.125, 1240.150, and 1240.220 of the Code of Civil Procedure, all of which authorize the City of Morgan Hill to acquire said property.

The owners of interest have been notified of this hearing and their right to appear and be heard regarding items 1, 2, 3, and 5 in the findings of the attached Resolution (Attachment 3). If the Resolution of Necessity is adopted, the City Attorney or Special Eminent Domain Counsel will then file the required documents with the court to commence the eminent domain action. The Resolution of Necessity must be adopted by a two-thirds Council majority. The owners have submitted a letter requesting future access off the proposed Hale Avenue Extension, however, this request is unrelated to the this Resolution of Necessity.

COMMUNITY ENGAGEMENT: Inform

Numerous community engagement and design meetings were held throughout the early planning and design phases of the project. In addition, the Environmental Impact Report (EIR) process also included opportunities for the community to provide input regarding the scope, content, and potential environmental impacts from the project.

ALTERNATIVE ACTIONS:

City Council could decide to not move forward with the eminent domain process at this time and direct staff to continue negotiations with the Garcia family. However, negotiations have stalled up to this point, thus further negotiations will likely only delay resolving this matter and expend additional City resources.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- The Hale Avenue Extension Project is included in the adopted FY 2018-19 Capital Improvement Program.
- Over the past several years the City has acquired properties from Hosseinpour, Giancola, Tran, Howard, Kerr, Betpolice, and Santa Clara County for this Project.
- On September 5, 2018, City Council adopted a Resolution of Necessity to acquire portions of two parcels from PG&E.
- On October 3, 2018, City Council approved a Possession and Use Agreement with Glenda and Rocke Garcia for fee property (APN 767-01-052) for the Hale Avenue Extension project.
- On November 18, 2020, City Council approved the construction contract with DeSilva Gates Construction LP for the Hale Extension project.

FISCAL AND RESOURCE IMPACT:

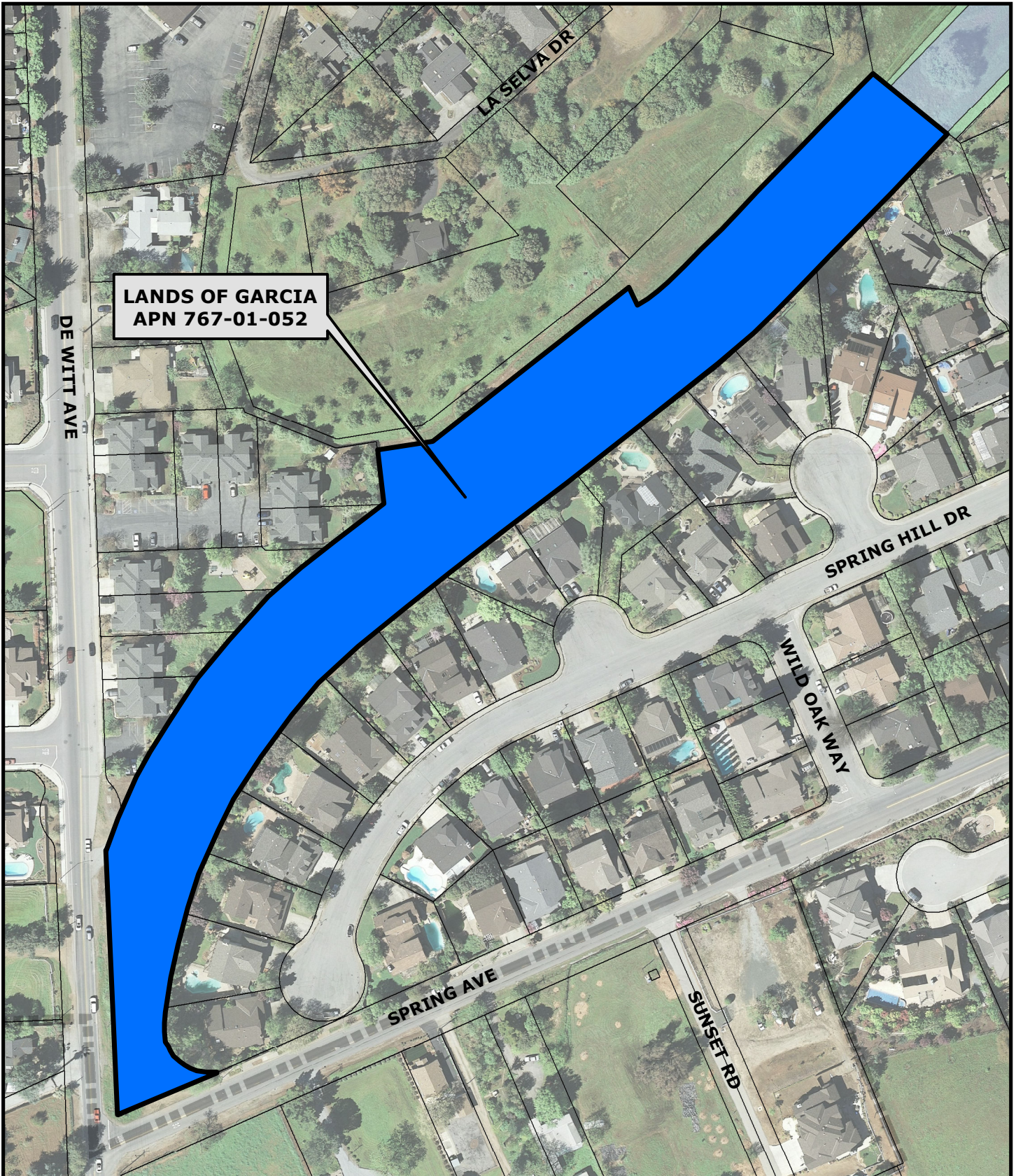
Funds in the amount of \$3,563,200 were deposited in an escrow account and were withdrawn by the property owner. The cost and resource impact of the eminent domain process will be accommodated within the City Attorney's office and its respective budget. The Hale Avenue Extension project is included in the adopted Capital Improvement Program under CIP #546007 funded by the Traffic Impact Fund (309).

CEQA (California Environmental Quality Act): Project

The City Council adopted Resolution 17-071, which certified the Final Environmental Impact Report and adopted a Mitigation Monitoring and Report Program for the Hale Avenue Extension project and the Hale Avenue Plan Line in accordance with the City of Morgan Hill's procedures for compliance with the California Environmental Quality Act (CEQA). All the environmental documents for this Project are incorporated herein by reference and made a part of this staff report and are available for review.

LINKS/ATTACHMENTS:

1. Project Location Map-Garcia
2. Garcia PUA Executed Agreement
3. Resolution-Garcia RON
4. Exhibit A to Resolution
5. Letter from Rocke Garcia



Attachment: Project Location Map-Garcia (2961 : Garcia Resolution of Necessity)



CITY OF MORGAN HILL
Engineering and Utilities Department
CIP Engineering Division

G:\R-14\Proj\GIS\John\Dave_767_01_052.mxd

SITE MAP

LANDS OF GARCIA
APN 767-01-052



0 50 100 200 300 400
 Feet

APN 767-01-052

**CITY OF MORGAN HILL
POSSESSION AND USE AGREEMENT**

This Possession and Use Agreement ("Agreement") is made on October 3, 2018, by and between the City of Morgan Hill, a Municipal Corporation ("City"), and W. Rocke Garcia and Glenda Garcia, husband and wife as community property, with the right of survivorship. ("Owner") shall be collectively referred to as the "Parties."

RECITALS

- A. City requires immediate possession and use of Owner's real property to construct a City project. Owner's property is located in the City of Morgan Hill, Santa Clara County, California, being APN No. 767-01-052, and further described in Exhibit "A" attached hereto and incorporated herein (the "Parcel").
- B. The Parcel is required for the purpose of constructing a portion of Hale Avenue Extension Project (the "Project"). The purpose of this Agreement is to allow the City to proceed with construction of the Project without delay.
- C. The Parties acknowledge and agree that any delay in the start of construction of the Project is contrary to public interest. It is the intent of City to offer fair-market compensation to Owner for permission to enter the Parcel and to construct the Project, and as consideration for the rights set forth in the paragraph entitled "Possession," below. City has made a firm written offer to pay the total sum of \$3,563,200 to Owner and any other persons having an interest in the Parcel. This amount does not include compensation for any loss of business goodwill, pre-condemnation damages, loss of rent or any other claims for just compensation except for the City's appraised fair market value of the Parcel (and, if applicable, severance damages). Owner has not accepted this offer.

OPERATIVE PROVISION

In consideration of the sum to be paid to Owner and in consideration of the foregoing recitals and the promises, covenants and any other conditions set forth in this Agreement, City and Owner agree as follows:

Possession

- a. Owner grants to City and its contractors, agents, representatives, employees and all others deemed necessary by State, the irrevocable right to exclusive possession and use of the Parcel, including but not limited to, the right to remove and dispose of any and all improvements within and/or straddling the right of way, excepting therefrom the existing underground storm drainage and sanitary sewer facilities, which shall remain in place to serve three lots adjacent to the Parcel which are currently owned by Owner. In consideration for this irrevocable grant of possession and use, City will tender into escrow the sum of \$3,563,200. City's right to possess the Parcel and begin construction of the Project shall commence on the date the sum is paid into escrow.

Just Compensation and Appraisal

b. Owner acknowledges that the sum referenced in paragraph a represents the full amount of the approved appraisal of what City believes is just compensation owed for the acquisition of the Parcel. City acknowledges that Owner believes that just compensation for the acquisition of the Parcel is more than the sum referenced in paragraph a. Should the Parties fail to reach a settlement and it becomes necessary for City to file a condemnation action to acquire the Parcel, the Parties agree the amount deposited into escrow shall not be admissible as evidence of value in such condemnation proceeding. The Parties agree that the deposit and payment under this Agreement shall be equivalent to a deposit and payment under California Code of Civil Procedure Section 1255.010 *et seq.* and a withdrawal under CCP Section 1255.210 *et seq.* and that the basis for such deposit, including but not limited to any appraisal, shall be governed by Code of Civil Procedure section 1255.060. Accordingly, the Parties agree that the amount deposited or withdrawn under this Agreement may not be given in evidence or referred to in any trial on the issue of compensation and further agree that any appraiser who prepared any report or statement concerning the deposit may not be called to testify at any such trial, unless designated by Seller as an expert pursuant to CCP Section 1258.210 *et seq.*

Escrow

c. This transaction will be handled through an escrow with Old Republic Title Company "ORTC", for the account of the Owner, Escrow No. 0625008285-LC. City shall pay all escrow fees incurred in this transaction. Owner shall be entitled to disbursement of the entire sum referred to in paragraph 1.

Owner represents and warrants, and City acknowledges that it concurs that there are no other parties having interests in the Parcel who could claim a right to any portion of the proceeds or whose consent is required for disbursement of the proceeds to Owner.

d. This escrow shall remain open until either a final settlement, or until termination of this Agreement, or until a Final Order of Condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court and recorded in the Official Records of Santa Clara County. Any sum disbursed to Owner from this escrow shall be deducted from the ultimate amount received by Owner as a result of any settlement, award, or verdict of just compensation for the Parcel.

Effective Date

e. This Agreement is effective as of October 3, 2018_(the "Effective Date"). From and after the Effective Date, Owner shall not assign, sell, encumber or otherwise transfer all or any portion of their interest in the Parcel, without first obtaining City's prior written consent.

Taxes

f. Owner agrees to submit payment, when due, to the County tax collector for all taxes and special assessments on the Parcel that are due during the period from the date of possession (as set forth in paragraph 1 of this Agreement) to the date title transfers to the City. Title transfers to the City on the date the Grant Deed or Final Order of Condemnation is recorded in the Office of the County Recorder. Owner shall not be required to pay taxes or special assessments on the Parcel on or after the date title transfers to the City. After the date title transfers to the City, the City will request that the County tax collector cancel taxes and/or special assessments for the period from the date of possession to the date title transferred to City. After the tax cancellation request is made by the City, Owner may file a claim with the County tax collector for a refund of any tax overpayment. Notwithstanding any other provision of this Agreement, no cancellation shall be made of all or any portion of any taxes that were due

prior to the date of possession but which were unpaid; escrow shall pay in a timely manner all delinquent property taxes due from the sums deposited into escrow. (California Revenue and Taxation Code Section 5084.)

Eminent Domain Proceedings

g. This Agreement is made with the understanding that City will continue to negotiate in good faith with Owner to acquire its interest in the Parcel by direct purchase. It is further understood that in the event an agreement for purchase is not reached within six (6) months of the Effective Date of this Agreement, such failure will be an acknowledgement that the negotiations to acquire the Parcel have proved futile, and City shall have the right to file a complaint in eminent domain to acquire title to the Parcel. Such complaint shall be filed within a reasonable time after the time period provided in this paragraph has expired.

h. If City begins proceedings in eminent domain, it is understood and agreed that this Agreement shall continue in effect until either a settlement is reached or a Final Order of Condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court and recorded by City.

Waiver Notice Pursuant to Code of Civil Procedure Section 1245.235

i. Section 1245.235 of the California Code of Civil Procedure requires the City of Morgan Hill, to give each person whose property is to be acquired by eminent domain notice and a reasonable opportunity to appear before the City Council and be heard on the matters referred to in section 1240.030 of the Code of Civil Procedure, which provides:

The power of eminent domain may be exercised to acquire property for a proposed project only if all of the following are established:

- i. The public interest and necessity require the project.
- ii. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- iii. The property sought to be acquired is necessary for the project.
- iv. The offer required by section 7267.2 of the Government Code has been made to the Owner or others of record.

By granting this irrevocable right to possession and use of the Parcel to City, Owner agrees to the following:

- v. Owner specifically waives the notice required by Code of Civil Procedure section 1245.235 of the hearing on the matters referred to in Code of Civil Procedure section 1240.030, and Owner shall not object to the adoption of the resolution of necessity by the City Council authorizing the taking of the property described in Exhibit "A."
- vi. Owner shall not object to the filing of an eminent domain proceeding to acquire the property described in Exhibit "A" pursuant to section g of this Agreement.
- vii. In any eminent domain action filed by City to acquire the property described in Exhibit "A," Owner shall not challenge City's right to acquire such property, and the only issue shall be the amount of just compensation for the Parcel.

Refund

j. Owner agrees that in the event the ultimate amount of any settlement, award, or verdict is less than the total of the sums paid to and withdrawn by Owner, Owner shall refund the difference including interest at the apportionment rate of interest as provided in Code of Civil Procedure Section 1268.350 to the City.

Waiver

k. Owner waives any right to challenge City's right to possess and use the Parcel in any subsequent eminent domain proceedings filed by City for the Project. Owner also waives all claims and defenses in its favor in any subsequent eminent domain proceeding for the Project, except a claim for greater compensation.

Date of Valuation

l. In the event proceedings in eminent domain are begun, the date of valuation for determining the amount of just compensation for the Parcel shall be the date City takes possession of the Parcel.

Interest

m. Compensation awarded in an eminent domain proceeding shall draw interest prior to judgment as prescribed by Section 1268.350 of the California Code of Civil Procedure. Owner shall be entitled to receive interest on any sum received as compensation for its interest in the Parcel, whether pursuant to this Agreement, a subsequent settlement or court judgment, beginning on the date City takes possession of the Parcel pursuant to this Agreement and ending on the earliest of the dates as provided in Code of Civil Procedure section 1268.320. Post-judgment interest shall be determined according to law.

Hazardous Materials

n. This Agreement does not affect or impact who is considered the "Responsible Party" for purposes of remediation of contamination under Federal and/or State Law. Each party reserves all its rights to assert any position or contention regarding the effect of contamination (if any exists on the Parcel) on the purchase price. That issue will ultimately be resolved through negotiations or at trial and this Agreement shall have no impact on that determination.

Abandonment of Proceeding

o. Under Section 1268.510 of the California Code of Civil Procedure, at any time after the commencement of proceedings in eminent domain, City reserves the right to abandon the proceeding in whole or in part.

Authority to Execute and Bind

p. Each of the Parties represents and warrants that each of the persons executing this Agreement has full and complete legal authority to do so and thereby binds the party to this Agreement.

Entire Agreement

q. This Agreement reflects the entire agreement between the Parties and shall supersede all prior or contemporaneous oral or written understandings, statements, representations or promises between the Parties concerning the matters contained herein.

Governing Law

r. This Agreement is made and entered into in the City of Morgan Hill, and shall in all respects be interpreted, enforced and governed under the laws of the State of California. The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning and not strictly for or against any of the Parties.

Successors in Interest

s. This Agreement shall be binding upon and inure to the benefit of the heirs, devisees, executors, administrators, legal representatives, successors and assigns of the Parties.

Understanding of Agreement

t. This Agreement has been negotiated in good faith and each party warrants and represents that in executing this Agreement, they are not relying upon any representation, promise, inducement or statement made in negotiation that has not been included in the terms of this Agreement.

u. Intentionally Omitted.

Severability

v. In case any part, term, portion or provision of this Agreement is determined to be illegal, invalid or unenforceable, the remaining parts, terms, portions and provisions shall remain valid, enforceable, and in full force and effect.

Amendment to Agreement

w. This Agreement may only be amended by written agreement, executed by all Parties.

Counterparts

x. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

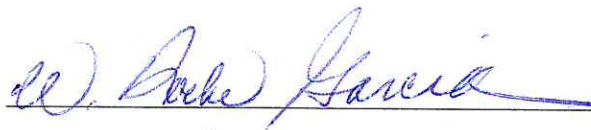
Memorandum of Agreement

y. City may record a memorandum of this Agreement.

W. Rocke Garcia and Glenda Garcia, husband and wife as community property, with the right of survivorship

DATED: 9/18/18

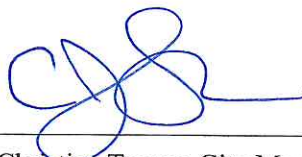
By:

DATED: 9-18-18

By:

**City of Morgan Hill****A Municipal Corporation**DATED: 10-29-18

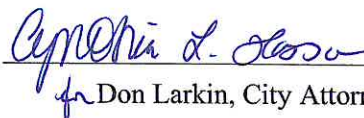
By:



Christina Turner, City Manager

APPROVED AS TO FORM:DATED: 10-24-18

By:



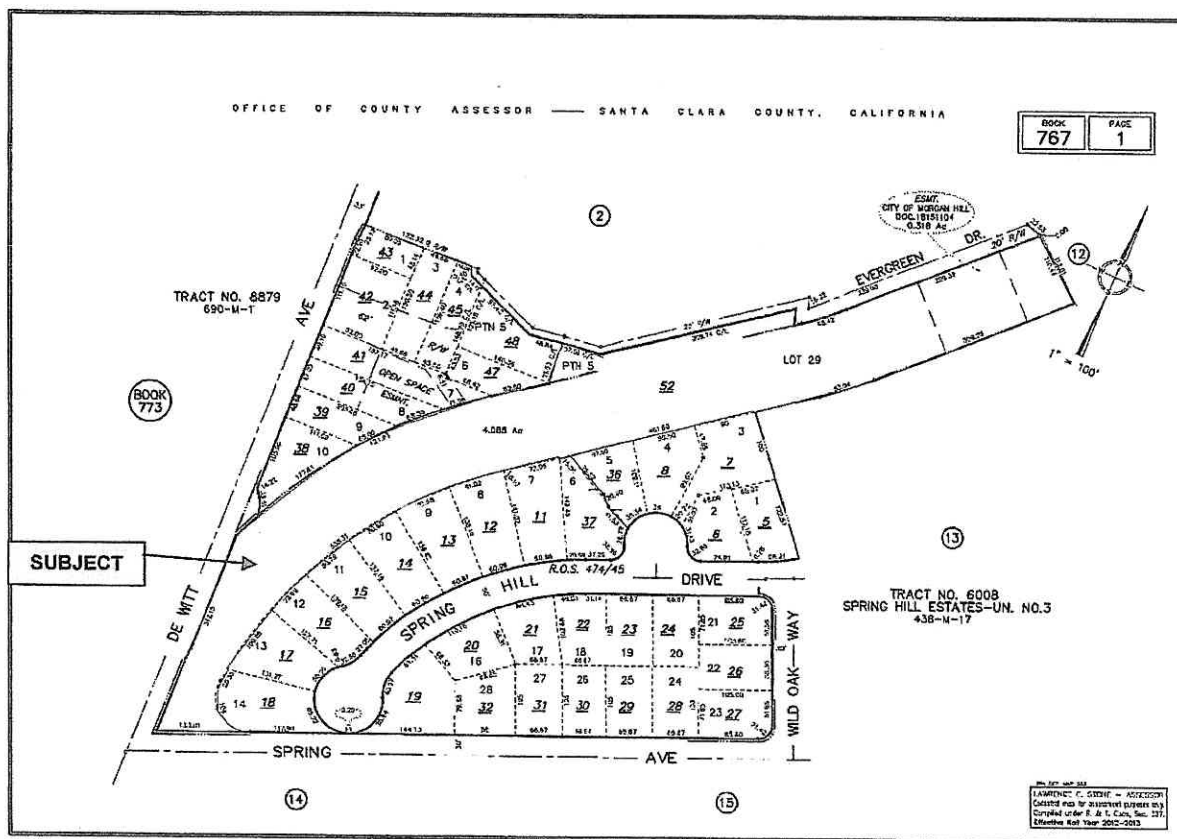
for Don Larkin, City Attorney

City of Morgan Hill
Hale Avenue Extension Project
APN: 767-01-052 – Garcia

EXHIBIT A

ARWS ASSOCIATED
RIGHT OF WAY
SERVICES, INC.

Assessor's Parcel Map



RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN REAL PROPERTY INTERESTS FOR A PUBLIC PROJECT (HALE AVENUE EXTENSION PROJECT), AUTHORIZING THE ACQUISITION THEREOF, DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS

WHEREAS, it is desirable and necessary for the City of Morgan Hill (hereinafter the “City”) to acquire certain real property specifically one (1) fee take from property located on the Northeast Side of DeWitt Avenue, Morgan Hill, CA, Assessor’s Parcel Numbers 767-01-052, more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, for the Hale Avenue Extension Project (“Project”); and

WHEREAS, the City is vested with the power of eminent domain to acquire real property by virtue of Article I, Section 19 of the Constitution of the State of California, Section 37350.5 and 40404 of the California Government Code, and Sections 1240.010-1240.050, 1240.110, 1240.120, 1240.125, 1240.150, 1240.220, 1240.410, 1240.610 and 1240.650 of the California Code of Civil Procedure; and

WHEREAS, On August 23, 2017, the City Council approved Resolution 17-071 which certified the Final Environmental Impact Report (EIR) and Mitigation Monitoring and Report Program that completes the CEQA requirements for this project.

WHEREAS, pursuant to the provisions of Section 7267.2 of the California Government Code, the City made an offer to the owners of record to acquire the property interests set forth in **Exhibit A** for the amount which it has established to be just compensation;

WHEREAS, pursuant to the provisions of Section 1245.235 of the California Code of Civil Procedure, notice has been duly given to Rocke and Glenda Garcia, whose property is to be acquired by eminent domain and whose name and address appears on the Santa Clara County Equalized Assessment Roll, and they have been given reasonable opportunity to appear and be heard before the City Council at the Resolution for Necessity hearing held on January 20, 2021 on the following matters:

- a. Whether the public interest and necessity require the Project;
- b. Whether said Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. Whether the fee take described and depicted in **Exhibit A** is necessary for the Project; and
- d. Whether the offer required by Government Code Section 7267.2 has been made to all owners of record.

THEREFORE, BE IT RESOLVED by the City Council of the City of Morgan Hill that it finds and determines as follows:

1. The public interest and necessity require the Project.
2. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The taking of the real property more particularly described in **Exhibit A** is necessary for the Project.
4. All environmental review required by law has been prepared and adopted.
5. The offer required by Section 7267.2 of the California Government Code has been made to the owners of record of the real property.
6. Insofar as any portion of the property has heretofore been appropriated for public use, the proposed use set forth herein constitutes a compatible use under Code of Civil Procedure Section 1240.510 or alternatively a more necessary public use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.410, 1240.610 and 1240.650.
7. The City's attorney or his or her duly authorized designee is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such actions as he or she may deem advisable or necessary in connection therewith.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 20th day of January 2021 by the following vote:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

Michelle Bigelow, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No.21-XXX, adopted by the City Council at the meeting held on January 20, 2021.

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

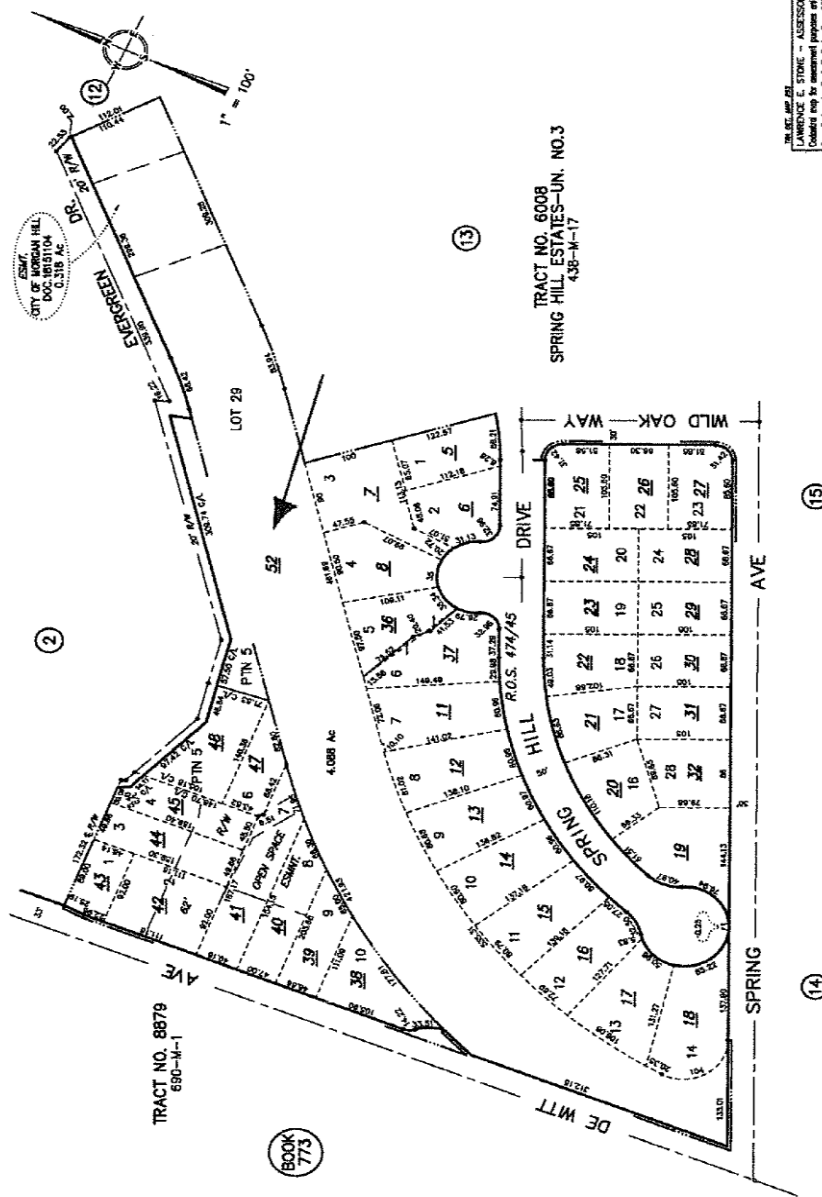
DATE: _____

MICHELLE BIGELOW, City Clerk

Attachment: Resolution-Garcia RON [Revision 2] (2961 : Garcia Resolution of Necessity)

EXHIBIT A

OFFICE OF COUNTY ASSESSOR — SANTA CLARA COUNTY, CALIFORNIA

BOOK
767
PAGE
1

THE STATE OF CALIFORNIA
LAWRENCE E. STONE - ASSESSOR
COUNTY OF SANTA CLARA
Commission Expires 12/31/2023
Effective 8/1/2019-2023

This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon reference to streets or other land. No liability is assumed by reason of any reliance hereon.

Non-Order Search
Doc: CASCLR:MASS 767-00001

Page 1 of 1

Requested By: anac, Printed: 8/3/2018 11:43 AM

January 3, 2021

Via Certified Mail Return Receipt Requested

City Clerk, City of Morgan Hill
17555 Peak Ave.
Morgan Hill, CA 95037

Attn: Chris Ghione

Subject: Notice of Intent to Adapt RON
Hale Ave. extension project
APN: 767-0-052

Dear Chris,

This letter is in response to your letter dated December 22, 2020 and our request to appear (via Zoom) at the January 20, 2021 City Council meeting.

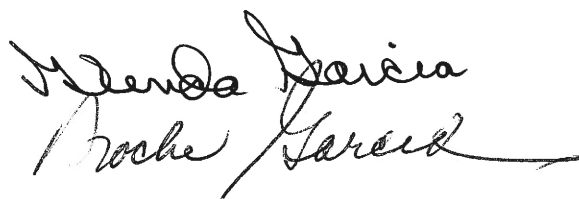
Please know that we have no fundamental objection to the City's plan to seize our private property via eminent domain provided we receive just compensation.

Attachment: Letter from Rocke Garcia (2961 : Garcia Resolution of Necessity)

Here is some of the background on decades of discussions with the City regarding our property.

1. We, Rocke and Glenda Garcia, acquired this property over 43 years ago!!!! It was part of our first development in Morgan Hill, known as Spring Hill.
2. Santa Teresa Blvd, now Hale Ave. was originally mapped and designed to intersect Spring Ave. at right angles approx. 400 feet east of DeWitt Ave.
3. As redesigned with the first subdivision of Spring Hill, Santa Teresa/Hale now wrapped around our homes to merge at DeWitt; instead of taking $\frac{3}{4}$ of an acre, Santa Teresa/Hale now consumed over 4 acres.
4. More importantly, this change removed Evergreen Drive's connection to Spring Ave. per the original subdivision map of Knob Hill Acres (1928)
5. Over the decades, every single Public Works Director has given us their verbal assurance that the City would allow the connection of Evergreen to Santa Teresa/Hale Ave. The agreed solution was a right turn in right turn out from Evergreen in front of our three lots.
6. Our Public Works Director today is denying our access from Evergreen to Santa Teresa/Hale.
7. We would ask that the City Council review this matter and return to us with a solution.

Thank You.

Handwritten signatures of Glenda Garcia and Rocke Garcia. The signatures are written in black ink and are cursive. Glenda's signature is on top and Rocke's is below it.

Attachment: Letter from Rocke Garcia (2961 : Garcia Resolution of Necessity)



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

RECEIVE MONTHLY BUDGET UPDATE, DECEMBER 2020 FINANCIAL AND INVESTMENT REPORTS, AND CITY MANAGER AUTHORITY REPORT

RECOMMENDATION(S)

Accept and file report.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure
Preserving and Cultivating Public Trust

2020-2021 Strategic Priorities

Community Engagement and Messaging
Fiscal Sustainability

REPORT NARRATIVE:

As part of the City Council's expectation to maintain a high level of transparency and to be responsible stewards of public funds, staff is providing this monthly budget update, along with the December 2020 financial and investment reports (Attachment 1 and 2).

December 2020 Financial Report

The Revenue and Expense Summary through December 2020 is included on the first page of the monthly financial report (Attachment 2). Overall, General Fund revenues total \$11.0 million or about 28% of the budget as some of the major revenue categories are received later in the fiscal year. Expenditures, including encumbrances, amounted to \$21.1 million or 48% of the budget.

Budget Update

There has been no material change to the City's major revenue categories for the General Fund since the last budget update on December 2, 2020. However, the outlook for the City's sales tax and recreation services revenues continues to be negatively impacted by the surge in the number of Covid-19 cases and the County continues to be under a stay-at-home order and in the Purple Tier (Tier One – Widespread transmission), the most restrictive tier in the State's "Blueprint for a Safer Economy". What this means is that indoor dining and recreation services, just to name a few, are no longer allowed. Staff's earlier projection for recreation services of additional net loss of approximately \$1.6 million in the worst-case scenario is becoming more of a reality. As for sales tax, we are remaining hopeful that this will have little or no material impact to our sales tax consultant's estimate for the year of about \$9.7 million.

As for Transient Occupancy Tax (TOT), the trend continues to show a slow improvement as occupancy rates in some hotels have reached the pre-pandemic level of 70 percent range as of November from the low of 20 percent in April. However, the rise in occupancy rate is offset by the lower average daily rate resulting in lower TOT. In addition, the more restricted stay-at-home order for the region has impacted travel and undoubtedly will negatively impact the TOT. Hotels and lodging can only offer accommodation for COVID-19 mitigation and containment measures, treatment measures, accommodation for essential workers, or providing housing solutions, including measures to protect homeless populations.

City Manager's Authority Report

Pursuant to the City Council Policy 18-05 – Report on delegation of authority to City Manager, Page 17 of Attachment 2 lists the contracts and or agreements between \$25,000 to \$60,000, or the limit of the California Uniform Public Construction Cost Accounting Act (CUPCAA), entered into by the City Manager since the last report from October 3, 2020 through January 6, 2021.

COMMUNITY ENGAGEMENT: Inform

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

ALTERNATIVE ACTIONS:

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

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council receives and files the financial and investment report for each month. At the September 16, 2015 meeting, City Council recommended monthly financial and investment reports be agendaized under the Consent Agenda, and quarterly financial and investment reports be presented to City Council as an "Other Business" item. Beginning in FY 2020-21, budget reports are presented to the City Council monthly.

FISCAL AND RESOURCE IMPACT:

The preparation of the report is a part of the Finance workplan. Staff does not recommend any budget adjustments at this time.

CEQA (California Environmental Quality Act):

Not a Project.

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

LINKS/ATTACHMENTS:

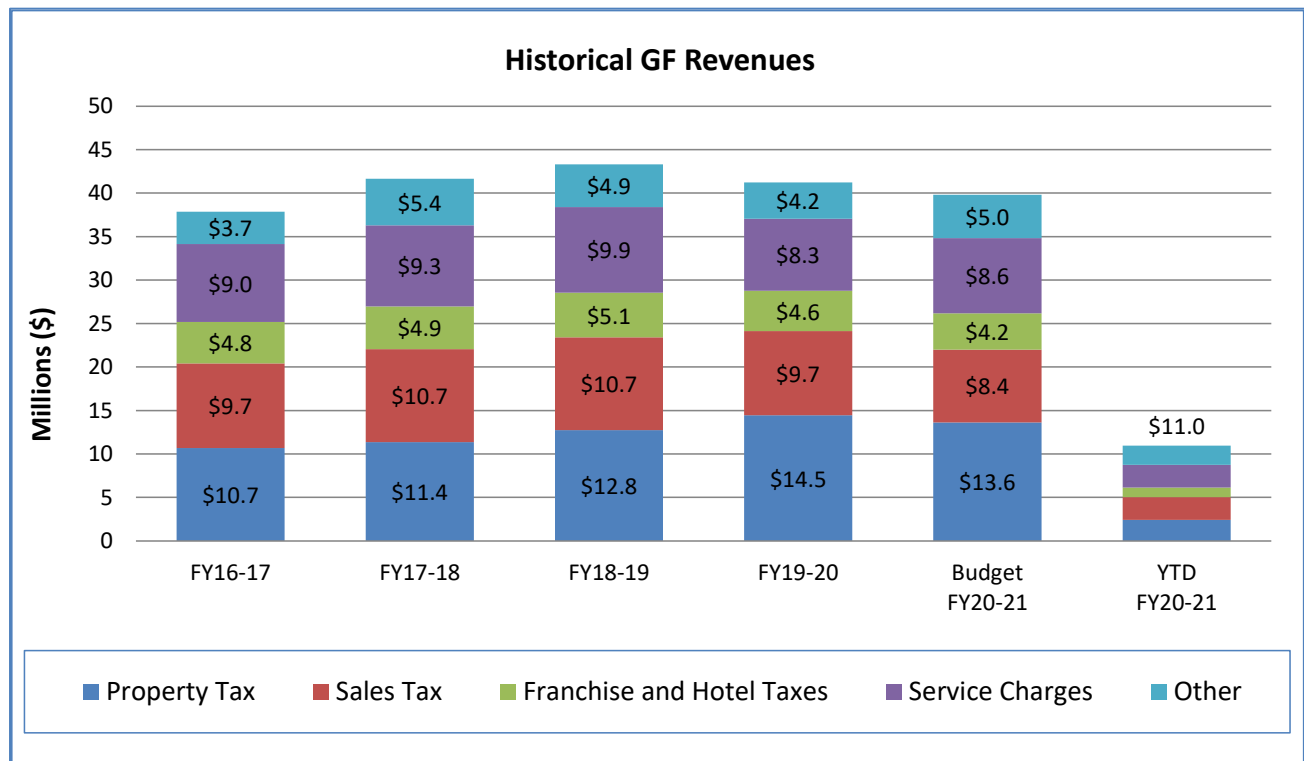
1. December 2020 Financial Statement Analysis
2. December 2020 Financial and Investment Report



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **General Fund** – Revenues through December totaled \$11.0 million, or about 28% of the budgeted revenues as some of the major revenue categories such as property tax are received later in the fiscal year. With respect to the property tax revenue forecast, the most recent County’s estimate projected Morgan Hill property tax revenue, excluding the property transfer tax and excess Educational Revenue Augmentation Fund (ERAF), at \$13.4 million for the fiscal year 2020-21, which matches City’s budgeted amount. The preliminary estimate of the City’s excess ERAF is approximately \$1.7 million versus \$250,000 budgeted. The County’s estimate of City’s excess ERAF amount is subject to State Controller’s Office adjustment which is not known until later in the fiscal year. Excess ERAF is the money that is returned to the cities, counties, and special districts after schools reach their state-mandated thresholds. Property tax is the largest source of Morgan Hill’s General Fund revenue. However, it accounts for only 34% of the approximately \$39.8 million General Fund revenue. Although property tax tends to be a more predictable revenue source, other major revenue categories such as sales tax and transient occupancy tax, which account for a large portion of the City’s General Fund revenue, are more volatile and tend to fluctuate more with swings in the economy.

The chart below shows historical General Fund revenues by major revenue category from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

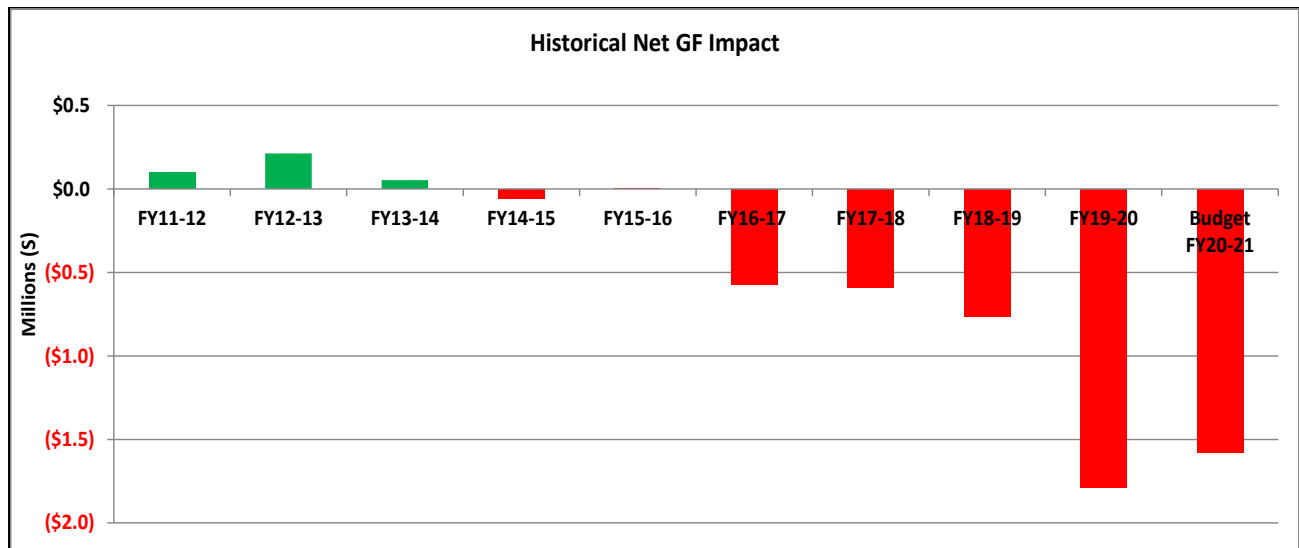


General Fund expenditures and encumbrances as of December 31, 2020 totaled \$21.1 million, of which approximately \$1.6 million is attributable to outstanding encumbrances.



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **Community Services** - The Community Services Department's recreation operations, as reflected in the schedule presented on page 4 of the Monthly Financial and Investments Reports, shows a negative impact to the General Fund of approximately \$2.4 million as of December 31, 2020. The large operating loss for recreation operations reflect the continued closure of indoor recreation facilities since March 2020 due to shelter-in-place order as a result of coronavirus pandemic. The indoor recreation facilities had just begun to open with a very limited capacity in fall, however, with the County moving into the State's Purple Tier (Tier One), which is most restrictive, indoor recreation facilities are closed again.



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

- **Development Services Fund** – Revenues received through December 31, 2020 totaled approximately \$2.3 million. Expenditures, including encumbrances, totaled \$2.8 million. The fund is projected to borrow \$1.0 million from the General Fund for the current fiscal year. Staff has engaged consultant to conduct a comprehensive fee study to update the current fees which were developed about five years ago.
- **Debt Service Funds** – Expenditures through the first quarter totaled \$536,158. The debt service for the first half of the year includes both interest and principal, while the second half of the year will include interest only. Debt service payments were all scheduled when the bonds were issued, and are budgeted for in the months delineated in the underlying bond documents. The General Fund's portion of the annual debt service payments is approximately \$200,000, less than one percent of the General Fund's budgeted revenues.



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **Wastewater Operations** – Revenues from Sewer Operations through the first quarter ending December 31, 2020 totaled \$5.6 million. Expenditures and outstanding encumbrances totaled \$6.5 million or 49% of the budget. The table below shows historical Sewer Operations revenues and expenditures from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

(amount in millions)	FY16-17	FY17-18	FY18-19	FY19-20	Budget FY20-21	YTD FY20-21
Revenues	9.7	10.3	11.4	11.9	13.3	5.6
Expenditures	9.8	10.8	11.4	12.3	13.3	6.5
Operating Margin	(0.1)	(0.5)	-	(0.4)	-	(0.9)
Operating Margin without Encumbrances	(0.0)	(0.3)	0.4	(0.1)	-	(0.7)

- **Water Operations** – Water Operations includes Utility Billing, Water Conservation, and Water Operations. Revenues from Water Operations through the first quarter ending December 31, 2020 totaled \$7.8 million. Water Operations expenditures, including outstanding encumbrances, totaled \$8.3 million. Without the encumbrances, however, the expenditures amounted to \$7.1 million. The table below shows Water Operations revenues and expenditures from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

(amount in millions)	FY16-17	FY17-18	FY18-19	FY19-20	Budget FY20-21	YTD FY20-21
Revenues	10.9	13.0	14.2	15.3	15.6	7.8
Expenditures	11.2	12.1	14.3	16.4	15.6	8.3
Operating Margin	(0.3)	0.9	(0.1)	(1.1)	-	(0.5)
Operating Margin without Encumbrances	(0.1)	1.4	0.8	(0.1)	-	0.7

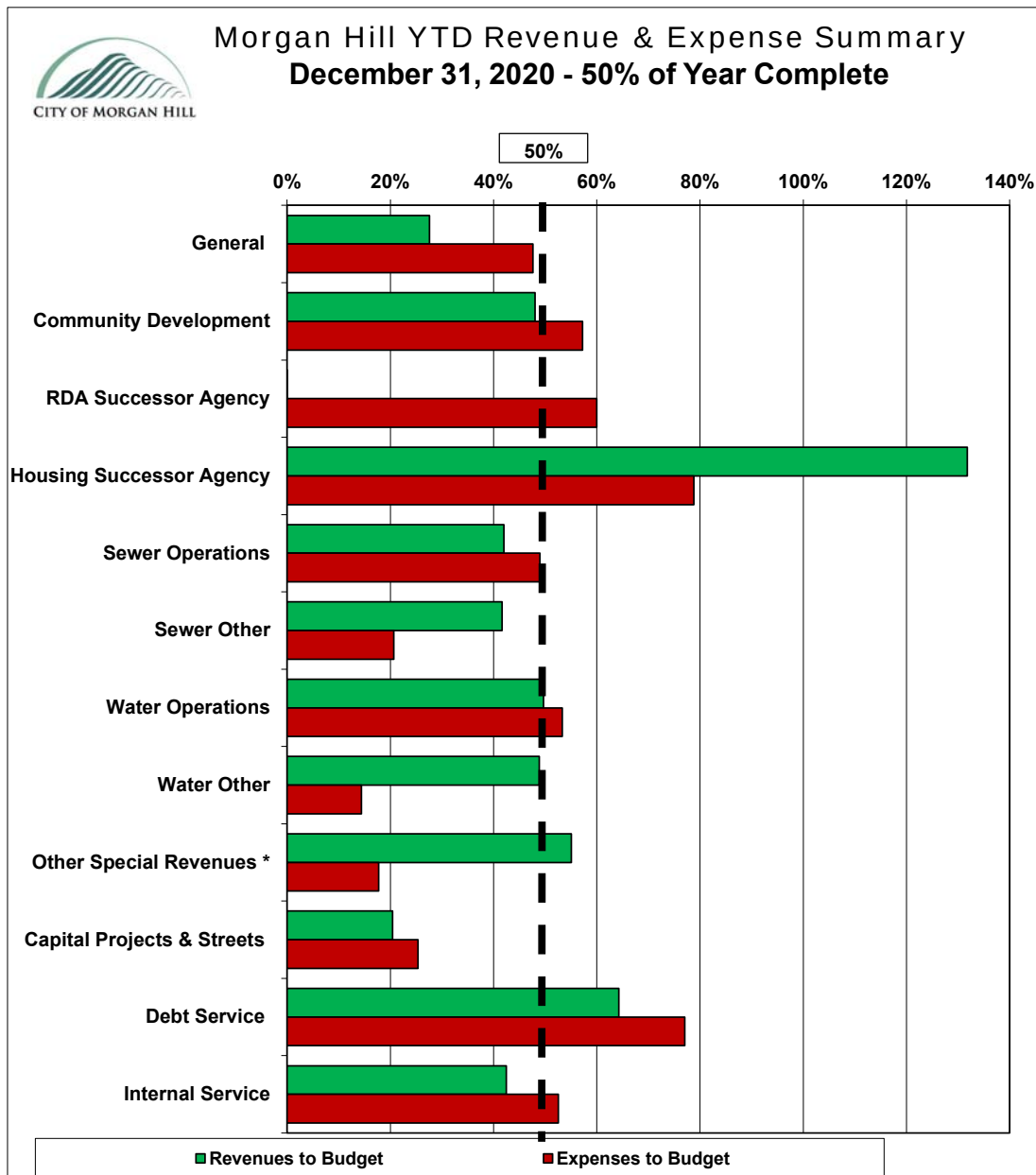
- **Investments** – One security was purchased, and two securities were called during the month of December 2020. Total interest earnings received on investments were \$17,000 during the month.

CITY OF MORGAN HILL
Monthly Financial and Investment Reports
December 31, 2020 - 50% of Year Complete



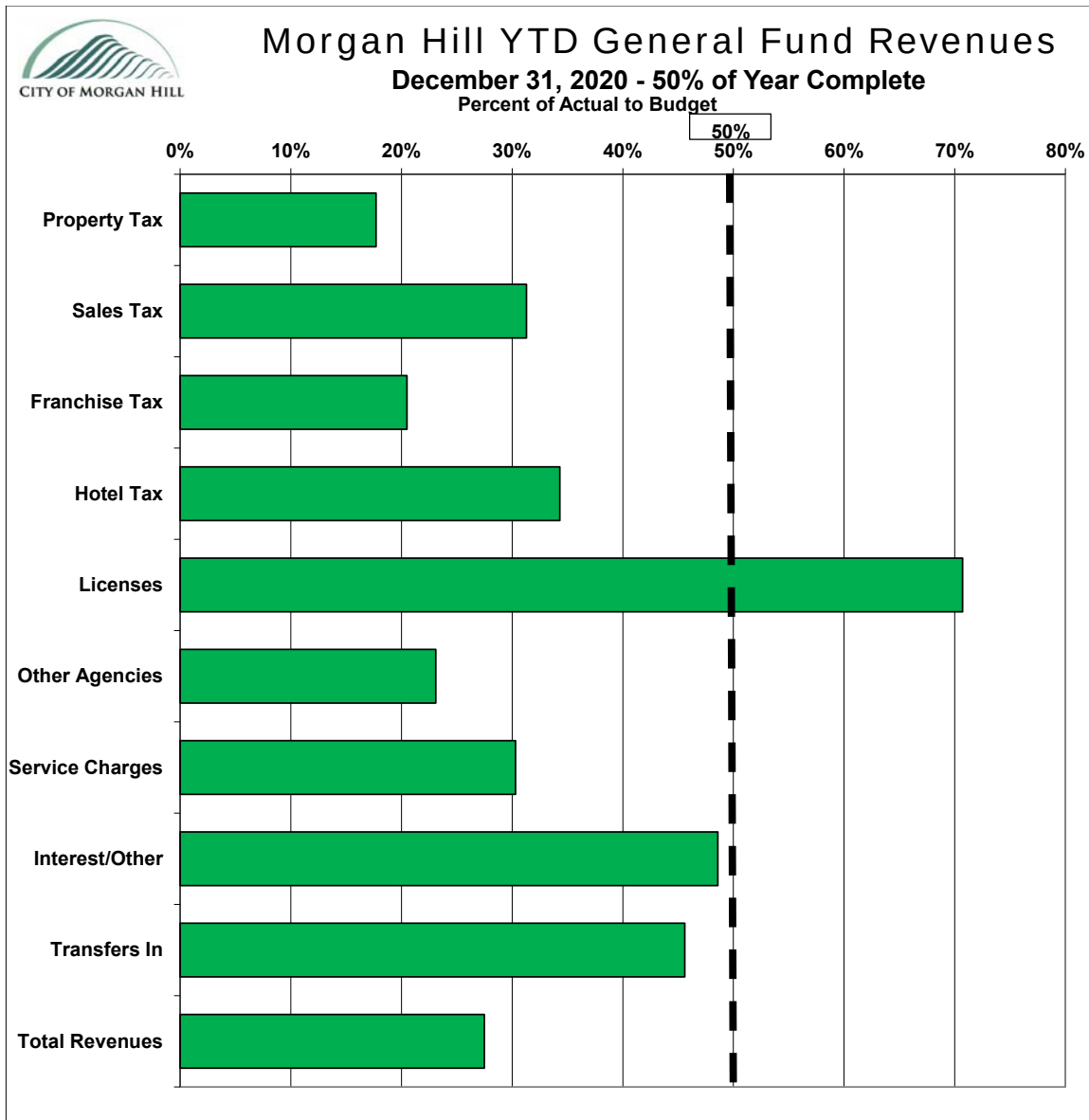
CITY OF MORGAN HILL

Prepared by:
FINANCE DIVISION

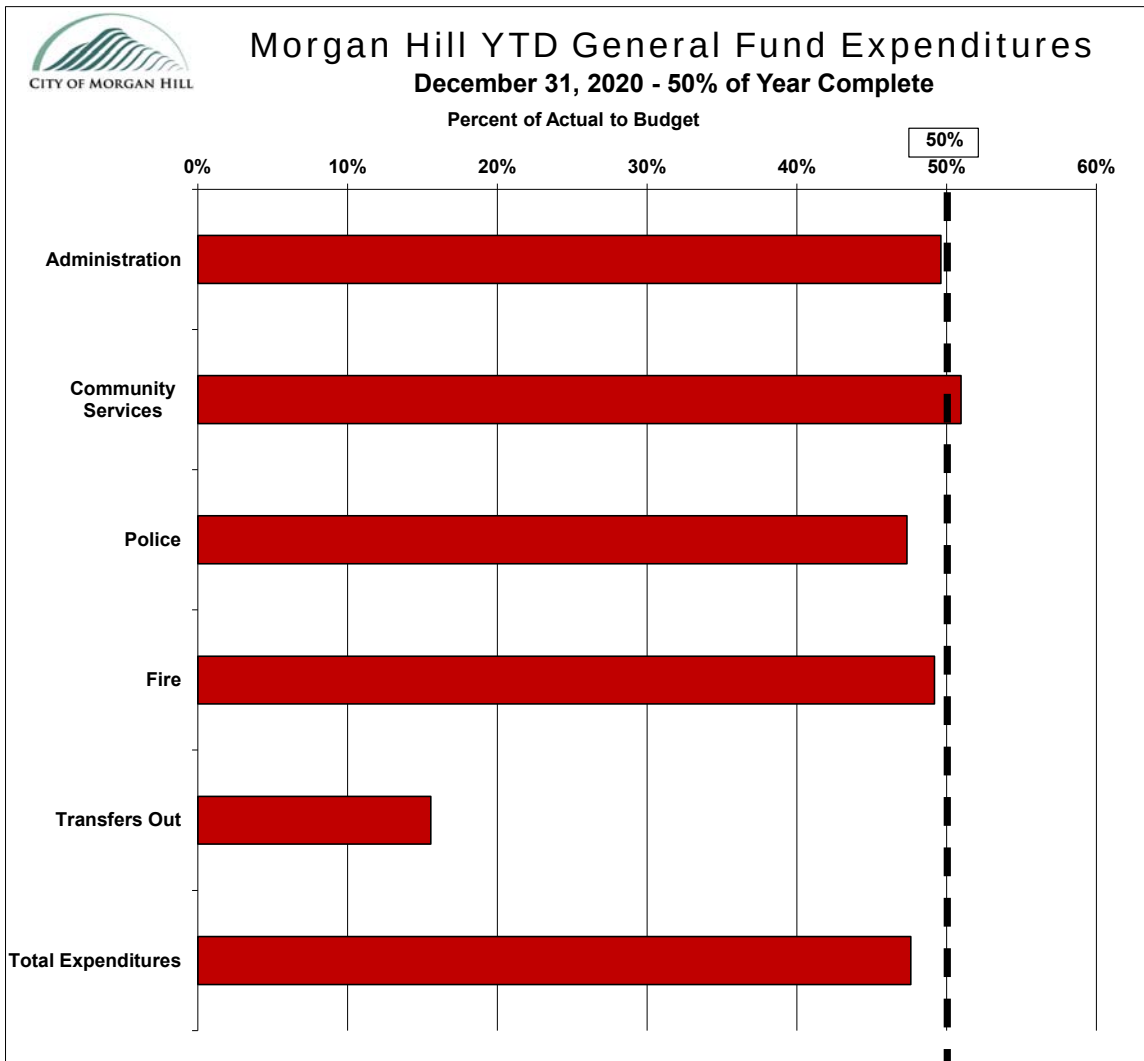


FUND NAME	REVENUES		EXPENSES	
	ACTUAL	% OF BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET
General	\$ 10,965,785	28%	\$ 21,099,669	48%
Community Development	2,281,281	48%	2,784,727	57%
RDA Successor Agency	2,262	0%	4,161,708	60%
Housing Successor Agency	280,817	132%	783,826	79%
Sewer Operations	5,574,678	42%	6,522,886	49%
Sewer Other	4,554,006	42%	5,331,401	21%
Water Operations	7,774,204	50%	8,318,211	53%
Water Other	3,264,306	49%	704,925	14%
Other Special Revenues *	2,041,399	55%	860,581	18%
Capital Projects & Streets	6,218,032	20%	16,714,719	25%
Debt Service	447,588	64%	536,158	77%
Internal Service	4,994,986	42%	6,665,349	53%
TOTAL FOR ALL FUNDS	\$ 48,399,344	33%	\$ 74,484,158	37%

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



REVENUE CATEGORY	BUDGET	ACTUAL	% OF BUDGET	PRIOR YEAR TO DATE	% CHANGE FROM PRIOR YEAR
Property Tax	\$ 13,640,000	\$ 2,417,602	18%	\$ 2,254,060	7%
Sales Tax	8,370,868	2,618,381	31%	2,680,740	-2%
Franchise Tax	2,351,000	481,204	21%	483,529	0%
Hotel Tax	1,819,000	624,704	34%	1,141,835	-45%
Licenses	185,444	131,084	71%	136,490	-4%
Other Agencies	703,650	162,682	23%	186,682	-13%
Service Charges	8,632,432	2,611,410	30%	5,180,048	-50%
Interest/Other	1,619,336	786,619	49%	723,110	9%
Transfers In	2,483,580	1,132,099	46%	748,253	51%
TOTAL REVENUES	\$ 39,805,310	\$ 10,965,785	28%	\$ 13,534,749	-19%



EXPENDITURE CATEGORY	BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET	PRIOR YTD PLUS ENCUMBRANCES	% CHANGE FROM PRIOR YEAR
Administration	\$ 4,633,295	\$ 2,298,530	50%	\$ 2,372,345	-3%
Community Services	12,794,868	6,521,078	51%	6,879,971	-5%
Police	17,890,973	8,471,609	47%	8,427,259	1%
Fire	7,162,540	3,522,870	49%	3,595,683	-2%
Transfers Out	1,834,702	285,582	16%	937,998	-70%
TOTAL EXPENDITURES	\$ 44,316,377	\$ 21,099,669	48%	\$ 22,213,257	-5%

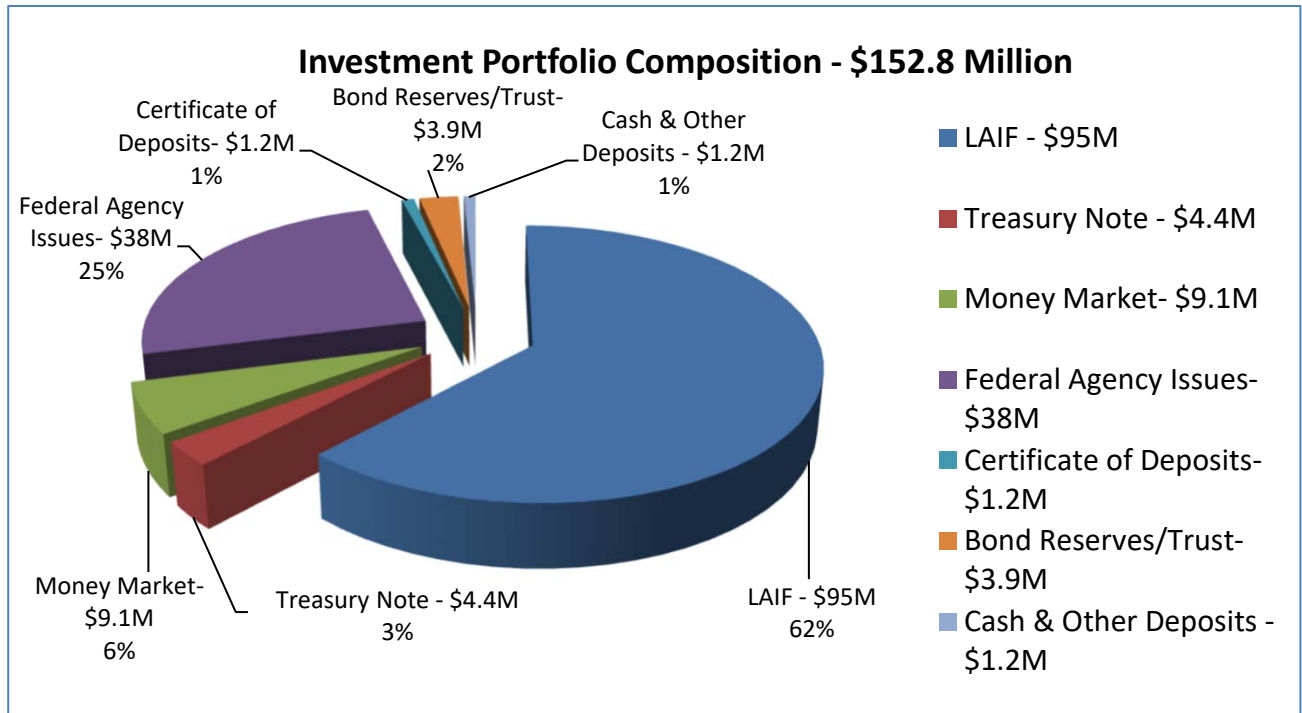


**City of Morgan Hill
Recreation Report - Fiscal Year 2020-21
For the Month and Six Months Ended December 31, 2020
50% of Year Complete**

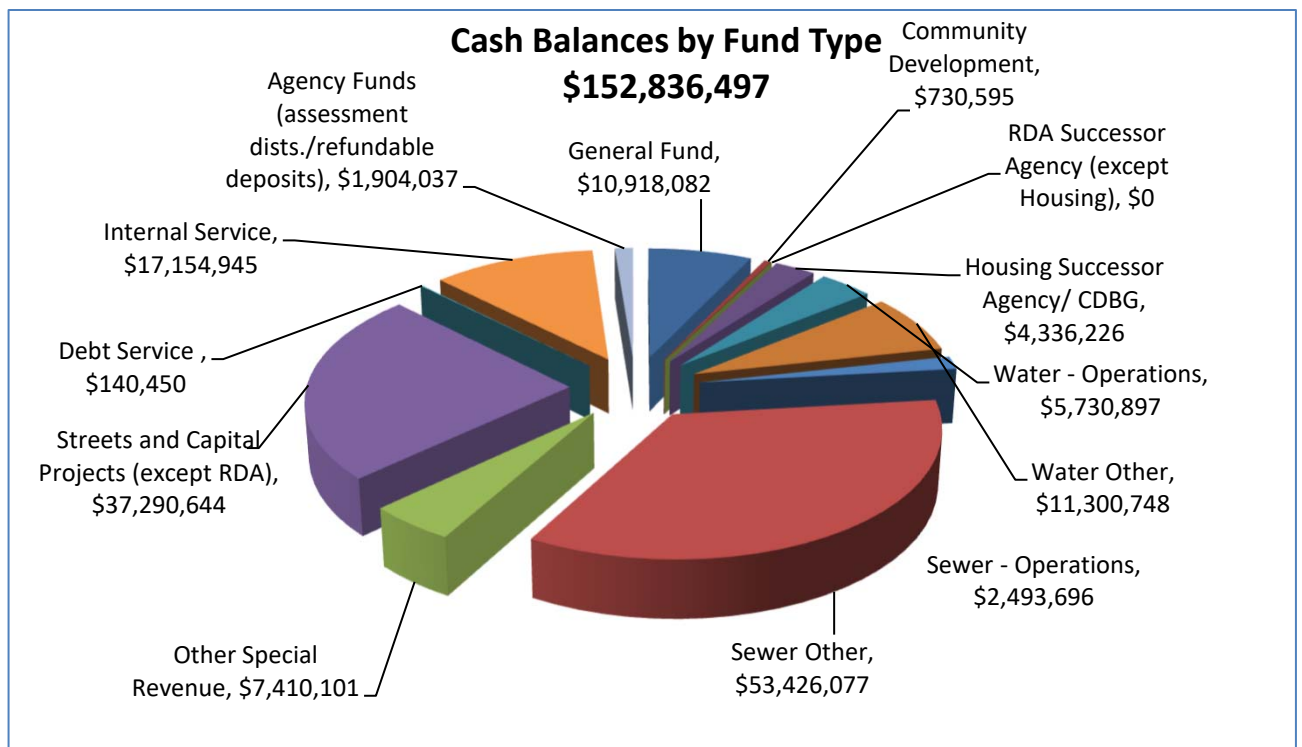
	<u>Budget</u>	<u>December 2020</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues				
Membership Services & Rec Programs	\$ 5,068,448	\$ 214,413	\$ 1,348,769	
Facility Rentals	696,431	5,303	87,830	
Community Services	104,460	-	4,082	
Transfers in	75,000	6,250	37,500	
Total Revenues	<u>\$ 5,944,339</u>	<u>\$ 225,966</u>	<u>\$ 1,478,181</u>	25%
Less: Expenditures				
Membership & Program Services	\$ 5,675,307	\$ 346,022	\$ 2,283,125	
Facility Rentals	1,236,339	82,310	478,485	
Community Services	609,834	43,891	216,174	
Total Expenditures	<u>\$ 7,521,481</u>	<u>\$ 472,222</u>	<u>\$ 2,977,784</u>	40%
Net Impact without encumbrances	<u>\$ (1,577,142)</u>	<u>\$ (246,256)</u>	<u>\$ (1,499,603)</u>	
Encumbrances	-	-	888,379	
Net Impact with encumbrances	<u>\$ (1,577,142)</u>	<u>\$ (246,256)</u>	<u>\$ (2,387,982)</u>	

City of Morgan Hill Monthly Investment Report - December 31, 2020

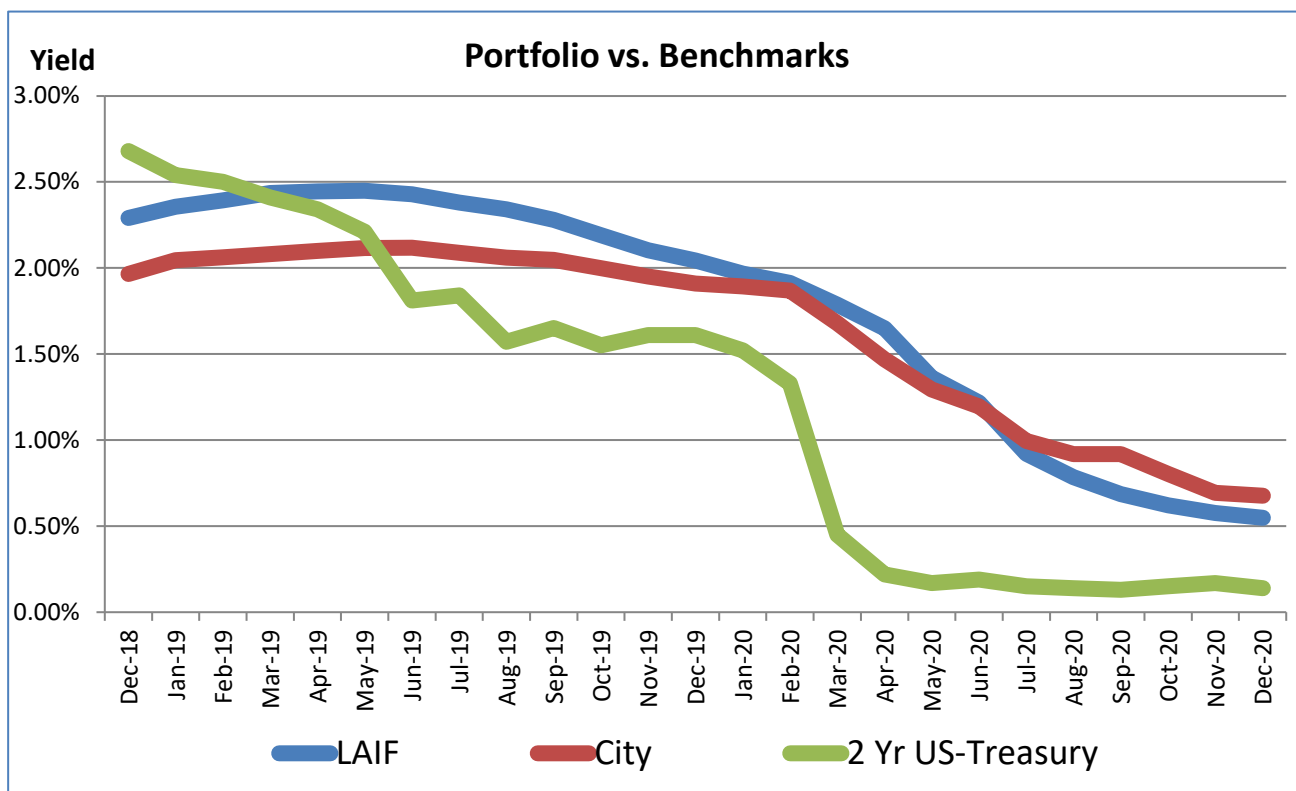
The following are the snapshots of City's investment portfolio as of December 31, 2020. The first chart shows the portfolio composition by investment type:



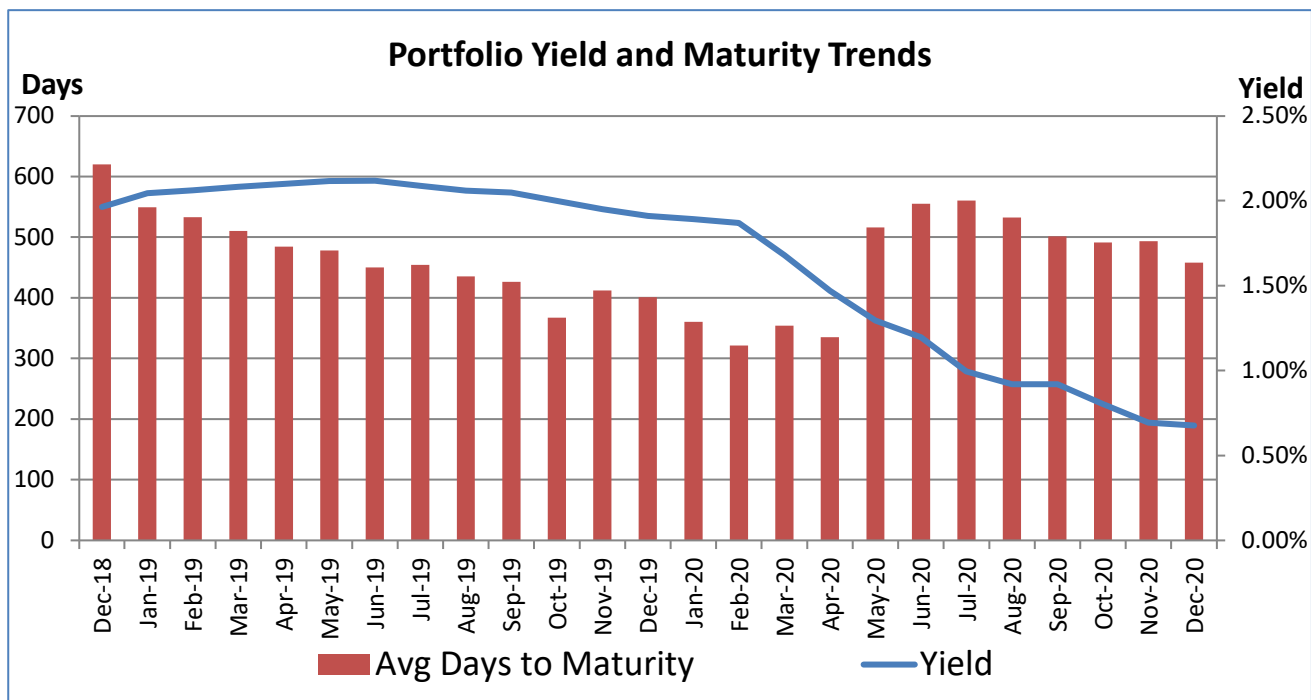
The chart below shows cash balances by fund type reconciled to City's financial system:



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



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





City of Morgan Hill
Investment Portfolio Detail
As of December 31, 2020

Investment Type	Settlement Date	Book Value	% of Portfolio	Market Value	YTM at Cost	Next Call Date	Date of Maturity
L A I F		\$ 94,970,226	62.14%	\$ 95,360,984	0.54%		
City Managed							
FNMA Bond	8/25/2016	4,000,000	2.62%	4,033,760	1.40%	2/25/2021	8/25/2021
Treasury Note	4/30/2018	4,384,431	3.28%	4,637,115	2.73%	3/31/2023	3/31/2023
FFCB Bond	3/17/2020	3,000,000	1.96%	3,004,140	1.13%	3/17/2021	3/17/2025
FFCB Bond	3/24/2020	2,000,000	1.31%	2,002,840	1.00%	3/24/2021	3/24/2023
FFCB Bond	3/25/2020	3,000,000	1.96%	3,003,900	1.20%	3/25/2021	3/25/2025
FFCB Bond	4/8/2020	2,000,000	1.31%	2,003,860	0.88%	4/8/2021	4/8/2024
FFCB Bond	5/27/2020	2,000,000	1.31%	2,002,840	0.73%	5/27/2021	5/27/2025
FHLMC Bond	6/3/2020	2,000,000	1.31%	2,000,220	0.60%	6/3/2021	12/3/2024
FHLMC Bond	10/20/2020	2,000,000	1.31%	2,004,920	0.60%	4/20/2021	10/20/2025
FHLMC Bond	10/27/2020	2,000,000	1.31%	1,994,720	0.63%	4/27/2021	10/27/2025
FHLMC Bond	11/2/2020	2,000,000	1.31%	2,000,800	0.32%	5/2/2021	11/2/2023
FFCB Bond	11/3/2020	2,000,000	1.31%	2,000,860	0.54%	5/3/2021	11/3/2025
FNMA Bond	11/18/2020	2,000,000	1.31%	2,010,580	0.65%	5/18/2021	11/18/2025
FHLMC Bond	11/24/2020	2,000,000	1.31%	2,006,220	0.64%	5/24/2021	11/24/2025
FFCB Bond	11/24/2020	1,000,000	0.65%	1,000,270	0.60%	5/24/2021	11/24/2025
FHLMC Bond	11/25/2020	3,000,000	1.96%	3,010,200	0.63%	5/25/2021	11/25/2025
FHLMC Bond	11/30/2020	2,000,000	1.31%	2,006,440	0.65%	5/26/2021	11/26/2025
FFCB Bond	12/22/2020	2,000,000	1.31%	2,000,720	0.47%	6/22/2021	12/22/2025
CD - Goldman Sachs Bank USA	5/13/2020	250,000	0.16%	251,460	0.50%	5/13/2021	5/13/2022
CD - Woori America Bank	5/13/2020	250,000	0.16%	250,238	0.30%	5/13/2021	5/13/2021
CD - Safra Nat'l Bank	5/14/2020	250,000	0.16%	250,285	0.35%	5/13/2021	5/13/2021
CD - State Bank of India	5/14/2020	250,000	0.16%	250,333	0.40%	5/14/2021	5/14/2021
CD - American Nat'l Bank	5/20/2020	250,000	0.16%	251,130	0.40%	1/20/2021	5/20/2022
Sub Total/Average		\$ 43,634,431	28.96%	\$ 43,977,850	0.98%		
Money Market		\$ 9,169,358	6.00%	\$ 9,169,358	0.03%		
Total City Managed/Average		\$ 147,774,014	97.10%	\$ 148,508,191	0.64%		
Bond Reserve Accounts - Held By Trustees		\$ 517,795	0.34%	\$ 517,795			
Cash/Deposits		\$ 1,157,285	0.76%	\$ 1,157,285			
PARS Trust		\$ 3,387,404	2.22%	\$ 4,235,063			
GRAND TOTAL/AVERAGE		\$ 152,836,497	100%	\$ 154,418,334			



CITY OF MORGAN HILL CASH AND INVESTMENT REPORT
FOR THE MONTH OF DECEMBER 31, 2020
FOR THE FISCAL YEAR OF 2020-21

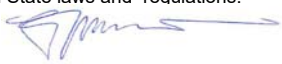
	Invested in Fund	Yield	Book Value End of Month	% of Total	Market Value
Investments					
State Treasurer LAIF - City	All Funds Pooled	0.54%	\$ 74,970,226	49.05%	\$ 75,278,693
2015 Wastewater Rev Bonds - CIP	Wastewater Fund	0.54%	20,000,000	13.09%	20,082,291
Federal Issues	All Funds Pooled	0.87%	38,000,000	24.86%	38,087,290
US Treasury Notes	All Funds Pooled	2.73%	4,384,431	2.87%	4,637,115
Certificate of Deposits	All Funds Pooled	0.39%	1,250,000	0.82%	1,253,445
Dreyfus Treas Cash Management Acct	All Funds Pooled	0.03%	9,169,358	6.00%	9,169,358
	SUBTOTAL		\$ 147,774,014	96.69%	\$ 148,508,191
Bond Reserve Accounts - held by trustees					
Zions Bank - Civic Center/Library Facility	Debt Service	0.01%	5	0.00%	5
Blackrock Liq Fund					
Zions Bank - MH Police Facility Lease Revenue Bonds	Debt Service	0.01%	6	0.00%	6
Blackrock Liq Fund					
BNY - RDA Bonds					
Dreyfus Cash Mgmt 521	Successor Fund	0.00%	86	0.00%	86
Zions Bank - MH Ranch 2015					
Blackrock Liq Funds Fed Fund -DI -2015	Agency Fund	0.01%	255,212	0.17%	255,212
Zions Bank - Madrone Bus Park Taxable/ Tax Exempt 2015					
Blackrock Liquidity Temp Fund-2015	Agency Fund	0.01%	262,485	0.17%	262,485
	SUBTOTAL		517,795	0.34%	517,795
Other Cash/Deposits					
General Checking	All Funds		1,120,173	0.73%	1,120,173
Workers' Comp Administrators	Workers' Comp		30,000	0.02%	30,000
Petty Cash & Emergency Cash	General Fund		7,112	0.00%	7,112
PARS - OPEB Trust			2,187,404	1.43%	2,770,118 *
PARS - PENSION Trust			1,200,000	0.79%	1,464,945 *
	SUBTOTAL		4,544,689	2.97%	5,392,348
Total Cash and Investments			\$ 152,836,497	100.00%	\$ 154,418,334
* as of 11/30/2020					

CASH ACTIVITY SUMMARY
FY 2020-21

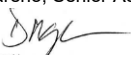
Fund Type	07/1/20 Balance	Change in Cash Balance	12/31/2020 Balance
General Fund	\$ 16,482,660	\$ (5,564,578)	\$ 10,918,082
Community Development	972,100	(241,505)	730,595
RDA Successor Agency (except Housing)	11,666,343	(11,666,343)	(0)
Housing Successor Agency/ CDBG	4,593,710	(257,485)	4,336,226
Water - Operations	3,747,502	1,983,395	5,730,897
Water Other	8,567,976	2,732,772	11,300,748
Sewer - Operations	3,220,859	(727,163)	2,493,696
Sewer Other	32,031,933	21,394,144	53,426,077
Other Special Revenue	5,770,282	1,639,819	7,410,101
Streets and Capital Projects (except RDA)	40,583,676	(3,293,032)	37,290,644
Debt Service	227,953	(87,503)	140,450
Internal Service	17,977,892	(822,947)	17,154,945
Agency Funds (assessment dists./refundable deposits)	3,260,978	(1,356,940)	1,904,037
Total	\$ 149,103,863	\$ 3,732,635	\$ 152,836,497

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

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

Prepared by: 
 Gina Nazareno, Senior Accountant

Approved by:

Reviewed by: 
 Dat Nguyen, Finance Director


 Caitlin Robinett Jachimowicz, Treasurer



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
010 GENERAL FUND							
TAXES							
Property Tax - Secured/Unsecured	\$ 11,354,000	\$ 11,354,000	\$ 2,263,415	20%	\$ 2,194,099	\$ 69,316	3%
Property Tax - RPTTF Residual Distribution	2,144,000	2,144,000	-	n/a	-	-	n/a
Property Tax - Supplemental Roll	142,000	142,000	154,187	109%	59,961	94,225	157%
Sales Tax	8,027,793	8,027,793	2,524,227	31%	2,556,645	(32,417)	-1%
Public Safety Sales Tax	343,075	343,075	94,154	27%	124,095	(29,941)	-24%
Transient Occupancy Taxes	1,819,000	1,819,000	624,704	34%	1,141,835	(517,131)	-45%
Franchise (Refuse, Cable, PG&E)	2,351,000	2,351,000	481,204	20%	483,529	(2,325)	0%
Property Transfer Tax	436,000	436,000	279,304	64%	228,089	51,215	22%
TOTAL TAXES	26,616,868	26,616,868	6,421,195	24%	6,788,253	(367,058)	-5%
LICENSES/PERMITS							
Business License	154,500	154,500	128,465	83%	131,069	(2,604)	-2%
Other Permits	30,944	30,944	2,619	8%	5,421	(2,802)	-52%
TOTAL LICENSES/PERMITS	185,444	185,444	131,084	71%	136,490	(5,406)	-4%
FINES AND PENALTIES							
Parking Enforcement	8,000	8,000	1,728	22%	2,231	(503)	-23%
Bails & Fines	73,645	73,645	17,067	23%	22,676	(5,609)	-25%
Administrative Citations	10,079	10,079	9,803	97%	36,706	(26,903)	-73%
TOTAL FINES AND PENALTIES	91,724	91,724	28,598	31%	61,613	(33,015)	-54%
OTHER AGENCIES							
Motor Vehicle in-Lieu	25,392	25,392	6,286	25%	-	6,286	n/a
Other Revenue - Other Agencies	529,943	703,650	162,682	23%	186,682	(24,001)	-13%
TOTAL OTHER AGENCIES	555,335	729,042	168,968	23%	186,682	(17,715)	-9%
CHARGES CURRENT SERVICES							
Police False Alarm Charge	30,428	30,428	17,598	58%	10,577	7,022	66%
Business License Application Review	37,080	37,080	23,179	63%	21,510	1,669	8%
Membership Services & Rec Programs	5,068,448	5,068,448	1,348,769	27%	3,252,564	(1,903,795)	-59%
Facility Rentals	696,431	696,431	87,830	13%	502,407	(414,577)	-83%
Community Services	104,460	104,460	4,082	4%	26,528	(22,447)	-85%
General Administration Overhead	1,780,917	1,780,917	890,436	50%	895,710	(5,274)	-1%
Other Charges Current Services	914,668	914,668	239,516	26%	470,752	(231,236)	-49%
TOTAL CURRENT SERVICES	8,632,432	8,632,432	2,611,410	30%	5,180,048	(2,568,638)	-50%
OTHER REVENUE							
Use of money/property	816,362	816,362	187,184	23%	273,523	(86,339)	-32%
Other Revenues	249,858	249,858	285,247	114%	159,885	125,362	78%
TOTAL OTHER REVENUE	1,066,220	1,066,220	472,431	44%	433,408	39,023	9%
TRANSFERS IN							
One Time Transfer	225,000	225,000	102,492	46%	89,994	12,498	14%
Public Safety Facilities Fund	25,000	25,000	12,500	50%	92,415	(79,915)	-86%
Supplemental Law Enforcement Fund	100,000	100,000	50,000	50%	-	50,000	n/a
Fire Impact	-	-	-	n/a	25,000	(25,000)	-100%
Streets	699,706	699,706	312,673	45%	138,995	173,678	125%
Park Maintenance	650,000	650,000	325,002	50%	-	325,002	n/a
Police Impact	-	-	-	0%	12,498	(12,498)	-100%
Sewer Operations	354,437	354,437	177,216	50%	175,926	1,290	1%
Water Operations	354,437	354,437	177,216	50%	175,926	1,290	1%
Park Development	75,000	75,000	37,500	50%	37,500	-	n/a
TOTAL TRANSFERS IN	2,483,580	2,483,580	1,194,599	48%	748,253	446,346	60%
TOTAL GENERAL FUND	39,631,603	39,805,310	11,028,285	28%	13,534,749	(2,506,463)	-19%
SPECIAL REVENUE FUNDS							
202 STREET MAINTENANCE							
Gas Tax 2105 - 2107.5	698,292	698,292	312,673	45%	311,642	1,030	0%
Interest / Other Revenue/Other Charges	1,414	1,414	544	38%	1,052	(507)	-48%
202 STREET MAINTENANCE	699,706	699,706	313,217	45%	312,694	523	0%

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
SPECIAL REVENUE FUNDS							
205 SUPPLEMENTAL LAW ENFORCEMENT FUND							
Interest Income	842	842	553	66%	716	(162)	-23%
Police Grant/SLEF/JAG	100,000	100,000	81,727	82%	80,948	779	1%
205 SUPPLEMENTAL LAW ENFORCEMENT FUND	100,842	100,842	82,280	82%	81,664	617	1%
206 DEVELOPMENT SERVICES							
Building Fees	2,162,357	2,162,357	1,202,800	56%	1,651,161	(448,362)	-27%
Planning Fees	743,344	743,344	754,381	101%	662,762	91,619	14%
Engineering Fees	708,809	708,809	258,951	37%	108,659	150,292	138%
Other Revenue/Current Charges	1,133,225	1,133,225	65,150	6%	16,344	48,805	299%
206 DEVELOPMENT SERVICES	4,747,735	4,747,735	2,281,281	48%	2,438,927	(157,645)	-6%
207 LONG RANGE PLANNING	677,026	677,026	330,257	49%	373,975	(43,718)	-12%
215 and 216 HCD BLOCK GRANT							
Interest Income/Other Revenue	3,111	3,111	217	7%	477	(260)	-54%
215 and 216 HCD BLOCK GRANT	3,111	3,111	217	7%	477	(260)	-54%
225 ASSET SEIZURE	1,893	1,893	477	25%	16,849	(16,372)	-97%
229 LIGHTING AND LANDSCAPE	191,075	191,075	469	0%	1,259	(790)	-63%
230 COMMUNITY FACILITIES DISTRICT	1,216	1,216	256	21%	584	(327)	-56%
232 ENVIRONMENTAL PROGRAMS	446,843	446,843	248,069	56%	221,619	26,450	12%
234 MOBILE HOME PARK RENT STAB.	742	742	3,632	490%	6,055	(2,423)	-40%
235 SENIOR HOUSING	3,793	3,793	781	21%	1,716	(935)	-54%
236 HOUSING MITIGATION	2,248,764	2,248,764	1,285,121	57%	590,991	694,130	117%
237 BEGIN	-	-	514	n/a	-	514	n/a
238 CAL HOMES	-	-	80,964	n/a	-	80,964	n/a
240 EMPLOYEE ASSISTANCE	29,068	29,068	7,394	25%	9,471	(2,077)	-22%
247 ENVIRONMENT REMEDIATION	2,400	2,400	967	40%	1,637	(669)	-41%
250 COMH-SUCCESSOR AGENCY-MHRDA	7,112,060	7,112,060	2,262	0%	165,437	(163,175)	-99%
255 HOUSING SUCCESSOR AGENCY	213,057	213,057	280,817	132%	192,143	88,674	46%
TOTAL SPECIAL REVENUE FUNDS	16,479,332	16,479,332	4,918,976	30%	4,415,496	503,480	11%
CAPITAL PROJECTS FUNDS							
301 PARK DEVELOPMENT	2,384,665	2,384,665	1,213,369	51%	715,408	497,961	70%
302 PARK MAINTENANCE	359,071	359,071	50,671	14%	204,509	(153,838)	-75%
303 LOCAL DRAINAGE	1,693,351	1,693,351	711,738	42%	471,638	240,100	51%
304 LOCAL DRAINAGE/NON AB1600	80,333	130,122	5,651	4%	11,705	(6,053)	-52%
306 AGRICULTURE & OPEN SPACE PRESERVATION	178,958	178,958	115,364	64%	655,459	(540,095)	-82%
308 STREET CIP	2,571,010	2,571,010	811,727	32%	2,376,852	(1,565,125)	-66%
309 TRAFFIC IMPACT	16,415,755	16,415,755	852,176	5%	800,393	51,783	6%
311 POLICE IMPACT	-	-	187,219	n/a	131,609	55,610	42%
313 FIRE IMPACT	-	61,598	27,674	45%	72,842	(45,168)	-62%
315 PUBLIC SAFETY FACILITIES IMPACT	984,769	923,171	28,594	3%	-	28,594	n/a
346 PUBLIC FACILITIES NON-AB1600	611,297	611,297	417,549	68%	104,942	312,607	298%
347 PUBLIC FACILITIES IMPACT	336,106	336,106	105,291	31%	136,643	(31,352)	-23%
348 LIBRARY	946,889	946,889	446,929	47%	258,627	188,302	73%
350 UNDERGROUNDING	12,817	12,817	3,239	25%	6,467	(3,229)	-50%
355 SCHOOL PEDESTRIAN/TRAFFIC SAFETY	591,721	591,721	233,449	39%	20,431	213,018	1043%
360 COMMUNITY/REC IMPACT FUND	1,498,683	1,498,683	694,175	46%	455,803	238,372	52%
375 QUIMBY FEE	1,072,238	1,072,238	-	n/a	-	-	n/a
TOTAL CAPITAL PROJECTS FUNDS	29,737,663	29,787,452	5,904,816	20%	6,423,330	(518,514)	-8%
DEBT SERVICE FUNDS							
420 CIVIC CENTER DEBT	312,272	312,272	155,217	50%	150,805	4,412	3%
441 POLICE FACILITY BOND	384,252	384,252	292,371	76%	187,467	104,905	56%
TOTAL DEBT SERVICE FUNDS	696,524	696,524	447,588	64%	338,271	109,317	32%

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
ENTERPRISE FUNDS							
640 SEWER OPERATION							
Sewer Service Fees	12,972,441	12,972,441	5,438,561	42%	4,675,595	762,966	16%
Interest Income/Transfers	36,691	36,691	13,049	36%	31,991	(18,942)	-59%
Other Revenue/Current Charges	267,694	267,694	123,068	46%	124,204	(1,135)	-1%
640 SEWER OPERATION	13,276,826	13,276,826	5,574,678	42%	4,831,790	742,888	15%
641 SEWER EXPANSION							
Interest Income	215,876	215,876	75,690	35%	147,789	(72,099)	-49%
Development Impact Fee	6,225,545	6,225,545	2,240,390	36%	2,695,978	(455,588)	-17%
641 SEWER EXPANSION	6,441,421	6,441,421	2,316,080	36%	2,843,767	(527,687)	-19%
642 SEWER RATE STABILIZATION	44,423	44,423	8,966	20%	19,703	(10,737)	-54%
643 SEWER-CAPITAL PROJECT	4,455,944	4,455,944	2,228,959	50%	1,470,879	758,081	52%
TOTAL SEWER FUNDS	24,218,614	24,218,614	10,128,684	42%	9,166,138	962,546	11%
650 WATER OPERATION							
Water Sales	14,525,500	14,525,500	7,055,740	49%	6,438,046	617,694	10%
Meter Install & Service	24,600	24,600	52,054	212%	7,754	44,300	571%
Transfers-In / Interest Income	521,171	521,171	231,864	44%	241,517	(9,653)	-4%
Other Revenue/Current Charges	572,081	572,081	434,546	76%	494,520	(59,974)	-12%
650 WATER OPERATION	15,643,352	15,643,352	7,774,204	50%	7,181,837	592,366	8%
651 WATER EXPANSION							
Interest Income/Other Revenue/Transfer	62,748	62,748	10,737	17%	19,385	(8,648)	-45%
Development Impact Fee	1,689,416	1,689,416	783,540	46%	660,168	123,372	19%
651 WATER EXPANSION	1,752,164	1,752,164	794,277	45%	679,554	114,724	17%
652 Water Rate Stabilization	65,904	65,904	31,051	47%	13,224	17,827	135%
653 Water Capital Project	4,863,152	4,863,152	2,438,977	50%	1,910,927	528,050	28%
TOTAL WATER FUNDS	22,324,572	22,324,572	11,038,509	49%	9,785,542	1,252,967	13%
TOTAL ENTERPRISE FUNDS	46,543,186	46,543,186	21,167,193	45%	18,951,680	2,215,513	12%
INTERNAL SERVICE FUNDS							
730 INFORMATION SYSTEMS	1,850,422	1,850,422	942,451	51%	905,015	37,436	4%
740 BUILDING MAINTENANCE	3,486,066	3,486,066	1,713,817	49%	1,608,898	104,920	7%
741 BUILDING REPLACEMENT	726,251	726,251	339,794	47%	397,373	(57,579)	-14%
745 CIP ADMINISTRATION	1,721,606	1,721,606	461,263	27%	761,274	(300,011)	-39%
760 UNEMPLOYMENT INSURANCE	102,463	102,463	50,310	49%	1,050	49,260	4690%
770 WORKERS COMPENSATION	876,368	876,368	364,034	42%	398,074	(34,040)	-9%
790 EQUIPMENT REPLACEMENT	1,084,748	1,084,748	692,451	64%	594,287	98,164	17%
791 EMPLOYEE BENEFITS	1,031,234	1,031,234	299,292	29%	395,079	(95,787)	-24%
795 GENERAL LIABILITY INSURANCE	877,248	877,248	431,573	49%	534,817	(103,243)	-19%
TOTAL INTERNAL SERVICE FUNDS	11,756,406	11,756,406	5,294,986	45%	5,595,867	(300,882)	-5%
TOTAL FOR ALL FUNDS	\$ 144,844,714	\$ 145,068,210	\$ 48,761,844	34%	\$ 49,259,393	\$ (497,549)	-1%



City of Morgan Hill
Year to Date Expenses - Fiscal Year 2020-21
For the Month and Six Months Ended December 31, 2020
50% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
010 GENERAL FUND								
I. ADMINISTRATION								
	CITY COUNCIL	\$ 39,712	\$ 348,053	\$ 178,599	\$ -	\$ 178,599	51%	\$ 2,211
	CITY ATTORNEY	67,536	717,004	328,363	91,712	420,075	59%	3,411
	CITY MANAGER	52,582	504,773	248,650	-	248,650	49%	2,211
	HUMAN RESOURCES	62,324	674,377	316,870	-	316,870	47%	3,411
	COUNCIL SVCS & RECORDS MGMT							
	Council Svcs & Records Mgmt	53,397	616,687	282,387	32,900	315,287	51%	2,211
	Elections	2,236	186,470	99,568	-	99,568	53%	1,111
	COUNCIL SVCS & RECORDS MGMT	55,633	803,157	381,955	32,900	414,855	52%	3,111
	FINANCE	149,773	1,585,931	706,480	13,000	719,480	45%	7,111
	TOTAL ADMINISTRATION	427,561	4,633,295	2,160,918	137,612	2,298,530	50%	2,211
II. COMMUNITY SERVICES								
	Membership Services & Rec. Programs	346,022	5,675,307	2,283,125	812,970	3,096,095	55%	3,111
	Recreation Facility Rentals	82,310	1,236,339	478,485	-	478,485	39%	6,111
	Community Services	43,891	609,834	216,174	75,409	291,583	48%	3,111
	Park Maintenance	124,737	1,103,136	501,476	97,750	599,226	54%	-
	Environmental Services	21,039	314,680	97,082	-	97,082	31%	1,111
	Street Maintenance	221,562	2,411,237	1,015,428	184,294	1,199,722	50%	9,111
	Downtown Maintenance	15,511	271,270	86,597	50,776	137,373	51%	1,111
	Cable Television	2,347	23,156	10,881	-	10,881	47%	-
	COMMUNITY SERVICES	857,419	11,644,959	4,689,247	1,221,199	5,910,446	51%	5,311
	CODE COMPLIANCE	17,312	160,479	78,344	-	78,344	49%	1,111
	INFRASTRUCTURE PLANNING & CONGESTION MGMT	32,631	335,902	149,764	-	149,764	45%	1,111
	ECONOMIC DEVELOPMENT PROGRAMS	54,407	653,527	326,864	55,661	382,524	59%	3,111
	TOTAL COMMUNITY SERVICES	961,770	12,794,868	5,244,218	1,276,860	6,521,078	51%	5,811
III. PUBLIC SAFETY								
	POLICE							
	PD Administration	132,853	1,373,018	813,858	52,124	865,982	63%	6,111
	Field Operations	773,511	8,709,877	4,037,292	108,306	4,145,599	48%	4,211
	Support Services	208,830	2,370,491	1,093,101	14,000	1,107,101	47%	1,111
	Emergency Services/Haz Mat	19,437	194,391	88,057	-	88,057	45%	1,111
	Special Operations	307,078	3,452,365	1,469,162	5,203	1,474,365	43%	1,211
	Dispatch Services	163,800	1,790,831	790,506	-	790,506	44%	8,111
	POLICE	1,605,509	17,890,973	8,291,976	179,633	8,471,609	47%	8,211
	FIRE	521,921	7,162,540	3,493,997	28,873	3,522,870	49%	3,511
	TOTAL PUBLIC SAFETY	2,127,430	25,053,513	11,785,973	208,506	11,994,479	48%	11,711
IV. TRANSFERS								
	Other	130,207	1,834,702	285,582	-	285,582	16%	9,111
	TOTAL TRANSFERS	130,207	1,834,702	285,582	-	285,582	16%	9,111
	TOTAL GENERAL FUND	3,646,968	44,316,377	19,476,690	1,622,978	21,099,669	48%	20,711

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City of Morgan Hill
 Year to Date Expenses - Fiscal Year 2020-21
 For the Month and Six Months Ended December 31, 2020
 50% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
SPECIAL REVENUE FUNDS								
202	STREET MAINTENANCE	352	703,934	314,785	-	314,785	45%	1,000
205	PUBLIC SAFETY/SUPP.LAW	589	107,069	3,534	-	3,534	3%	1,000
206	DEVELOPMENT SERVICES FUND							
	Planning	171,095	1,590,704	763,941	59,159	823,099	52%	1,000
	Building	194,447	2,114,110	982,284	17,970	1,000,254	47%	1,000
	Engineering	98,821	1,161,439	595,887	365,487	961,374	83%	600
206	DEVELOPMENT SERVICES FUND	464,363	4,866,253	2,342,111	442,616	2,784,727	57%	2,700
207	LONG RANGE PLANNING	118,028	1,523,735	491,615	292,803	784,417	51%	2,700
215/216	CDBG	447	5,365	2,682	-	2,682	50%	1,000
225	ASSET SEIZURE	-	60,024	-	-	-	-	-
229	LIGHTING AND LANDSCAPE	13,263	168,662	71,584	17,663	89,247	53%	1,000
230	COMMUNITY FACILITIES DISTRICT	2,597	36,418	13,100	-	13,100	36%	1,000
232	ENVIRONMENT PROGRAMS	49,205	420,519	193,659	22,171	215,830	51%	2,700
234	MOBILE HOME PARK	37	438	222	-	222	51%	1,000
236	HOUSING MITIGATION	62,529	2,494,568	190,400	138,914	329,314	13%	600
237	BEGIN	-	-	-	-	-	n/a	-
240	EMPLOYEE ASSISTANCE	2,084	28,506	8,048	-	8,048	28%	1,000
247	ENVIRONMENTAL REMEDIATION	-	-	1,683	-	1,683	n/a	1,000
250	COMH-SUCCESSOR AGENCY-MHRDA	4	6,936,625	4,161,708	-	4,161,708	60%	4,100
255	HOUSING SUCCESSOR AGENCY	135,712	994,782	529,659	254,167	783,826	79%	4,100
TOTAL SPECIAL REVENUE FUNDS		849,211	18,346,897	8,324,791	1,168,333	9,493,124	52%	8,800
CAPITAL PROJECT FUNDS								
301	PARK DEVELOPMENT	249,556	10,956,438	2,601,182	4,197,595	6,798,777	62%	1,600
302	PARK MAINTENANCE	41,677	748,230	325,002	25,014	350,016	47%	500
303	LOCAL DRAINAGE	63,116	7,233,369	239,118	43,520	282,638	4%	1,000
304	LOCAL DRAIN. NON-AB1600	58,318	847,644	142,676	58,700	201,375	24%	1,000
306	AGRICULTURE & OPEN SPACE PRESERVATION	2,228	132,691	13,368	35,956	49,324	37%	3,100
308	STREET CIP	1,596,714	6,132,529	2,563,803	962,031	3,525,834	57%	3,500
309	TRAFFIC IMPACT	459,971	32,689,024	1,153,575	28,077	1,181,653	4%	500
311	POLICE IMPACT	-	-	-	-	-	n/a	1,000
313	FIRE IMPACT	-	113,293	-	-	-	n/a	1,000
315	PUBLIC SAFETY FACILITIES IMPACT	19,525	231,008	117,150	-	117,150	51%	-
346	PUBLIC FAC.NON AB1600	632	330,590	142,860	42,975	185,835	56%	1,000
347	PUBLIC FACILITIES IMPACT	2,273	38,692	30,623	-	30,623	79%	1,000
348	LIBRARY IMPACT	18,407	1,732,111	569,022	129,754	698,776	40%	500
350	UNDERGROUNDING	92	1,107	552	-	552	50%	1,000
355	SCHOOL PEDESTRIAN & TRAFFIC SAFETY	502,245	1,995,044	948,873	103,347	1,052,220	53%	2,700
360	COMM/REC CENTER IMPACT	13,558	1,954,607	1,263,383	661,778	1,925,161	98%	3,100
375	QUIMBY FEE	-	100,000	-	-	-	n/a	-
TOTAL CAPITAL PROJECTS FUNDS		3,028,311	65,236,375	10,111,187	6,288,748	16,399,934	25%	11,200
DEBT SERVICE FUNDS								
420	CIVIC CENTER DEBT	1,635	307,813	231,304	-	231,304	75%	2,700
441	POLICE FACILITY BOND DEBT	1,309	388,040	304,854	-	304,854	79%	3,100
TOTAL DEBT SERVICE FUNDS		2,944	695,853	536,158	-	536,158	77%	5,800

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City of Morgan Hill
 Year to Date Expenses - Fiscal Year 2020-21
 For the Month and Six Months Ended December 31, 2020
 50% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
ENTERPRISE FUNDS								
SEWER								
640	SEWER OPERATIONS	1,301,189	13,319,581	6,344,487	178,399	6,522,886	49%	5,143
641	SEWER CAPITAL EXPANSION	48,741	7,487,155	324,264	694,140	1,018,404	14%	51,000
642	SEWER RATE STABILIZATION	93	1,111	558	-	558	50%	1,000
643	SEWER-CAPITAL PROJECTS	18,704	18,341,671	2,109,414	2,203,025	4,312,439	24%	2,800
TOTAL SEWER FUND(S)		1,368,727	39,149,519	8,778,723	3,075,563	11,854,286	30%	8,553
WATER								
	Water Operations	1,220,675	14,583,410	6,689,516	1,111,488	7,801,004	53%	6,800
	Utility Billing	81,470	863,064	408,705	28,692	437,397	51%	38,000
	Water Conservation	5,823	153,047	32,703	47,107	79,810	52%	1,000
650	WATER OPERATIONS	1,307,968	15,599,521	7,130,924	1,187,287	8,318,211	53%	7,200
651	WATER CAPITAL EXPANSION	77,934	1,027,523	310,545	187,307	497,851	48%	7,000
652	WATER RATE STABILIZATION	30	362	180	-	180	50%	1,000
653	WATER-CAPITAL PROJECTS	1,955	3,865,574	121,998	84,896	206,894	5%	3,000
TOTAL WATER FUND(S)		1,387,886	20,492,981	7,563,647	1,459,489	9,023,136	44%	8,400
TOTAL ENTERPRISE FUNDS		2,756,613	59,642,500	16,342,370	4,535,052	20,877,422	35%	16,953
INTERNAL SERVICE FUNDS								
730	INFORMATION SYSTEMS	140,779	2,240,628	888,320	253,404	1,141,724	51%	8,000
740	BUILDING MAINTENANCE	219,083	3,450,173	1,146,870	206,127	1,352,998	39%	1,400
741	BUILDING REPLACEMENT	14,861	457,000	45,239	601	45,840	10%	1,000
745	CIP ADMINISTRATION	168,349	1,655,366	788,644	7,736	796,380	48%	7,000
760	UNEMPLOYMENT	-	75,000	(7,688)	-	(7,688)	-10%	3,000
770	WORKERS COMPENSATION	23,364	860,729	482,358	-	482,358	56%	7,000
790	EQUIPMENT REPLACEMENT	410,488	1,863,653	682,663	683,076	1,365,739	73%	1,000
791	EMPLOYEE BENEFITS FUND	210,236	625,000	295,244	-	295,244	47%	3,000
795	GEN. LIABILITY INSURANCE	20,004	1,457,651	1,192,755	-	1,192,755	82%	8,000
TOTAL INTERNAL SERVICE FUNDS		1,207,165	12,685,200	5,514,405	1,150,943	6,665,349	53%	5,200
REPORT TOTAL		\$ 11,491,213	\$ 200,923,203	\$ 60,305,601	\$ 14,766,055	\$ 75,071,656	37%	\$ 63,553

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and

		 City of Morgan Hill Fund Activity Summary - Fiscal Year 2020-21 For The Six Months Ended December 31, 2020 50% of Year Complete							
Fund No.	Fund	Fund Balance 06-30-20	Revenues		Expenses		Year to-Date Deficit or Carryover	Ending Fund Balance	
			YTD Actual	% of Budget	YTD Actual	% of Budget		Reserved ¹	Unreserved
010	GENERAL FUND	\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
TOTAL GENERAL FUND		\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
202	STREET MAINTENANCE	34,027	\$ 313,217	45%	\$ 314,785	46%	\$ (1,568)	\$ -	\$ 32,459
205	PUBLIC SAFETY/SUPPL. LAW	144,643	82,280	82%	3,534	51%	78,746	-	223,389
206	DEVELOPMENT SERVICES	(24,043)	2,281,281	48%	2,342,111	48%	(60,830)	442,616	(527,489)
207	LONG RANGE PLANNING	1,250,193	330,257	49%	491,615	32%	(161,358)	292,803	796,033
215 / 216	CDBG	52,922	217	7%	2,682	50%	(2,465)	-	50,457
225	ASSET SEIZURE	142,239	477	25%	-	n/a	477	-	142,716
229	LIGHTING AND LANDSCAPE	163,636	469	0%	71,584	42%	(71,115)	17,663	74,858
230	COMMUNITY FACILITIES DISTRICT	126,360	256	21%	13,100	36%	(12,844)	-	113,516
232	ENVIRONMENTAL PROGRAMS	162,637	248,069	56%	193,659	46%	54,410	22,171	194,876
234	MOBILE HOME PK RENT STAB.	58,766	3,632	490%	222	51%	3,410	-	62,176
235	SENIOR HOUSING	232,360	781	21%	-	n/a	781	-	233,141
236	HOUSING MITIGATION	3,702,291	1,285,121	57%	190,400	8%	1,094,720	138,914	4,658,097
237	BEGIN	-	514	n/a	-	n/a	514	-	514
240	EMPLOYEE ASSISTANCE	63,113	7,394	25%	8,048	28%	(654)	-	62,459
247	ENVIRONMENT REMEDIATION	136,785	967	40%	1,683	n/a	(716)	-	136,069
250	COMH-SUCCESSOR AGENCY-MHRDA	3,808,617	2,262	0%	4,161,708	60%	(4,159,446)	-	(350,829)
255	HOUSING SUCCESSOR AGENCY	4,538,622	280,817	132%	529,659	53%	(248,842)	254,167	4,035,613
260	PUBLIC ART	185	-	n/a	-	-	-	-	185
TOTAL SPECIAL REVENUE FUNDS		\$ 14,593,353	\$ 4,838,013	30%	\$ 8,324,791	45%	\$ (3,486,778)	\$ 1,168,333	\$ 9,938,241
301	PARK DEV. IMPACT FUND	\$ 3,569,152	\$ 1,213,369	51%	\$ 2,601,182	24%	\$ (1,387,813)	\$ 4,197,595	\$ (2,016,256)
302	PARK MAINTENANCE	3,411,843	50,671	14%	325,002	43%	(274,331)	25,014	3,112,498
303	LOCAL DRAINAGE	12,765,782	711,738	42%	239,118	3%	472,620	43,520	13,194,882
304	LOCAL DRAINAGE/NON-AB1600	1,445,963	5,651	4%	142,676	17%	(137,024)	58,700	1,250,239
306	AGRICULTURE AND OPEN SPACE PRESERV	6,620,492	115,364	64%	13,368	10%	101,996	35,956	6,686,532
308	STREET CIP	3,866,352	811,727	32%	2,563,803	42%	(1,752,076)	962,031	1,152,245
309	TRAFFIC IMPACT FUND	(430,089)	852,176	5%	1,153,575	4%	(301,399)	28,077	(759,566)
311	POLICE IMPACT FUND	-	187,219	n/a	-	n/a	187,219	-	187,219
313	FIRE IMPACT FUND	-	27,674	45%	-	n/a	27,674	-	27,674
315	PUBLIC SAFETY FACILITIES IMPACT	3,452,398	28,594	3%	117,150	51%	(88,556)	-	3,363,842
346	PUBLIC FACILITIES NON-AB1600	392,026	417,549	68%	142,860	43%	274,689	42,975	623,740
347	PUBLIC FACILITIES IMPACT FUND	839,822	105,291	31%	30,623	79%	74,668	-	914,490
348	LIBRARY IMPACT FUND	1,680,413	446,929	47%	569,022	33%	(122,093)	129,754	1,428,566
350	UNDERGROUNDING	966,109	3,239	25%	552	50%	2,687	-	968,796
355	SCHOOL PEDESTRIAN/TRAFFIC SFTY	1,076,228	233,449	39%	948,873	48%	(715,424)	103,347	257,457
360	COMM/REC CTR IMPACT FUND	2,050,691	694,175	46%	1,263,383	65%	(569,208)	661,778	819,705
TOTAL CAPITAL PROJECT FUNDS		\$ 41,707,182	\$ 5,904,816	20%	\$ 10,111,187	15%	\$ (4,206,371)	\$ 6,288,748	\$ 31,212,063
420	CIVIC CENTER DEBT	\$ 154,609	\$ 155,217	50%	\$ 231,304	75%	\$ (76,087)	\$ -	\$ 78,522
441	POLICE FACILITY BOND DEBT	74,409	292,371	76%	304,854	79%	(12,482)	5	61,922
TOTAL DEBT SERVICE FUNDS		\$ 229,018	\$ 447,588	64%	\$ 536,158	77%	\$ (88,570)	\$ 5	\$ 140,443

 CITY OF MORGAN HILL		City of Morgan Hill Fund Activity Summary - Fiscal Year 2020-21 For The Six Months Ended December 31, 2020 50% of Year Complete					
Fund Balance 06-30-20	Revenues		Expenses		Year to-Date Deficit or Carryover	Ending Fund Balance	
	YTD Actual	% of Budget	YTD Actual	% of Budget		Reserved ¹	Unreserved

640	SEWER OPERATIONS	\$ 3,165,292	\$ 5,574,678	42%	\$ 6,344,487	48%	\$ (769,809)	178,399	2,217,085
641	SEWER IMPACT FUND*	21,717,172	2,316,080	36%	324,264	4%	1,991,816	694,140	23,014,848
642	SEWER RATE STABILIZATION	2,667,854	8,966	20%	558	50%	8,408	-	2,676,262
643	SEWER-CAPITAL PROJECTS	9,246,526	2,228,959	50%	2,109,414	12%	119,546	2,203,025	7,163,047
650	WATER OPERATIONS	3,878,448	7,774,204	50%	7,130,924	46%	643,279	1,187,287	3,334,441
651	WATER IMPACT FUND*	2,780,694	794,277	45%	310,545	30%	483,733	187,307	3,077,120
652	WATER RATE STABILIZATION	2,790,499	31,051	47%	180	50%	30,871	-	2,821,370
653	WATER -CAPITAL PROJECT	4,226,388	2,438,977	50%	121,998	3%	2,316,979	84,896	6,458,471
TOTAL ENTERPRISE FUNDS		\$ 50,472,873	\$ 21,167,193	45%	\$ 16,342,370	27%	\$ 4,824,823	\$ 4,535,052	\$ 50,762,644

730	INFORMATION SERVICES	\$ 686,637	\$ 942,451	51%	\$ 888,320	40%	\$ 54,130	\$ 253,404	\$ 487,364
740	BUILDING MAINTENANCE	415,856	1,713,817	49%	1,146,870	33%	566,947	206,127	776,676
741	BUILDING REPLACEMENT	3,042,909	339,794	47%	45,239	10%	294,555	601	3,336,863
745	CIP ENGINEERING	(108,085)	461,263	27%	788,644	48%	(327,382)	7,736	(443,202)
760	UNEMPLOYMENT	131,342	50,310	49%	(7,688)	-10%	57,998	-	189,340
770	WORKERS COMPENSATION	2,026,064	364,034	42%	482,358	56%	(118,324)	-	1,907,740
790	EQUIPMENT REPLACEMENT	5,816,846	692,451	64%	682,663	37%	9,789	713,076	5,113,559
791	EMPLOYEE BENEFITS FUNDS	6,548	299,292	29%	295,244	47%	4,048	-	10,596
795	GEN. LIABILITY INSURANCE	1,463,809	431,573	49%	1,192,755	82%	(761,182)	-	702,627
TOTAL INTERNAL SERVICE FUNDS		\$ 13,481,926	\$ 5,294,986	45%	\$ 5,514,405	43%	\$ (219,420)	\$ 1,180,943	\$ 12,081,563

SUMMARY BY FUND TYPE

GENERAL FUND GROUP	\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
SPECIAL REVENUE GROUP	14,593,353	4,838,013	30%	8,324,791	45%	(3,486,778)	1,168,333	9,938,241
DEBT SERVICE GROUP	229,018	447,588	64%	536,158	77%	(88,570)	5	140,443
CAPITAL PROJECTS GROUP	41,707,182	5,904,816	20%	10,111,187	15%	(4,206,371)	6,288,748	31,212,063
ENTERPRISE GROUP	50,472,873	21,167,193	45%	16,342,370	27%	4,824,823	4,535,052	50,762,644
INTERNAL SERVICE GROUP	13,481,926	5,294,986	45%	5,514,405	43%	(219,420)	1,180,943	12,081,563
TOTAL ALL GROUPS	\$ 139,659,587	\$ 48,680,881	34%	\$ 60,305,601	30%	\$ (11,624,721)	\$ 14,796,059	\$ 113,238,807

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

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

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

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

City Manager's Signature Authority**Contracts and Agreements Between \$25,000 to \$60,000 Entered Since 10/3/2020 to 1/6/2021**

Vendor Name	Description of Service	Begin Date	End Date	Department	Amount
West Valley Community Services	MOU - RYDE - Reach your Destination Easily Senior Transportation Program	11/1/2020	6/30/2021	E&U	\$30,000
DocuSign, inc.	eSignature Business Pro for Gov and Premier Support	11/25/2020	10/29/2022	CC	\$41,400
Battalion One Fire Protection, Inc.	Fire Protection Sprinkler Inspection, Testing and Maintenance	12/8/2020	12/31/2022	Fire	\$42,210
Ruggeri-Jensen-Azar	Hale Ave-Dewitt ave/Spring Ave Intersection and Traffic Signal Design	12/30/2020	12/31/2021	E&U	\$41,700
Hannah-Brunetti	Design Services for the Fish Basin Capacity Expansion Project	10/6/2020	12/31/2021	E&U	\$41,575

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Michelle Bigelow, City Clerk
APPROVED BY: City Manager

REVIEW AND APPROVE CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

RECOMMENDATION(S)

1. Review, discuss, and approve the City Council appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

COUNCIL PRIORITIES, GOALS & STRATEGIES

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

Community Engagement and Messaging
Economic Development
Fiscal Sustainability
Infrastructure
Regional Initiatives
Affordable Housing and Homelessness
Transportation

REPORT NARRATIVE:

The City Council is committed to actively participating in regional committees and agencies as an important way to influence decisions that benefit Morgan Hill. The City Council is being asked to review, discuss, and make appointments to the outside agencies. The Appointments to Outside Agencies chart only includes appointments made by the City Council to outside agencies. It does not include appointments made by other agencies or organizations. The Mayor will make appointments, subject to Council approval.

Once the appointments are made, the City is required to post the Fair Political Practices Commission (FPPC) Form 806 on its website. The Form 806 lists all the paid appointed positions to which an official can vote on the City's website including those assignments that do not receive a stipend. Staff requests that Council Members notify the City Clerk's

Office immediately when new assignments are made and when there is compensation of \$250.00 or more in a 12-month period.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community of the City Council appointments to outside agencies.

ALTERNATIVE ACTIONS:

Not applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council reviews and confirms the assignments to outside agencies annually.

FISCAL AND RESOURCE IMPACT:

The time necessary to prepare and present this staff report is accommodated in the Council Services & Records Management Operating Budget. The level of City Council and staff resources necessary to actively participate in each outside assignment varies with some requiring a significant amount of time.

CEQA (California Environmental Quality Act):

The preparation of the City Council assignments to outside agencies is an administrative task and as such, is not a project.

LINKS/ATTACHMENTS:

1. DRAFT Council Member Assignments to Committees 2021

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Countywide	<u>Santa Clara County Library District Joint Powers Authority</u> 1370 Dell Avenue Campbell, CA 95008 Cynthia Rios Garcia, Secretary CRiosGarcia@sccl.org (408) 293-2326, ext. 3090 https://www.sccl.org/About/Governance/JPA-Board-Meetings Tracy Ellenberger, Executive Assistant tellenberger@sccl.org 408-293-2326 x3093	Provide policy direction and governance for the Santa Clara County Library District. Cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill & Saratoga.	Meets 4 times per year typically on the 4th Thursday of month; 12:00 pm 1370 Dell Avenue Campbell, CA 95008	(P) Constantine (A) _____	
Environmental	<u>Santa Clara Valley Habitat Agency Governing Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Serves as governing body for JPA and makes all decisions except those delegated to the Implementation Board Staff.	Quarterly, 3rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Avenue	(P) Spring (P) Martinez Beltran (A) McKay (A) _____	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Environmental	<u>Santa Clara Valley Habitat Agency Implementation Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Makes recommendations to the Governing Board regarding fees and budget, appoints executive officers and hiring of other agency personnel, services, and equipment, makes decision regarding real property acquisition and makes recommendations to the executive officers regarding grants and other funding.	Bi-Monthly, 3 rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Avenue	(P) Spring (A) Martinez Beltran (A) McKay (P) Carman (A) Ramirez	
Environmental	<u>Silicon Valley Clean Energy Authority</u> 333 W. El Camino Real, Suite 290 Sunnyvale, CA 94087 Andrea Pizano andreap@svcleanenergy.org (408) 721-5301 x.1005 https://www.svcleanenergy.org/board	The JPA created to collectively study, promote, develop, conduct, operate, and manage energy supply and efficiency programs related to the provision of clean power. Recommended two year assignment per SVCE	2 nd Wednesday of the month 7:00 pm Cupertino City Hall 10350 Torre Ave	(P) Martinez Beltran (A) Eulo	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Flood Control	<u>Pajaro River Watershed Flood Prevention Authority</u> PO Box 809 Marina, CA 93933 Ana Flores Regional Analysis & Planning Services aflores@ambaq.org (831)883-3750 ext. 300 http://www.pajaroriverwatershed.org	Identify, evaluate, fund, and implement environmentally sound flood prevention and control strategies in the Pajaro River Watershed, on an intergovernmental, cooperative basis as required by the Pajaro River Watershed Flood Prevention Authority Act.	Meet bi-monthly 1st Friday 9:00 am Meeting locations alternate between the Cities of Gilroy, Hollister, Salinas & Watsonville	(P) Spring/_____ (non-voting member)	Chris Ghione, Public Service Director
Flood Control	<u>Santa Clara Valley Water District Elected Officials Quarterly Meeting (Llagas Creek PL 566)</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Michelle King, Clerk of the Board board@valleywater.org (408) 265-2600	Specifically address Llagas Creek flooding and Anderson Dam Retrofit Project.	Quarterly on Fridays 10:00 am Morgan Hill City Hall, Grand Conference Room 17575 Peak Ave	(P) Spring (P) _____ (A) Martinez Beltran	Chris Ghione, Public Service Director

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Housing	<u>Santa Clara County Housing & Community Development Advisory Committee (HCDAC)</u> Office of Supportive Housing 3180 Newberry Drive, Ste 150 San Jose, CA 95118 Alejandra Herrera Chavez, Program Manager I Alejandra.herrera@hhs.sccgov.org (408) 278-6414	The role of the HCD Advisory Committee is to be the policy-recommending body to the Board of Supervisors on the planning, implementation, monitoring, and evaluation of the Urban County HCD Program. The Committee guides the development of a coordinated housing and community development plan and hears project proposals, reviews staff recommendations, and makes recommendations to the Board of Supervisors for final approval and forwarding to HUD.	As needed 70 West Hedding Street, 1 st Floor Board Chambers	(P) McKay (A) Martinez Beltran	Rebecca Garcia, Housing Manager
Land Use/ Transportation	<u>South County Joint Planning Advisory Committee</u> Santa Clara Co. Planning Office 70 W. Hedding, E Wing, 7 th Floor San José, CA 95110	Cities of Gilroy & Morgan Hill, County of Santa Clara and unincorporated area of San Martin addressing issues re: land use planning of regional significance. Staff coordination rotates between the three sponsoring organizations, Gilroy, Morgan Hill, and Santa Clara County.	As-needed	(P) _____ (A) McKay Joseph Mueller, Planning Commissioner Dennis Delisle, Citizen Representative _____, Citizen Representative	Jennifer Carman, Community Development Director Rob Eastwood, County of Santa Clara _____ City of Gilroy

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>City-School Liaison Committee</u> Morgan Hill Unified School District; 15600 Concord Circle or City of Morgan Hill 17575 Peak Avenue Morgan Hill, CA 95037-4128 Kelly Shriefer, Secretary to the Superintendent, MHUSD shrieferk@mhusd.org (408) 201-6001 Michelle Bigelow, City Clerk Michelle.bigelow@morganhill.ca.gov (408) 310-4678 http://mhusd.org/board-of-education/cityschool-liaison-committee/	To facilitate communication between the City and School District on issues of common concern.	Every other month, typically on Fridays 8:30 am Meetings alternate between the City of Morgan Hill, City Hall 17575 Peak Ave and the Morgan Hill Unified School District Office 15600 Concord Cir	(P1) Constantine (P2) _____ (A1) Martinez Beltran (A2) McKay	Christina Turner, City Manager Shane Palsgrove, Police Chief Chris Ghione, Public Service Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>South County United for Health Leadership Team</u> County of Santa Clara, Public Health Department Active and Safe Communities Sobrato Center for Nonprofits 1400 Parkmoor Avenue, Suite 120 B San Jose, CA 95126 Alice Kawaguchi, MPH, RD Health Care Program Manager II Alice.Kawaguchi@PHD.sccgov.org (408) 793-2733	South County United for Health is a collaborative effort to create healthier communities where people live, work, learn and play in the cities of Morgan Hill, Gilroy, San Martin, and parts of unincorporated Santa Clara County, also known as South County.	Meets quarterly on Thursdays 10:00 am to noon Morgan Hill Community & Cultural Center 17000 Monterrey Road February 7, 2019 April 4, 2019 August 1, 2019 October 3, 2019	(P) Spring (A) Constantine	
Regional Government	<u>ABAG</u> 375 Beale Street San Francisco Fred Castro, Clerk of the Board fcastro@bayareametro.gov (415) 820-7913 https://abag.ca.gov/overview/ga.html	Council of governments representing Cities & Counties in the Bay Area; a comprehensive planning agency addressing regional social, environmental, and economic issues.	Meets annually, usually in April Location varies (Oakland or San Francisco)	(P) Martinez Beltran (A) McKay	(P) (A) Jennifer Carman, Community Development Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>Cities Association of Santa Clara County Board</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordon, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	Promotes cooperation, represents the mutual interest, and presents a unified voice for the fifteen cities of Santa Clara County; each city in Santa Clara County appoints the Mayor or a Council Member to the Board of Directors; advocates for positive action to enhance the quality of life for the people of our county.	Monthly 2nd Thursday 7:00 pm 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	None, unless Morgan Hill serves as President, the City Manager
Regional Government	<u>Cities Association of Santa Clara County Board City Selection Committee</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordan, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	The committee makes recommendations on appointments to regional and countywide organizations.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	
Regional Government	<u>Cities Association of Santa Clara County Board Legislative Action Committee</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordan, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	The committee provides basic legislative updates to cities with little or no legislative staff, organizes emergency responses to urgent issues, and enables the Cities Association to advocate on issues of mutual interest.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>League of California Cities Peninsula Division</u> Seth Miller P.O. Box 5630 San Francisco, CA 94080 sethl_miller@yahoo.com (415) 595-8629 http://www.cacities.org/Member-Engagement/Regional-Divisions/Peninsula	Comprised of the 36 cities from San Francisco to Gilroy, division members work together to enhance the quality of life in our communities, our region, and our state.	4 meetings per year: January 30, 2019; 11:30 – 1:30 March 20, 2019; 8:00 – 10:00 May 22, 2019; 11:30 – 1:30 August 28, 2019; 8:00 – 10:00 special meetings added as needed	(P) Martinez Beltran (A) McKay	
Transportation	<u>Caltrain Local Policy Maker Group</u> 1250 San Carlos Avenue San Carlos, CA 94070 (650) 508-6200 Casey Fromson fromsonc@samtrans.com (650) 508-6493 http://www.caltrain.com/projects/plans/CaltrainModernization/Meetings.html	Advisory group comprised of elected officials and provides a formal venue to facilitate local input and guidance on the Caltrain Modernization Program.	Monthly 4 th Thursday 5:30 pm Edward J. Bacciocco Auditorium, Second Floor 1250 San Carlos Ave	(P) _____ (A) Constantine	Edith Ramirez Assistant City Manager Tiffany Brown Associate Planner

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Comprehensive County Expressway Planning Study Policy Advisory Board</u> Santa Clara County Roads and Airports 101 Skyport Drive San Jose, Ca 95110-1302 Ellen Talbo ellen.talbo01@rda.sccgov.org (408) 573-2462 http://sccgov.igm2.com/citizens/default.aspx?	Provides an elected officials' forum for policy input to the <i>Expressway Plan 2040</i> – a long range plan for the improvement and maintenance of the eight County expressways and the Santa Teresa-Hale Corridor. All areas of need are included: capacity and operational improvements, signal operations, high-occupancy vehicle (HOV) lanes, bicycle, and pedestrian improvements, finishing elements, and ongoing operating and maintenance needs and funding strategy recommendations.	As needed 70 West Hedding Street, 1 st Floor Board Chambers	(P) McKay (A) Constantine	Chris Ghione, Public Service Director
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) Policy Advisory Committee (PAC)</u> 3331 North First Street, Building B-1 st Floor San Jose, CA 95134-1927 Steven Flynn Advisory Committee Coordinator Elaine Baltao, Board Secretary Board.secreatary@vta.org (408) 321-5680 http://www.vta.org/get-involved/advisory-committee/policy-advisory-committee-pac	Advises the Authority Board of Directors on policy matters relating to transportation and congestion management. <i>Board Member cannot serve on the PAC.</i> <i>(Note: participation is State-mandated)</i>	Monthly, 2 nd Thursday 4:00 pm VTA River Oaks Campus 1331 N. 1 st Street Room B-104 San Jose	(P) Constantine (A) Martinez Beltran	Chris Ghione, Public Service Director Edith Ramirez Assistant City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) MG - Group 4</u>	Cities of Morgan Hill and Gilroy advises the PAC (see above) on transportation policy and funding issues. Discuss transportation items of mutual interest to the cities of Morgan Hill and Gilroy	Tuesday before each Thursday Board meeting, 9:00 am Morgan Hill City Hall 17575 Peak Ave	(P) _____ (A) Constantine	Christina Turner, City Manager Chris Ghione, Public Service Director Edith Ramirez Assistant City Manager
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) Board of Directors</u> 3331 North First Street San Jose, CA 95134-1906 Elaine Baltao, Board Secretary board.secretary@vta.org (408) 321-5680 http://www.vta.org/get-involved/board-of-directors	Reviews issues relating to transportation and congestion management.	Monthly, 1 st Thursday 5:30 pm County Government Center 70 W. Hedding St. San Jose	(P) Constantine (A) Marie Blankley (Gilroy) <i>(Alternates between MH and Gilroy every two years based on VTA preference – sometimes longer for continuity)</i>	Christina Turner, City Manager Chris Ghione, Public Service Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Water/Wastewater	<u>Santa Clara Valley Water Commission</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Glenna Brambill gbrambill@valleywater.org (408) 630-2408	Advises the District on water supply, legislative issues, and integrated water resource management. <i>(Note: Most issues relate to imported water; Morgan Hill is 100% ground water)</i>	12:00 pm-2:00 pm January 23, 2019 April 10, 2019 July 24, 2019 October 23, 2019 January 22, 2020 Santa Clara Valley Water District Headquarters Building Boardroom 5700 Almaden Expressway, San Jose	(P) Constantine (A) Martinez Beltran	James Sylvair Deputy Director for Utilities Services Tony Eulo, Program Administrator <i>(Note: Staff member serves as alternate)</i>
Water/Wastewater	<u>South County Regional Wastewater Authority (SCRWA) Board Meeting</u> 1500 Southside Drive Gilroy, CA 95020 Gina Bonnell Gina.bonnell@ch2m.com Secretary/Clerk of the Board (408) 848-0480 http://www.ci.gilroy.ca.us/561/South-County-Regional-Wastewater-Authority	The South County Regional Wastewater Authority established by Joint Powers Agreement (Cities of Gilroy & Morgan Hill) to provide common authority relating to Joint Wastewater Gilroy/Morgan Hill Sewage Treatment Plant located in Gilroy.	1st Wednesday of the Month 8:00 am 1500 Southside Drive Gilroy	(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay Primary delegate	James Sylvair Deputy Director for Utilities Services Chris Ghione, Public Service Director Christina Turner, City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Water/Wastewater	<u>Joint Water Resource Committee</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Natalie Dominguez ndominguez@valleywater.org (408) 630-2659 http://www.valleywater.org/About/CitiesofGilroyMorganHill.aspx X	Advance South County Water interests. This joint committee is made up of two City Council members each from Morgan Hill and Gilroy, and two Santa Clara Valley Water District (SCVWD) Board members. The members from the two cities will also represent the South County Regional Wastewater Authority (SCRWA). Policy matters to be discussed include recycled water, groundwater, and long-term water resource planning.	Meetings follow SCRWA Board Meetings - 1 st Wednesday of the month 8:30 am (at the request of the committee) 1500 Southside Drive Gilroy	(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay	Christina Turner, City Manager Chris Ghione, Public Service Director James Sylvair Deputy Director for Utilities Services
Water/Wastewater	<u>Joint Recycled Water Advisory Committee</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Natalie Dominguez ndominguez@valleywater.org (408) 630-2659 http://www.valleywater.org/About/CitiesofGilroyMorganHill.aspx X	Ensure the continued utilization of recycled water in South County and promote the expansion of water reuse in the region and to advance recycled water production, distribution, and wholesaling in South County. Note: This is a newly proposed Valley Water committee.		(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay	Christina Turner, City Manager Chris Ghione, Public Service Director James Sylvair Deputy Director for Utilities Services

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

LIST OF CITY COUNCIL ADJUNCT COMMITTEES

Mayor Rich Constantine

- Governance, Transparency and Labor Relations Policy Committee for the League of California Cities (Chair)
- City Liaison to the Sister City Committee
- Board Member of the Healthier Kids Foundation
- South County Youth Task Force
- Morgan Hill Chamber of Commerce Board (Mayor is ex-officio member)
- Cities Association LAFCO Representative
- LAFCO Board Member Representative
- Cities Association of Santa Clara County Executive Board
- County of Santa Clara Unhoused Task Force
- Cities Association Bay Area Air Quality Management District Board of Directors

Council Member John McKay

- Downtown Association
- Santa Clara County Representative to the Peninsula Division of the League of California Cities
- Housing, Economic, and Community Development Policy Committee for the League of California Cities
- Legislative Action Committee Co-Chair for the League of California Cities Peninsula Division

Council Member Yvonne Martinez Beltran

- City Liaison to the Sister City Committee (alternate)
- County of Santa Clara Unhoused Task Force
- Transportation, Communication, and Public Works Policy Committee for the League of California Cities
- Housing, Economic, and Community Development Policy Committee for the League of California Cities

From: Joe Baranowski <joe.b@mh-rgc.org>

Date: January 20, 2021 at 3:43:08 PM PST

To: Christina Turner <Christina.Turner@morganhill.ca.gov>

Cc: Jennifer Carman <Jennifer.Carman@morganhill.ca.gov>, Donald Larkin

<Donald.Larkin@morganhill.ca.gov>, Rich Constantine

<Rich.Constantine@morganhill.ca.gov>, Rene Spring <Rene.Spring@morganhill.ca.gov>,

Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>, Gino Borgioli

<Gino.Borgioli@morganhill.ca.gov>, John McKay <john.mckay@morganhill.ca.gov>

**Subject: Consent Calendar Item Ordinance 2319: Amending Various Code Provisions
Within Title 18 (Zoning Code)**

City Staff:

I would like to request the consent item referenced in the title of this email be moved off the consent calendar so that someone from the staff can explain what I find to be confusing language in the text of the proposed changes. Specifically relating to General Plan Amendments:

The chapter heading states the reason: (added emphasis of bold text is by me)

*18.115.010 – Purpose. This chapter establishes procedures for **amending the General Plan** text (e.g., **goals, policies, or implementation programs**) or to change the General Plan land use designation on any parcel(s)*

The Findings required for such amendments to be approved are stated as:

*A. The city council must find that the proposed amendment meets the **letter and intent** of the General Plan **goals and policies**.*

This seems like circular logic that would likely lead to ambiguity and confusion given that an attempt to amend "e.g. goals and policies" may be assumed to have a desired result of changing not meeting the (existing) "letter and intent".

Can someone please explain why the required Findings are stated in such a general manner and why they are not likely to result in a circular argument?

IF the purpose was limited to just "or change the General Plan land use designation on any parcel(s)". the required Findings would make logical sense, although I would still have doubts that meeting the "letter" of the General Plan will, in practice, lead to anything other than having to ignore that word.

Thank you,

Joe Baranowski

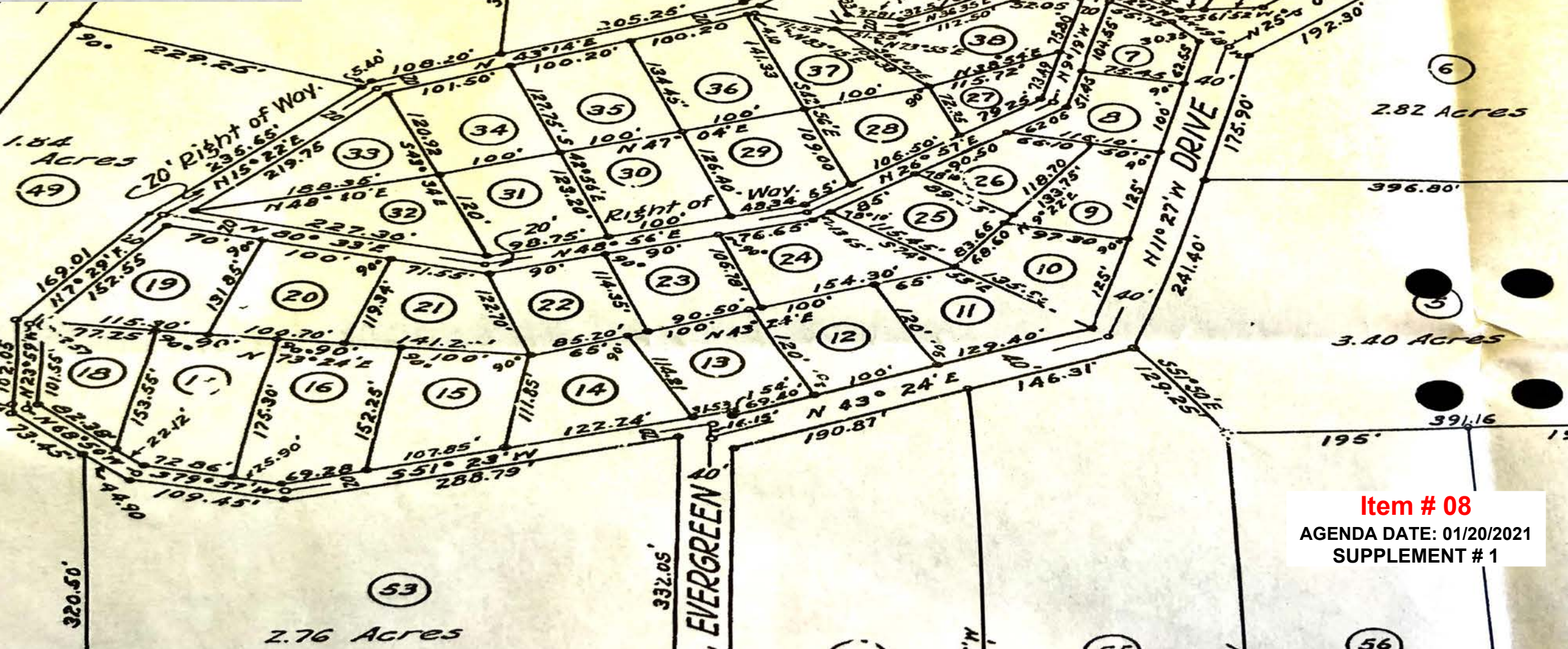
MAP OF KNOB HILL ACRES

Being a subdivision of
Lots 27, 28, 29, 30, 34 & 35 W½ of Lot 22 & W9 Ac. Lot 23
Catherine Dunne Ranch Map No. 3.
Santa Clara Co., California.

Scale: 1 in. = 150 ft. Henry B. Fisher
Surveyor

November 1928.

In two sheets. Sheet No. 1.



Item # 08

AGENDA DATE: 01/20/2021
SUPPLEMENT # 1

Item # 08

AGENDA DATE: 01/20/2021
SUPPLEMENT # 2

From: [Christina Turner](#)
To: [Michelle Bigelow](#); [Angie Gonzalez](#)
Cc: [Chris Ghione](#); [Donald Larkin](#)
Subject: supplement
Date: Wednesday, January 20, 2021 4:07:33 PM

Please supplement this Q&A.

Negotiations on this property outside of court and eminent domain are continuing. The property owner is requesting we move to eminent domain as is stipulated in the possession and use agreement. However, the property owner has agreed to meet and discuss options with the City after the RON hearing. Moving forward with the RON Hearing does not commit the City to not settle outside of court in the future. We do not anticipate this going to court and if it did it would be several years away, due to the County courts backlog. We will setup a follow-up closed session item to discuss in detail with the Council. The Council can provide direction on negotiations at that meeting.

- 1) What appraiser did you use? **Associated Right of Way Services.**
- 2) You indicate that you are using Oct/ 2018 valuation but it's 2021 now, it would seem reasonable to understand how much property valuation has increased? **We could opt to get an appraisal of the current value, but that would not be useful. We will only pay the 2018 Value as stipulated in the agreement, the City is not responsible to pay for any increase in value. We could get another appraisal with the 2018 valuation, but the property owner is currently not interested in that.**
- 3) If this goes to court, (question for Mr Larkin), approx how much would this cost the city? **In the very unlikely scenario that this went all the way to trial there could be costs of up to \$350,000 in legal fees. However, this is highly unlikely and the Council can provide legal direction not to go this route. This legal direction can be discussed at a future closed session and should be done in that manner to protect the City's interest. The RON hearing does not commit the City to going to trial.**
- 4) If this goes to court, how much of an impact will this have on the delay in the project? **There is no impact or delay on the timing of the project. The property is under the possession of the City per the agreement. The project is awarded and work is scheduled to begin in April.**



City Council Meeting Item #9 Monthly Budget Update



January 20, 2021

Overview



- Monthly Budget Update
- Staff does not recommend any budget adjustments at this time

General Fund



- No material change since last update
- State and County restriction in light of recent surge in COVID-19 cases will negatively impact sales tax, recreation services, and TOT
- Recreation Services: The additional \$1.6 million loss is becoming more of a reality

Development Services



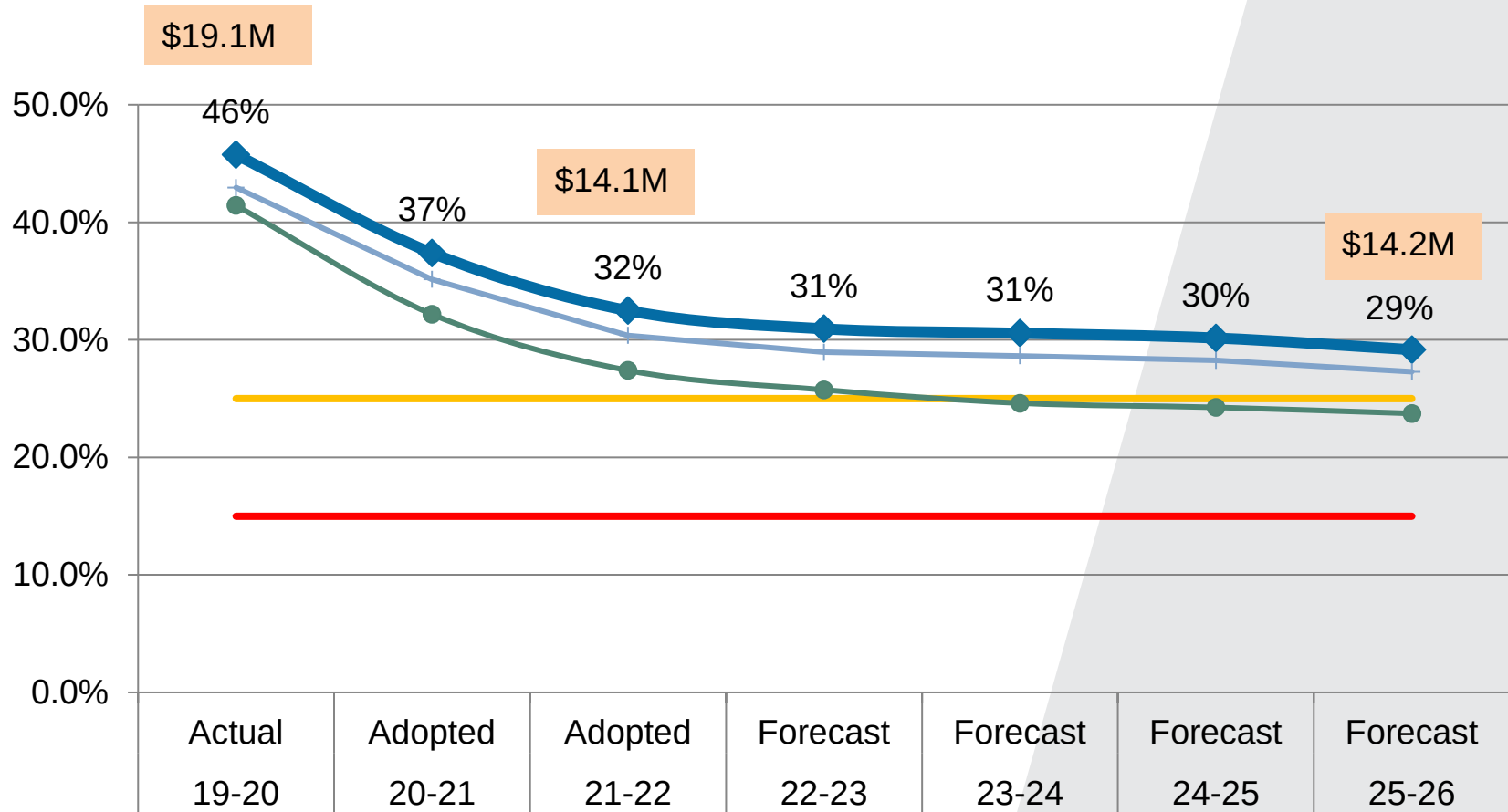
- Revenues are tracking higher than budget
- \$2.3 million received to date or 61% of budget (without \$1.0 million loan)
- No significant impact to development services is expected from County moving back into the “Purple Tier”

Enterprise Funds



- Expecting higher water revenue as well as increased wastewater flows due to higher levels of stay at home residents
- Number of accounts delinquent steady but with higher balance

Updated General Fund Forecast



◆ GF Six Year Forecast October 21, 2020

— Fund Balance Minimum Level of 15% of Revenues

+ GF Six Year Forecast July 22, 2020

— Fund Balance Goal of 25% of Revenues

● GF Six Year Forecast Budget Adoption June 17, 2020

Questions?



From: [D. Muirhead](#)
To: [CC Public Comment](#)
Subject: comment City Council January 20 Agenda Item #10: Outside appointments
Date: Tuesday, January 19, 2021 7:55:42 PM

Dear Morgan Hill City Council,

City Council meeting date: January 20, 2021
Agenda Item #10: City Council appointments to Outside Agencies

I have a general comment on applicability of the Open Meeting law and specific comments on VTA Board and South County Joint Planning.

Applicability of the Open Meeting law

It would be helpful if you identify which meetings are subject to the Open Meeting requirements and which are exempt. For meetings not subject to the Brown Act, this new Council could establish a practice of producing meeting summaries if you continue to exclude public observation (as opposed to public participation) of actual meetings. The PL566 Elected Officials Quarterly Meeting is one of interest to me.

Santa Clara Valley Transportation Authority (VTA) Board of Directors
This seat is intended to alternate between MH and Gilroy every two years. Former Councilmember Carr held that position, so it should rotate to Gilroy. Gilroy Mayor Blankley was the South County Board alternate and is well-positioned to provide continuity.

South County Joint Planning Advisory Committee (SCJPAC)
This committee has not been used for some time for its purpose of addressing issues re: land use planning of regional significance. You should enable it or disband it.
One possible subject would be the City Water Operations Activity Goal to develop South County water supply strategies in cooperation with Gilroy and Water District (Sustainable Water Management Planning Technical Memorandum Sept 2019).
There was "concern" by the previous Gilroy Mayor that this committee would just be a complaint session for residents of unincorporated County. I on the other hand believe that all residents of South County deserve a forum for discussion of common interest.

For the historical record, here are the past meetings that I know of:

2011/09/01 SCJPAC
2012/02/16 SCJPAC - MH Agricultural Policies
2012/08/01 SCJPAC - Cordoba Mosque
2012/09/27 SCJPAC
2015/03/19 SCJPAC - General Plan Rural Local-serving
2017/02/09 SCJPAC - HSR
2017/06/08 SCJPAC

Thank you for your consideration, Doug Muirhead, Morgan Hill

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opening a new helpdesk request online or call 408-909-0055.

Item # 10

AGENDA DATE: 01/20/2021

SUPPLEMENT # 2

	Outside Agency	Primary 1	Primary 2	Alternate 1	Alternate 2	Alternate 3
1	SCC Library District JPA	Constantine	-----	OPEN	-----	-----
2	SCV Habitat Agency Governing Board	Spring	Martinez Beltran	McKay	OPEN	-----
3	SCV Habitat Agency Implementation Board	Spring	-----	Martinez Beltran	McKay	-----
4	Silicon Valley Clean Energy	Martinez Beltran	-----	staff	-----	-----
5	Pajaro River Watershed Flood Prevention	Spring	OPEN	-----	-----	-----
6	SCVWD Elected Officials PL566	Spring	OPEN	Martinez Beltran		-----
7	SCC Housing & Community Development Advisory Committee	McKay	-----	Martinez Beltran	-----	-----
8	South County Joint Planning Advisory Committee	OPEN	-----	McKay		-----
9	City/School Liaison Committee	Constantine	OPEN	Martinez Beltran	McKay	-----
10	South County United Health Leadership Team	Spring	-----	Constantine	-----	-----
11	ABAG	Martinez Beltran	-----	McKay	-----	-----
12	Cities Association	Constantine	-----	McKay	-----	-----
13	Cities Association - City Selection Committee	Constantine	-----	McKay	-----	-----
14	Cities Association - Legislative Action Committee	Constantine	-----	McKay	-----	-----
15	LOCC Peninsula Division	Martinez Beltran	-----	McKay	-----	-----
16	Caltrain Policy Maker Group	OPEN	-----	Constantine	-----	-----
17	Comprehensive County Expressway Planning Policy Advisory Board	McKay	-----	Constantine	-----	-----
18	MTA Policy Advisory Committee	OPEN	-----	Martinez Beltran	-----	-----
19	MTA MG-Group 4	Constantine	OPEN	-----	-----	-----
20	MTA Board of Directors	Constantine	-----	Gilroy Rep.	-----	-----
21	Valley Water Commission	Constantine	-----	Martinez Beltran	-----	-----
22	South County Regional Wastewater Authority	Spring	OPEN	Constantine	Martinez Beltran	McKay
23	Joint Water Resource Committee	Spring	OPEN	Constantine	Martinez Beltran	McKay



COVID-19 Actions Due to Shelter-in-Place Order

as of January 8, 2021

The City of Morgan Hill is working hard from home and satellite locations to continue to provide high quality services and support to the Morgan Hill community. Below is an update on the many efforts our dedicated City teammates have been working on in response to the COVID-19 pandemic.

City Attorney

- Suspended enforcement of minimum parking requirements in shopping centers and commercial districts to allow the use of outdoor areas for retail merchandise and pick-up, and for expanded restaurant space.
- Suspended enforcement of limitations on hours of operation to allow commercial and industrial operations to continue with social distancing—this suspension does not apply to hours of operation for bars and restaurants that serve alcohol.
- Suspended enforcement of construction hours beginning at 6 a.m. to 8 p.m. Monday through Saturday for certain large construction projects, except in public rights-of-way. Home remodels in residential neighborhoods are not included.
- Created streamlined processes to modify design review approvals for projects impacted by COVID-19. This will allow developers to value-engineer approved projects and to modify designs to allow social distancing. Fees for this streamlined process will be waived.
- Drafted emergency order prohibiting rent increases
- Providing guidance to City departments and local businesses on shelter-in-place orders

City Manager

- Conducting COVID-19 video conference calls with Leadership Team
- Hosting Zoom Town Hall meetings with the Community
- Participating in regular meetings with City Managers in the County to discuss local responses and participating in calls hosted by the County
- Advocating for funding at all levels
- Working with County on plans for DePaul Health Center

Community Engagement and Messaging

- Curating content and regularly updating the [City of Morgan Hill COVID-19 webpages](#) and website newsflashes

- Creating and sending hundreds of e-mail updates to over 18,000 community members with significantly high open rates, frequently over 50%
- Hundreds of hours spent monitoring and responding to COVID related emails, social media posts, and other inquiries
- Many hours spent ensuring accurate and complete understanding of new orders, changes to orders to effectively communicate with our residents
- Providing and sharing COVID Information translated to Spanish whenever possible
- Routing agreements electronically to keep City business moving
- Participating in weekly and biweekly regional calls for Public Information Officers to share information, ideas, and best practices, and ensure consistent messaging
- Preparing and broadcasting videos created by the City Council and Leadership Team
- Managing a virtual information call center fielding and responding to hundreds of calls and text messages
- Coordinating and executing virtual City Council, Planning Commission, and Town Hall public meetings
- Partnering with the City of Gilroy, Community Groups, and the County to reach the Spanish speaking community more effectively through targeted bilingual virtual community meetings and bilingual press conferences

Development Services

- Coordinated with Development community to determine construction eligibility
- Instituted safety practices for Building Inspectors
- Staff remotely processing all projects including virtual meetings with applicants
- Virtual Planner on Duty to respond to emails and phone calls
- Implemented virtual application process to accept Planning, Building and applications via email
- Established electronic systems for stamping plans, issuing permits, and accepting fees

Economic Development

- Implemented an Economic Development Business Recovery Plan to support recovery of the restaurant industry, retailers, and small businesses, to encourage tourism, and support new investment
- Launched a Morgan Hill al Fresco program to encourage restaurants to expand outdoor dining onto public sidewalks and parking areas through an expedited process at no charge
- Providing information to businesses and employees affected by COVID-19 through dedicated web page
- Hosting Zoom meetings with business owners and key City officials to share COVID-19 information, answer questions, and assist them with successful operation

- Deployed a Business Impact Survey that was emailed and mailed to all businesses
- Coordinating Business Resiliency Roundtables to provide technical information and support to businesses
- Relaxed on-street parking regulations and supplied signage to support curbside pick-up activity
- Offered Place Branding grant opportunities for streetscape activation projects through art, landscaping, and beautification projects
- Created a Guide to Recovery, “Morgan Hill Ready” with information about reopening from the State, County, and Industry-specific recommendations and requirements
- The City partnered with the Morgan Hill Chamber of Commerce to launch a “Buy Local Morgan Hill” campaign offering the business community a platform for increasing product awareness and educate residents of the importance of shopping local and to encourage more business-to-business transactions through product matchmaking
- Coordinated “Sidewalk Saturdays”, an outdoor popup retail event for retailers that do not have a storefront to join an outdoor retail market opportunity in Downtown

Engineering

- Began managing encroachment permits and work in the public right of way in accordance with the shelter-in-place order, cancelling all work not allowed per the Order
- Created a streamlined process for encroachment permits to allow the use of City rights-of-way and other public spaces to expand retail and restaurant operations to allow social distancing. Fees for this streamlined process will be waived
- Moved towards online contract management and online bidding to allow essential contract work to continue relating to significant street maintenance and wastewater projects
- Continuing to provide public works inspection services on essential projects

Finance

- Continuing to monitor and analyze the impact to City’s finances from the COVID-19 pandemic. The Adopted Budget included actions taken to address the anticipated revenue shortfalls
- Worked with State of California to prepare and submit the City’s qualified cost certification to receive CARES Act allocation
- Implemented virtual credit card processing and online receipting for teammates working from home
- Established COVID-19 related expenditure tracking to submit for reimbursement from FEMA and anticipating \$30,000 in reimbursements thus far
- Implemented Lockbox Services for Utility Billing Payments
- Added Ring Central phone service so UB customer service calls could be answered remotely

- Continued to promote paperless billing and electronic payment enrollment. Over 67% of Citywide accounts are now enrolled online, of which, 66% are enrolled in paperless statements and 54% are now enrolled in autopay

Fire

- Prepared an Incident Action Plan (IAP) detailing all COVID-19 related decontamination and operational readiness
- Prepared a Pandemic Plan outlining how we will adjust if we have limited operational resources
- The City and South Santa Clara County Fire District were jointly awarded:
 - \$5,749 in FEMA reimbursement for COVID-related PPE purchases
 - \$9,919 in FEMA funding for additional COVID-related PPE purchases
 - As a result, the City will receive \$7,834 in FEMA revenues
- Responded to approximately 200 COVID-related calls for service
- Established relationships and agreements to provide rapid employee testing results and contact tracing
- Collaborated with all Fire Departments in the County to establish response guidelines necessary to ensure the safety of our employees and the public
- Increased daily disinfecting of stations and equipment using an EPA registered disinfectant
- Continued to operate a comprehensive Annual Fire Inspection Program during COVID-19 Pandemic
- Assisted local businesses with outdoor operating requirements during the COVID-19 Pandemic

Geographic Information Systems (GIS)

- Created a web map for City teammates so that they can access MHMaps layers, including a new senior care facilities layer, remotely without City network access
- Provided methodology, source data, and formatting requirements to consultant tasked with developing the new City address database
- Rolled out a new web map service called CityMaps for City teammates to replace the old MHMaps with an updated, enhanced web map that uses current GIS technology, and can be accessed remotely
- Supported GIS integration with Sedaru and POSM utilities business systems to ensure continuity and reliability of those systems remotely
- Continued to provide mapping support to teammates working remotely

Housing

- Collaborated with regional partners and community-based organizations to assist families and individuals in need of rental assistance and/or hotel vouchers for homeless families with health conditions
- Created and manage a local list of Food and Community Resources available to the community during COVID-19
- Collaborated with [Silicon Valley Strong](#) and Santa Clara County Emergency Operations Center (EOC) to gather ideas, resources, volunteer opportunities, and needs to create a regional website for all Silicon Valley residents
- Sending resource emails and COVID-19 updates related to State and County Eviction Moratorium Ordinances, and Morgan Hill Rent Freeze information to the School District, Charter Schools, local Apartment Communities, Faith Based Community, Mobile Home and RV Parks, local Community Based Organizations, South County Farmers, Chamber of Commerce, Leadership Morgan Hill, and South County Collaborative
- Requested essential sanitation items for Safe Park and Inclement Weather Shelter from Santa Clara County EOC
- Housing team has coordinated and worked every COVID-19 testing event in Morgan Hill. As of December 16, 2020, 3,411 tests have been administered.
- The City funded a County isolation quarantine program (\$154,917) and to date:
 - \$21,752 for rental assistance
 - approximately \$6,000 for in home support (groceries and supplies)
 - 5 households were placed in a hotel/motel for isolation

Human Resources

- Administering and managing the Families First Coronavirus Response Act (FFCRA) for our City teammates
- Finalized, developed, and implemented COVID-19 Facility Use Policies and Procedures to follow when entering and working within City facilities to ensure employee safety through the shelter-in-place
- Regularly update COVID policies to follow CDC and County guidelines, rules, and regulations
- Provided COVID-19 training to all teammates covering policies and procedures

Information Technology

- Issued 30 laptops to City teammates so they can work remotely
- Increased internet connectivity by 5x to support additional teammates working remotely simultaneously
- Deployed a new scalable Virtual Private Network (VPN) solution for teammates to access City resources securely
- Transitioned network users from the old VPN to the new VPN: installed the new VPN on almost all city issued laptops

- Procured new laptops and headsets to support increased remote work capabilities
- Securely deployed Eden Web to users without the need for VPN for timecards submittal
- Deployed outdoor Wi-Fi to support the transition of CRC classes to a virtual format

Maintenance and Utilities

- Installed traffic safety barriers in Downtown parking spaces to create additional outdoor dining spaces called “parklets”
- Continue to provide essential services to the community in the areas of water, wastewater, street maintenance, storm drain maintenance, and maintenance for fire prevention
- Supported the closure of specific amenities within park areas in accordance with the shelter-in-place order
- Developed use guidelines for park facilities allowed to remain open in alignment with County and State guidelines
- Supported maintenance of park facilities through significant increased use of the facilities
- Supported physical improvements to City facilities allowed and required to remain open through COVID-19
- Implemented an operational plan to ensure continuity of operations to support essential services during the COVID-19 emergency
- Supported COVID-19 decontamination response at City facilities to ensure safety of City employees

Police

- Resource Request to Santa Clara County EOC for COVID-19 sanitizing supplies
- COVID-19 pre-shift screening stations and set-up 4 sign-in stations at the Police Department
- Police Department Lobby implemented screening prior to any member of the public entering
- Emergency Operations Center (EOC) virtually activated in response to COVID-19
- Proclaimed Local Emergencies for COVID-19 and SCU Lightening Complex Fire
- Mobile Command Vehicle deployed and disinfected for 7 events: SWAT, SCU Lightening Fire, non-violent protests
- Investigated over 300 COVID-19 order complaints
- Misdemeanors cited and released in field to minimize potential exposure in Police Department
- Implemented disinfecting procedures for the Police building including holding cells, booking area, and all vehicles following COVID-19 exposures

- Filmed community safety message video
- Participated in a dozen plus Birthday visits
- Patrol and Traffic Divisions have been assisting the Morgan Hill Unified School District with traffic control and food distribution
- Social Distancing Protocol for Public and City Employees implemented for Police and IT facilities
- Santa Clara County Public Health Social Distancing Protocol submitted, implemented, and updated for Police Department
- Implemented less contact between Officers and Dispatchers by going paperless
- Acquired filtration system for Dispatch
- Social Media outreach during COVID-19; Facebook (average 5,000 views per post), Twitter, Instagram
- Implemented a MHPD COVID-19 Response Policy for Positive Cases

Recreation

- Opened a virtual membership to Centennial Recreation Center (CRC) Members and the community
- Partnered with the YMCA to provide for the pickup of nearly 100 meals a day to Seniors
- Provided well check calls to Seniors formally participating in programs at the Senior Center
- Continuing to offer health and wellness programs as the County Order allows
- Developed a policy to allow local businesses to use outdoor park spaces for health and wellness programs
- Supported the use of City outdoor facilities for permissible uses in alignment with County and State guidelines

Morgan Hill, we are here for you! We will get through this together!

From: [Christina Turner](#)
To: [Michelle Bigelow](#); [Angie Gonzalez](#)
Subject: Agenda Supplement - Multiple items
Date: Tuesday, January 19, 2021 3:58:35 PM

Please supplement the Q&A below. Thank you!

1. Item 4 - Black and Veatch – Who is on the evaluation team?

Utilities Management Analyst, Utilities Operations Manager, Public Services Director

2. Item 5 - Isolation quarantine program – did the city put this on website and was this communication in a 411?

- Please explain how the county administers and become aware of those in need

Flyers have been distributed by the County Public Health Department and Office of Supportive Housing to countywide nonprofits and Community-based organizations. We sent information to the South County CBOs through the South County Collaborative listserv. Also, the [City's COVID page](#), has a [link](#) which leads to the info: "In Need of Shelter, Santa Clara County has assigned a Multi-Departmental Joint Operations team to manage all [shelter and temporary housing resources](#) during the Shelter-In-Place Order due to the COVID19 Crisis." We will also push this out through the City's weekly 411 e-blast.

The hotline (408) 278-6420 operates 7 days a week from 9 am to 6 pm. Once someone calls into the hotline requesting help, staff assesses them and determines their need; whether they are COVID positive or exposed, unable to quarantine at home, loss of job, whether they need financial assistance, food delivered, groceries, etc. They are directed to the appropriate resource. See attached flyer.

Although the (408-278-6420) is considered the main line, There's actually 2 hotlines:

- 408-278-6420 is the housing hotline for shelter or isolation motel placement.
- 408-808-7770 is the Isolation and Quarantine line for rent, financial, food assistance.

People can call either, they refer back and forth as needed, both operated through the Joint Department Operations Center.

3. Item 6 – Density Bonus Concessions – Item b. if 204 parking spaces are required and their requesting 140, wouldn't that limit the occupants' available spaces

Absolutely. State Density Bonus law does not require projects provide parking. A concession could be no parking provided at all. Most developers in Morgan Hill understand the lack of transit and the need for a parking space for every unit (at a minimum). Staff advocates strongly that affordable projects include as much parking as possible or look at other options such as shuttles, car share, etc. This particular developer is very mindful of the issues Morgan Hill faces with lack of transit options and the need for cars. They have pushed their site plan to provide as much parking as possible.

4. Item 8 – Eminent domain – It appears that there is an easy solution to see if the property is

truly worth \$7.79 million, get a second appraisal. The original offer of \$3.5 million was three years ago, as well all know, property values increase. Again, a second appraisal should be performed and if close to the \$7 million, then we can gauge a reasonable figure. It seems there is an unknown here?

We would be willing to get a second appraisal, but the property owner does not currently have interest in this. They claim to have a second appraisal but will not share information on what their appraisal is based on. Unless we understand the difference in appraisal our appraisers will not come close to getting to this price. The price of the property through ED will not increase as our current possession and use agreement (attached) requires that the value be based on valuation as of October 3, 2018.

5. Item 9 – Financials – What is the ERAF Fund? Explain the excess of \$1.7 million vs \$250K budgeted?

Background: In the early 1990s, the Legislature permanently redirected a significant portion of the property tax revenue from cities, counties, and special districts to schools and community colleges. The redirected revenue is deposited into a countywide account Educational Revenue Augmentation Funds (ERAF). Revenue from ERAF is allocated to schools and community colleges to offset the funding these entities otherwise would receive from the state General Fund.

Excess ERAF: In a few counties, ERAF revenue is more than enough to offset all of the General Fund allocated to schools and community colleges. In the mid-1990s, the Legislature enacted a law shifting the portion of ERAF not needed for schools and community colleges to other to Noneducation Agencies in the county. The revenue shifted through this process is known as excess ERAF.

The \$1.7 million is the preliminary estimated amount by the County. However, this preliminary estimate is subject to State Controller's Office adjustment which is not known until later in the fiscal year. Our estimate of \$250K is a conservative number and was put together during the budget process and before the County provided its preliminary number. It is important to note that prior to 2018, the City did not receive a significant amount from the excess ERAF.

6. Item 9 – Financials - Development services fund - Please explain why received revenue was \$2.3 million but the expenditures were \$2.8 million, approx. \$500K more

The revenues and expenditures do not necessarily match dollar for dollar in a given period of time. This is due to timing when monies are received (revenues) and when they are spent (expenditure). Example: A project may submit development review fees in amount of \$100,000 in June, last month of fiscal year, but the staff/contract work for that review doesn't commence/get recorded until subsequent months in new fiscal year.

In addition, there are certain processes that cannot be recovered by fees, such as state reporting requirements, public counter/information services, or Planning Commission/City Council initiated research/workshops etc.

Staff has engaged a consultant to conduct a comprehensive fee study to update certain development user fees which were developed about five years ago.

7. Item 9 – Financials – Rev/exp summary – can you give me a why level of why expenses to budget are more in the general, CD, sewer, water, debt and internal services. Should we be running at least even?

Our revenues for the most part typically lag in receipt or billing compared to our expenses. These lags relate to time lapses inherent in municipal business processes. Take property tax for example, which is a largest revenue category for the General Fund, does not begin to come in until December. That is five months behind. Some categories have a shorter lag such as water and wastewater revenues. We do not bill our residents for December consumption until January. That being said, revenues and expenses should even out or be close to budget when we close out the fiscal year, which happens a few months after the actual fiscal year end date of June 30.

8. Item 9 – Financials – Recreation report – What specific steps are we taking to mitigate these losses

The following actions have been taken:

- a. Eliminated 2.5 permanent positions from the Division this fiscal year (retirement, vacancies and transfers)
- b. Furloughed over 100 part-time teammates
- c. Renegotiated YMCA Agreement and budget (eliminating FT staff and furloughing many staff members)
- d. Closed facilities and turned off non-essential systems
- e. Continued to operate outdoor fitness and aquatics programs that are allowed and still able to generate revenue
- f. Numerous other small scale changes

9. Item 9 - Financials – Year to date revenues – Could you explain what “other charges current services”?

These are charges for misc. current services such as emergency medical services (ems) fees, fire inspection fees, abandoned vehicle abatement/stored vehicle release fees, animal control fees, and franchise tow fees, to name a few.

10. Item 9 – Financials – Year to date revenues – Can you explain what “asset seizure” is and why this is a negative number

Asset seizure fund collects revenue from the seizure of assets obtained by the police department from enforcement activities. Expenditures may be made from these funds only for police related activities in accordance with guidelines established by the state and federal governments. The negative number is the comparison amount to last year. As of December 31, 2020, the City received \$477 versus \$16,849 in prior fiscal year.

11. Item 9 – Financials – Fund Activity Summary – What is the difference between reserved and unreserved in the ending fund balance?

Reserved represents contractual obligation such as purchase orders or contracts that were

entered into. Unreserved is the amount available for the respective fund.

Public Comment
AGENDA DATE: 1/20/2021
SUPPLEMENT # 1

From: [NICHOLA CARPENDALE](#)
To: [CC Public Comment](#)
Subject: council resolution regarding events of January 6
Date: Saturday, January 16, 2021 8:44:13 AM

Hi

I would like to ask the council to put forth a statement condemning the insurrection of January 6 in Washington, DC

Thank you

Nikki Carpendale

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AAUW Morgan Hill PO Box 1528, Morgan Hill, CA 95038

www.aauwmh.org

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

As members of a non-partisan organization devoted to advocacy and equity for all, we unequivocally repudiate the seditious incitement of violence by the President and the elected leaders who supported and encouraged him, responsible for the vicious and bloody assault on our Capitol Building in Washington DC on January 6, 2021.

The violent mob, with a proliferation of white supremacist, Nazi, and anti-Semitic symbols did this in the President's name. Lives were lost, the Capitol building desecrated, ransacked, and pillaged, and the Confederate flag representing racism, human-trafficking, and slavery, placed in our sacred Capitol building for the first time in history.

Our highest elected leader, our President, flouted federal law, his oath, principles of democracy, decency, and truth, and incited a treasonous insurrection, witnessed in real time on TV by us, and by people all over the globe. This attempt to subvert the results of a fair election, undo the will of the people, and accept the "most secure election ever" as concluded by legal experts and the Supreme Court, after a multitude of attempts to sue without evidence, is a perilous threat to our democracy. The organized armed insurgency still planned across all 50 states and Washington DC for the 20th show no sign of abatement or evidence of lessons learned.

We are encouraged that our leaders in Congress have initiated legal action, and we exhort them to ensure that the President and his encouragers face consequences so that this never happens again. We ask our local officials to make a statement, in solidarity, regarding this grave attack on our democracy. These steps will help us move forward with the new president and legislature, on a path toward healing our country to which we are all committed.

We make this statement in the name of democracy, decency, federal law, and the Constitution of the United States.

Respectfully,



AAUW Morgan Hill PO Box 1528, Morgan Hill, CA 95038
www.aauwmh.org

Kay Arora, AAUW Morgan Hill Member; SURJ South County Member
Mary Cox, AAUW Morgan Hill Member/Past President
Kathy Devine, AAUW Morgan Hill Member
Donna Dicker, AAUW Morgan Hill Board Member/Past President
Betsy Ding, AAUW Morgan Hill Member
Marcia Fishman, AAUW Morgan Hill Member
Gautam Ganapathy, AAUW Morgan Hill Member
Suman Ganapathy, AAUW Morgan Hill Board; Morgan Hill Library, Culture & Arts
Commissioner; LMH Class of 2018; SURJ South County Member
Carol Holzgrafe, AAUW Morgan Hill Member/Past President; LMH Class of 1999
Amina Khemici, AAUW Morgan Hill Member; SURJ South County Member; SVIC Member
Katie Khera, AAUW Morgan Hill Member; Morgan Hill Library, Culture & Arts
Commissioner; SURJ South County Member
Margaret MacNaughton, AAUW Morgan Hill Member
Elizabeth Mandel, AAUW Morgan Hill Board/Past President; LMH Class of 2019
Sousan Manteghi-Safakish, AAUW Morgan Hill Member; SURJ South County Member
Margaret McCann, AAUW Morgan Hill Member/Past President; LMH Class of 2016
Monica McClintock, AAUW Morgan Hill Member
Janet McElroy, AAUW Morgan Hill Board/Past President
Marji McMillan, AAUW Morgan Hill, Member; SURJ South County Member
Cinda Meister, AAUW Morgan Hill Member; LMH Class of 2016
Gretchen Merrick, AAUW Morgan Hill Member
Kathy Napoli, AAUW Morgan Hill Member
Jill Paveza, AAUW Morgan Hill Member
Marilyn Pifer, AAUW Morgan Hill Member
Jean Pinard, AAUW Morgan Hill Member
Yvonne Randolph, AAUW Morgan Hill Member
Jenny Redfern, AAUW Morgan Hill Member/Past President
Elaine Reimer, AAUW Morgan Hill Member
Susan Rife, AAUW Morgan Hill Member; LMH Class of 2017
Donna Ruebusch, AAUW Morgan Hill Member
Marian Sacco, AAUW Morgan Hill President; LMH Class of 2005
Kathy Sullivan, AAUW Morgan Hill Member
Joan Stempel, AAUW Morgan Hill Member
Sherrie Wren, AAUW Morgan Hill Board
Janet Wright, AAUW Morgan Hill Board
Beth Wyman, AAUW Morgan Hill Member; Past Morgan Hill Mayor

From: NICHOLA CARPENDALE <nicarp@verizon.net>
Sent: Tuesday, January 19, 2021 3:42 PM
To: Christina Turner <Christina.Turner@morganhill.ca.gov>
Subject: CC meeting agenda 1/20/21

Hi Christina

If it is not too late, can our SURJ statement go on tomorrow's agenda?

Thank you
Nikki Carpendale

We, members of SURJ South County (**Showing Up for Racial Justice**) and citizens of Morgan Hill, were horrified and disgusted by the insurrection at the Capitol instigated and fomented by President Trump. We will continue to put pressure on our leaders in Congress to take legal action against Trump and those that participated in the heinous acts of January 6th. As we wait for them to be held accountable, we expect our own city leaders to go on the record robustly condemning their criminal acts of sedition. In order for citizens to trust our city leaders, such a statement needs to be made. This is a nonpartisan statement made in recognition of a serious attack on American democracy.

From: [Suman Ganapathy](#)
To: [John McKay](#); [Rich Constantine](#); [Yvonne Martinez Beltran](#); [CC Public Comment](#); [Gino Borgioli](#); [Rene Spring](#)
Subject: Re: AAUW Letter to City Council: A Response to the Insurrection at the Capitol
Date: Wednesday, January 20, 2021 11:07:27 PM

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

Hello! Following my comments to City Council tonight, another speaker took exception to my prefacing my remarks as “non-partisan”. In case any of you were left with similar questions, I wanted to take the opportunity to clarify our organization’s position on being “political” versus “partisan”.

Because AAUW is politically active, and lobbies for legislation in support of gender equity for women and girls, this is an argument we have heard time and again.

AAUW is certainly political in that it establishes public policy platforms at both the state and national level and then works in support of that public policy platform to create social change.

However, at the same time, AAUW remains firmly non-partisan. In Morgan Hill, for example, we hold candidate forums in election years, always inviting all candidates and never endorsing or advocating for a specific candidate, faction, or party.

Being non-partisan, however, does not mean that we are obliged to refrain from holding elected officials accountable for positions or actions they have taken. Our former president – as stated by our National AAUW’s CEO along with leaders of other national women’s organizations – “has stoked racism, sexism, antisemitism, Islamophobia, ableism, xenophobia, toxic masculinity, and more”. These are the facts; this is not a partisan statement. For the sake of democracy, it is imperative that he be held accountable.

If you would like to learn more about AAUW Morgan Hill’s position on our role in advocacy and public policy, please visit our website at <http://www.aauwmh.org/advocacy>.

Thanks ever so much!

Respectfully,

On Tue, Jan 19, 2021 at 9:24 PM Suman Ganapathy <sumanmitraganapathy@gmail.com> wrote:

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

Happy New Year! I wanted to begin with complimenting all of you on the exemplary work you and the City are doing during these troubled times.

AAUW National, along with a group of other national women's organizations, sent a response to the January 6th insurrection at the Capitol. Here's a link to that message: <https://www.aauw.org/resources/news/media/womens-community-statement-on-president-trumps-removal/> Several of us members of the Morgan Hill branch would like to present our own statement at the MH City Council meeting on the 20th (tomorrow) at the public comment section of the meeting.

Attached the letter, with names of AAUW members who signed their names to it.

We hope to be able to add the call-to-action at the end of the letter to the agenda of a future city council meeting.

Thanks ever so much!

Respectfully,
Suman Ganapathy

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From: dmtms@aol.com
To: [CC Public Comment](#)
Subject: New Horizons Development at Hill Road and Barrett Av Comments
Date: Tuesday, January 26, 2021 5:55:06 PM

Re: the New Horizons Housing Development

My husband and I live on Sorrel Way right next to where new houses will be built. We have lived here for 24 years without any major neighborhood problems until now. We are deeply concerned that Sorrel will be turned into a thoroughfare from Barrett Road past our house to the stop sign at Fountain Oaks. We see no indication there will be speed bumps or turnabouts to slow down traffic and can only imagine the speed at which people will drive that road. This is already a problem on Fountain Oaks.

We are also concerned that Sorrel Way will become the most direct route to the elementary school on Fountain Oaks and as exit to E. Dunne. Our street is only 4 houses deep to the stop sign at Sorrel Way and Fountain Oaks. Already, when school is in session, it's extremely difficult to leave our house and turn left onto Fountain Oaks to get to work. This little street cannot take the extra traffic generated by an additional 340+ households trying to get out to Fountain Oaks or Dunne in the mornings and afternoons.

Since we are at the end of Sorrel Way, we have also often reported to the city flooding in front of our house due to lack of trenches dug into the field and the grade of the street. New development on the field must take this flooding into consideration and not make the issue worse for our houses.

Additionally, we have limited evacuation routes for the Jackson Oaks, Holiday Estates and Jackson Meadows area. We were required to evacuate this past summer due to the wildfires. We are firmly asserting that safe evacuation routes must be incorporated into this new development to avoid risk of lives in the future.

We have discussed these issues with the other households living on our block of Sorrel Way. We are all concerned about the amount of traffic that will be generated on our little block from this new development. Several of the households have young children who are used to playing freely on the sidewalks and chasing toys into the street. We are alarmed at the risk to the children and the elderly on our block by the increased and potentially high-speed traffic this development will bring.

Specifically, we are requesting:

1. The main entrance to this development be clearly designated as Hill Road and designed to encourage this as the PRIMARY entrance/exit for all of the residents. The Sorrel Way/ Fountain Oaks area can not absorb new traffic without substantial delays, major inconvenience, and potential risk to the current residents of the street.
2. A stop sign at the edge of the new development as it enters our neighborhood right at where the field starts on Sorrel Way. This will help regulate traffic pouring onto Sorrel Way and allow those of us who are existing residents, to have a safe chance to pull out of our driveways.
3. A turnabout on the newly opened area of Sorrel, to slow those careless and distracted drivers from exceeding the speed limit and racing past our houses.
4. A reduced speed limit on Sorrel through the development to 15 miles/hour or less.
5. Alleviation of current flood conditions that exist at the edge of the field and Sorrel Way.
6. Safe and additional evacuation routes for the existing residents of the Sorrel/Fountain Oaks area and for the new development.

We appreciate and anticipate responses to these issues.

Thank you,

Donna and Greg Rose

(408)779-6780

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From: abinowbx@gmail.com
To: [CC Public Comment](#)
Subject: Morgan Hill New Horizons Development
Date: Sunday, January 24, 2021 12:16:46 PM

I am a resident who's backyard is adjacent to the lot proposal construction of New Horizons in the corner of Hill and Barrett Avenues.

I'm writing to express my environmental concerns with the creation of neighborhood population increase, already congested streets, noise level, gas emissions, social impact, school traffic, infrastructure, etc.

With the massive exodus of folks out of California, it is unclear why Morgan Hill continues to populate the City with more housing and no jobs; for example, <https://www.cnn.com/2021/01/23/why-companies-are-fleeing-california.html>

What can we do to redirect this and similar constructions in Morgan Hill to a time when the economy has recovered, COVID-19 is more controlled, and the infrastructure is in place? How can I assist?

Sincerely,
Abigail ReyesPeña
Morgan Hill Resident

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From: [Shelly Conway](#)
To: [CC Public Comment](#)
Subject: New Horizons development
Date: Sunday, January 24, 2021 4:38:41 PM

To the City Clerk,

I am just writing to make a few comments about the New Horizons development that I recently found out will be built near me. I live in the Morgan Village Condos neighborhood off of Hill Rd and E. Dunne. I looked at the website for the development and it looks like a beautiful plan (although I can't imagine the pond will really be as big as it looks in the drawings-if so where does all that water come from in a drought?) .

We do need more housing and high density housing is more affordable, leaves more open space and also is better for the environment than huge single family housing neighborhoods. I am glad to see the park areas will be open to the public unlike some of the HOA neighborhoods.

I do have one comment though, with all the increase in traffic this many homes will lead to I think it would be very important to put in sidewalks along Barrett Ave and Hill Road, all the way to Live Oak High school and also bicycle lanes. Bike lanes could actually decrease traffic if some of the high school students living all along off Hill Rd could safely ride a bike to school. (my son tried riding a bike to Live Oak when he was in school but it was too unsafe when all the other cars were whizzing by on the way to school in the morning).

Thankyou for your time taking my comment.

Charlotte Conway
2230 Brega Ct
Morgan Hill, CA 95037

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From: [perry.eden](#)
To: [CC Public Comment](#)
Subject: objection to SR2020-0006 Morgan Hill DEVCO
Date: Tuesday, January 26, 2021 10:42:35 AM

Our names are Dennis and Eden Perry of 2505 Fountain Oaks Dr., Morgan Hill.

We object to the amendment of the General Plan land use designation for the increase in density from single family detached medium to residential attached medium for the following reasons:

1. Increased water and sewage. The last time they built new homes, they took out a pressure regulator and many residents' pipes broke. We sued the city and won \$25,000.

At a time when Anderson is drained, where are we going to get more water?

2. Traffic impact on Hill, Tennant, Dunne, Fountain Oaks, and Barrett. They did the study during the covid shutdown when there was no school and people weren't working. The traffic on Fountain Oaks 3 times a day around Jackson school is horrendous. There was already a little boy who was killed on Saddleback and Dunne a few years ago.

3. School overcrowding at Jackson.

4. More air pollution.

5. More noise pollution from cars and ambulances and fire to take seniors to the hospital.

6. Keep the integrity of the neighborhood. Put high density in the areas around downtown and the freeway or Cochrane.

7. Senior housing should be close to shopping and services so they can walk there.

We hope you deny amending the GENERAL PLAN and respect the wisdom of previous city councils. What about measure P? The people of Morgan Hill don't want growth and high density housing.

Sincerely Dennis and Eden Perry

Sent from my Galaxy



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January

Developmental Asset #32

Planning and Decision Making

Young person knows how to plan ahead and make choices.



January

Complementary Asset #21

Achievement Motivation

Young person is motivated to do well in school.

How does planning and decision making aid youth?



Youth will:

- ☐ Prepare for the future
- ☐ Develop a strong work ethic
- ☐ Avoid unnecessary stress
- ☐ Emphasizes independence
- ☐ Understand internal and external consequences



Agnes William, Active Member



→ How has planning and decision making helped you achieve your goals?

- ◆ Organize my thoughts
- ◆ Set goals for myself
- ◆ Prepare for what's to come

Whiteboard



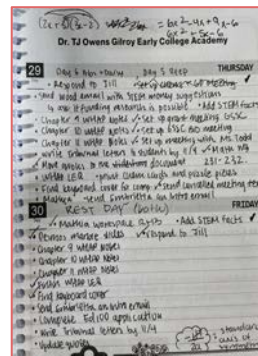
Ria Deshpande, Vice President



→ How has planning and decision making helped you achieve your goals?

- ◆ Develops stability
- ◆ Self-accomplished
 - Motivated for more
- ◆ Confident in my abilities
- ◆ Visualize the future

Scheduling...Life



The Margie Snively
Future Women Leaders Conference
Saturday, April 6, 2019

Thank you to our sponsors:  

Agenda

8:30 - 8:50	Registration / Light Snacks
9:00 - 9:20	Opening Ceremonies / Introduction
9:20 - 10:00	Keynote Address by Divya Gopisetty
10:15 - 11:00	Workshops A
11:15 - 12:00	Workshops B
12:00 - 1:15	Lunch Activities / Entertainment
1:15 - 2:00	Workshops C
2:00 - 3:00	Closing Activities

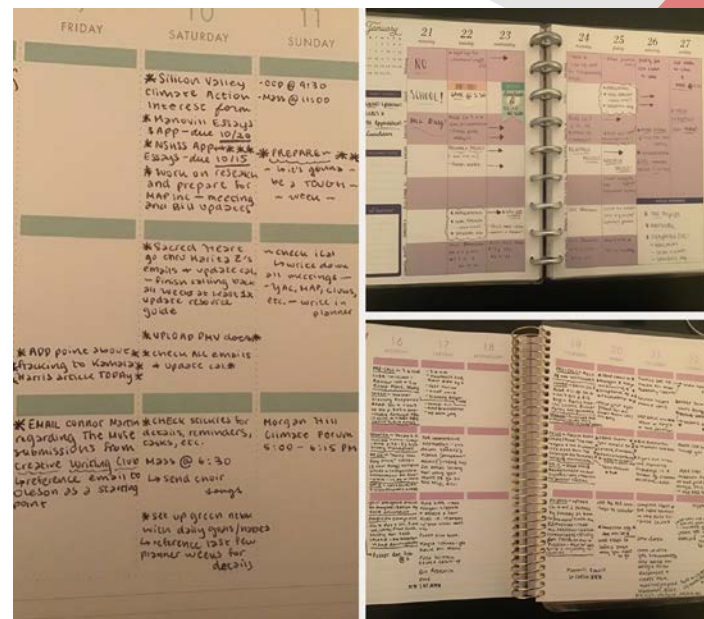


Elizabeth Joseph, Active Member



- How has planning and decision making helped you achieve your goals?
- ◆ High School acceptance-- provided planner
 - ◆ applications that lead to many acceptances

Planner



Tips for Community Members



- ❖ Provide students with planners
- ❖ Practice making a daily to-do list
- ❖ Support independence: help make the “right” decisions
- ❖ Encourage seeking opportunities



Questions to Council:

- What are some tools that you use or have used to help you plan?
- As adults, there are many challenging decisions to make. How do you make these decisions?
- How do you prioritize your “to do” list when you have many action items that you find equally important?





COVID-19 Actions Due to Shelter-in-Place Order

as of January 8, 2021

The City of Morgan Hill is working hard from home and satellite locations to continue to provide high quality services and support to the Morgan Hill community. Below is an update on the many efforts our dedicated City teammates have been working on in response to the COVID-19 pandemic.

City Attorney

- Suspended enforcement of minimum parking requirements in shopping centers and commercial districts to allow the use of outdoor areas for retail merchandise and pick-up, and for expanded restaurant space.
- Suspended enforcement of limitations on hours of operation to allow commercial and industrial operations to continue with social distancing—this suspension does not apply to hours of operation for bars and restaurants that serve alcohol.
- Suspended enforcement of construction hours beginning at 6 a.m. to 8 p.m. Monday through Saturday for certain large construction projects, except in public rights-of-way. Home remodels in residential neighborhoods are not included.
- Created streamlined processes to modify design review approvals for projects impacted by COVID-19. This will allow developers to value-engineer approved projects and to modify designs to allow social distancing. Fees for this streamlined process will be waived.
- Drafted emergency order prohibiting rent increases
- Providing guidance to City departments and local businesses on shelter-in-place orders

City Manager

- Conducting COVID-19 video conference calls with Leadership Team
- Hosting Zoom Town Hall meetings with the Community
- Participating in regular meetings with City Managers in the County to discuss local responses and participating in calls hosted by the County
- Advocating for funding at all levels
- Working with County on plans for DePaul Health Center

Community Engagement and Messaging

- Curating content and regularly updating the [City of Morgan Hill COVID-19 webpages](#) and website newsflashes

- Creating and sending hundreds of e-mail updates to over 18,000 community members with significantly high open rates, frequently over 50%
- Hundreds of hours spent monitoring and responding to COVID related emails, social media posts, and other inquiries
- Many hours spent ensuring accurate and complete understanding of new orders, changes to orders to effectively communicate with our residents
- Providing and sharing COVID Information translated to Spanish whenever possible
- Routing agreements electronically to keep City business moving
- Participating in weekly and biweekly regional calls for Public Information Officers to share information, ideas, and best practices, and ensure consistent messaging
- Preparing and broadcasting videos created by the City Council and Leadership Team
- Managing a virtual information call center fielding and responding to hundreds of calls and text messages
- Coordinating and executing virtual City Council, Planning Commission, and Town Hall public meetings
- Partnering with the City of Gilroy, Community Groups, and the County to reach the Spanish speaking community more effectively through targeted bilingual virtual community meetings and bilingual press conferences

Development Services

- Coordinated with Development community to determine construction eligibility
- Instituted safety practices for Building Inspectors
- Staff remotely processing all projects including virtual meetings with applicants
- Virtual Planner on Duty to respond to emails and phone calls
- Implemented virtual application process to accept Planning, Building and applications via email
- Established electronic systems for stamping plans, issuing permits, and accepting fees

Economic Development

- Implemented an Economic Development Business Recovery Plan to support recovery of the restaurant industry, retailers, and small businesses, to encourage tourism, and support new investment
- Launched a Morgan Hill al Fresco program to encourage restaurants to expand outdoor dining onto public sidewalks and parking areas through an expedited process at no charge
- Providing information to businesses and employees affected by COVID-19 through dedicated web page
- Hosting Zoom meetings with business owners and key City officials to share COVID-19 information, answer questions, and assist them with successful operation

- Deployed a Business Impact Survey that was emailed and mailed to all businesses
- Coordinating Business Resiliency Roundtables to provide technical information and support to businesses
- Relaxed on-street parking regulations and supplied signage to support curbside pick-up activity
- Offered Place Branding grant opportunities for streetscape activation projects through art, landscaping, and beautification projects
- Created a Guide to Recovery, “Morgan Hill Ready” with information about reopening from the State, County, and Industry-specific recommendations and requirements
- The City partnered with the Morgan Hill Chamber of Commerce to launch a “Buy Local Morgan Hill” campaign offering the business community a platform for increasing product awareness and educate residents of the importance of shopping local and to encourage more business-to-business transactions through product matchmaking
- Coordinated “Sidewalk Saturdays”, an outdoor popup retail event for retailers that do not have a storefront to join an outdoor retail market opportunity in Downtown

Engineering

- Began managing encroachment permits and work in the public right of way in accordance with the shelter-in-place order, cancelling all work not allowed per the Order
- Created a streamlined process for encroachment permits to allow the use of City rights-of-way and other public spaces to expand retail and restaurant operations to allow social distancing. Fees for this streamlined process will be waived
- Moved towards online contract management and online bidding to allow essential contract work to continue relating to significant street maintenance and wastewater projects
- Continuing to provide public works inspection services on essential projects

Finance

- Continuing to monitor and analyze the impact to City’s finances from the COVID-19 pandemic. The Adopted Budget included actions taken to address the anticipated revenue shortfalls
- Worked with State of California to prepare and submit the City’s qualified cost certification to receive CARES Act allocation
- Implemented virtual credit card processing and online receipting for teammates working from home
- Established COVID-19 related expenditure tracking to submit for reimbursement from FEMA and anticipating \$30,000 in reimbursements thus far
- Implemented Lockbox Services for Utility Billing Payments
- Added Ring Central phone service so UB customer service calls could be answered remotely

- Continued to promote paperless billing and electronic payment enrollment. Over 67% of Citywide accounts are now enrolled online, of which, 66% are enrolled in paperless statements and 54% are now enrolled in autopay

Fire

- Prepared an Incident Action Plan (IAP) detailing all COVID-19 related decontamination and operational readiness
- Prepared a Pandemic Plan outlining how we will adjust if we have limited operational resources
- The City and South Santa Clara County Fire District were jointly awarded:
 - \$5,749 in FEMA reimbursement for COVID-related PPE purchases
 - \$9,919 in FEMA funding for additional COVID-related PPE purchases
 - As a result, the City will receive \$7,834 in FEMA revenues
- Responded to approximately 200 COVID-related calls for service
- Established relationships and agreements to provide rapid employee testing results and contact tracing
- Collaborated with all Fire Departments in the County to establish response guidelines necessary to ensure the safety of our employees and the public
- Increased daily disinfecting of stations and equipment using an EPA registered disinfectant
- Continued to operate a comprehensive Annual Fire Inspection Program during COVID-19 Pandemic
- Assisted local businesses with outdoor operating requirements during the COVID-19 Pandemic

Geographic Information Systems (GIS)

- Created a web map for City teammates so that they can access MHMaps layers, including a new senior care facilities layer, remotely without City network access
- Provided methodology, source data, and formatting requirements to consultant tasked with developing the new City address database
- Rolled out a new web map service called CityMaps for City teammates to replace the old MHMaps with an updated, enhanced web map that uses current GIS technology, and can be accessed remotely
- Supported GIS integration with Sedaru and POSM utilities business systems to ensure continuity and reliability of those systems remotely
- Continued to provide mapping support to teammates working remotely

Housing

- Collaborated with regional partners and community-based organizations to assist families and individuals in need of rental assistance and/or hotel vouchers for homeless families with health conditions
- Created and manage a local list of Food and Community Resources available to the community during COVID-19
- Collaborated with [Silicon Valley Strong](#) and Santa Clara County Emergency Operations Center (EOC) to gather ideas, resources, volunteer opportunities, and needs to create a regional website for all Silicon Valley residents
- Sending resource emails and COVID-19 updates related to State and County Eviction Moratorium Ordinances, and Morgan Hill Rent Freeze information to the School District, Charter Schools, local Apartment Communities, Faith Based Community, Mobile Home and RV Parks, local Community Based Organizations, South County Farmers, Chamber of Commerce, Leadership Morgan Hill, and South County Collaborative
- Requested essential sanitation items for Safe Park and Inclement Weather Shelter from Santa Clara County EOC
- Housing team has coordinated and worked every COVID-19 testing event in Morgan Hill. As of December 16, 2020, 3,411 tests have been administered.
- The City funded a County isolation quarantine program (\$154,917) and to date:
 - \$21,752 for rental assistance
 - approximately \$6,000 for in home support (groceries and supplies)
 - 5 households were placed in a hotel/motel for isolation

Human Resources

- Administering and managing the Families First Coronavirus Response Act (FFCRA) for our City teammates
- Finalized, developed, and implemented COVID-19 Facility Use Policies and Procedures to follow when entering and working within City facilities to ensure employee safety through the shelter-in-place
- Regularly update COVID policies to follow CDC and County guidelines, rules, and regulations
- Provided COVID-19 training to all teammates covering policies and procedures

Information Technology

- Issued 30 laptops to City teammates so they can work remotely
- Increased internet connectivity by 5x to support additional teammates working remotely simultaneously
- Deployed a new scalable Virtual Private Network (VPN) solution for teammates to access City resources securely
- Transitioned network users from the old VPN to the new VPN: installed the new VPN on almost all city issued laptops

- Procured new laptops and headsets to support increased remote work capabilities
- Securely deployed Eden Web to users without the need for VPN for timecards submittal
- Deployed outdoor Wi-Fi to support the transition of CRC classes to a virtual format

Maintenance and Utilities

- Installed traffic safety barriers in Downtown parking spaces to create additional outdoor dining spaces called “parklets”
- Continue to provide essential services to the community in the areas of water, wastewater, street maintenance, storm drain maintenance, and maintenance for fire prevention
- Supported the closure of specific amenities within park areas in accordance with the shelter-in-place order
- Developed use guidelines for park facilities allowed to remain open in alignment with County and State guidelines
- Supported maintenance of park facilities through significant increased use of the facilities
- Supported physical improvements to City facilities allowed and required to remain open through COVID-19
- Implemented an operational plan to ensure continuity of operations to support essential services during the COVID-19 emergency
- Supported COVID-19 decontamination response at City facilities to ensure safety of City employees

Police

- Resource Request to Santa Clara County EOC for COVID-19 sanitizing supplies
- COVID-19 pre-shift screening stations and set-up 4 sign-in stations at the Police Department
- Police Department Lobby implemented screening prior to any member of the public entering
- Emergency Operations Center (EOC) virtually activated in response to COVID-19
- Proclaimed Local Emergencies for COVID-19 and SCU Lightening Complex Fire
- Mobile Command Vehicle deployed and disinfected for 7 events: SWAT, SCU Lightening Fire, non-violent protests
- Investigated over 300 COVID-19 order complaints
- Misdemeanors cited and released in field to minimize potential exposure in Police Department
- Implemented disinfecting procedures for the Police building including holding cells, booking area, and all vehicles following COVID-19 exposures

- Filmed community safety message video
- Participated in a dozen plus Birthday visits
- Patrol and Traffic Divisions have been assisting the Morgan Hill Unified School District with traffic control and food distribution
- Social Distancing Protocol for Public and City Employees implemented for Police and IT facilities
- Santa Clara County Public Health Social Distancing Protocol submitted, implemented, and updated for Police Department
- Implemented less contact between Officers and Dispatchers by going paperless
- Acquired filtration system for Dispatch
- Social Media outreach during COVID-19; Facebook (average 5,000 views per post), Twitter, Instagram
- Implemented a MHPD COVID-19 Response Policy for Positive Cases

Recreation

- Opened a virtual membership to Centennial Recreation Center (CRC) Members and the community
- Partnered with the YMCA to provide for the pickup of nearly 100 meals a day to Seniors
- Provided well check calls to Seniors formally participating in programs at the Senior Center
- Continuing to offer health and wellness programs as the County Order allows
- Developed a policy to allow local businesses to use outdoor park spaces for health and wellness programs
- Supported the use of City outdoor facilities for permissible uses in alignment with County and State guidelines

Morgan Hill, we are here for you! We will get through this together!

From: [Christina Turner](#)
To: [Michelle Bigelow](#); [Angie Gonzalez](#)
Subject: Agenda Supplement - Multiple items
Date: Tuesday, January 19, 2021 3:58:35 PM

Please supplement the Q&A below. Thank you!

1. Item 4 - Black and Veatch – Who is on the evaluation team?

Utilities Management Analyst, Utilities Operations Manager, Public Services Director

2. Item 5 - Isolation quarantine program – did the city put this on website and was this communication in a 411?

- Please explain how the county administers and become aware of those in need

Flyers have been distributed by the County Public Health Department and Office of Supportive Housing to countywide nonprofits and Community-based organizations. We sent information to the South County CBOs through the South County Collaborative listserv. Also, the [City's COVID page](#), has a [link](#) which leads to the info: "In Need of Shelter, Santa Clara County has assigned a Multi-Departmental Joint Operations team to manage all [shelter and temporary housing resources](#) during the Shelter-In-Place Order due to the COVID19 Crisis." We will also push this out through the City's weekly 411 e-blast.

The hotline (408) 278-6420 operates 7 days a week from 9 am to 6 pm. Once someone calls into the hotline requesting help, staff assesses them and determines their need; whether they are COVID positive or exposed, unable to quarantine at home, loss of job, whether they need financial assistance, food delivered, groceries, etc. They are directed to the appropriate resource. See attached flyer.

Although the (408-278-6420) is considered the main line, There's actually 2 hotlines:

- 408-278-6420 is the housing hotline for shelter or isolation motel placement.
- 408-808-7770 is the Isolation and Quarantine line for rent, financial, food assistance.

People can call either, they refer back and forth as needed, both operated through the Joint Department Operations Center.

3. Item 6 – Density Bonus Concessions – Item b. if 204 parking spaces are required and their requesting 140, wouldn't that limit the occupants' available spaces

Absolutely. State Density Bonus law does not require projects provide parking. A concession could be no parking provided at all. Most developers in Morgan Hill understand the lack of transit and the need for a parking space for every unit (at a minimum). Staff advocates strongly that affordable projects include as much parking as possible or look at other options such as shuttles, car share, etc. This particular developer is very mindful of the issues Morgan Hill faces with lack of transit options and the need for cars. They have pushed their site plan to provide as much parking as possible.

4. Item 8 – Eminent domain – It appears that there is an easy solution to see if the property is

truly worth \$7.79 million, get a second appraisal. The original offer of \$3.5 million was three years ago, as well all know, property values increase. Again, a second appraisal should be performed and if close to the \$7 million, then we can gauge a reasonable figure. It seems there is an unknown here?

We would be willing to get a second appraisal, but the property owner does not currently have interest in this. They claim to have a second appraisal but will not share information on what their appraisal is based on. Unless we understand the difference in appraisal our appraisers will not come close to getting to this price. The price of the property through ED will not increase as our current possession and use agreement (attached) requires that the value be based on valuation as of October 3, 2018.

5. Item 9 – Financials – What is the ERAF Fund? Explain the excess of \$1.7 million vs \$250K budgeted?

Background: In the early 1990s, the Legislature permanently redirected a significant portion of the property tax revenue from cities, counties, and special districts to schools and community colleges. The redirected revenue is deposited into a countywide account Educational Revenue Augmentation Funds (ERAF). Revenue from ERAF is allocated to schools and community colleges to offset the funding these entities otherwise would receive from the state General Fund.

Excess ERAF: In a few counties, ERAF revenue is more than enough to offset all of the General Fund allocated to schools and community colleges. In the mid-1990s, the Legislature enacted a law shifting the portion of ERAF not needed for schools and community colleges to other to Noneducation Agencies in the county. The revenue shifted through this process is known as excess ERAF.

The \$1.7 million is the preliminary estimated amount by the County. However, this preliminary estimate is subject to State Controller's Office adjustment which is not known until later in the fiscal year. Our estimate of \$250K is a conservative number and was put together during the budget process and before the County provided its preliminary number. It is important to note that prior to 2018, the City did not receive a significant amount from the excess ERAF.

6. Item 9 – Financials - Development services fund - Please explain why received revenue was \$2.3 million but the expenditures were \$2.8 million, approx. \$500K more

The revenues and expenditures do not necessarily match dollar for dollar in a given period of time. This is due to timing when monies are received (revenues) and when they are spent (expenditure). Example: A project may submit development review fees in amount of \$100,000 in June, last month of fiscal year, but the staff/contract work for that review doesn't commence/get recorded until subsequent months in new fiscal year.

In addition, there are certain processes that cannot be recovered by fees, such as state reporting requirements, public counter/information services, or Planning Commission/City Council initiated research/workshops etc.

Staff has engaged a consultant to conduct a comprehensive fee study to update certain development user fees which were developed about five years ago.

7. Item 9 – Financials – Rev/exp summary – can you give me a why level of why expenses to budget are more in the general, CD, sewer, water, debt and internal services. Should we be running at least even?

Our revenues for the most part typically lag in receipt or billing compared to our expenses. These lags relate to time lapses inherent in municipal business processes. Take property tax for example, which is a largest revenue category for the General Fund, does not begin to come in until December. That is five months behind. Some categories have a shorter lag such as water and wastewater revenues. We do not bill our residents for December consumption until January. That being said, revenues and expenses should even out or be close to budget when we close out the fiscal year, which happens a few months after the actual fiscal year end date of June 30.

8. Item 9 – Financials – Recreation report – What specific steps are we taking to mitigate these losses

The following actions have been taken:

- a. Eliminated 2.5 permanent positions from the Division this fiscal year (retirement, vacancies and transfers)
- b. Furloughed over 100 part-time teammates
- c. Renegotiated YMCA Agreement and budget (eliminating FT staff and furloughing many staff members)
- d. Closed facilities and turned off non-essential systems
- e. Continued to operate outdoor fitness and aquatics programs that are allowed and still able to generate revenue
- f. Numerous other small scale changes

9. Item 9 - Financials – Year to date revenues – Could you explain what “other charges current services”?

These are charges for misc. current services such as emergency medical services (ems) fees, fire inspection fees, abandoned vehicle abatement/stored vehicle release fees, animal control fees, and franchise tow fees, to name a few.

10. Item 9 – Financials – Year to date revenues – Can you explain what “asset seizure” is and why this is a negative number

Asset seizure fund collects revenue from the seizure of assets obtained by the police department from enforcement activities. Expenditures may be made from these funds only for police related activities in accordance with guidelines established by the state and federal governments. The negative number is the comparison amount to last year. As of December 31, 2020, the City received \$477 versus \$16,849 in prior fiscal year.

11. Item 9 – Financials – Fund Activity Summary – What is the difference between reserved and unreserved in the ending fund balance?

Reserved represents contractual obligation such as purchase orders or contracts that were

entered into. Unreserved is the amount available for the respective fund.



Regular Meeting Agenda

City Council

Rich Constantine - Mayor
John McKay - Mayor Pro Tem
Gino Borgioli - Council Member
Yvonne Martinez Beltran - Council Member
Rene Spring - Council Member

Wednesday, January 20, 2021 7:00 p.m.

Virtual Meeting

VIRTUAL MEETING GUIDELINES AND PUBLIC COMMENT

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. Physical meetings will not be in the City Council Chamber until further notice.

City Council meetings will be live streamed on Channel 17, on the City's website and on the City's Facebook page. Those members of the community that would like to participate in the meetings remotely may do so by joining the virtual meeting at: <https://bit.ly/MHCityCouncilMeeting> or by calling in to: (669) 900-9128, then enter the webinar id: 873 3200 8380#.

Public comment may be provided in the following ways:

- Join the virtual City Council meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes
- Join the virtual meeting by calling in to the number above, dial *9 to raise your hand and be called upon to speak for up to 3 minutes
- Send public comments in writing to the City Clerk at ccpubliccomment@morganhill.ca.gov or ccpubliccomment@morganhill.ca.gov

* Please note that comments made on Facebook are not considered 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

City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2
City Clerk Michelle Bigelow

PRESENTATIONS

YAC PRESENTATION- ASSET #32- PLANNING AND DECISION MAKING

RECOGNITIONS

2020 STEM Winners

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)

ADOPTION OF AGENDA

CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Pursuant to City Council Policies and Procedures (CP 97-01), any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action.

Time Estimate for Consent Calendar: 1 - 10 Minutes

1. ACCEPT SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

Recommendation:

Accept the Morgan Hill Community-Based Transportation Plan (CBTP).

2. ADOPT ORDINANCE 2319, NEW SERIES, OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

Recommendation:

Waive the reading, adopt Ordinance No. 2319, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

3. APPROVE CITY POSITION AND COMMUNICATION REGARDING VTA'S PROPOSED MEASURE B FUNDING REALIGNMENT, VALLEY WATER'S FUNDING OF PHASE 2A OF UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT AND FEDERAL STIMULUS SUPPORT FOR STATE AND LOCAL GOVERNMENTS

Recommendation:

1. Ratify City position and accept City communication sent to Santa Clara County Board of Supervisors regarding opposition of Valley Transportation Authority's (VTA) proposed 2016 Measure B 10-year outlook base scenario and funding realignment;
2. Authorize City Manager to communicate the City's position to Valley Transportation Authority Board when the matter is placed on its agenda;
3. Ratify City position and accept City communication sent to Valley Water in support of funding Phase 2A of the Upper Llagas Flood Control Protection Project; and
4. Ratify City position and accept City communication sent to Federal legislative representatives in support for economic stimulus for state and local governments.

4. APPROVE AGREEMENT WITH BLACK & VEATCH FOR RISK AND RESILIENCY ASSESSMENT (RRA) AND EMERGENCY RESPONSE PLAN (ERP) SERVICES

Recommendation:

Approve and authorize the City Manager to execute and administer an agreement with Black & Veatch Corporation in the amount of \$143,880 for the development of a Risk and Resilience Assessment and Emergency Response Plan.

5. APPROVE FIRST AMENDMENT TO AGREEMENT WITH SANTA CLARA COUNTY FOR ISOLATION QUARANTINE PROGRAM

Recommendation:

Approve the First Amendment to the agreement between the County of Santa Clara and the City of Morgan Hill for the Countywide Isolation and Quarantine Support Program to extend the term through June 30, 2021.

6. APPROVE GOVERNMENT CODE 65915 DENSITY BONUS CONCESSIONS FOR A 100 PERCENT AFFORDABLE HOUSING PROJECT (SR2020-0023 WATSONVILLE-HORDNESS)

Recommendation:

Adopt resolution approving the request for the following affordable housing concessions, pursuant to Government Code:

1. Increase in floor area ratio;
2. Reduction in on-site parking;
3. Reduction in common open space; and
4. Increase in building height.

7. APPROVE THE DECEMBER 16, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

8. ADOPT RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY FROM GARCIA FOR THE HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Adopt Resolution of Necessity determining that the public interest and necessity require the acquisition by eminent domain of real property from Rocke and Glenda Garcia as identified in Exhibit A for the Hale Avenue Extension Project; and
2. Authorize the City Attorney to file suit in eminent domain with respect to said property.

Estimated Time: 10 Minutes

OTHER BUSINESS

9. RECEIVE MONTHLY BUDGET UPDATE, DECEMBER 2020 FINANCIAL AND INVESTMENT REPORTS, AND CITY MANAGER AUTHORITY REPORT

Recommendation:

Accept and file report.

Estimated Time: 15 Minutes

10. REVIEW AND APPROVE CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Recommendation:

1. Review, discuss, and approve the City Council appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

Estimated Time: 30 Minutes

FUTURE COUNCIL INITIATED AGENDA ITEMS

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

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



These strategic priorities were established prior to the COVID-19 pandemic. In light of recent events, we recognize that all of these goals and priorities will be viewed through the lens of the global pandemic, and we will continue to have equity, public health, and financial responsibility in mind.



January

Developmental Asset #32

Planning and Decision Making

Young person knows how to plan ahead and make choices.



January

Complementary Asset #21

Achievement Motivation

Young person is motivated to do well in school.

How does planning and decision making aid youth?



Youth will:

- ☐ Prepare for the future
- ☐ Develop a strong work ethic
- ☐ Avoid unnecessary stress
- ☐ Emphasizes independence
- ☐ Understand internal and external consequences



Agnes William, Active Member



→ How has planning and decision making helped you achieve your goals?

- ◆ Organize my thoughts
- ◆ Set goals for myself
- ◆ Prepare for what's to come

Whiteboard

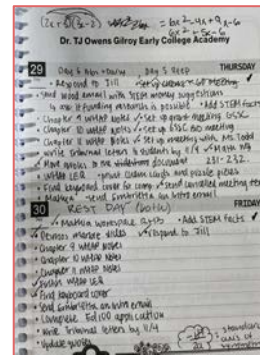


Ria Deshpande, Vice President



→ How has planning and decision making helped you achieve your goals?

- ◆ Develops stability
- ◆ Self-accomplished
 - Motivated for more
- ◆ Confident in my abilities
- ◆ Visualize the future

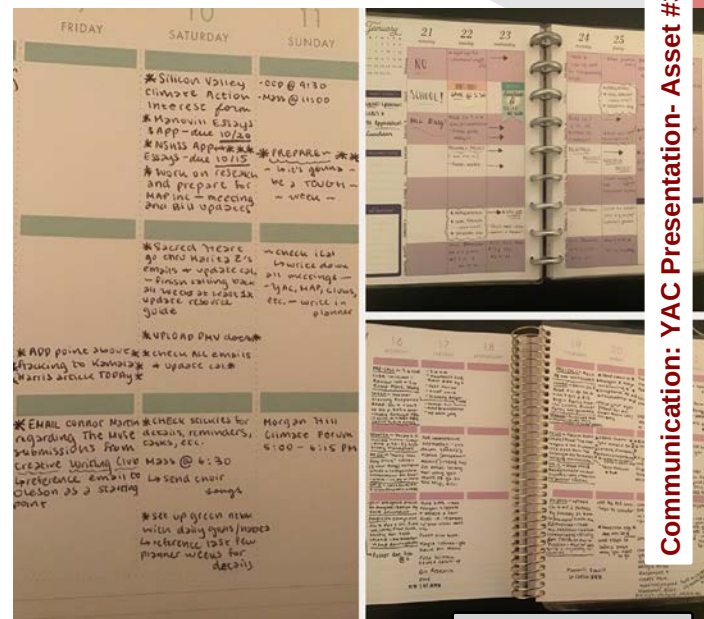


Elizabeth Joseph, Active Member



- How has planning and decision making helped you achieve your goals?
- ◆ High School acceptance-- provided planner
 - ◆ applications that lead to many acceptances

Planner



Tips for Community Members



- ❖ Provide students with planners
- ❖ Practice making a daily to-do list
- ❖ Support independence: help make the “right” decisions
- ❖ Encourage seeking opportunities



Questions to Council:

- What are some tools that you use or have used to help you plan?
- As adults, there are many challenging decisions to make. How do you make decisions?
- How do you prioritize your “to do” list when you have many action items that you find equally important?





CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ACCEPT SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

RECOMMENDATION(S)

Accept the Morgan Hill Community-Based Transportation Plan (CBTP).

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure
Supporting Our Youth
Seniors
and Entire Community
Enhancing Diversity and Inclusiveness
Advancing Regional Initiatives

2020-2021 Strategic Priorities

Transportation

GUIDING DOCUMENTS

Bikeways
Trails
Parks
and Recreation Masterplan
Morgan Hill 2035 General Plan
Vision Zero

REPORT NARRATIVE:

In 2019, the Valley Transportation Authority (VTA) received grant funding to develop a Community-Based Transportation Plan (CBTP) for the City of Morgan Hill. The Community-Based Transportation Planning Program is funded by the Metropolitan Transportation Commission (MTC). MTC is the transportation planning, financing, and coordinating agency for the nine-county San Francisco Bay Area region. The agency collaborates with a network of other public agencies to help support the streets, roads, highways, transit systems and other transportation resources for Bay Area residents.

A key for receiving the funding was the intent to support one census tract in Morgan Hill (Census Tract #512310 located near Barrett Elementary School) that is defined as a Community of Concern (COC) per MTC's definition. Due to the relatively small geographical area of the COC census tract, VTA and the City staff felt that the CBTP may not capture the complete range of transportation issues and comments if the study area was limited to just one census tract. A request to expand the study area to the

entire City and sphere of influence was made and approved by the MTC.

Over the last 20 months of working on development of the Plan a final draft is ready for review and acceptance by the Morgan Hill City Council. The Parks and Recreation Commission, which serves as the advisory body to the City Council on issues relating to Bicycles and Trails, reviewed the Plan at their December meeting and recommended acceptance by the City Council. The Plan is included as Attachment 1.

In the future, the Plan will be used in conjunction with various other City planning documents to support improved transportation for the City. Additionally, the Plan provides a useful tool for grant applications and funding requests.

COMMUNITY ENGAGEMENT: Involve

Significant community outreach occurred in development of the Plan in 2019, however, due to Covid-19, formal adoption has been delayed. The outreach included a steering committee made up of local community members, numerous community meetings and many other activities which are outlined in detail in the Plan.

ALTERNATIVE ACTIONS:

The City Council could choose to not accept the Plan and/or provide specific comments on the Plan.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council received an update on the progress for the Plan on May 21, 2019.

FISCAL AND RESOURCE IMPACT:

The Funding for development of the Plan was provided to the VTA through the MTC. Development of the Plan required staff resources from the Engineering Division, Development Services Department, and the Community Services Department, and were accommodated within their respective workplans and budgets.

CEQA (California Environmental Quality Act): Categorical Exemption.

The Community Based Transportation Plan is a document that will be used to formalize other planning and project documents for the City and is exempt from CEQA under Public Resources Code § 21102, 21150 (Feasibility or planning studies for possible future actions that the agency has not approved, adopted, or funded).

LINKS/ATTACHMENTS:

1. Morgan Hill_CBTP_Report Final

Santa Clara Valley Transportation Authority

Morgan Hill Community-Based Transportation Plan (CBTP) Report



February 2020



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CHAPTER

1

Introduction and Overview of the Morgan Hill Community-Based Transportation Plan (CBTP)

The Morgan Hill Community-Based Transportation Plan (CBTP) is the result of a community-based planning effort in the City of Morgan Hill of Santa Clara County beginning in January of 2019. Residents and community-based organizations

“This study documents specific needs of Morgan Hill residents...”

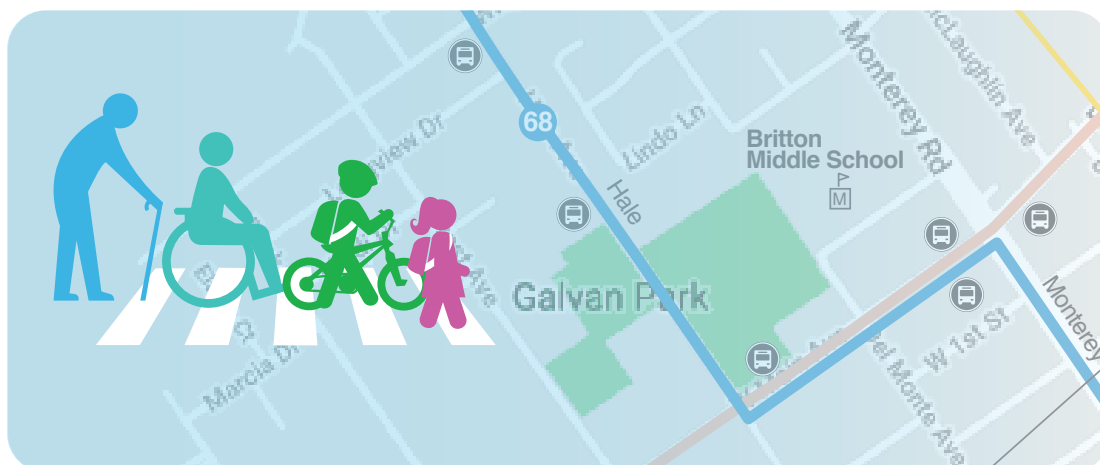
worked closely with government entities to develop this CBTP. The study documents transportation needs of Morgan Hill residents that were gathered through a public outreach process and from previous planning efforts. The Morgan Hill CBTP can

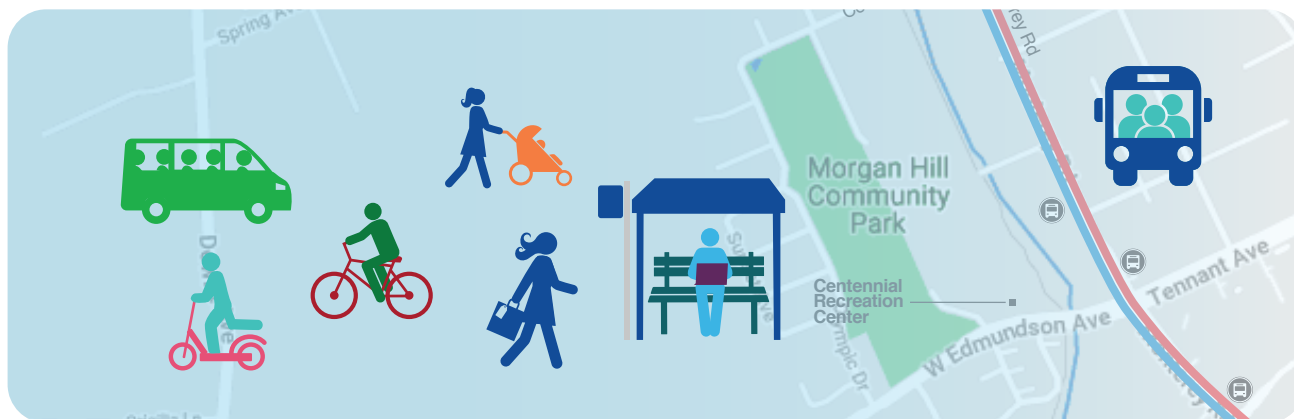
be a starting point for the development and implementation of relevant projects and/or services aimed at improving transportation in the City.

This chapter includes 1) the background and purpose of the Community-Based Transportation Planning Program and 2) the overview of the collaborative effort on the CBTP between VTA, City of Morgan Hill, other government entities, and community organizations.

Background of the CBTP Program

The Community-Based Transportation Planning (CBTP) Program launched in 2002 by the Metropolitan Transportation Commission (MTC). MTC is the transportation planning, financing and coordinating agency for the nine-county San Francisco Bay Area region. The agency collaborates with a network of other public agencies to help support the streets, roads, highways, transit systems and other transportation resources that help Bay Area residents get





where they need to be. The CBTP Program evolved out of two regional studies completed in 2001, the Lifeline Transportation Network (LTN) and the Environmental Justice (EJ). Both studies emphasized on the needs of the communities of concern and the need for MTC to support local planning efforts in these communities. It is important to note that the communities of concern as defined by MTC is based on the thresholds in percentages of 8 different variables: minority (70%), low-income (30%), level of English proficiency (12%), elderly (10%), zero-vehicle households (10%), single parent households (20%), disabled (12%), and rent-burdened households (15%). If a census tract exceeds both threshold values for low-income and minority shares OR exceeds the threshold value for low-income AND exceeds the threshold values for three or more variables, it is considered a Community of Concern (CoC). Since its launch, the CBTP Program has provided roughly \$2.6 million in funding for over 40 collaborative planning processes in CoCs across the Bay Area. Each CBTP reflects the following three goals and objectives of the regional program:

- Emphasize resident participation in the plan development process,
- Foster collaboration between residents, community organizations, local jurisdictions, transit operators, CMAs and MTC; and
- Expand community capacity by engaging community-based organizations throughout the process

Purpose of the Community-Based Transportation Plan (CBTP)

The purpose of the CBTP is to bring residents, community organizations, and government entities together to identify Morgan Hill's most important transportation challenges and develop strategies to overcome them. The CBTP lays the groundwork towards solving transportation needs of the community of concern (COC) as defined by MTC. Residents within COC area and the City of Morgan Hill require safe, affordable and reliable transportation options to meet daily needs, including access to work, education, medical facilities, and other life-enhancing services. The challenge for local agencies and jurisdictions is providing transportation alternatives that not only support agencies' goals but is also responsible and an efficient use of available funding and resources.

The CBTP's public outreach process placed emphasis on the participation of community members through various outlets such as public meetings, focus-group meetings, tabling events, and a survey. Efforts of residents and community organizations contributed to pin pointing transportation issues and prioritizing of relevant projects and/or programs. The projects and programs that closely correspond to the transportation issues heard from the outreach process will be matched with potential funding sources. Public entities can then work collaboratively to apply for funding opportunities when they become available.

Project Management Team



Steering Committee



Project Partners & Involvement of Community-Based Organizations

Through the CBTP Program Guidelines mentioned above, Valley Transportation Authority (VTA), the designated congestion management agency (CMA) for Santa Clara County serves as the lead agency in the CBTP planning process. To ensure the CBTP produced is robust and inclusive of the community's needs, VTA prioritizes working closely with local jurisdictions and stakeholders throughout the planning effort. VTA partnered with the City of Morgan Hill and the Morgan Hill Chamber of Commerce, a local non-profit organization, to form the Project Management Team for the Morgan Hill CBTP. Furthermore, VTA request participation from various agencies, organizations, and groups that have a stake in the Morgan Hill community to provide insights on transportation issues and participate on the Steering Committee. Steering Committee members includes Morgan Hill Unified School District, EAH Housing, the Morgan Hill Bicycle & Pedestrian Advocacy Group (BPAG), and the Youth Action Council. The CBTP will discuss the Steering Committee and its role in the plan in more details in Chapter 3.

Get to Know the City of Morgan Hill!

Morgan Hill Station Area Master Plan

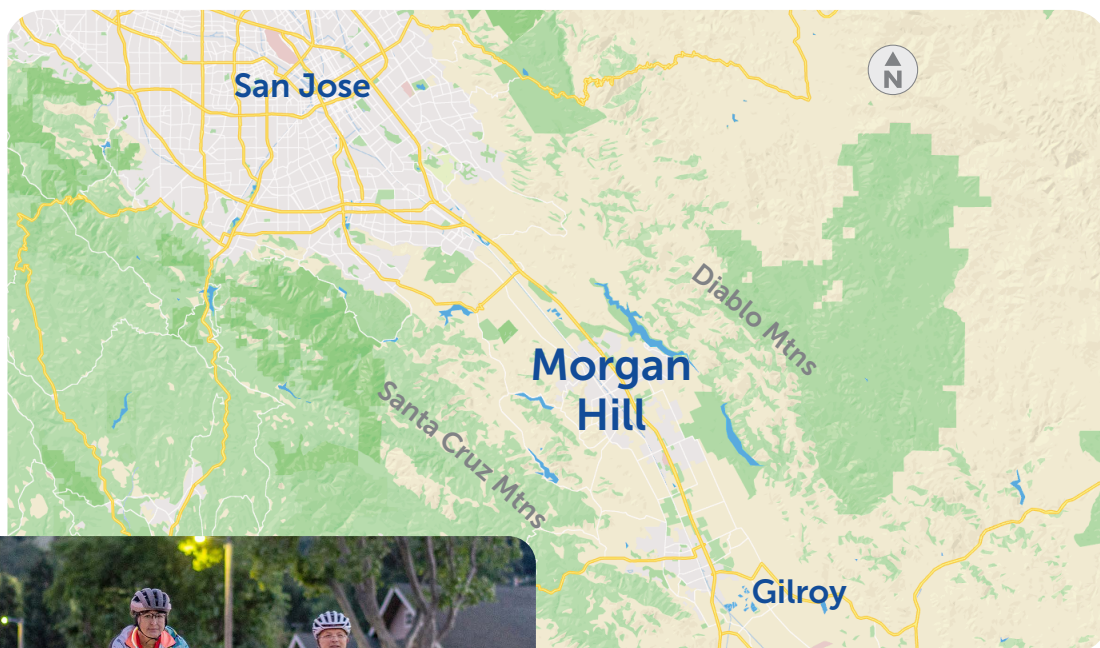
In 2016, the City of Morgan Hill received a grant from Santa Clara Valley Transportation Authority (VTA) to prepare a Station Area Master Plan for the area at and around the Morgan Hill Transit Center. This area is designated as a Priority Development Area (PDA) because of the following characteristics, 1) has been identified and approved for future growth, 2) accessible by more than one transit services, and 3) located near established job centers, shopping districts, and other services. The Station Area Master Plan is focused on strengthening the Morgan Hill Transit Center and Downtown Morgan Hill by identifying considerations and opportunities for multi-modal connectivity, such as transit, bicycling, and walking. To access the Station Area Master Plan and learn more, visit:

<https://www.morgan-hill.ca.gov/1641/Station-Area-Master-Plan>.



CHAPTER 2

Study Area Profile and Existing Conditions



To adequately identify and understand the transportation challenges in the City of Morgan Hill, it is important to look at the study area profile, demographics, travel patterns and the existing services/infrastructures. The purpose of this chapter is to present a deeper understanding of the City of Morgan Hill.

Location

The City of Morgan Hill has a total area of 12.8 square miles and is in the southern part of Santa Clara County, California. The City

is located approximately 20 miles south of downtown San Jose and roughly 10 miles north of Gilroy. The City is surrounded by the Santa Cruz mountain range to the west and the Diablo mountain range to the east.

Morgan Hill's ideal location offers residents and visitors a vibrant Downtown area, year-round outdoor recreational activities, including cycling, golfing, swimming, and boating. In recent years, the City transformed Downtown Morgan Hill into an important destination in South Silicon Valley by offering a variety of culinary and entertainment experiences, pedestrian-friendly streetscapes, public art displays as well as special events and festivals. For a complete list of attractions and activities in Downtown Morgan Hill, visit www.morgan-hill.ca.gov/1150/Morgan-Hill-Downtown-Its-Happening.

Figure 1
Location of a Community of Concern in
Morgan Hill

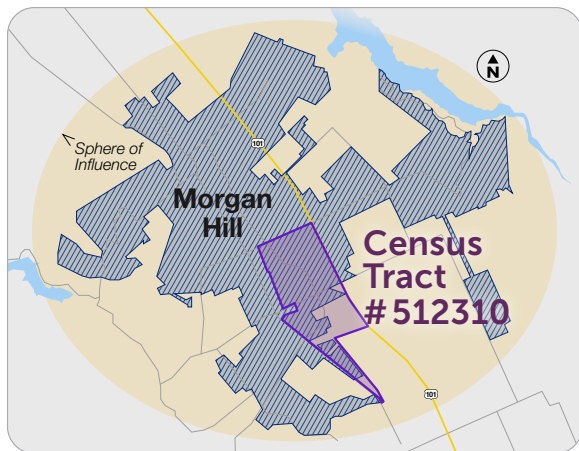


Table 1
Age distribution in the COC Census Tract,
City of Morgan Hill, and Santa Clara County

Age Distribution	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Under 5 years	7.8%	7.1%	6.3%
5 to 9 years	9.1%	7.5%	6.4%
10 to 14 years	10.9%	8.6%	6.5%
15 to 19 years	7.4%	6.0%	6.0%
20 to 24 years	4.8%	5.8%	6.3%
25 to 29 years	7.3%	4.6%	7.7%
30 to 34 years	4.7%	5.5%	7.9%
35 to 39 years	7.0%	6.7%	7.4%
40 to 44 years	8.8%	7.1%	7.4%
45 to 49 years	6.4%	7.5%	7.2%
50 to 54 years	7.6%	7.9%	7.0%
55 to 59 years	5.6%	6.7%	6.3%
60 to 64 years	3.6%	6.3%	5.2%
65 years & up	9.0%	12.7%	12.5%

The study area of the CBTP consists of the entire city of Morgan Hill and areas adjacent to the city boundary, known as the Sphere of Influence. The presence of the Sphere of Influence allows for residents to contribute transportation concerns and recommendations that may happen right at the city's boundary.

MTC's Community of Concern (COC) in Morgan Hill

Despite the study area of the CBTP encompassing the entire City and the Sphere of Influence, there is one census tract (Census Tract #512310) in Morgan Hill that is defined as a Community of Concern (COC) per MTC's definition. Figure 1 shows the location of the COC Census Tract of Morgan Hill. Because of the relatively small geographical area of the COC census tract, VTA and the City of Morgan Hill staff felt that the CBTP may not capture the complete range of transportation issues and comments if the study area was limited to just one census tract. A request was made to MTC to expand the Plan's boundary to its current area. The larger geographical area allows for greater input from the community and offer more comprehensive solutions to transportation issues, especially for the COC. The demographics information presented in subsequent sections will

compare data from COC Census Tract #512310 with citywide and countywide data.

Demographics

Demographics information are from the 2017 American Community Survey (ACS) 5-Year Estimates data by the United States Census Bureau. For more information on the American Community Survey (ACS) or for the latest updates, visit www.census.gov/programs-surveys/acs/about.html.

People and Population

The total population of Morgan Hill is 43,136, with the median age of 38.4 years old. The age distribution of the City is 23.2% of the population is under the age of 15, 64.1% of the population is between 15 to 64 years old, and 12.6% is 65 years or older.

In comparison, the population within Census Tract 512310 is 4,397 with the median age of 32.3 years. The age distribution is 27.8% of the population under the age of 15, 63.2% of the population is between 15 to 64 years old, and 9% is 65 years or older. The age distribution for each age group in the COC Census Tract, City of Morgan Hill, and Santa Clara County is shown in Table 1 for comparison.

Race and Ethnicity

The breakdown of race in Morgan Hill is 71.3% White, 10.9% Asian, 2.0% Black or African American, 0.6% American Indian and Alaska Native, and 0.1% Native Hawaiian and another Pacific Islander. About 33.8% of the City's population identifies as of Hispanic or Latino origin.

The breakdown within the COC Census Tract 512310 has a similar trend to Morgan Hill, except higher percentages of Asians and individuals identifying as having Hispanic or Latino origin. In contrast, 26.1% of the population in Santa Clara County is of Hispanic origin when compared to the 48.3% at the COC Census Tract level.

Table 2 shows the race and ethnicity comparison between the Census Tract, City of Morgan Hill and the whole Santa Clara County.

Language Spoken at Home & Limited English-Speaking Households

About 70.8% of Morgan Hill residents speak only English at home, with 17.9% speaking Spanish as

the primary language. Followed by 5.5% speaking Asian and Pacific Islander languages, 4.9% other Indo-European languages, and 0.9% speaks other languages.

The percentage for English-only speaking household is significantly lower in the COC Census Tract with 57.6%, followed by 26.5% Spanish, 0.0% Asian and Pacific Island languages, and 5.4% speaks other Indo-European languages. Table 3, on the next page, shows the comparison of the percentage of languages spoken at home in the three jurisdictions.

It is also important to note the percentage of limited English-speaking households in the COC Census Tract, City of Morgan Hill and Santa Clara County. A "limited English-speaking household" is one in which no member 14 years and over speaks only English or speaks a non-English language and speaks English "very well". In other words, all members 14 years and over have at least some difficulty with English. About 7.5% of all households within the COC Census Tract is considered a limited English-speaking household. This number is about 1.8 times

Table 2

Race and ethnicity comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Race & Ethnicity	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
White	70.0%	71.3%	45.5%
Black or African American	1.3%	2.0%	2.5%
American Indian and Native Alaska	0.5%	0.6%	0.5%
Asian	16.9%	10.9%	35.1%
Native Hawaiian and Other Pacific Islander	0.0%	0.1%	0.4%
Some other race	5.7%	8.5%	11.0%
Two or more races	5.6%	6.4%	4.9%
Hispanic or Latino origin (of any race)	48.3%	33.8%	26.1%

Table 3

Languages spoken at home comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Language Spoken at Home	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Speak only English	57.6%	70.8%	47.6%
Speak Spanish	26.5%	17.9%	18.1%
Speak Other Indo-European languages	5.4%	4.9%	8.9%
Speak Asian and Pacific Island languages	9.9%	5.5%	24.1%
Speak other languages	0.6%	0.9%	1.3%

Table 4

Limited English-speaking households comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Limited English-Speaking Households	7.5%	4.1%	10.8%

higher than that of Morgan Hill, but lower than the percentage at the countywide level. Morgan Hill and Santa Clara County has 4.1% and 10.8% limited English-speaking households, respectively. Table 4 shows the percentage of limited English-speaking households in the three jurisdictions.

Income and Poverty

The median household income is \$107,161 in the City of Morgan Hill, which is on par with what is observed at the Countywide level, with the average

household size of 3.01. The median household income for the COC Census Tract is significantly less at \$57,276. The percentage of individuals living below poverty level in the past 12 months is 5.8% in the City of Morgan Hill compared to the 10.2% in the COC Census Tract. Table 5 on the following page summarizes the numbers on household income range and poverty level.

Table 5

Household income range & poverty level comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Household Income Range & Poverty Level	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Median Household Income	\$ 57,276	\$ 107,161	\$ 106,761
Average Household Size	2.93	3.01	2.98
Less than \$10,000	3.3%	2.4%	3.4%
\$10,000 to \$14,999	7.6%	2.2%	2.9%
\$15,000 to \$24,999	7.4%	5.8%	5.0%
\$25,000 to \$34,999	2.8%	6.4%	5.0%
\$35,000 to \$49,999	12.7%	6.3%	7.5%
\$50,000 to \$74,999	12.8%	12.5%	12.1%
\$75,000 to \$99,999	6.4%	10.7%	10.7%
\$100,000 to \$149,999	24.7%	20.9%	18.3%
\$150,000 to \$199,999	5.8%	11.6%	12.7%
\$200,000 or more	6.6%	21.1%	22.4%
Percentage of Individuals living below poverty level in the past 12 months	10.2%	5.8%	8.2%

Commuting Characteristics and Employment

The most popular mode of commute is driving alone in both the City of Morgan Hill and the COC Census Tract with 78.5% and 73.6%, respectively. About 13% of the COC Census Tract residents carpool to work, which is higher than at the city and the county level. The use of public transportation in Morgan Hill and COC Census Tract is lower than the 4.4% at the countywide level.

The mean travel time to work is 33.2 minutes for COC Census Tract and 34.6 minutes for the City of Morgan Hill. There is a discrepancy in the unemployment rate between the city and the COC Census Tract, the 10.2% unemployment rate in the COC more than doubles the number at the city level. Table 6 on the following page summarizes the commuting characteristics of the residents.



Table 6

Commuting characteristics & employment comparison between the COC Census Tract, City of Morgan Hill, and Santa Clara County

Commuting Characteristics & Employment	COC Census Tract # 512310	City of Morgan Hill	Santa Clara County
Auto-Drive alone	73.6%	78.5%	75.1%
Auto- Carpooled	13.0%	10.4%	10.5%
Public transportation (excluding taxicab)	2.5%	3.4%	4.4%
Walked	1.3%	1.1%	2.1%
Bicycle	1.1%	0.9%	1.8%
Taxicab, motorcycle, or other means	0.5%	0.9%	1.3%
Worked at home	8.0%	4.8%	4.8%
Mean travel time to work (minutes)	33.2	34.6	28.0
Unemployment Rate	10.2%	4.7%	5.7%

Popular Destinations

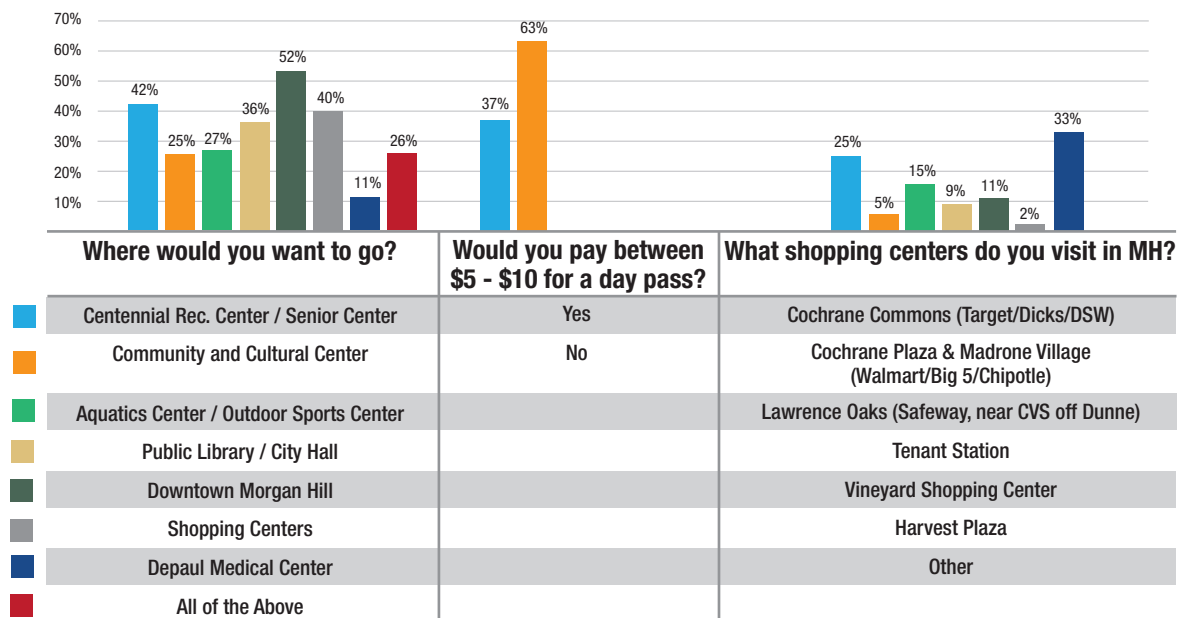
The City of Morgan Hill conducted the Morgan Hill Transit Services survey back in December of 2017 and received 549 responses. The top three most popular destinations are downtown Morgan Hill

with 53%, Centennial Recreation Center/Senior Center with 42%, and shopping centers with 40%. Out of the shopping centers in the City, Cochrane Commons is a popular location. Figure 2 on the next page displays more in-depth details.

Figure 2

Popular Destinations in City of Morgan Hill

Local Shuttle Bus & Where You Shop



Current Transportation Ridership and Statistics

This section presents ridership data and public transportation statistics relating to VTA bus routes currently serving the City of Morgan Hill at the time of this writing in November 2019. Table 7 shows the number of average daily boardings over a 12-month period between July 2018 to June 2019 for weekday, Saturday, and Sunday.

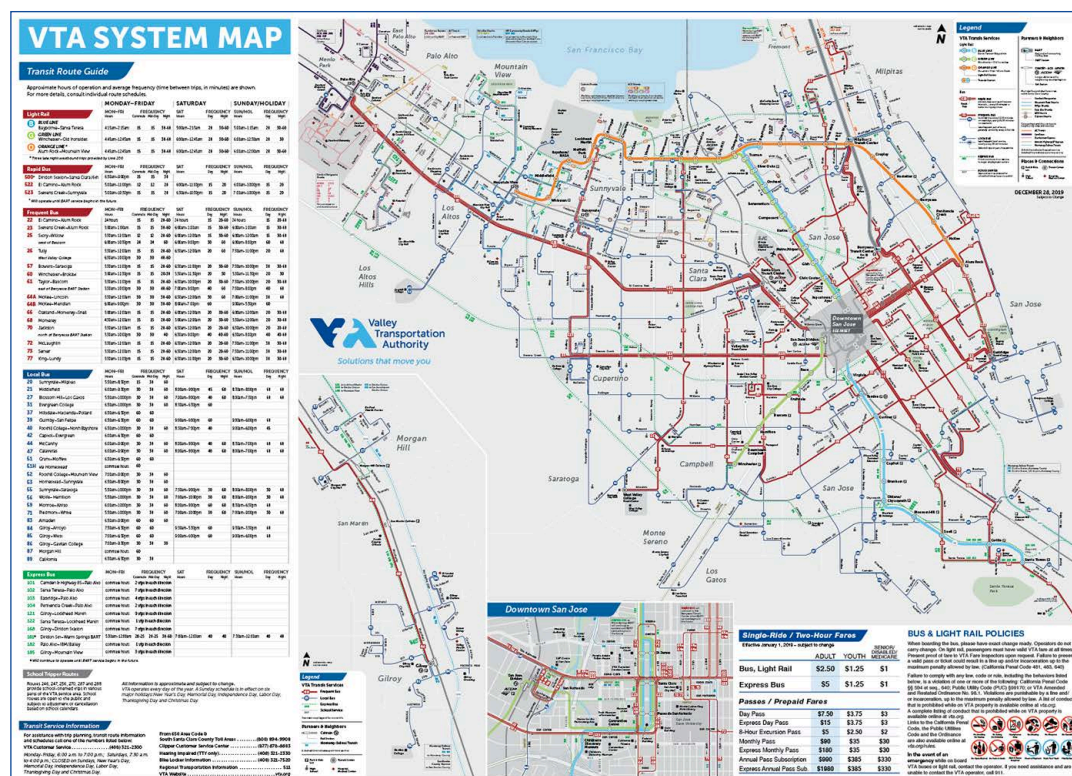
Public Transportation Network under VTA's 2019 New Transit Service (NTS)

The VTA Board of Directors approved the New Transit Service (NTS) in May 2019 and was implemented on December 28, 2019. Figure 3 shows the 2019 New Transit Service map.

Table 7
Average daily boardings of VTA bus routes serving City of Morgan Hill

Route	Description	Weekday Service	Saturday Service	Sunday Service
16	Morgan Hill Civic Center – Burnett Ave	116	N/A	N/A
68	Gilroy Transit Center – San Jose Diridon Transit Center	4,700	3,083	2,644
Express 121	Gilroy Transit Center – Lockheed/Moffett Park	264	N/A	N/A
Express 168	Gilroy Transit Center – San Jose Diridon Transit Center	221	N/A	N/A
Express 185	Gilroy Transit Center – East Whisman/Shoreline	46	N/A	N/A

Figure 3
Example of the 2019 New Transit Service Map



The 2019 New Transit Service is a modification of the Board-adopted 2017 Next Network transit service plan. In addition to the plan's original goals of better connecting VTA transit with the Milpitas and Berryessa BART stations, increasing overall system ridership, and improving VTA's farebox recovery rate, New Transit Service adds three new parameters set by the VTA Board of Directors:

1. Reduce the plan's overall service level equal to today's service level (The Next Network plan would have incurred a \$14.7M increase in annual net operating costs over today)
2. Adjust the network's ridership/coverage balance to 90% ridership and 10% coverage
3. Minimize service cuts in South County.

There are a few notable changes to transit routes in Morgan Hill under VTA's 2019 New Transit Service. The main route serving the City of Morgan Hill, Route 68, originating from the Gilroy Transit Center to the San Jose Diridon Station will increase in frequency

on weekdays and weekends. Frequency will be upgraded to every 15 minutes from the current 20 minutes interval on weekdays between 5:30 am to 6:30 pm. Figure 4 shows the upgraded frequency for all service hours of Route 68.

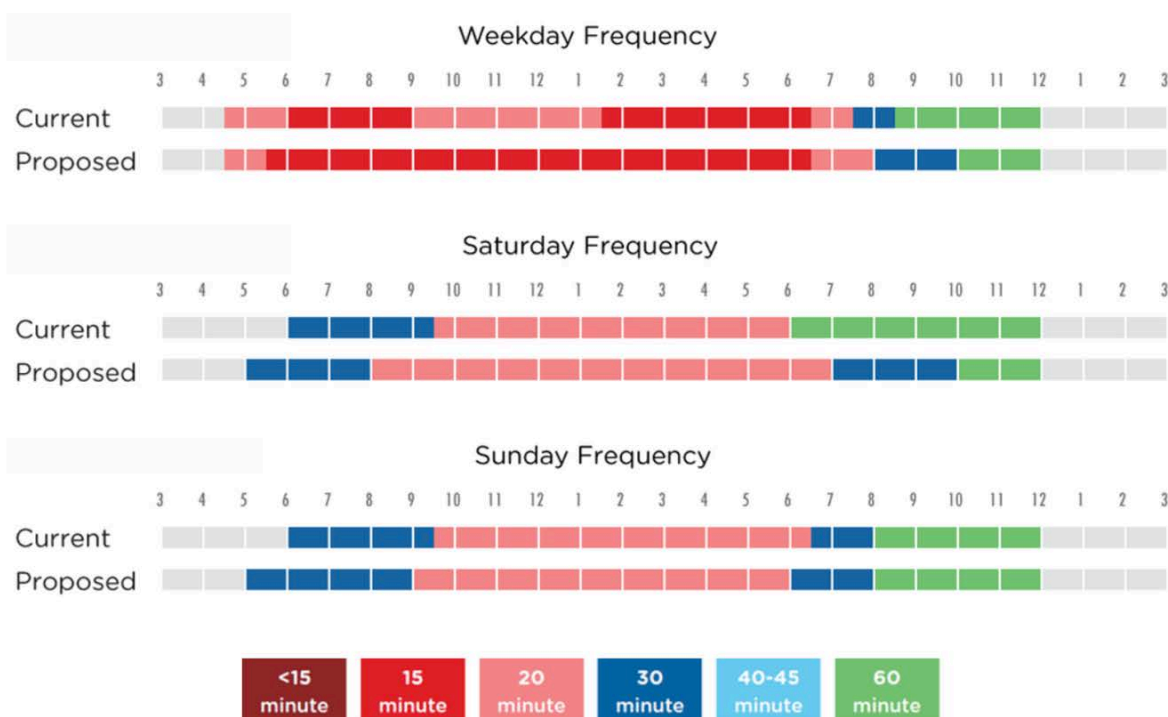
VTA will continue service for Route 16 but will be renaming it Route 87 under the New Transit Service. Operating Route 16/87 is a commitment by VTA to keep transit services in Morgan Hill (and therefore also paratransit service) in addition to the Monterey Highway corridor.

Express Route 168 serving the Morgan Hill Caltrain Station to Downtown San Jose will maintain the same level of service under the New Transit Service until 2021. The service will be converted to a Rapid Bus Service pending further decisions in the near future.

For detailed information of all VTA routes and frequency changes through the 2019 New Transit Service, go online to <http://newtransitplan.vta.org>.

Figure 4

Route 68 upgraded frequency for all service hours.



Challenges in Providing Public Transportation Services in Morgan Hill

There are several challenges to providing public transportation services in the City of Morgan Hill. Morgan Hill has relatively low densities and an auto-oriented urban form, which means that the transit demand and the ridership achieved by VTA is low when compared to other places in Santa Clara County. VTA's ridership minimum standard, which is one of the criteria used to justify a route, is 15 boardings per hour. Table 8 shows the number of boardings per hour for Morgan Hill routes along with

the breakdown of cost-per-boarding between April to June 2019. Each passenger picked up in Morgan Hill has a cost-per-boarding to VTA that is about 2-3 times higher than in denser, more transit-supportive areas. Due to VTA's fixed operating budget, discussions regarding an increase in transit services to Morgan Hill will also need to address where VTA should cut service to offset the additional cost. The situation presents VTA with a tough decision as the agency wants to serve Morgan Hill but must be mindful of how cost-effectively funding is being spent as a public agency.

Table 8

Cost per boarding for VTA bus routes serving City of Morgan Hill

April-June 2019 Metrics for Morgan Hill Routes		
Route 16	8.3 boardings/hour	\$20.62 cost/boarding
Route 68	18.2 boardings/hour	\$8.93 cost/boarding
Route 168	6.2 boardings/hour	\$33.56 cost/boarding
VTA Bus Average	18.3 boardings/hour	\$8.39 cost/boarding

VTA ACCESS Paratransit Service

VTA ACCESS paratransit service is provided to eligible individuals with disabilities who cannot use conventional accessible bus and light rail transit service due to their physical, visual or cognitive disabilities. Paratransit is shared ride public transportation that is complementary to fixed route transit service (bus and light rail). VTA ACCESS operates within the same service area and service times as VTA bus and light rail service. Paratransit standard service area is defined as being within 3/4 mile from an existing VTA bus or light rail routes and premium paratransit service area is an additional one mile from the standard service area. Standard trips are \$4 one-way and premium trips are \$16 one-way. All fares are prepaid, and trips must be booked one to three days in advance.

The eligibility process for VTA ACCESS paratransit service includes a Personal Data Card, over-the-phone interview, and if necessary, a professional verification. Eligibility is based on an individual's functional ability to independently use the bus or light rail system for some or all their trips. Eligibility is not based on age, economic status, or the inability to drive an automobile. Applicants should note that having a medical condition, use of a mobility device (i.e. wheelchair, scooter, etc.), or disability will not



automatically qualify you for service. The eligibility process can take up to twenty-one (21) days from the completed over the phone interview. For more information or to receive an application please contact VTA ACCESS Eligibility Department at 408-321-2381 Monday through Friday from 8 am to 5 pm or go online to www.vta.org/go/paratransit.

Transportation Network Companies (TNCs)

Transportation Network Companies (TNCs) provide prearranged transportation services for compensation using an online-enabled application or platform (such as smart phone apps) to connect drivers using their personal vehicles with passengers. TNCs, such as Lyft and Uber, are operating in the Morgan Hill area.

CHAPTER 3 Community Outreach Strategy and Findings

In this chapter:

1. Various community outreach strategies and materials utilized during the CBTP planning process
2. The role and members of the Steering Committee
3. A summary of community outreach findings

The Community-Based Transportation Planning (CBTP) program is a collaborative planning process which included extensive community outreach in identifying transportation challenges along with potential solutions to address those gaps. Input and support from community members are crucial components in assuring that the completed Plan reflects the true needs of the City of Morgan Hill. Staff from VTA, City of Morgan Hill, and the Morgan Hill Chamber

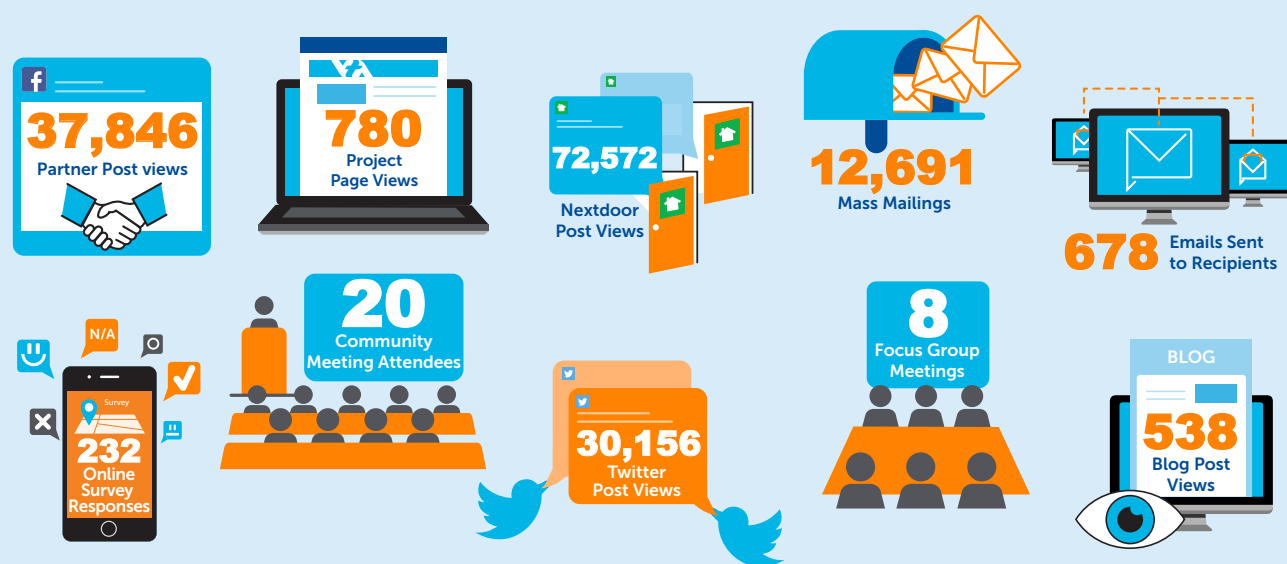
of Commerce partnered to involve residents, the school district, and community-based organizations servicing the Morgan Hill community throughout the planning process.

Community Outreach Plan and Strategies

Community outreach activities were conducted from February through July 2019 with residents and various local stakeholders within the Morgan Hill area. The outreach strategies were designed to maximize community engagements and elicit information on current transportation needs. The main objective of the outreach process was to motivate low-income and other underserved residents to participate in voicing their concerns and gain a thorough understanding of the transportation gaps to better develop solutions and determine potential funding. Figure 5 shows a visual summary of the community outreach statistics.

Figure 5

Summary of Public Outreach Efforts



CBTP Steering Committee

A Steering Committee comprised of representatives from a wide range of interests that have a stake in the community was convened to help the CBTP planning process satisfy the objective of reaching out to underserved residents. The Steering Committee members provided valuable input on the transportation challenges of the population that their groups and/or agencies serve and offered the opportunity for the Project Management Team to acquire more in-depth information of the study area.

Additionally, many Steering Committee members agreed to assist with the outreach process by promoting the CBTP effort on various channels (social media, newsletters, etc.), distributing comment cards, and hosting suggestion boxes in their facilities to collect completed comment cards. The Steering Committee included members from the following groups and/or agencies:

- Morgan Hill Unified School District
- Morgan Hill Youth Development and Outreach
- Morgan Hill Bicycle and Pedestrian Advocacy Group (BPAG)
- Morgan Hill Older Adult Services
- Gavilan College, Morgan Hill Campus
- Community Christian Church
- Eden Housing Incorporated (affordable housing complexes)

Outreach Strategies and Materials

The Project Management Team and the Steering Committee collaborated to develop a comprehensive outreach strategy to identify the appropriate communication methods for achieving maximum project exposure. Since community participation is vital to the success of the CBTP, the project management team employed various communication tools and channels, such as mass mailings, social media, and in-person meetings, to inform the public of the Morgan Hill study. Outreach materials were designed to be as accessible to the public as possible. Whenever feasible, materials were

Steering Committee Members

John Horner – President, Morgan Hill Chamber of Commerce

Tiffany Brown – Associate Planner, City of Morgan Hill

Chris Ghione – Director of Community Services, City of Morgan Hill

Christina Turner – City Manager, City of Morgan Hill

Edith Ramirez – Economic Development Director, City of Morgan Hill

Debbie Vasquez – Adult Services Supervisor (Senior Center), Centennial Recreation Center (CRC)

Kathleen Rael – Director of Transportation, Morgan Hill Unified School District (MHSD)

Chiquy Mejía – Youth Development & Outreach Coordinator, Youth Action Council

Lisa Aragon – Committee Chairperson, (BPAG)

Jennie Tucker – Recreation Manager, Centennial Recreation Center (CRC)

Kyle Windsor – Senior Pastor, Community Christian Church

Felicia Britton – Workability Coordinator, Morgan Hill Unified School District

Linda Bernabe – Director, Gavilan College Morgan Hill Campus

Brenda Preston – Supervisor of Transportation, Morgan Hill Unified School District

John Lang – Economic Development Manager, City of Morgan Hill

Rebecca Garcia – Housing Manager, Housing Programs

Darmin Trokic – Property Supervisor, Eden Housing Inc.

translated to Spanish and Chinese in addition to English to capture the needs of the non-English speaking residents in the community. The following sections explain in greater detail how each communication tool was used to promote the project and encouraged Morgan Hill residents to provide feedback during the outreach phase of the CBTP.

Comment Card

A comment card was created to acquire information on transportation concerns and gather feedback on the type of improvements the community wants to see. The comment card was available digitally and in paper form as well as provided in three different languages, English, Spanish, and Chinese. An option for translations into other languages was available if requested. The digital copy of the comment card was accessible through VTA's CBTP project webpage, while the physical copy version was distributed out to Steering Committee members and placed at key locations in the City of Morgan Hill, such as the Centennial Recreation Center, Senior Center, Morgan Hill Library, and City Hall. Figure 6 shows an image of the comment cards and collection box. The different comment card formats increase the accessibility to the document with the possibility that more community members will be able to provide input.

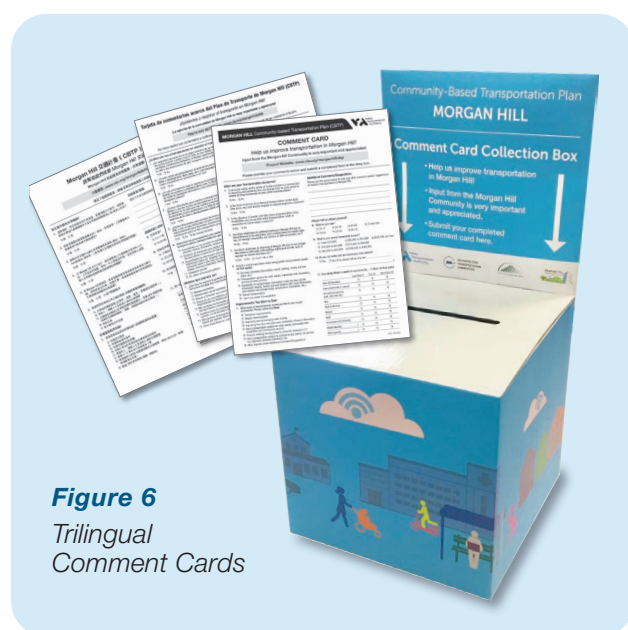


Figure 6
Trilingual
Comment Cards

The comment card included five components: 1) questions regarding transportation concerns, 2) a question listing types of improvements the community wants to see, 3) a blank space to write additional comments and/or suggestions, 4) questions regarding demographic information, and 5) a question on the number of times a week the respondent travels using different modes of transportation.

Outreach Events: Presentations, Focus Group Meetings and Tabling

The Project Management Team engaged in many types of outreach events to have more opportunity to interact with and hear from Morgan Hill residents. The events ranged from informal one-on-one stakeholder meetings to tabling at a community-wide event to hosting smaller focus group meetings with target population. Table 9 on the following page shows a complete list of outreach events attended by project staff.

The outreach events incorporated different types of materials and medium to tailor to the purpose and audience of each meeting. For example, focus group meetings with the Morgan Hill Youth Action Council (YAC) involved a short PowerPoint presentation and interactive activity with poster boards, while focus group meetings at the senior apartment complexes had roundtable style discussions and information sharing. VTA and the City of Morgan Hill placed an importance on reaching out to youth, low-income individuals, and older adults in Morgan Hill to obtain their feedbacks as they are the population with the greatest barriers to mobility. Furthermore, project staff also participated in other types of outreach in addition to focus group meetings such as tabling and presentation to the Morgan Hill Parks & Recreation Commission. Staff tabled at the 2019 Showcase Morgan Hill Business Expo at Live Oak High School on April 11, 2019 and presented to the Commission on May 21, 2019. Figure 7, on the following pages, shows pictures from the events.

Table 9
CBTP Morgan Hill Outreach Events

LEGEND: Internal meeting or presentation with public agencies / project partners One-on-one outreach Focus group outreach

Subject	Location	Date and Time
CBTP Morgan Hill Team Kick-Off Meeting	City of Morgan Hill (Conference room - DSC Grand)	1/30/19, 1 PM
Meeting with Chamber of Commerce	Chamber of Commerce & Visitors Center, Morgan Hill	2/8/19, 10 AM
Meeting w/MH Unified School District (Kick-off part 2)	Morgan Hill Unified School District Office, Morgan Hill	2/14/19, 4 PM
Steering Committee Meeting #1	Morgan Hill Senior Center	2/26/19, 2 PM
Youth Action Council (YAC) meeting	Morgan Hill Senior Center (CRC), Morgan Hill	3/5/19, 5 PM
One-on-One meeting with Lisa Aragon (BPAG)		3/13/19, 3 PM
Presentation to Morgan Hill BPAG	Morgan Hill Council Chambers, Morgan Hill	3/14/19, 6 PM
Steering Committee Meeting #2	Centennial Recreation Center (CRC), Morgan Hill	3/28/19, 2 PM
Tabling at Morgan Hill Business Expo	Live Oak High School (Gymnasium), Morgan Hill	4/11/19, 12 PM
Sycamore Glen, Community Meeting	Sycamore Glen Apts. Community Room, Morgan Hill	4/19/19, 10 AM
Presentation at Senior Nutrition Program	Centennial Recreation Center, Morgan Hill	4/24/19, 11 AM
Presentation at Bella Terra Senior Apartments	Bella Terra Sr. Apts. Community Room, Morgan Hill	4/24/19, 2 PM
MH Property Managers Mtg. on Older Adult Transportation	Morgan Hill City Hall	4/25/19, 9 AM
Meeting w/ Jessica Perez (St. Catherine Church)	St. Catherine of Alexandria Catholic Church, Morgan Hill	4/25/19, 2 PM
Meeting w/ Mayor Constantine & Councilmember Carr	Morgan Hill City Hall	4/30/19, 9 AM
YAC Meeting (Follow Up & Survey)	Morgan Hill Senior Center (CRC)	5/7/19, 5:30 PM
Presentation to Kiwanis International	Kiwanis Club of Morgan Hill	5/7/19, 6:50 PM
Presentation at Jasmine Square Apts (Resident's Com. Mtg.)	Jasmine Square Apartments, Morgan Hill	5/8/19, 5:30 PM
Meeting at Horizons Senior Apartment	Horizons Senior Housing, Morgan Hill	5/13/19, 3 PM
Presentation to Morgan Hill Parks & Recreation Commission	Morgan Hill City Hall	5/21/19, 7 PM
Meeting w/ Boy & Girls Club in Morgan Hill	Galvan Park, Morgan Hill	5/23/19, 2 PM
CBTP Morgan Hill Community Workshop	Morgan Hill Council Chambers, Morgan Hill	5/29/19, 6 PM
Meeting with key local stakeholders + PMT	Morgan Hill City Hall	6/13/19, 2 PM
Meeting with Santa Clara County Staff	Santa Clara County Roads & Airports Dept., San Jose	6/26/19, 2 PM
Meeting with Caltrain (Survey Results + Programs)	Samtrans/Caltrain Office, San Carlos	7/16/19, 2:30 PM
Youth Leadership Program (presentation & workshop)	Community Cultural Center, Morgan Hill	7/23/19, 1 PM
CBTP Morgan Hill: Check-In & Next Steps	Morgan Hill City Hall	7/31/19, 2 PM

Figure 7
CBTP Morgan Hill Outreach Events

Youth Action Council Workshop



Presentation to Kiwanis International



Outreach Tabling Event



Community Meeting

A Community Workshop was held on May 29, 2019 at 7:00 pm at the Morgan Hill Council Chamber. The Community Workshop allowed residents to have open dialogues with the Project Management Team about their transportation needs and offer suggestions on potential improvements. In addition, representative from VTA Access, VTA's Paratransit Services, was present to answer and clarify any questions the residents may have regarding the service. Poster boards and large maps of the City of Morgan Hill were displayed to engage attendees and provide visual representation for the areas of concern. Twenty individuals attended the Community Workshop.

VTA's Blog Posts

The Project Management Team also employed blog posts on VTA's website and websites of project's partners to encourage community members to be involved in the Morgan Hill CBTP project. Two blog posts shared on VTA's website, titled "Share Your Ideas for Transportation Solutions in Morgan Hill" on May 22nd, 2019 and "Morgan Hill Kids Weigh In" on July 24th, 2019 received 299 and 239 views, respectively, for a total of 538 blog posts views. Figure 8 shows the blog posts on VTA's website.

Postal Mailings and Flyers

Flyers publicizing the Community Workshop and the project webpage were distributed to residents, including youth and low-income individuals. Flyers were disseminated at elementary and middle schools in the Morgan Hill Unified School District, to residents living in the Census Tract deemed Community of Concern by MTC, and also on VTA Express Bus routes serving Morgan Hill. In total, 6,196 flyers were sent to schools and 299 flyers were placed on Express Buses. Additionally, 6,196 mass mailings were sent to residents within the Community of Concern boundary. A total of 12,691 flyers and mailers were delivered to community members for the Morgan Hill CBTP project. Figure 9 displays the flyer and mailer that was sent out.

Figure 8
Blog Posts on vta.org

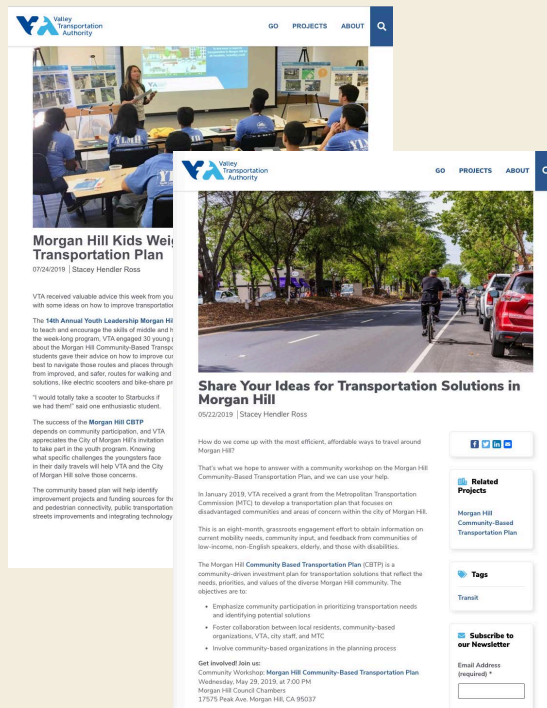
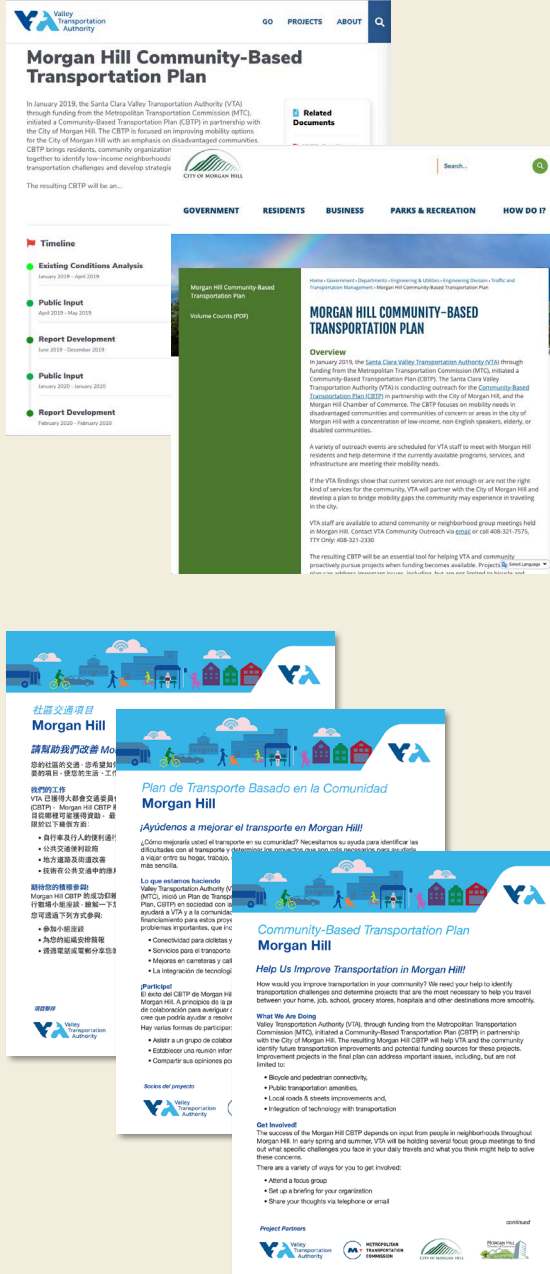


Figure 9
Outreach Mailer



Figure 10*Project Webpages and Fact Sheets***Project Webpage**

Project webpages were created on the websites of VTA and City of Morgan Hill in English with general information regarding the CBTP effort, including purpose, project area, project timeline, and ways for residents to get involved. Fact sheets in English, Spanish and Chinese along with other related documents are also accessible on the project webpages. The VTA's CBTP project webpage has been viewed 780 times since its inception to the time of this writing. Figure 10 showcase the webpages and the fact sheets. Community members are able to request a presentation and additional meetings from project staff for their neighborhood or organization as well as sign up to be on the project's e-mail distribution list, which sends notification on any updates and upcoming meetings for the project. At the date of this writing, a total of 678 emails were sent to the subscribers on the project's distribution list.

**Social Media and Newsletters**

VTA and project partners promoted the CBTP effort through various social media channels, such as Facebook, Twitter, LinkedIn, and Nextdoor, to reach a broader audience. In addition to the social media channels, Ann Sobrato High School included information on the CBTP in their May Newsletter that reached 300 students. To the date of this writing, the CBTP project received 30,156 Twitter views, 72,572 Nextdoor post views, and 37,846 Facebook post views.

Community Outreach Findings

The Project Management Team gained valuable knowledge on transportation needs and the desired improvements from the Morgan Hill residents through the numerous community outreach activities conducted for the CBTP planning process. This section summarizes the comment card results and the comments received from outreach events. The feedbacks received were used to guide the

development of transportation proposals, which are further described in Chapter 4.

Comment Card Multiple Choice Questions Results
A total of 308 comment cards were collected between April 29th through June 7th, 2019; 232 of them were digital responses and 76 were paper responses collected at focus group meetings or from the comment card collection boxes. Figures 11 and 12 illustrate the summary of the online survey responses.

Figure 11
Results of Comment Card Survey

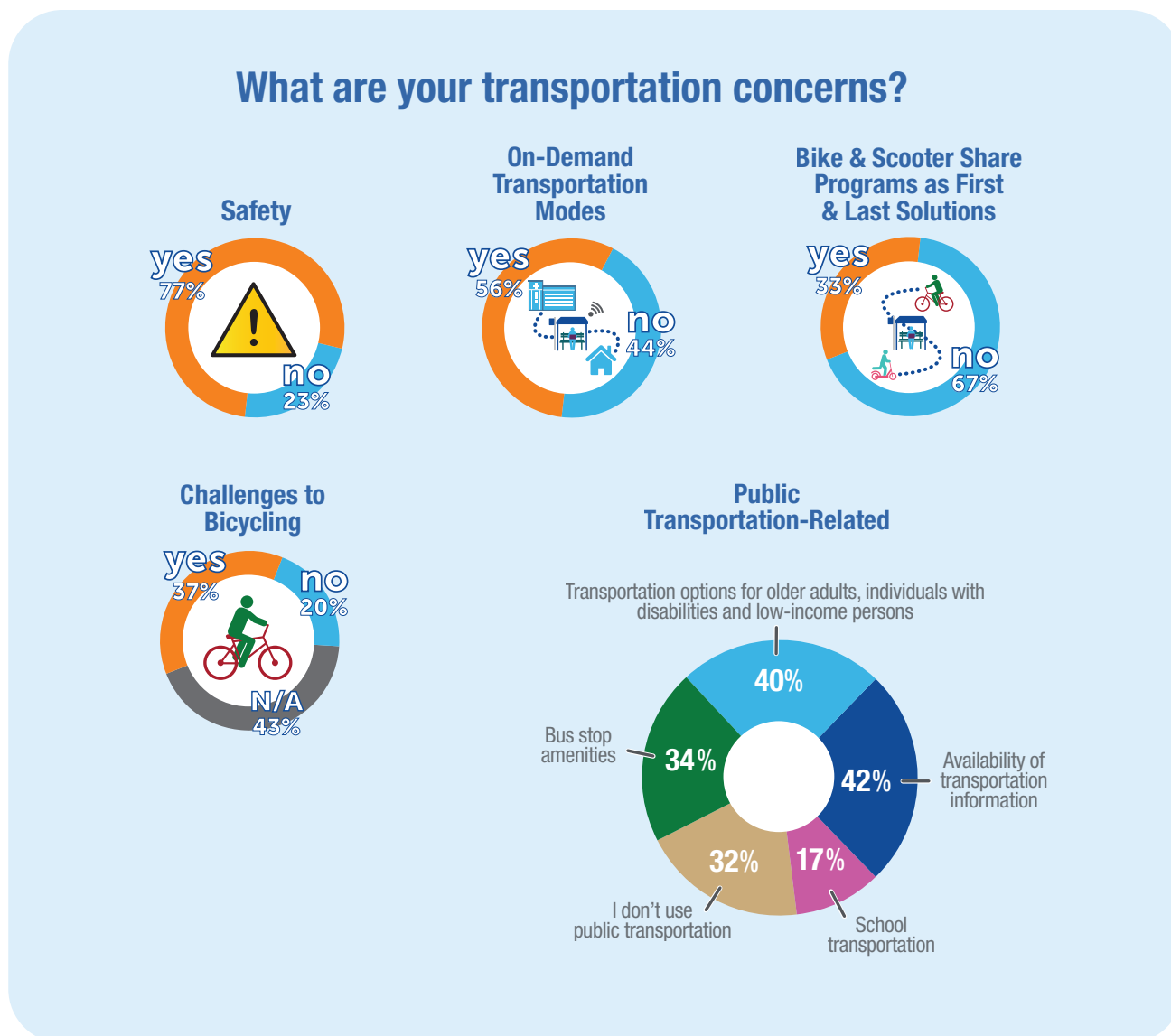
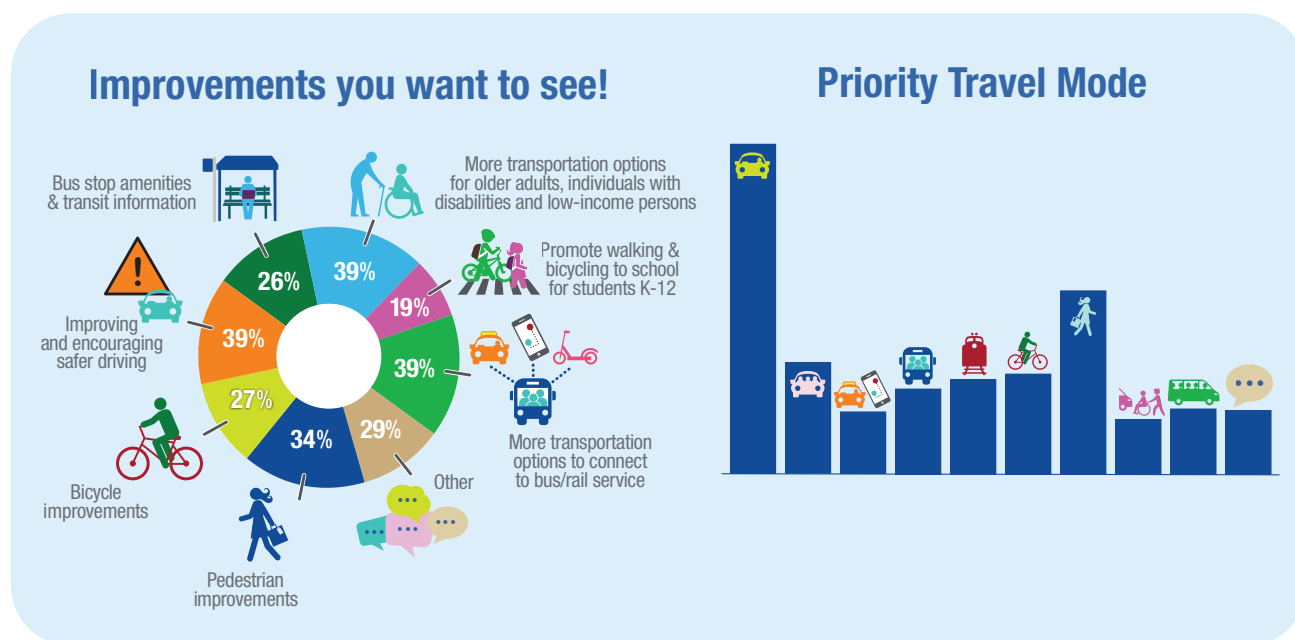


Figure 12
Results of Comment Card Survey (continued)



Key findings from the questions on the comment cards are highlighted below:

- Almost 80% says safety is a concern due to speeding, distracted drivers, not enough time to cross street or unsafe turning movements by cars when crossing the street
- Around 56% says that the current level of service of on-demand transportation modes (Lyft, Uber, taxis, vanpool and/or carpool) programs is a concern
- Close to 67% of respondents says that the absence of scooter and bike share programs (Bird, Lime, etc.) as an alternative transportation mode or transit stops connection is not a concern for Morgan Hill
- Approximately 65% of respondents believe there are challenges to walking and traveling in Morgan Hill due to discontinuous or no sidewalks, lack of street trees for shade, lighting, not enough crosswalks, not seniors or ADA-accessible
- When asked if there are challenges to bicycling in Morgan Hill due to not enough bike lanes or bike path, bike parking, lighting of streets, lack of signage for shared bike lane, etc.; 37% of respondents said yes, 20% said no, and 43% said they do not ride a bike
- The top three concerns regarding public transportation are 1) availability of transportation information such as route information, schedules, and maps, 2) transportation options for older adults, individuals with disabilities, and low-income persons, and 3) Bus stop amenities including bus shelter, bench, lighting, clearly marked signage
- The top three improvements desired by respondents are 1) more transportation options to connect to bus and/or rail service, 2) improving and encouraging safer driving, and 3) more transportation options for older adults, individuals with disabilities, and low-income persons.

Comment Card Suggestions Results

The following section summarize some of the feedbacks received on the suggestion portion of the comment card. The comprehensive list of comments is included in Appendix B. The comments are broken down into 6 different categories to aid the Project Management Team in organizing the responses, the categories are as followed: 1) transit and shuttle, 2) transit amenities, 3) local street and road improvements, 4) bicycle and pedestrian improvements, 5) freeways and congestion, and 6) technology related and others. Figure 13 shows an example of concerns and suggested improvements for each category).

Transit and shuttles

Many comments addressed the limitations of bus and rail services in Morgan Hill, specifically coverage

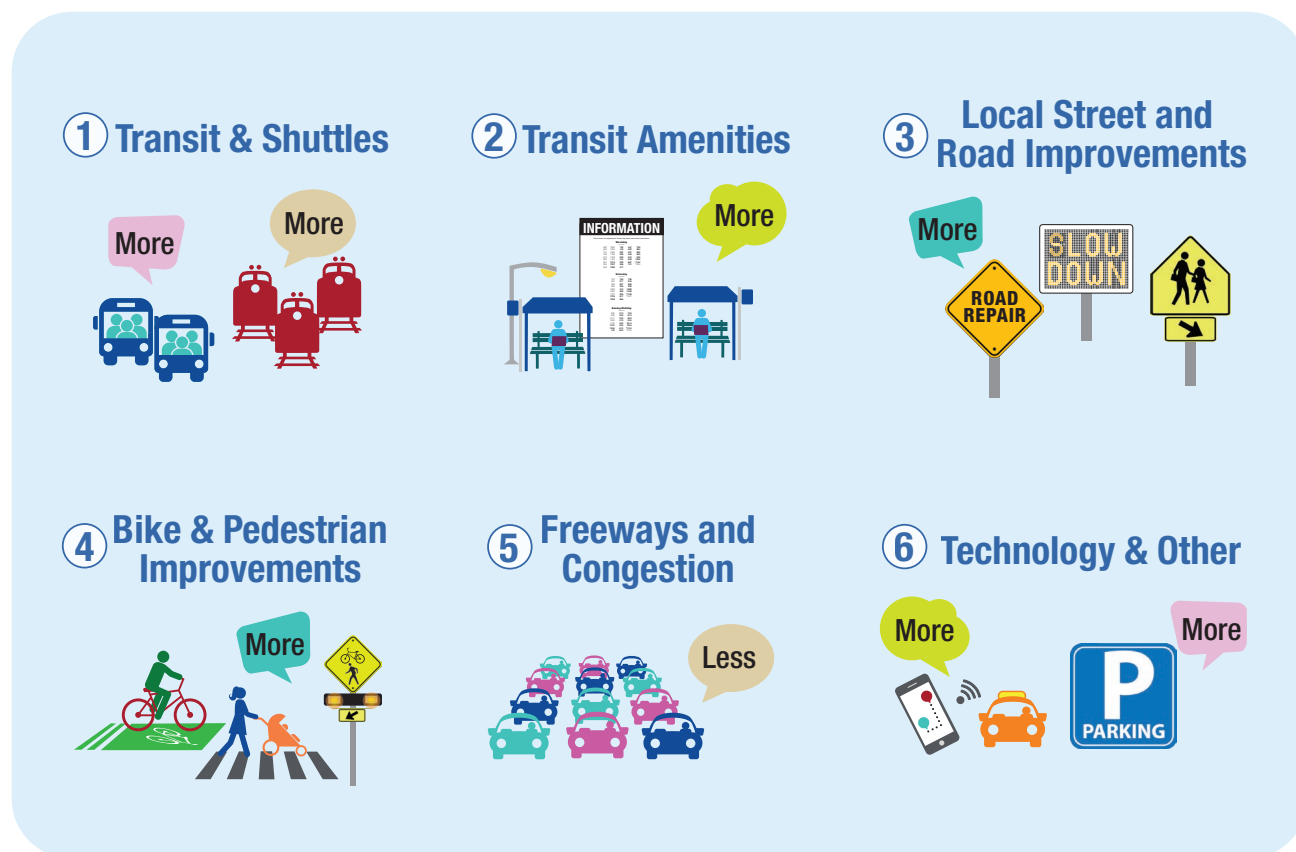
of the bus network and the infrequency of Caltrain stopping at the Morgan Hill station. Respondents suggested increasing Caltrain service to the Morgan Hill station on weekdays and weekends along with the expansion of local bus routes or creation of shuttle services to encompass more of the city in order to serve popular destinations.

Transit amenities

Residents suggest making public transit information, such as schedule, fare rate, route, more readily available to the public. Suggestion includes increase in marketing of VTA's services and promoting on how it can integrate with Caltrain's services. Another resident expressed concern regarding the maintenance of bus stop facilities and the lack of bus stop amenities such as lighting, benches, and shelters.

Figure 13

Most popular suggestions and concerns on Comment Card



Local street and road improvements

Community members raised a concern with speeding through downtown and major arterial roads, such as Butterfield, East Dunne, Hill. Several comments advised increasing crosswalk enforcement and ensuring that speed limits are being honored. Other concerns mentioned pot holes and uneven pavements on popular roads in and near the City limit, notably Santa Teresa Road, Bailey Road, and Monterey Road. Many suggested to improve the pavement condition on these major roads.

Bicycle and pedestrian improvements

Several voiced concerns about the lack of sidewalks near popular destinations, difficulties in walking/biking across freeway interchanges and lack of crosswalks. Comments suggests a more comprehensive protected bike lane network, continuous sidewalks and additional flashing beacon crosswalks within City limits.

Freeways and congestion

Comments discussed traffic congestion on 101 and Monterey Road during commute hours and suggests developing a long-term infrastructure plan for Morgan Hill to address congestion more effectively.

Technology and other

The unreliability of hailing Uber and Lyft in Morgan Hill is a concern as well as the limited parking spaces throughout the city. Support for scooter and bike share programs is mixed.

Comments Received from Focus Group Meetings and Community Meeting

The following section recaps the feedback received from over 10 focus group meetings and a community meeting held on May 29th, 2019. Like the previous section, the comments are also separated into six categories. The comprehensive list of comments from focus group meetings and the community meeting is included in Appendix B.

Transit and shuttles

Similar concerns involving the availability and timing of Caltrain were expressed. Residents want to see

more trains stopping at the Morgan Hill station. Other comments suggested better transit connections from Morgan Hill to other cities in Santa Clara County and door to door/shuttle services that are ADA-accessible at an affordable price, especially for older adults. An individual stated that public transportation does not serve many of the senior complexes in the City limit, such as the Lodge, Huntington, Woodland Estates, and Casa Loma. Several individuals also articulated concerns regarding the inconsistency of pick-up/drop-off times and the ride scheduling system of the VTA Access Paratransit Service.

Transit amenities

Community members recommended an increase in marketing of VTA's services and schedules to a wider audience as well as adding digital displays of real-time transportation information at stops.

Local street and road improvements

Comments from the in-person meetings echoed those from the surveys in that speeding and poorly paved roads are some of the top concerns.



Bicycle and pedestrian improvements

Included are comments from not only the residents but also from the City of Morgan Hill's Bicycle Pedestrian Advocacy Group (BPAG). Several residents commented that they do not feel safe bicycling due to narrow streets and the absence

of bike lanes or shared lane markings. The BPAG brought up concerns relating to bicycle commuting, especially on popular roads in Morgan Hill and the connectivity of trails from San Jose to Morgan Hill. Bicycle commuters experience difficulties on Butterfield Blvd section, on Bailey Ave to Hale Ave to Santa Teresa Blvd, and on county roads. The BPAG suggested educational safety classes to educate drivers and bikers along with campaigns and signage improvement to promote bicycling.

Recommendations for pedestrian improvements include constructing wide and continuous sidewalks on Monterey Road, installation of blinking light crosswalks, and increasing pedestrian safety at Burnett Ave near Sobrato High School.

Freeways and congestion

Comments advocate for traffic signal retiming through downtown to relief congestion during the evening commute. Traffic congestion at major intersections with US 101, such as Cochrane and Monterey, and along US 101 during commute hours was one of the top concerns. Several comments suggested that US 101 be expanded south of Hwy 85.

Technology and other

The difficulty in hailing a TNC in Morgan Hill was mentioned again along with an interest in bike share and scooter share if they do not interfere with the roads or sidewalks.

Evolving the Comments Received into Transportation Proposals

The Project Management Team reviewed the comments received through the outreach process and developed transportation proposals to best address as many needs or concerns expressed by the community as possible. The transportation proposals in the CBTP won't be able to address all of the comments collected, however, the Project Management Team is committed to cooperating with other local agencies to seek out opportunities to incorporate the comments in the future. The following Chapter 4 will explain the transportation proposals in details and rank each by a set of criteria to prioritize the most plausible proposals.

Get to Know the City of Morgan Hill!

Morgan Hill Downtown...It's Happening!

Morgan Hill's ideal location offers residents and visitors a vibrant Downtown, year-round outdoor recreational activities, including cycling, golfing, swimming, and boating. You can visit dozens of award-winning wineries via the new Santa Clara Valley Wine Trail, watch the annual Tarantula migration at Henry W. Coe State Park, set up camp in Coyote-Lake Harvey Bear Ranch Park, go boating at Anderson Lake County Park or simply go for a cool dip at the state-of-the-art Morgan Hill Aquatics Center.

Additionally, Downtown Morgan Hill is the South Silicon Valley culinary and entertainment mecca with more than 30 restaurants offering diners wonderful selections for any palate. The historic downtown offers charming boutiques, public art displays, year-round Farmers' Market, and special events and festivals that attract 250,000 visitors each year. Popular events such as the Mushroom Mardi Gras, the Fourth of July Parade and the Taste of Morgan Hill are family favorites. You can find art walks, brew crawls and wine strolls throughout the year.

To learn more about Morgan Hill and explore restaurants in Downtown, visit:

<https://www.morgan-hill.ca.gov/1150/Morgan-Hill-Downtown-Its-Happening>



CHAPTER 4 Transportation Proposals and Funding Sources

In this chapter:

1. An overview of all transportation proposals
2. A list of the evaluation criteria used to assess each proposal
3. Evaluation results of proposals
4. A detailed description of each proposal
5. An explanation on funding sources and opportunities
6. An action plan matrix to track progress of proposals after the completion of the CBTP process

Through the collaboration with Morgan Hill residents and local stakeholders, the Project Management Team was able to match the needs and challenges heard from the community with ongoing or upcoming project proposals. These proposals were then prioritized by a set of criteria to help the Project Management Team and the Steering Committee know where to focus their efforts, especially with low hanging fruits or upcoming funding opportunities that the proposals have the potential to compete for.

Summary of Transportation Proposals

The Morgan Hill CBTP contains 20 transportation proposals that aim to address transportation challenges identified by community members during the outreach



process. The proposals are grouped into five categories of improvements as followed:

- Freeway Improvements and Congestion Management
- Bicycle and Pedestrian
- Transportation Options and Services
- Public Transportation Amenities, and
- Public Transportation Improvements

Out of the 20 proposals, 6 proposals have full funding that will allow for their implementation in the near-term. Additional information on the funding sources and opportunities for the other 14 proposals on the list is available in a later section, Funding Sources and Opportunities. **The Steering Committee and the general public will have opportunities to comment on the proposals before incorporation into the final version of the plan.** When considered as a whole, the list of transportation proposals presents a realistic, comprehensive, and multimodal approach to minimizing the transportation gaps in Morgan Hill.

Evaluation Criteria for Transportation Proposals

A set of criteria was created by the Project Management Team to evaluate each transportation proposal on whether a project lead exists and what the implementation timeline would be. The criteria also categorize financial feasibility, implementation feasibility, and community benefits from low, medium, or high. There are five different criteria that the proposals are measured against. The explanation for the criteria is as followed and summarized in Table 10.

Identified Lead Agency

This criterion considers whether a champion for the proposal exists and currently has the capability to manage the project. The lead agency will assume leadership role in securing funding and dedicating staff time along with other resources to push the proposal to the implementation phase.

Financial Feasibility

The Project Management Team considered several factors for the financial feasibility criterion, such as whether the cost is reasonable compared to the number of people who will benefit from the proposal. The group also examined if (and when) funding might be available to plan, construct, operate, and/or maintain the proposed projects and programs.

Implementation Feasibility

The Project Management Team looked at how easily the proposals can be implemented given existing conditions and factors, such as political, technology, safety, etc. Another vital component to successful implementation is the opportunity for partnerships amongst multiple organizations. The coordination of agencies can increase available funding opportunities, speed up implementation, and generate a broader support for the proposal. This criterion looks at whether there is a potential to collaborate between the lead agency and other organizations.

Community Benefits and Relevance

The criterion evaluates whether the proposal address the transportation challenges identified through the

Table 10

Evaluation Criteria and Types of Categories Associated

Criteria	Type of Categories
Identified Lead Agency Does the proposal have an agency that will take a leadership role in securing funding and dedicating staff time along with other resources to push the proposal to implementation?	Yes or No
Financial Feasibility <i>Cost effectiveness:</i> Is the cost of the proposal reasonable as compared to the number of people who will benefit? <i>Funding availability/sustainability:</i> Are there funding sources identifiable and likely to be available to construct or operate the proposal?	Low, Medium, or High
Implementation Feasibility <i>Ease of implementation:</i> Can the proposal be easily implemented given existing conditions and factors, such as political, technology, safety, etc.? <i>Potential for coordination between multiple organizations:</i> Because partnerships can increase available funding opportunities, speed up implementation, and generate a broader support for the proposal, is there a potential to collaborate between the lead agency and other organizations?	Low, Medium, or High
Community Benefits/ Relevance Do the proposal address transportation challenges identify through the Morgan Hill CBTP public outreach process? Do the proposal have benefits to populations with the greatest needs and/or underserved community, especially those with the greatest barriers to mobility? Is there community support and other benefits associated with the proposal, whether it would be environmental, public safety, congestion relief, etc.?	Low, Medium, or High
Implementation Timeline Near-term (within 3 years), Mid-term (3-6 years), and Long-term (7+ years)	Near-, Mid-, or Long-Term

Morgan Hill CBTP public outreach process. It also considers whether it benefits the populations with the greatest needs and/or underserved communities, especially those with the greatest barriers to mobility. The Project Management Team also takes into consideration whether there is community support for the proposal and whether there are other benefits associated with the proposal, including environmental, public safety, congestion relief, etc.

Implementation Timeline

This criterion examines the time frame that the proposal can reasonably be implemented and is dependent on several factors, such as the readiness of the lead agency to take a leadership role and/or when funding opportunities that aligns with the proposal will become available. Near-term is defined as the proposal being implemented within 3 years, mid-term within 3-6 years, and long-term in 6 or more years.

Evaluation Results

The 20 transportation proposals were assessed using the evaluation criteria through qualitative analyses and in-depth discussions between the Project Management Team and other public agencies. The Steering Committee members and the public is encouraged to make suggestions on the evaluation of the proposals before incorporation into the final version of the plan. Each proposal was assigned as low, medium, or high under the different criteria. The criteria do not rank the proposals in any order, nor do they suggest that some proposals are more valuable than others, just that some may have more barriers to overcome to reach implementation. Regardless, the Project Management Team, decision makers, and community members can use the criteria to compare the benefits and feasibility of each transportation proposal. The criteria can also be used to inform decisions and rally support for the proposal. Table 11 on the following page provides a summary and greater explanation on the evaluations of each proposal.

Table 11
Evaluation of each proposal

ID #	Proposal/Project Name	Identified Lead Agency	Financial Feasibility	Implementation Feasibility	Community Benefits/Relevance	Implementation Timeline
1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)			Funded		
2	Signalize Santa Teresa Blvd & Watsonville Road intersection	No(?)	High	High	Medium	Long-Term
3	Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave intersection	No(?)	Low/Medium(?)	Medium	Low	Long-Term
4	Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmundson Avenue (Phase II)	(No?)	Medium	Medium	Medium	Near-Term
5	Expansion of Highway 101 adding one additional express lane through Morgan Hill	No	Low	Low	Medium	Long-Term
6	Traffic Signal Intelligent System Management for regional traffic and major arterial streets	No	Low/Medium(?)	Low	Low	Long-Term
7	Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety	(No?)	Medium	Medium	High	Near-to Long-Term
8	Citywide Pedestrian Safety Improvements	Yes	Medium	Medium	High	Near- to Long-Term
9	School Safety Improvements	Yes	Medium	Medium	High	Near- to Long-Term
10	Main Avenue Bike Lane and Sidewalk Project			Funded		
11	Madrone Channel Trail	Yes	Medium	Medium	High	Near-Term
12	West Little Llagas Creek Trail	Yes	Medium	Medium	High	Near-Term
13	Safe Routes to School Program Implementation	Yes	High	Medium	High	Medium-Term
14	Watsonville Road Multi-use Trail	Yes	Low	Medium	High	Medium-Term
15	Rider's Choice Pilot Program			Funded		
16	Mobility Assistance Program (MAP)			Funded		
17	Regional Means-Based Fare Discount Program			Funded		
18	Volunteer Driver Program Expansion	Yes	High	Medium	High	Short-Term
19	Morgan Hill Transit Amenities Improvement Project			Funded		
20	Caltrain Grade Separation at Tennant Avenue and Dunne Avenue	No	Low	Low/Medium(?)	High	Long-Term

Description of Transportation Proposals

This section provides detailed descriptions of all proposals grouped by the type of improvements. There are six proposals under the Freeway Improvements and Congestion Management group, eight under the Bicycle and Pedestrian group, four

under Transportation Options and Services group, one under Public Transportation Amenities, and one under Public Transportation Improvements. The proposals are presented below and in a table format under the Action Plan Matrix section.

Freeway Improvements and Congestion Management

1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)		
	Proposal Details Construction of a 2-lane road connection with trail Hale Avenue/ Sunnyside Avenue from Edmondson Avenue to W. Main Avenue. This proposal is one of the 20 candidate projects identified under 2016 Measure B County Expressways Program to relieve congestion, improve safety, and increase the effectiveness of the expressway system in the county. The proposal was also included in the Expressway Plan 2040 completed in 2017 by the County of Santa Clara Roads and Airports Department.	Community Need Improvement of local roads and streets.	Estimated Costs \$13.5 M
	Implementation The implementation timeline for this proposal is near-term (within 3 years). The proposal is a collaboration between the County of Santa Clara and the City of Morgan Hill.		
	Acquired or Potential Funding Sources This proposal has been fully funded through VTA's 2016 Measure B County Expressways Program with City match contribution. For more information on the 2016 Measure B program, visit: https://www.vta.org/projects/funding/2016-measure-b .		
2	Signalize Santa Teresa Blvd & Watsonville Road Intersection		
	Proposal Details Signalize intersection and add an eastbound left-turn lane.	Community Need Improvement of local roads and streets.	Estimated Costs \$1M as of 2008 estimate
	Implementation The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.		
	Acquired or Potential Funding Sources There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.		

3

Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave Intersection**Proposal Details**

Signalize intersection.

Community Need

Improvement of local roads and streets.

Estimated Costs

\$0.6 M as of 2008 estimate

Implementation

The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.

4

Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmondson Avenue (Phase II)**Proposal Details**

Construction of a 2-lane road connection between Sunnyside and Dewitt at W. Edmondson and add trail at Sunnyside Ave to DeWitt Ave. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and the County Expressway Plan 2040. To access Morgan Hill's General Plan 2035, visit:
<https://www.morgan-hill.ca.gov/75/General-Plan>

Community Need

Improvement of local/regional roads and streets

Estimated Costs

\$12 M

Implementation

The implementation timeline for this proposal is long-term (6+ years). Collaboration between City of Morgan Hill and County of Santa Clara is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. The City of Morgan Hill and the County of Santa Clara will continue to work together to identify a funding source in the future.

5

Expansion of Highway 101 adding one additional express lane through Morgan Hill**Proposal Details**

Construction of express lanes south through Morgan Hill. The proposal has been identified in the US-101 Comprehensive Corridor Plan and the Transportation Element of the City of Morgan Hill's General Plan. The proposal falls under future phases of VTA's Silicon Valley Express Lanes Program, which aims to increase efficiency of existing roadway by allowing carpoolers and motorcyclist to use for free and by single occupant vehicles to use for a toll paid with a FasTrak transponder. For more information on VTA's Silicon Valley Express Lanes Program, visit:
<https://www.vta.org/programs/silicon-valley-express-lanes>

Community Need

Improvement of highway

Estimated Costs

\$110 M

Implementation

The implementation timeline for this proposal is long-term (6+ years). In-depth discussions and cooperation between VTA, Caltrans, and the County of Santa Clara is needed to move the proposal forward. Before VTA can consider moving this proposal forward, the agency is focusing on delivering Phases 3 and 4 (US 101 and SR-85) of the Express Lanes Program by 2021.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. Local jurisdictions will continue to work together to identify funding sources in the future.

6

Traffic Signal Intelligent System Management for regional traffic & major arterial streets**Proposal Details**

Addition of hardware and software to manage traffic signals on major arterial streets in an integrated system, improving traffic congestion. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and the County Expressway Plan.

Community Need

Improvement of local roads and streets.

Estimated Costs

\$1.3 M

Implementation

The implementation timeline for this proposal is medium-term (3-6 years). Collaboration between City of Morgan Hill and VTA is needed to move the proposal forward.

Acquired or Potential Funding Sources

There are currently no funding sources dedicated towards this proposal. Local jurisdictions will continue to work together to identify funding sources in the future. Potential funding sources include 1) Measure B Local Streets and Roads Program, as the City of Morgan Hill's Pavement Condition Index (PCI) is over 70, and 2) Senate Bill (SB) 83 Vehicle Registration Fund (VRF). For more information on Measure B Local Streets and Roads Program, visit:
<https://www.vta.org/projects/funding/2016-measure-b>.

Bicycle and Pedestrian

7

Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety

Proposal Details

Striping, sidewalk and signal improvements at approximately 30 intersections through the City per Bikeway Master Plan. The proposal is also identified in the Transportation Element of the City of Morgan Hill's General Plan.

Community Need

Improvement of bicycle and pedestrian infrastructures

Estimated Costs

\$5 M +

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Measure B Local Streets and Roads Program, as the City of Morgan Hill's Pavement Condition Index (PCI) is over 70, and 2) Transportation Development Act (TDA) Article 3 Program available for use on bicycle and pedestrian projects. For more information on Measure B Local Streets and Roads Program, visit: <https://www.vta.org/projects/funding/2016-measure-b>. For information on TDA Article 3 Program, visit: <https://www.vta.org/programs/congestion-management-program/grants>

8

Citywide Pedestrian Safety Improvements

Proposal Details

Addition of pedestrian activated enhanced crosswalk lighting at 12-20 locations. The proposal has been identified in the City of Morgan Hill's Vision Zero, which prioritize safety, create livable streets, and eliminate traffic fatalities. In-depth information on Morgan Hill's Vision Zero efforts can be found here: <https://www.morgan-hill.ca.gov/1676/Vision-Zero-Morgan-Hill>

Community Need

Improvement pedestrian infrastructures

Estimated Costs

\$800,000-\$1.5M

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Highway Safety Improvement Program (HSIP), and 2) Transportation Impact Fee in Morgan Hill. The HSIP is a core federal-aid program to States for the purpose of achieving a significant reduction in fatalities and serious injuries on all public roads. Information on HSIP can be found on Caltrans' website here: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/highway-safety-improvement-program>. The Transportation Impact Fee in Morgan Hill is dependent on new developments in the City, more information is available here: <https://www.morgan-hill.ca.gov/773/Impact-Fees>.

9

School Safety Improvements**Proposal Details**

Changes and enhancements to school frontages, adjacent crosswalks and other off-site facilities near schools. The proposal has been identified in the Transportation Element of the City of Morgan Hill's General Plan and Morgan Hill's Vision Zero.

Community Need

Improvement of school-related infrastructures

Estimated Costs

\$2 M-\$5 M

Implementation

The implementation timeline for this proposal varies from near-term (within 3 years) to long-term (6+ years) as there are multiple projects included. Collaboration between City of Morgan Hill, VTA and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

Some projects are already funded, while others are awaiting on funding. Potential funding sources include 1) Caltrans' Active Transportation Program (ATP) and 2) VTA's Vehicle Emissions Reductions Based at Schools (VERBS) Program. The ATP program is administered by Caltrans in order to encourage increased use of active modes of transportation, such as biking and walking. For more information on the ATP grant, visit: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program>. The VERBS program is focused on reducing greenhouse gases by promoting walking, biking, transit, and carpooling to school, targeting grades K-12. For in-depth information on the VERBS grant, visit: [https://www.vta.org/programs/congestion-management-program/grants#accordion-vehicle-emissions-reductions-based-at-schools-\(verbs\)-program](https://www.vta.org/programs/congestion-management-program/grants#accordion-vehicle-emissions-reductions-based-at-schools-(verbs)-program)

10

Main Avenue Bike Lane and Sidewalk Project**Proposal Details**

Buffered bike lanes and completion of sidewalk projects from Butterfield Avenue to Condit Road. The proposal was identified in the City of Morgan Hill's Bikeways Master Plan. To access the City of Morgan Hill's Bikeways, Trails, Parks and Recreation Master Plan, visit <https://www.morganhill.ca.gov/1429/Master-Plan-for-Parks-Trails-and-Bikeway>

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$650,000

Implementation

The implementation timeline for this proposal is near-term (within 3 years) and the City of Morgan Hill is the proposal sponsor.

Acquired or Potential Funding Sources

The proposal has been fully funded.

11

Madrone Channel Trail**Proposal Details**

Paving existing trail to create a Class 1 Bike/Pedestrian path from Cochrane Road to Tennant Avenue. The proposal has been identified in the City of Morgan Hill's Bikeways Master Plan and also in VTA's Countywide Bike Plan Update 2018. For more on VTA's efforts on the Countywide Bike Plan Update, visit: <https://www.vta.org/projects/santa-clara-countywide-bike-plan-update-2018>.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$1.4 M

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Discussions and collaboration between the City of Morgan Hill and VTA is needed to move the proposal forward.

Acquired or Potential Funding Sources

The proposal has been partially funded. Possible funding source to complete the project is the Caltrans' Active Transportation Program (ATP).

12

West Little Llagas Creek Trail**Proposal Details**

Paving existing trail to create a Class 1 Bike/Pedestrian path south from Watsonville Road to Silveira Lake and north from Spring Avenue to Ciolino Avenue. The proposal has been identified in the City of Morgan Hill's Bikeways Master Plan.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$1.5 M

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Partnership between the City of Morgan Hill and the Santa Clara Valley Water District is needed to move the proposal towards full funding.

Acquired or Potential Funding Sources

The proposal has been partially funded. Possible funding source to complete the project is the Caltrans' Active Transportation Program (ATP).

13

Safe Routes to School Program Implementation**Proposal Details**

Add one full-time Safe Routes to School Coordinator and increase Police Department support. The proposal supports the City of Morgan Hill's Vision Zero.

Community Need

Education and Outreach Program for School Age Youth

Estimated Costs

\$120,000 annually

Implementation

The implementation timeline for this proposal is medium-term (between 3-6 years). Partnership between the City of Morgan Hill, VTA, and the County Health Department is needed to move the proposal forward.

Acquired or Potential Funding Sources

There is currently limited Measure B funding for the proposal. The proposal may qualify for targeted technical assistance under Safe Routes to School program funded by Measure B and conducted by Santa Clara County's Public Health Department.

14

Watsonville Road Multi-Use Trail**Proposal Details**

Development of a new multi-use trail reusing existing right of way. Pedestrian crossings at multiple locations. The proposal has been identified in City of Morgan Hill's Bikeways Master Plan.

Community Need

Improvement of bicycle & pedestrian infrastructures

Estimated Costs

\$3.5 M

Implementation

The implementation timeline for this proposal is medium-term (between 3-6 years). The City of Morgan Hill is the project sponsor for this proposal.

Acquired or Potential Funding Sources

The proposal is currently unfunded, but a grant application has been submitted and is awaiting response. Potential funding sources for the proposal includes 1) Recreational Trails Program (RTP) through the California Department of Parks and Recreation and 2) funding opportunities through the Rails-to-Trails Conservancy. The RTP grant funds recreation trail projects for pedestrians, bicyclists, and may also serve as non-motorized transportation corridors. For more information on the RTP grant can be accessed through this page: https://www.parks.ca.gov/?page_id=24324. The Rails-to-Trails Conservancy is a nonprofit organization dedicated to creating a nationwide network of trails from former rail lines and connecting corridors to build healthier places for people. More information on the organization and the grant opportunities available is accessible through this webpage: <https://www.railstotrails.org/>.

Transportation Options and Services

15

Rider's Choice Pilot Program

Proposal Details

This pilot program is a new and innovative solution that VTA offers to its eligible paratransit customers residing in Santa Clara County. It is a cost-effective solution that is flexible and affordable compared to traditional paratransit services and serves as an alternative transportation option. The Rider's Choice Program gives eligible paratransit customers the choice to choose a standard, same day trip with a Transportation Network Company (TNC) within the Rider's Choice Program instead of VTA's paratransit provider. The Rider's Choice Program will offer trip bookings on the same day or in advance, point to point service, no shared ride required, companions ride free, and better on-time performance.

Community Need

Alternative transportation option for VTA's paratransit customers

Estimated Costs

Potential cost savings for paratransit customers. True costs to be determined.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). The pilot program began in April 2019, and VTA has 8 paratransit customers enrolled as of July 2019. We will continue to identify select customers to participate and provide feedback to VTA. In doing so, VTA can better understand what to expect from the program as the Rider's Choice Program grows.

Acquired or Potential Funding Sources

Funding for the pilot phase has been acquired and VTA is currently rolling out the pilot program.

16

Mobility Assistance Program (MAP)

Proposal Details

This project seeks to provide reduced cost and no-cost transportation options for older adults, individuals with disabilities, and low-income persons seeking to find and retain employment. Service includes travel training, door to door rides for new employees, training, community agencies or support services, supporting public transit use, and supporting healthy, independent living.

Community Need

MAP endeavors to address the transportation gaps and barriers affecting older adults, low income families, and individuals with disabilities to where and when public transit is not available or suitable.

Estimated Costs

The total budget for MAP is approximately \$2,617,818.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). MAP is currently in the development phase with the anticipated start date sometime in 2020 and will be in place for three years. VTA is the project sponsor for this proposal.

Acquired or Potential Funding Sources

VTA successfully applied for the Lifeline Transportation Program Cycle 5 Funding, which will be the main funding source for the program. The breakdown of the Lifeline grant funding is 50% from the Federal Transit Administration (FTA), 30% from the State Transit Assistance (STA), and 20% VTA local match.

17

Regional Means-Based Fare Discount Program**Proposal Details**

This is a 12- to 18-month pilot program, expected to begin in early 2020, that will offer a 20% fare discount to eligible low-income residents of the Bay Area for travel on Caltrain, BART, Golden Gate Transit and Ferry and Muni. Program guidelines will allow adults whose annual earnings are up to 200% of the federal poverty level to qualify for the fare discount pilot program and will require riders to use Clipper for fare payment. This effort is being led by MTC with support from the four agencies and social service agencies. At the conclusion of the of the pilot program, a determination will be made of whether to discontinue/continue the pilot or make it a permanent program.

Community Need

Affordable transportation options for low-income adults

Estimated Costs

MTC committed roughly \$11 million to implement the Regional Means-Based Fare Discount program.

Implementation

The implementation timeline for this proposal is near-term (within 3 years) and is mandated by MTC with the support from Caltrain, BART, Golden Gate Transit and Ferry, and MUNI. The pilot program is expected to begin in early 2020 and will last for 12-18 months.

Acquired or Potential Funding Sources

The Means-Based Fare Discount Program is a program under MTC. The breakdown of the funding sources is \$8 million from the State Transit Assistance (STA) funds generated by the state sales tax on diesel fuel and \$3 million from the statewide Low-Carbon Transit Operations Program (LCTOP). For more information on the STA funds, visit: <https://mtc.ca.gov/our-work/invest-protect/investment-strategies-commitments/transit-21st-century/transit-operating-0>. For information on LCTOP, visit: <https://dot.ca.gov/programs/rail-and-mass-transportation/low-carbon-transit-operations-program-lctop>

18

Volunteer Driver Program Expansion**Proposal Details**

Add one full-time Mobility Management Coordinator for Morgan Hill to manage and grow Volunteer Driver Program. This transportation gap has been identified in the City of Morgan Hill Senior Services Strategic Plan .

Community Need

Transportation for Older Adults

Estimated Costs

\$100,000 annually

Implementation

The implementation timeline for this proposal is near-term (within 3 years) to medium-term (3-6 years).

Acquired or Potential Funding Sources

There are currently no funding sources dedicated to the program. However, a grant application for the program has been submitted under FTA 5310 Enhance Mobility of Seniors and Individuals with Disabilities Program grant in September 2019. For more information on the FTA 5310 Grant, visit: <https://dot.ca.gov/programs/rail-and-mass-transportation/enhanced-mobility-of-seniors-and-individuals-with-disabilities-program-fta-5310>

Public Transportation Amenities

19

Morgan Hill Transit Amenities Improvement Project

Proposal Details

The Morgan Hill Transit Amenities Improvement Project encompass: 1) Replacement of solar lights at Morgan Hill bus stops, 2) Installation of lighting at selected bus stops, 3) Updating of bus shelters at the 3 busiest locations (Morgan Hill Caltrain, NB Monterey FS Tennant, and NB Monterey and Dunne), and 4) Upgrade of wooden benches to new metal benches to meet VTA's standards. The project involves collaboration between VTA's Passenger Facilities and Transit Planning Departments as well as the City of Morgan Hill to identify bus stops that needs lighting and upgraded benches. The improvement project is guided by and adheres to VTA's Transit Passenger Environment Plan, which is accessible through VTA's website. For more information on the Transit Passenger Environment Plan, visit: <https://www.vta.org/projects/transit-passenger-environment-plan>.

Community Need

Improvement of public transit amenities

Estimated Costs

The estimated cost to make the listed improvements are roughly between \$40,000 to \$50,000.

Implementation

The implementation timeline for this proposal is near-term (within 3 years). Purchase requisition started in August 2019 and aims to have the items ordered and installed sometime in 2020. VTA is the project sponsor for this proposal.

Acquired or Potential Funding Sources

The full funding for this improvement project has been identified as part of VTA's Passenger Facilities Operating Budget.

Public Transportation Improvements

20

Caltrain Grade Separation at Tennant Avenue and Dunne Avenue

Proposal Details

Grade separation of the Caltrain tracks through Morgan Hill at intersections of Tennant Avenue and Dunne Avenue in order to improve safety, traffic flow and accommodate for the increase in train frequency in the future.

Community Need

Public transit improvements

Estimated Costs

The rough estimated cost is \$80 million.

Implementation

The implementation timeline for this proposal is long-term (6+ years). The project will require extensive collaboration between various parties, such as the City of Morgan Hill, UPPR, and Caltrain.

Acquired or Potential Funding Sources

There are currently no funding sources identified for this project.

Funding Sources and Opportunities

It is important to reiterate that the CBTP process is a planning effort, which means that all but 6 transportation proposals that are included in the Plan does not currently have funding sources attached to them. VTA and the City of Morgan Hill will continue to work closely with one another to identify potential funding sources that best fit each transportation proposal as they become available. The information in Appendix D provides a general understanding of the requirements for federal, state, regional, and local funding sources that the lead agency of a transportation proposal can pursue to fund and move the proposal towards implementation.

Funds may be distributed either based on population or through a competitive process, where the lead agency must submit an application for the proposal. Each funding source has requirements that dictate if funding can be applied to planning/feasibility study phase, capital (infrastructure) improvements, operational needs, and/or administrative costs. Lead agency may also be required to provide a local match fund of a certain percentage of the grant amount to implement the program, this requirement can be met through cash contributions, staff costs, and/or other grants received by the agency.

Action Plan Matrix

The Action Plan Matrix presents an overview of the 20 transportation proposals included in the Plan. Information on potential project sponsor(s),

Get to Know the City of Morgan Hill!

Community Events sponsored by the Morgan Hill Chamber of Commerce

The Morgan Hill Chamber of Commerce is a community-based organization that promotes members' local businesses for a strong regional economic, civic, cultural and educational climate in the City of Morgan Hill. Every year the Chamber sponsors numerous fun events in the city, such as the Taste of Morgan Hill in September and Morgan Hill Friday Night Music Series during the summer months.

Taste of Morgan Hill is an annual fun, free, and family-friendly festival held in Downtown Morgan Hill on the last full weekend in September. The festival celebrated its 30th anniversary back in 2019. The event features

local wines and craft beers, wide variety of food vendors, live entertainment, and the 'Classic & Custom' Car Show. For the Taste of Morgan Hill webpage, visit <https://www.morganhill.org/taste-of-morgan-hill/>.



The Morgan Hill Friday Night Music Series features local bands every Friday nights at the Downtown Amphitheater from June through August. The family-friendly event brings the community together for a summer of fun and gives residents the opportunity to enjoy live music under the stars. To stay up to date with the annual event, visit <https://www.morganhill.org/chamber-sponsored-events/>.

Action Plan Matrix

Freeway Improvements and Congestion Management								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
1	Santa Teresa-Hale Corridor Road and Trail between Dewitt and Main (Phase I)	Improvement of local roads and streets	Construction of a 2-lane road connection with trail Hale Avenue/Sunnyside Avenue from Edmondson Avenue to W. Main Avenue.	County/City of Morgan Hill	\$ 13.5 M	Near-Term	Funded; Measure B with City match contribution	Expressway Plan 2040 Measure B
2	Signalize Santa Teresa Blvd & Watsonville Road intersection	Improvement of local roads and streets	Signalize intersection and add an eastbound left-turn lane	County/City of Morgan Hill	"\$1 M 2008 estimate"	Long-Term	Unfunded collaboration with city needed	Unfunded long term projects
3	Signalize Santa Teresa Blvd/Hale Avenue & West Main Ave intersection	Improvement of local roads and streets	Signalize intersection	County/City of Morgan Hill	"\$0.6 M 2008 estimate"	Long-Term	Unfunded collaboration with city needed	Unfunded long term projects
4	Santa Teresa-Hale Corridor Road and Trail aligning Hale/Dewitt Avenue with Sunnyside Avenue at West Edmondson Avenue (Phase II)	Improvement of local/regional roads and streets	Construction of a 2-lane road connection between Sunnyside and Dewitt at W. Edmondson and add trail at Sunnyside Ave to DeWitt Ave	County/City of Morgan Hill	\$12 M	Near-Term	Unfunded collaboration with city needed	City General Plan Transportation Element, County Expressway Plan
5	Expansion of Highway 101 adding one express lane through Morgan Hill	Improvement of highway	Construction of express lanes south through Morgan Hill	Caltrans/VTA/County	\$110M	Long-Term	Funding sources to be identified	US 101 Comprehensive Corridor Plan, City of Morgan Hill General Plan Transportation Element
6	Traffic Signal Intelligent System Management for regional traffic and major arterial streets	Improvement of local roads and streets	Addition of hardware and software to manage traffic signals on major arterial streets in an integrated system, improving traffic congestion.	City of Morgan Hill/ VTA	\$1M-\$3M	Mid-Term	Funding sources to be identified	City General Plan Transportation Element, County Expressway Plan

NOTE:

Funded

Action Plan Matrix – continued

Bicycle and Pedestrian								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
7	Intersection Improvements - Improved Traffic Congestion and Bicycle and Pedestrian Safety	Improvement of local roads and streets	Striping, sidewalk and signal improvements at approximately 30 intersections through the City per Bikeway Master Plan.	City of Morgan Hill/ VTA/County Health Department	\$5+	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding: Measure B Local Streets and Roads program through TDA 3 and LSR funding for projects	City General Plan Transportation Element
8	Citywide Pedestrian Safety Improvements	Improvement of local roads and streets	Addition of pedestrian activated enhanced crosswalk lighting at 12-20 locations	City of Morgan Hill/ VTA/County Health Department	\$800,000-\$1.5M	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding sources Highway Safety Improvement Program (HSIP) and Transportation Impact Fee in Morgan Hill	City Vision Zero
9	School Safety Improvements	Improvement of local roads and streets	Changes and enhancements to school frontages, adjacent crosswalks and other off-site facilities near schools.	City of Morgan Hill/ VTA/County Health Department	\$2M-\$5M	Near-long as there are multiple projects some that are funded and some that are not.	Potential funding sources Active Transportation Program funding and VTA's Vehicle Emissions Reductions Based at Schools (VERBS) program	City General Plan Transportation Element, City Vision Zero
10	Main Avenue Bike Lane and Sidewalk Project	Improvement of local roads and streets	Buffered bike lanes and completion of sidewalk projects from Butterfield Avenue to Condit Road.	City of Morgan Hill	\$650,000	Near-Term	Funded	City Bikeways Master Plan
11	Madrone Channel Trail	Pedestrian and Bike Facilities	Paving existing trail to create a Class 1 Bike/Pedestrian path from Cochrane Road to Tennant Avenue.	City of Morgan Hill/ VTA	\$1.4M	Near-Term	Partially Funded; Caltrans' Active Transportation Program funding potential	City & County Bikeways Master Plan
12	West Little Llagas Creek Trail	Pedestrian and Bike Facilities	Paving existing trail to create a Class 1 Bike/Pedestrian path south from Watsonville Road to Silvierra Lake and north from Spring Avenue to Ciolino Avenue.	City of Morgan Hill/ Valley Water	\$1.5M	Near-Term	Partially Funded; Caltrans' Active Transportation Program funding potential	City Bikeways Master Plan
13	Safe Routes to School Program Implementation	Education and Outreach Program for School Age Youth	Add one full-time Safe Routes to School Coordinator and increase Police Department support.	City of Morgan Hill/ VTA/County Health Department	\$120,000 annually	Medium-Term	Limited Measure B funding only at this point; potential to request targeted technical assistance for Safe Routes to School funded by Measure B and conducted by County's Public Works Department	City Vision Zero
14	Watsonville Road Multi-use Trail	Improvement of local roads and streets	Development of a new multi use trail reusing existing right of way. Pedestrian crossings at multiple locations	City of Morgan Hill	\$3.5M	Medium-Term	Unfunded applying for state grant; Potential funding includes Recreational Trails Program (California Department of Parks and Recreation) and other funding opportunities through Rails-to-Trails Conservancy	City Bikeways Master Plan

NOTE: Funded

Action Plan Matrix – continued

Transportation Options and Services								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
15	Rider's Choice Pilot Program	More affordable options through VTA Access Program	Pilot program that allows eligible paratransit customers to choose a standard, same day trip with a Transportation Network Company (TNC) instead of VTA's paratransit provider.	VTA	True costs to be determined	Near-Term	Funding acquired; VTA's operating budget	
16	Mobility Assistance Program (MAP)	More transportation options for COC residents	A 3-years program to provide reduced cost and no-cost transportation options for older adults, individuals with disabilities, and low-income persons seeking to find and retain employment. Anticipated to start in 2020.	VTA	\$2,617,818 for pilot program	Near-Term	Funding acquired; 50% FTA, 30% STA, and 20% VTA match	
17	Regional Means-Based Fare Discount Program	More affordable transportation options for low-income adults	A 12- to 18-month pilot program offering a 20% fare discount to eligible low-income residents of the Bay Area for travel on Caltrain, BART, Golden Gate Transit and Ferry, and Muni.	MTC with support from Caltrain, BART, Golden Gate Transit	\$11 M	Near-Term	Funding acquired; \$8M State Transit Assistance (STA), \$3M Statewide Low-Carbon Transit Operations Program	
18	Volunteer Driver Program Expansion	Transportation for Older Adults	Add one full-time Mobility Management Coordinator for Morgan Hill to manage and grow Volunteer Driver Program.	City of Morgan Hill/ County/VTA	\$100,000 annually	Near-Term to Medium-Term	Grant app in progress; FTA 5310 Grant (Enhanced Mobility of Seniors and Individuals with Disabilities Program)	City Senior Services Strategic Plan

Public Transportation Amenities								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
19	Morgan Hill Transit Amenities Improvement Project	Improvement of public transit amenities	Project encompass four components: 1) replacement of solar lights at Morgan Hill bus stops, 2) installation of lighting at selected bus stops, 3) updating bus shelters at the 3 busiest stops, and 4) upgrade wooden benches to new metal benches to meet VTA's standards	VTA	\$40,000-\$50,000	Near-Term	Funding acquired; VTA's Passenger Facilities Operating Budget	Transit Passenger Environment Plan

Public Transportation Improvements								
ID #	Proposal/Project Name	Community Need	Description	Sponsor(s)	Estimated Costs	Implementation Timeline Near (0-3 years) Mid (3-6 years) Long (6+ years)	Acquired or Potential Funding Sources	Identified in Plan(s)
20	Caltrain Grade Separation at Tennant Avenue and Dunne Avenue	Public transit improvements	Grade separating the Caltrain track going through Morgan Hill at Tennant Avenue and Dunne Avenue to improve safety and traffic flow as well as accommodate for the an increase in train frequency in the future	Caltrain/City of Morgan Hill	\$80M	Long-Term	Funding sources to be identified	Caltrain Business Plan 2040, City Vision Zero

NOTE:

Funded

CHAPTER 5 Next Steps and Monitoring of Projects/Programs

In this chapter:

1. Next steps after finalizing and adopting of the CBTP by City of Morgan Hill and VTA committees
2. Methods VTA will use to monitor and evaluate progress of transportation proposals included in the Plan

Critical to the CBTP process is bridging the gap between planning and action. The implementation of projects and consequently, the success of the CBTP relies on multiple jurisdictions and agencies, each responsible for managing and pursuing funding for the transportation proposals detailed in Chapter 4. Funding for the proposals may be acquired from a variety of sources, including at the local, regional, state and federal level.

Next Steps

The Morgan Hill City Council and VTA's Board of Directors will formally adopt the final Morgan Hill CBTP as part of MTC's requirements. The success of the CBTP is dependent on the willingness of the designated lead agency to move each transportation proposal forward to meet the needs of the Morgan Hill community. Potential funding sources and implementation timeline listed in the matrix provide guidance for lead agencies to advance transportation proposals in a timely manner. VTA and the City of Morgan Hill will check-in periodically and continue to cooperate to seek out funding opportunities to move transportation proposals included in the Plan forward after the conclusion of the CBTP planning process.



Monitoring and Evaluation of Projects and Programs

The transportation proposals presented in the plan ranges from improving of Santa Teresa-Hale Corridor to Citywide Pedestrian Safety Improvements to Transit Amenities Improvement Project. The implementation of these proposals is heavily dependent on the availability of funding and finding a champion to advance projects and/or programs at the appropriate lead agency. To evaluate the progress and success of each proposal, VTA and the City of Morgan Hill will work in partnership with MTC to establish monitoring protocols to track the status of projects and programs included in the CBTP every two years after the adoption of the Plan. The reporting protocol includes VTA submitting an updated action plan matrix with additional details on the status of the programs/projects to MTC. VTA is committed to working with the City of Morgan Hill and MTC to maximize the potential of the Morgan Hill CBTP after its completion.

APPENDIX

A

Relevant Transportation Studies, Plans, and Reports

Existing studies, plans, and reports conducted by various government agencies are relevant and provides great value in addressing transportation challenges and creating proposals in Chapter 7 of the CBTP. This chapter examines the current overlying strategies and goals relevant to the City of Morgan Hill and sets the groundwork for the project management team and residents to produce proposals that have the potential to close the gaps. It is important to take the findings from existing plans into consideration for the CBTP to avoid redundancy and make sure that the proposals in the CBTP aligns with what has already been defined by other plans and other regional plans.

Metropolitan Transportation Commission (MTC)

Plan Bay Area 2040

Plan Bay Area 2040 is a long-range Regional Transportation Plan and Sustainable Communities Strategy for the nine-county San Francisco Bay Area. The document discusses how the Bay Area will grow over the next two decades and identifies transportation and land use strategies to enable a more sustainable, equitable and economically vibrant future. The goals and performance targets established in the plan are in Table 12. The CBTP draws from the goals and performance targets that correlates to transportation, especially for lower-income households.

Table 12

Final adopted goals and performance targets for Plan Bay Area 2040

Goal	Target
Climate Protection	Reduce per-capita CO2 emissions
Adequate Housing	House the region's population
Healthy and Safe Communities	Reduce adverse health impacts
Open Space and Agricultural Preservation	Direct development within urban footprint
Equitable Access	Decrease share of lower-income households' budgets spent on housing and transportation
	Increase share of affordable housing
	Do not increase share of households at risk of displacement
Economic Vitality	Increase share of jobs accessible in congested conditions
	Increase jobs in middle-wage industries
	Reduce per-capita delay on freight network
Transportation System Effectiveness	Increase non-auto mode share
	Reduce vehicle operating and maintenance costs due to pavement conditions

Coordinated Public Transit-Human Services Transportation Plan 2018

The Coordinated Public Transit-Human Services Transportation Plan focuses on the mobility needs and cost-effective transportation options of seniors, individuals with disabilities, people on low-incomes, and veterans. The plan identified coordination strategies that MTC and its local partners can implement or facilitate. The strategies are as followed:

- Implement County-based mobility management
- Improve paratransit
- Provide mobility solutions for suburban areas
- Regional means-based transit fare program
- Advocate for the accessibility of shared mobility solutions and autonomous vehicles
- Improve mobility for veterans

City of Morgan Hill

Morgan Hill 2035 General Plan

The General Plan represents the community's collective vision for what Morgan Hill will look and feel like through the year 2035. The overarching goal for the plan is to maintain Morgan Hill's family-friendly character and strong sense of community while the community grows and prospers. The General Plan includes a robust Transportation Element section contains goals, policies, and actions aimed at making the existing road network efficient and user-friendly, implementing strategies to ensure safe and appropriate operation of the transportation system, solving existing traffic and parking problems, and expanding transit and non-motorized travel opportunities. Goals included in the Transportation Element includes:

- A balanced, safe, and efficient circulation system for all segments of the community, meeting local needs and accommodating projected traffic
- A system designed for a healthy, active community based on complete streets, smart growth, and Sustainable Communities strategies
- A coordinated, continuous network of streets and roads

- Emphasis on transportation improvements in the Butterfield, Hale/Santa Teresa, and Monterey corridors
- A safe and efficient transit system that reduces congestion by providing viable non-automotive modes of transportation
- A useable and comprehensive bikeway system that safely connects neighborhoods with workplaces and community destinations
- Expand pedestrian opportunities
- A transportation system that incorporates strategies and technologies to manage traffic efficiently and reduce automotive vehicle trips

Vision Zero: Morgan Hill

The Morgan Hill City Council adopted the Vision Zero concept, which prioritize safety, create livable streets, and eliminate traffic fatalities. The Vision Zero philosophy aligns with the City's vision by implementing safeguards to be included in the plans, projects, and policies related to the community's transportation system with the goal of eliminating traffic deaths and severe injuries. The core principles that guide Vision Zero are:

- Traffic deaths are preventable and unacceptable
- The street system should be safe for all users, for all modes of transportation, in all communities, and for people of all ages and abilities.
- The transportation system should be designed to anticipate error, so the consequence is not severe injury or death
- The transportation system should be designed for speeds that protect human life
- Safe human behaviors, education, and enforcement are essential contributors to a safe system
- Policies at all levels of government need to align with making safety the highest priority for roadways

Bikeways, Trails, Parks and Recreation Master Plan

The vision and goals for the Bikeways, Trails, Parks and Recreation Master Plan were developed from public and stakeholder input, which provide an aspirational description of the City's future parks, recreation, bikeways and trails system. The plan will support community health, economic development, and quality of life in Morgan Hill. The goals outlined in the plan includes:

- Improve connections between residences and the network of City parks and facilities
- Engage people of all ages and all abilities
- Support the health and wellness of all community members
- Ensure equitable access to programs and places for recreation and activity
- Leverage partnerships to maximize community benefit and use resources efficiently
- Enhance safety and navigation to key recreation destinations and along popular routes
- Invest in and maintain existing assets while carefully planning for future growth

The plan recommends priority bikeway and trail projects in Morgan Hill that supports the goals above.

Station Area Master Plan

The Station Area Master Plan summarizes existing transportation services and is focused on strengthening the Morgan Hill Transit Center by identifying considerations and opportunities for future transit needs through further improvement of multi-modal connectivity.

The transportation, planning, and design tools presented throughout the Station Area Master Plan are intended to build upon and update the Multi-Modal Circulation and Streetscapes Chapters contained within the Downtown Specific plan and support officials, transit providers, Morgan Hill residents, business, and property owners, as well as other stakeholders making decisions to improve

and enhance the quality of the multi-modal Station Area Master Plan – Executive Summary Page | E-3 transportation environment throughout the PDA and the Downtown. All tools and recommendations are supplemental to already adopted plans, policies, and initiatives applicable in the area including the Morgan Hill 2035 General Plan, the 2009 Downtown Specific Plan, the 2008 Bikeways Master Plan, the Downtown Placemaking Strategy and the City of Morgan Hill's Street Standards.

The Station Area Master Plan is organized into three main chapters: Transportation Context, Streetscape and Placemaking Toolkit, and Priority Improvements. To access the Station Area Master Plan and learn more, visit <https://www.morgan-hill.ca.gov/1641/Station-Area-Master-Plan>.

Valley Transportation Authority (VTA)

Valley Transportation Plan (VTP) 2040

VTP 2040 provides a long-range vision for the transportation system in Santa Clara County for the next twenty years. The plan identifies programs, projects, and policies that VTA is going to pursue over the lifetime of the plan. The plan also connects projects and programs with anticipated funds and provides a framework for the development and maintenance of the County's transportation. The City of Morgan Hill considered the projects presented in Table 13.

Table 13*List of Projects and Programs in and around the City of Morgan Hill in VTP 2040*

Program Area	Project Title	Project Description
Transit	Caltrain: South County	Double track segments on the Caltrain line between San Jose and Gilroy
Express Lanes/Toll Facilities	Convert Existing HOV Lanes to Express Lanes on US 101 from Whipple Ave. in San Mateo County to Cochrane Rd in Morgan Hill	Convert 34 miles of existing HOV lane on US 101 between Cochrane Rd and Whipple Ave in San Mateo County to express lane operation; two lanes of express lanes within existing footprint
Express Lanes/Toll Facilities	US 101 Express lanes: Cochrane Rd. to Masten Ave	Build new express lanes on US 101 between Cochrane Rd and Masten Ave
Local Streets and County Roads Projects	Butterfield Blvd Extension	Construct Butterfield Blvd and North Rd improvements that include a four-lane arterial, bike lanes, sidewalks, lighting and signal modification
Local Streets and County Roads Projects	Butterfield Blvd South Extension	Construct a new roadway segment by extending Butterfield Blvd between Tennant Ave and Watsonville Rd.
Local Streets and County Roads Projects	Ave ?????	Project improves the roadway between Main Ave and DeWitt Ave. Roadway includes one lane of traffic and bike lanes in both direction, project scope includes sidewalks, street lights, overhead utility relocations, traffic signals
Local Streets and County Roads Projects	Hill Rd. Extension from East Main Ave to Peet Rd	Construct an extension of two-lane alignment for Hill Rd from East Main Ave to Half Rd and connects Peet Ave.
Bicycle Expenditure Program	Main Ave Bike lanes: Butterfield Blvd to Condit Rd	Construct Class II bike lanes on Main Ave
Bicycle Expenditure Program	Sobrato High School Bike Access Improvements: Bike Path Southeast from Burnett Ave to Coyote Creek Trail	Construct a bridge over Coyote Creek, shoulder widening and striping to provide bike access from Sobrato High School east to existing Coyote Creek Trail System
Bicycle Expenditure Program	West Little Llagas Creek Trail: Main Ave to Spring Ave	Construct Class I bicycle/pedestrian trail adjacent to West Little Llagas Creek
Transportation Systems Operations and Management	Citywide Traffic Signal Operation Center	Project provides citywide improvements to signal timing in Morgan Hill
Transportation Systems Operations and Management	Citywide Wireless Vehicle Detection System Installation	Install wireless vehicle detection system at all signalized intersections within Morgan Hill

VTA Strategic Plan

The VTA Strategic Plan establishes the agency's Mission, Vision, and Values. This plan provides a framework to tie all the work by VTA staff into the overall direction and priorities of the agency. VTA's Action Values are Creativity, Collaboration and Leadership. Creativity ensures that a creative approach to services and projects will allow agency to make the best use of the available resources, while meeting the needs of the customers. Collaboration allows for the best use of resources and form relationships with cities, counties, nonprofit organizations, businesses, regional agencies and the community to tailor services and projects to what the community needs. Leadership helps guide the creative development of transportation solutions in Santa Clara County, in collaboration with VTA's partners.

Santa Clara Countywide Bicycle Plan

The Santa Clara Countywide Bicycle Plan envisions a future where Santa Clara is served by a countywide bicycle network that is safe, convenient, and connected, enabling people of all ages and abilities to easily bike to work, school, shopping, transit, and elsewhere. The plan highlights goals for the County's bicycle infrastructure to be 1) comprehensive and continuous, 2) safe and convenient, 3) innovative, and 4) connected to transit. The plan identifies major barriers to bicycle connectivity and put forth potential solutions that include innovations in education, encouragement, technology, funding and delivery. The Plan is a framework to guide bicycle infrastructure improvements project in Santa Clara County, which compasses the City of Morgan Hill.

APPENDIX B Comprehensive List of Comments

Morgan Hill Community-Based Transportation Plan Online Survey Comments

Transit and Shuttle Related Comments

Jun 09 2019 07:41 PM	Improving the Northbound commute from MH (Shuttle services?)
Jun 08 2019 06:03 PM	Rail schedule is too sporadic.
Jun 07 2019 03:02 PM	It takes 2 hours to get to San Francisco via train from Morgan hill. Would like to see a 1 hour service.
Jun 03 2019 10:02 PM	Have route 16 go towards Safeway/Trader Joe's area too and run more often so people can get to the main food source areas.
May 30 2019 04:13 PM	I and my co-workers work for a global organization and as such we have a very dynamic work day. Often times we need to start conferences calls from home to accommodate other regions of the world so the relatively few train/express bus schedules rarely work out for us. Providing a wider range of options by extending the schedules would allow us to take advantage of mass transit more frequently.
May 16 2019 08:45 PM	A better local bus route that encompasses more of the city: to get from one side of town to another without having to walk more than a mile to get to a bus stop, public transportation to downtown to attend events and not deal with larking
May 13 2019 01:41 PM	I'm commuting from Sunnyvale area to Morgan Hill and I wish that I could use public transportation instead of driving 60+ miles (round-trip) every day (5 days a week). In the morning, there's Cal Train that runs from Morgan Hill going Northbound every day, however, there's nothing running the other way from South Bay down to Morgan Hill (the last time I checked) and vice versa in the evening.
May 12 2019 06:49 PM	We need a free or low-income transportation option for seniors and low-income community members. We also need more access to public transportation provided by the county (Caltrain and VTA buses). Let's add more Caltrains that stop at Morgan Hill/Gilroy and provide at least one train option on weekends.
May 09 2019 04:20 PM	Caltrain operating on the weekends would be great.
May 08 2019 06:57 AM	Need express service to other bay area towns
May 07 2019 08:08 AM	Maintaining or increase the number of vta express lines. It's the only alternate form of transportation besides Caltrain. Caltrain has limited lines. Vta is by far best option
May 06 2019 05:38 PM	More VTA and Caltrain options to get to San Jose and back.
May 04 2019 06:50 AM	More CalTrain options in the South Bay! Weekend service to San Fransisco.
May 03 2019 07:31 PM	Incentives to use public transportation ie discounts to passengers who use VTA (including Express buses) on a daily or regular basis.
May 03 2019 01:52 PM	Trains to connect to City

Transit and Shuttle Related Comments

May 03 2019 12:11 PM	CalTrain service is too limited, both on weekends and weekdays.
May 03 2019 11:48 AM	Add more trains during the week and weekend to SJC.
May 01 2019 07:18 PM	Increased Caltrain service to and from Morgan Hill, especially off peak hours and off peak direction. I would love to send my 15yo to Gilroy from MH on the Caltrain and back in the evenings for his sport. I would also like to be able to travel to and from the peninsula during the day via the Caltrain.
Apr 30 2019 03:44 PM	Odor of homeless people on the bus is a problem for the rest of the riders.
Apr 29 2019 07:55 PM	I would like to see a FREE shuttle that runs frequently to the Senior Center on Edmundson. One that runs a circuit around the downtown banks/businesses. I have driven seniors from the Sr Center to the B of A and back. It pains me to see the seniors waiting in the Center lobby waiting for para transit rides. Paratransit doesn't seem to care how long the wait is, as if the seniors have no place to go/things to do. And they PAY for this kind of service. I think a free shuttle that makes frequent stops at services seniors need will help seniors get out into the community and involved with "life".
Apr 29 2019 04:40 PM	More non-rush hour service from MH Caltrain to SJ
Apr 29 2019 03:20 PM	It would be nice if there was a local bus services that connected different sections of town to downtown. CRC to Library to Caltrain to Depot st to the High Schools.
Apr 29 2019 11:38 AM	Community Bus frequency needs improvement- More stops and less wait time in Tennant, E.Dunne, and Cochrane Road.
Apr 29 2019 11:37 AM	more cross town, local bus options..not just Rt.68
Apr 29 2019 10:40 AM	The one VTA bus route in town makes no sense at all. It's the bus to no where. Why isn't there a bus route or routes that run along Cochrane, Hill, Main, Dunne, Tennant, and Monterey that connect to the Caltrain station? Why are the condos adjacent to the Caltrain station allowed to use the Caltrain parking lot for residential use?
Apr 29 2019 10:06 AM	Increase bus frequency
Apr 29 2019 10:05 AM	Need more public transportation options for commuters. With increased housing, the commute gets worse and worse!
Apr 29 2019 10:03 AM	We desperately need more train times. As someone who works in downtown San Jose, it can be very difficult to adjust my schedule around the few train times daily. Additionally, the Diridon station does not allow for ease of access to other downtown San Jose facilities, and thus a rideshare is necessary. An easier way to access light rail, which has a much wider range in the San Jose area, would be of great use to me and many of my neighbors.
Apr 29 2019 09:52 AM	More CALTRAIN Service
Apr 29 2019 09:51 AM	More buses. Weekend options.
Apr 29 2019 09:47 AM	Would love for the baby bullet train to start in Morgan Hill vs. Diridon. I would never have to drive to get to SF and save the 30 minute ride to train station to get the bullet.
Apr 27 2019 03:15 PM	Better bus service.

Transit and Shuttle Related Comments

Apr 27 2019 12:26 PM	Light rail installation in Morgan Hill
Apr 27 2019 11:28 AM	More train times. It is not convenient to commute with the limited train schedule.
Apr 27 2019 08:28 AM	There are no stops on Butterfield and San Pedro. There are many apartments and houses here too.
Apr 27 2019 08:23 AM	Stops on Butterfield and San pedro
Apr 27 2019 08:14 AM	Morgan Hill needs more Caltrain options during the evening commute. We also need more Uber and Lyft drivers. It would be great to have more express buses from Morgan hill to different parts of Silicon Valley. Or how about a Vta bus from MH to the new BART station in San Jose.
Apr 27 2019 08:11 AM	I have to walk 30 minutes from home to bus stop.
Apr 26 2019 09:24 PM	Vta stop in Jackson oaks
Apr 26 2019 05:51 PM	More public transport buses to new areas Like Santacruz directly
Apr 26 2019 04:58 PM	In Morgan Hill, all bus & Train transit is clustered downtown along Monterrey St. There is simply no transportation to any outlying areas on an east/west basis. The cheapest Uber-X ride is ~ \$15.00 each way, or \$30.00 to buy some groceries. Way to expensive for most folks.
Apr 26 2019 04:47 PM	More Caltrain service/stops!
Apr 26 2019 04:40 PM	When cutting service to an area please come up with alternatives for disabled individuals!
Apr 30 2019 09:15 PM	Bring a high speed rail stop to Morgan hill.
Apr 29 2019 06:17 PM	Limited options between Morgan Hill and the greater San Jose area.
Apr 28 2019 05:11 PM	How can anyone expect public transportation to work when it doesn't run all day and late in to the night / starting early in the morning and continuing all day? I'm getting to sell my car in Santa Clara, and it's a nightmare to figure out how I'll get home, never mind the hours wasted waiting for transport. I have a fixed income, while healthy, which cannot cover \$50 or so for taxi's.
Apr 26 2019 06:44 PM	I have a 62 year old senior, lower income friend who is losing her eyesight. She would benefit from consistent options for public transportation, and easy access to shopping using public transportation.
Apr 29 2019 02:05 PM	More access to commuting north. More options to get north for work and home during commuting times.

Transit Amenities

Jun 07 2019 02:57 PM	I would use bus service if it was easier to find schedule information
Jun 07 2019 01:44 PM	Besides Uber, no good information on in town transportation
May 03 2019 01:19 PM	1. Better publicize what VTA has available, and cross-promote with CalTrain so people know they have options that will actually work.
Apr 26 2019 09:05 PM	At a time when you want to entice riders to take VTA. you need to maintain facilities, and enhance the transportation not reduce or discontinue along with increases in fares. The connections are an issue and lighting of facilities is also a big concern

Local Streets and Roads Improvements (Speeding included)

Jun 08 2019 06:20 AM	I am concerned about motorists speeding through the school zone near Nordstrom Elementary and passing stopped school buses letting children out.
May 03 2019 12:22 PM	Better enforcement of crosswalk safety. I see people race through the crosswalk in their car just barely missing pedestrians or waiting until the pedestrian has barely passed and charge through before the pedestrian is safely across
Apr 30 2019 11:45 AM	reduce speed limits : 50 mph down to 40 mph; 40 mph down to 35 mph.
Apr 30 2019 08:48 AM	Connect Butterfield to Monterey on the north side of town. Finally do the Hale Dewitt extension.
Apr 29 2019 01:40 PM	Can the city please partner with the county since we border unincorporated areas? Repair uneven pavements, pot holes too. Add blue emergency phones in risk areas for bikers and walkers. Carpool parking Shuttles to medical facilities Shuttles to schools including colleges
Apr 29 2019 10:20 AM	Ensure the Speed limit is honored along the Butterfield Blvd. Motor bikes going fast and making more noise in the Butterfield blvd causing disturbance in the residential area.
Apr 27 2019 01:29 AM	Speeding in downtown Morgan hill, pedestrians feeling safe to walk around in downtown without the fear of getting hit by cars
May 04 2019 02:46 PM	I live off East Dunne near Hill - concerned that crosswalks are not observed by drivers on East Dunne. Hill Road speed is excessive as it is used as a bypass for the freeway.

Bicycle and Pedestrian Improvements

Jun 07 2019 06:34 PM	More pedestrian friendly.
May 21 2019 10:29 AM	There should be a walking / bike path that goes all around town connecting places of interest eg: all schools, downtown, crc, aquatic center, etc.
May 13 2019 01:35 PM	Would love to see improvements to the bicycle grid, especially protected lanes on busy roads. Paint on the road doesn't protect us from a distracted driver.
May 03 2019 02:04 PM	side walks and lights at night
May 01 2019 03:29 PM	I cycle 2/3x per week. Bikes lane and wider bike lanes would be great.
Apr 29 2019 11:10 AM	I stopped biking for groceries and other errands because going over 101 is a hazard for bikers. The cars that cut in front of you are really dangerous.
Apr 29 2019 09:43 AM	More bike and scooter lanes and improved shoulders
Apr 29 2019 06:31 AM	Not enough sidewalks, especially around live oak high school
Apr 26 2019 06:44 PM	If I felt bike riding was safe, I would do it more.
Apr 26 2019 05:10 PM	I wish I could walk to Safeway BUT due to lack of sidewalks, and the entrance/exit of the 101 freeway makes it very dangerous to cross. MH is small enough for folks to be able to walk 1-2 miles to their destination.

Freeways/Congestion

Jun 08 2019 03:05 PM	Off load from 101 south traffic onto Monterey Road / downtown should be discouraged by return to a single lane downtown with improved bike lane. Encourage the use of butterflyfield if seeking alternative routes to south 101
Jun 07 2019 03:17 PM	long term infrastructure plan to deal with increased residential and commercial development impacts on traffic.
Apr 29 2019 04:27 PM	Commute traffic on surface streets. 101 needs to be widened. Also more CalTrain express and other time options from Morgan Hill. Getting to San Francisco from Morgan Hill takes several hrs vis public transportation- it's too long and too combersome.
Apr 29 2019 10:07 AM	Stop building homes!! The surface streets in Morgan Hill are beyond capacity in the mornings.

Technology Related and Other Comments

Jun 08 2019 06:28 AM	ticket cars parked on street in same place for multiple days
Jun 07 2019 02:41 PM	parking downtown is getting more and more challenging in terms of availability.
May 05 2019 08:05 AM	Parking.
Apr 29 2019 08:00 PM	Too much building with not enough parking
Apr 26 2019 06:12 PM	Availability of Uber, Lyft is unreliable.

Morgan Hill Community-Based Transportation Plan Physical Survey Copy Comments

Transit and Shuttle Related Comments

Paper Survey	We need a smaller shuttle sized bus to get to and from residential areas
Paper Survey	Better transit connections into other cities from Morgan Hill (San Jose, Gilroy)
Paper Survey	More Caltrain trains and extra express buses on the weekend are needed
Paper Survey	There are not enough Express buses
Paper Survey	Add a light rail extension all the way to Gilroy, add another Caltrain for commuting
Paper Survey	Improve light rail options in South County
Paper Survey	Look at how the electrification on the Caltrain Tracks will affect service in south county
Paper Survey	Possible trolley or rail system between Morgan Hill, San Martin/Gilroy for low income seniors
Paper Survey	Caltrain from Morgan Hill to SF on weekends
Paper Survey	Better access to more bus route; destinations such as bookstore, Home Depot, Walgreen's, Target are too far to walk from Cochrane Ave
Paper Survey	Shuttle bus for Morgan Hill that serves Senior Housing, De Paul Clinic, grocery stores, shopping centers, apartments, senior center, and library
Paper Survey	More VTA buses moving E-W; should join with merchants in offering shuttle to popular destinations in Morgan Hill (Target, Walmart, etc.)
Paper Survey	Need of bus service in south Morgan Hill; currently bus route #16 is the only bus that operates in Morgan Hill, which covers South Morgan Hill only, from Main Street to Cochrane
Paper Survey	A community bus would be great here in Morgan Hill
Paper Survey	Lower discount to "60", expansion of routes
Paper Survey	Request to have bus #12 from San Pedro Street to Monterey to be able to most bus 68 for senior people
Paper Survey	Bus stops on Tenant & Barrett; unable to use bus, would like bus going to downtown
Paper Survey	Concerns: no adequate bus coverage network in Morgan Hill, more bus routes up into the neighborhoods on west side of Monterey Highways
Paper Survey	Add train trips during morning and evening hours from Santa Clara to Morgan Hill

Transit Amenities

Paper Survey	Translated from Spanish: I don't have enough information on where to buy the pass of the month, for the bus
Paper Survey	Not enough bus stop benches (for line 68); no shelters
Paper Survey	More bus amenities (bus shelter) between Dunne and Tennant

Local Streets and Roads Improvements (Speeding included)

Paper Survey	Paved or asphalt sidewalks on both sides of the street Butterfield to Monterey Hwy
Paper Survey	Speeding and other traffic violations around town
Paper Survey	Improve the Monterey Road Hwy
Paper Survey	Too many people are starting to cut through the poorly paved Monterey and Santa Teresa roads for commuting
Paper Survey	Fix the Santa Teresa Road and Monterey Road
Paper Survey	Repave Bailey Road to San Jose
Paper Survey	Improve Monterey Road between Gilroy to San Jose
Paper Survey	Repave Monterey Road. It is full of pot holes
Paper Survey	Repave Santa Teresa, there are too many potholes
Paper Survey	Need speed mitigation on the East Dunne Avenue; cars drive too fast
Paper Survey	My concern is speeding drives on the street wher I live, McLaughlin between Main and East Central. No stop sign on East Central
Paper Survey	Hill Road between East Dunne and Barrett Ave is full of potholes and needs to be redone, it's the only place where you haven't repaired the road, please fix
Paper Survey	There is no lighting on my street at night
Paper Survey	Improve conditions of some rural and popular roads
Paper Survey	Longer lasting potholes repairs; stop dangerous exits from Nob Hill parking lot, crossing 4 lanes, make right turn only signs
Paper Survey	Enforce the traffic rules and laws to avoid unnecessary accidents

Bicycle and Pedestrian Improvements

Paper Survey	Add more blinking light crosswalks to alert drivers of pedestrian crossing
Paper Survey	Look at the roads and intersection at Burrent Avenue. It is not safe for senior community and high school students at Sobrato High
Paper Survey	Need improved crosswalk just outside the Sycamore Glen Community; cars do not see the flashing pedestrian sign and roll right past as pedestrians are trying to walk
Paper Survey	There should be a pedestrian island on the street in case we can't cross the entire length of the streeeen time before oncoming traffic comes
Paper Survey	Fix sidewalk between McLaughlin to East Main (corner is too narrow?); need sidewalk on Central between McLaughlin and Monterey; dangerous for senior citizens who are at Horizon
Paper Survey	Need crosswalk Mclaughling to Depot
Paper Survey	Some dirt bike trails not next to roads
Paper Survey	More sidewalks
Paper Survey	Make sure all the street trees are well trimmed to clean the sight for crossing

Freeways/Congestion

Paper Survey	We need more lanes on 101 after Hwy 85
Paper Survey	Add lanes to 101 to Santa Teresa.
Paper Survey	I start my commute at 5 am and still becomes an hour drive, and is already backed up from Gilroy to Morgan Hill, this needs improvement

Technology Related and Other Comments

Paper Survey	Electric scooters should be brought to Morgan Hill
Paper Survey	Time the traffic lights through downtown better, it gets too backed up during rush hour
Paper Survey	Concern about electric scooters coming to Morgan Hill and cluttering the sidewalks

Morgan Hill Community-Based Transportation Plan Public Meeting Comments

Transit and Shuttle Related Comments

Public Meeting	Lack of airport shuttles from South County
Public Meeting	Residents in the Jackson Oaks neighborhood (E. Dunne Ave in the hillside area) stated that there are no bus services in the area, which means that the area is not within the VTA Access corridor. There are a lot of seniors and wheelchair-bound individuals that do not have access to doctor's appointment or other mobility options. Rideshare services aren't not feasible due to not being wheelchair accessible. Suggestions for improvements: extend the corridor of VTA Access service and/or shuttle services that provide wheel-chair accessible vehicles
Public Meeting	Lack of trains. More Caltrain, frequency of service
Public Meeting	On-call short run shuttle
Public Meeting	More express buses, not just during rush hour; no transportation at senior housing; need community buses to go east and west to get to Sports Complex and Aquatic center and other popular attractions/stores in Morgan Hill; no bus service at the Lodge, Huntington, Woodland Estates, and Casa Loma senior complexes; more Caltrain
Public Meeting	Paratransit (VTA Outreach) - long wait on phone to arrange rides, lots of waiting for rides, must schedule way in advance; Morgan Hill is a rural community with very few bus lines and transportation options. Paratransit Access riders are penalized, paying a premium rate which is cost prohibitive for living beyond the ¾ of a bus line. South County should have a more extended core service area of up to 1 mi off a bus line due to the few bus lines and rural community. Several senior housing locations are located out of the core. Seniors are paying \$16 each way on a trip.
Public Meeting	Don't run buses through the downtown corridor
Public Meeting	Buses and paratransit don't serve DePaul Medical Center
Public Meeting	Lack of airport shuttles from South County

Transit Amenities

Public Meeting	Add electronic/ digital displays at bus stops to know when buses are arriving, out of service, etc.
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Local Streets and Roads Improvements (Speeding included)

Public Meeting	Speeding on Mission View, no crosswalks on Mission View
Public Meeting	There are several places throughout the City with no continuous sidewalk. Going south on Monterey Road from Dunne to Tennant is a good example

Bicycle and Pedestrian Improvements

Public Meeting	Likes trees on Monterey-Downtown; pedestrian flags
Public Meeting	Not safe for bicycle on many streets, too narrow
Public Meeting	There is a current attitude in Morgan Hill where cyclists and commuters are at odds with each other. This is due to cyclists needing to use roadways where there are no bike lanes.
Public Meeting	Monterey Road doesn't have full sidewalk

Freeways/Congestion

Public Meeting	Already a bottleneck at Cochrane/101
Public Meeting	101 & Monterey commute is terrible

Technology Related and Other Comments

Public Meeting	Difficult of getting Uber or Lyft in Morgan Hill
Public Meeting	Interest in e-scooters, maybe restrict to pocket
Public Meeting	Open to the idea of scooter and bike share as long as not on the roads

C Focus Group Meeting Agendas

CBTP for Morgan Hill-Team Kick-Off Meeting

Meeting No. 1
 Wednesday, January 30, 2019
 2:00 -3:00 PM
 DSC Grand Conference Room
 City of Morgan Hill

1. **Introductions (5 mins)**
2. **Purpose and Goals (5 mins)**
3. **Project Timeline and Scope of Work (15 mins)**
 - Updated project timeline
 - VTA's specific scope of work
4. **Finalize Project Boundary (15 mins)**
 - Per MTC's Appendix C, each CMA may include adjacent parcels immediately outside the CoCs, if these parcels help establish a contiguous planning area.
 - CMAs may also designate additional CoCs by obtaining advance approval from MTC, based on criteria outlined in program guidelines
5. **Discuss Project Deliverables and Roles/Responsibilities of Team Members (15 mins)**
6. **Next Steps (5 mins)**
 - Draft Outreach Plan

Next Meeting: TBD –end of February



Community-Based Transportation Plan (CBTP) for Morgan Hill

Team Meeting No. 1
Wednesday, January 30, 2019
2:00 – 3:00 PM
DSC Grand Conference Room, City of Morgan Hill

SVTA Santa Clara Valley
Transportation
Authority
Sustaining what moves you



Agenda

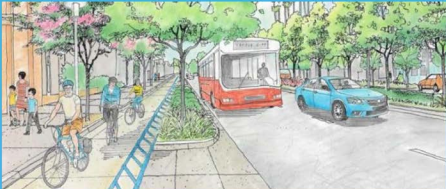
- **Introductions** (5 mins)
- **Purpose and Goals** (5 mins)
- **Project Timeline and Scope of Work** (15 mins)
- **Finalize Project Boundary** (15 mins)
- **Discuss Project Deliverables and Roles/Responsibilities of Team Members** (15 mins)
- **Next Steps** (5 mins)



Santa Clara Valley
Transportation
Authority
Solutions that move you



Purpose and Goals



"to improve access and mobility for low-income communities, for commute as well as non-commute trips"



Santa Clara Valley
Transportation
Authority
Solutions that move you



"to improve access and mobility for low-income communities, for commute as well as non-commute trips"

[illegible][illegible]

Scope of Work Summary

- Assess baseline conditions and key trends
- Determine unmet needs and transportation challenges
- Identify projects and programs
- Criteria for prioritization of recommendations
- Action plan for each of the prioritized projects and programs

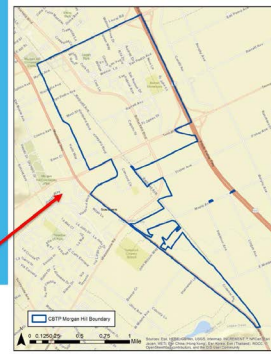


Santa Clara Valley
Transportation
Authority
Solutions that move you

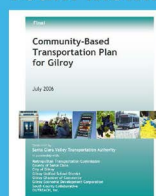
- Assess baseline conditions and key trends
- Determine unmet needs and transportation challenges
- Identify projects and programs
- Criteria for prioritization of recommendations
- Action plan for each of the prioritized projects and programs



Project Boundary



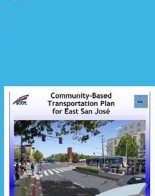
Deliverables and Roles/Responsibilities of Team Members



Community-Based Transportation Plan for Gilroy

July 2008

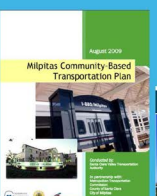
Santa Clara Valley Transportation Authority
 5000 Almaden Expressway, Suite 200
 San Jose, CA 95128
 Phone: (408) 299-6000
 Fax: (408) 299-6001
 Website: www.scta.org



Community-Based Transportation Plan for East San Jose

May 2008

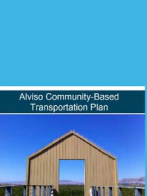
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Milpitas Community-Based Transportation Plan

August 2009

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 Fax: (408) 299-6001
 Website: www.scta.org



Alviso Community-Based Transportation Plan

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Santa Clara Valley Transportation Authority

Solutions that move you



San Jose Community-Based Transportation Plan

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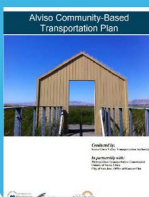
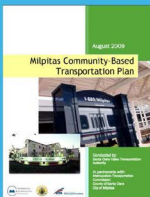
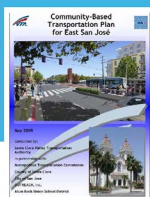
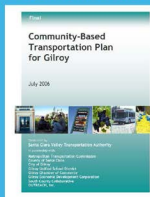
San Jose Community-Based Transportation Plan

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Next Steps



Community-Based Transportation Plan (CBTP) for Morgan Hill

Steering Committee Meeting #1
Tuesday, February 20th, 2019
2:00 – 2:30 PM
City of Morgan Hill Senior Center



Agenda

- Introductions
- Project Overview
- Recap
- VTA's Draft 2019 New Transit Service Plan
- Roundtable Discussion
- "What are the most effective ways to solicit feedback from the community?"
- Upcoming Meetings/Next Steps



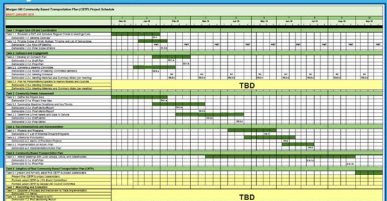
Purpose and Goals



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



Project Timeline




Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Documentation of Existing Conditions/Needs
- Mid-April 2019: First Round of Public Forums
- June-July 2019: Draft CBTP Released
- July 2019: Second Round of Public Forums
- August 2019: Final CBTP Released



Project Boundary




Project Outcome



Potential Areas for Improvement:

- Sidewalk gap closures
- Widened sidewalks
- New curb ramps
- Reduced curb radii

Local Roads & Streets

Technology & Other Proposals



Recap

- Project Management Team Kick-Off Meeting (01/30)
- Meeting with Morgan Hill Chamber of Commerce (02/08)



VTA's Draft 2019 New Transit Service Plan

1. Maintain today's total cost (no service increase)
2. More ridership service & less coverage service
3. Minimize cuts in South County

Project Website:
<http://newtransitplan.vta.org/home>




Morgan Hill

improved

68

no change

87

reduced

121 168 185




Next

January Community engagement

February Community engagement

March Revise plan

April Final plan to VTA committees

May Final plan to VTA Board of Directors

June Implementation activities (scheduling, manufacturing signage, preparing and printing passenger materials, operator training, etc.)

August

September

Oct – Dec New service starts when BART service begins



Outreach Example-Milpitas CBTP




Roundtable Discussion

"What are the most effective ways to solicit feedback from the community?"

Possible Topics for discussion may include:

- Any groups/organizations we should involve?
- Any meetings/committees we should present to?
- Possible venues for public meeting
- Feasibility of doing a survey, survey format (electronically, paper, etc.)
- Outreach to non-English speakers




Upcoming Meetings

- Youth Action Council (YAC) meeting (03/05)
- Reached out to Bicycle and Pedestrian Advocacy Group (BPAG)



Next Steps

- Completing Outreach Plan
- Draft of survey (?)
- Collect input of baseline conditions and transportation challenges



COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

Morgan Hill Youth Action Council (YAC)
Tuesday, March 5th, 2019
5:30 pm
City of Morgan Hill Centennial Recreation Center (CRC)



Outline

- Purpose
- Project Timeline & Boundary
- Project Outcomes
- Next Steps




Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Data Collection on Existing Conditions/Needs in Morgan Hill
- Mid-April 2019: First Round of Public Meetings
- June-July 2019: Draft Community-Based Transportation Plan Released
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Project Boundary

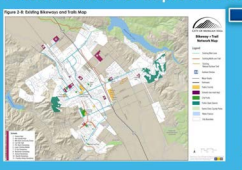



Project Outcome




Potential Areas for Improvement

Figure 1-1 Existing Bikeways and Trails Map



Bikeways & Trails Network




Potential Areas for Improvement

Public Transportation & Amenities (Caltrain/HSR?)




Potential Areas for Improvement

Local Roads & Streets

- Sidewalk gap closures
- Widened sidewalks
- New curb ramps
- Reduced curb radii



High Visibility Crosswalks



Potential Areas for Improvement

Technology & Other Proposals




Next Steps

- Completing Outreach Plan
- Launch of Project Webpage on VTA.org
- Draft of survey (?)
 - Collect input of baseline conditions and transportation challenges



We want to hear from you!

"What are the transportation issues in your city?"

"What improvements would you like to see?"

Send us an e-mail at:
David.Lovato@vta.org



COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

Kiwanis International-Morgan Hill
Tuesday May 7th, 2019
7:00 – 8:00 pm




Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



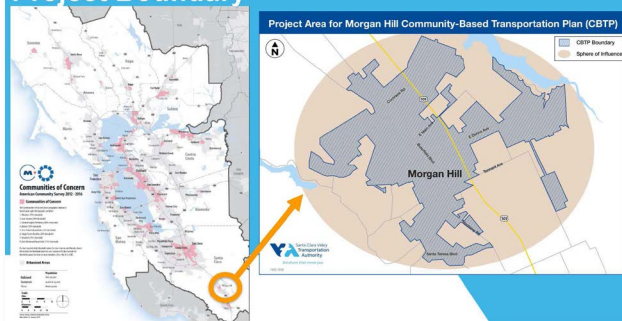
Project Timeline

- January 2019: Project Kick-Off
- February – March 2019: Data Collection on Existing Conditions/Needs in Morgan Hill
- Mid-April 2019: Public Engagement & Survey
- May 2019: First Round of Public Meeting
- July 2019: Draft Community-Based Transportation Plan Released & Second Round of Public Meeting

August 2019: Final Community-Based Transportation Plan Released



Project Boundary



Potential Areas for Improvement

Bikeways & Trails Network	Public Transportation Amenities
 	 
Local Roads & Streets	Technology & Other Proposals
 	 

Reasons for Involving Kiwanis International – Morgan Hill

- Input & participation from members of the Kiwanis on transportation issues and improvements
- Assistance with community outreach



We want to hear from you!
"What are the transportation issues in your city?"
"What improvements would you like to see?"



Take our survey
Respond to requests online
參加我們的在线調查

Survey is now live until Friday, June 7th, 2019!

Take the survey at
<http://www.vta.org/morganhillcbtp>

Upcoming

Public Workshop #1 for Morgan Hill Community-Based Transportation Plan (CBTP)



City Council Chambers
17555 Peak Avenue,
Morgan Hill, CA

Wednesday May 29th
at 7:00 pm

COMMUNITY-BASED TRANSPORTATION PLAN (CBTP) FOR MORGAN HILL

City of Morgan Hill: Parks & Recreation Commission
Tuesday, May 21st, 2019
7:00 pm
City Council Chamber

Reasons for Involving the Parks & Recreation Commission

- Informing and gathering inputs from members of the Park & Recreation Commission on the project
- Assistance with community outreach for survey and public workshop on May 29th



Purpose



"to improve access and mobility for communities of concern, for commute as well as non-commute trips"



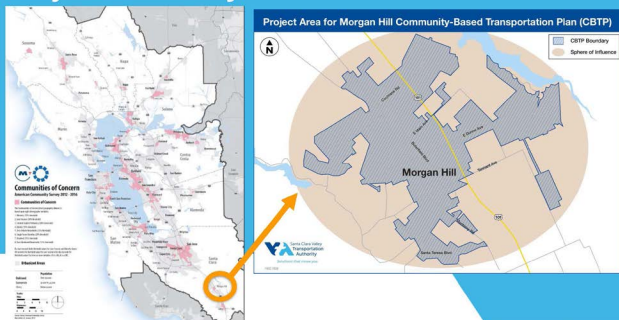
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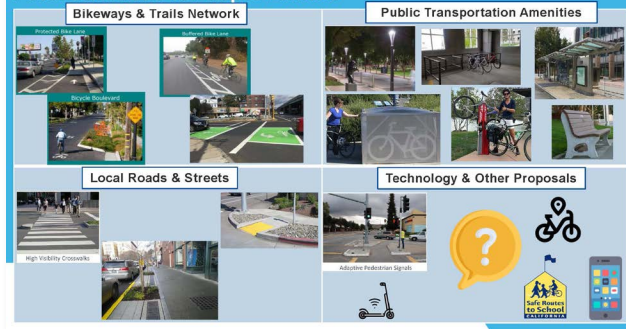
August 2019: Final Community-Based Transportation Plan Released



Project Boundary



Potential Areas for Improvement



Project Webpage & Survey

Survey is now live until Friday, June 7th, 2019!

Take our survey
Responds in seconds online
参加調查只需幾分鐘

Project Page & Survey available at
<http://www.vta.org/morganhillcbtp>

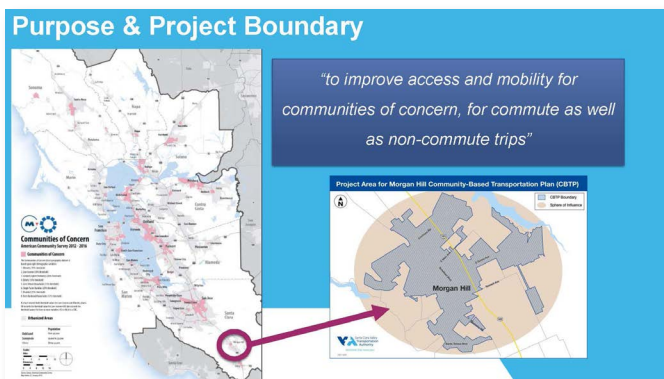
Upcoming

Public Workshop #1 for Morgan Hill Community-Based Transportation Plan (CBTP)



City Council Chambers
17555 Peak Avenue,
Morgan Hill, CA

Wednesday May 29th
at 7:00 pm



CBTP for Morgan Hill Steering Committee

Meeting No. 3

Thursday, June 13th, 2019

2:00 -3:30 PM

Morgan Hill City Hall-Conference Room West

1. **Introductions**
2. **Project Outreach Recap**
3. **Summary of Online Survey Responses and Comments**
4. **Brainstorm Activity**
 - Developing a list of probable solutions based on the comments received during public outreach
5. **Roundtable Discussion: Next Steps**
 - What criteria to use to prioritize transportation projects/proposals from #4 for Morgan Hill?
 - Any projects currently in the works or are planned that will address the concerns?

Next Meeting: **TBD in July** (sometime between July 15th-July 18th)

COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

Morgan Hill Youth Leadership Program
Tuesday, July 23rd, 2019
1:15-2:10 pm



Santa Clara Valley Transportation Authority
Solutions that move you

Why we are doing this project?



To find ways to improve transportation in Morgan Hill for all residents, including youth



Santa Clara Valley Transportation Authority
Solutions that move you

What we are asking from you?



We want to know your answers to these questions:

- How are you currently getting to places where you need to be?
- How would you want to get around to these places?
- What places you travel to other than home and school?

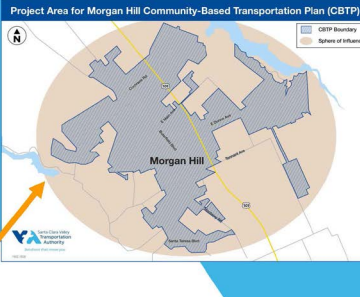


Santa Clara Valley Transportation Authority
Solutions that move you

Project Boundary



Project Area for Morgan Hill Community-Based Transportation Plan (CBTP)



Legend: CBTP Boundary, Sphere of Influence

Morgan Hill Community-Based Transportation Plan

Morgan Hill Youth Leadership Program
Tuesday, July 23rd, 2019

Questions for Small Group Discussions

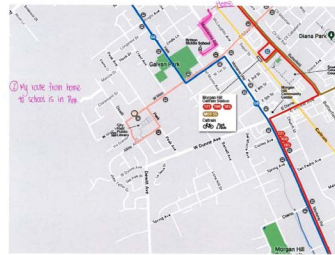
1. Where do you travel to other than home and school? List down 2-3 places and mark on the map where in Morgan Hill they are located. If not in Morgan Hill, write down the city that they're in.

Example:




2. How are you currently getting to school, your home, and the places listed in Question #1? If possible, write down the route you take to get to those places.

Example:




3. How would you like to get around to school, your home, and the places in Question #1? Do you want to bike, walk or scooter more? Are there any problem areas that makes it hard for you to get to these places? Mark problem areas on the map.

Example:




APPENDIX D Funding Sources

Federal

Funding Source*	Purpose	Administrator
FTA Pilot program for expedited project delivery	The Pilot Program for Expedited Project Delivery allows FTA to select up to eight capital transit projects for expedited grant awards. Projects must be supported through a public-private partnership, be operated	FTA
FTA Section 5307 Urbanized Area Formula Program	Purchase of buses, trains, ferries, vans, and other capital improvement, and Americans with Disabilities Act (ADA) required paratransit service. Distributed through the regional Transit Capital	FTA/MTC
FTA Section 5339 Bus and Bus Facilities Program	Provides capital assistance for new and replacement buses, related equipment, and facilities. Part of the Transit Capital Priorities process.	FTA/MTC
FTA Section 5312 Research, Development, Demonstration, and Deployment	To support research activities that improve the safety, reliability, efficiency, and sustainability of public transportation by investing in the development, testing, and deployment of innovative technologies,	FTA
Mobility on Demand (MOD) Sandbox Demonstration Program	To fund project teams to innovate, explore partnerships, develop new business models, integrate transit and MOD solutions, and investigate new, enabling technical capabilities such as integrated payment	FTA
Pilot Program for Transit-Oriented Development Planning	Funding to local communities to integrate land use and transportation planning with a new fixed guideway or core capacity transit capital investment	FTA
Public Transportation Innovation	Funding to develop innovative products and services assisting transit agencies in better meeting the needs of their customers.	FTA
Highway Safety Improvement Program (HSIP)	California's Local HSIP focuses on infrastructure projects with nationally recognized crash reduction factors (CRFs).	Caltrans
FHWA – Surface Transportation Program (STP)	To preserve and improve conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including	FHWA / MTC
FHWA – Congestion Mitigation and Air Quality Improvement Program (CMAQ)	Transportation projects that improve air quality and relieve congestion. Portion of funds included in OneBayArea Grant program.	FHWA / Caltrans / MTC
FTA Section 5309 Fixed Guideway Capital Investment Grants (New Starts, Small Starts and Core Capacity)	Capital support for light rail, rapid rail, commuter rail, automated fixed guideway systems, or a busway/high occupancy vehicle (HOV) facility, or an extension of any of these. Under MAP-21, includes "core	FTA
Transportation Alternatives Program (TAP)	Eligible activities consist of Transportation Alternatives, Recreational Trails, Safe Routes to School, Planning/Design/Construction of roadway in right of way of former highways. Set aside of the	Caltrans
"Highway-Rail Grade Crossings Program"	Develop and implement safety improvement projects to reduce the number and severity of accidents at public highway-rail grade crossings, including signing and pavement markings at crossings,	FHWA / Caltrans
Better Utilizing Investments to Leverage Development (BUILD)	The BUILD Discretionary Grant program provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve critical national objectives.	USDOT

*Note: Funding sources presented in no particular order Source: San Mateo County Transportation Authority Strategic Plan 2014-2019

State

Funding Source*	Purpose	Administrator
State of California Transit and Intercity Rail Capital Program (TIRCP)	Fund transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems, and bus and ferry transit systems. The program's goal is to reduce emissions of greenhouse gases by reducing congestion and vehicle miles traveled throughout California.	Caltrans
Senate Bill 1 – Maintenance and Rehabilitation of the State Highway System	Fund state highway improvements including repairing and resurfacing hundreds of miles of highways to extend the service life of California roads, fix/replace bridges, culverts, and drainage	Caltrans
Senate Bill 1 – Trade Corridor Enhancement Program	Fund freight projects along important trade corridor routes.	Caltrans
Senate Bill 1 – Repairs to Local Streets and Roads	Improve local streets and roads, expand the state's growing network of pedestrian and cycle routes, and increase transit service.	Caltrans
Senate Bill 1 – Solutions for Congested Corridors Program	Money from this new program will go to projects from regional agencies and the state that will improve traffic flow and mobility along the state's most congested routes while also seeking to improve air quality and health.	Caltrans
Senate Bill 1 – Local Partnership Program	This money will go to local entities who are already making their own extra investment in transportation. These matching funds will support the efforts of cities and counties with voter-approved transportation tax measures.	Caltrans
Senate Bill 1 – Bike and Pedestrian Projects	This will go to cities, counties and regional transportation agencies to build or convert more bike paths, crosswalks and sidewalks. It is a significant increase in funding for these projects through the Active Transportation Program (ATP).	Caltrans
State Highway Operation and Protection Program (SHOPP)	State highway rehabilitation projects	Caltrans
Transportation Development Act (TDA)	Transit capital and operating expenses	MTC
State Transit Assistance Funds (STA)	Transit capital and operating expenses	MTC
Transportation Development Act Article 3 (TDA 3)	Provide funding annually for bicycle and pedestrian projects.	MTC
State Transportation Improvement Program (STIP) / Regional Transportation Improvement Program (RTIP)	Roadway and transit capital improvement projects, road rehabilitation, interregional improvements	Caltrans / MTC
Office of Traffic Safety (OTS)	Safety projects, with pedestrian/bicycle safety a priority.	Caltrans OTS
Active Transportation Program (ATP)	Consolidation of previous bicycle and pedestrian funding programs and is designed to promote active modes of transportation, such as walking and biking, and to ensure disadvantaged communities share fully in the program.	Caltrans
California Sustainable Transportation Planning Grant Program	Funds a wide range of transportation planning studies that promote a balanced comprehensive multimodal transportation system. Consists of Strategic Partnerships and Sustainable Communities grants. Replaces former environmental justice, community based and transit planning grant activities, which are eligible under the new program.	Caltrans
Cap and Trade Program	Reduction of the region's transportation-related emissions by: Support Communities of Concern (25% of revenues); Supports Transit Core Capacity Challenge Grant Program, Transit Operating and Efficiency Program, OneBayArea Grant program; Climate Initiatives Program, including Safe Routes to Schools, and goods movement projects.	Various State Agencies
Section 190 Program	Provides funding to projects that either alter or reconstruct existing grade separations, construct new grade separations to eliminate existing at-grade crossings or relocate roadways to eliminate at-grade crossings, thereby improving safety and expediting the movement of vehicles. Eligible projects must first be nominated to the California Public Utilities Commission's Grade Separation Priority List.	Caltrans

*Note: Funding sources presented in no particular order
Source: San Mateo County Transportation Authority Strategic Plan 2014-2019

Local/Regional

Funding Source*	Purpose	Administrator
Regional Bridge Tolls	Projects that mitigate and relieve traffic congestion on the bridges (AB 664, 2%-5%, Regional Measure 2, Regional Measure 3)	MTC
Vehicle Emissions Reductions Based at Schools (VERBS) Program	Reduce greenhouse gases (GHG) by promoting walking, biking, transit, and carpooling to school.	MTC
OneBayArea Grant Program	Integrates the region's federal transportation program with California's climate law and Sustainable Communities Strategy; provides funding investments in surface transportation for a wide variety of programs including mass transit, highway, local road and bicycle and pedestrian projects.	MTC
Transportation Fund for Clean Air (TFCA)	Funds regional competitive and county funding categories. Implementation of the most cost-effective projects in the Bay Area which will decrease motor vehicle emissions and improve air quality.	Bay Area Air Quality Management District (BAAQMD)
Gasoline Tax Subventions	Local streets and road maintenance and rehabilitation	Cities and Counties
Pavement Management Technical Assistance Program (PTAP)	Resources for jurisdictions to better understand their pavement condition to make decisions about pavement maintenance and rehabilitation investments.	MTC
Vehicle Registration Fee	\$10 per year vehicle registration fee in Santa Clara County to pay for local transportation improvements, including pothole repair, paving, traffic control signals, and safety improvements.	VTA
Developer Impact Fees	Cost to local government of a new development, including roads, sidewalks, sewers, and utilities	Local Governments
Property-based Business Improvement District (PBID) / Other Assessments	Generally downtown improvements and services associated with businesses.	Local Governments

*Note: Funding sources presented in no particular order

Source: San Mateo County Transportation Authority Strategic Plan 2014-2019



Solutions that move you



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ADOPT ORDINANCE 2319, NEW SERIES, OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

RECOMMENDATION(S)

Waive the reading, adopt Ordinance No. 2319, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure

2020-2021 Strategic Priorities

Economic Development

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

On December 16, 2020, the City Council introduced Ordinance No. 2319 New Series, by the following roll call vote: AYES: Borgioli, Constantine, Martinez Beltran, McKay, Spring; NOES: None; ABSTAIN: None; ABSENT: None.

As part of the implementation of the Zoning Ordinance and Noise Ordinances and yearly update, staff identified several clerical errors, inconsistencies between sections, and the need to update certain portions of the Municipal Code as well as provide further clarification or to expand on certain topics within the Code. The purpose of the proposed Ordinance is to correct these issues.

The City Council waived the first and second reading and amended the ordinance to move Vehicle Storage Use and Salvage/Wreckage into the Vehicle Related Use Section.

COMMUNITY ENGAGEMENT: Inform

On November 10, 2020, the Planning Commission held a public hearing regarding the proposed ordinance amendments in which a 10-day public hearing notice was published in the Friday, October 30, 2020 edition of the Morgan Hill Times. A 10-day public hearing notice was published in the Friday, November 20, 2020 edition of the Morgan Hill Times pursuant to Government Code Sections 65090-65096. Notice was also provided on the website and via social media.

ALTERNATIVE ACTIONS:

The City Council could decide not to adopt the ordinance, thereby the Municipal Code will remain as-is, and the clerical errors and inconsistencies within the Code will remain.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On June 6, 2018, the City Council adopted Ordinance No. 2277 N.S., a comprehensive update of Title 18 – Zoning of the City of Morgan Hill Municipal Code. The update included an amendment to the City’s official zoning map consistent with the Morgan Hill 2035 General Plan.

In addition, Subsection D of Section 8.28.040 (Enumeration of unlawful noises) within Chapter 8.28 (Noise) of Title 8 (Health and Safety) was last updated in 1998 by the adoption of Ordinance No. 1405 N.S.

On November 10, 2020, the Planning Commission considered and recommended, unanimously, the City Council approve the proposed draft Ordinance.

FISCAL AND RESOURCE IMPACT:

Staff regularly brings forward bundles of minor amendments as necessary to enhance, correct and/or refine the Code; and therefore, the cost is borne, and work is accommodated, within the respective division’s annual workplan and budget.

CEQA (California Environmental Quality Act):

This Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines. The proposed text amendments are covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments consist of miscellaneous minor amendments to correct clerical errors and inconsistencies within the Municipal Code as well as establishing procedures for amending the General Plan.

LINKS/ATTACHMENTS:

1. Ordinance 2319- Misc Code Amendments

ORDINANCE NO. 2319, NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

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

Section 1. Subsection D of Section 8.28.040 (Enumeration of Unlawful Noises) of Chapter 8.28 (Noise) of Title 8 (Health and Safety) is hereby amended to read as follows:

D. Construction Activities.

1. "Construction activities" are defined as including but not limited to excavation, grading, paving, demolition, construction, alteration or repair of any building, site, street or highway, delivery or removal of construction material to a site, or movement of construction materials on a site. Construction activities are prohibited other than between the hours of seven a.m. and eight p.m., Monday through Friday and between the hours of nine a.m. to six p.m. on Saturday. Construction activities may not occur on Sundays or federal holidays. No third person, including but not limited to landowners, construction company owners, contractors, subcontractors, or employers, shall permit or allow any person working on construction activities which are under their ownership, control or direction to violate this provision. Construction activities may occur in the following cases without violation of this provision:
 - a. In the event of urgent necessity in the interests of the public health and safety, and then only with a permit from the chief building official, which permit may be granted for a period of not to exceed three days or less while the emergency

continues and which permit may be renewed for periods of three days or less while the emergency continues.

- b. If the chief building official determines that the public health and safety will not be impaired by the construction activities between the hours of eight p.m. and seven a.m., and that loss or inconvenience would result to any party in interest, the chief building official may grant permission for such work to be done between the hours of eight p.m. and seven a.m. upon an application being made at the time the permit for the work is issued or during the progress of the work.
 - c. The city council finds that construction by the resident of a single residence does not have the same magnitude or frequency of noise impacts as a larger construction project. Therefore, the resident of a single residence may perform construction activities on that home during the hours in this subsection, as well as on Sundays and federal holidays from nine a.m. to six p.m., provided that such activities are limited to the improvement or maintenance undertaken by the resident on a personal basis.
 - d. Public work projects are exempt from this section and the public works director shall determine the hours of construction for public works projects.
2. If it is determined necessary in order to ensure compliance with this section, the chief building official may require fences, gates or other barriers prohibiting access to a construction site by construction crews during hours in which construction is prohibited by this subsection. The project manager of each project shall be responsible for ensuring the fences, gates or barriers are locked and/or in place during hours in which no construction is allowed. This subsection shall apply to construction sites other than public works projects or single dwelling units which are not a part of larger projects.

Section 2. Subsection A of Section 18.18.020 (Land Use Regulations) of Chapter 18.18 (Residential Attached Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows:

- A. Permitted Land Uses. Table 18.18-1 identifies land uses permitted in the residential attached zoning districts.

Table 18.18-1: Permitted Land Uses — Residential Attached Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District	Additional Regulations
--	-----------------	------------------------

	RAL	RAM	RAH	
Residential Uses				
Accessory Dwelling Units	P	P	P	Chapter 18.84
Duets and Duplexes	P	P	P	
Group Housing	C [1]	C	C	
Multi-Family Dwellings	P	P	P	
Nursing Homes and Long-Term Care	C	C	C	
Residential Care Facilities	C	C	C	
Residential Care Facilities, Small	P	P	P	
Single-Family Attached Dwellings	P	P	P	
Single-Family Detached Dwellings	P [2, 3]	P [3]	P [3]	
Public and Quasi-Public Uses				
Community Assembly	C	C	C	
Cultural Institutions	C	C	C	
Day Care Centers	C	C	C	
Home Day Care, Large and Small	P	P	P	
Parks and Recreational Facilities [4]	C	C	C	
Public Safety Facilities	C	C	C	
Schools, Public and Private	C	C	C	

Transportation, Communication, and Utility Uses				
Wireless Communication Facilities	See Chapter 18.96			
Other Uses				
Accessory Uses and Structures	See Chapter 18.44			
Home Occupations	See Section 18.92.060			
Temporary Uses and Structures	See Section 18.92.150			
Urban Agriculture				
Home Gardens	P	P	P	
Community Gardens	A	A	A	
Urban Farms	C	C	C	

Notes:

[1] Limited to no more than eight residents.

[2] Up to twenty-five percent of homes within a development project may be small-lot single family homes with a maximum lot area of three thousand five hundred square feet.

[3] Permitted only on a lot of record existing prior to July 7, 2018.

[4] Park and recreational facilities accessory to a residential use (e.g., a clubhouse serving a residential subdivision) are permitted by right.

Section 3. Chapter 18.22 (Mixed Use Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.22 - MIXED USE ZONING DISTRICTS

18.22.010 - Purpose of the mixed use zoning districts.

- A. General. The purpose of the mixed use zoning districts is to provide for active and inviting destinations in Morgan Hill with a diversity of residential and commercial land uses. In the mixed use zoning districts the design of development supports a welcoming, pedestrian-friendly public realm. A diversity of local and independent businesses, recreational amenities, and public spaces meet the needs of residents, workers, and visitors. New development respects Morgan Hill's history and reflects its unique small-town feel. The diversity of land uses, pedestrian-friendly development, and general level of activity in the mixed use zoning districts supports a range of transportation choices, including walking, biking, and transit.
- B. Specific.
 1. Downtown Mixed Use (MU-D). The purpose of the Downtown Mixed Use (MU-D) zoning district is to preserve and enhance Downtown as the heart of Morgan Hill and the center of the community. New development supports a walkable Downtown district with active storefronts and a diversity of commercial, residential, and public uses. The intensity of residential uses enhances economic vitality, increases housing options for residents of all ages, and support a vibrant and diverse destination for residents and visitors. The MU-D zoning district implements the community's vision for Downtown Morgan Hill as described in the Downtown Specific Plan.
 2. Neighborhood Mixed Use (MU-N). The purpose of the Neighborhood Mixed Use (MU-N) zoning district accommodates a range of residential and commercial land uses in close proximity to Downtown. A range of housing types provide residents with affordable housing options and increase opportunities to live close to stores, services, jobs, and transit. The MU-N zoning district provides a transition from the higher intensity uses in the Downtown Core to lower density residential neighborhoods.
 3. Mixed Use Flex (MU-F). The purpose of the MU-F zoning district is to accommodate a mixture of residential and commercial uses typically along the Monterey Road corridor north and south of Downtown. New mixed use development may be vertical (residences above ground floor commercial) or horizontal (separate buildings with different uses on a single site). Development in the MU-F zoning district creates attractive gateways into Morgan Hill, provides a range of housing options, and creates new centers of activity to serve surrounding neighborhoods.

18.22.020 - Land use regulations.

- A. Permitted Land Uses. Table 18.22-1 identifies land uses permitted in the MU-N and MU-F zoning districts. For permitted land uses in the MU-D zoning district, see Figure 8 in the Downtown Specific Plan.

Table 18.22-1: Permitted Land Uses — MU-N and MU-F Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District		Additional Regulations
	MU-N	MU-F	
Residential Uses			Section 18.22.030
Accessory Dwelling Units	P	P	Chapter 18.84
Duets and Duplexes	P	C	
Group Housing	C	C	
Live/Work Unit	A	A	
Mixed Use Residential	P	P	
Multi-Family Dwellings	P	C	
Nursing Homes and Long-Term Care	C	C	
Residential Care Facilities	C	C	
Residential Care Facilities, Small	P	P	
Senior Housing, Independent Living	P	C	
Single-Family Attached Dwellings	P	C	
Single-Family Detached Dwellings	P [1]	C	
Public and Quasi-Public Uses			
College and Trade Schools	P	P	

Community Assembly	C	C	
Cultural Institutions	A	A	
Day Care Centers	C	C	
Emergency Shelters	—	C	Section 18.92.050
Government Offices	A	A	
Home Day Care, Large and Small	P	P	
Hospitals	C	C	
Instructional Services	P	P	
Medical Offices and Clinics	P	P	
Parks and Recreational Facilities	P	P	
Public Safety Facilities	C	C	
Schools, Public and Private	C	C	
Social Services	—	C	
Commercial Uses			
Animal-Related Users			
Veterinarian Clinics and Hospitals	C	C	
Banks and Financial Institutions	P	P	
Business Support Services	P	P	

Cinemas and Theaters	A	A	
Commercial Recreation, Indoor			
≤ 15,000 sq. ft.	P	P	
> 15,000 sq. ft.	C	C	
Drive-Through Facilities	C	C	18.92.040
Eating and Drinking Uses			
Bars and Nightclubs	C	C	
Restaurant, Fast Food	P	P	
Restaurants, Sit Down	P	P	
Tasting Rooms	P	P	
Farmers Markets	A	A	
Lodging Facilities			
Bed and Breakfast	A	A	
Hotels and Motels	C	C	
Personal Services	P	P	
Professional Offices	P	P	
Retail			
Convenience Market	A	A	18.92.030
General Retail	P	P	

Vehicle-Related Uses			
Fuel and Service Stations	—	C	
Vehicle Rentals	—	C	
Vehicle Washing	—	C	
Industrial Uses			
Food and Beverage Production			
< 5,000 sq. ft. [3]	P	P	
5,000 sq. ft. to 10,000 sq. ft. [3]	C	C	
Transportation, Communication, and Utility Uses			
Parking Lots or Structures [2]	C	C	
Recycling Facilities			
Reverse Vending Machines	—	C	
Transportation Terminals	—	—	
Wireless Communications Facilities	See Chapter 18.96		
Other Uses			
Accessory Uses	See Chapter 18.44		
Home Occupations	See Section 18.92.060		
Temporary Uses	See Section 18.92.150		

Notes:

[1] Permitted only on a lot of record existing prior to July 7, 2018.

[2] When proposed as a primary use.

[3] On-site wholesale or retail sales required.

- B. Replacement Housing. Any proposed project that would replace existing rental housing occupied by a low or moderate-income household with commercial development or higher density residential uses shall comply with Municipal Code Chapter 15.30 (Replacement Housing).
- C. Additional Permits. In addition to permits identified in Table 18.22-1, development projects in the mixed use zoning districts may also require a design permit pursuant to Section 18.108.040 (Design Permits). Modifications to a historic resource may require a Historic Alteration pursuant to Chapter 18.60 (Historic Resources).
- D. Residential Building Allotments. All residential development must comply with the voter-approved residential development control system (RDCS) as established in Chapter 18.78 (Residential Development Control System). The RDCS requires proposed residential projects to first receive residential building allotments before applying for land use entitlements. Section 18.78.050.C (Exemptions from Allotments) identifies types of residential projects exempt from the requirement to obtain residential building allotments.

18.22.030 - Residential and mixed use in the MU-F zoning district.

Residential and residential mixed use is not allowed in the MU-F zoning district until the completion of a master plan for the Monterey Corridor.

18.22.040 - Development standards.

- A. General. Table 18.22-2 identifies development standards that apply in the mixed zoning districts.

Table 18.22-2: Development Standards in Mixed Use Zoning Districts

	MU-D	MU-N	MU-F	Additional Standards
Site Requirements				
Lot Area, Minimum	3,500 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	
Lot Width, Minimum	40 ft.	60 ft.	60 ft.	
Lot Depth, Minimum	80 ft.	100 ft.	100 ft.	

Floor Area Ratio, Maximum	2.0 [1]	1.0	0.5	
Residential Density				
Minimum	None	8 du/acre	7 du/acre	
Maximum	None	20 du/acre	24 du/acre	
Building Coverage, Maximum	None	75%	50%	
Structure Requirements				
Setbacks	See Table 18.22-3			18.56.030
Height, Maximum	3 stories and 45 ft. [2]	35 ft. [3,4]	35 ft. [3]	18.56.020

Notes:

[1] 2.25 FAR permitted on sites 22,000 sq. ft. or more.

[2] Four stories and 55 ft. permitted on sites 22,000 sq. ft. or more.

[3] 45 ft. permitted with a minimum of 10 ft. devoted to a roof element.

[4] 40 ft. allowed for vertical mixed use, regardless of roof form.

- B. Setbacks. Table 18.22-3 identifies setback standards that apply in the mixed zoning districts. Within each zoning district, setback standards for residential uses are different from setback standards for non-residential and mixed use development. See Figure 18.24.

Table 18.22-3: Setback Standards in Mixed Use Zoning Districts

	MU-D		MU-N		MU-F	
Setback	Res.	Non-Res. [1]	Res.	Non-Res. [1] [5]	Res.	Non-Res. [1] [5]
Front	Min: 6 ft. [2] Max: 15 ft.	Min: 0 ft. Max: 10 ft.	Min: 6 ft. [2] Max: 15 ft.	Min: 0 ft. [3] Max: 10 ft.	Min: 15 ft. [2] Max: None	Min: 10 ft. [4] Max: None

Rear, Min.	0 ft.	10 ft.	0 ft.	10 ft.	20 ft.	10 ft.
Interior Side, Min.	5 ft.	0 ft.	5 ft.	0 ft.	5 ft.	0 ft.
Street Side, Min.	6 ft.	0 ft.	6 ft.	0 ft.	10 ft.	10 ft. [4]

Notes:

- [1] Includes mixed use buildings with residential uses above ground floor commercial.
- [2] Residential porches and similar entry features may project five feet into the front setback. See Figure 18.22-1.
- [3] Building wall must be setback a minimum of ten feet from the edge of curb. See Figure 18.22-2.
- [4] Outdoor seating, courtyards, and other publicly-accessible spaces may project five feet into the front setback.
- [5] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

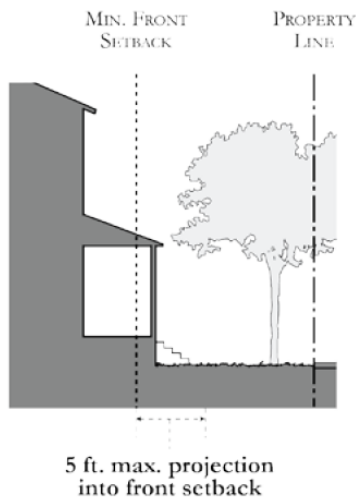


Figure 18.22-1: Permitted Projection Into Front Setback — Residential Uses

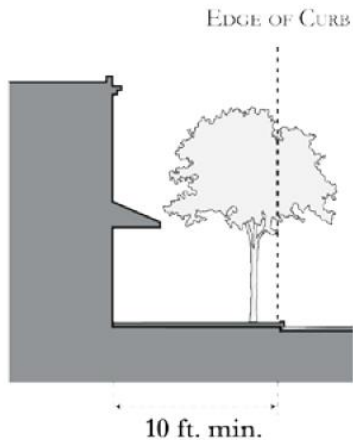


Figure 18.22-2: Minimum Setback From Curb — MU-N Zoning District

Section 4. Section 18.24.030 (Development Standards) of Chapter 18.24 (Commercial Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

- A. General. Table 18.24-2 identifies development standards that apply in the commercial zoning districts.
- B. Residential Transition Standards. Where a property zoned in a commercial zoning district abuts a residential zoning district, projects shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

Table 18.24-2: Development Standards in the Commercial Zoning Districts

	CO	CN	CG	CH	CS	Additional Standards
Site Requirements						
Lot Area, Minimum	6,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	10,000 sq. ft.	
Lot Width, Minimum	60 ft.	100 ft.	100 ft.	70 ft.	100 ft.	

Lot Depth, Minimum	100 ft.	100 ft.	100 ft.	125 ft.	100 ft.	
Building Coverage, Maximum	50%	50%	50%	40%	50%	
Structure Requirements						
Setbacks, Minimum [1]						18.56.030
Front	20 ft.	25 ft.	25 ft.	40 ft.	25 ft.	
Rear	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	
Interior Side	10 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
Street Side	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	
Height, Maximum	3 stories or 30 ft., whichever is less	2½ stories or 30 ft., whichever is less	3 stories or 35 ft., whichever is less	4 stories or 55 ft., whichever is less	3 stories or 35 ft., whichever is less	18.24.030.B; 18.56.020

- [1] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).

Section 5. Chapter 18.26 (Industrial Zoning Districts) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

18.26.010 - Purpose of the industrial zoning districts.

- A. General. The purpose of the industrial zoning districts is to provide locations to maintain and focus industrial development in economically and geographically strategic locations in Morgan Hill. Permitted land uses in the industrial zoning districts are limited to avoid potential conflicts that would adversely impact industrial activities. Development is

designed to enhance the economic vitality of industrial areas and limit impacts on adjacent development.

B. Specific.

1. Commercial Industrial (CI). The purpose of the CI zoning district is to promote job-generating development of lands by allowing flexibility in the mix of industrial, office, and commercial uses that are compatible with existing development. Lodging uses (e.g., hotels) that support primary job generating uses within business districts are allowed.
2. Light Office Industrial (IO). The purpose of the IO zoning district is to provide areas for mixed administrative and executive office uses in appropriate areas within the community.
3. Campus Industrial (IC). The purpose of the IC zoning district is to provide an environment exclusively for and conducive to the development and protection of modern administrative facilities, research institutions and specialized manufacturing operations.
4. Light Industrial (IL). The purpose of the IL zoning district is to provide areas for research, administrative, lighter manufacturing, wholesale and heavy service commercial uses not suitable in commercial districts.
5. General Industrial (IG). The purpose of the IG zoning district is to provide areas for general industrial, manufacturing, wholesale and service uses needed by the city and region subject to regulations necessary to protect other nearby uses from hazards and noise and other disturbances.

18.26.020 - Land use regulations.

- A. Permitted Land Uses. Table 18.26-1 identifies land uses permitted in the industrial zoning districts.

Table 18.26-1 Permitted Land Uses in the Industrial Zoning Districts

Key P Permitted Use A Administrative Use Permit required C Conditional Use Permit required — Use not allowed	Zoning District					Additional Regulations
	CI	IO	IC	IL	IG	
Residential Uses						

Caretaker Quarters	—	—	—	C	C	
Public and Quasi-Public Uses						
Colleges and Trade Schools	C	C	C	C	C	
Community Assembly	C	—	—	C	C	
Instructional Services	A	—	—	—	—	
Medical Offices and Clinics	A	—	—	—	—	
Parks and Recreational Facilities	C	—	—	C	C	
Public Safety Facilities	C	—	—	C	C	
Commercial Uses						
Adult Businesses	—	—	P	P	P	18.92.020
Animal-Related Commercial Uses						
Animal Boarding	C	—	—	C	C	
Veterinarian Clinics and Hospitals	A	A	A	C	C	
Banks and Financial Institutions	C [4]	—	—	—	—	
Business Support Services	P	C	P	P	P	
Cinemas and Theaters	A	—	—	—	—	
Commercial Recreation, Indoor						
≤ 15,000 sq. ft.	P	C	C	C	C	
> 15,000 sq. ft.	C	C	C	C	C	

Eating and Drinking Uses						
Restaurants, Fast Food	C [4]	— [5]	— [5]	— [5]	— [5]	
Restaurants, Sit-Down	C [4]	— [5]	— [5]	— [5]	— [5]	
Tasting Rooms	P [6]	—	—	A [6]	A [6]	
Lodging Facilities						
Hotels and Motels	P	—	—	—	—	
Mini-Storage	—	—	—	C	C	18.92.100
Personal Service	C [4]	— [5]	— [5]	— [5]	— [5]	
Plant Nurseries	C	—	—	P	P	
Professional Offices	P	P	P	P	P	
Retail						
Building Materials	C	—	—	P	P	
Convenience Markets	C [4]	— [5]	— [5]	— [5]	— [5]	
General Retail	C [4]	— [5]	— [5]	— [5]	— [5]	
Home Improvement Centers	C	—	—	C	C	
Large Commodity Retail	C	—	—	C	C	
Vehicle-Related Uses						

Salvage and Wrecking	—	—	—	—	C	
Towing and Impound	—	—	—	C	P	
Vehicle Repair and Maintenance, Major	—	—	—	C	P	
Vehicle Repair and Maintenance, Minor	—	—	—	P	P [1]	
Vehicle Storage, Outdoor	—	—	—	C	C	18.52.080.C
Wholesaling	P	—	—	P	P	
Industrial Uses						
Construction and Material Yards	C	C	C	P	P	18.36.030.C
Food and Beverage Production						
< 5,000 sq. ft. [7]	A [2]	A [2]	A [2]	P [2]	P [2]	
5,000 sq. ft. to 10,000 sq. ft. [7]	C [2]	C [2]	C [2]	P [2]	P [2]	
> 10,000 sq. ft.	C	C	C	P [2,8]	P [2,8]	
Manufacturing, Light	P	C [3]	C	P	P	
Manufacturing, General	—	—	—	—	C	
Research and Development	P	P	P	P	P	
Warehousing and Distribution						
Warehousing and Distribution, Large	C	C [3]	C [3]	C	P	
Warehousing and Distribution, Small	C	C [3]	C [3]	P	P	

Warehousing and Distribution with Outdoor Storage	C	—	—	C	C	
Heavy Distribution	—	—	—	—	—	
Parcel Sorting Facilities	—	—	—	—	—	
Parcel Hub Small < 75,000 sq. ft.	—	—	—	—	—	
Parcel Hub Large > 75,000 sq. ft.	—	—	—	—	—	
Recycling Facilities						
Reverse Vending Machine	P	C	C	P	P	
Recycling Collection Facility	C	—	—	C	C	
Recycling Processing Facility	—	—	—	—	C	
Utilities, Major	—	—	—	C	C	
Wireless Communications Facilities	See Chapter 18.96					
Agriculture and Natural Resource Uses						
Crop Cultivation	—		—			
Other Uses						
Accessory Uses	See Chapter 18.44					
Temporary Uses	See Section 18.92.150					

Notes:

- [1] Retail sale of automotive products allowed only when ancillary to a vehicle repair and maintenance use. Retail display areas for automotive products may not exceed twenty-five percent of the building floor area.
- [2] Must be one hundred fifty feet or more from a residential zoning district, otherwise requires a CUP.

- [3] Permitted only when ancillary to another permitted use.
 - [4] Allowed as a primary use only when the planning commission finds that the use supports the primary job-generating uses within a business park setting.
 - [5] Allowed when accessory to a permitted primary use subject to the limitations in Section 18.26.020.D (Accessory Uses).
 - [6] Allowed only when accessory to a brewery, winery, or other alcoholic beverage production facility. Tasting rooms must be located within the building occupied by the primary use and may not exceed five thousand square feet or ten percent of the gross floor area of the building, whichever is less.
 - [7] On-site wholesale or retail sales required.
 - [8] Conditional use permit required when the type of food being produced will emit a generally offensive odor. Examples include primary processing of seafood, coffee roasting, pickled foods, or processes involving primarily fat and oils.
- B. Additional Permits. In addition to permits identified in Table 18.26-1, development projects in the industrial districts may also require a design permit pursuant to Section 18.108.040 (Design Permits). Modifications to a historic resource may require a Historic Alteration pursuant to Chapter 18.60 (Historic Resources).
- C. Outdoor Uses.
- 1. In the IO zoning district, all uses shall be conducted wholly within a completely enclosed building. Outdoor uses are prohibited.
 - 2. In all other industrial zoning districts, outdoor uses shall be screened from public view and the area containing the outdoor use shall meet the minimum design standards applicable to off-street parking facilities as specified in Section 18.72.060 (Parking Design and Development Standards).
- D. Accessory Uses.
- 1. In all industrial zoning districts, retail, personal service, recreation, restaurants, and other similar uses are permitted as an accessory use provided the following conditions are met:
 - a. The use is conducted within the building occupied by the primary use; and
 - b. The use is to serve only employees and guests of the primary use; and
 - c. The use is limited to no more than three thousand square feet or ten percent of the floor area of the primary use, whichever is less.
 - 2. Tasting rooms associated with a brewery, winery, or other alcoholic beverage production facility are allowed in industrial zoning districts as specified in Table 18.26-1.

18.26.030 - Development standards.

- A. General. Table 18.26-2 identifies development standards that apply in the industrial zoning districts.

Table 18.26-2: Industrial Zoning District Development Standards

	CI	IO	IC	IL	IG	Additional Standards
Site Requirements						
Lot Area, Minimum	20,000 sq. ft.	40,000 sq. ft.	5 acres	20,000 sq. ft.	20,000 sq. ft.	
Lot Width, Minimum	100 ft.	100 ft.	300 ft.	100 ft.	150 ft.	
Lot Depth, Minimum	100 ft.	100 ft.	300 ft.	100 ft.	100 ft.	
Floor Area Ratio, Maximum	0.5/0.6 [1]	0.6	0.5	0.6	0.6	
Building Coverage, Maximum	60%	40%	40%	50%	60%	
Structure Requirements						
Setbacks, Minimum [2]						Chapter 18.56
Front	30 ft.	40 ft.	50 ft.	30 ft.	30 ft.	
Rear	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	
Interior Side	10 ft.	10 ft.	25 ft.	10 ft.	15 ft.	
Street Side	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	
Height, Maximum	4 stories or 55 ft.,	35 ft.	50 ft.	50 ft.	50 ft.	18.56

	whichever is less					18.26.030.B
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Notes:

- [1] An FAR of 0.6 is allowed for industrial uses. An FAR of 0.5 is allowed for non-industrial land uses.
- [2] Where a property abuts a residential zoning district or residential land use designation, the property shall comply with increased setbacks, upper story stepbacks, and landscaping standards as specified in Section 18.92.130 (Residential Transition Standards).
- B. Cul-De-Sac Lot Width. In all industrial zoning districts except for the IC zoning district, the minimum width of a cul-de-sac lot is eighty feet as measured along the radius of the front property line.
- C. Joint Access Agreement — IL, IG Zoning Districts. For parcels of less than forty thousand square feet in area, a joint mutual access agreement between adjoining parcels shall be required for reasonable vehicular and pedestrian passage.

Section 6. Section 18.40.050 (Development Standards) of Chapter 18.40 (Alternative Standards for Medium Density Residential Development) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

- A. General. Minimum lot sizes and dimensions for specific housing types are shown in Table 18.40-2. Lot sizes, dimensions, coverage limits, and setback standards may vary based on the use within the specified zoning district.

Table 18.40-2: Medium Density Residential Development Standards

	Housing Type					
	Duet	Courtyard	SFD	TH	Duplex	Multi
Lot Area (min sq. ft.) [1] [2]	3,000	1,920— 2,999	4,500— 5,500	1,440— 3,999	6,000	6,000
Lot Width (min)	30 ft.	24 ft.	40 ft.	24 ft.	60 ft.	60 ft.
Lot Depth (min)	85 ft.	60 ft.	80 ft.	60 ft.	85 ft.	85 ft.
Lot Coverage (max) [3]	50%	45%	N/A	55%	1 story: 40% 2+ story: 50%	60%

Floor Area Ratio (max)	N/A	N/A	52%	N/A	N/A	N/A
Height	See base zoning district					
Setbacks						
Front [4]	10 ft.	N/A	15 feet	N/A	20 ft.	15
Interior Side	3 ft. [5]	5 ft. [7]	4 ft. [6]	N/A	5 ft. [7]	5 ft.
Street Side	6 ft.	5 ft.	8 ft.	5 ft.	10 ft.	15 ft.
Rear	10 ft.	N/A	15 ft.	N/A	15 ft.	20 ft.

Notes:

[1] Subject to the density requirements specified in the General Plan.

[2] Standards are for individual lots and not for the subdivision as a whole.

[3] Lot coverage limits apply to individual, subdivided parcels and to accessory structures as well as the primary residential structure on the site. Development in the RAL and RAM zoning districts is also subject to an aggregate lot coverage limit for the entire subdivision. See Section 18.18.060.A.

[4] Additional requirements apply for street-facing garages. See Section 18.40.070.H.7.

[5] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least six feet and one setback is at least four feet.

[6] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least eight feet.

[7] A reduced setback (as low as zero feet) is acceptable on one side yard; provided, that the sum of both side yard setbacks is at least ten feet.

Section 7. Table 18.44-2 (Minimum Accessory Structure Setbacks) of Section 18.44.030 (Accessory Structures in Residential Zoning Districts) of Chapter 18.44 (Accessory Structures and Uses) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Table 18.44-2: Minimum Accessory Structure Setbacks

Accessory Structure	Minimum Setbacks from Property Lines	
	Front	Side and Rear
Roofed structures such as detached garages and sheds and open, unroofed structures such as trellises		
Height 12 ft. or less		5 ft.
Height greater than 12 ft.	Same as minimum primary structure setback	Same as minimum primary structure setback
Mechanical equipment and mechanical equipment enclosures		50 percent of minimum primary structure setback
Patios and Decks [2]		
Height 18 in. or less (unroofed only)	5 ft.	1 ft.
Height less than 6 ft.	15 ft.	5 ft.
Height greater than 6 ft.	20 ft. or same as minimum primary structure setback, whichever is less	12.5 ft. or same as minimum primary structure setback, whichever is less
In ground pools, spas and hot tubs	Same as minimum primary structure setback	4 ft.
Above ground pools, spas, hot tubs and related equipment, accessories, and improvements	Same as minimum primary structure setback	5 ft.
Ponds less than 18 in. in depth	10 ft.	1 ft.
Fireplaces, barbeque structures, statuary and fountains [1]		

Height 8 ft. or less	3 ft.	3 ft.
Height 8 ft. to 12 ft.	5 ft.	5 ft.

Notes:

[1] All openings for freestanding fireplaces and built-in barbeques shall meet all Uniform Building Code and Uniform Fire Code requirements.

[2] Height measured from ground to walking surface.

Section 8. Chapter 18.52 (Fences and Walls) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.52 - FENCES AND WALLS

18.52.010 - Purpose and applicability.

This chapter establishes standards for fences and walls that apply in all zoning districts. For the purposes of this Title, the term “fence” includes fences or walls. Walls that are required by a mitigation measure and designed and approved through a discretionary permit for noise attenuation are exempt from this Chapter.

18.52.020 - Required permits and approvals.

- A. No Planning Permit Required. Fences and walls consistent with this chapter are permitted by-right without the requirement to obtain any planning permit unless otherwise stated.
- B. Building Permit. Fences and walls may require a building permit as required by California Building Code.
- C. Encroachment Permit. A fence or wall in the public right-of-way requires approval of an encroachment permit consistent with Municipal Code Chapter 12.08 (Excavation and Encroachment).
- D. Minor Exception. The community development director may grant a minor exception to increase the maximum permit height of a fence or wall as described in Section 18.52.050 (Exceptions to Height Limits).

18.52.030 - Measurement of fence and wall height.

- A. Measurement of Height. The height of a fence or wall is measured from the finished grade at the base of the fence or wall to the top edge of the fence or wall.
- B. Fences on Retaining Walls. If a fence or wall is atop a retaining wall, the height of the fence or wall shall be determined exclusive of the height of the retaining wall such that the top of the retaining wall is considered the finished grade.

- C. **Different Finished Grades.** If the adjacent finished grade is different on opposite sides of a fence or wall, the height is measured from the side with the lowest finished grade to the highest point on the fence or wall.

18.52.040 - Height limits.

- A. **Maximum Height.** Fences and walls may not exceed the maximum height shown in Table 18.52-1 and Figure 18.52-1 except as allowed by Section 18.52.050 (Exceptions to Fence Height Limit).

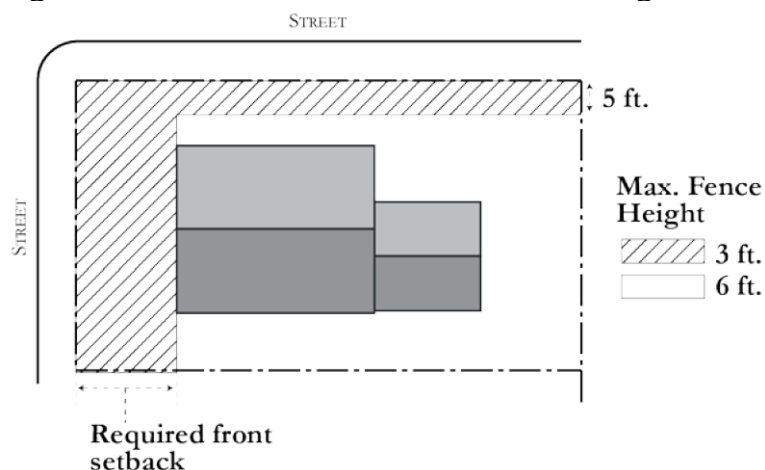
Table 18.52-1: Maximum Fence and Wall Height

Fence and Wall Height	Maximum Height
Fence in front setback area	3 ft.
Fence within 5 ft. of street side property line	3 ft.
Fence within all other areas of a lot	6 ft. [1]

Notes:

- [1] An additional one foot of fence height up to a maximum of seven feet is permitted for lattice work and other decorative features uniformly open to the passage of light and air.

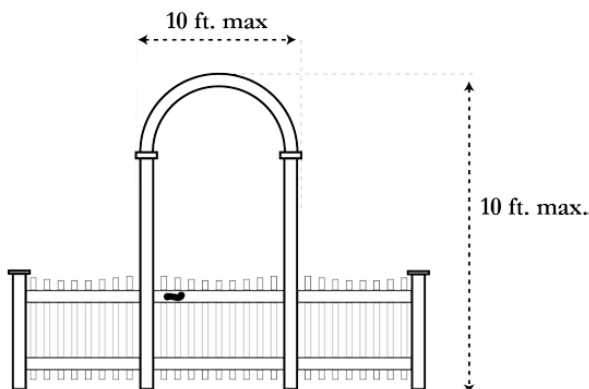
Figure 18.52-1: Maximum Fence and Wall Height



- B. **Decorative Features.** A decorative arch, gate, trellis or other entry feature located along a street frontage may exceed the height limit shown in Table 18.52-1. Decorative features shall be limited to ten feet in width and ten feet in height. Only one decorative feature is permitted per street frontage. See Figure 18.52-2.

- C. Clear Triangle. Walls and fences shall comply with clear triangle requirements in Section 18.92.080 (Intersection Site Distance).

Figure 18.52-2: Decorative Entry Features



18.52.050 - Exceptions to height limits.

The community development director may approve a minor exception (Section 18.108.070) to allow an increase to the maximum permitted height of a fence or wall as described below.

A. Open Space and Residential Estate Zoning Districts.

1. Within the open space and residential estate zoning districts, the community development director may grant a minor exception to increase the maximum height of a fence in the front setback area to a maximum six feet in height.
2. This exception applies only to open, wrought iron or decorative fences that are at least seventy percent open to the passage of light and air.
3. Chain link, chain link with wood or vinyl slats, solid board fences, or any other type of view obstructing fencing may not exceed three feet in height in the front setback area.

B. All Zoning Districts. The community development director may grant a minor exception to increase the maximum height of a fence or wall by two feet in the front setback area and one foot behind the front setback line in the following cases:

1. The topography of sloping sites or a difference in grade between adjoining sites warrants such increase in height to maintain privacy, security, or effectiveness of screening.
2. A property is located adjacent to public parks, other public spaces or adjacent to private common area parks and open space where an increase in fence or wall height would not unreasonably affect desirable views or vistas or the open space value of abutting sites.

18.52.060 - Materials.

The following fence and wall materials and types are prohibited unless otherwise approved by the planning commission:

- A. Residential zoning districts: Barbed wire, razor wire, chain link, sheet metal, and electric fences.
- B. Commercial zoning districts: Chain link and sheet metal fences. Barbed wire, razor wire and electric fences within the front setback area or where a property abuts a residential zoning district or residential land use designation.
- C. Industrial zoning districts: Barbed wire, razor wire, chain link, sheet metal and electric fences within the front setback area.

18.52.070 - Nonconforming fences and walls.

See Chapter 18.68 (Nonconforming Uses and Structures).

18.52.080 – Special fence and wall requirements

- A. Fence and Wall Design. Fences and walls shall be constructed of attractive, long-lasting materials (e.g., masonry, wood, tubular steel, fiberglass, or stone). Walls shall consist of a decorative design and/or be screened with landscaping.
- B. Public Frontage Fencing of Nonresidential and Multi-Family Projects. Where fencing is proposed along public frontages of nonresidential and multi-family projects, such fencing shall be open view unless otherwise required to be solid for noise attenuation. Open view fencing shall also be required when located adjacent to open space areas.
- C. Screening of Outdoor Storage. Outdoor storage shall be fenced or screened from view. Such screening shall utilize enclosures including, but not limited to, fences, walls, landscaping, or earthen berms. Screening shall be visually compatible with the primary buildings and landscape on the property.
- D. Screening for Commercial or Industrial Uses Adjacent to Residential Zones. Commercial and industrial uses shall be screened from adjacent residential zones by a decorative or landscaped masonry wall with a minimum height of seven (7) feet to screen the commercial or industrial use. This requirement is not intended to preclude the development of pedestrian/bicycle access points between commercial and residential.
- E. Screening of Loading Docks and Refuse Areas. Loading docks and refuse storage areas shall be screened from public view, adjoining public streets and rights-of-way, and residentially zoned areas. The method of screening shall be architecturally compatible with other on-site development in terms of colors and materials.
- F. Maintenance. Fences and walls shall be continuously maintained in an orderly and good condition.

Section 9. Section 18.56.040 (Lot Coverage Exceptions) of Chapter 18.56 (Height, Setback

and Lot Coverage Exceptions) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

The community development director may increase the maximum lot coverage requirement by up to ten percent with the approval of a minor exception. See Section 18.108.070 (Minor Exception).

Section 10. Section 18.68.070 (Nonconforming Structures) of Chapter 18.68 (Nonconforming Uses and Structures) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

This section identifies allowed modifications to nonconforming structures, summarized in Table 18.68-1.

Table 18.68-1: Allowed Modifications to Nonconforming Structures

Project Affecting a Nonconforming Structure	Permit Required [1]
Nonstructural repairs, maintenance, and interior alterations	None
Structural repairs, modifications, and additions that do not alter or affect the nonconforming aspect of the structure	None
Structural repairs, modifications, and additions that alter or affect the nonconforming aspect of the structure	Design Permit
Structural repairs, modifications, and additions that increase or exacerbate the nonconforming aspect of the structure	Conditional Use Permit
Reconstruction of an involuntarily damaged or destroyed residential structure	Design Permit

Notes:

[1] The proposed project may require permits and approvals for other reasons not related to its nonconforming status. For example, additions or enlargements to a single-family dwelling often requires a design permit.

A. Alterations Permitted By-Right.

1. Maintenance, nonstructural repairs, and nonstructural interior alterations to any portion of a nonconforming structure are permitted if the changes and improvements do not enlarge or extend the structure.

2. Structural modifications to a nonconforming structure that do not alter or affect the nonconforming aspect of the structure are permitted. For example, an addition to a structure with a non-conforming setback is permitted if no structural changes are made to the portion of the structure projecting into the required setback, and if the addition complies with all setback, height, floor area ratio, and other applicable development standards.
- B. Alterations Requiring a Design Permit.
1. Structural repairs and improvements that affect the nonconforming aspect of a nonconforming structure are allowed with a design permit if the improvement does not increase or exacerbate the nonconformity. For example, structural repairs to a building wall within a required setback are permitted with a design permit if the wall is not moved closer to the property line and the length of the wall within the required setback is not increased.
 2. To approve such an alteration, the community development director shall make all design permit findings (Section 18.108.040) in addition to the findings in Section 18.68.080 (Findings).
- C. Alterations Requiring a Conditional Use Permit
1. Alterations to a non-conforming structure that increase or exacerbate the nonconformity requires a conditional use permit. For example, a remodel that increases the length of an existing building wall located within a required setback is allowed only with the approval of a conditional use permit.
 2. To approve such an alteration, the planning commission shall make all variance findings (Section 18.108.100) in addition to the findings in Section 18.68.080 (Findings).
- D. Damage or Destruction. Except as allowed by Subsection E below, a nonconforming structure damaged or destroyed for any reason shall be brought into full compliance with the requirements of the zoning code if the cost of reconstruction exceeds fifty percent of its market value as determined by the county assessor on the last equalized assessment roll at the time of its destruction.
- E. Involuntary Damage or Destruction — Residential Structures.
1. If a legally established nonconforming building occupied by a residential use is damaged or destroyed by earthquake, fire, flood, or other calamity, the structure may be reconstructed as it existed and may be continued as a legal nonconforming structure with the approval of a design permit.
 2. "Reconstructed" means rebuilding a damaged or destroyed structure in a manner similar but not identical to the original structure. A reconstructed structure generally recreates the original building footprint, mass, and height, but may deviate from design details such as architectural design and the arrangement of doors, windows, and rooflines.

3. The city may attach conditions of approval as necessary to protect the public health, safety and welfare, including requirements to reduce or eliminate previously existing nonconformities.
 4. Reconstruction of damaged or destroyed buildings may not increase or exacerbate previously existing nonconformities or create new nonconformities.
 5. The construction of the replacement structure must begin within twenty-four months of the date of the calamity which damaged or destroyed the structure.
- F. Moved Structures. A nonconforming structure that is moved to a new location shall conform to all standards of the applicable zoning district.
- G. Nonconforming Screening, Fences, and Landscaping.
1. Legally established nonconforming screening, fences, and landscaping may continue and remain except as required by Paragraph 2 below.
 2. For additions or renovations that increase by twenty-five percent or more the floor area or market value of one or more buildings on a property, any nonconforming screening, fences, and landscaping shall be brought into compliance with the requirements of the applicable zoning district.

Section 11. Chapter 18.115 (General Plan Amendments) of Title 18 (Zoning) is hereby to read as follows (additions in underline, deletions in ~~strikeout~~):

Chapter 18.115 – GENERAL PLAN AMENDMENTS

18.115.010 – Purpose.

This chapter establishes procedures for amending the General Plan text (e.g., goals, policies, or implementation programs) or to change the General Plan land use designation on any parcel(s).

18.115.020 – Initiation.

A General Plan Amendment may be initiated by motion of the Planning Commission or City Council, by application of property owner(s) of parcel(s) to be affected by the General Plan Amendment, or by recommendation of the Development Services Director to clarify text, address changes mandated by state law, maintain internal General Plan consistency, address boundary adjustments affecting land use designation(s), or for any other reason beneficial to the city.

18.115.030 Application.

An application for a general plan amendment shall be filed and reviewed in compliance with Chapter 18.104 (Common Permit Requirements). The application shall include the information and materials required by the development services department, together with all

required application fees. For amendments submitted by a resident, property owner, or business owner it is the responsibility of the applicant to provide evidence in support of the findings required by Section 18.115.060 (Findings for Approval).

18.115.040 – Planning commission hearing and action.

- A. General. The planning commission shall hold a public hearing on a proposed general plan amendment in compliance with Section 18.104.090 (Notice of Hearings).
- B. Recommendation of Approval. The planning commission may recommend to the city council the approval or conditional approval of the proposed general plan amendment, based upon the findings specified in Section 18.115.060 (Findings for Approval). The planning commission shall forward a written recommendation, and the reasons for the recommendation, to the city council within 90 days after the date the hearing was closed to the public. A recommendation for approval shall be made by a majority vote of the total membership of the planning commission.
- C. Denial. The planning commission may deny the proposed general plan amendment based upon the findings specified in Section 18.118.060 (Findings for Approval). For a land use diagram amendment, if the action of the planning commission is to recommend denial, the city council is not required to take further action on the proposed amendment unless an interested party requests a hearing in writing with the city clerk within ten days after the planning commission recommendation is filed with the city council.

18.115.050 – City council hearing and action.

- A. General. After receipt of the planning commission's recommendation to approve a proposed general plan amendment, the city council shall hold a public hearing on the proposal in compliance with Section 18.104.090 (Notice of Hearing).
- B. Approval or Denial. The city council may approve, conditionally approve, or deny the proposed general plan amendment based upon the findings specified in Section 18.115.060 (Findings for Approval).
- C. Finality of Action. The action by the city council shall be made by a majority vote of the total membership of the city council and shall be final and conclusive.
- D. Referral to Planning Commission. If the city council proposes to adopt a substantial modification to the general plan amendment not previously considered by the planning commission, the proposed modification shall be first referred to the planning commission for its recommendation.
- E. Failure to Report. The failure of the planning commission to report back to the city council within forty days after the reference, or within the time set by the city council, shall be deemed a recommendation of approval.

18.115.060 – Findings for approval.

The city council may approve a general plan amendment only if all of the following findings are made:

- A. The city council must find that the proposed amendment meets the letter and intent of the General Plan goals and policies.

18.115.070 – Effective date.

A General Plan Amendment becomes effective immediately following the approval of the resolution by the city council.

18.115.080 – Limitations on resubmittal after denial.

If the city denies a general plan amendment, the city may not accept an application for the same or substantially similar general plan amendment for one year following such denial, except in the following cases:

- A. Upon initiation by the city council or planning commission; or
- B. The application requests a different general plan land use designation than that previously requested.

18.115.090 – Frequency of amendment.

Pursuant to Government Code Section 65358, no mandatory element of the General Plan may be amended more frequently than four times during any calendar year. Subject to that limitation, an amendment may be made at any time and may include more than one change to the General Plan.

18.115.100 – Preliminary review.

- A. When Required. Prior to submittal of an application for a General Plan Amendment, an application must receive preliminary input from the planning commission on the proposed general plan amendment.
- B. Application. A preliminary review application for a proposed general plan amendment shall be submitted with the development services department in accordance with Chapter 18.104 (Common Permit Requirements). The application shall include, at a minimum, the following information and materials:
 1. A statement describing the proposed project and how it complies with the findings required for the approval of a general plan amendment in Section 18.115.060 (Findings for Approval).
 2. Project plans, diagrams, and graphics as needed to illustrate the overall development concept, including proposed land uses, buildings, circulation, open space, and any other significant elements in the project.

- C. Public Hearing. The planning commission shall consider the preliminary review application and a public hearing noticed in accordance with Section 18.104.090 (Notice of Hearing).
- D. Preliminary input.
 - 1. The planning commission shall provide preliminary input on project compliance with findings required for the approval of a General Plan Amendment in Section 18.115.060 (Findings for Approval).
 - 2. Planning commission input shall not be construed as a recommendation for approval or denial of the project. Any recommendation to the applicant is advisory only and shall not be binding on either the applicant or the city.

Section 12. Subsection G of Section 18.128.020 (Definitions) of Chapter 18.128 (General Terms) of Title 18 (Zoning) is hereby amended to read as follows (additions in underline, deletions in ~~strikeout~~):

- G. "G" Terms.
 - 1. Garage, Private. An attached or detached accessory structure on a lot developed with a residential dwelling used by residents for the storage of passenger vehicles, and other vehicles and equipment permitted on the lot.
 - 2. Garage, Public. A structure other than a private garage used for the storage, sale, hire, or care of motor vehicles.
 - 3. General Plan. The general plan of the city of Morgan Hill, California.
 - 4. Guest House. A building containing living space that is heated/cooled, with a full bath, without kitchen facilities, and used to house occasional visitors or nonpaying guests of the occupant of the primary dwelling unit. A guest house with a kitchen facility is considered a secondary dwelling unit.

Section 13. **Severability.** Should any provision of this ordinance be deemed unconstitutional or unenforceable by a court of competent jurisdiction, such provision shall be severed from the ordinance, and such severance shall not affect the remainder of the ordinance.

Section 14. **Effective Date; Posting.** This Ordinance shall take effect (30) days after the date of its adoption. The City Clerk is hereby directed to publish this Ordinance or a summary thereof pursuant to Government Code Section 36933.

THE FOREGOING ORDINANCE WAS INTRODUCED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 16th DAY OF DECEMBER 2020, AND WAS FINALLY ADOPTED AT A MEETING OF THE CITY COUNCIL HELD ON THE 20th DAY OF JANUARY 2021, AND SAID ORDINANCE WAS DULY PASSED AND ADOPTED IN ACCORDANCE WITH LAW BY THE FOLLOWING VOTE:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATE OF THE CITY CLERK ∞

I, MICHELLE BIGELOW, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2319, New Series, adopted by the City Council of the City of Morgan Hill, California at their regular meeting held on the 20th day of January 2021.

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

DATE: _____

MICHELLE BIGELOW, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Christina Turner, City Manager
APPROVED BY: City Manager

APPROVE CITY POSITION AND COMMUNICATION REGARDING VTA'S PROPOSED MEASURE B FUNDING REALIGNMENT, VALLEY WATER'S FUNDING OF PHASE 2A OF UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT AND FEDERAL STIMULUS SUPPORT FOR STATE AND LOCAL GOVERNMENTS

RECOMMENDATION(S)

1. Ratify City position and accept City communication sent to Santa Clara County Board of Supervisors regarding opposition of Valley Transportation Authority's (VTA) proposed 2016 Measure B 10-year outlook base scenario and funding realignment;
2. Authorize City Manager to communicate the City's position to Valley Transportation Authority Board when the matter is placed on its agenda;
3. Ratify City position and accept City communication sent to Valley Water in support of funding Phase 2A of the Upper Llagas Flood Control Protection Project; and
4. Ratify City position and accept City communication sent to Federal legislative representatives in support for economic stimulus for state and local governments.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Protecting the Environment and Preserving
Open Space and Agricultural Land
Maintaining Infrastructure
Preserving and Cultivating Public Trust
Advancing Regional Initiatives

2020-2021 Strategic Priorities

Fiscal Sustainability

GUIDING DOCUMENTS

Storm Drain Master Plan

REPORT NARRATIVE:

Per Resolution No. 20-010 (Attachment 1), the City Council recognizes occasional situations arise where communication indicating support or opposition on pending State, County, or other regional boards' legislation or action that could be important and may occur prior to the next scheduled City Council meeting. Under these circumstances, the Mayor or City Manager is delegated the authority to prepare, execute and transmit written or verbal communications indicating a City's position when any of the following criteria are met: a) the League of California Cities, or a similar organization, has requested the City to comment or take a position, b) the timing to express a position occurs prior to the next scheduled Council meeting, and c) the pending State, County,

or other regional boards' legislation or action clearly supports or clearly hinders the implementation or fulfillment of an adopted City Council Priority, Goal, or Strategy in a substantial manner such that it is in the best interest of the City to indicate its comment or position. When this occurs, a written report to the City Council for comment and acceptance is required at the next possible meeting.

VTA 2016 Measure B Funding Realignment Proposal

On December 15, 2020, County Board of Supervisors considered adoption of a resolution opposing the VTA's proposed 2016 Measure B 10-year Outlook Base Scenario. As outlined in the County's report (Attachment 2), in November 2020, VTA administration began presenting VTA Board of Directors' advisory committees with a proposed 2016 Measure B 10-Year Outlook Base Scenario, covering program allocations for Fiscal Year 2022 to Fiscal Year 2032. The assumptions underlying the Base Scenario include placing the BART Phase II project as the highest priority for the next ten years, providing it with first call on Measure B revenues, and proposing minimal bonding to fund BART Phase II, thereby eliminating, or significantly reducing investment in other Countywide programs such as congestion management, local streets and roads, bicycle and pedestrian, and transit operations, which would further result in increased costs due to delays. Mayor Rich Constantine communicated to the County Board of Supervisors to adopt the resolution to oppose the VTA's proposed 2016 Measure B funding realignment, and urging VTA to partner with the Countywide stakeholders, including the electorate that passed the Measure B with the expectations of repairs to local roadways and congestion relief (Attachment 3).

Valley Water Approval to Proceed with Phase 2A of Upper Llagas Creek Flood Protection Project

On January 12, 2021, Valley Water Board of Directors considered adoption of plans and specifications and authorization for bids for the phase 2A construction of the Upper Llagas Creek Flood Protection Project. The City and Valley Water partnered to deliver the phase 1, and continue to partner to deliver the next phases of the project. Phase 2 will be constructed in phase 2A and 2B. Phase 2A will be constructed in cooperation with the City's proposed Hale Avenue Extension project which the Council approved in November 2020. As outlined in the Valley Water report (Attachment 4), the Phase 2A consists of construction of a portion of Reach 8 from Ciolino Avenue upstream to approximately 300 feet north of the existing West Main Avenue and Hale Avenue intersection. Phase 2A includes construction of the proposed approximately 2,300 linear feet horseshoe-shaped underground high-flow diversion tunnel and approximately 1,600 linear feet of twin reinforced concrete box culverts upstream and downstream of the proposed tunnel. Construction will include traffic control, detours, road work, utility relocations and coordination, fencing, soil testing as required for off-site disposal, concrete and other miscellaneous work, community outreach and coordination. Construction is anticipated to take approximately three years to complete. Mayor Rich Constantine communicated to the Valley Water Board of Supervisors to approve their staff's recommendations to fund the project and begin construction on Phase 2A as quickly as possible, and further recommending that Phase 2B be prioritized in the near term (Attachment 5).

Federal Economic Stimulus Support for State and Local Governments (SLG)

In December 2020, as many of the economic and employment benefits made available under the CARES Act were set to expire, while COVID-19 pandemic was surging at its peak, the federal lawmakers considered and approved the next economic stimulus package. Mayor Rich Constantine communicated to our federal legislative representatives to approve the next economic stimulus support and asked that it include economic support for SLGs (Attachment 6). After lengthy negotiations, the congress passed a \$900 billion package to include direct stimulus payments, unemployment benefits, small business administration loans through paycheck protection program, funding for school and childcare, rental assistance, and funding for vaccine purchase and distribution. Unfortunately, the approved package did not include the proposed \$160 billion support for SLGs. Staff continue to work with Cal Cities and National League of Cities to advocate for the need of economic support for SLGs.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community on City positions/communications which directly impact the City of Morgan Hill.

ALTERNATIVE ACTIONS:

The City Council could rescind positions taken.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

City Council periodically ratifies City positions on various pending State, County or other regional board legislations or actions that have a direct impact on the City of Morgan Hill.

In November 2020, the City Council approved the Hale Avenue Extension Project, which will be constructed in conjunction with the Phase 2A of the Valley Water's Upper Llagas Creek Flood Control Protection Project.

FISCAL AND RESOURCE IMPACT:

If VTA approves the proposed 2016 Measure B funding realignment, it could negatively impact the City's street CIP program.

Staff has previously reported the COVID-19 fiscal impact to be estimated at \$18 million since the start of the pandemic to a full economic recovery expected by fiscal year 2021-22. Since the pandemic continues to surge, additional fiscal impact is expected. Staff continue to closely monitor the budgetary impacts.

Tracking legislation is an activity included in the annual workplan of the City Manager's Office.

CEQA (California Environmental Quality Act):

Not a Project – administrative action/activity without an impact.

LINKS/ATTACHMENTS:

1. Resolution - 20-010

2. County BOS - December 15, 2020 - Staff Report Consideration Resolution Opposing VTA Proposal (weblink)
3. Mayor Letter to SCC - Regarding VTA Matter
4. Valley Water - January 12, 2021 Agenda Item: Phase 2A of Upper Llagas Creek Flood Protection Project (weblink)
5. Mayor Letter for 210112 Phase 2A Board Approval
6. City of Morgan Hill Letter - Stimulus for SLG

RESOLUTION NO. 20-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL AUTHORIZING THE MAYOR OR CITY MANAGER TO PREPARE, EXECUTE AND TRANSMIT COMMUNICATIONS INDICATING A POSITION ON PROPOSED STATE, COUNTY, OR OTHER REGIONAL BOARDS' LEGISLATION OR ACTION ON CERTAIN MATTERS THAT MAY HAVE IMPACTS UPON THE CITY IN CERTAIN CIRCUMSTANCES AND DIRECTING A REPORT BACK TO CITY COUNCIL ON ANY SUCH COMMUNICATIONS TRANSMITTED. (THIS RESOLUTION RESCINDS RESOLUTION NO. 6851)

WHEREAS, the City of Morgan Hill, a municipal corporation and general law city duly organized and existing under and pursuant to the Constitution and laws of the State of California ("City"), is authorized to indicate City's position on proposed legislation of the State of California and is sometimes requested to so indicate City's position on such legislation for the benefit of the City; and

WHEREAS, the reasons supporting the adoption of this Resolution are set forth in detail in that certain City Council Staff Report submitted for City Council consideration at its meeting of February 5, 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

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

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

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

Section 2. Approval and Authorization. The City Council prefers, whenever possible, that determinations on whether to take a position on pending State, County, or other regional boards' legislation or action be brought before the City Council as a whole for consideration and action. However, the City Council recognizes that occasional, limited situations arise where communications indicating support or opposition on pending State, County, or other regional boards' legislation or action that could be important to City are requested from cities within timeframes that have deadlines occurring prior to the next scheduled meeting of the City Council as a whole at which the City Council could consider and determine City's position on such pending legislation. For these reasons, the City Council does further resolve, order and/or direct as follows:

- a. That the Mayor and/or the City Manager is delegated authority to and is authorized to prepare, execute and transmit written or verbal communications indicating a City position on proposed pending State, County or other regional boards' legislation or action that may have impacts upon City when any of the following criteria are met:
 - i. The League of California Cities, or a successor or similar organization, has requested City comment or position on a piece of pending legislation or action, or the City has otherwise become aware of such pending legislation or action;
 - ii. A public hearing and an opportunity for City to comment or take a position upon such pending legislation or action is occurring in a timeframe and with a deadline to comment or express a position that occurs prior to the next scheduled meeting of the City Council at which the City Council could consider and determine City's comment or position on such pending legislation or action; or
 - iii. The pending legislation or action clearly supports or clearly hinders the implementation or fulfillment of an adopted City Council Priority, Goal or Strategy in a substantial manner such that it is in the best interests of City to indicate its comment or position on such pending legislation or action.
- b. That the Mayor and/or City Manager is hereby directed to provide a written report to the City Council for the Council's comment and acceptance at the City Council's next possible meeting whenever the Mayor or City Manager prepares, executes and transmits a communication indicating a comment or position on pending legislation or action pursuant to the authority delegated under this Resolution, which report shall include a copy of such pending legislation or action, and the comment or position transmitted.

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

PASSED AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 5th day of February 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

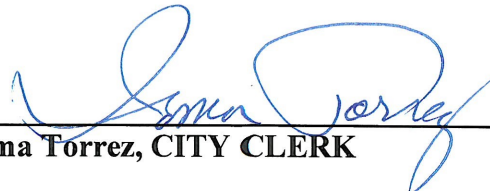
∞ CERTIFICATION ∞

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. 20-010, adopted by the City Council at the meeting held on the 5th day of February 2020.

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

DATE:

3/3/2020



Irma Torrez, CITY CLERK

December 14, 2020

Santa Clara County Board of Supervisors
70 West Hedding Street
East Wing, 10th Floor
San Jose, CA 95110

Re: Agenda Item 18 – December 15, 2020 BOS Meeting

Dear Board of Supervisors,

This item is written in response to Item 18 on the Board Agenda for December 15, 2020 titled “Adopt Resolution opposing the Valley Transportation Authority's Proposed 2016 Measure B 10-Year Outlook Base Scenario”.

In 2016, the City’s elected officials adamantly supported the development and passage of the Measure B sales tax. That support has just begun to pay off and allow the City of Morgan Hill residents to see firsthand the difference that Measure B has made in our community. The Local Streets and Roads funding has helped to halt the deterioration of our City roadways for the last two years. Measure B has brought to fruition the long-anticipated Hale Avenue Extension Project for which the City and County had been working on for decades. Our City is actively pursuing bikeway and innovative transit grant funding as well. Measure B has been transformative.

The City would like to thank the VTA staff who have worked diligently on ensuring these funds are allocated in an expedited manner to our communities. They have done great work and the partnership is very highly valued.

However, the City elected officials and staff have become alarmed at the possibility of local roads funding and other grant funding being deferred for up to a decade to allow the Bart Project to move forward. A base scenario where most Measure B funds are directed to BART for 10 years has been shared in draft format. This scenario leaves significantly reduced or no Measure B funds for the other critical programs for a 10-year period. This scenario has been opposed by communities throughout the County. However, the City also understands the VTA staff have heard our concerns and the City is hopeful that when the item formally comes to the VTA Board in 2021 these concerns will be addressed.

We strongly urge the VTA to proceed with great care to ensure the trust of the electorate that passed Measure B with the expectation of repairs to local roadways and congestion relief for the area. We understand that the VTA staff intends to bring this item forward to the VTA Board of Directors in early 2021. Given the extreme concern Countywide, we ask and anticipate that significant countywide engagement occur prior to any vote on this issue.



OFFICE OF THE MAYOR
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3.c

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The City of Morgan Hill looks forward to partnering with the VTA, County and other Cities to find the best path forward.

Sincerely,

Rich Constantine, Mayor

CC: Nuria Fernandez, General Manager, VTA
Morgan Hill City Council
Christina Turner, City Manager
Chris Ghione, Public Services Director

Attachment: Mayor Letter to SCC - Regarding VTA Matter (2974 : Ratify City position on Measure B realignment and Valley Water ULCFPP



January 8, 2021

Valley Water
Board of Directors
5750 Almaden Expressway
San Jose, CA 95188

Dear Board of Directors,

As you are aware, the City of Morgan Hill has partnered with Valley Water for decades on the Upper Llagas Creek Flood Protection Project. The City is very appreciative of the Phase 1 work south of the City. This work is a huge achievement. Approval to move forward with Phase 2A of the Project will continue to move the City towards the desperately needed flood protection for our community. The Morgan Hill City Council and staff fully support moving forward with this project and are committed to supporting Valley Water in this endeavor.

While the City understands that Phase 2B of the Project will be required to provide the needed flood control to the City, continuing the progress by moving forward with Phase 2A is a step in the right direction. The staff at Valley Water have made outstanding progress on the Project in the recent years and with permits and designs ready we must keep the project moving forward. The City has jointly planned its Hale Avenue Extension with the Project to allow staging and construction work for the Project to occur ahead of the Hale Avenue Construction. Delay would cause significant expense increases for Valley Water as the Hale Avenue work must continue.

The City of Morgan Hill urges the Board of Directors to approve the staff recommendation to fund the Project and begin construction on Phase 2A as quickly as possible. The City further recommends that funding for Phase 2B be prioritized in the near term, as completion of this long-awaited project is finally in reach.

Thank you for your time and consideration.

Sincerely,

Rich Constantine, Mayor

CC: Morgan Hill City Council
Christina Turner, City Manager
Chris Ghione, Public Services Director



17575 Peak Avenue
Morgan Hill, CA 95037-4128
TEL: (408) 779-7271
FAX: (408) 779-3117
www.morganhill.ca.gov

December 9, 2020

Senator Dianne Feinstein
United States Senate
Washington, DC 20510

Vice President Elect Kamala Harris
United States Senate
Washington, DC 20510

Representative Zoe Lofgren
U.S. House of Representatives
Washington, DC 20510

Dear Senator Dianne Feinstein, Vice President Elect Kamala Harris, and Representative Zoe Lofgren,

On behalf of the City of Morgan Hill community, we thank you for your efforts in passing Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act provided local governments the needed funding assistance to meet the immediate needs brought on by the COVID-19 pandemic, however since passage of CARES Act, the pandemic has continued to evolve and the number of cases and deaths continue to rise across the world.

The City of Morgan Hill received, through State of California's allocation, approximately \$574,000 in CARES Act monies. The allocation was used to offset City's costs of providing economic support, unemployment benefits, improving telework capabilities, and covering public health related expenditures, totaling \$691,000, just through June 30, 2020. As the COVID-19 pandemic continues to evolve, the City projects spending an additional \$816,000 just through December 2020 on related expenditures. Nationwide, less than 10% of Coronavirus Relief Fund (CRF) monies have been passed by states to local governments with populations under 500,000. Approximately 70% of CRF funds for states have already been obligated by state governments and are unavailable to local governments. Therefore, federal support is necessary. The shutdown was bipartisan, the national response was bipartisan, recovery has been bipartisan, and a final legislative package must also be bipartisan. This next relief package must include proposals developed in close coordination with local government associations to provide fair and equitable funding to every county and local government, at levels appropriate to our needs, with reasonable guardrails to protect the taxpayer, and with minimal additional burden on the state and local government.

Since the start of the pandemic, the City of Morgan Hill is projecting revenue declines of approximately \$7 million in current fiscal year 2020-21, and \$18 million over a three fiscal-year period while additional expenditures – including PPE, remote work technology and overtime pay for essential employees – have increased over the same period, adding to the budget gaps. With the COVID-19 cases on the rise again across the nation, states and local governments are enacting stricter stay-at-home orders, as no vaccine has yet been approved, let alone readily available. This means further lockdown of the economy, resulting in additional declines in crucial revenues for the cities.

We are writing to implore you to reach a bipartisan deal on legislation to prevent catastrophic economic harm that would result if Congress does not pass additional emergency relief before adjourning for the year.

Thank you for your commitment to serve and represent the constituents of the State of California.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Constantine".

Rich Constantine
Mayor
City of Morgan Hill



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Inga Alonzo, Management Analyst
APPROVED BY: City Manager

APPROVE AGREEMENT WITH BLACK & VEATCH FOR RISK AND RESILIENCY ASSESSMENT (RRA) AND EMERGENCY RESPONSE PLAN (ERP) SERVICES

RECOMMENDATION(S)

Approve and authorize the City Manager to execute and administer an agreement with Black & Veatch Corporation in the amount of \$143,880 for the development of a Risk and Resilience Assessment and Emergency Response Plan.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Infrastructure

GUIDING DOCUMENTS

Water System Master Plan

REPORT NARRATIVE:

Background

On October 23, 2018, America's Water Infrastructure Act (AWIA) was signed into law. AWIA Section 2013 requires community (drinking) water systems serving more than 3,300 people to develop or update risk and resilience assessments (RRA's) and emergency response plans (ERPs). The law specifies the components that the RRAs and ERPs must address and establishes deadlines by which water systems must certify to the United States Environmental Protection Agency (EPA) completion of the risk assessment and ERP. The deadline for Morgan Hill's risk assessment is June 30, 2021 and the deadline for the ERP is December 31, 2021.

The Risk and Resilience assessment must include the following:

1. The risk to the system from malevolent acts and natural hazards;
2. The resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;
3. The monitoring practices of the system;
4. The financial infrastructure of the system;
5. The use, storage, or handling of various chemicals by the system; and
6. The operation and maintenance of the system.

The assessment may include an evaluation of capital and operational needs for risk and resilience management for the system.

No later than six months after certifying completion of its risk and resilience assessment, each system must prepare or revise, where necessary, an emergency response plan that incorporates the findings of the assessment. The plan must include:

1. Strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;
2. Plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. Actions, procedures, and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes and construction of flood protection barriers; and
4. Strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

Community water systems must, to the extent possible, coordinate with local emergency planning committees established under the Emergency Planning and Community Right-To-Know Act of 1986 when preparing or revising an assessment or emergency response plan under the AWIA. Further, systems must maintain a copy of the assessment and emergency response plan for five years after certifying the plan to the EPA.

Consultant Selection:

Staff solicited Request for Qualifications (RFQ) from qualified consultants. The RFQ was emailed to five known consultants. Additionally, the RFQ was posted to the City website in November 2020 for a period of three weeks. The City received seven responsive submittals.

Staff requested proposal submittals via two separate electronic documents; the first for consultant qualifications and the second for the consultant schedule of costs. An evaluation panel made up of City staff members rated each qualification submittal based on experience and qualifications. Raters scored a maximum of 100 points in four categories including responsiveness and understanding of the City's objectives, technical qualifications and experience, demonstrating the ability to effectively plan and execute the project, and team experience and references. Scores from the evaluators were then averaged into the overall weighted scores (Attachment 1). It was determined by the evaluation team that Black & Veatch was the overall most qualified consultant for this project and therefore recommends that they be awarded this project.

COMMUNITY ENGAGEMENT: Not Applicable

This project supports the ongoing operation of the City's water system, which is an expected activity by residents and businesses.

ALTERNATIVE ACTIONS:

As stated in the narrative, the Risk and Resilience Assessment and Emergency Response Plan is part of a Federal requirement for water systems serving more than 3,300 people. The City Council could choose to not approve the proposed agreement and direct staff to issue a new RFQ or take on the work internally. This is not recommended as having a highly qualified consultant prepare the assessment and emergency response plan will meet federal requirements and provide a useful planning tool for the security of the City's systems.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None.

FISCAL AND RESOURCE IMPACT:

This project will be funded through the Water Operations Fund (650). There are adequate funds budgeted and available for this project.

CEQA (California Environmental Quality Act):

Not a Project.

The development of the assessment and emergency response plan is an administrative activity and is not considered a project for environmental review under CEQA.

LINKS/ATTACHMENTS:

1. RRA and ERP Average Weighted Scores
2. BV -City Standard Consultant Agreement - Executed

Title: Risk and Resilience and Emergency Response Plan RFQ

	LaForge & Associates	IMEG Corp.	Luhdroff & Scalmanini	AARC Consultants	Mott McDonald	Black &Veatch	Launch! Consulting
1. <u>Responsiveness</u> Quality, conciseness, completeness, and relevance of the proposal - demonstrating an understanding of the City's objectives and the ability to meet the City's needs.							
POINTS 20	15.33	12.00	15.00	18.00	15.00	17.00	14.33
2. <u>Qualifications and experience</u> of the Consultant and responsible personnel assigned to the project.							
POINTS 30	19.67	19.67	22.00	27.00	21.00	28.33	23.00
3. <u>Work Plan and Approach</u> demonstrating the ability to effectively plan and execute the project in a timely manner.							
POINTS 30	24.33	20.67	22.33	24.67	21.00	28.67	21.33
4. <u>Team Experience and References.</u> Completion of similar projects. Familiarity with policies and procedures related to the							
POINTS 20	13.00	12.33	14.67	19.00	14.00	19.33	17.33
OVERALL WEIGHTED SCORE	72.33	64.67	74.00	88.67	71.00	93.33	75.99

CONSULTANT AGREEMENT BLACK & VEATCH CORPORATION

THIS AGREEMENT is entered into and becomes effective on _____ (Effective Date), by and between the CITY OF MORGAN HILL, a municipal corporation, ("CITY"), and Black & Veatch Corporation a Delaware corporation duly authorized to do business in California and will remain so during the term of this Agreement ("CONSULTANT"), hereinafter referred to collectively as "Parties." In consideration of the promises and the mutual covenants contained in this Agreement, the Parties agree as follows:

1. **City Authority.** This Agreement is entered into pursuant to the action of the Morgan Hill City Council taken on _____, _____, 20____.
2. **Term of Agreement.** This Agreement shall cover services rendered from the Effective Date of this Agreement until June 30, 2022 at which time CONSULTANT'S services shall be completed. The City Manager is authorized to extend the term of this Agreement for a maximum period of one year. Any such extension shall be in writing and signed by both Parties to this Agreement.
3. **Scope of Service.** The services to be performed by CONSULTANT shall be a Risk and Resilience Assessment and Emergency Response Plan as further described in **Exhibit A.**
4. **Compensation.** CONSULTANT shall be compensated as follows:
 - 4.1. **Amount.** \$143,880.00. Total compensation to CONSULTANT under this Agreement during its initial term set forth in Section 2 above shall not exceed One Hundred Forty-Three Thousand, Eight Hundred Eighty dollars and shall be billed based on the rate and basis set forth in **Exhibit B.** If the City Manager extends the term of this Agreement for up to one year pursuant to the provisions of Section 2 above, the City Manager shall have the authority to increase the maximum compensation allowed to be paid to CONSULTANT during that extended term period, so long as City Council has appropriated sufficient funds therefor, the Parties mutually agree to such amount in a writing signed by both Parties to this Agreement and provided further that in no event shall such maximum compensation allowed for the extended term exceed the City Manager's authority pursuant to Chapter 3.04 of the Morgan Hill Municipal Code, unless otherwise authorized by City Council.
 - 4.2. **Billing.** CONSULTANT shall provide CITY with an invoice containing the dated, detailed, and itemized descriptions of all services performed and expenses incurred (if such expenses are reimbursable pursuant to Exhibit B) by CONSULTANT on a monthly basis unless otherwise specified in Exhibit B. All invoices shall be sent to the CITY addressed to the department head or project manager identified below in Section 13 Notices. Any rate charged shall be prorated where services are interrupted or not provided for any rate period (for example, any monthly rate charge should be prorated when services were interrupted or provided for only part of the month). For services billed on an hourly rate, the minimum unit of billed time shall not exceed one tenth of one hour. CITY shall pay for services and expenses (if so provided in Exhibit B) up to the limit of compensation set forth above, that in the CITY's judgment were necessary and reasonable. Services for work performed and expenses incurred in excess of the total compensation set forth in paragraph 4.1 above shall be at no cost to CITY.
5. **Termination.** CITY or CONSULTANT shall have the right to terminate this Agreement, without cause, by giving thirty (30) days' written notice or less under urgent circumstances. Upon such termination, CONSULTANT shall submit to CITY an itemized statement of services performed for which compensation has not been paid. CITY may require CONSULTANT to complete certain work product or documents and

CONSULTANT shall deliver to CITY all documents in its possession without additional compensation to CONSULTANT. The City Manager of CITY is authorized to terminate this Agreement, in whole or in part, on behalf of CITY.

- 5.1. **Non-Appropriations.** Notwithstanding anything contained in this Agreement to the contrary, if insufficient funds are appropriated, or funds are otherwise unavailable in the budget for CITY for any reason whatsoever in any fiscal year, for payments due under this Agreement, CITY will immediately notify CONSULTANT of such occurrence, and this Agreement shall terminate after the last day during the fiscal year for which appropriations shall have been budgeted for CITY or are otherwise available for payments.

6. **Performance of Work.** CONSULTANT represents that it is qualified by virtue of experience, training, education, and expertise to accomplish these services. Services shall be performed by CONSULTANT in accordance with professional practices in a manner consistent with a level of care, competence and skill exercised by qualified members of the CONSULTANT'S profession. By delivery of completed work, CONSULTANT certifies that the work conforms to the requirements of this Agreement and all applicable federal, state and local laws. CONSULTANT shall perform all work and services under this Agreement in conformance with the time schedule set forth on Exhibit C, "Schedule of Performance," attached hereto and incorporated herein by this reference. CITY's City Manager is authorized on behalf of CITY to modify the timeframes set forth on the Schedule of Performance within the term of this Agreement. If CONSULTANT desires to leave or store any of CONSULTANT's equipment at a CITY site while CONSULTANT is performing work or service pursuant to this Agreement, CONSULTANT will first obtain the consent of CITY's City Manager, or his/her delegate, to do so, and any such storage shall occur only in the manner and location allowed by such CITY official and entirely at CONSULTANT's sole risk.

7. **Insurance Requirements.** CONSULTANT shall procure and provide proof of the insurance coverage required by this section in the form of certificates and endorsements. The required insurance must cover the activities of CONSULTANT, including its subcontractors, employees and agents, relating to or arising from the performance of any work or service under this Agreement, and must remain in full force and effect at all times during the period covered by this Agreement. The coverages may be arranged under a single policy for the full limits required or by a combination of underlying policies with the balance provided by excess or "umbrella" policies, provided each such policy complies with the requirements set forth herein. Any deductibles or self-insured retentions must be declared to and approved by City. CONSULTANT further understands that the CITY reserves the right to modify the insurance requirements set forth herein, with thirty (30) days' notice provided to CONSULTANT, at any time as deemed necessary to protect the interests of the CITY.

7.1. **Insurance Types and Amounts.**

7.1.1. **Commercial General Liability (CGL).** CONSULTANT shall maintain CGL against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00) combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

7.1.2. **Automobile Liability.** CONSULTANT shall maintain Automobile Liability covering all owned, non-owned and hired automobiles (if CONSULTANT does not own automobiles, then CONSULTANT shall maintain Hired/Non-owned Automobile Liability) against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) one million dollars (\$1,000,000.00)

combined single limit for any one accident or occurrence, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

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

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

7.1.5. Professional Liability.

7.1.5.1. If the performance of CONSULTANT's work or service under this Agreement involves professional and/or technical services (examples include, but are not limited to, architects, engineers, land surveyors, and appraisers), CONSULTANT shall procure and maintain either a claims made or occurrence Errors and Omission liability insurance in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater. Further, if CONSULTANT maintains a claims-made policy, CONSULTANT shall provide written evidence of such insurance to the CITY for at least five (5) years after the completion of work performed under this Agreement.

7.1.5.2. If the performance of CONSULTANT's work or service under this Agreement relates to Information Technology or related services (examples include, but are not limited to computer programmers, software designers, hardware engineers, or other systems consultants), CONSULTANT shall procure and maintain a claims made Errors and Omission liability insurance, including Cyber Liability and Data Breach, in the minimum amount of: (i) one million dollars (\$1,000,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

- 7.1.6. **Sexual Abuse/Molestation Liability (SML)**: If the performance of CONSULTANT's work or service under this Agreement involves contact with minors, CONSULTANT shall procure and maintain Sexual Abuse and Molestation insurance in the minimum amount of: (i) two hundred thousand dollars (\$200,000.00) each claim, or (ii) the maximum amount of such insurance available to CONSULTANT under CONSULTANT's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.
- 7.2. **Endorsements**. CONSULTANT shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below:
- 7.2.1. **General Liability and pollution liability (when pollution liability applies)**.
- 7.2.1.1. The City of Morgan Hill, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers are named as additional insureds;
- 7.2.1.2. the insurer waives the right of subrogation against the City of Morgan Hill and the CITY's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers; and,
- 7.2.1.3. insurance shall be primary non-contributing.
- 7.2.2. **Workers Compensation**.
- If the performance of CONSULTANT'S work or service under this Agreement involves access to or activity on any property or premises owned or occupied by the CITY, including, but not limited to, CONSULTANT'S presence during site visits and meetings, then insurer waives the right of subrogation against the City of Morgan Hill and the CITY's elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.
- 7.3. **Qualification of Insurers**. All insurance required pursuant to this Agreement must be issued by a company licensed and admitted, or otherwise legally authorized to carry out insurance business in the State of California, and each insurer must have a current A.M. Best's financial strength rating of "A" or better and a financial size rating of "VII" or better.
- 7.4. **Certificates**. CONSULTANT shall furnish CITY of Morgan Hill with copies of all certificates as outlined herein, whether new or modified, promptly upon receipt. In the event of a claim or legal action, CONSULTANT shall promptly furnish CITY of Morgan Hill with copies of all policies outlined herein. No policy subject to the CONSULTANT's agreement with the CITY shall be canceled or materially changed except after thirty (30) days' notice by the insurer to CITY. A "material change" is a change that results in non-compliance with any insurance requirements in this section 7. Certificates, including renewal certificates, may be mailed electronically to riskmgmt@morganhill.ca.gov or delivered to the Certificate Holder address provided herein.

Certificate Holder address:

City of Morgan Hill
Attn: Risk Management
17575 Peak Avenue

Morgan Hill, CA 95037

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

9. **Compliance with Law.**

9.1. CONSULTANT and its officers, employees, agents, and subcontractors shall comply with all applicable laws, ordinances, administrative regulations, and permitting requirements in carrying out their obligations under this Agreement. CONSULTANT and its officers, employees, agents, and subcontractors covenant there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, sexual orientation, national origin, mental disability, physical disability, medical condition, or ancestry, in any activity pursuant to this Agreement.

9.2. Compliance with Wage and Hour Laws: Consultant, and any subcontractor it employs to complete work under this Agreement, shall comply with all applicable federal, state and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act and the California Labor Code.

Final Judgments, Decisions, and Orders: For purposes of this Section, a “final judgment, decision, or order” refers to one for which all appeals have been exhausted or the time to appeal has expired. Relevant investigatory government agencies include: the federal Department of Labor, the California Division of Labor Standards Enforcement, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws.

Prior Judgments against CONSULTANT and/or its Subcontractors: BY SIGNING THIS AGREEMENT, CONSULTANT AFFIRMS THAT IT HAS DISCLOSED ANY FINAL JUDGMENTS, DECISIONS OR ORDERS FROM A COURT OR INVESTIGATORY GOVERNMENT AGENCY FINDING – IN THE FIVE (5) YEARS PRIOR TO EXECUTING THIS AGREEMENT – THAT CONSULTANT OR ITS SUBCONTRACTOR(S) HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONSULTANT FURTHER AFFIRMS THAT IT OR ITS SUBCONTRACTOR(S) HAS SATISFIED AND COMPLIED WITH – OR HAS REACHED AGREEMENT WITH THE CITY REGARDING THE MANNER IN WHICH IT WILL SATISFY – ANY SUCH JUDGMENTS, DECISIONS OR ORDERS.

Judgments or Decisions During Term of Contract: If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that CONSULTANT or an subcontractor it employs to perform work under this Agreement has violated any applicable wage and hour law, or CONSULTANT learns of such a judgment, decision, or order that was not previously disclosed, CONSULTANT shall inform the City Attorney, no more than fifteen (15) days after the judgment, decision or order becomes final or of learning of the final judgment, decision or order. CONSULTANT and its subcontractors shall promptly satisfy and comply with any such judgment, decision, or order, and shall provide the City Attorney with documentary evidence of compliance with the final judgment, decision or order within five (5) days of satisfying the final judgment, decision or order. The City reserves the right to require CONSULTANT to enter into an agreement with the City regarding the manner in which any such final judgment, decision, or order will be satisfied.

City's Right to Withhold Payment: Where CONSULTANT or any subcontractor it employs to perform work under this Agreement has been found in violation of any applicable wage and hour law by a final judgment, decision or order of a court or government agency, the City reserves the right to withhold payment to CONSULTANT until such judgment, decision or order has been satisfied in full.

Material Breach: Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

Notice to City Related to Wage Theft Prevention: Notice provided to the City Attorney as required under this Section shall be addressed to: City Attorney, City of Morgan Hill, 17575 Peak Avenue, Morgan Hill, CA 95037. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

10. **Independent Contractor**. CONSULTANT is an independent contractor and not an agent or employee of CITY.
11. **Confidentiality**. All data, documents, or other information received by CONSULTANT from CITY or prepared in connection with CONSULTANT'S services under this Agreement are deemed confidential and shall not be disclosed to any third party by CONSULTANT without prior written consent by CITY.
12. **Conflict of Interest and Reporting**. CONSULTANT shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.
13. **Notices**. All notices shall be personally delivered or mailed, via first class mail to the below listed address. These addresses shall be used for delivery of service of process. Notices shall be effective five (5) days after date of mailing, or upon date of personal delivery.

Address of CONSULTANT is as follows:

Black & Veatch Corporation
2999 Oak Road #490
Walnut Creek, CA 94597

Address of CITY is as follows:

Engineering and Utilities Dept.	with a copy to:
City of Morgan Hill	City Clerk
17575 Peak Avenue	City of Morgan Hill
Morgan Hill, CA 95037	17575 Peak Avenue
	Morgan Hill, CA 95037

14. **Licenses, Permits and Fees**. CONSULTANT shall obtain a City of Morgan Hill Business License, all permits and licenses to the extent required by ordinances, codes and regulations of the federal, state and local government.
15. **Consultant's Proposal**. If applicable, this Agreement shall include CONSULTANT'S proposal or bid which is incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.

16. **Maintenance of Records.**

- 16.1. **Maintenance.** CONSULTANT shall prepare, maintain, and preserve all reports and records that may be required by federal, state, and CITY rules and ordinances related to services provided under this Agreement. CONSULTANT shall maintain records for a period of at least 3 years after receipt of final payment under this Agreement. If any litigation, claim, negotiation, audit exception, or other action relating to this Agreement is pending at the end of the 3-year period, then CONSULTANT shall retain said records until such action is resolved.
- 16.2. **Access to and Audit of Records.** The CITY shall have the right to examine, monitor and audit all records, documents, conditions, and activities of the CONSULTANT and its subcontractors related to services under this Agreement. Pursuant to Government Code Section 8546.7, if this Agreement involves the expenditure of public funds in excess of \$10,000, the Parties to this Agreement may be subject, at the request of the CITY or as part of any audit of the CITY, to the examination and audit of the State Auditor pertaining to matters connected with the performance of this Agreement for a period of three years after final payment under the Agreement.
- 16.3. **Ownership of Work Product.** All documents or other information developed or received by CONSULTANT for work performed under this Agreement shall be the property of CITY. CONSULTANT shall provide CITY with copies of these items upon demand or upon termination of this Agreement.

17. **Familiarity with Work.** By executing this Agreement, CONSULTANT represents that: (1) it has investigated the work to be performed; (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the difficulties and restrictions of the work under this Agreement. Should CONSULTANT discover any conditions materially differing from those inherent in the work or as represented by CITY, it shall immediately inform CITY and shall not proceed, except at CONSULTANT'S risk, until written instructions are received from CITY.

18. **Time of Essence.** Time is of the essence in the performance of this Agreement.

19. **No Assignment.** Neither this Agreement nor any portion shall be assigned by CONSULTANT, without prior written consent of CITY. Any attempted assignment not first approved by CITY shall be void and, at CITY's option, shall terminate this Agreement effective as of the date of such attempted assignment.

20. **Attorney Fees.** In any legal action, dispute or arbitration arising out of or relating to this Agreement, the prevailing party shall be entitled to an award of its reasonable attorney fees, costs and expenses incurred.

21. **Defense and Indemnification.**

21.1. **Defense and Indemnification for Design Professional Services.** Consistent with California Civil Code Section 2782.8, for design professional services to be performed under this agreement by a design professional, as that term is defined under said Section 2782.8, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors

in performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement ("CLAIM") to the extent of CONSULTANT'S proportionate percentage of fault.

21.2. Defense and Indemnification for Non-Design Professional Services. For all services performed under this agreement not covered by Section 21.1 above, CONSULTANT shall, to the fullest extent permitted by law, indemnify, defend and hold harmless CITY, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers ("INDEMNITEES") from and against any and all claims, liabilities, expenses, liens, or damages of any nature, including liability for bodily injury, property damage or personal injury, and including reasonable attorneys' fees and expenses, that arise out of, pertain to, or relate to the performance of this Agreement or the failure to comply with any obligations contained in this Agreement by CONSULTANT, and/or its agents, officers, employees, subcontractors, or independent contractors ("CLAIM").

21.3. Exceptions. CONSULTANT is not required to indemnify INDEMNITEES against liability for bodily injury, property damage or personal injury, or any other loss, damage or expense arising from the sole negligence, active negligence, or willful misconduct of the CITY.

21.4. Not limited by insurance. The indemnity, defense and hold harmless provisions of this Agreement apply to all CLAIMs alleged against an INDEMNITEE, regardless of whether any insurance policies are applicable. Policy limits do not act as a limitation upon the amount of indemnification or defense to be provided by CONSULTANT.

21.5. Right to Offset. CITY shall have the right to offset against any compensation due CONSULTANT under this Agreement any amount due CITY from CONSULTANT as a result of CONSULTANT's failure to pay CITY promptly any indemnification arising under this Section (21) and any amount due CITY from CONSULTANT arising from CONSULTANT's failure either to (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.

21.6. Interpretation. This Section shall constitute an agreement or contract of indemnity, incorporating the interpretations under California Civil Code Section 2778. It is expressly understood and agreed that the obligation of the CONSULTANT to indemnify the INDEMNITEE shall be as broad and inclusive as permitted by the laws of the State of California and shall survive termination of this Agreement.

22. Entire Agreement; Modification; Conflicting Provisions. This Agreement constitutes the entire Agreement between the Parties and supersedes any previous agreements, oral or written. This Agreement may be modified or provisions waived only by a subsequent mutual written agreement executed by CITY and CONSULTANT. If the provisions contained in the main body of this Agreement conflict with any provision contained in an exhibit to this Agreement, the provisions of the main body of this Agreement shall govern and control over any provision contained in an exhibit to this Agreement.

23. Governing Law and Venue. This Agreement shall be construed in accordance with the laws of the State of California. This Agreement was entered into and is to be performed in the County of Santa Clara. Any action or dispute arising out of this Agreement shall only be brought in Santa Clara County.

24. Interpretation. This Agreement is a negotiated document and shall be deemed to have been drafted jointly by the Parties, and no rule of construction or interpretation shall apply against any particular Party based on a contention that the Agreement was drafted by one of the Parties including, but not limited to, California Civil Code § 1654, the provisions of which are hereby waived. This Agreement shall be construed and interpreted in a neutral manner.

25. **Preservation of Agreement.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the rest of the Agreement shall remain in full force and effect and shall in no way be affected or invalidated.

26. **Binding Agreement.** Notwithstanding the provisions of Section 19 above, this Agreement shall bind any and all successors in interest, legal representatives and/or other permitted assignees or transferees of CONSULTANT in the same manner as if those successors in interest, legal representatives or other permitted assignees or transferees had entered into this Agreement originally.

27. ☐ **Data Sharing.** This Agreement requires access by CONSULTANT to CITY's Geographic Information System (GIS) DATA for CONSULTANT to perform the work. CITY agrees to provide the GIS DATA to CONSULTANT solely for the purpose of performance of contracted work with the CITY upon the terms and conditions specified in Exhibit D, incorporated herein by this reference.

[Signatures on Next Page]

Attachment: BV -City Standard Consultant Agreement - Executed [Revision 1] (2966 : Approve Agreement with Black & Veatch for RRA and

28. **Authority to Execute.** Those individuals who are signing this Agreement on behalf of entities represent and warrant that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this Agreement.

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

AS SET FORTH IN CA. CORP. CODE § 313, TWO SIGNATURES ARE REQUIRED FOR CALIFORNIA CORPORATIONS:

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

ATTEST:

CITY OF MORGAN HILL

 City Clerk/Deputy City Clerk

 City Manager

 Michelle Bigelow

 Christina J. Turner

 Print Name

 Print Name

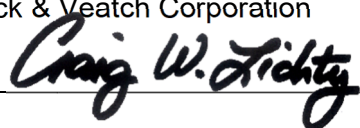
Date: _____

Date: _____

APPROVED AS TO FORM:

Black & Veatch Corporation

 City Attorney

By: 

 Donald A. Larkin

 Craig W. Lichty, Associate Vice President

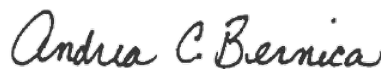
 Print Name

 Print Name and Title of Signer.

If Corporate: Chairman, President or
 Vice President

Date: _____

Date: January 12, 2021



By: Andrea C. Bernica, Assistant Secretary

 Print Name and Title of Signer.

If Corporate: Secretary, Assistant
 Secretary, Chief Financial Officer or
 Assistant Treasurer

Date: January 12, 2021

EXHIBIT A SCOPE OF SERVICES

Consultant team members will conduct meetings and workshops via MS Teams.

TASK 1 – PROJECT MANAGEMENT

Task 1.1 - Project Management and Administration

Consultant shall conduct project set-up, resource management, progress monitoring, scheduling, general correspondence, office administration, and invoicing needed to ensure the successful performance of this project. The project schedule shall maintain compliance with the EPA AWIA to meet or precede the RRA and ERP certification deadlines. Invoices shall be submitted to the City in PDF format with a progress summary in an email. The budget anticipates a maximum of 8 monthly reports and 8 invoices during the performance period. Consultant will set up a secure file sharing site to host project files.

Task 1.2 - Quality Assurance and Quality Control (QA/QC)

The deliverables produced under this scope of work shall undergo QA/QC review per Black & Veatch standards to ensure a quality product.

Task 1.3 - Kick-off Meeting/Screening Workshop

Consultant shall conduct a combined 2-hour project kickoff / screening workshop with city staff to:

- Confirm assessment goals, workplan, project schedule, key deliverables, QA/QC process and identify key points of contact
- Confirm the list of critical assets to be included in the RRA
- Review and prioritize the threats to be included in the RRA

Task 1 - Deliverables to the City

- Monthly progress reports and invoices

TASK 2 – DATA COLLECTION

Task 2.1 - Data Request

Prior to the project kick-off meeting, Consultant will submit a data request that identifies information necessary to conduct the assessment and meet compliance. Consultant shall create and maintain a Data Request Tracking Log as a live document throughout the project. Consultant shall implement necessary processes to keep information secure throughout the project.

Task 2.2 - Asset Characterization

In coordination with City staff, Consultant shall prepare an inventory list of critical assets to be included in the assessment. 'Critical assets' shall be defined per AWWA J100 as assets 'whose absence or unavailability would significantly degrade the ability of a utility to carry out its mission or would have unacceptable financial or political consequences for the owner or the community'. Inventory shall include the asset categories identified in Table 3 of the Baseline Information on Malevolent Acts for Community Water Systems Guideline (EPA, July 2019) (Malevolent Acts Guideline), which include:

- Physical barriers
- Source water
- Pipes and constructed conveyances, water collection and intakes

- Pretreatment and treatment facilities
- Storage and distribution facilities
- Monitoring practices
- Electronic, computer, or other automated systems
- Financial infrastructure
- The use, storage and handling of chemicals
- Operation and maintenance of the system

Task 2.3 – Threat Characterization

Consultant shall perform threat research to determine applicable potential threats to critical water system assets, which will be tailored to City's circumstances and location, and the Malevolent Acts Guideline, Hazard Mitigation Plans, and review of past disruptive events. A draft Threat/Asset Matrix shall be submitted to the City for review after the Screening Workshop. Following the workshop, action items and decisions shall be documented by the consultant in meeting minutes.

HAZARD CATEGORY	HAZARD TYPE	REQUIRED BY AWIA
Natural Hazards	Tornado, Earthquake, Flood, Hurricane, Wildfire, Hydrologic changes	Yes
Malevolent Acts	Physical Attacks, Contamination, Theft or diversion, Cyber Attack, Sabotage	Yes

Task 2 - Deliverables to the City

- Electronic Meeting Minutes
- Draft Threat/Asset Matrix
- Screening Workshop Meeting Minutes

Task 3.1 – Consequence Analysis

Consultant shall analyze what happens to City's ability to continue to provide safe water service when a threat or hazard occurs. Considering potential impacts such as financial costs, duration and severity of service denial for customers, loss of life and injuries, etc. develop consequence criteria based on a four-point scale (Negligible, Low, Medium, High). Consequence criteria shall incorporate the existing ability of the assets to resist and withstand each specified threat.

Consultant shall develop preliminary consequence scores for each threat-asset pair, for up to 80 threat-asset pairs, based on historical information, experience, and professional judgement. The consequence scores shall be captured as part of our Excel-based tool. Specific forms shall be used to document threat specific consequence scores including justification comments as needed. Preliminary consequence scores shall be submitted to the City for review and approval. City shall determine the staff most appropriate to review and validate the consequence data with Consultant staff assistance. The results can be used to screen out low consequence threat- asset pairs from the analysis.

Natural Hazards

The Natural Hazards analysis shall include an assessment of the potential impacts related to each natural hazard identified in the Threat Characterization Task. Consultant shall consider the available information in local hazard mitigation plans, history of events, and publicly available references to assess the potential impacts to the City's critical assets by each selected natural hazard.

Cybersecurity of IT and OT Systems

Both the IT and operations technology OT assessments shall be desktop assessments only and shall include discussions/interviews with the senior software operator and the support person for each software package. No penetration tests of either the IT or OT systems is included in this scope of services.

Consultant shall use the AWWA's Cybersecurity Guidance and Assessment Tool to assess operation technologies. Consultant shall conduct a 2-hour virtual interview with the City to complete the OT system assessment. Consultant shall evaluate the security of the City's IT system using the 100-question assessment based on the National Institute of Standards and Technology (NIST) Cyber Security Framework. Consultant shall conduct a 2-hour virtual interview with the City to complete the OT system assessment.

Physical Security

Consultant shall conduct a high-level desktop evaluation of physical security with respect to the AWWA specific malevolent acts based on previous assessments and other available data. This will include a 2-hour interview with the City staff to review the City's security posture and past experience.

Task 3.2 – Threat Likelihood Analysis

Analyze the likelihood that any of the hazards identified will strike City's facilities. The threat analysis shall be based on AWWA J100 Risk and Resilience Management of Water and Wastewater Systems methodology, the Malevolent Acts Guideline and other available sources. Various methods shall be employed by the Consultant to calculate or estimate threat likelihood with respect to the type of threat considered. For example, the likelihood of vandalism will be evaluated based upon the Malevolent Acts Guideline and adjusted with respect to the crime statistics for the surrounding area, history of vandalism, etc. The likelihood of natural hazards will be based on the general approach provided by the J100 standard and available data from NOAA, USGS, etc.

The threat likelihood estimates will be captured as part of the Consultant's Excel-based tool. Specific forms will be used to document threat likelihood estimates including data sources and justification comments as needed. Preliminary threat likelihood estimates shall be submitted by the consultants to the City for review and approval. City shall determine the staff most appropriate to review and validate the threat likelihood data with the Consultant's staff assistance. The results of the threat likelihood analysis can be used to screen out low probability threat- asset pairs from the analysis.

Task 3.3 - Risk Assessment

Consultant shall complete a system-wide baseline risk evaluation by calculating the risk scores for the threat-asset pairs selected based on the Consequence and Threat Likelihood Analyses in Tasks 3.1 and 3.2, respectively. Baseline scores shall be calculated using the following formula:

Baseline Risk Score = Consequence Score x Threat Likelihood

The risk analysis results shall be documented in the Consultant's Excel-based tool and shall be organized in a 4 x 4 risk matrix. The risk assessment will be used to develop preliminary risk mitigation opportunities.

Task 3.4 - RRA Technical Memorandum

Consultant shall document the RRA in a draft and final RRA Technical Memorandum, which will summarize the risk assessment performed, the resulting baseline risk level and risk mitigation opportunities. Consultant shall provide the Draft RRA TM to City for review, then incorporate City's

comments and finalize the RRA TM. Incorporate City comments and finalize the RRA no later than June 15, 2021. Consultant shall assist the City in the online self-certification process.

Task 3 - Deliverables to the City

- Excel-based tool documenting consequence, threat likelihood and risk assessment results
- Electronic Draft and Final RRA TM
- Assist City in online self-certification process

TASK 4 – EMERGENCY RESPONSE PLAN

Task 4.1 - Emergency Response Plan Assessment

Based on the data collected and analyzed during Task 2 and Task 3, Consultant shall assess City's existing ERP against the requirements in the AWIA and using EPA's 2020 ERP guidance and template. The AWIA requires the ERPs to include the following key components:

1. Strategies and resources to improve the resilience of the system: roles and responsibilities, communications, regional coordination.
2. Risk Mitigation Actions: alternative source water options, interconnections, redundancy improvements, asset hardening, physical and cybersecurity countermeasures.
3. Detection Strategies: intrusion detection, source water contamination, cyber intrusion, etc.
4. Emergency plans and procedures: response plans and procedures (core and incident specific)

Task 4.2 - Emergency Response Plan Meeting

Consultant shall work collaboratively with City staff in a 2-hour meeting to review the ERP assessment gap analysis and the risk mitigation recommendations from the RRA. During the review, data gaps will be confirmed with City staff to ensure that all existing ERP documents have been incorporated into the gap analysis. The gap analysis shall include a checklist that compares the City's existing ERP to the EPA's ERP template and applicable State requirements. Consultant staff shall then work collaboratively with City staff to agree on a process to close these gaps and discuss with the City to determine who (either Black & Veatch staff or City staff) will update and close each gap. The preliminary risk mitigation recommendations developed will be reviewed and prioritized for inclusion in the ERP. The decisions from this workshop shall be documented in a finalized checklist that will serve as a tracking document on who (City vs. Black & Veatch staff) will lead closing each of the gaps that shall be incorporated by the Consultant in the development of the ERP.

Task 4.3 – Existing Emergency Response Plan Update

This task includes up to 80 hours of working with the City to update the existing ERP using EPA's template as a guide. Included in this task is to develop up to 2 (two) new Incident-Specific Response Procedures to address any findings from the RRA including natural hazard risks, physical and cyber security. This task will include up to 4 (four) conference calls with City staff responsible for developing and maintaining emergency plans. The existing strategies and resources to improve resilience and detection strategies will be incorporated by the Consultant into a draft ERP document. City comments will be incorporated, and the final ERP updated. Consultant will assist the City with online self-certification process with the EPA no later than October 15, 2021.

Task 4 - Assumptions

- The ERP has been kept up-to-date and the City will update existing information such as contact information.
- The ERP is available in Word format.
- The ERP will be updated in its current layout.

Task 4 - Deliverables to the City

- Gaps Analysis Checklist
- Draft and Final ERP
- Assistance in online self-certification

TASK 5 - ADDITIONAL SERVICES

The fee estimate for these services is preliminary and may need to be adjusted based on the findings of the RRA.

Additional Task 5.1 - Risk Mitigation Plan

Consultant shall evaluate what risk mitigation options are available to reduce risk and increase resilience. Consultant shall develop countermeasure and risk mitigation options for up to 25 threat-asset pairs that require risk mitigation, rough order of magnitude (ROM) costs and post-improvement risk scores to complete this step. Consultant shall quantify the decreased risk for each identified improvement and ROM cost estimates for implementation. Risk mitigation actions shall be prioritized based on their cost-benefit ratio. Risk mitigation plan shall be documented by the Consultant in a technical memorandum.

Additional Task 5.2 - Physical Security Assessment

Due to very low likelihood of physical threats (per the Malevolent Guideline) the Consultant has not included a comprehensive assessment of physical security and site visits to evaluate vulnerabilities. If justified by the threat likelihood analysis, and requested by the City, Consultant shall provide physical security analysis including two to three days of site visits to representative assets identified as critical for evaluating the vulnerability of facilities and existing physical security equipment. These visits shall be conducted during the day for the bulk of the effort as well as night to inspect CCTV operation (if applicable) and lighting levels. This effort shall also include interviews with City staff and local/regional law enforcement to review response plans, procedures, personnel behavior, etc. City will make initial contact with law enforcement agencies on behalf of the Consultant for these interviews.

EXHIBIT B

SCHEDULE OF COMPENSATION RATES

Role:	Project Director	Project Manager/ RRA Lead	QA/QC	Cyber Security Lead	Natural Hazards Lead	Physical Security Lead	Physical Security Advisor	ERP Lead	Staff Engineer	Finance	Admin	Total Staff Hours	Labor	Expenses	Total Fee
Hourly Rate:	\$295	\$250	\$290	\$210	\$210	\$160	\$210	\$160	\$145	\$150	\$100				
Task/Level of Effort	Craig Lichty	Doland Cheung	Lani Good	Jacques Brados	Kristina Lecina	Judith Kung	Dave Nelson	Lori Reed	Support Staff	Support Staff	Support Staff				
Task 1 – Project Management	4	24	12	2	2	2	0	0	0	16	4	66	\$14,620	\$0	\$14,620
Task 1.1 – Project Management and Administration	4	16								16	4	40	\$7,980		\$7,980
Task 1.2 – Quality Assurance and Quality Control			12									12	\$3,480		\$3,480
Task 1.3 - Kickoff/Screening Workshop		8		2	2	2						14	\$3,160		\$3,160
Task 2 - Research/Data Collection	0	24	0	8	8	8	2	4	16	0	2	72	\$14,220	\$200	\$14,420
Task 2.1 - Data Request		8		2	2	2		4	8		2	28	\$5,160	\$200	\$5,360
Task 2.2 - Asset Characterization		8		2	2	2			4			18	\$3,740		\$3,740
Task 2.3 - Threat Characterization		8		4	4	4	2		4			26	\$5,320		\$5,320
Task 3 - Risk & Resilience Assessment	2	50	0	28	32	32	4	0	32	0	6	186	\$36,890	\$0	\$36,890
Task 3.1 - Consequence Analysis		10		6	8	8			8			40	\$7,880		\$7,880
Task 3.2 - Threat Likelihood Analysis		8		4	6	6	2		6			32	\$6,350		\$6,350
Task 3.3 - Risk and Resilience Assessment		12		8	8	8			6			42	\$8,510		\$8,510
Task 3.4 - RRA Review Workshop	2	8		2	2	2						16	\$3,750		\$3,750
Task 3.5 - RRA Technical Memorandum		12		8	8	8	2		12		6	56	\$10,400		\$10,400
Task 4 - Emergency Response Plan Update	2	14	0	16	12	12	2	98	36	0	8	200	\$34,010	\$0	\$34,010
Task 4.1 - ERP Assessment		4		2	2	2		10	8			28	\$4,920		\$4,920
Task 4.2 - ERP Workshop	2	4		4	4	4		8				26	\$5,190		\$5,190
Task 4.3 - Existing ERP Update		6		10	6	6	2	80	28		8	146	\$23,900		\$23,900
Project Totals	8	112	12	54	54	54	8	102	84	16	20	524	\$99,740	\$200	\$99,940
	\$2,360	\$28,000	\$3,480	\$11,340	\$11,340	\$8,640	\$1,680	\$16,320	\$12,180	\$2,400	\$2,000				
OPTIONAL Task 5 - Supplemental Services	4	48	8	16	0	32	48	8	40	8	8	220	\$43,140	\$800	\$43,940
Task 5.1 – Risk Mitigation Plan	2	32	4	16			16	8	40	4	4	126	\$24,550		\$24,550
Task 5.2 – Physical Security Assessment	2	16	4			32	32			4	4	94	\$18,590	\$800	\$19,390

EXHIBIT C
SCHEDULE OF PERFORMANCE

PHASES & TASKS	2021							
	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Task 1 - Project Management								
Task 1.1 – Project Management & Admin.								
Task 1.2 – QA/QC								
Task 1.3 – Kickoff/Screening Workshop								
Task 2 – Research/Data Collection								
Task 2.1 – Data Request								
Task 2.2 – Asset Characterization								
Task 2.3 – Threat Characterization								
Task 3 – Risk and Resilience Assessment								
Task 3.1 – Consequence Analysis								
Task 3.2 – Threat Likelihood Analysis								
Task 3.3 – Risk and Resilience Assessment								
Task 3.4 – RRA Review Workshop								
Task 3.5 – RRA TM								
Task 4 – Emergency Response Plan								
Task 5.1 – Optional Risk Mitigation Plan								
Task 4.1 – ERP Assessment								
Task 4.2 – Risk Mitigation and ERP Workshop								
Task 4.3 – Existing ERP Update								

Additional Task 5 – Supplemental Services will be completed before the agreement termination date.

EXHIBIT D
Third Party Data Use Agreement

1. CONSULTANT agrees that it shall not use any information provided by CITY for any purpose other than for PROJECT without the prior express written consent of CITY. CONSULTANT also hereby acknowledges that the data delivered by CITY is for use by CONSULTANT only, and is not to be released to any other party by any means whatsoever, including the Internet, without prior written consent of CITY. CONSULTANT shall provide written notice to CITY of any subcontractor with whom Geographic Information System data (GIS DATA) is shared for purposes of completing the PROJECT.
2. All data and files are intended for the use within the ordinary course of users' business and may not be sold, placed on the internet or otherwise provided to other parties. All data shall comply with all statutes such as California State Law, Government Code section 6254.21 which prohibits any state or local agency from posting the home address or telephone number of any "elected or appointed official," residing spouse, or child on the internet, and Revenue and Taxation Code sections 408, 408.1, 408.3, and 409 permitting the County Assessor to collect fees for certain information.
3. CITY, as rightful owners, shall retain all rights, title, interest, and copyright of the data. Any products using the GIS DATA must give credit to CITY as the source of the information. Any and all derivative products of the GIS DATA are owned by CITY and may not be used for any purpose other than the PROJECT without prior written permission of CITY. All derivative products and resulting data shall be provided to CITY Project Manager and CITY GIS Manager at the completion of the PROJECT.
4. CONSULTANT and CITY understand and agree that the information provided pursuant to this Agreement is the product of professional services paid for by CITY and shall remain property of CITY. CONSULTANT may retain copies, including copies stored on magnetic media, only for information and reference, in connection with CONSULTANT'S use for PROJECT.
5. All of the above terms and conditions apply to any subcontractor retained by CONSULTANT.
6. In the event of a conflict between the terms and provisions of this Third Party Data Use Agreement and the terms and provisions of the SERVICE AGREEMENT, the terms of the SERVICE AGREEMENT shall govern and control.



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Rebecca Garcia, Housing Manager
APPROVED BY: City Manager

APPROVE FIRST AMENDMENT TO AGREEMENT WITH SANTA CLARA COUNTY FOR ISOLATION QUARANTINE PROGRAM

RECOMMENDATION(S)

Approve the First Amendment to the agreement between the County of Santa Clara and the City of Morgan Hill for the Countywide Isolation and Quarantine Support Program to extend the term through June 30, 2021.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Supporting Our Youth
Seniors
and Entire Community

2020-2021 Strategic Priorities

Affordable Housing and Homelessness

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

The purpose of this report is to inform the Council and to ratify an amendment to the term of the Countywide Isolation and Quarantine Support Program (I/Q Program) to prevent a disruption in services, extending the term through June 30, 2021 (Attachment 1). The original term was August 1, 2020 through December 31, 2020 (Attachment 2 & 3)). This is a no-cost extension.

In response to COVID-19, the County identified an urgent need to provide Temporary Shelter and Services to help individuals and families effectively isolate or quarantine. Since March 2020, the County and its partners have increased temporary shelter in response to the pandemic. The County has added congregate shelter beds, and reserved hotel/motel rooms. The I/Q Program is for COVID+ cases and close contacts. The County seeks to continue to help residents isolate if they have tested positive for COVID-19, or quarantine if they have been in close contact with a COVID-19 positive person. The City of Morgan Hill has an agreement with the County of Santa Clara for up to \$154,917 to support the on-going activities to serve Morgan Hill residents affected.

The countywide Case Investigation and Contact Tracing team (CICT) makes determinations based on the circumstances of each interaction. The CICT also helps cases and contacts understand how and why it is important to safely isolate or

quarantine. Persons who **test positive for COVID-19 and have symptoms** may discontinue isolation when:

- At least 10 days* have passed since symptoms first started; AND
- At least 24 hours have passed since resolution of fever (without use of fever reducing medication); AND
- Other symptoms have improved

Persons who **test positive for COVID-19 and do not have symptoms** may discontinue isolation when:

- At least 10* days have passed since the first positive test was collected

*The date of symptom onset (or the date of test if asymptomatic) is considered Day 0. Note that individuals with severe illness (e.g., required intensive care) or who are severely immunocompromised may warrant extending isolation for up to 20 days after symptom onset. Please see attached Public Health Guidelines (Attachment 4).

Many individuals and their families will be able to isolate or quarantine in their homes without assistance. Others have situations that make isolating or quarantining difficult. The County's Emergency Operations Center (EOC) established a CICT team to use a contact tracing management information system that is being implemented statewide.

Since September 2020, \$21,752 has been provided to Morgan Hill residents for rental assistance, approximately \$6,000 for in home support (groceries and supplies), and 5 households were placed in a hotel/motel for necessary isolation. The County is requesting an extension on the term due to the recent surge and demand.

SERVICES PROVIDED THROUGH THE PROGRAM

Support Request Line. The team receives requests for assistance from cases, contacts, medical providers, cities' emergency operations centers, Public Health unit and community-based organizations (CBOs) via telephone or email.

Coordination. The team is responsible for coordinating with the Public Health Special Investigations Group (SIG) and CITC to ensure that all teams are aware of and can take appropriate actions for each case and contact.

Support at Home. Even individuals or families who have adequate home settings may need additional assistance, including transportation to/from medically necessary appointments, meals per day and/or groceries, medical screening and connection to medical services, laundry services for linens and personal clothing, and light case management services to help individuals apply for benefits (e.g., unemployment insurance, CalFresh) and other services.

Motels. Some individuals and/or family members may be placed at a motel to isolate or quarantine until they are cleared to return to their home (including a congregate care setting). The Resource Coordinators coordinate placement at one or more motels. In some cases, the individual may be placed in other non-congregate settings, such as a travel trailer. In these out-of-home settings, the program also provides transportation, food, health and behavioral health screenings and services, laundry, and light case management services, as needed.

Rental and Financial Assistance. If there is a documented need, cases and contacts would be eligible for rental and financial assistance up to \$5,000. The rental and financial assistance is limited to households earning 80% or less of the Area Median Income (AMI) adjusted for household size. Rental and financial assistance is primarily administered by Sacred Heart Community Service (SHCS) under contract with the County.

COMMUNITY ENGAGEMENT: Inform

Staff continues to inform and refer community members in need for related services to the County program coordinators.

ALTERNATIVE ACTIONS:

The Council can choose to terminate the contract and cease services.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On September 23, 2020, the Council received a report and approved funding (\$154,917) for the I/Q Program and adopted a resolution to appropriate \$107,208 from the General Fund (010); and authorized an expenditure of \$47,709 from the Housing Fund (236).

FISCAL AND RESOURCE IMPACT:

The first amendment to the agreement is to extend the term through June 2021 and will continue to utilize existing appropriations of \$154,917 previously approved for this agreement. No additional funding is being requested.

CEQA (California Environmental Quality Act):

Not a Project, routine administrative action.

LINKS/ATTACHMENTS:

1. Isolation Quarantine Program_ First Amendment
2. County of Santa Clara - IQ original contract
3. IQ Program staff report 9-23-2020 (weblink)
4. Home-Isolation-Quarantine-Guidelines

**FIRST AMENDMENT TO FUNDING AGREEMENT BETWEEN
THE COUNTY OF SANTA CLARA
AND THE CITY OF MORGAN HILL
FOR COUNTYWIDE ISOLATION AND QUARANTINE SUPPORT PROGRAM**

This First Amendment ("First Amendment") to the Funding Agreement between the County of Santa Clara and the City of Morgan Hill for Countywide Isolation and Quarantine Support Program ("Agreement") is entered into by and between the County of Santa Clara ("County") and the City of Morgan Hill ("City").

This First Amendment amends the Agreement as follows and is effective January 1, 2021:

1. SECTION 1 TERM of the Agreement is amended to read: This Agreement is effective August 1, 2020 and will continue thereafter until June 30, 2021, unless extended by mutual consent.

All other terms and conditions of the Agreement remain in full force and effect. In the event of a conflict between the original Agreement and this First Amendment, this First Amendment controls.

By signing below, signatory warrants and represents that he/she executed this First Amendment in his/her authorized capacity, that he/she has the authority to bind the entity listed below to contractual obligations and that by his/her signature on this First Amendment, the entity on behalf of which he/she acted, executed this First Amendment.

This First Amendment may be executed in counterparts. Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

COUNTY OF SANTA CLARA

CITY OF MORGAN HILL

By: EOC Director

By: Christina Turner
City Manager

Date: _____

Date: _____

APPROVED AS TO FORM AND LEGALITY

APPROVED AS TO FORM

Christopher R. Cheleden
Lead Deputy County Counsel

Donald Larkin
City Attorney

Date: _____

Date: _____

DELEGATION OF AUTHORITY (DOA) COVER SHEET

TO BE COMPLETED BY DEPARTMENT/AGENCY

Department Submitting: Office of Supportive Housing Fiscal Year: 21

Original DOA Approval (Attach Copy): BOS Mtg Date 9/22/20 Agenda # 17 Leg File # 102934

Office of County Contracting Exception/Exemption Approval: ☐ Applicable (Attach Copy if applicable)

Contractor's Name: City of Morgan Hill

Contact Name: Rebecca Garcia

Contact Number: 408-310-4637

Processing Requirements (Specific instructions to the OBA Analyst for distribution of approved copies):

Amount of this Amendment: _____

Max Amount of the Delegation: _____

End Date of the Delegation: _____

Total Approved Delegation:
(including this Amendment) _____

Date Needed: 10/14/2020 Comments: _____

TO BE COMPLETED BY COUNTY COUNSEL, OBA ANALYST, AND OFFICE OF THE COUNTY EXECUTIVE:

Approved by County Counsel for form and legality Yes ☒ No ☐

Recommended for Approval by OBA Yes ☒ No ☐

Approved by Office of the County Executive Yes ☒ No ☐

Name/Date
Christopher Chen 10/14/2020

MERCEDES GARCIA 10/14/2020

Jeff Smith 10/15/2020

DS

CC
DS

MG
DS

JS

County Counsel Comments:

OBA Comments:

Office of the County Executive Comments:

Upon execution of agreement, forward a copy and any subsequent amendment(s) to: delegations@cob.sccgov.org, together with the delegation of authority transmittal. Department retains original copy of agreement on file.

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

**FUNDING AGREEMENT BETWEEN THE
COUNTY OF SANTA CLARA
AND THE CITY OF MORGAN HILL
FOR COUNTYWIDE ISOLATION AND QUARANTINE
SUPPORT PROGRAM**

This Agreement is entered into by and between the **County of Santa Clara** (the "County") and the **City of Morgan Hill** (the "City"), individually, a "Party" and, collectively, the "Parties," in order to provide funding for a Countywide Isolation and Quarantine Support Program ("Program") to be managed by the County.

RECITALS

- A. WHEREAS, on February 3, 2020, the County Health Officer declared a local health emergency, and the County's Director of Emergency Services proclaimed a local emergency, to respond to the Coronavirus Disease ("COVID-19") pandemic and manage its spread throughout the County; and
- B. WHEREAS, on March 4, 2020, the Governor of California proclaimed a State of Emergency (Executive Order N-25-20) to exist in California because of the threat of COVID-19; and
- C. WHEREAS, on March 16, 2020, the Santa Clara County Public Health Officer issued an Order to all residents to shelter in place and businesses to close except for essential activities, essential services, and governmental services as defined under Section 10 of the Order; and
- D. WHEREAS, on March 19, 2020, the Governor issued an Order (Executive Order N-33-20) that all individuals living in the State of California stay home or at their place of residence, except as needed to maintain continuity of operations for certain critical infrastructure sectors, to protect the public health of Californians, to mitigate the impact of COVID-19, and to ensure the healthcare delivery system is capable of serving all; and
- E. WHEREAS, as a result of the State Executive Orders and their national counterparts and the County Order in response to COVID-19, as may be extended and modified by federal, state, and local authorities, the County and City have identified an urgent need to provide a Countywide Isolation and Quarantine Support Program ("Program") as part of the response to COVID-19; and,
- F. WHEREAS, the County has established and will operate the Program as described on Exhibit "A" attached hereto and incorporated herein by this reference; and

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

- G. WHEREAS, the Program assists all residents of Santa Clara County to isolate if they have tested positive for Coronavirus (COVID-19) ("Cases") or quarantine if they have been in close contact with a COVID-19 positive person ("Contacts"); and
- H. WHEREAS, the U.S. Centers for Disease Control and Prevention defines a "close contact" as "someone who was within six feet of an infected person for at least 15 minutes starting from 48 hours before illness onset until the time the patient is isolated; however, the County Public Health Department's Special Investigations Unit or Case Investigation and Contact Tracing group ("CICT") will make determinations based on the circumstances of each interaction; and
- I. WHEREAS, many individuals and their families will be able to isolate or quarantine in their homes without assistance; and
- J. WHEREAS, others have situations that make isolating or quarantining difficult. These challenges include, but are not limited to, overcrowded housing, the lack of paid sick leave, recent unemployment, co-habitation with at-risk individuals, and obligations to care for family members. Primary among these challenges are: 1) access to a room in which the case or contact may stay and remain entirely separate from other members of the household; and, 2) access to one's own bathroom or the ability to thoroughly clean the bathroom after each use. The County's CICT group is trained to speak with individuals about what they may need to effectively isolate or quarantine in their own home; and
- K. WHEREAS, it is in the intent of this Agreement that City, along with all other 14 cities within Santa Clara County, will contribute funding to the County to pay the County for its costs in operating the Program.

In consideration of the foregoing Recitals, and the mutual promises and covenants contained in this Agreement, the Parties agree as follows:

AGREEMENT

SECTION 1 TERM

This Agreement is effective August 1, 2020 and will continue thereafter until December 31, 2020, unless extended by mutual consent.

SECTION 2 MAXIMUM FINANCIAL OBLIGATION

As explained in Section 3 below and stated in Exhibit E, City's maximum financial obligation during the Term of this Agreement is \$154,917.

SECTION 3 ESTIMATE OF COUNTYWIDE NEED AND COST SHARING

To ensure that appropriate services are available to all Santa Clara County residents who need help with isolation or quarantine, it is the intent of this Agreement that the County and all 15 cities within the County would share in the Program's costs on a roughly proportional basis as set forth below.

a) **Estimates of Countywide Need:**

- i) Based upon prior utilization data, the County estimates that during the term of this Agreement, approximately 200 households who are Cases or Contacts will be referred to or will contact the Program weekly. Of the 200 households, it is estimated that approximately 25% (about 50 households) will decline services, be ineligible or referrals that cannot be contacted. Of the remaining households (approximately 150 households) who participate in the Program, 90% (about 135 households) will receive assistance to isolate or quarantine at home and 10% (about 15 households) would temporarily move into a motel. Of all households who enroll in the Program (150 households) each week, about 60% (90 households) are also expected to request and receive rental or financial assistance.
- ii) Of the households participating in the program, it is estimated that approximately 82% will be residents of the City of San José. Residency is determined by the person's or family's home address.
- iii) Exhibit B summarizes the projected needs among residents of each jurisdiction by Program component from August 1 through December 31, 2020, which is approximately 22 weeks. The number of residents by jurisdiction is based on current Program utilization and a minimum of five – one per month – for each jurisdiction. For planning purposes, at least one resident from each jurisdiction would need a motel placement.
- iv) If the person or family is homeless, their residency is determined by the location of their last permanent address or the city or unincorporated area where they spend most of their time.

b) **Cost Sharing:** Exhibit C summarizes the assumptions used to determine the Program's fixed costs, the costs of operating a motel room for one month, at-home support services, and rental or other financial assistance. These are intended to be estimates for budgeting purposes.

- i) **Fixed Costs:** Each jurisdiction would reimburse the County for a portion of the Program's fixed costs regardless of utilization by the jurisdiction's residents. Each jurisdiction's share of the fixed costs is proportional to its share of the countywide population as set forth in Exhibit D. The services associated with these costs are necessary because they allow CICT, providers and residents to access the Program's services.
- ii) **Motel Costs:** Each jurisdiction will contribute to the cost of operating motels for isolation and quarantine based on the proportion of motel nights that its residents use. For example, in a given month, if a San Jose resident stayed in one room for 30 days and a Campbell resident stayed in another room for 30 days – and no other jurisdiction's residents stayed at the site – the costs for

operating that motel site, would be evenly split between the City of San Jose and the City of Campbell.

- iii) **At-Home Support Services:** Each jurisdiction will reimburse the County for the cost of supportive services provided directly to the jurisdiction's residents while they isolate or quarantine in their own homes.
- iv) **Rental and Financial Assistance.** Each jurisdiction will reimburse the County for the rental or financial assistance provided directly to the jurisdiction's residents.
- c) **Total Estimated Costs:** Exhibit E summarizes the total estimated cost by jurisdiction. These estimates form the basis for the maximum financial obligation during the term referenced in Section 2 of this Agreement. If the number of City residents participating in the Program exceeds 50% of the total estimated participation shown in Exhibit B, then the City agrees to confer with the County on adjustments to the maximum financial obligation.
- d) The County shall submit invoices for any eligible cost up to the maximum financial obligation. For example, the County may submit the cost of information and referral for all motel rooms located in the City as a strategy to leverage Federal Emergency Management Agency (FEMA) reimbursements. The County may submit invoices to the City even if FEMA has not made a determination on the County's request(s) for reimbursement under FEMA's Public Assistance program. Invoices submitted by County will be supported by backup documentation provided with the invoice.

SECTION 4 ROLES AND RESPONSIBILITIES

County shall operate the Program as indicated in the Program Description attached as Exhibit "A."

SECTION 5 LEVERAGING AND USE OF FUNDS

- a) The City's funds may be used for any expenses that are necessary for successful operation of the Program, as described in this Agreement. This includes expenses that may be categorically ineligible for the FEMA Public Assistance program and the portion of expenses that is calculated to be the local match for the FEMA Public Assistance program.
- b) The County will work with City to leverage state and federal funds and to conserve local resources. However, since some funding sources have limitations the County may not be able to true-up costs for each city until well after the Program has ceased operations. Furthermore, based on determinations of the agencies like FEMA, the County may have to allocate certain funding to specific categories of expenses to maximize state and federal funds.
- c) The County will submit requests for reimbursement through the FEMA Public Assistance program. Reimbursements from this program require a 25% match, and not all funding sources can be used as match.

- d) The County intends to use approximately \$250,000 in Community Development Block Grant Coronavirus (CDBG-CV) funds to operate the program and to pay for a portion of costs associated with unincorporated Santa Clara County. The County would use these funds to offset the actual costs to the "Urban County" cities: Campbell, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill and Saratoga. The County, on behalf of these cities, receives CDBG funds and administers CDBG-eligible programs. Note that CDBG-CV funds cannot be used for hotel costs and can only be used to support households earning 80% or less of AMI.

SECTION 6 MUTUAL INDEMNIFICATION

County and City agree that, pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify and hold each of the other Parties, their officers, board members, employees, and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No party, nor any officer, board member or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Parties hereto, their officers, board members, employees, or agents, under or in connection with or arising out of any work authority or jurisdiction delegated to such other Parties under this Agreement.

SECTION 7 TERMINATION FOR CAUSE

Either party may terminate this Agreement at any time for cause upon providing notice and a reasonable opportunity to cure to the other party.

SECTION 8 ASSURANCE

Each Party represents and warrants that it has the authority to enter into this Agreement.

SECTION 9 RELATIONSHIP

Nothing contained in this Agreement shall be deemed or construed by the Parties or any third party to create the relationship of partners or joint ventures between the City and the County.

SECTION 10 ENTIRE AGREEMENT

This instrument contains the entire agreement between the Parties, and no statements, promises or inducements made by either Party or the designated agent of either Party that are not contained in this Agreement shall be valid or binding.

SECTION 11 MODIFICATION

This Agreement may not be enlarged, modified, or altered, except if it is evidenced in writing, signed by the Parties and endorsed to this Agreement.

SECTION 12 INSURANCE

Each Party shall, at its own expense, keep in force during the Term, Workers' Compensation Insurance, insuring against and satisfying each Party's obligations and liabilities under the workers' compensation laws of the State of California, including employer's liability insurance in the limits required by the laws of the State of California.

SECTION 13 SEVERABILITY

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in force without being impaired or invalidated in any way.

SECTION 14 NOTICES

Notices to the Parties in connection with this Agreement shall be given personally or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the parties as follows:

COUNTY OF SANTA CLARA

Office of Supportive Housing

Attn: Consuelo Hernandez

Phone: 408-278-6419

Address: 2310 North First St., Suite 201, San Jose, CA 95131

Email: Consuelo.Hernandez@hhs.sccgov.org

CITY OF MORGAN HILL

Attn: Rebecca Garcia

Phone: 408-310-4637

Address: 17575 Peak Avenue, Morgan Hill, CA 95037

Email: Rebecca.Garcia@morganhill.ca.gov

Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated on the date of delivery.

SECTION 15 AMENDMENTS

This Agreement may be amended only by a written instrument signed by the Parties.

SECTION 16 WAIVER

No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted by a Party must be provided, in writing, and shall apply to the specific instance expressly stated.

SECTION 17 GOVERNING LAW and VENUE

This Agreement has been executed and delivered in, and shall be construed and enforced in accordance with, the laws of the State of California. Proper venue for legal action regarding this Agreement shall be in the Santa Clara County.

SECTION 18 COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument.

SECTION 19 THIRD PARTY BENEFICIARIES

This agreement does not, and is not intended to, confer any rights or remedies upon any person or entity other than the parties.

SECTION 20 CONTRACT EXECUTION

Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be entered into as of the day and year of execution of this Agreement.

COUNTY OF SANTA CLARA

DocuSigned by:



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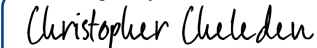
Jeffrey V. Smith

County Executive

Date: 10/15/2020

APPROVED AS TO FORM AND LEGALITY

DocuSigned by:



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Christopher Cheleden

Lead Deputy County Counsel

Date: 10/14/2020

CITY OF MORGAN HILL

DocuSigned by:



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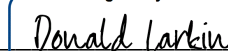
Christina Turner

City Manager

Date: 10/13/2020

APPROVED AS TO FORM

DocuSigned by:



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Don Larkin

City Attorney

Date: 10/8/2020

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

EXHIBIT A

PROGRAM DESCRIPTION

The County shall provide the following services and program organization in operating the Program:

Program Coordination:

- **Support Request Line.** The County will provide staff or contractors to receive requests for assistance from cases, contacts, medical providers, cities' emergency operations centers, and Public Health unit and community-based organizations (CBOs) via telephone or email. The Program's "call center" would be available seven days a week from 8 am to 5 pm. Voice messages or emails received after hours would be responded to the following day.
- **Coordination.** The team and manager assigned to the Support Request Line would also be responsible for coordinating with the Public Health Special Investigations Group (SIG) and CITC to ensure that all teams are aware of and can take appropriate actions for each case and contact. Continuous coordination with SIG and CITC will be necessary because there may be a lag between the time when SIG or CITC become aware of a case or contact and the time when a case or contact or their medical provider reaches out for assistance. The manager of the team would also be responsible for data collection for reports to the County Administration and participating cities.
- **Resource Coordinators.** Coordinators would be assigned to the Support Request Line and would assess cases and contacts for needs and arrange for the services described below.
- **Support at Home.** Even individuals or families who have adequate home settings may need additional assistance including:
 - Transportation to/from medically necessary appointments if the individual is not able to use a private vehicle;
 - Up to three meals per day and/or groceries;
 - Medical screening and connection to medical services; and
 - Weekly laundry services for linens and personal clothing; and, Light case management services to help individuals apply for benefits (e.g., unemployment insurance, CalFresh) and other services.
- **Motels.** Some individuals and/or family members may be placed at a motel to isolate or quarantine until they are cleared to return to their home (including a congregate care setting). The Resource Coordinators would coordinate placement at one or more motels for cases or contacts who cannot

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

remain at home or do not have a home. In addition to typical motel management staff and services, the County would negotiate agreements with the motel(s), contract with a community-based organization to provide onsite coordinators and oversee security. In some cases, the individual may be placed in other non-congregate settings, such as a travel trailer. In these out-of-home settings, the program would also provide transportation, food, health and behavioral health screenings and services, laundry and light case management services, as needed.

- **Rental and Financial Assistance.** If there is a documented need, cases and contacts would be eligible for rental and financial assistance up to \$5,000. The rental and financial assistance is limited to households earning 80% or less of the Area Median Income (AMI) adjusted for household size. Rental and financial assistance would primarily be provided by Sacred Heart Community Service (SHCS) under contract with the County. The agreement with SHCS enables that organization to:
 - Issue rental assistance or financial assistance within 72 hours of verifying eligibility;
 - Connect cases and contacts to the broader network of homelessness prevention services (e.g., additional rental assistance) which is primarily implemented through the seven CBOs of the Emergency Assistance Network (EAN) and coordinated by SHCS; and,
 - Connect cases and contacts to other community resources.
- **Other Services.** Program resource coordinators would also be responsible for arranging access to other services including, but not limited to, childcare, elder care, in-home support services, and, emergency, urgent, and/or ongoing healthcare services.
- **Department of Employment and Benefit Services (DEBS).** The Resource Coordinators would ensure that (eligible) cases or contacts would be able to access or sign up for General Assistance, CalWORKs, Medi-Cal, CalFresh, or other benefit programs administered by the County. The Resource Coordinators cannot authorize these benefits directly, but the County's DEBS has assigned an Eligibility Supervisor to:
 - Receive referrals directly from Resource Coordinators;
 - Immediately contact the case or contact to help them apply for the appropriate program; and
 - When appropriate, approve the applications for assistance.
- **COVID-19 Assistance Navigation Hotline (CAN-19 Hotline).** For workers who need additional assistance understanding or accessing resources provided through the California Employment Development Department (EDD), such as unemployment insurance, Resource Coordinators would make a connection to the County's CAN-19 Hotline. The CAN-19 Hotline assists in English, Spanish, Vietnamese and Mandarin.

Exhibit B – Projected Needs by Jurisdiction, August 1, 2020 through December 31, 2020

Projection reflects:

- Utilization June 17 through July 31, 2020
- A minimum of 5 households per jurisdiction and at least one motel placement
- 10% of enrollees will need a motel placement and 90% can isolate or quarantine at home
- 60% of all enrollees request rental assistance

	Imputed			60% of Enrollees
	Imputed	At-Home	Total Program	Request Rental
	<u>Motel</u>	<u>Support</u>	<u>Enrollments</u>	<u>Assistance</u>
CAMPBELL	2	22	24	14
CUPERTINO	1	4	5	3
GILROY	4	32	36	22
LOS ALTOS	1	4	5	3
LOS ALTOS HILLS	1	4	5	3
LOS GATOS	1	4	5	3
MILPITAS	2	22	24	14
MONTE SERENO	1	4	5	3
MORGAN HILL	4	32	36	22
MOUNTAIN VIEW	2	22	24	14
PALO ALTO	5	43	48	29
SAN JOSE	270	2430	2700	1620
SANTA CLARA	8	76	84	50
SARATOGA	1	4	5	3
SUNNYVALE	12	108	120	72
UNINCORPORATED	20	184	204	122
TOTAL	335	2995	3330	1997

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

Exhibit C – Estimate of Costs by Service Component

		Fixed Costs	Motel Room	At-Home Support	Financial Assistance
<u>Activity</u>	<u>Est. Rate / Per Unit Cost</u>	<u>per Month</u>	<u>Cost per Month</u>	<u>Costs per HH</u>	<u>Cost per HH</u>
Resource Coordinators, Medical Screening, Program Coordination	7.0 FTE (~\$150K per FTE annually)	\$ 87,500	\$ -	\$ -	\$ -
Sacred Heart Staffing, Operations & Overhead	(28500/3) or \$9,500 per month	\$ 9,500	\$ -	\$ -	\$ -
Rental / Financial Assistance	Up to \$5,000 per HH / Avg. \$3,500 per HH	\$ -	\$ -	\$ -	\$ 3,500
Motel Room Rate & Tax	Average of \$107 per night	\$ -	\$ 3,255	\$ -	\$ -
Motel Site Management	\$25,000 per site per month	\$ -	\$ 424	\$ -	\$ -
Information & Referral Services	\$20,833 per site per month	\$ -	\$ 353	\$ -	\$ -
Motel Security	\$48,400 per site per month	\$ -	\$ 820	\$ -	\$ -
Meal Delivery	Three meals \$33 per person per day	\$ -	\$ 1,004	\$ -	\$ -
Groceries	\$50 per person per week, assume 4 ppl	\$ -	\$ -	\$ 400	\$ -
Transportation	Up to \$400 per incident (1.5/mo)	\$ -	\$ 600	\$ 400	\$ -
Laundry Services	\$40 per household per month	\$ -	\$ 40	\$ -	\$ -
Medical & Behavioral Health Services	3 FTE RN per site per month	\$ -	\$ 742	\$ -	\$ -
Administration	18%	\$ 17,460	\$ 1,303	\$ 144	\$ -
Total		\$ 114,460	\$ 8,540	\$ 944	\$ 3,500

Exhibit D – Estimate of Fixed Costs and Share by Jurisdiction

Jurisdictional Share of Monthly Fixed Costs

County Population: 1/1/2020

Source: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-1/>

	FIXED COSTS			
		<u>% of Total</u>	<u>Monthly Fixed Costs</u>	<u>Aug. 1 thru Dec. 31, 2020</u>
Campbell	42,288	2.2%	\$ 2,467	\$ 12,335
Cupertino	59,549	3.0%	\$ 3,474	\$ 17,370
Gilroy	57,084	2.9%	\$ 3,330	\$ 16,651
Los Altos	30,876	1.6%	\$ 1,801	\$ 9,006
Los Altos Hills	8,413	0.4%	\$ 491	\$ 2,454
Los Gatos	31,439	1.6%	\$ 1,834	\$ 9,171
Milpitas	77,961	4.0%	\$ 4,548	\$ 22,741
Monte Sereno	3,594	0.2%	\$ 210	\$ 1,048
Morgan Hill	46,454	2.4%	\$ 2,710	\$ 13,550
Mountain View	82,272	4.2%	\$ 4,800	\$ 23,998
Palo Alto	69,226	3.5%	\$ 4,039	\$ 20,193
San Jose	1,049,187	53.5%	\$ 61,209	\$ 306,044
Santa Clara	129,104	6.6%	\$ 7,532	\$ 37,659
Saratoga	31,030	1.6%	\$ 1,810	\$ 9,051
Sunnyvale	156,503	8.0%	\$ 9,130	\$ 45,651
Unincorporated	86,989	4.4%	\$ 5,075	\$ 25,374
Total	1,961,969	100%	\$ 114,460	\$ 572,300

Exhibit E – Estimate of Total Costs by Program Component for Each Jurisdiction

For Services from August 1, 2020 through December 31, 2020

<u>Jurisdiction</u>	<u>Fixed Costs</u>	<u>Motel Costs</u>	<u>At-Home Support</u>	<u>Financial Assistance</u>	<u>Total by Jurisdiction</u>
Campbell	\$ 12,335	\$ 17,079	\$ 20,768	\$ 49,000	\$ 99,183
Cupertino	\$ 17,370	\$ 8,540	\$ 3,776	\$ 10,500	\$ 40,186
Gilroy	\$ 16,651	\$ 34,159	\$ 30,208	\$ 77,000	\$ 158,018
Los Altos	\$ 9,006	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,822
Los Altos Hills	\$ 2,454	\$ 8,540	\$ 3,776	\$ 10,500	\$ 25,270
Los Gatos	\$ 9,171	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,986
Milpitas	\$ 22,741	\$ 17,079	\$ 20,768	\$ 49,000	\$ 109,588
Monte Sereno	\$ 1,048	\$ 8,540	\$ 3,776	\$ 10,500	\$ 23,864
Morgan Hill	\$ 13,550	\$ 34,159	\$ 30,208	\$ 77,000	\$ 154,917
Mountain View	\$ 23,998	\$ 17,079	\$ 20,768	\$ 49,000	\$ 110,846
Palo Alto	\$ 20,193	\$ 42,698	\$ 40,592	\$ 101,500	\$ 204,983
San Jose	\$ 306,044	\$ 2,305,717	\$ 2,293,920	\$ 5,670,000	\$ 10,575,682
Santa Clara	\$ 37,659	\$ 68,318	\$ 71,744	\$ 175,000	\$ 352,721
Saratoga	\$ 9,051	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,867
Sunnyvale	\$ 45,651	\$ 102,476	\$ 101,952	\$ 252,000	\$ 502,080
Unincorporated	\$ 25,374	\$ 170,794	\$ 173,696	\$ 427,000	\$ 796,864
Total	\$ 572,300	\$ 2,860,797	\$ 2,827,280	\$ 6,989,500	\$ 13,249,877

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Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

County of Santa Clara
Office of the County Executive
Office of Supportive Housing



102934

DATE: September 22, 2020
TO: Board of Supervisors
FROM: Consuelo Hernandez, Acting Director
SUBJECT: Isolation and Quarantine Support Program

RECOMMENDED ACTION

Consider recommended action related to a countywide Isolation and Quarantine Support Program.

Possible action:

- a. Approve delegation of authority to County Executive, or designee, to negotiate, execute, amend, or terminate retroactive agreement with cities within the county relating to support for a countywide Isolation and Quarantine Support Program in an amount not exceed \$13,249,877 and a contract term that starts no earlier than August 1, 2020, and ends no later than December 31, 2020, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2021.
- b. Approve delegation of authority to County Executive, or designee, to negotiate, execute, amend, or terminate retroactive agreement with Abode Services to provide direct financial payments in an amount not to exceed \$6,989,500 and a contract term that starts no earlier than September 7, 2020 and ends no later than December 31, 2020, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2021.

FISCAL IMPLICATIONS

The recommended action will not have a new negative impact to the County General Fund. If approved, the recommended action would authorize the Administration through the Office of Supportive Housing (OSH) to enter into revenue agreements with cities within Santa Clara County to contribute funding to pay for expenses related to the Isolation and Quarantine Program ("Program") administered by the County. Table 1 provides a breakdown of the costs by city for each of the three components of the program.

Table 1: Estimate of Total Costs by Program Component for Each Jurisdiction

	Fixed	Motel	At-Home	Financial	Total by
<u>Jurisdiction</u>	<u>Costs</u>	<u>Costs</u>	<u>Support</u>	<u>Assistance</u>	<u>Jurisdiction</u>
Campbell	\$ 12,335	\$ 17,079	\$ 20,768	\$ 49,000	\$ 99,183
Cupertino	\$ 17,370	\$ 8,540	\$ 3,776	\$ 10,500	\$ 40,186
Gilroy	\$ 16,651	\$ 34,159	\$ 30,208	\$ 77,000	\$ 158,018
Los Altos	\$ 9,006	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,822
Los Altos Hills	\$ 2,454	\$ 8,540	\$ 3,776	\$ 10,500	\$ 25,270
Los Gatos	\$ 9,171	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,986
Milpitas	\$ 22,741	\$ 17,079	\$ 20,768	\$ 49,000	\$ 109,588
Monte Sereno	\$ 1,048	\$ 8,540	\$ 3,776	\$ 10,500	\$ 23,864
Morgan Hill	\$ 13,550	\$ 34,159	\$ 30,208	\$ 77,000	\$ 154,917
Mountain View	\$ 23,998	\$ 17,079	\$ 20,768	\$ 49,000	\$ 110,846
Palo Alto	\$ 20,193	\$ 42,698	\$ 40,592	\$ 101,500	\$ 204,983
San Jose	\$ 306,044	\$ 2,305,717	\$ 2,293,920	\$ 5,670,000	\$ 10,575,682
Santa Clara	\$ 37,659	\$ 68,318	\$ 71,744	\$ 175,000	\$ 352,721
Saratoga	\$ 9,051	\$ 8,540	\$ 3,776	\$ 10,500	\$ 31,867
Sunnyvale	\$ 45,651	\$ 102,476	\$ 101,952	\$ 252,000	\$ 502,080
Unincorporated	\$ 25,374	\$ 170,794	\$ 173,696	\$ 427,000	\$ 796,864
Total	\$ 572,300	\$ 2,860,797	\$ 2,827,280	\$ 6,989,500	\$ 13,249,877

In addition, the recommended action would authorize the Administration to enter into an agreement with Abode Services for up to \$6,989,500 to issue direct financial payments to households referred by OSH that been deemed eligible for the program.

REASONS FOR RECOMMENDATION

The County has been expanding and refining the “Isolation and Quarantine Support Program” (“Program”) as the countywide response to the pandemic has evolved. The recommended action is needed to address a backlog in the program’s implementation and scale the Pilot Program that provides Santa Clara County residents with the resources to isolate if they have tested positive for COVID-19 or quarantine if they have been in close contact with a COVID-19 positive person. While many individuals and their families can isolate or quarantine in their homes without assistance, others have situations that make isolation or quarantining difficult.

If approved, recommended action “a” would authorize the Administration to enter into revenue agreements with the 15 cities in the county. As of September 9, 2020, the City of Saratoga has approved participation in the Program. Staff from the cities/towns of Campbell, Gilroy, Los Altos, Los Altos Hills, Milpitas, Morgan Hill and San José, have agreed to bring the agreements for approval or ratification. The remaining cities are either operating their own programs or have not yet informed the Administration of their intention. The Administration will continue to work with the remaining cities should they want to participate in the County-administered program later.

Recommended action “b” would authorize the Administration to enter into an agreement with Abode Services for up to \$6,989,500 to provide direct financial assistance to households deemed eligible by the County.

Collectively the recommended action will allow the Program to scale and provide services to Santa Clara County residents living outside of the unincorporated areas.

Summary of Pilot Phase

Starting in June 2020, the County through an agreement with Sacred Heart Community Services (“SHCS”) launched a pilot Program to provide rental and financial assistance to qualified participants in need. Initially the goal was to disburse financial assistance within a week of referral. However, a review of the program implementation conducted by the Administration on August 3, 2020 revealed two factors were delaying the issuance of resources to households in need. First, the projected number of referrals significantly increased from the original projections made in May 2020. Second, the time it takes households to obtain and submit the necessary documents, such as leases, was taking longer than a week. As of August 28, 2020, of the 552 families referred to SHCS, 180 applications were in process and 219 families had not yet been contacted. To resolve the backlog and to position the program for success moving forward, the Administration through the Director of Emergency Operations Center, executed the first amendment to the agreement to resolve the backlog in providing clients with assistance. In addition, County staff managing the Program has started to contact the 219 families who have not been contacted by SHCS. Each eligible family will receive a flat payment of \$2,000, which is approximately the County Living Wage without health or retirement benefits multiplied by 80 hours. Certain households with exceptional needs may receive an additional up to \$500 in financial assistance. County staff would be responsible for verifying the household’s eligibility and Destination Home would disburse the funds directly to the families through a subcontract with Family Independence Initiative.

Delegation of Authority

While delegations of authority are discouraged except under certain circumstances, this delegation is needed because it allows the Administration to enter into revenue agreements with the cities as each agency is able to process its agreement instead of bringing each or groups of agreements back to the Board for approval. In addition, the recommended action is needed so that OSH can quickly amend the contract with Abode Services to include cities that opt into participating in the Program and allows the Administration to extend the contract if the expenditure deadline for the Coronavirus Relief Fund (CRF) is extended beyond December 30, 2020.

CHILD IMPACT

The recommended action will have a positive impact on children and youth in families who are unable to isolate at home.

SENIOR IMPACT

The recommended action will have a positive impact on seniors. Over the course of the contract period, the program will assist households, including those with seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

BACKGROUND

The countywide Case Investigation and Contract Tracing Team (CICT) developed a process to refer cases and contacts to an isolation and quarantine support program when needed. In June 2020, the Administration through the Emergency Operations Center (EOC) launched a pilot Program primarily to serve residents of the unincorporated areas.

The Program includes three primary components; 1) Motel Component; 2) At-Home Support; and 3) Rental and Financial Support.

1. Motel Component: The first component consists of a motel with supportive services for cases and contacts who cannot safely isolate or quarantine at home or who do not have a home. In addition to typical motel management staff and services, the motel is staffed by a combination of personnel from the County, a community-based organization, and a private security company. At this hotel, the County offers limited case management services, three meals per day and laundry services. Medical and behavioral health staff perform wellness checks weekly and connect individuals to social services, medical and behavioral health services based on their needs. Transportation to and from the motel to initiate or conclude isolation or quarantine can be provided. Once the isolation or quarantine period is complete, the Program staff assist participants to return to their homes or transition to appropriate and available congregate and non-congregate shelter settings.

As of September 11, 2020, the County has placed 384 households (cases and contacts) in a motel. As of September 11, 2020, 20 rooms out of 118 are in use with seven placements pending.

2. At-Home Support: Since mid-June, the second component of the Program has been available to Santa Clara County residents. The second component provides support services for persons who can isolate and quarantine at home, but who need some assistance. The supportive services are similar to what is provided at the motel. Thus far, most participating households need help buying groceries and cleaning supplies. Since September 11, 2020, the Program has provided some level of assistance to help 171 households isolate or quarantine at home.

Thus far, neither assistance with childcare nor eldercare has been identified as a need. Typically, cases or contacts with minor children will isolate or quarantine together. The EOC has alerted the Department of Family and Children's Services to the potential need for help with an emergency placement of minors if a parent or guardian is incapacitated or hospitalized because of COVID-19. In the event that elder care services are needed, those services could be provided through the Institute on Aging's Community Living Connection program which is partially funded by the County.

3. Rental and Financial Support: The third component of the Program is rental and financial assistance specifically for individuals and families participating in this Program. Each household may be eligible for up to \$5,000.

This service is available to households who need to use a hotel and to households who can isolate or quarantine at home. On June 15, 2020, per resolution number BOS-

2020-19 and consistent with Board direction, the Administration executed an agreement with SHCS through the Director of Emergency Operations Center to provide rental and financial assistance to qualified participants in need.

As of August 28, 2020, the County has referred 552 families to SHCS to provide rental and financial assistance. SHCS determines eligibility, verifies need, and issues the financial assistance. The financial assistance is paid directly to the vendor (i.e., landlord, utility company). Households must have household income of less than 80% Area Median Income to be eligible for rental assistance (e.g. a family of four with an annual income of \$112,150 or lower). In addition, households must provide documentation that verifies the need and amount needed. For example, for rental assistance, the household may have to provide a copy of the lease and notice to pay rent or quit. These requirements are necessary because the County has used Community Development Block Grant funds for rental and financial assistance.

Other Key Services

In addition to the services described above, the Program prioritizes connecting individuals to safety-net services, including services which were expanded in response to the pandemic. Program staff can assist (eligible) cases or contacts access or sign up for General Assistance, CalWORKs, Medi-Cal, CalFresh, or other benefit programs administered by the County. While Program staff cannot authorize these benefits directly, the County's Department of Employment and Benefit Services has assigned an Eligibility Supervisor to: a) receive referrals directly from Program staff; b) immediately contact the case or contact to help them apply for the appropriate program; and, c) when appropriate, approve applications for assistance.

For workers who need additional assistance understanding or accessing resources provided through the California Employment Development Department (EDD), such as unemployment insurance, Program staff facilitate a connection to the County's COVID-19 Assistance Navigation Hotline (CAN-19 Hotline). The CAN-19 Hotline assists in English, Spanish, Vietnamese and Mandarin.

Having SHCS administer an important component of the Program also helps participating households access other rental and financial assistance programs through SHCS or other Emergency Assistance Network (EAN) agencies. SHCS coordinates the countywide Homelessness Prevention System, which is also partially funded by the County. In addition, SHCS and the other EAN agencies may be able to provide the households with other types of assistance, like food, when their isolation or quarantine periods end.

CONSEQUENCES OF NEGATIVE ACTION

The County will be unable to recover expenses incurred to provide assistance to households living outside of the unincorporated County areas.

STEPS FOLLOWING APPROVAL

Upon approval, the Clerk of the Board is requested to send email notification to Consuelo Hernandez and Hong Cao of the Office of Supportive Housing.

Attachment: County of Santa Clara - IQ original contract (2969 : First Amendment, County Isolation Quarantine Program)

Home Isolation & Quarantine Guidelines

Isolation and Quarantine Steps for People Before and After COVID-19 Diagnostic Test Results

There are a number of reasons why you may need to be tested for COVID-19: (1) because you have symptoms of possible infection, (2) because you were in close contact with someone who was infectious with COVID-19, or (3) because you are in a job that recommends or requires testing. The directions below will help you to determine what you should do while you are waiting for your diagnostic test results, and what to do after your test results are available.

What to do while you're waiting for test results:

(1) If you have any COVID-19 symptoms*, follow the Isolation Steps while you are waiting for results.

**COVID-19 symptoms include:*

- Fever or chills • Cough • Shortness of breath or difficulty breathing • Sore throat
- Muscle or body aches • Fatigue • Nausea, vomiting, or diarrhea • Headache • Loss of taste or smell

(2) If you have no symptoms but were in CLOSE CONTACT with a person who was infectious with COVID-19, follow the Quarantine Steps while you are waiting for your test results.

(3) If you do not have COVID-19 symptoms and are not a close contact, you just need to wait for your test results. You do not need to follow Isolation or Quarantine Steps.

CLOSE CONTACT of a COVID-19 positive person = someone who was within 6 feet of the infected person for at least 15 minutes at any time beginning 2 days before the infected person had symptoms or tested positive. Close contacts include people who had 15 minutes of continuous contact with the infected person, as well as people who had repeated short-duration interactions with the infected person. Being considered a close contact does not depend on whether the contact or the infected person was wearing a face covering during their interaction.

What to do after you get your test results:

If you test COVID-19 positive, follow the Isolation Steps.

If you test negative AND:

1. You were a close contact of a COVID-19 positive person
⇒ continue to **follow the Quarantine Steps**.
2. You have COVID-19 symptoms* but are not a Close Contact ⇒ **follow Isolation Steps** until 24 hours after resolution of fever and improvement of other symptoms (unless otherwise directed by the Public Health Department or a physician to stay home for longer)
3. You were not a close contact and have no COVID-19 symptoms ⇒ you can resume your regular activities.

Restrictions & Information that Apply to BOTH Home Isolation & Home Quarantine:

Separate yourself from others:

- Stay at home except to seek medical care.
- Do not use public transportation.
- Separate yourself from others in your home.
- Do not prepare or serve food to others.
- Limit contact with pets.
- Do not allow visitors.
- Do not go to work, school, or public areas.

If you cannot meet the requirements for Isolation or Quarantine, you can call the COVID-19 Support Team at 408-885-3980 to request assistance with housing, food, or other needs.

Prevent the spread:

- Wear a mask and cover your coughs and sneezes.
- Clean and disinfect all "high-touch" surfaces every day.
- Wash your hands often.
- Do not share household items.

Practice homecare:

- Rest and drink plenty of fluids.
- Seek medical care if you develop symptoms or your symptoms get worse.
- Seek medical care if you experience: difficulty breathing, inability to keep fluids down, dehydration, or confusion.
- Call ahead before seeking medical care, notify the provider you are under isolation, and wear a mask at all times.

Home Isolation Steps	Home Quarantine Steps
If you have been diagnosed with COVID-19 or you are awaiting COVID-19 test results, you must follow the Home Isolation Steps to prevent the spread of disease. <u>Stay home until you have recovered and are not infectious</u> - Most people with COVID-19 have mild illness and can recover at home. - Monitor your symptoms closely and seek medical care if symptoms worsen, especially if you are at a higher risk of serious illness¹. - If you have symptoms, you can be with others after: At least 10 days since symptoms first appeared, AND 24 hours with no fever (without use of fever-reducing medication) AND - Improvement in symptoms - If you have no symptoms, you can be with others after: 10 days have passed since your first positive test was collected Note: If you are severely immunocompromised or ill, your doctor may recommend a longer isolation period. <u>Close Contacts</u> - If you have a test confirmation or doctor's diagnosis of COVID-19, then everyone who you had close contact with from 48 hours before your symptoms began until you self-isolated should follow the Home Quarantine Steps. Please share this document with them. To request help in notifying your Close Contacts without revealing your identity to them, please call 408-970-2870. <u>What if you cannot separate yourself from others?</u> - Anyone who continues to be in close contact with you will need to extend their quarantine until 10 days from the day you finish isolating.	If you live in a household with or had close contact with someone diagnosed with COVID-19, you must follow these Home Quarantine Steps. It can take up to 14 days to become infected with COVID-19. You must stay home and monitor your own health during this time to prevent passing infection to anyone else. <u>Stay home to see if you develop symptoms</u> You must stay home, even if you test negative, and continue to quarantine for the full 10 day period. - If you do not have symptoms, you may end quarantine after Day 10 but should continue monitoring symptoms for a full 14 days. - If you are unable to avoid close contact with the person with COVID-19, you must stay in quarantine for 10 full days after the case's isolation period. This could mean quarantine for 20 days. - If you do not have symptoms, get tested 6 or more days after last exposure to a case. If you are tested before that, get tested again 6 or more days after last exposure to a case. <u>What if you develop symptoms?</u> - If you develop any COVID-19 symptoms, and they are new symptoms that you do not usually have in daily life, then you may have COVID-19, and you must follow the Home Isolation Steps (to the left). - Get tested immediately. - If positive, continue to follow Home Isolation Steps - If negative and the test was earlier than 6 days after last exposure to case, get tested again towards the end of your quarantine period. - If negative and the test was done 6 or more days from the last exposure to the case, no additional testing is needed, but you must remain in quarantine for a full 10 days. <u>Which groups should seek additional information on the period of their quarantine?</u> - Certain workers² should consult with their employer, who may contact the Public Health Department for additional guidance.
¹If you are 60 years or older or have a condition such as heart, lung, or kidney disease, diabetes, high blood pressure, or a weakened immune system, you are at higher risk of getting more seriously ill.	
²Workers with special quarantine considerations: Consult your employer if you are considered a first responder or healthcare worker <u>and</u> compliance with the Public Health Department's isolation and quarantine guidance would compromise the continuity of service of your operation or department. See COVID-19 Quarantine Guidance for Healthcare Workers During Critical Staffing Shortages.	



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Gina Paolini, Interim Principal Planner
APPROVED BY: City Manager

APPROVE GOVERNMENT CODE 65915 DENSITY BONUS CONCESSIONS FOR A 100 PERCENT AFFORDABLE HOUSING PROJECT (SR2020-0023 WATSONVILLE-HORDNESS)

RECOMMENDATION(S)

Adopt resolution approving the request for the following affordable housing concessions, pursuant to Government Code:

1. Increase in floor area ratio;
2. Reduction in on-site parking;
3. Reduction in common open space; and
4. Increase in building height.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Diversity and Inclusiveness

2020-2021 Strategic Priorities

Affordable Housing and Homelessness

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

Project Description

A0702 Morgan Hill, L.P. has submitted Design Review and Tentative Parcel Map applications. The project applicant will be requesting a Green Parking Exemption in accordance with Zoning Code Section 18.72.070.H. through a Conditional Use Permit, which allows reduced parking lot landscaping requirements when solar panels are provided. The project is a 73-unit affordable housing development to be developed at Watsonville Road, south of Monterey Road (formerly known as the Royal Oaks Mushroom Farm). The project would dedicate 36 units to farmworker housing. Details regarding the project have been provided (Attachment 1).

This project is not requesting a density bonus; however, projects that include a certain level of affordable housing are entitled under Density Bonus law to receive concessions based on the number of affordable units and level of affordability provided within the project – the law does not require an actual increase in density. The project is committing to provide 72 units restricted between 30 percent and 60 percent of the Average Median Income (AMI). There will be one manager unit provided. This will be a 100 percent affordable project.

Concession Request

Government Code Section 65915(d)(2)(D) requires the City to grant four incentives or concessions for projects that are 100 percent affordable for lower income households (excluding managers unit), except that up to 20 percent of the total units in the development may be for moderate-income households. Concessions are considered waivers or reductions in development standards, such as height limitation, setback requirement, a floor area ratio (FAR), on-site open space requirement or a parking ratio. This project is entitled to four concessions or incentives, and has requested the following four concessions:

- a. Increase in FAR: 0.68 FAR proposed (0.50 maximum allowed);
- b. Reduction in parking requirements: 140 parking spaces provided (204 required);
- c. Reduction in common open space: 23,840 square feet provided (24,176 square feet required) and,
- d. Increase in height limitation: 45 feet (35 feet maximum allowed).

A link to the site plan and elevations for the project has been provided to demonstrate how the project has been designed with the requested concessions (Attachment 2). Additional details have been provided by the applicant showing how the project design would provide an actual cost reduction to provide for the affordable housing and if required to build in accordance with City requirements, it would physically preclude building the project at the desired density (Attachment 3).

Pursuant to Government Code 65915 (d)(1) the City must grant the concessions or incentives unless the City makes written findings, based upon substantial evidence, of any of the following:

- a. The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents of the targeted units to be set as specified in subdivision (c).
- b. The concession or incentive would have a specific, adverse impact, as defined in paragraph 2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
- c. The concession or incentive would be contrary to state or federal law.

These findings cannot be made for the project; therefore, the concession request should be granted by the City Council (Attachment 4).

COMMUNITY ENGAGEMENT: Inform

A project development web page has been created on the City website to inform the public of the project application. A site plan and project elevations have been provided for public review. The City will continue to inform the public through the public engagement process as the Design Review permit is processed.

ALTERNATIVE ACTIONS:

Government Code Section 65915(d)(2)(D) requires the City to grant four incentives or concessions for projects that are 100 percent affordable unless findings for denial can be made. For this project, findings for denial cannot be made; therefore, there is no alternative action.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

None.

FISCAL AND RESOURCE IMPACT:

The City development review functions are cost-recovery, with the fees collected from applicants to cover cost of services. These fees have been collected.

California Environmental Quality Act (CEQA):

A project level environmental assessment will be prepared for the project in conformance with the California Environmental Quality Act. The environmental analysis will be considered during the Design Review permit phase of the project.

LINKS/ATTACHMENTS:

1. Project Narrative and Statement of Operations
2. Site Plans and Elevations (weblink)
3. Exceptions, Concessions, Design Waiver
4. Resolution

PROJECT NARRATIVE

A0702 Morgan Hill, L.P. submits for approval the application to construct a 73-unit multifamily affordable community that will also include 36 units dedicated to farmworker housing situated on a 3.70 net acre site along Watsonville Road, south of Monterey Road, previously known as the Royal Oaks Mushroom Farm. The new construction multifamily project will be comprised of 72 one, two, and three-bedroom apartments for low-income families earning between 30% and 60% of Area Median Income as defined according to the Santa Clara County AMI. there will also be a 3-bedroom unit provided for an on-site Property Manager. The new development will include an approximately 3,611 sf community room that will feature a lounge, management office, a computer room, a central laundry room, and a patio overlooking the play area with a tot lot. 144 parking spaces for residence and guests will be located within the project grounds.

The three proposed three-story buildings will be comprised of stacked flat units accessed either from the ground or walk-up stairwells. Ground level units will be accessible and include 8 ADA units. Each unit (6-one bedroom, 38-two bedroom, 29-three bedroom) will include private balconies or patios, Energy Star appliances, quartz or granite counters, and dedicated net metered solar photovoltaic. The elevations will primarily comprised of Hardiplank siding with a variation of exterior colors, and also include a stone veneer and metal siding. The roof will have a variety of pitches and height levels.

The proposed development is located in the City of Morgan Hill's Mixed-Use Flex Zoning District, with a PD zoning. A0702 Morgan Hill, L.P. is submitting under the entitlement guidelines of the SB330 program; and as an affordable project, will request 3 concessions. 1) Parking at the State levels for affordable projects, 2) an increase in the height of the structures beyond the zoning, 3) a higher F.A.R. than in the Mixed Use Flex zoning. A design waiver will be requested to address the design standard, orientation to the street, to have entries away from street frontage. Details of the requested Exceptions, Concessions, and Design Waiver are further described in: 1m Exceptions, Concessions, Design Waiver.

Entitlement approvals are anticipated by January 2021 in order to be able to qualify for the special allocation of State tax credits that are anticipated to be fully subscribed in the first funding round. It is anticipated the tax-exempt bond application which will include and separate application

Federal and State tax credit will occur early January 2021. The allocation of bonds and tax credits will occur in April, with anticipated financial closing and initiation of construction in August 2021. Completion of construction will occur in October 2022.

STATEMENT OF PROJECT OPERATIONS

The Crossings on Watsonville Road will have 1 full-time on-site property manager, and 1 full time service provider. Staff hours will generally be 9a-5p Mon-Fri with evening and weekend hours as needed. The project anticipates 10-25 visitors per day including friends, family, food delivery and service providers. 144 parking stalls will be provided for the 73 units. From experience, family communities typically park at 1.73 spaces per unit or 126 spaces based on the number of units of the Crossings on Watsonville Road. There are not any planned hazardous materials that will be used or stored regularly on-site.

Requested Exceptions and Design Waiver for Royal Oak Village

The Royal Oak Village is requesting four(4) Exception/Concessions, a Conditional Use Permit, and Design Waiver. Without the F.A.R exception, the economic viability of the project would be reduced. The concessions of State Parking Levels and the increase in Height levels, enhance the quality of the project aesthetically and functionally. The Entry Orientation Design Waiver request has some economic benefit, but more so, increases safety and convenience to the tenants.

1) SB 1818 Parking Levels

Under SB 1818 Section 65915 (p)(1)(A&B) the maximum allowable affordable housing development vehicle ratio, inclusive of ADA and guest parking, is: Zero to One Bedroom: One onsite parking space. Two and Three Bedroom: Two onsite parking spaces.

As calculated, the State Affordable Vehicle Ratio for the Crossings on Watsonville is a total of 140 vehicle spaces based on the unit mix of 6-one bedroom units, 37-two bedroom units, 28-three bedroom units. The number of spaces provided by the Project is 140 parking spaces.

Further exceeding the ratio and adding parking spaces will be at the cost of a reduction of project common open space.

Pursuant to SB 1818, the Project requests parking levels in line with the State vehicle ratio.

2) Increased Height Level:

The Project is requesting an increase to the maximum height of the building. As designed with gabled roofs, the maximum roof height of the buildings is at 45 feet, occurring at the centralized core of the three-story buildings. Other third level roof lines are at a maximum height of 42 feet. Combined, the multiple roof lines provide articulation and multiple massing sections of the structures.

While a lower height level is attainable, it would require a significantly reduced gabled roof pitch, or a flat roof. Besides completely changing the architectural look of the building, flat and minimal pitch roofs are more prone to moisture penetration in the long term.

For architectural articulation and massing, and long-term maintenance, the Project requests an Exception to increase the maximum height of the building.

3) F.A.R. Exception:

The Zoning and General Plan are noted as Mixed Use Flex. Allowable density is 7-24 unit to the acre, with the project at 19.73 units to the acre. The Project F.A.R. is .68 The allowable F.A.R. for the MUF zoning is .50. To achieve a F.A.R. of the zoning, the project would need to combine a reduction of the number of units by 14 units and reduce solar paneled, carport spaces, both which would reduce the economic viability of the project. It would also increase the cost per door of the project as fixed site and improvement of Watsonville Road would be over 59 units, instead of 73 units.

Financially, the cost per door would increase by \$49,459, the project would have a financial gap of \$1,720,293 as a result of less permanent debt and funding sources, and impact fees collected by the City of Morgan Hill would be reduced by \$546,000.

The Project is requesting a concession of the F.A.R to be higher than the F.A.R. of the zoning to maintain the economic viability and higher levels of energy efficiencies.

4) Common Open Space Area:

Initially, the project attained this 15% common open space requirement by our calculations, exceeding the minimum 24,176 sf for the 3.7 net acre site. As a result of adding future EV charger spaces and access, open space was reduced to maintain the State level 140 spaces. Adjusted estimated project common open space is 23,840 sf.

Conditional Use Permit:

The project has taken steps to increase landscape parking fingers to add trees. Yet with the 73 parking spaces covered by solar roof carports, the placement of trees at the landscape fingers has a direct negative impact on the solar generation.

Since the parking lot incorporates solar panels and bioswales, the project is eligible for reduced parking lot landscaping requirements with the approval of a conditional use permit and requests this CUP based on the “Green Parking Exemptions”.

Design Waiver Request:

Only Building B has units (4) that front Watsonville Road. Accessibility is from the parking area to units through two centralized stairwell corridors. Providing access from Watsonville Road, either through the stairwell corridor, or at the patios that front Watsonville Road, would require multiple staired paths and multiple ramps to account for the elevation increase of the building from the street. Additional access points from Watsonville Road will also reduce security/eyes on entries. Access through the stairwell corridor will also eliminate the 6 long term and 6 short term bike storage areas. As a result of the additive costs of estimated at \$30,000, reduced bike storage, and reduced security, we request a Design Waiver on this standard.

RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL GRANTING FOUR CONCESSIONS FOR THE WATSONVILLE-HORDNESS PROJECT, A 73-UNIT AFFORDABLE HOUSING DEVELOPMENT TO BE LOCATED AT WATSONVILLE ROAD, SOUTH OF MONTEREY ROAD (APN: 779-04-075).

WHEREAS, A0702 Morgan Hill, LP has requested four concessions for the 100 percent affordable housing development including a parking reduction, increase in floor area ratio, reduction in common open space and increase in building height.

WHEREAS, the Project is an affordable housing development project that includes 100 percent affordable rental units for lower income households (excluding managers unit) of up to 60 percent AMI.

WHEREAS, pursuant to Government Code Section 65915(d)(2)(D), the Project is allowed up to four concessions.

WHEREAS, none of the findings for denial of the concessions required by Government Code Section 65915(d)(1) are supported by substantial evidence.

WHEREAS, the Watsonville-Hordness Affordable Housing development project to be located at Watsonville Road, south of Monterey Road and identified by Assessor's Parcel Number 779-04-075 will provide a public benefit of a 100 percent affordable housing and will be deed restricted for 55 years, or the four concessions granted for a parking reduction, increase in floor area ratio, reduction in common open space and increase in building height will become null and void.

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

Section 1. The City Council does hereby find that the foregoing recitals are true and correct.

Section 2. The Project is consistent with the Zoning Ordinance and General Plan.

Section 3. The City Council of the City of Morgan Hill hereby grants the density bonus and the four concessions for the Watsonville-Hordness Affordable Housing development project.

Section 4. 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 20th day of January 2021 by the following vote:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

MICHELLE BIGELOW, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 21-0xx, adopted by the City Council at a regular meeting held on January 20, 2021.

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

DATE: _____

MICHELLE BIGELOW, City Clerk

DRAFT



Meeting Minutes City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Mayor Pro Tem
Gino Borgioli - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, December 16, 2020 7:00 pm

Virtual Meeting

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 pm and welcomed new City Council Member Gino Borgioli.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

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

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

PRESENTATIONS

YAC Presentation- Asset # 40- Positive Views of Personal Future

Minutes Acceptance: Minutes of Dec 16, 2020 7:00 PM (CONSENT CALENDAR)

RECOGNITION

Assistant City Manager Leslie Little

Public comment opened and the following people were call to speak:

Nanette Mocano

Elyse Little

Frank Leal

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

ETHICS ACKNOWLEDGEMENT

MORGAN HILL ETHICS POLICY

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentation. She provided an update on the DePaul Health Center. She then shared that the City sent the County a letter regarding VTA and Measure B. The City continues to articulate that we are opposed to any changes in Measure B funding that would take away the funding for our local streets and roads. The City also sent a letter to our legislative representatives, requesting support for a stimulus package. It was a call to action on this package to address the severe impacts that have been endured by local governments from the COVID-19 pandemic. She gave an update regarding the Downtown businesses and the Curb Side Pick-up Program.

She announced that effective January 1, 2021, Edith Ramirez will be the City's new Assistant City Manager.

Public comment opened and the following people were called to speak:

Armando Benavides

Roberto Aguirrez

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

PUBLIC COMMENT

Public comment opened at 8:19 pm. The following people were called to speak:

Nicholas Kuwada

Roberto Aguirrez

John Bendick

There being no further requests, public comment closed.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that there was no reportable action from the closed session items from the December 2, 2020 City Council Agenda. He also shared that we normally talk about new legislation in January, however, there is a new piece of legislation that affects the Brown Act and goes into effect on January 1st. The new legislation means that Council Members cannot comment on communications made, posted or shared on an internet based social media platform by other members of the Council. Council Members should not comment on each other's social media posts and should refrain from liking (or thumbs up) posts about items that may come before the City Council. As of January 1st, it is ok to comment on social media posts (other than other Council Members') but liking posts could be concerning if a majority of the Council ends up liking a post.

The meeting recessed at 8:26 pm and reconvened at 8:35 pm.

ADOPTION OF AGENDA

MOTION:

Adopting the agenda removing item 2.

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

CONSENT CALENDAR**MOTION:**

Approving consent calendar items 1 and 3 through 5.

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

1. APPROVE IMPROVEMENT AGREEMENT WITH VCBLA NIDO, LLC (VOICES CHARTER SCHOOL)

Recommendation:

1. Approve and authorize the City Manager to execute and administer an Improvement Agreement with VCBLA NIDO, LLC; and
2. Authorize the recordation of the Improvement Agreement.

2. APPROVE THE FINAL MAP AND SUBDIVISION IMPROVEMENTS AGREEMENT FOR JASPER - TRACT NO. 10545

Recommendation:

1. Approve the Final Map;
2. Approve and authorize the City Manager to execute the Subdivision Improvements Agreement with City Ventures Homebuilding, LLC, Monterey Morgan Hill, LLC, and Dobby MMH LLC; and
3. Authorize the recordation of the Final Map and Subdivision Improvements Agreement.

Item pulled from the agenda.

3. APPROVE CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2021

Recommendation:

Approve 2021 City Council meeting schedule.

4. APPROVE THE DECEMBER 2, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

5. APPROVE THE DECEMBER 9, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

OTHER BUSINESS

6. SELECT CITY COUNCIL MAYOR PRO TEMPORE

Recommendation:

1. Open floor to nomination(s) for Mayor Pro Tempore; and
2. Select a Council Member to serve as Mayor Pro Tempore per City Council Policy 99-01.

City Clerk Michelle Bigelow provided the report.

Public comment opened at 8:40 pm.

There being no requests to speak, public comment closed.

MOTION:

Appointing Council Member McKay as Mayor Pro Tem for 2021.

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

CONTINUED PUBLIC HEARING

7. INTRODUCE ORDINANCE AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN (ZA2020-0001: MUNICIPAL CODE AMENDMENT)

Recommendation:

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

Principal Planner Adam Paszkowski provided a presentation and report.

The public hearing opened at 9:09 pm.

Joe Baranowski was called to speak.

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

MOTION:

Waiving the first and second reading and amending the ordinance to move Vehicle Storage Use and Salvage/Wreckage into the Vehicle Related Use Section.

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

MOTION:

Introducing the ordinance and amending the ordinance to move Vehicle Storage Use and Salvage/Wreckage Use into the Vehicle Related Use Section.

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

PUBLIC HEARING

8. APPROVE A DESIGN PERMIT FOR A NEW TWO-STORY 6,600 SQUARE FOOT BUILDING FOR THE USE OF AN ART GALLERY ON THE SOUTHWEST CORNER OF 2ND STREET AND MONTEREY ROAD. (DESIGN PERMIT NO. SR2020-0024: MONTEREY - MCCRANIE).

Recommendation:

Adopt resolution approving a Design Permit for a 6,600 square foot, two-story commercial structure.

Associate Planner Tiffany Brown provided a presentation and report.

The public hearing opened at 10:07 pm. The following people were called to speak:

Mark Oberholzer and Sean Martino spoke on behalf of the applicant

Kathy Sullivan

Brian Sullivan

Doug Hall

Roger Knopf

David Dindak

Brittney Sherman

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

MOTION:

Approving the recommended action considering Council Member Martinez Beltran's recommendations on the front view.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gino Borgioli, Council Member
SECONDER:	Yvonne Martinez Beltran, Mayor Pro Tem
AYES:	Constantine, Martinez Beltran, Borgioli, McKay, Spring

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Spring requested a conversation on Downtown parking.

ADJOURNMENT

There being no further business, the meeting adjourned in honor of outgoing Assistant City Manager Leslie Little and Gemma Abels at 10:54 pm.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

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

ADOPT RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY FROM GARCIA FOR THE HALE AVENUE EXTENSION PROJECT

RECOMMENDATION(S)

1. Adopt Resolution of Necessity determining that the public interest and necessity require the acquisition by eminent domain of real property from Rocke and Glenda Garcia as identified in Exhibit A for the Hale Avenue Extension Project; and
2. Authorize the City Attorney to file suit in eminent domain with respect to said property.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
Maintaining Infrastructure

2020-2021 Strategic Priorities

Fiscal Sustainability
Transportation

GUIDING DOCUMENTS

Bikeways
Trails
Parks
and Recreation Masterplan
Morgan Hill 2035 General Plan
Water System Master Plan

REPORT NARRATIVE:

Background

The Hale Avenue Extension project was formally known as the Santa Teresa “Gap Fill” project because when completed, it would fill a gap in the Santa Teresa corridor allowing for a north-south alternative to Monterey Road. The limits of the Hale Avenue Extension project are Main Avenue at the north end and Spring Avenue at the south end (Attachment 1). The project is designed as a two-lane roadway with a median, bike lanes, and a pedestrian walkway, in conformance with the City’s multi-modal arterial standard. This reach of roadway has been a planned arterial since the 1960’s.

The City continues to actively pursue fee title for two remaining properties for the Hale Avenue Extension project. The two properties are owned by (1) Pacific Gas & Electric Company, and (2) Glenda and Rocke Garcia. The City filed for eminent domain on the PG&E property in 2018 and obtained the rights to construct the project by Court order in

July 2019. Staff is still coordinating with PG&E to resolve the final compensation amount. In 2018, City Council approved a Purchase and Use Agreement (PUA) with the Garcia's for property needed to construct the Hale Extension project, which is the subject of this staff report (Attachment 2).

In March 2017, the City notified the fee owners, Glenda and Rocke Garcia, that their property was required for the Hale Avenue Extension Project. On August 17, 2017, the City made an offer to the fee owners for the appraised value of \$3,563,200, which consisted of 4.09 acres of fee property. At that time, the Garcia family rejected the City's offer. However, the fee owners did allow the City to move forward with construction of the project through a Purchase and Use Agreement (PUA). A condition of the PUA states, in the event an agreement for purchase is not reached within six (6) months of the effective date of the agreement, the City shall have the right to proceed with eminent domain to acquire title to the parcel. It has been well over a year now, and the property owners and the City have not reached an agreement on the value of the property. Thus, staff and the fee owners recommend that the eminent domain process be used to resolve the value of the property. The property owner's representative has informed City staff that they agree with moving forward with eminent domain.

The Hale Avenue Extension construction contract was awarded to DeSilva Gates Construction LP on November 18, 2020 and the anticipated start date is approximately April 1, 2021. Construction is mainly funded by the Santa Clara Valley Transportation Authority's Measure B initiative in the amount of \$16.5 million. With the Purchase and Use Agreement in place the proposed action in this report has no impact on construction of the project.

Resolution of Necessity:

On December 22, 2020, a notice was sent to the owner of record, Glenda and Rocke Garcia, notifying them that a hearing is scheduled on January 20, 2021 before the City Council of Morgan Hill to consider the adoption of a Resolution of Necessity determining the following issues for the property:

1. Whether the public interest and necessity require the project.

Discussion: The Hale Avenue extension is identified in the City's General Plan Circulation Element, Goal 4 as a high priority project based on significant traffic congestion relief for the citizens of Morgan Hill. The project is also included in the County's "2008 Comprehensive County Expressway Planning Study" and the "2016 Measure B" program. The project itself allows for a continuous north/south arterial roadway on the west side of the City, which also reduces vehicle emissions by creating a more direct route while reducing traffic on local streets. The roadway also provides a regional benefit to our north and south neighboring communities. In addition to the roadway, the project will also provide bike lanes and a landscaped pedestrian pathway.

2. Whether the project is planned and located in a manner that would be most compatible with the greatest public good and the least private injury.

Discussion: The first plan line for the Santa Teresa corridor was recorded in 1964. A second plan line was subsequently developed in 1994 but was never officially adopted. More recently, the City adopted the Hale Avenue Plan Line and a Final Environmental Impact Report. The roadway alignment through the Garcia parcel is such that it will occupy the entire parcel. Alternatives were considered; however, this alignment minimizes impacts and maximizes the public benefits.

3. Whether the property sought to be acquired is necessary for the project.

Discussion: The property being sought is located within the Hale Avenue Plan Line alignment, which was adopted by City Council on August 23, 2017 along with the Final Environmental Impact Report. Without this property, the project cannot be constructed as designed and environmentally cleared. The entire Garcia property is needed to construct the project.

4. Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

Discussion: The title report ordered from Old Republic Title Company, updated on August 29, 2018, shows the owner of record to be W. Rocke Garcia and Glenda Garcia, husband and wife, as community property with right of survivorship. A written offer, in accordance with Section 7267.2 of the Government Code was made. On March 8, 2017, Glenda and Rocke Garcia were first notified by the City that their property was needed for the Hale Avenue Extension project. On August 23, 2017, the City made a voluntary offer to the fee owners in the amount of \$3,563,200 based upon a Member Appraisal Institute (MAI) certified appraisal for 4.09 acres of fee title land.

On October 3, 2018, City Council approved a Possession and Use Agreement with Glenda and Rocke Garcia for use of the property (APN 767-01-052) to allow for the construction of the Hale Avenue Extension project. As a condition of the PUA, the City deposited the probable compensation amount of \$3,563,200, which was withdrawn by the fee owners.

On April 16, 2019, a letter was received from the fee owner's attorney, Matteoni O'Laughlin & Hechtman Lawyers, concluding that the fair market price for the subject property was determined to be \$7,790,000 by their appraiser. The attorney claims the appraisal is outdated, does not consider rising real estate rates, and does not include development entitlements. The fee owner is also requesting access off the proposed Hale Avenue Extension.

On May 16, 2019, the City respectively rejected the fee owner's offer and requested proof of valuation or methodology. The fee owner would not share their appraisal or any other information regarding how they arrived at their counteroffer amount of \$7,790,000.

Staff is therefore requesting that the City Council utilize its power of eminent domain under California Government Code sections 40404 and 37350.5 and Sections 1240.010-1240.050, 1240.110, 1240.120, 1240.125, 1240.150, and 1240.220 of the Code of Civil Procedure, all of which authorize the City of Morgan Hill to acquire said property.

The owners of interest have been notified of this hearing and their right to appear and be heard regarding items 1, 2, 3, and 5 in the findings of the attached Resolution (Attachment 3). If the Resolution of Necessity is adopted, the City Attorney or Special Eminent Domain Counsel will then file the required documents with the court to commence the eminent domain action. The Resolution of Necessity must be adopted by a two-thirds Council majority. The owners have submitted a letter requesting future access off the proposed Hale Avenue Extension, however, this request is unrelated to the this Resolution of Necessity.

COMMUNITY ENGAGEMENT: Inform

Numerous community engagement and design meetings were held throughout the early planning and design phases of the project. In addition, the Environmental Impact Report (EIR) process also included opportunities for the community to provide input regarding the scope, content, and potential environmental impacts from the project.

ALTERNATIVE ACTIONS:

City Council could decide to not move forward with the eminent domain process at this time and direct staff to continue negotiations with the Garcia family. However, negotiations have stalled up to this point, thus further negotiations will likely only delay resolving this matter and expend additional City resources.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

- The Hale Avenue Extension Project is included in the adopted FY 2018-19 Capital Improvement Program.
- Over the past several years the City has acquired properties from Hosseinpour, Giancola, Tran, Howard, Kerr, Betpolice, and Santa Clara County for this Project.
- On September 5, 2018, City Council adopted a Resolution of Necessity to acquire portions of two parcels from PG&E.
- On October 3, 2018, City Council approved a Possession and Use Agreement with Glenda and Rocke Garcia for fee property (APN 767-01-052) for the Hale Avenue Extension project.
- On November 18, 2020, City Council approved the construction contract with DeSilva Gates Construction LP for the Hale Extension project.

FISCAL AND RESOURCE IMPACT:

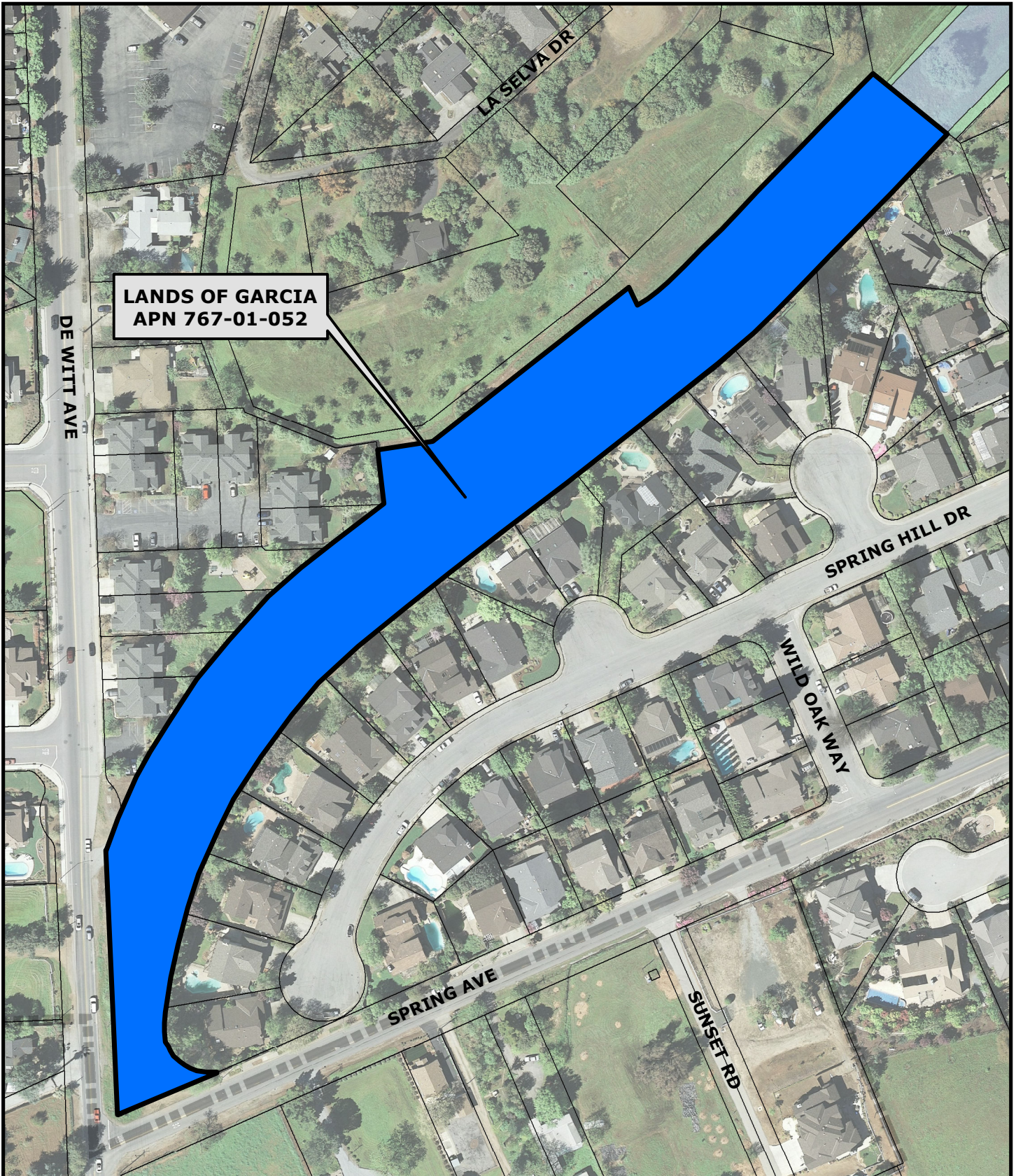
Funds in the amount of \$3,563,200 were deposited in an escrow account and were withdrawn by the property owner. The cost and resource impact of the eminent domain process will be accommodated within the City Attorney's office and its respective budget. The Hale Avenue Extension project is included in the adopted Capital Improvement Program under CIP #546007 funded by the Traffic Impact Fund (309).

CEQA (California Environmental Quality Act): Project

The City Council adopted Resolution 17-071, which certified the Final Environmental Impact Report and adopted a Mitigation Monitoring and Report Program for the Hale Avenue Extension project and the Hale Avenue Plan Line in accordance with the City of Morgan Hill's procedures for compliance with the California Environmental Quality Act (CEQA). All the environmental documents for this Project are incorporated herein by reference and made a part of this staff report and are available for review.

LINKS/ATTACHMENTS:

1. Project Location Map-Garcia
2. Garcia PUA Executed Agreement
3. Resolution-Garcia RON
4. Exhibit A to Resolution
5. Letter from Rocke Garcia



Attachment: Project Location Map-Garcia (2961 : Garcia Resolution of Necessity)



CITY OF MORGAN HILL
Engineering and Utilities Department
CIP Engineering Division

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SITE MAP

LANDS OF GARCIA
APN 767-01-052



0 50 100 200 300 400
 Feet

APN 767-01-052

**CITY OF MORGAN HILL
POSSESSION AND USE AGREEMENT**

This Possession and Use Agreement ("Agreement") is made on October 3, 2018, by and between the City of Morgan Hill, a Municipal Corporation ("City"), and W. Rocke Garcia and Glenda Garcia, husband and wife as community property, with the right of survivorship. ("Owner") shall be collectively referred to as the "Parties."

RECITALS

- A. City requires immediate possession and use of Owner's real property to construct a City project. Owner's property is located in the City of Morgan Hill, Santa Clara County, California, being APN No. 767-01-052, and further described in Exhibit "A" attached hereto and incorporated herein (the "Parcel").
- B. The Parcel is required for the purpose of constructing a portion of Hale Avenue Extension Project (the "Project"). The purpose of this Agreement is to allow the City to proceed with construction of the Project without delay.
- C. The Parties acknowledge and agree that any delay in the start of construction of the Project is contrary to public interest. It is the intent of City to offer fair-market compensation to Owner for permission to enter the Parcel and to construct the Project, and as consideration for the rights set forth in the paragraph entitled "Possession," below. City has made a firm written offer to pay the total sum of \$3,563,200 to Owner and any other persons having an interest in the Parcel. This amount does not include compensation for any loss of business goodwill, pre-condemnation damages, loss of rent or any other claims for just compensation except for the City's appraised fair market value of the Parcel (and, if applicable, severance damages). Owner has not accepted this offer.

OPERATIVE PROVISION

In consideration of the sum to be paid to Owner and in consideration of the foregoing recitals and the promises, covenants and any other conditions set forth in this Agreement, City and Owner agree as follows:

Possession

- a. Owner grants to City and its contractors, agents, representatives, employees and all others deemed necessary by State, the irrevocable right to exclusive possession and use of the Parcel, including but not limited to, the right to remove and dispose of any and all improvements within and/or straddling the right of way, excepting therefrom the existing underground storm drainage and sanitary sewer facilities, which shall remain in place to serve three lots adjacent to the Parcel which are currently owned by Owner. In consideration for this irrevocable grant of possession and use, City will tender into escrow the sum of \$3,563,200. City's right to possess the Parcel and begin construction of the Project shall commence on the date the sum is paid into escrow.

Just Compensation and Appraisal

b. Owner acknowledges that the sum referenced in paragraph a represents the full amount of the approved appraisal of what City believes is just compensation owed for the acquisition of the Parcel. City acknowledges that Owner believes that just compensation for the acquisition of the Parcel is more than the sum referenced in paragraph a. Should the Parties fail to reach a settlement and it becomes necessary for City to file a condemnation action to acquire the Parcel, the Parties agree the amount deposited into escrow shall not be admissible as evidence of value in such condemnation proceeding. The Parties agree that the deposit and payment under this Agreement shall be equivalent to a deposit and payment under California Code of Civil Procedure Section 1255.010 *et seq.* and a withdrawal under CCP Section 1255.210 *et seq.* and that the basis for such deposit, including but not limited to any appraisal, shall be governed by Code of Civil Procedure section 1255.060. Accordingly, the Parties agree that the amount deposited or withdrawn under this Agreement may not be given in evidence or referred to in any trial on the issue of compensation and further agree that any appraiser who prepared any report or statement concerning the deposit may not be called to testify at any such trial, unless designated by Seller as an expert pursuant to CCP Section 1258.210 *et seq.*

Escrow

c. This transaction will be handled through an escrow with Old Republic Title Company "ORTC", for the account of the Owner, Escrow No. 0625008285-LC. City shall pay all escrow fees incurred in this transaction. Owner shall be entitled to disbursement of the entire sum referred to in paragraph 1.

Owner represents and warrants, and City acknowledges that it concurs that there are no other parties having interests in the Parcel who could claim a right to any portion of the proceeds or whose consent is required for disbursement of the proceeds to Owner.

d. This escrow shall remain open until either a final settlement, or until termination of this Agreement, or until a Final Order of Condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court and recorded in the Official Records of Santa Clara County. Any sum disbursed to Owner from this escrow shall be deducted from the ultimate amount received by Owner as a result of any settlement, award, or verdict of just compensation for the Parcel.

Effective Date

e. This Agreement is effective as of October 3, 2018_(the "Effective Date"). From and after the Effective Date, Owner shall not assign, sell, encumber or otherwise transfer all or any portion of their interest in the Parcel, without first obtaining City's prior written consent.

Taxes

f. Owner agrees to submit payment, when due, to the County tax collector for all taxes and special assessments on the Parcel that are due during the period from the date of possession (as set forth in paragraph 1 of this Agreement) to the date title transfers to the City. Title transfers to the City on the date the Grant Deed or Final Order of Condemnation is recorded in the Office of the County Recorder. Owner shall not be required to pay taxes or special assessments on the Parcel on or after the date title transfers to the City. After the date title transfers to the City, the City will request that the County tax collector cancel taxes and/or special assessments for the period from the date of possession to the date title transferred to City. After the tax cancellation request is made by the City, Owner may file a claim with the County tax collector for a refund of any tax overpayment. Notwithstanding any other provision of this Agreement, no cancellation shall be made of all or any portion of any taxes that were due

prior to the date of possession but which were unpaid; escrow shall pay in a timely manner all delinquent property taxes due from the sums deposited into escrow. (California Revenue and Taxation Code Section 5084.)

Eminent Domain Proceedings

g. This Agreement is made with the understanding that City will continue to negotiate in good faith with Owner to acquire its interest in the Parcel by direct purchase. It is further understood that in the event an agreement for purchase is not reached within six (6) months of the Effective Date of this Agreement, such failure will be an acknowledgement that the negotiations to acquire the Parcel have proved futile, and City shall have the right to file a complaint in eminent domain to acquire title to the Parcel. Such complaint shall be filed within a reasonable time after the time period provided in this paragraph has expired.

h. If City begins proceedings in eminent domain, it is understood and agreed that this Agreement shall continue in effect until either a settlement is reached or a Final Order of Condemnation under Section 1268.030 of the California Code of Civil Procedure is entered by the court and recorded by City.

Waiver Notice Pursuant to Code of Civil Procedure Section 1245.235

i. Section 1245.235 of the California Code of Civil Procedure requires the City of Morgan Hill, to give each person whose property is to be acquired by eminent domain notice and a reasonable opportunity to appear before the City Council and be heard on the matters referred to in section 1240.030 of the Code of Civil Procedure, which provides:

The power of eminent domain may be exercised to acquire property for a proposed project only if all of the following are established:

- i. The public interest and necessity require the project.
- ii. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- iii. The property sought to be acquired is necessary for the project.
- iv. The offer required by section 7267.2 of the Government Code has been made to the Owner or others of record.

By granting this irrevocable right to possession and use of the Parcel to City, Owner agrees to the following:

- v. Owner specifically waives the notice required by Code of Civil Procedure section 1245.235 of the hearing on the matters referred to in Code of Civil Procedure section 1240.030, and Owner shall not object to the adoption of the resolution of necessity by the City Council authorizing the taking of the property described in Exhibit "A."
- vi. Owner shall not object to the filing of an eminent domain proceeding to acquire the property described in Exhibit "A" pursuant to section g of this Agreement.
- vii. In any eminent domain action filed by City to acquire the property described in Exhibit "A," Owner shall not challenge City's right to acquire such property, and the only issue shall be the amount of just compensation for the Parcel.

Refund

j. Owner agrees that in the event the ultimate amount of any settlement, award, or verdict is less than the total of the sums paid to and withdrawn by Owner, Owner shall refund the difference including interest at the apportionment rate of interest as provided in Code of Civil Procedure Section 1268.350 to the City.

Waiver

k. Owner waives any right to challenge City's right to possess and use the Parcel in any subsequent eminent domain proceedings filed by City for the Project. Owner also waives all claims and defenses in its favor in any subsequent eminent domain proceeding for the Project, except a claim for greater compensation.

Date of Valuation

l. In the event proceedings in eminent domain are begun, the date of valuation for determining the amount of just compensation for the Parcel shall be the date City takes possession of the Parcel.

Interest

m. Compensation awarded in an eminent domain proceeding shall draw interest prior to judgment as prescribed by Section 1268.350 of the California Code of Civil Procedure. Owner shall be entitled to receive interest on any sum received as compensation for its interest in the Parcel, whether pursuant to this Agreement, a subsequent settlement or court judgment, beginning on the date City takes possession of the Parcel pursuant to this Agreement and ending on the earliest of the dates as provided in Code of Civil Procedure section 1268.320. Post-judgment interest shall be determined according to law.

Hazardous Materials

n. This Agreement does not affect or impact who is considered the "Responsible Party" for purposes of remediation of contamination under Federal and/or State Law. Each party reserves all its rights to assert any position or contention regarding the effect of contamination (if any exists on the Parcel) on the purchase price. That issue will ultimately be resolved through negotiations or at trial and this Agreement shall have no impact on that determination.

Abandonment of Proceeding

o. Under Section 1268.510 of the California Code of Civil Procedure, at any time after the commencement of proceedings in eminent domain, City reserves the right to abandon the proceeding in whole or in part.

Authority to Execute and Bind

p. Each of the Parties represents and warrants that each of the persons executing this Agreement has full and complete legal authority to do so and thereby binds the party to this Agreement.

Entire Agreement

q. This Agreement reflects the entire agreement between the Parties and shall supersede all prior or contemporaneous oral or written understandings, statements, representations or promises between the Parties concerning the matters contained herein.

Governing Law

r. This Agreement is made and entered into in the City of Morgan Hill, and shall in all respects be interpreted, enforced and governed under the laws of the State of California. The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning and not strictly for or against any of the Parties.

Successors in Interest

s. This Agreement shall be binding upon and inure to the benefit of the heirs, devisees, executors, administrators, legal representatives, successors and assigns of the Parties.

Understanding of Agreement

t. This Agreement has been negotiated in good faith and each party warrants and represents that in executing this Agreement, they are not relying upon any representation, promise, inducement or statement made in negotiation that has not been included in the terms of this Agreement.

u. Intentionally Omitted.

Severability

v. In case any part, term, portion or provision of this Agreement is determined to be illegal, invalid or unenforceable, the remaining parts, terms, portions and provisions shall remain valid, enforceable, and in full force and effect.

Amendment to Agreement

w. This Agreement may only be amended by written agreement, executed by all Parties.

Counterparts

x. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

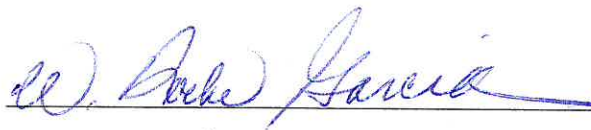
Memorandum of Agreement

y. City may record a memorandum of this Agreement.

W. Rocke Garcia and Glenda Garcia, husband and wife as community property, with the right of survivorship

DATED: 9/18/18

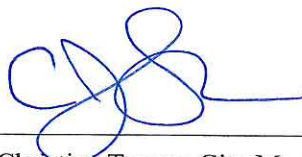
By:

DATED: 9-18-18

By:

**City of Morgan Hill****A Municipal Corporation**DATED: 10-29-18

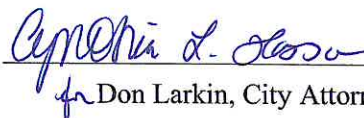
By:



Christina Turner, City Manager

APPROVED AS TO FORM:DATED: 10-24-18

By:



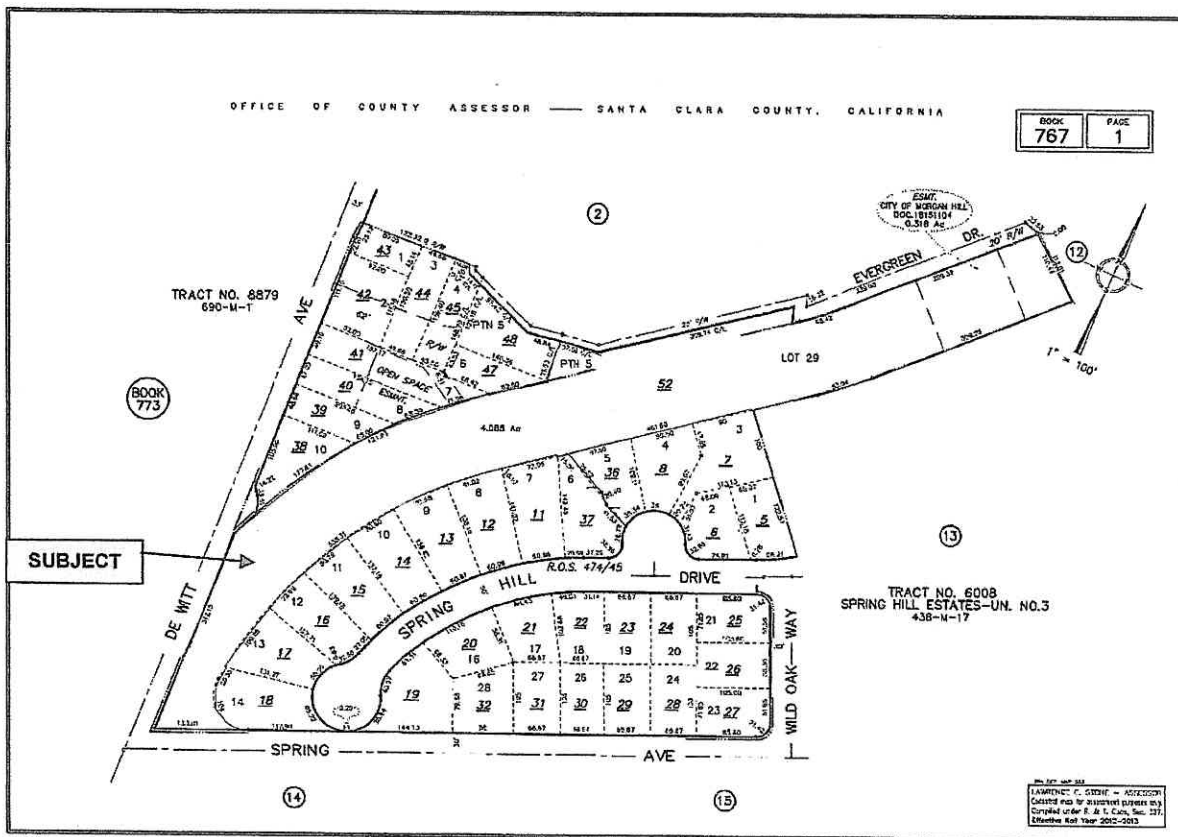
for Don Larkin, City Attorney

City of Morgan Hill
Hale Avenue Extension Project
APN: 767-01-052 – Garcia

EXHIBIT A

ARWS ASSOCIATED
RIGHT OF WAY
SERVICES, INC.

Assessor's Parcel Map



RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN REAL PROPERTY INTERESTS FOR A PUBLIC PROJECT (HALE AVENUE EXTENSION PROJECT), AUTHORIZING THE ACQUISITION THEREOF, DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS

WHEREAS, it is desirable and necessary for the City of Morgan Hill (hereinafter the “City”) to acquire certain real property specifically one (1) fee take from property located on the Northeast Side of DeWitt Avenue, Morgan Hill, CA, Assessor’s Parcel Numbers 767-01-052, more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, for the Hale Avenue Extension Project (“Project”); and

WHEREAS, the City is vested with the power of eminent domain to acquire real property by virtue of Article I, Section 19 of the Constitution of the State of California, Section 37350.5 and 40404 of the California Government Code, and Sections 1240.010-1240.050, 1240.110, 1240.120, 1240.125, 1240.150, 1240.220, 1240.410, 1240.610 and 1240.650 of the California Code of Civil Procedure; and

WHEREAS, On August 23, 2017, the City Council approved Resolution 17-071 which certified the Final Environmental Impact Report (EIR) and Mitigation Monitoring and Report Program that completes the CEQA requirements for this project.

WHEREAS, pursuant to the provisions of Section 7267.2 of the California Government Code, the City made an offer to the owners of record to acquire the property interests set forth in **Exhibit A** for the amount which it has established to be just compensation;

WHEREAS, pursuant to the provisions of Section 1245.235 of the California Code of Civil Procedure, notice has been duly given to Rocke and Glenda Garcia, whose property is to be acquired by eminent domain and whose name and address appears on the Santa Clara County Equalized Assessment Roll, and they have been given reasonable opportunity to appear and be heard before the City Council at the Resolution for Necessity hearing held on January 20, 2021 on the following matters:

- a. Whether the public interest and necessity require the Project;
- b. Whether said Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. Whether the fee take described and depicted in **Exhibit A** is necessary for the Project; and
- d. Whether the offer required by Government Code Section 7267.2 has been made to all owners of record.

THEREFORE, BE IT RESOLVED by the City Council of the City of Morgan Hill that it finds and determines as follows:

1. The public interest and necessity require the Project.
2. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The taking of the real property more particularly described in **Exhibit A** is necessary for the Project.
4. All environmental review required by law has been prepared and adopted.
5. The offer required by Section 7267.2 of the California Government Code has been made to the owners of record of the real property.
6. Insofar as any portion of the property has heretofore been appropriated for public use, the proposed use set forth herein constitutes a compatible use under Code of Civil Procedure Section 1240.510 or alternatively a more necessary public use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.410, 1240.610 and 1240.650.
7. The City's attorney or his or her duly authorized designee is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such actions as he or she may deem advisable or necessary in connection therewith.

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 20th day of January 2021 by the following vote:

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

APPROVED:

ATTEST:

RICH CONSTANTINE, Mayor

Michelle Bigelow, City Clerk

∞ CERTIFICATION ∞

I, Michelle Bigelow, City Clerk of the City of Morgan Hill, California, do hereby certify that the foregoing is a true and correct copy of Resolution No.21-XXX, adopted by the City Council at the meeting held on January 20, 2021.

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

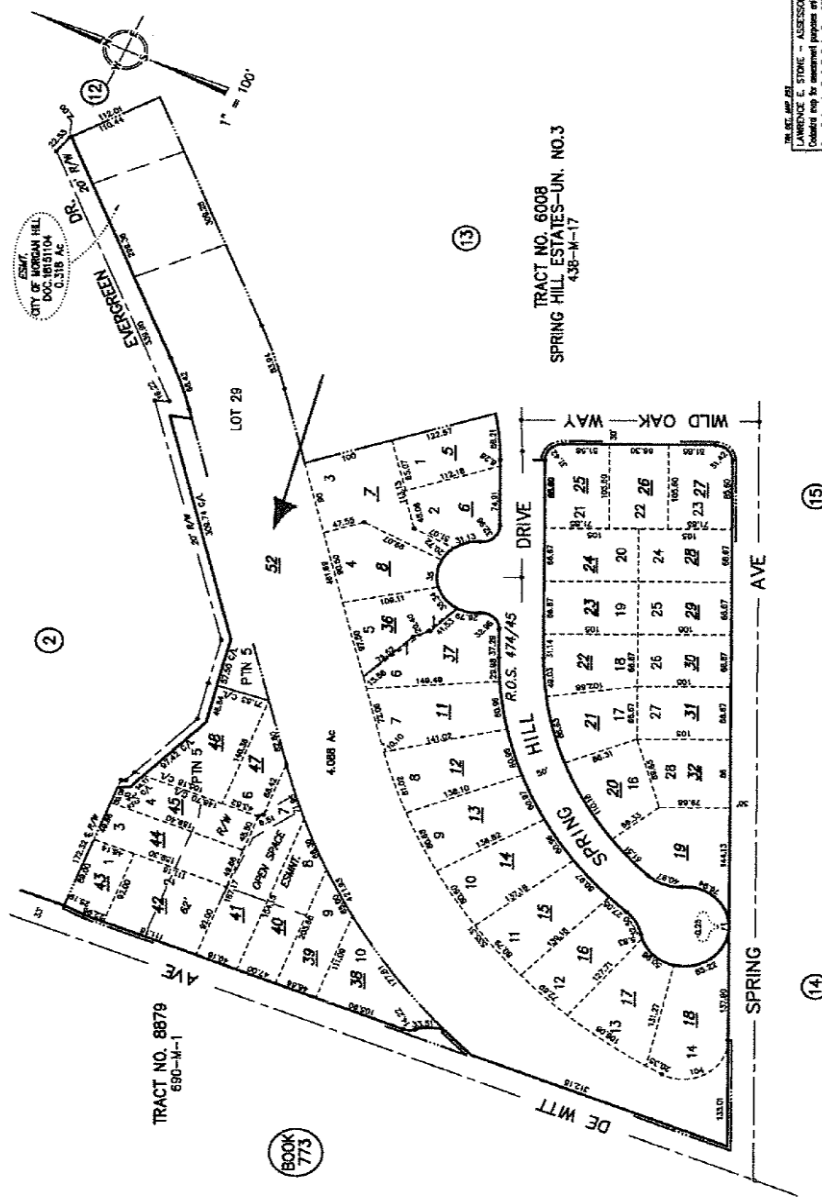
DATE: _____

MICHELLE BIGELOW, City Clerk

Attachment: Resolution-Garcia RON [Revision 2] (2961 : Garcia Resolution of Necessity)

EXHIBIT A

OFFICE OF COUNTY ASSESSOR — SANTA CLARA COUNTY, CALIFORNIA

BOOK
767
PAGE
1

THE STATE OF CALIFORNIA
LAWRENCE E. STONE - ASSESSOR
COUNTY OF SANTA CLARA
Commission Expires 12/31/2023
Effective 8/1/2019-2023

This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon reference to streets or other land. No liability is assumed by reason of any reliance hereon.

Non-Order Search
Doc: CASCLR:MASS 767-00001

Page 1 of 1

Requested By: anac, Printed: 8/3/2018 11:43 AM

January 3, 2021

Via Certified Mail Return Receipt Requested

City Clerk, City of Morgan Hill
17555 Peak Ave.
Morgan Hill, CA 95037

Attn: Chris Ghione

Subject: Notice of Intent to Adapt RON
Hale Ave. extension project
APN: 767-0-052

Dear Chris,

This letter is in response to your letter dated December 22, 2020 and our request to appear (via Zoom) at the January 20, 2021 City Council meeting.

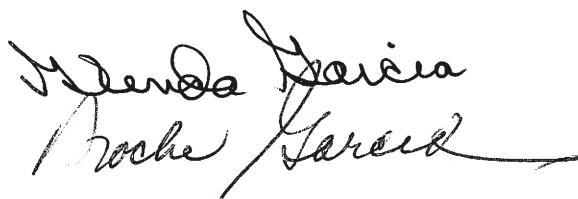
Please know that we have no fundamental objection to the City's plan to seize our private property via eminent domain provided we receive just compensation.

Attachment: Letter from Rocke Garcia (2961 : Garcia Resolution of Necessity)

Here is some of the background on decades of discussions with the City regarding our property.

1. We, Rocke and Glenda Garcia, acquired this property over 43 years ago!!!! It was part of our first development in Morgan Hill, known as Spring Hill.
2. Santa Teresa Blvd, now Hale Ave. was originally mapped and designed to intersect Spring Ave. at right angles approx. 400 feet east of DeWitt Ave.
3. As redesigned with the first subdivision of Spring Hill, Santa Teresa/Hale now wrapped around our homes to merge at DeWitt; instead of taking $\frac{3}{4}$ of an acre, Santa Teresa/Hale now consumed over 4 acres.
4. More importantly, this change removed Evergreen Drive's connection to Spring Ave. per the original subdivision map of Knob Hill Acres (1928)
5. Over the decades, every single Public Works Director has given us their verbal assurance that the City would allow the connection of Evergreen to Santa Teresa/Hale Ave. The agreed solution was a right turn in right turn out from Evergreen in front of our three lots.
6. Our Public Works Director today is denying our access from Evergreen to Santa Teresa/Hale.
7. We would ask that the City Council review this matter and return to us with a solution.

Thank You.

Handwritten signatures of Glenda Garcia and Rocke Garcia. The signatures are written in black ink and are cursive. Glenda's signature is on top and Rocke's is below it.

Attachment: Letter from Rocke Garcia (2961 : Garcia Resolution of Necessity)



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Dat Nguyen, Finance Director

APPROVED BY: City Manager

RECEIVE MONTHLY BUDGET UPDATE, DECEMBER 2020 FINANCIAL AND INVESTMENT REPORTS, AND CITY MANAGER AUTHORITY REPORT

RECOMMENDATION(S)

Accept and file report.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure

Preserving and Cultivating Public Trust

2020-2021 Strategic Priorities

Community Engagement and Messaging

Fiscal Sustainability

REPORT NARRATIVE:

As part of the City Council's expectation to maintain a high level of transparency and to be responsible stewards of public funds, staff is providing this monthly budget update, along with the December 2020 financial and investment reports (Attachment 1 and 2).

December 2020 Financial Report

The Revenue and Expense Summary through December 2020 is included on the first page of the monthly financial report (Attachment 2). Overall, General Fund revenues total \$11.0 million or about 28% of the budget as some of the major revenue categories are received later in the fiscal year. Expenditures, including encumbrances, amounted to \$21.1 million or 48% of the budget.

Budget Update

There has been no material change to the City's major revenue categories for the General Fund since the last budget update on December 2, 2020. However, the outlook for the City's sales tax and recreation services revenues continues to be negatively impacted by the surge in the number of Covid-19 cases and the County continues to be under a stay-at-home order and in the Purple Tier (Tier One – Widespread transmission), the most restrictive tier in the State's "Blueprint for a Safer Economy". What this means is that indoor dining and recreation services, just to name a few, are no longer allowed. Staff's earlier projection for recreation services of additional net loss of approximately \$1.6 million in the worst-case scenario is becoming more of a reality. As for sales tax, we are remaining hopeful that this will have little or no material impact to our sales tax consultant's estimate for the year of about \$9.7 million.

As for Transient Occupancy Tax (TOT), the trend continues to show a slow improvement as occupancy rates in some hotels have reached the pre-pandemic level of 70 percent range as of November from the low of 20 percent in April. However, the rise in occupancy rate is offset by the lower average daily rate resulting in lower TOT. In addition, the more restricted stay-at-home order for the region has impacted travel and undoubtedly will negatively impact the TOT. Hotels and lodging can only offer accommodation for COVID-19 mitigation and containment measures, treatment measures, accommodation for essential workers, or providing housing solutions, including measures to protect homeless populations.

City Manager's Authority Report

Pursuant to the City Council Policy 18-05 – Report on delegation of authority to City Manager, Page 17 of Attachment 2 lists the contracts and or agreements between \$25,000 to \$60,000, or the limit of the California Uniform Public Construction Cost Accounting Act (CUPCAA), entered into by the City Manager since the last report from October 3, 2020 through January 6, 2021.

COMMUNITY ENGAGEMENT: Inform

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

ALTERNATIVE ACTIONS:

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

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council receives and files the financial and investment report for each month. At the September 16, 2015 meeting, City Council recommended monthly financial and investment reports be agendaized under the Consent Agenda, and quarterly financial and investment reports be presented to City Council as an "Other Business" item. Beginning in FY 2020-21, budget reports are presented to the City Council monthly.

FISCAL AND RESOURCE IMPACT:

The preparation of the report is a part of the Finance workplan. Staff does not recommend any budget adjustments at this time.

CEQA (California Environmental Quality Act):

Not a Project.

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

LINKS/ATTACHMENTS:

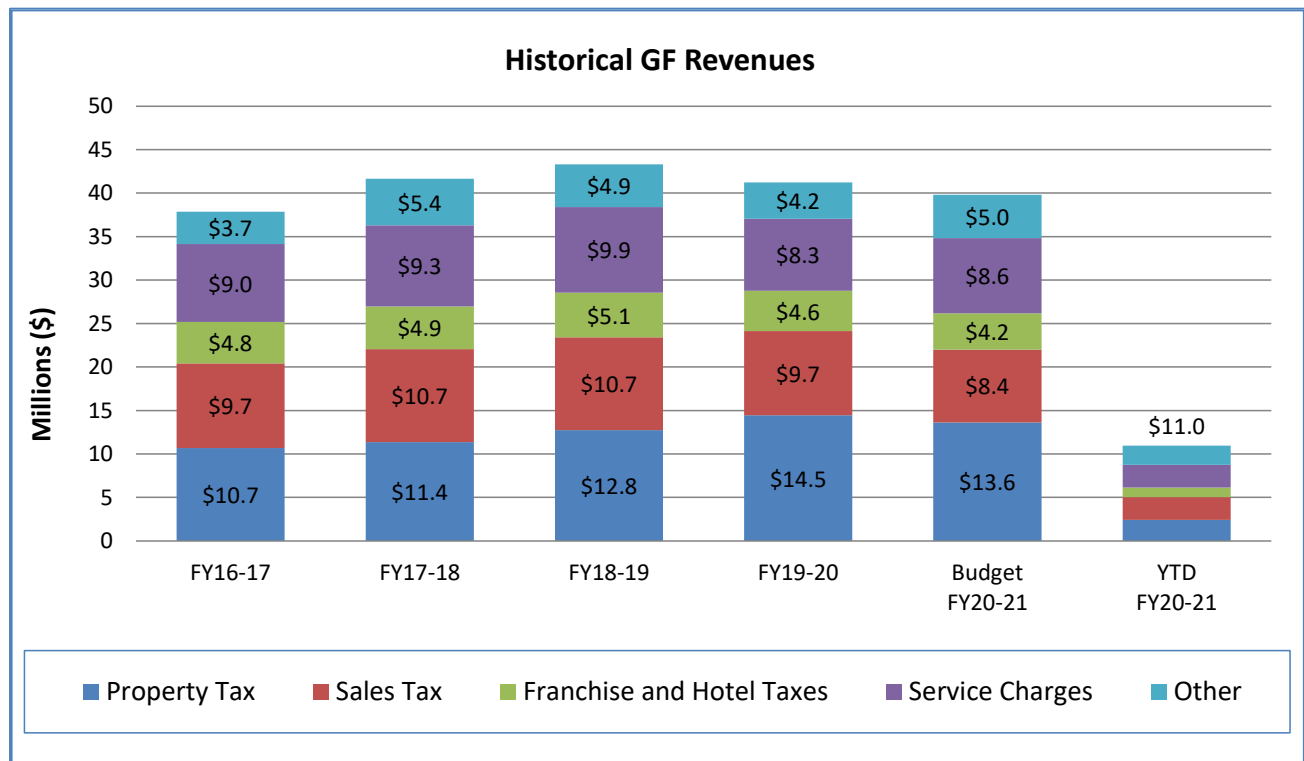
1. December 2020 Financial Statement Analysis
2. December 2020 Financial and Investment Report



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **General Fund** – Revenues through December totaled \$11.0 million, or about 28% of the budgeted revenues as some of the major revenue categories such as property tax are received later in the fiscal year. With respect to the property tax revenue forecast, the most recent County’s estimate projected Morgan Hill property tax revenue, excluding the property transfer tax and excess Educational Revenue Augmentation Fund (ERAF), at \$13.4 million for the fiscal year 2020-21, which matches City’s budgeted amount. The preliminary estimate of the City’s excess ERAF is approximately \$1.7 million versus \$250,000 budgeted. The County’s estimate of City’s excess ERAF amount is subject to State Controller’s Office adjustment which is not known until later in the fiscal year. Excess ERAF is the money that is returned to the cities, counties, and special districts after schools reach their state-mandated thresholds. Property tax is the largest source of Morgan Hill’s General Fund revenue. However, it accounts for only 34% of the approximately \$39.8 million General Fund revenue. Although property tax tends to be a more predictable revenue source, other major revenue categories such as sales tax and transient occupancy tax, which account for a large portion of the City’s General Fund revenue, are more volatile and tend to fluctuate more with swings in the economy.

The chart below shows historical General Fund revenues by major revenue category from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

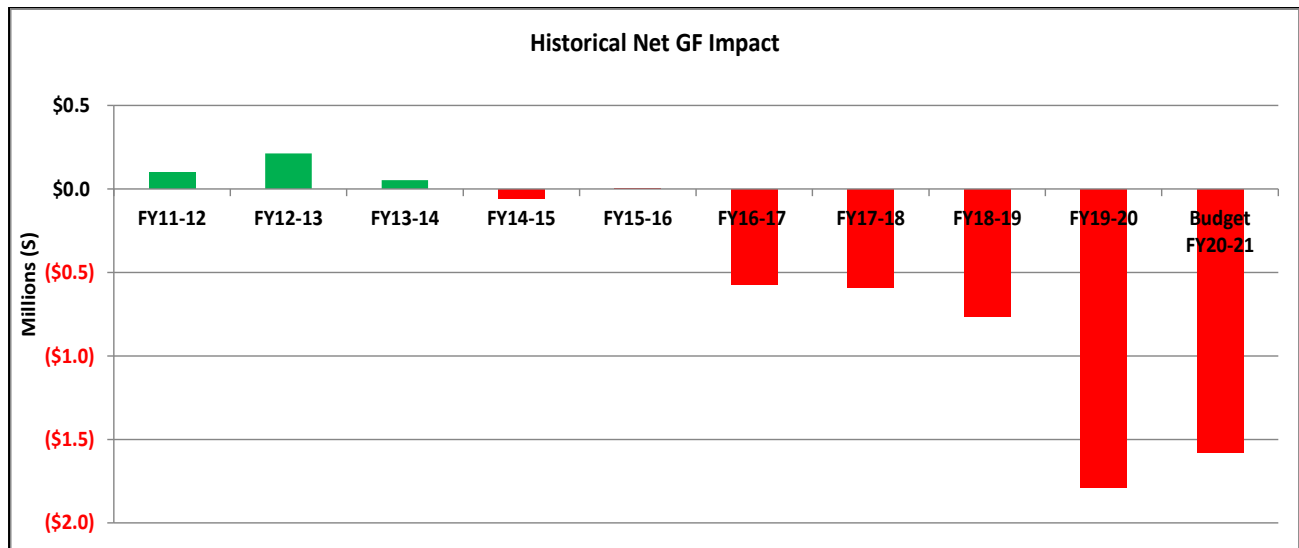


General Fund expenditures and encumbrances as of December 31, 2020 totaled \$21.1 million, of which approximately \$1.6 million is attributable to outstanding encumbrances.



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **Community Services** - The Community Services Department's recreation operations, as reflected in the schedule presented on page 4 of the Monthly Financial and Investments Reports, shows a negative impact to the General Fund of approximately \$2.4 million as of December 31, 2020. The large operating loss for recreation operations reflect the continued closure of indoor recreation facilities since March 2020 due to shelter-in-place order as a result of coronavirus pandemic. The indoor recreation facilities had just begun to open with a very limited capacity in fall, however, with the County moving into the State's Purple Tier (Tier One), which is most restrictive, indoor recreation facilities are closed again.



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

- **Development Services Fund** – Revenues received through December 31, 2020 totaled approximately \$2.3 million. Expenditures, including encumbrances, totaled \$2.8 million. The fund is projected to borrow \$1.0 million from the General Fund for the current fiscal year. Staff has engaged consultant to conduct a comprehensive fee study to update the current fees which were developed about five years ago.
- **Debt Service Funds** – Expenditures through the first quarter totaled \$536,158. The debt service for the first half of the year includes both interest and principal, while the second half of the year will include interest only. Debt service payments were all scheduled when the bonds were issued, and are budgeted for in the months delineated in the underlying bond documents. The General Fund's portion of the annual debt service payments is approximately \$200,000, less than one percent of the General Fund's budgeted revenues.



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED DECEMBER 2020 – 50% OF YEAR COMPLETE

- **Wastewater Operations** – Revenues from Sewer Operations through the first quarter ending December 31, 2020 totaled \$5.6 million. Expenditures and outstanding encumbrances totaled \$6.5 million or 49% of the budget. The table below shows historical Sewer Operations revenues and expenditures from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

(amount in millions)	FY16-17	FY17-18	FY18-19	FY19-20	Budget FY20-21	YTD FY20-21
Revenues	9.7	10.3	11.4	11.9	13.3	5.6
Expenditures	9.8	10.8	11.4	12.3	13.3	6.5
Operating Margin	(0.1)	(0.5)	-	(0.4)	-	(0.9)
Operating Margin without Encumbrances	(0.0)	(0.3)	0.4	(0.1)	-	(0.7)

- **Water Operations** – Water Operations includes Utility Billing, Water Conservation, and Water Operations. Revenues from Water Operations through the first quarter ending December 31, 2020 totaled \$7.8 million. Water Operations expenditures, including outstanding encumbrances, totaled \$8.3 million. Without the encumbrances, however, the expenditures amounted to \$7.1 million. The table below shows Water Operations revenues and expenditures from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of December 31, 2020.

(amount in millions)	FY16-17	FY17-18	FY18-19	FY19-20	Budget FY20-21	YTD FY20-21
Revenues	10.9	13.0	14.2	15.3	15.6	7.8
Expenditures	11.2	12.1	14.3	16.4	15.6	8.3
Operating Margin	(0.3)	0.9	(0.1)	(1.1)	-	(0.5)
Operating Margin without Encumbrances	(0.1)	1.4	0.8	(0.1)	-	0.7

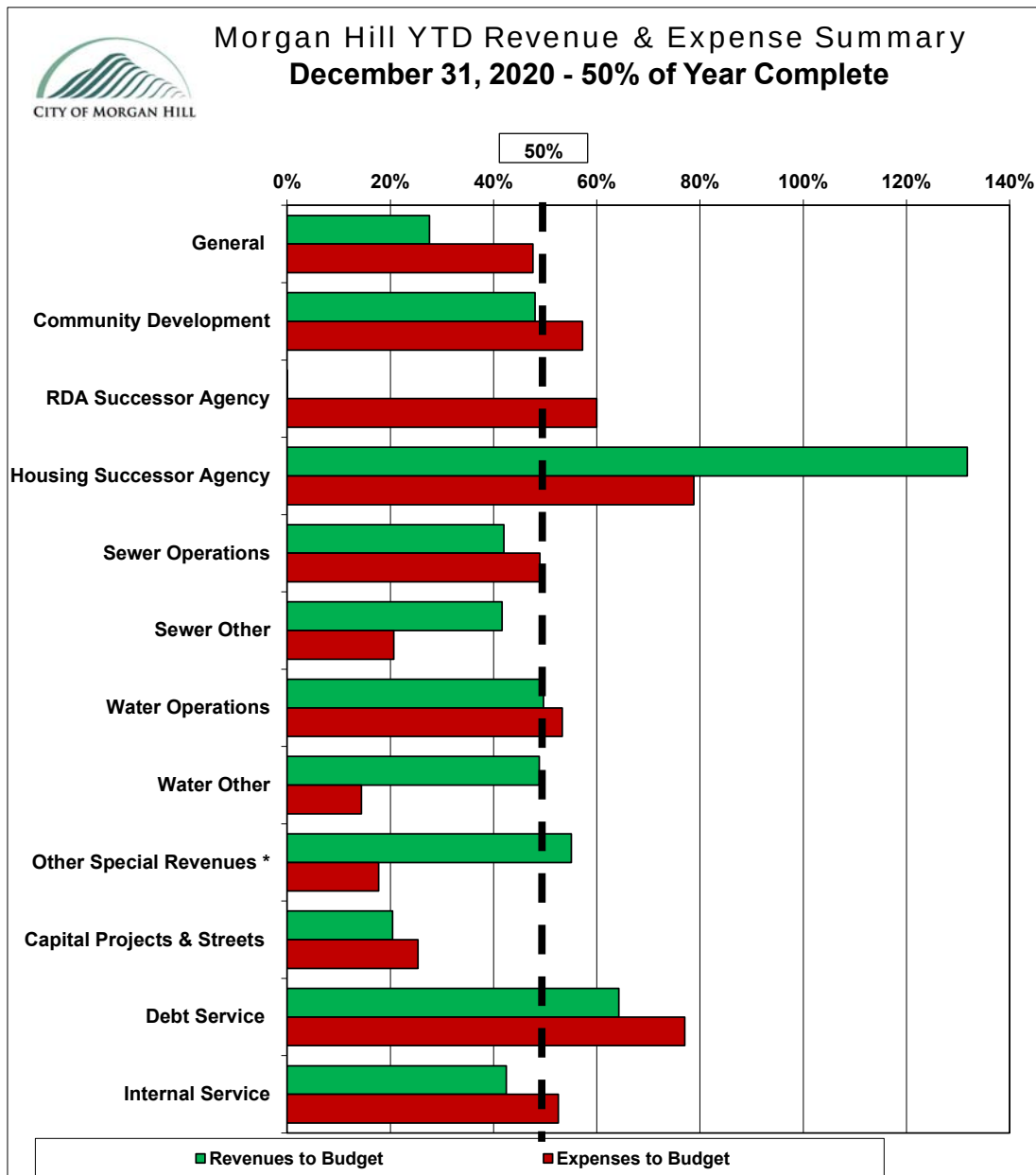
- **Investments** – One security was purchased, and two securities were called during the month of December 2020. Total interest earnings received on investments were \$17,000 during the month.

CITY OF MORGAN HILL
Monthly Financial and Investment Reports
December 31, 2020 - 50% of Year Complete



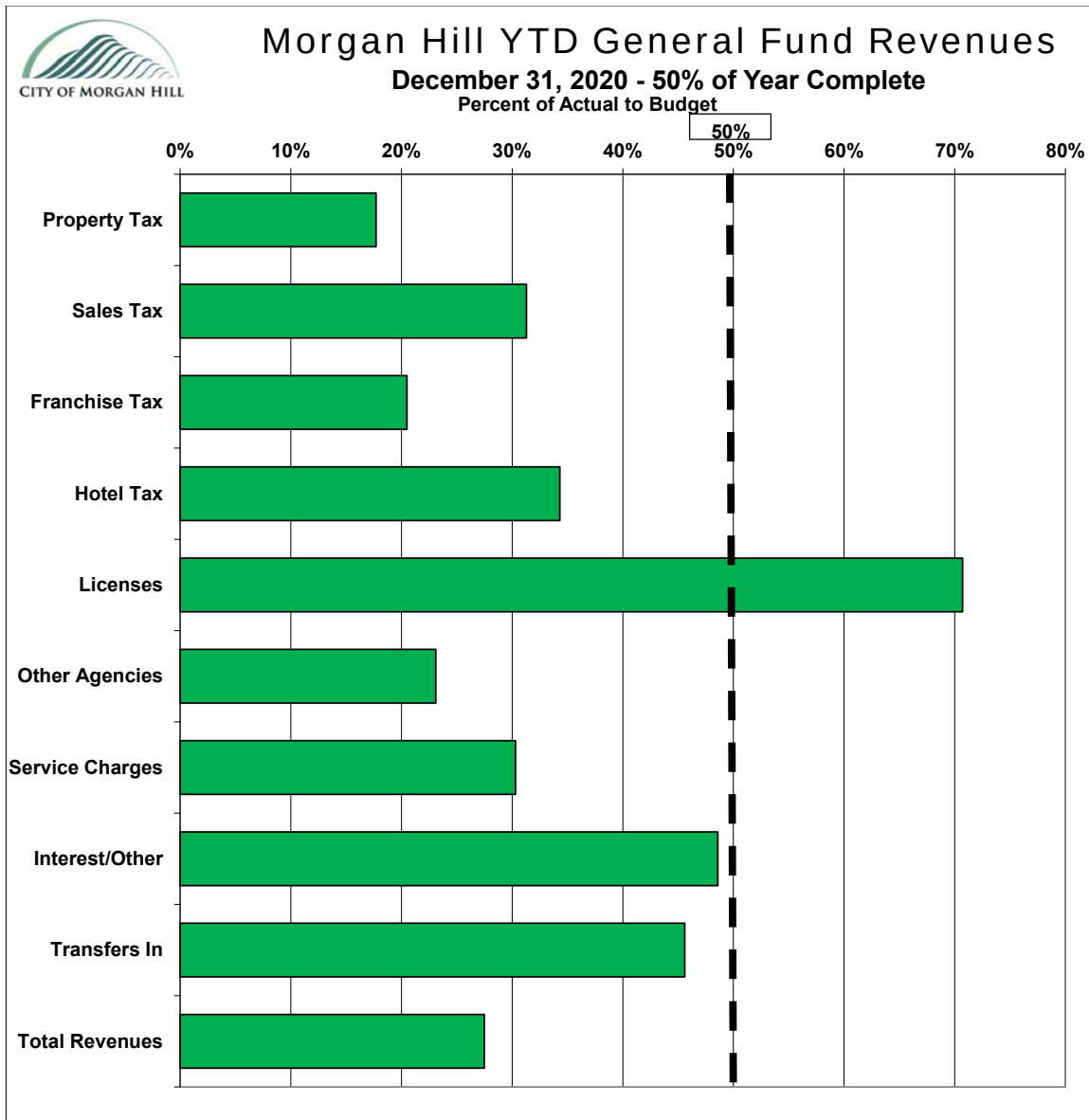
CITY OF MORGAN HILL

Prepared by:
FINANCE DIVISION

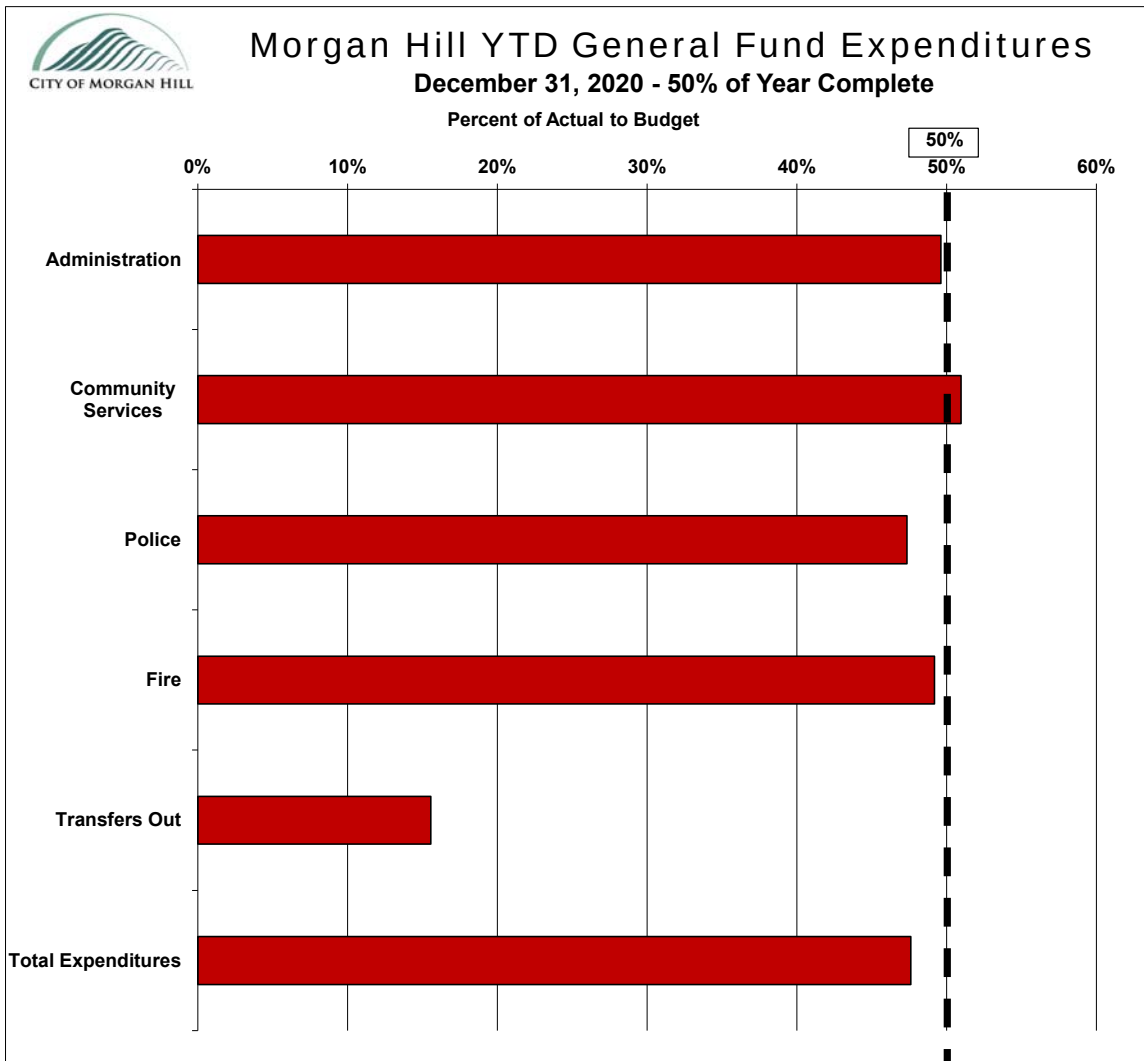


FUND NAME	REVENUES		EXPENSES	
	ACTUAL	% OF BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET
General	\$ 10,965,785	28%	\$ 21,099,669	48%
Community Development	2,281,281	48%	2,784,727	57%
RDA Successor Agency	2,262	0%	4,161,708	60%
Housing Successor Agency	280,817	132%	783,826	79%
Sewer Operations	5,574,678	42%	6,522,886	49%
Sewer Other	4,554,006	42%	5,331,401	21%
Water Operations	7,774,204	50%	8,318,211	53%
Water Other	3,264,306	49%	704,925	14%
Other Special Revenues *	2,041,399	55%	860,581	18%
Capital Projects & Streets	6,218,032	20%	16,714,719	25%
Debt Service	447,588	64%	536,158	77%
Internal Service	4,994,986	42%	6,665,349	53%
TOTAL FOR ALL FUNDS	\$ 48,399,344	33%	\$ 74,484,158	37%

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



REVENUE CATEGORY	BUDGET	ACTUAL	% OF BUDGET	PRIOR YEAR TO DATE	% CHANGE FROM PRIOR YEAR
Property Tax	\$ 13,640,000	\$ 2,417,602	18%	\$ 2,254,060	7%
Sales Tax	8,370,868	2,618,381	31%	2,680,740	-2%
Franchise Tax	2,351,000	481,204	21%	483,529	0%
Hotel Tax	1,819,000	624,704	34%	1,141,835	-45%
Licenses	185,444	131,084	71%	136,490	-4%
Other Agencies	703,650	162,682	23%	186,682	-13%
Service Charges	8,632,432	2,611,410	30%	5,180,048	-50%
Interest/Other	1,619,336	786,619	49%	723,110	9%
Transfers In	2,483,580	1,132,099	46%	748,253	51%
TOTAL REVENUES	\$ 39,805,310	\$ 10,965,785	28%	\$ 13,534,749	-19%



EXPENDITURE CATEGORY	BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET	PRIOR YTD PLUS ENCUMBRANCES	% CHANGE FROM PRIOR YEAR
Administration	\$ 4,633,295	\$ 2,298,530	50%	\$ 2,372,345	-3%
Community Services	12,794,868	6,521,078	51%	6,879,971	-5%
Police	17,890,973	8,471,609	47%	8,427,259	1%
Fire	7,162,540	3,522,870	49%	3,595,683	-2%
Transfers Out	1,834,702	285,582	16%	937,998	-70%
TOTAL EXPENDITURES	\$ 44,316,377	\$ 21,099,669	48%	\$ 22,213,257	-5%

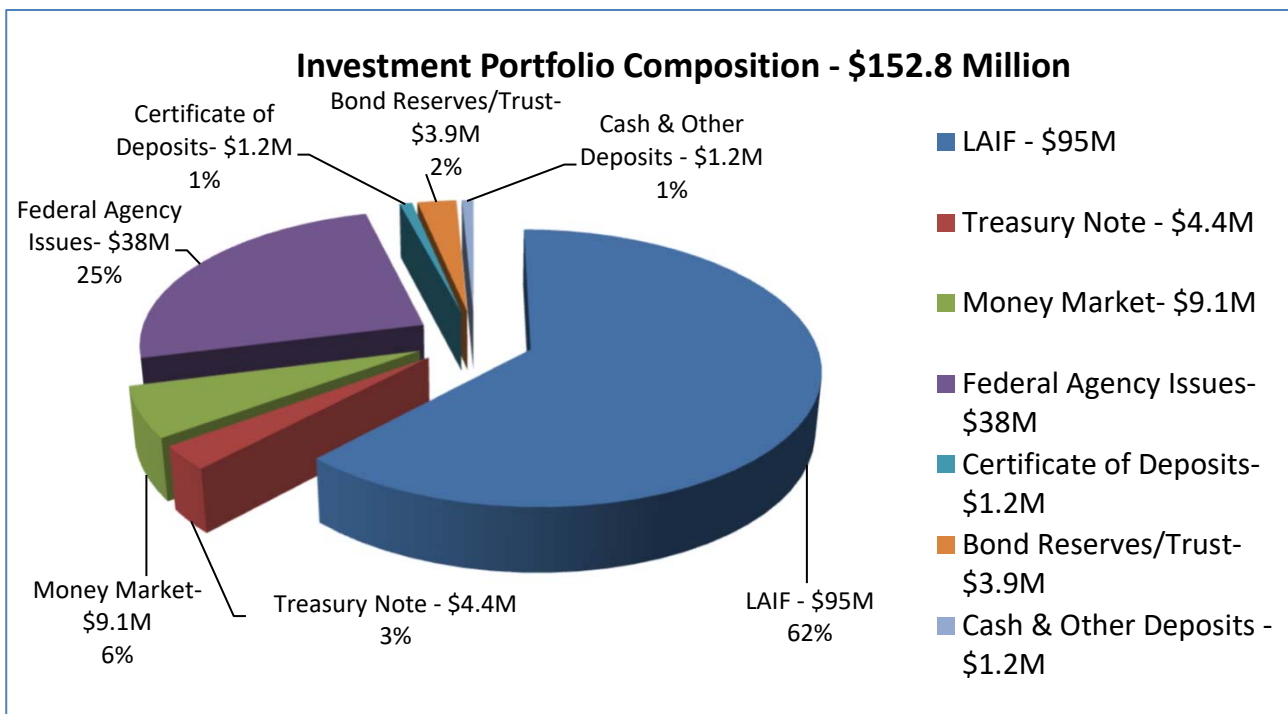


**City of Morgan Hill
Recreation Report - Fiscal Year 2020-21
For the Month and Six Months Ended December 31, 2020
50% of Year Complete**

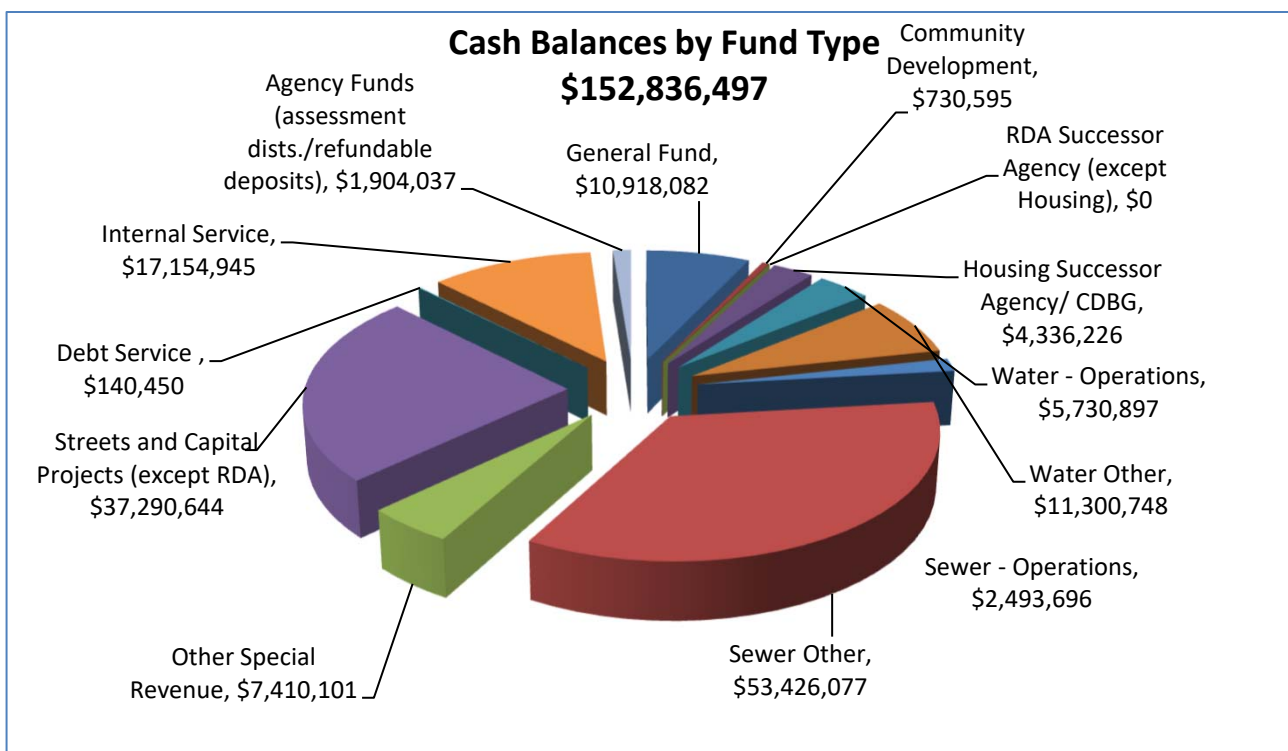
	<u>Budget</u>	<u>December 2020</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues				
Membership Services & Rec Programs	\$ 5,068,448	\$ 214,413	\$ 1,348,769	
Facility Rentals	696,431	5,303	87,830	
Community Services	104,460	-	4,082	
Transfers in	75,000	6,250	37,500	
Total Revenues	<u>\$ 5,944,339</u>	<u>\$ 225,966</u>	<u>\$ 1,478,181</u>	25%
Less: Expenditures				
Membership & Program Services	\$ 5,675,307	\$ 346,022	\$ 2,283,125	
Facility Rentals	1,236,339	82,310	478,485	
Community Services	609,834	43,891	216,174	
Total Expenditures	<u>\$ 7,521,481</u>	<u>\$ 472,222</u>	<u>\$ 2,977,784</u>	40%
Net Impact without encumbrances	<u>\$ (1,577,142)</u>	<u>\$ (246,256)</u>	<u>\$ (1,499,603)</u>	
Encumbrances	-	-	888,379	
Net Impact with encumbrances	<u>\$ (1,577,142)</u>	<u>\$ (246,256)</u>	<u>\$ (2,387,982)</u>	

City of Morgan Hill Monthly Investment Report - December 31, 2020

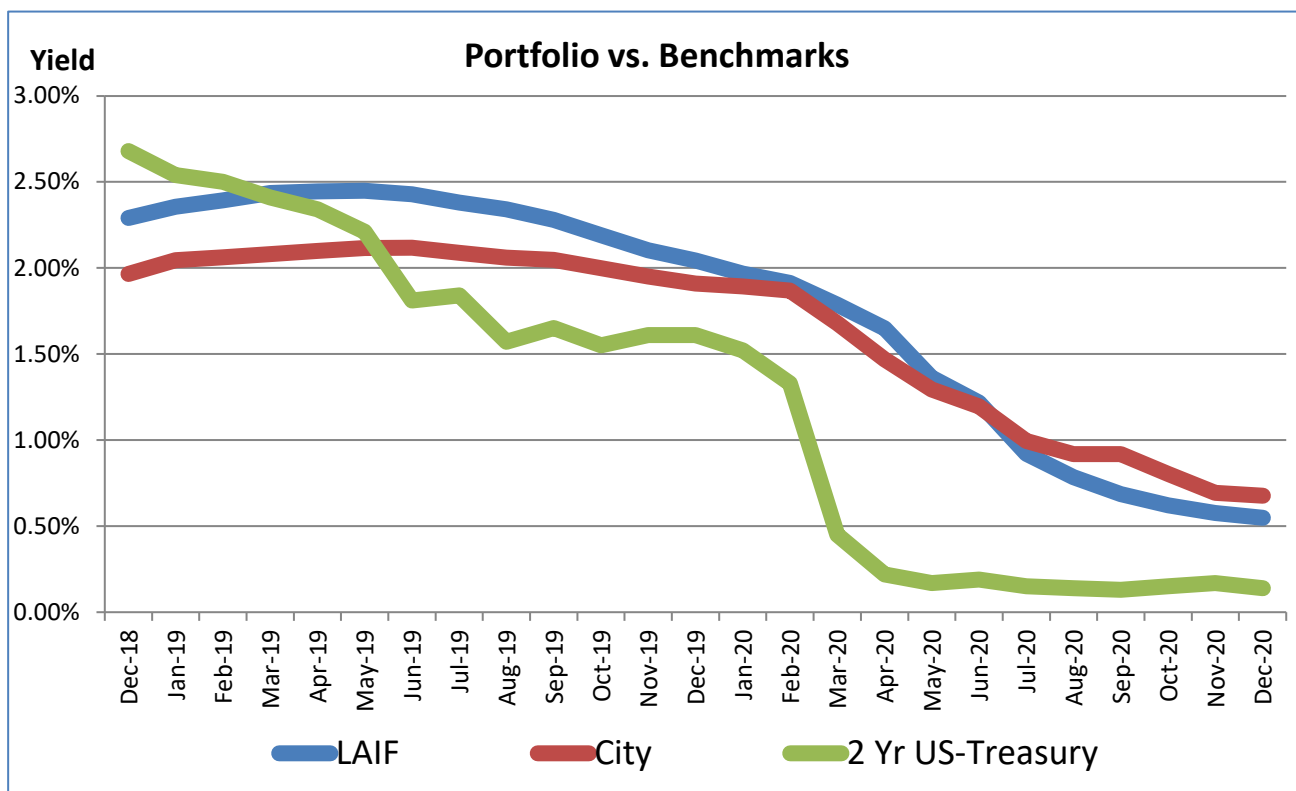
The following are the snapshots of City's investment portfolio as of December 31, 2020. The first chart shows the portfolio composition by investment type:



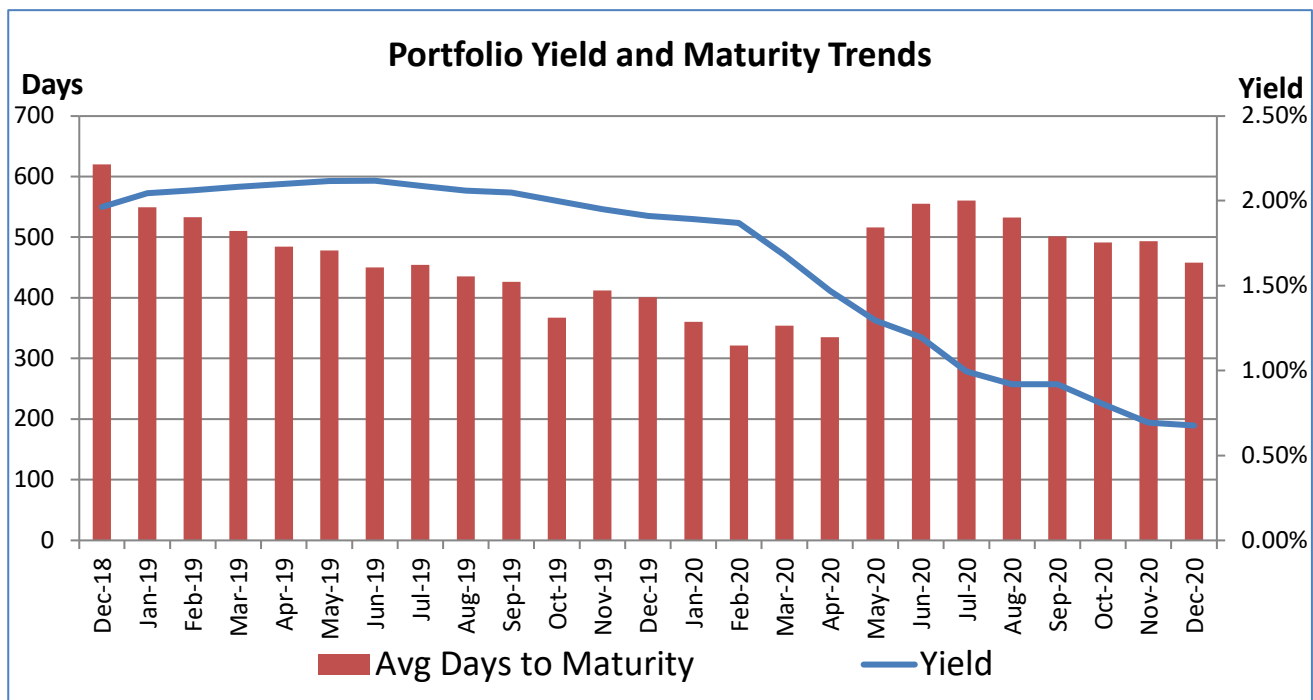
The chart below shows cash balances by fund type reconciled to City's financial system:



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



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





City of Morgan Hill
Investment Portfolio Detail
As of December 31, 2020

Investment Type	Settlement Date	Book Value	% of Portfolio	Market Value	YTM at Cost	Next Call Date	Date of Maturity
L A I F		\$ 94,970,226	62.14%	\$ 95,360,984	0.54%		
City Managed							
FNMA Bond	8/25/2016	4,000,000	2.62%	4,033,760	1.40%	2/25/2021	8/25/2021
Treasury Note	4/30/2018	4,384,431	3.28%	4,637,115	2.73%	3/31/2023	3/31/2023
FFCB Bond	3/17/2020	3,000,000	1.96%	3,004,140	1.13%	3/17/2021	3/17/2025
FFCB Bond	3/24/2020	2,000,000	1.31%	2,002,840	1.00%	3/24/2021	3/24/2023
FFCB Bond	3/25/2020	3,000,000	1.96%	3,003,900	1.20%	3/25/2021	3/25/2025
FFCB Bond	4/8/2020	2,000,000	1.31%	2,003,860	0.88%	4/8/2021	4/8/2024
FFCB Bond	5/27/2020	2,000,000	1.31%	2,002,840	0.73%	5/27/2021	5/27/2025
FHLMC Bond	6/3/2020	2,000,000	1.31%	2,000,220	0.60%	6/3/2021	12/3/2024
FHLMC Bond	10/20/2020	2,000,000	1.31%	2,004,920	0.60%	4/20/2021	10/20/2025
FHLMC Bond	10/27/2020	2,000,000	1.31%	1,994,720	0.63%	4/27/2021	10/27/2025
FHLMC Bond	11/2/2020	2,000,000	1.31%	2,000,800	0.32%	5/2/2021	11/2/2023
FFCB Bond	11/3/2020	2,000,000	1.31%	2,000,860	0.54%	5/3/2021	11/3/2025
FNMA Bond	11/18/2020	2,000,000	1.31%	2,010,580	0.65%	5/18/2021	11/18/2025
FHLMC Bond	11/24/2020	2,000,000	1.31%	2,006,220	0.64%	5/24/2021	11/24/2025
FFCB Bond	11/24/2020	1,000,000	0.65%	1,000,270	0.60%	5/24/2021	11/24/2025
FHLMC Bond	11/25/2020	3,000,000	1.96%	3,010,200	0.63%	5/25/2021	11/25/2025
FHLMC Bond	11/30/2020	2,000,000	1.31%	2,006,440	0.65%	5/26/2021	11/26/2025
FFCB Bond	12/22/2020	2,000,000	1.31%	2,000,720	0.47%	6/22/2021	12/22/2025
CD - Goldman Sachs Bank USA	5/13/2020	250,000	0.16%	251,460	0.50%	5/13/2021	5/13/2022
CD - Woori America Bank	5/13/2020	250,000	0.16%	250,238	0.30%	5/13/2021	5/13/2021
CD - Safra Nat'l Bank	5/14/2020	250,000	0.16%	250,285	0.35%	5/13/2021	5/13/2021
CD - State Bank of India	5/14/2020	250,000	0.16%	250,333	0.40%	5/14/2021	5/14/2021
CD - American Nat'l Bank	5/20/2020	250,000	0.16%	251,130	0.40%	1/20/2021	5/20/2022
Sub Total/Average		\$ 43,634,431	28.96%	\$ 43,977,850	0.98%		
Money Market		\$ 9,169,358	6.00%	\$ 9,169,358	0.03%		
Total City Managed/Average		\$ 147,774,014	97.10%	\$ 148,508,191	0.64%		
Bond Reserve Accounts - Held By Trustees		\$ 517,795	0.34%	\$ 517,795			
Cash/Deposits		\$ 1,157,285	0.76%	\$ 1,157,285			
PARS Trust		\$ 3,387,404	2.22%	\$ 4,235,063			
GRAND TOTAL/AVERAGE		\$ 152,836,497	100%	\$ 154,418,334			



CITY OF MORGAN HILL CASH AND INVESTMENT REPORT
FOR THE MONTH OF DECEMBER 31, 2020
FOR THE FISCAL YEAR OF 2020-21

	Invested in Fund	Yield	Book Value End of Month	% of Total	Market Value
Investments					
State Treasurer LAIF - City	All Funds Pooled	0.54%	\$ 74,970,226	49.05%	\$ 75,278,693
2015 Wastewater Rev Bonds - CIP	Wastewater Fund	0.54%	20,000,000	13.09%	20,082,291
Federal Issues	All Funds Pooled	0.87%	38,000,000	24.86%	38,087,290
US Treasury Notes	All Funds Pooled	2.73%	4,384,431	2.87%	4,637,115
Certificate of Deposits	All Funds Pooled	0.39%	1,250,000	0.82%	1,253,445
Dreyfus Treas Cash Management Acct	All Funds Pooled	0.03%	9,169,358	6.00%	9,169,358
	SUBTOTAL		\$ 147,774,014	96.69%	\$ 148,508,191
Bond Reserve Accounts - held by trustees					
Zions Bank - Civic Center/Library Facility	Debt Service	0.01%	5	0.00%	5
Blackrock Liq Fund	Debt Service	0.01%	6	0.00%	6
Zions Bank - MH Police Facility Lease Revenue Bonds	Debt Service	0.01%	6	0.00%	6
Blackrock Liq Fund	Debt Service	0.01%	6	0.00%	6
BNY - RDA Bonds	Successor Fund	0.00%	86	0.00%	86
Dreyfus Cash Mgmt 521	Successor Fund	0.00%	86	0.00%	86
Zions Bank - MH Ranch 2015	Agency Fund	0.01%	255,212	0.17%	255,212
Blackrock Liq Funds Fed Fund -DI -2015	Agency Fund	0.01%	255,212	0.17%	255,212
Zions Bank - Madrone Bus Park Taxable/ Tax Exempt 2015	Agency Fund	0.01%	255,212	0.17%	255,212
Blackrock Liquidity Temp Fund-2015	Agency Fund	0.01%	262,485	0.17%	262,485
	SUBTOTAL		517,795	0.34%	517,795
Other Cash/Deposits					
General Checking	All Funds		1,120,173	0.73%	1,120,173
Workers' Comp Administrators	Workers' Comp		30,000	0.02%	30,000
Petty Cash & Emergency Cash	General Fund		7,112	0.00%	7,112
PARS - OPEB Trust			2,187,404	1.43%	2,770,118 *
PARS - PENSION Trust			1,200,000	0.79%	1,464,945 *
	SUBTOTAL		4,544,689	2.97%	5,392,348
Total Cash and Investments			\$ 152,836,497	100.00%	\$ 154,418,334
* as of 11/30/2020					

CASH ACTIVITY SUMMARY
FY 2020-21

Fund Type	07/1/20 Balance	Change in Cash Balance	12/31/2020 Balance
General Fund	\$ 16,482,660	\$ (5,564,578)	\$ 10,918,082
Community Development	972,100	(241,505)	730,595
RDA Successor Agency (except Housing)	11,666,343	(11,666,343)	(0)
Housing Successor Agency/ CDBG	4,593,710	(257,485)	4,336,226
Water - Operations	3,747,502	1,983,395	5,730,897
Water Other	8,567,976	2,732,772	11,300,748
Sewer - Operations	3,220,859	(727,163)	2,493,696
Sewer Other	32,031,933	21,394,144	53,426,077
Other Special Revenue	5,770,282	1,639,819	7,410,101
Streets and Capital Projects (except RDA)	40,583,676	(3,293,032)	37,290,644
Debt Service	227,953	(87,503)	140,450
Internal Service	17,977,892	(822,947)	17,154,945
Agency Funds (assessment dists./refundable deposits)	3,260,978	(1,356,940)	1,904,037
Total	\$ 149,103,863	\$ 3,732,635	\$ 152,836,497

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

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

Prepared by: _____

Gina Nazareno, Senior Accountant

Approved by: _____

Reviewed by: _____

Dat Nguyen, Finance Director

Caitlin Robinett Jachimowicz, Treasurer



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
010 GENERAL FUND							
TAXES							
Property Tax - Secured/Unsecured	\$ 11,354,000	\$ 11,354,000	\$ 2,263,415	20%	\$ 2,194,099	\$ 69,316	3%
Property Tax - RPTTF Residual Distribution	2,144,000	2,144,000	-	n/a	-	-	n/a
Property Tax - Supplemental Roll	142,000	142,000	154,187	109%	59,961	94,225	157%
Sales Tax	8,027,793	8,027,793	2,524,227	31%	2,556,645	(32,417)	-1%
Public Safety Sales Tax	343,075	343,075	94,154	27%	124,095	(29,941)	-24%
Transient Occupancy Taxes	1,819,000	1,819,000	624,704	34%	1,141,835	(517,131)	-45%
Franchise (Refuse ,Cable ,PG&E)	2,351,000	2,351,000	481,204	20%	483,529	(2,325)	0%
Property Transfer Tax	436,000	436,000	279,304	64%	228,089	51,215	22%
TOTAL TAXES	26,616,868	26,616,868	6,421,195	24%	6,788,253	(367,058)	-5%
LICENSES/PERMITS							
Business License	154,500	154,500	128,465	83%	131,069	(2,604)	-2%
Other Permits	30,944	30,944	2,619	8%	5,421	(2,802)	-52%
TOTAL LICENSES/PERMITS	185,444	185,444	131,084	71%	136,490	(5,406)	-4%
FINES AND PENALTIES							
Parking Enforcement	8,000	8,000	1,728	22%	2,231	(503)	-23%
Bails & Fines	73,645	73,645	17,067	23%	22,676	(5,609)	-25%
Administrative Citations	10,079	10,079	9,803	97%	36,706	(26,903)	-73%
TOTAL FINES AND PENALTIES	91,724	91,724	28,598	31%	61,613	(33,015)	-54%
OTHER AGENCIES							
Motor Vehicle in-Lieu	25,392	25,392	6,286	25%	-	6,286	n/a
Other Revenue - Other Agencies	529,943	703,650	162,682	23%	186,682	(24,001)	-13%
TOTAL OTHER AGENCIES	555,335	729,042	168,968	23%	186,682	(17,715)	-9%
CHARGES CURRENT SERVICES							
Police False Alarm Charge	30,428	30,428	17,598	58%	10,577	7,022	66%
Business License Application Review	37,080	37,080	23,179	63%	21,510	1,669	8%
Membership Services & Rec Programs	5,068,448	5,068,448	1,348,769	27%	3,252,564	(1,903,795)	-59%
Facility Rentals	696,431	696,431	87,830	13%	502,407	(414,577)	-83%
Community Services	104,460	104,460	4,082	4%	26,528	(22,447)	-85%
General Administration Overhead	1,780,917	1,780,917	890,436	50%	895,710	(5,274)	-1%
Other Charges Current Services	914,668	914,668	239,516	26%	470,752	(231,236)	-49%
TOTAL CURRENT SERVICES	8,632,432	8,632,432	2,611,410	30%	5,180,048	(2,568,638)	-50%
OTHER REVENUE							
Use of money/property	816,362	816,362	187,184	23%	273,523	(86,339)	-32%
Other Revenues	249,858	249,858	285,247	114%	159,885	125,362	78%
TOTAL OTHER REVENUE	1,066,220	1,066,220	472,431	44%	433,408	39,023	9%
TRANSFERS IN							
One Time Transfer	225,000	225,000	102,492	46%	89,994	12,498	14%
Public Safety Facilities Fund	25,000	25,000	12,500	50%	92,415	(79,915)	-86%
Supplemental Law Enforcement Fund	100,000	100,000	50,000	50%	-	50,000	n/a
Fire Impact	-	-	-	n/a	25,000	(25,000)	-100%
Streets	699,706	699,706	312,673	45%	138,995	173,678	125%
Park Maintenance	650,000	650,000	325,002	50%	-	325,002	n/a
Police Impact	-	-	-	0%	12,498	(12,498)	-100%
Sewer Operations	354,437	354,437	177,216	50%	175,926	1,290	1%
Water Operations	354,437	354,437	177,216	50%	175,926	1,290	1%
Park Development	75,000	75,000	37,500	50%	37,500	-	n/a
TOTAL TRANSFERS IN	2,483,580	2,483,580	1,194,599	48%	748,253	446,346	60%
TOTAL GENERAL FUND	39,631,603	39,805,310	11,028,285	28%	13,534,749	(2,506,463)	-19%
SPECIAL REVENUE FUNDS							
202 STREET MAINTENANCE							
Gas Tax 2105 - 2107.5	698,292	698,292	312,673	45%	311,642	1,030	0%
Interest / Other Revenue/Other Charges	1,414	1,414	544	38%	1,052	(507)	-48%
202 STREET MAINTENANCE	699,706	699,706	313,217	45%	312,694	523	0%

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
SPECIAL REVENUE FUNDS							
205 SUPPLEMENTAL LAW ENFORCEMENT FUND							
Interest Income	842	842	553	66%	716	(162)	-23%
Police Grant/SLEF/JAG	100,000	100,000	81,727	82%	80,948	779	1%
205 SUPPLEMENTAL LAW ENFORCEMENT FUND	100,842	100,842	82,280	82%	81,664	617	1%
206 DEVELOPMENT SERVICES							
Building Fees	2,162,357	2,162,357	1,202,800	56%	1,651,161	(448,362)	-27%
Planning Fees	743,344	743,344	754,381	101%	662,762	91,619	14%
Engineering Fees	708,809	708,809	258,951	37%	108,659	150,292	138%
Other Revenue/Current Charges	1,133,225	1,133,225	65,150	6%	16,344	48,805	299%
206 DEVELOPMENT SERVICES	4,747,735	4,747,735	2,281,281	48%	2,438,927	(157,645)	-6%
207 LONG RANGE PLANNING	677,026	677,026	330,257	49%	373,975	(43,718)	-12%
215 and 216 HCD BLOCK GRANT							
Interest Income/Other Revenue	3,111	3,111	217	7%	477	(260)	-54%
215 and 216 HCD BLOCK GRANT	3,111	3,111	217	7%	477	(260)	-54%
225 ASSET SEIZURE	1,893	1,893	477	25%	16,849	(16,372)	-97%
229 LIGHTING AND LANDSCAPE	191,075	191,075	469	0%	1,259	(790)	-63%
230 COMMUNITY FACILITIES DISTRICT	1,216	1,216	256	21%	584	(327)	-56%
232 ENVIRONMENTAL PROGRAMS	446,843	446,843	248,069	56%	221,619	26,450	12%
234 MOBILE HOME PARK RENT STAB.	742	742	3,632	490%	6,055	(2,423)	-40%
235 SENIOR HOUSING	3,793	3,793	781	21%	1,716	(935)	-54%
236 HOUSING MITIGATION	2,248,764	2,248,764	1,285,121	57%	590,991	694,130	117%
237 BEGIN	-	-	514	n/a	-	514	n/a
238 CAL HOMES	-	-	80,964	n/a	-	80,964	n/a
240 EMPLOYEE ASSISTANCE	29,068	29,068	7,394	25%	9,471	(2,077)	-22%
247 ENVIRONMENT REMEDIATION	2,400	2,400	967	40%	1,637	(669)	-41%
250 COMH-SUCCESSOR AGENCY-MHRDA	7,112,060	7,112,060	2,262	0%	165,437	(163,175)	-99%
255 HOUSING SUCCESSOR AGENCY	213,057	213,057	280,817	132%	192,143	88,674	46%
TOTAL SPECIAL REVENUE FUNDS	16,479,332	16,479,332	4,918,976	30%	4,415,496	503,480	11%
CAPITAL PROJECTS FUNDS							
301 PARK DEVELOPMENT	2,384,665	2,384,665	1,213,369	51%	715,408	497,961	70%
302 PARK MAINTENANCE	359,071	359,071	50,671	14%	204,509	(153,838)	-75%
303 LOCAL DRAINAGE	1,693,351	1,693,351	711,738	42%	471,638	240,100	51%
304 LOCAL DRAINAGE/NON AB1600	80,333	130,122	5,651	4%	11,705	(6,053)	-52%
306 AGRICULTURE & OPEN SPACE PRESERVATION	178,958	178,958	115,364	64%	655,459	(540,095)	-82%
308 STREET CIP	2,571,010	2,571,010	811,727	32%	2,376,852	(1,565,125)	-66%
309 TRAFFIC IMPACT	16,415,755	16,415,755	852,176	5%	800,393	51,783	6%
311 POLICE IMPACT	-	-	187,219	n/a	131,609	55,610	42%
313 FIRE IMPACT	-	61,598	27,674	45%	72,842	(45,168)	-62%
315 PUBLIC SAFETY FACILITIES IMPACT	984,769	923,171	28,594	3%	-	28,594	n/a
346 PUBLIC FACILITIES NON-AB1600	611,297	611,297	417,549	68%	104,942	312,607	298%
347 PUBLIC FACILITIES IMPACT	336,106	336,106	105,291	31%	136,643	(31,352)	-23%
348 LIBRARY	946,889	946,889	446,929	47%	258,627	188,302	73%
350 UNDERGROUNDING	12,817	12,817	3,239	25%	6,467	(3,229)	-50%
355 SCHOOL PEDESTRIAN/TRAFFIC SAFETY	591,721	591,721	233,449	39%	20,431	213,018	1043%
360 COMMUNITY/REC IMPACT FUND	1,498,683	1,498,683	694,175	46%	455,803	238,372	52%
375 QUIMBY FEE	1,072,238	1,072,238	-	n/a	-	-	n/a
TOTAL CAPITAL PROJECTS FUNDS	29,737,663	29,787,452	5,904,816	20%	6,423,330	(518,514)	-8%
DEBT SERVICE FUNDS							
420 CIVIC CENTER DEBT	312,272	312,272	155,217	50%	150,805	4,412	3%
441 POLICE FACILITY BOND	384,252	384,252	292,371	76%	187,467	104,905	56%
TOTAL DEBT SERVICE FUNDS	696,524	696,524	447,588	64%	338,271	109,317	32%

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

FUND REVENUE SOURCE	ADOPTED BUDGET	AMENDED BUDGET	CURRENT YTD ACTUAL	% OF BUDGET	PRIOR YTD	INCR (DECR) FROM PRIOR YTD	% CHANGE
ENTERPRISE FUNDS							
640 SEWER OPERATION							
Sewer Service Fees	12,972,441	12,972,441	5,438,561	42%	4,675,595	762,966	16%
Interest Income/Transfers	36,691	36,691	13,049	36%	31,991	(18,942)	-59%
Other Revenue/Current Charges	267,694	267,694	123,068	46%	124,204	(1,135)	-1%
640 SEWER OPERATION	13,276,826	13,276,826	5,574,678	42%	4,831,790	742,888	15%
641 SEWER EXPANSION							
Interest Income	215,876	215,876	75,690	35%	147,789	(72,099)	-49%
Development Impact Fee	6,225,545	6,225,545	2,240,390	36%	2,695,978	(455,588)	-17%
641 SEWER EXPANSION	6,441,421	6,441,421	2,316,080	36%	2,843,767	(527,687)	-19%
642 SEWER RATE STABILIZATION	44,423	44,423	8,966	20%	19,703	(10,737)	-54%
643 SEWER-CAPITAL PROJECT	4,455,944	4,455,944	2,228,959	50%	1,470,879	758,081	52%
TOTAL SEWER FUNDS	24,218,614	24,218,614	10,128,684	42%	9,166,138	962,546	11%
650 WATER OPERATION							
Water Sales	14,525,500	14,525,500	7,055,740	49%	6,438,046	617,694	10%
Meter Install & Service	24,600	24,600	52,054	212%	7,754	44,300	571%
Transfers-In / Interest Income	521,171	521,171	231,864	44%	241,517	(9,653)	-4%
Other Revenue/Current Charges	572,081	572,081	434,546	76%	494,520	(59,974)	-12%
650 WATER OPERATION	15,643,352	15,643,352	7,774,204	50%	7,181,837	592,366	8%
651 WATER EXPANSION							
Interest Income/Other Revenue/Transfer	62,748	62,748	10,737	17%	19,385	(8,648)	-45%
Development Impact Fee	1,689,416	1,689,416	783,540	46%	660,168	123,372	19%
651 WATER EXPANSION	1,752,164	1,752,164	794,277	45%	679,554	114,724	17%
652 Water Rate Stabilization	65,904	65,904	31,051	47%	13,224	17,827	135%
653 Water Capital Project	4,863,152	4,863,152	2,438,977	50%	1,910,927	528,050	28%
TOTAL WATER FUNDS	22,324,572	22,324,572	11,038,509	49%	9,785,542	1,252,967	13%
TOTAL ENTERPRISE FUNDS	46,543,186	46,543,186	21,167,193	45%	18,951,680	2,215,513	12%
INTERNAL SERVICE FUNDS							
730 INFORMATION SYSTEMS	1,850,422	1,850,422	942,451	51%	905,015	37,436	4%
740 BUILDING MAINTENANCE	3,486,066	3,486,066	1,713,817	49%	1,608,898	104,920	7%
741 BUILDING REPLACEMENT	726,251	726,251	339,794	47%	397,373	(57,579)	-14%
745 CIP ADMINISTRATION	1,721,606	1,721,606	461,263	27%	761,274	(300,011)	-39%
760 UNEMPLOYMENT INSURANCE	102,463	102,463	50,310	49%	1,050	49,260	4690%
770 WORKERS COMPENSATION	876,368	876,368	364,034	42%	398,074	(34,040)	-9%
790 EQUIPMENT REPLACEMENT	1,084,748	1,084,748	692,451	64%	594,287	98,164	17%
791 EMPLOYEE BENEFITS	1,031,234	1,031,234	299,292	29%	395,079	(95,787)	-24%
795 GENERAL LIABILITY INSURANCE	877,248	877,248	431,573	49%	534,817	(103,243)	-19%
TOTAL INTERNAL SERVICE FUNDS	11,756,406	11,756,406	5,294,986	45%	5,595,867	(300,882)	-5%
TOTAL FOR ALL FUNDS	\$ 144,844,714	\$ 145,068,210	\$ 48,761,844	34%	\$ 49,259,393	\$ (497,549)	-1%



City of Morgan Hill
Year to Date Expenses - Fiscal Year 2020-21
For the Month and Six Months Ended December 31, 2020
50% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
010 GENERAL FUND								
I. ADMINISTRATION								
	CITY COUNCIL	\$ 39,712	\$ 348,053	\$ 178,599	\$ -	\$ 178,599	51%	\$ 2,211
	CITY ATTORNEY	67,536	717,004	328,363	91,712	420,075	59%	3,411
	CITY MANAGER	52,582	504,773	248,650	-	248,650	49%	2,211
	HUMAN RESOURCES	62,324	674,377	316,870	-	316,870	47%	3,411
	COUNCIL SVCS & RECORDS MGMT							
	Council Svcs & Records Mgmt	53,397	616,687	282,387	32,900	315,287	51%	2,211
	Elections	2,236	186,470	99,568	-	99,568	53%	1,111
	COUNCIL SVCS & RECORDS MGMT	55,633	803,157	381,955	32,900	414,855	52%	3,111
	FINANCE	149,773	1,585,931	706,480	13,000	719,480	45%	7,111
	TOTAL ADMINISTRATION	427,561	4,633,295	2,160,918	137,612	2,298,530	50%	2,211
II. COMMUNITY SERVICES								
	Membership Services & Rec. Programs	346,022	5,675,307	2,283,125	812,970	3,096,095	55%	3,111
	Recreation Facility Rentals	82,310	1,236,339	478,485	-	478,485	39%	6,111
	Community Services	43,891	609,834	216,174	75,409	291,583	48%	3,111
	Park Maintenance	124,737	1,103,136	501,476	97,750	599,226	54%	-
	Environmental Services	21,039	314,680	97,082	-	97,082	31%	1,111
	Street Maintenance	221,562	2,411,237	1,015,428	184,294	1,199,722	50%	9,111
	Downtown Maintenance	15,511	271,270	86,597	50,776	137,373	51%	1,111
	Cable Television	2,347	23,156	10,881	-	10,881	47%	-
	COMMUNITY SERVICES	857,419	11,644,959	4,689,247	1,221,199	5,910,446	51%	5,311
	CODE COMPLIANCE	17,312	160,479	78,344	-	78,344	49%	1,111
	INFRASTRUCTURE PLANNING & CONGESTION MGMT	32,631	335,902	149,764	-	149,764	45%	1,111
	ECONOMIC DEVELOPMENT PROGRAMS	54,407	653,527	326,864	55,661	382,524	59%	3,111
	TOTAL COMMUNITY SERVICES	961,770	12,794,868	5,244,218	1,276,860	6,521,078	51%	5,811
III. PUBLIC SAFETY								
	POLICE							
	PD Administration	132,853	1,373,018	813,858	52,124	865,982	63%	6,111
	Field Operations	773,511	8,709,877	4,037,292	108,306	4,145,599	48%	4,211
	Support Services	208,830	2,370,491	1,093,101	14,000	1,107,101	47%	1,111
	Emergency Services/Haz Mat	19,437	194,391	88,057	-	88,057	45%	1,111
	Special Operations	307,078	3,452,365	1,469,162	5,203	1,474,365	43%	1,211
	Dispatch Services	163,800	1,790,831	790,506	-	790,506	44%	8,111
	POLICE	1,605,509	17,890,973	8,291,976	179,633	8,471,609	47%	8,211
	FIRE	521,921	7,162,540	3,493,997	28,873	3,522,870	49%	3,511
	TOTAL PUBLIC SAFETY	2,127,430	25,053,513	11,785,973	208,506	11,994,479	48%	11,711
IV. TRANSFERS								
	Other	130,207	1,834,702	285,582	-	285,582	16%	9,111
	TOTAL TRANSFERS	130,207	1,834,702	285,582	-	285,582	16%	9,111
	TOTAL GENERAL FUND	3,646,968	44,316,377	19,476,690	1,622,978	21,099,669	48%	20,711

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and



City of Morgan Hill
 Year to Date Expenses - Fiscal Year 2020-21
 For the Month and Six Months Ended December 31, 2020
 50% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
SPECIAL REVENUE FUNDS								
202	STREET MAINTENANCE	352	703,934	314,785	-	314,785	45%	1,000
205	PUBLIC SAFETY/SUPP.LAW	589	107,069	3,534	-	3,534	3%	1,000
206	DEVELOPMENT SERVICES FUND							
	Planning	171,095	1,590,704	763,941	59,159	823,099	52%	1,000
	Building	194,447	2,114,110	982,284	17,970	1,000,254	47%	1,000
	Engineering	98,821	1,161,439	595,887	365,487	961,374	83%	600
206	DEVELOPMENT SERVICES FUND	464,363	4,866,253	2,342,111	442,616	2,784,727	57%	2,700
207	LONG RANGE PLANNING	118,028	1,523,735	491,615	292,803	784,417	51%	2,700
215/216	CDBG	447	5,365	2,682	-	2,682	50%	1,000
225	ASSET SEIZURE	-	60,024	-	-	-	-	-
229	LIGHTING AND LANDSCAPE	13,263	168,662	71,584	17,663	89,247	53%	1,000
230	COMMUNITY FACILITIES DISTRICT	2,597	36,418	13,100	-	13,100	36%	1,000
232	ENVIRONMENT PROGRAMS	49,205	420,519	193,659	22,171	215,830	51%	2,700
234	MOBILE HOME PARK	37	438	222	-	222	51%	1,000
236	HOUSING MITIGATION	62,529	2,494,568	190,400	138,914	329,314	13%	600
237	BEGIN	-	-	-	-	-	n/a	-
240	EMPLOYEE ASSISTANCE	2,084	28,506	8,048	-	8,048	28%	1,000
247	ENVIRONMENTAL REMEDIATION	-	-	1,683	-	1,683	n/a	1,000
250	COMH-SUCCESSOR AGENCY-MHRDA	4	6,936,625	4,161,708	-	4,161,708	60%	4,100
255	HOUSING SUCCESSOR AGENCY	135,712	994,782	529,659	254,167	783,826	79%	4,100
TOTAL SPECIAL REVENUE FUNDS		849,211	18,346,897	8,324,791	1,168,333	9,493,124	52%	8,800
CAPITAL PROJECT FUNDS								
301	PARK DEVELOPMENT	249,556	10,956,438	2,601,182	4,197,595	6,798,777	62%	1,600
302	PARK MAINTENANCE	41,677	748,230	325,002	25,014	350,016	47%	500
303	LOCAL DRAINAGE	63,116	7,233,369	239,118	43,520	282,638	4%	1,000
304	LOCAL DRAIN. NON-AB1600	58,318	847,644	142,676	58,700	201,375	24%	1,000
306	AGRICULTURE & OPEN SPACE PRESERVATION	2,228	132,691	13,368	35,956	49,324	37%	3,100
308	STREET CIP	1,596,714	6,132,529	2,563,803	962,031	3,525,834	57%	3,500
309	TRAFFIC IMPACT	459,971	32,689,024	1,153,575	28,077	1,181,653	4%	500
311	POLICE IMPACT	-	-	-	-	-	n/a	1,000
313	FIRE IMPACT	-	113,293	-	-	-	n/a	1,000
315	PUBLIC SAFETY FACILITIES IMPACT	19,525	231,008	117,150	-	117,150	51%	-
346	PUBLIC FAC.NON AB1600	632	330,590	142,860	42,975	185,835	56%	1,000
347	PUBLIC FACILITIES IMPACT	2,273	38,692	30,623	-	30,623	79%	1,000
348	LIBRARY IMPACT	18,407	1,732,111	569,022	129,754	698,776	40%	500
350	UNDERGROUNDING	92	1,107	552	-	552	50%	1,000
355	SCHOOL PEDESTRIAN & TRAFFIC SAFETY	502,245	1,995,044	948,873	103,347	1,052,220	53%	2,700
360	COMM/REC CENTER IMPACT	13,558	1,954,607	1,263,383	661,778	1,925,161	98%	3,100
375	QUIMBY FEE	-	100,000	-	-	-	n/a	-
TOTAL CAPITAL PROJECTS FUNDS		3,028,311	65,236,375	10,111,187	6,288,748	16,399,934	25%	11,200
DEBT SERVICE FUNDS								
420	CIVIC CENTER DEBT	1,635	307,813	231,304	-	231,304	75%	2,700
441	POLICE FACILITY BOND DEBT	1,309	388,040	304,854	-	304,854	79%	3,100
TOTAL DEBT SERVICE FUNDS		2,944	695,853	536,158	-	536,158	77%	5,800

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City of Morgan Hill
 Year to Date Expenses - Fiscal Year 2020-21
 For the Month and Six Months Ended December 31, 2020
 50% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRICE YTD
ENTERPRISE FUNDS								
SEWER								
640	SEWER OPERATIONS	1,301,189	13,319,581	6,344,487	178,399	6,522,886	49%	5,143
641	SEWER CAPITAL EXPANSION	48,741	7,487,155	324,264	694,140	1,018,404	14%	51,000
642	SEWER RATE STABILIZATION	93	1,111	558	-	558	50%	1,000
643	SEWER-CAPITAL PROJECTS	18,704	18,341,671	2,109,414	2,203,025	4,312,439	24%	2,800
TOTAL SEWER FUND(S)		1,368,727	39,149,519	8,778,723	3,075,563	11,854,286	30%	8,553
WATER								
	Water Operations	1,220,675	14,583,410	6,689,516	1,111,488	7,801,004	53%	6,800
	Utility Billing	81,470	863,064	408,705	28,692	437,397	51%	38,000
	Water Conservation	5,823	153,047	32,703	47,107	79,810	52%	1,000
650	WATER OPERATIONS	1,307,968	15,599,521	7,130,924	1,187,287	8,318,211	53%	7,200
651	WATER CAPITAL EXPANSION	77,934	1,027,523	310,545	187,307	497,851	48%	7,000
652	WATER RATE STABILIZATION	30	362	180	-	180	50%	1,000
653	WATER-CAPITAL PROJECTS	1,955	3,865,574	121,998	84,896	206,894	5%	3,000
TOTAL WATER FUND(S)		1,387,886	20,492,981	7,563,647	1,459,489	9,023,136	44%	8,400
TOTAL ENTERPRISE FUNDS		2,756,613	59,642,500	16,342,370	4,535,052	20,877,422	35%	16,953
INTERNAL SERVICE FUNDS								
730	INFORMATION SYSTEMS	140,779	2,240,628	888,320	253,404	1,141,724	51%	8,000
740	BUILDING MAINTENANCE	219,083	3,450,173	1,146,870	206,127	1,352,998	39%	1,400
741	BUILDING REPLACEMENT	14,861	457,000	45,239	601	45,840	10%	1,000
745	CIP ADMINISTRATION	168,349	1,655,366	788,644	7,736	796,380	48%	7,000
760	UNEMPLOYMENT	-	75,000	(7,688)	-	(7,688)	-10%	3,000
770	WORKERS COMPENSATION	23,364	860,729	482,358	-	482,358	56%	7,000
790	EQUIPMENT REPLACEMENT	410,488	1,863,653	682,663	683,076	1,365,739	73%	1,000
791	EMPLOYEE BENEFITS FUND	210,236	625,000	295,244	-	295,244	47%	3,000
795	GEN. LIABILITY INSURANCE	20,004	1,457,651	1,192,755	-	1,192,755	82%	8,000
TOTAL INTERNAL SERVICE FUNDS		1,207,165	12,685,200	5,514,405	1,150,943	6,665,349	53%	5,200
REPORT TOTAL		\$ 11,491,213	\$ 200,923,203	\$ 60,305,601	\$ 14,766,055	\$ 75,071,656	37%	\$ 63,553

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and

		 City of Morgan Hill Fund Activity Summary - Fiscal Year 2020-21 For The Six Months Ended December 31, 2020 50% of Year Complete							
Fund No.	Fund	Fund Balance 06-30-20	Revenues		Expenses		Year to-Date Deficit or Carryover	Ending Fund Balance	
			YTD Actual	% of Budget	YTD Actual	% of Budget		Reserved ¹	Unreserved
010	GENERAL FUND	\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
TOTAL GENERAL FUND		\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
202	STREET MAINTENANCE	34,027	\$ 313,217	45%	\$ 314,785	46%	\$ (1,568)	\$ -	\$ 32,459
205	PUBLIC SAFETY/SUPPL. LAW	144,643	82,280	82%	3,534	51%	78,746	-	223,389
206	DEVELOPMENT SERVICES	(24,043)	2,281,281	48%	2,342,111	48%	(60,830)	442,616	(527,489)
207	LONG RANGE PLANNING	1,250,193	330,257	49%	491,615	32%	(161,358)	292,803	796,033
215 / 216	CDBG	52,922	217	7%	2,682	50%	(2,465)	-	50,457
225	ASSET SEIZURE	142,239	477	25%	-	n/a	477	-	142,716
229	LIGHTING AND LANDSCAPE	163,636	469	0%	71,584	42%	(71,115)	17,663	74,858
230	COMMUNITY FACILITIES DISTRICT	126,360	256	21%	13,100	36%	(12,844)	-	113,516
232	ENVIRONMENTAL PROGRAMS	162,637	248,069	56%	193,659	46%	54,410	22,171	194,876
234	MOBILE HOME PK RENT STAB.	58,766	3,632	490%	222	51%	3,410	-	62,176
235	SENIOR HOUSING	232,360	781	21%	-	n/a	781	-	233,141
236	HOUSING MITIGATION	3,702,291	1,285,121	57%	190,400	8%	1,094,720	138,914	4,658,097
237	BEGIN	-	514	n/a	-	n/a	514	-	514
240	EMPLOYEE ASSISTANCE	63,113	7,394	25%	8,048	28%	(654)	-	62,459
247	ENVIRONMENT REMEDIATION	136,785	967	40%	1,683	n/a	(716)	-	136,069
250	COMH-SUCCESSOR AGENCY-MHRDA	3,808,617	2,262	0%	4,161,708	60%	(4,159,446)	-	(350,829)
255	HOUSING SUCCESSOR AGENCY	4,538,622	280,817	132%	529,659	53%	(248,842)	254,167	4,035,613
260	PUBLIC ART	185	-	n/a	-	-	-	-	185
TOTAL SPECIAL REVENUE FUNDS		\$ 14,593,353	\$ 4,838,013	30%	\$ 8,324,791	45%	\$ (3,486,778)	\$ 1,168,333	\$ 9,938,241
301	PARK DEV. IMPACT FUND	\$ 3,569,152	\$ 1,213,369	51%	\$ 2,601,182	24%	\$ (1,387,813)	\$ 4,197,595	\$ (2,016,256)
302	PARK MAINTENANCE	3,411,843	50,671	14%	325,002	43%	(274,331)	25,014	3,112,498
303	LOCAL DRAINAGE	12,765,782	711,738	42%	239,118	3%	472,620	43,520	13,194,882
304	LOCAL DRAINAGE/NON-AB1600	1,445,963	5,651	4%	142,676	17%	(137,024)	58,700	1,250,239
306	AGRICULTURE AND OPEN SPACE PRESERV	6,620,492	115,364	64%	13,368	10%	101,996	35,956	6,686,532
308	STREET CIP	3,866,352	811,727	32%	2,563,803	42%	(1,752,076)	962,031	1,152,245
309	TRAFFIC IMPACT FUND	(430,089)	852,176	5%	1,153,575	4%	(301,399)	28,077	(759,566)
311	POLICE IMPACT FUND	-	187,219	n/a	-	n/a	187,219	-	187,219
313	FIRE IMPACT FUND	-	27,674	45%	-	n/a	27,674	-	27,674
315	PUBLIC SAFETY FACILITIES IMPACT	3,452,398	28,594	3%	117,150	51%	(88,556)	-	3,363,842
346	PUBLIC FACILITIES NON-AB1600	392,026	417,549	68%	142,860	43%	274,689	42,975	623,740
347	PUBLIC FACILITIES IMPACT FUND	839,822	105,291	31%	30,623	79%	74,668	-	914,490
348	LIBRARY IMPACT FUND	1,680,413	446,929	47%	569,022	33%	(122,093)	129,754	1,428,566
350	UNDERGROUNDING	966,109	3,239	25%	552	50%	2,687	-	968,796
355	SCHOOL PEDESTRIAN/TRAFFIC SFTY	1,076,228	233,449	39%	948,873	48%	(715,424)	103,347	257,457
360	COMM/REC CTR IMPACT FUND	2,050,691	694,175	46%	1,263,383	65%	(569,208)	661,778	819,705
TOTAL CAPITAL PROJECT FUNDS		\$ 41,707,182	\$ 5,904,816	20%	\$ 10,111,187	15%	\$ (4,206,371)	\$ 6,288,748	\$ 31,212,063
420	CIVIC CENTER DEBT	\$ 154,609	\$ 155,217	50%	\$ 231,304	75%	\$ (76,087)	\$ -	\$ 78,522
441	POLICE FACILITY BOND DEBT	74,409	292,371	76%	304,854	79%	(12,482)	5	61,922
TOTAL DEBT SERVICE FUNDS		\$ 229,018	\$ 447,588	64%	\$ 536,158	77%	\$ (88,570)	\$ 5	\$ 140,443

City of Morgan Hill
Fund Activity Summary - Fiscal Year 2020-21
For The Six Months Ended December 31, 2020
50% of Year Complete

Fund No.	Fund	Fund Balance 06-30-20	Revenues		Expenses		Year to-Date Deficit or Carryover	Ending Fund Balance	
			YTD Actual	% of Budget	YTD Actual	% of Budget		Reserved ¹	Unreserved
640	SEWER OPERATIONS	\$ 3,165,292	\$ 5,574,678	42%	\$ 6,344,487	48%	\$ (769,809)	178,399	2,217,085
641	SEWER IMPACT FUND*	21,717,172	2,316,080	36%	324,264	4%	1,991,816	694,140	23,014,848
642	SEWER RATE STABILIZATION	2,667,854	8,966	20%	558	50%	8,408	-	2,676,262
643	SEWER-CAPITAL PROJECTS	9,246,526	2,228,959	50%	2,109,414	12%	119,546	2,203,025	7,163,047
650	WATER OPERATIONS	3,878,448	7,774,204	50%	7,130,924	46%	643,279	1,187,287	3,334,441
651	WATER IMPACT FUND*	2,780,694	794,277	45%	310,545	30%	483,733	187,307	3,077,120
652	WATER RATE STABILIZATION	2,790,499	31,051	47%	180	50%	30,871	-	2,821,370
653	WATER -CAPITAL PROJECT	4,226,388	2,438,977	50%	121,998	3%	2,316,979	84,896	6,458,471
TOTAL ENTERPRISE FUNDS		\$ 50,472,873	\$ 21,167,193	45%	\$ 16,342,370	27%	\$ 4,824,823	\$ 4,535,052	\$ 50,762,644
730	INFORMATION SERVICES	\$ 686,637	\$ 942,451	51%	\$ 888,320	40%	\$ 54,130	\$ 253,404	\$ 487,364
740	BUILDING MAINTENANCE	415,856	1,713,817	49%	1,146,870	33%	566,947	206,127	776,676
741	BUILDING REPLACEMENT	3,042,909	339,794	47%	45,239	10%	294,555	601	3,336,863
745	CIP ENGINEERING	(108,085)	461,263	27%	788,644	48%	(327,382)	7,736	(443,202)
760	UNEMPLOYMENT	131,342	50,310	49%	(7,688)	-10%	57,998	-	189,340
770	WORKERS COMPENSATION	2,026,064	364,034	42%	482,358	56%	(118,324)	-	1,907,740
790	EQUIPMENT REPLACEMENT	5,816,846	692,451	64%	682,663	37%	9,789	713,076	5,113,559
791	EMPLOYEE BENEFITS FUNDS	6,548	299,292	29%	295,244	47%	4,048	-	10,596
795	GEN. LIABILITY INSURANCE	1,463,809	431,573	49%	1,192,755	82%	(761,182)	-	702,627
TOTAL INTERNAL SERVICE FUNDS		\$ 13,481,926	\$ 5,294,986	45%	\$ 5,514,405	43%	\$ (219,420)	\$ 1,180,943	\$ 12,081,563
SUMMARY BY FUND TYPE									
GENERAL FUND GROUP		\$ 19,175,235	\$ 11,028,285	28%	\$ 19,476,690	44%	\$ (8,448,405)	\$ 1,622,978	\$ 9,103,852
SPECIAL REVENUE GROUP		14,593,353	4,838,013	30%	8,324,791	45%	(3,486,778)	1,168,333	9,938,241
DEBT SERVICE GROUP		229,018	447,588	64%	536,158	77%	(88,570)	5	140,443
CAPITAL PROJECTS GROUP		41,707,182	5,904,816	20%	10,111,187	15%	(4,206,371)	6,288,748	31,212,063
ENTERPRISE GROUP		50,472,873	21,167,193	45%	16,342,370	27%	4,824,823	4,535,052	50,762,644
INTERNAL SERVICE GROUP		13,481,926	5,294,986	45%	5,514,405	43%	(219,420)	1,180,943	12,081,563
TOTAL ALL GROUPS		\$ 139,659,587	\$ 48,680,881	34%	\$ 60,305,601	30%	\$ (11,624,721)	\$ 14,796,059	\$ 113,238,807

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

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

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

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

City Manager's Signature Authority**Contracts and Agreements Between \$25,000 to \$60,000 Entered Since 10/3/2020 to 1/6/2021**

Vendor Name	Description of Service	Begin Date	End Date	Department	Amount
West Valley Community Services	MOU - RYDE - Reach your Destination Easily Senior Transportation Program	11/1/2020	6/30/2021	E&U	\$30,000
DocuSign, inc.	eSignature Business Pro for Gov and Premier Support	11/25/2020	10/29/2022	CC	\$41,400
Battalion One Fire Protection, Inc.	Fire Protection Sprinkler Inspection, Testing and Maintenance	12/8/2020	12/31/2022	Fire	\$42,210
Ruggeri-Jensen-Azar	Hale Ave-Dewitt ave/Spring Ave Intersection and Traffic Signal Design	12/30/2020	12/31/2021	E&U	\$41,700
Hannah-Brunetti	Design Services for the Fish Basin Capacity Expansion Project	10/6/2020	12/31/2021	E&U	\$41,575

Attachment: December 2020 Financial and Investment Report [Revision 5] (2971 : Monthly Budget Update and December 2020 Financial and



CITY COUNCIL STAFF REPORT

MEETING DATE: January 20, 2021

PREPARED BY: Michelle Bigelow, City Clerk
APPROVED BY: City Manager

REVIEW AND APPROVE CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

RECOMMENDATION(S)

1. Review, discuss, and approve the City Council appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

COUNCIL PRIORITIES, GOALS & STRATEGIES

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

Community Engagement and Messaging
Economic Development
Fiscal Sustainability
Infrastructure
Regional Initiatives
Affordable Housing and Homelessness
Transportation

REPORT NARRATIVE:

The City Council is committed to actively participating in regional committees and agencies as an important way to influence decisions that benefit Morgan Hill. The City Council is being asked to review, discuss, and make appointments to the outside agencies. The Appointments to Outside Agencies chart only includes appointments made by the City Council to outside agencies. It does not include appointments made by other agencies or organizations. The Mayor will make appointments, subject to Council approval.

Once the appointments are made, the City is required to post the Fair Political Practices Commission (FPPC) Form 806 on its website. The Form 806 lists all the paid appointed positions to which an official can vote on the City's website including those assignments that do not receive a stipend. Staff requests that Council Members notify the City Clerk's

Office immediately when new assignments are made and when there is compensation of \$250.00 or more in a 12-month period.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community of the City Council appointments to outside agencies.

ALTERNATIVE ACTIONS:

Not applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council reviews and confirms the assignments to outside agencies annually.

FISCAL AND RESOURCE IMPACT:

The time necessary to prepare and present this staff report is accommodated in the Council Services & Records Management Operating Budget. The level of City Council and staff resources necessary to actively participate in each outside assignment varies with some requiring a significant amount of time.

CEQA (California Environmental Quality Act):

The preparation of the City Council assignments to outside agencies is an administrative task and as such, is not a project.

LINKS/ATTACHMENTS:

1. DRAFT Council Member Assignments to Committees 2021

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Countywide	<u>Santa Clara County Library District Joint Powers Authority</u> 1370 Dell Avenue Campbell, CA 95008 Cynthia Rios Garcia, Secretary CRiosGarcia@sccl.org (408) 293-2326, ext. 3090 https://www.sccl.org/About/Governance/JPA-Board-Meetings Tracy Ellenberger, Executive Assistant tellenberger@sccl.org 408-293-2326 x3093	Provide policy direction and governance for the Santa Clara County Library District. Cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Milpitas, Monte Sereno, Morgan Hill & Saratoga.	Meets 4 times per year typically on the 4th Thursday of month; 12:00 pm 1370 Dell Avenue Campbell, CA 95008	(P) Constantine (A) _____	
Environmental	<u>Santa Clara Valley Habitat Agency Governing Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Serves as governing body for JPA and makes all decisions except those delegated to the Implementation Board Staff.	Quarterly, 3rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Avenue	(P) Spring (P) Martinez Beltran (A) McKay (A) _____	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Environmental	<u>Santa Clara Valley Habitat Agency Implementation Board</u> 535 Alkire Avenue, Suite 100 Morgan Hill, CA 95037 Ed Sullivan, Executive Officer Edmund.sullivan@scv-habitatagency.org (408) 779-7261 https://scv-habitatagency.org/31/Governance-Policies	Makes recommendations to the Governing Board regarding fees and budget, appoints executive officers and hiring of other agency personnel, services, and equipment, makes decision regarding real property acquisition and makes recommendations to the executive officers regarding grants and other funding.	Bi-Monthly, 3 rd Thursday 3:00 pm - 5:00 pm Morgan Hill City Council Chamber 17555 Peak Avenue	(P) Spring (A) Martinez Beltran (A) McKay (P) Carman (A) Ramirez	
Environmental	<u>Silicon Valley Clean Energy Authority</u> 333 W. El Camino Real, Suite 290 Sunnyvale, CA 94087 Andrea Pizano andreap@svcleanenergy.org (408) 721-5301 x.1005 https://www.svcleanenergy.org/board	The JPA created to collectively study, promote, develop, conduct, operate, and manage energy supply and efficiency programs related to the provision of clean power. Recommended two year assignment per SVCE	2 nd Wednesday of the month 7:00 pm Cupertino City Hall 10350 Torre Ave	(P) Martinez Beltran (A) Eulo	

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Flood Control	<u>Pajaro River Watershed Flood Prevention Authority</u> PO Box 809 Marina, CA 93933 Ana Flores Regional Analysis & Planning Services aflores@ambaq.org (831)883-3750 ext. 300 http://www.pajaroriverwatershed.org	Identify, evaluate, fund, and implement environmentally sound flood prevention and control strategies in the Pajaro River Watershed, on an intergovernmental, cooperative basis as required by the Pajaro River Watershed Flood Prevention Authority Act.	Meet bi-monthly 1st Friday 9:00 am Meeting locations alternate between the Cities of Gilroy, Hollister, Salinas & Watsonville	(P) Spring/_____ (non-voting member)	Chris Ghione, Public Service Director
Flood Control	<u>Santa Clara Valley Water District Elected Officials Quarterly Meeting (Llagas Creek PL 566)</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Michelle King, Clerk of the Board board@valleywater.org (408) 265-2600	Specifically address Llagas Creek flooding and Anderson Dam Retrofit Project.	Quarterly on Fridays 10:00 am Morgan Hill City Hall, Grand Conference Room 17575 Peak Ave	(P) Spring (P) _____ (A) Martinez Beltran	Chris Ghione, Public Service Director

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Housing	<u>Santa Clara County Housing & Community Development Advisory Committee (HCDAC)</u> Office of Supportive Housing 3180 Newberry Drive, Ste 150 San Jose, CA 95118 Alejandra Herrera Chavez, Program Manager I Alejandra.herrera@hhs.sccgov.org (408) 278-6414	The role of the HCD Advisory Committee is to be the policy-recommending body to the Board of Supervisors on the planning, implementation, monitoring, and evaluation of the Urban County HCD Program. The Committee guides the development of a coordinated housing and community development plan and hears project proposals, reviews staff recommendations, and makes recommendations to the Board of Supervisors for final approval and forwarding to HUD.	As needed 70 West Hedding Street, 1 st Floor Board Chambers	(P) McKay (A) Martinez Beltran	Rebecca Garcia, Housing Manager
Land Use/ Transportation	<u>South County Joint Planning Advisory Committee</u> Santa Clara Co. Planning Office 70 W. Hedding, E Wing, 7 th Floor San José, CA 95110	Cities of Gilroy & Morgan Hill, County of Santa Clara and unincorporated area of San Martin addressing issues re: land use planning of regional significance. Staff coordination rotates between the three sponsoring organizations, Gilroy, Morgan Hill, and Santa Clara County.	As-needed	(P) _____ (A) McKay Joseph Mueller, Planning Commissioner Dennis Delisle, Citizen Representative _____, Citizen Representative	Jennifer Carman, Community Development Director Rob Eastwood, County of Santa Clara _____ City of Gilroy

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>City-School Liaison Committee</u> Morgan Hill Unified School District; 15600 Concord Circle or City of Morgan Hill 17575 Peak Avenue Morgan Hill, CA 95037-4128 Kelly Shriefer, Secretary to the Superintendent, MHUSD shrieferk@mhusd.org (408) 201-6001 Michelle Bigelow, City Clerk Michelle.bigelow@morganhill.ca.gov (408) 310-4678 http://mhusd.org/board-of-education/cityschool-liaison-committee/	To facilitate communication between the City and School District on issues of common concern.	Every other month, typically on Fridays 8:30 am Meetings alternate between the City of Morgan Hill, City Hall 17575 Peak Ave and the Morgan Hill Unified School District Office 15600 Concord Cir	(P1) Constantine (P2) _____ (A1) Martinez Beltran (A2) McKay	Christina Turner, City Manager Shane Palsgrove, Police Chief Chris Ghione, Public Service Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Local Partnership	<u>South County United for Health Leadership Team</u> County of Santa Clara, Public Health Department Active and Safe Communities Sobrato Center for Nonprofits 1400 Parkmoor Avenue, Suite 120 B San Jose, CA 95126 Alice Kawaguchi, MPH, RD Health Care Program Manager II Alice.Kawaguchi@PHD.sccgov.org (408) 793-2733	South County United for Health is a collaborative effort to create healthier communities where people live, work, learn and play in the cities of Morgan Hill, Gilroy, San Martin, and parts of unincorporated Santa Clara County, also known as South County.	Meets quarterly on Thursdays 10:00 am to noon Morgan Hill Community & Cultural Center 17000 Monterrey Road February 7, 2019 April 4, 2019 August 1, 2019 October 3, 2019	(P) Spring (A) Constantine	
Regional Government	<u>ABAG</u> 375 Beale Street San Francisco Fred Castro, Clerk of the Board fcastro@bayareametro.gov (415) 820-7913 https://abag.ca.gov/overview/ga.html	Council of governments representing Cities & Counties in the Bay Area; a comprehensive planning agency addressing regional social, environmental, and economic issues.	Meets annually, usually in April Location varies (Oakland or San Francisco)	(P) Martinez Beltran (A) McKay	(P) (A) Jennifer Carman, Community Development Director

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CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>Cities Association of Santa Clara County Board</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordon, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	Promotes cooperation, represents the mutual interest, and presents a unified voice for the fifteen cities of Santa Clara County; each city in Santa Clara County appoints the Mayor or a Council Member to the Board of Directors; advocates for positive action to enhance the quality of life for the people of our county.	Monthly 2nd Thursday 7:00 pm 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	None, unless Morgan Hill serves as President, the City Manager
Regional Government	<u>Cities Association of Santa Clara County Board City Selection Committee</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordan, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	The committee makes recommendations on appointments to regional and countywide organizations.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	
Regional Government	<u>Cities Association of Santa Clara County Board Legislative Action Committee</u> PO Box 1079 Los Gatos, CA 95031 Andi Jordan, Executive Director andi@citiesassociation.org (408) 766-9534 http://citiesassociation.org/about-us.php	The committee provides basic legislative updates to cities with little or no legislative staff, organizes emergency responses to urgent issues, and enables the Cities Association to advocate on issues of mutual interest.	Meets as needed before the Cities Association Board Meeting 456 W. Olive Ave Sunnyvale	(P) Constantine (A) McKay Mayor Pro Tem is the Alternate	

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CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Regional Government	<u>League of California Cities Peninsula Division</u> Seth Miller P.O. Box 5630 San Francisco, CA 94080 sethl_miller@yahoo.com (415) 595-8629 http://www.cacities.org/Member-Engagement/Regional-Divisions/Peninsula	Comprised of the 36 cities from San Francisco to Gilroy, division members work together to enhance the quality of life in our communities, our region, and our state.	4 meetings per year: January 30, 2019; 11:30 – 1:30 March 20, 2019; 8:00 – 10:00 May 22, 2019; 11:30 – 1:30 August 28, 2019; 8:00 – 10:00 special meetings added as needed	(P) Martinez Beltran (A) McKay	
Transportation	<u>Caltrain Local Policy Maker Group</u> 1250 San Carlos Avenue San Carlos, CA 94070 (650) 508-6200 Casey Fromson fromsonc@samtrans.com (650) 508-6493 http://www.caltrain.com/projects/plans/CaltrainModernization/Meetings.html	Advisory group comprised of elected officials and provides a formal venue to facilitate local input and guidance on the Caltrain Modernization Program.	Monthly 4 th Thursday 5:30 pm Edward J. Bacciocco Auditorium, Second Floor 1250 San Carlos Ave	(P) _____ (A) Constantine	Edith Ramirez Assistant City Manager Tiffany Brown Associate Planner

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Comprehensive County Expressway Planning Study Policy Advisory Board</u> Santa Clara County Roads and Airports 101 Skyport Drive San Jose, Ca 95110-1302 Ellen Talbo ellen.talbo01@rda.sccgov.org (408) 573-2462 http://sccgov.igm2.com/citizens/default.aspx?	Provides an elected officials' forum for policy input to the <i>Expressway Plan 2040</i> – a long range plan for the improvement and maintenance of the eight County expressways and the Santa Teresa-Hale Corridor. All areas of need are included: capacity and operational improvements, signal operations, high-occupancy vehicle (HOV) lanes, bicycle, and pedestrian improvements, finishing elements, and ongoing operating and maintenance needs and funding strategy recommendations.	As needed 70 West Hedding Street, 1 st Floor Board Chambers	(P) McKay (A) Constantine	Chris Ghione, Public Service Director
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) Policy Advisory Committee (PAC)</u> 3331 North First Street, Building B-1 st Floor San Jose, CA 95134-1927 Steven Flynn Advisory Committee Coordinator Elaine Baltao, Board Secretary Board.secreatary@vta.org (408) 321-5680 http://www.vta.org/get-involved/advisory-committee/policy-advisory-committee-pac	Advises the Authority Board of Directors on policy matters relating to transportation and congestion management. <i>Board Member cannot serve on the PAC.</i> <i>(Note: participation is State-mandated)</i>	Monthly, 2 nd Thursday 4:00 pm VTA River Oaks Campus 1331 N. 1 st Street Room B-104 San Jose	(P) Constantine (A) Martinez Beltran	Chris Ghione, Public Service Director Edith Ramirez Assistant City Manager

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) MG - Group 4</u>	Cities of Morgan Hill and Gilroy advises the PAC (see above) on transportation policy and funding issues. Discuss transportation items of mutual interest to the cities of Morgan Hill and Gilroy	Tuesday before each Thursday Board meeting, 9:00 am Morgan Hill City Hall 17575 Peak Ave	(P) _____ (A) Constantine	Christina Turner, City Manager Chris Ghione, Public Service Director Edith Ramirez Assistant City Manager
Transportation	<u>Santa Clara Valley Transportation Authority (VTA) Board of Directors</u> 3331 North First Street San Jose, CA 95134-1906 Elaine Baltao, Board Secretary board.secretary@vta.org (408) 321-5680 http://www.vta.org/get-involved/board-of-directors	Reviews issues relating to transportation and congestion management.	Monthly, 1 st Thursday 5:30 pm County Government Center 70 W. Hedding St. San Jose	(P) Constantine (A) Marie Blankley (Gilroy) <i>(Alternates between MH and Gilroy every two years based on VTA preference – sometimes longer for continuity)</i>	Christina Turner, City Manager Chris Ghione, Public Service Director

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Water/Wastewater	<u>Santa Clara Valley Water Commission</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Glenna Brambill gbrambill@valleywater.org (408) 630-2408	Advises the District on water supply, legislative issues, and integrated water resource management. <i>(Note: Most issues relate to imported water; Morgan Hill is 100% ground water)</i>	12:00 pm-2:00 pm January 23, 2019 April 10, 2019 July 24, 2019 October 23, 2019 January 22, 2020 Santa Clara Valley Water District Headquarters Building Boardroom 5700 Almaden Expressway, San Jose	(P) Constantine (A) Martinez Beltran	James Sylvair Deputy Director for Utilities Services Tony Eulo, Program Administrator <i>(Note: Staff member serves as alternate)</i>
Water/Wastewater	<u>South County Regional Wastewater Authority (SCRWA) Board Meeting</u> 1500 Southside Drive Gilroy, CA 95020 Gina Bonnell Gina.bonnell@ch2m.com Secretary/Clerk of the Board (408) 848-0480 http://www.ci.gilroy.ca.us/561/South-County-Regional-Wastewater-Authority	The South County Regional Wastewater Authority established by Joint Powers Agreement (Cities of Gilroy & Morgan Hill) to provide common authority relating to Joint Wastewater Gilroy/Morgan Hill Sewage Treatment Plant located in Gilroy.	1st Wednesday of the Month 8:00 am 1500 Southside Drive Gilroy	(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay Primary delegate	James Sylvair Deputy Director for Utilities Services Chris Ghione, Public Service Director Christina Turner, City Manager

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Category	AGENCY NAME	PURPOSE	MEETS	DELEGATES (P=Primary) (A=Alternate)	STAFF REP/S (If applicable)
Water/Wastewater	<u>Joint Water Resource Committee</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Natalie Dominguez ndominguez@valleywater.org (408) 630-2659 http://www.valleywater.org/About/CitiesofGilroyMorganHill.aspx X	Advance South County Water interests. This joint committee is made up of two City Council members each from Morgan Hill and Gilroy, and two Santa Clara Valley Water District (SCVWD) Board members. The members from the two cities will also represent the South County Regional Wastewater Authority (SCRWA). Policy matters to be discussed include recycled water, groundwater, and long-term water resource planning.	Meetings follow SCRWA Board Meetings - 1 st Wednesday of the month 8:30 am (at the request of the committee) 1500 Southside Drive Gilroy	(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay	Christina Turner, City Manager Chris Ghione, Public Service Director James Sylvair Deputy Director for Utilities Services
Water/Wastewater	<u>Joint Recycled Water Advisory Committee</u> 5750 Almaden Expressway San Jose, CA 95118-3686 (mailing address) Natalie Dominguez ndominguez@valleywater.org (408) 630-2659 http://www.valleywater.org/About/CitiesofGilroyMorganHill.aspx X	Ensure the continued utilization of recycled water in South County and promote the expansion of water reuse in the region and to advance recycled water production, distribution, and wholesaling in South County. Note: This is a newly proposed Valley Water committee.		(P1) _____ (P2) Spring (A) Constantine (A) Martinez Beltran (A) McKay	Christina Turner, City Manager Chris Ghione, Public Service Director James Sylvair Deputy Director for Utilities Services

Attachment: DRAFT Council Member Assignments to Committees 2021 [Revision 3] (2973 : Outside

LIST OF CITY COUNCIL ADJUNCT COMMITTEES

Mayor Rich Constantine

- Governance, Transparency and Labor Relations Policy Committee for the League of California Cities (Chair)
- City Liaison to the Sister City Committee
- Board Member of the Healthier Kids Foundation
- South County Youth Task Force
- Morgan Hill Chamber of Commerce Board (Mayor is ex-officio member)
- Cities Association LAFCO Representative
- LAFCO Board Member Representative
- Cities Association of Santa Clara County Executive Board
- County of Santa Clara Unhoused Task Force
- Cities Association Bay Area Air Quality Management District Board of Directors

Council Member John McKay

- Downtown Association
- Santa Clara County Representative to the Peninsula Division of the League of California Cities
- Housing, Economic, and Community Development Policy Committee for the League of California Cities
- Legislative Action Committee Co-Chair for the League of California Cities Peninsula Division

Council Member Yvonne Martinez Beltran

- City Liaison to the Sister City Committee (alternate)
- County of Santa Clara Unhoused Task Force
- Transportation, Communication, and Public Works Policy Committee for the League of California Cities
- Housing, Economic, and Community Development Policy Committee for the League of California Cities

From: Joe Baranowski <joe.b@mh-rgc.org>

Date: January 20, 2021 at 3:43:08 PM PST

To: Christina Turner <Christina.Turner@morganhill.ca.gov>

Cc: Jennifer Carman <Jennifer.Carman@morganhill.ca.gov>, Donald Larkin

<Donald.Larkin@morganhill.ca.gov>, Rich Constantine

<Rich.Constantine@morganhill.ca.gov>, Rene Spring <Rene.Spring@morganhill.ca.gov>,

Yvonne Martinez Beltran <yvonne.martinezbeltran@morganhill.ca.gov>, Gino Borgioli

<Gino.Borgioli@morganhill.ca.gov>, John McKay <john.mckay@morganhill.ca.gov>

**Subject: Consent Calendar Item Ordinance 2319: Amending Various Code Provisions
Within Title 18 (Zoning Code)**

City Staff:

I would like to request the consent item referenced in the title of this email be moved off the consent calendar so that someone from the staff can explain what I find to be confusing language in the text of the proposed changes. Specifically relating to General Plan Amendments:

The chapter heading states the reason: (added emphasis of bold text is by me)

*18.115.010 – Purpose. This chapter establishes procedures for **amending the General Plan** text (e.g., **goals, policies, or implementation programs**) or to change the General Plan land use designation on any parcel(s)*

The Findings required for such amendments to be approved are stated as:

*A. The city council must find that the proposed amendment meets the **letter and intent** of the General Plan **goals and policies**.*

This seems like circular logic that would likely lead to ambiguity and confusion given that an attempt to amend "e.g. goals and policies" may be assumed to have a desired result of changing not meeting the (existing) "letter and intent".

Can someone please explain why the required Findings are stated in such a general manner and why they are not likely to result in a circular argument?

IF the purpose was limited to just "or change the General Plan land use designation on any parcel(s)". the required Findings would make logical sense, although I would still have doubts that meeting the "letter" of the General Plan will, in practice, lead to anything other than having to ignore that word.

Thank you,

Joe Baranowski

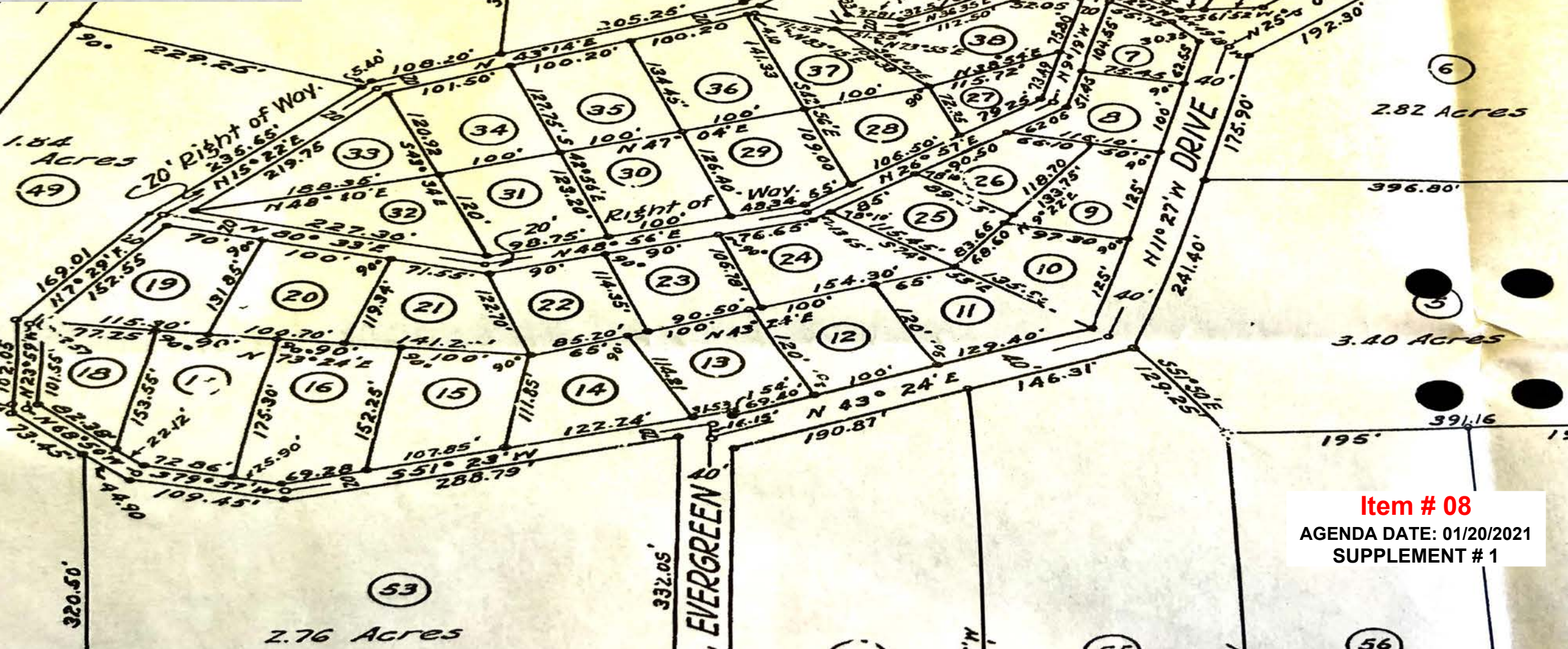
MAP OF KNOB HILL ACRES

Being a subdivision of
Lots 27, 28, 29, 30, 34 & 35 W½ of Lot 22 & W9 Ac. Lot 23
Catherine Dunne Ranch Map No. 3.
Santa Clara Co., California.

Scale: 1 in. = 150 ft. Henry B. Fisher
Surveyor

November 1928.

In two sheets. Sheet No. 1.



Item # 08

AGENDA DATE: 01/20/2021
SUPPLEMENT # 1

Item # 08

AGENDA DATE: 01/20/2021
SUPPLEMENT # 2

From: [Christina Turner](#)
To: [Michelle Bigelow](#); [Angie Gonzalez](#)
Cc: [Chris Ghione](#); [Donald Larkin](#)
Subject: supplement
Date: Wednesday, January 20, 2021 4:07:33 PM

Please supplement this Q&A.

Negotiations on this property outside of court and eminent domain are continuing. The property owner is requesting we move to eminent domain as is stipulated in the possession and use agreement. However, the property owner has agreed to meet and discuss options with the City after the RON hearing. Moving forward with the RON Hearing does not commit the City to not settle outside of court in the future. We do not anticipate this going to court and if it did it would be several years away, due to the County courts backlog. We will setup a follow-up closed session item to discuss in detail with the Council. The Council can provide direction on negotiations at that meeting.

- 1) What appraiser did you use? **Associated Right of Way Services.**
- 2) You indicate that you are using Oct/ 2018 valuation but it's 2021 now, it would seem reasonable to understand how much property valuation has increased? **We could opt to get an appraisal of the current value, but that would not be useful. We will only pay the 2018 Value as stipulated in the agreement, the City is not responsible to pay for any increase in value. We could get another appraisal with the 2018 valuation, but the property owner is currently not interested in that.**
- 3) If this goes to court, (question for Mr Larkin), approx how much would this cost the city? **In the very unlikely scenario that this went all the way to trial there could be costs of up to \$350,000 in legal fees. However, this is highly unlikely and the Council can provide legal direction not to go this route. This legal direction can be discussed at a future closed session and should be done in that manner to protect the City's interest. The RON hearing does not commit the City to going to trial.**
- 4) If this goes to court, how much of an impact will this have on the delay in the project? **There is no impact or delay on the timing of the project. The property is under the possession of the City per the agreement. The project is awarded and work is scheduled to begin in April.**



City Council Meeting Item #9 Monthly Budget Update



January 20, 2021

Overview



- Monthly Budget Update
- Staff does not recommend any budget adjustments at this time

General Fund



- No material change since last update
- State and County restriction in light of recent surge in COVID-19 cases will negatively impact sales tax, recreation services, and TOT
- Recreation Services: The additional \$1.6 million loss is becoming more of a reality

Development Services



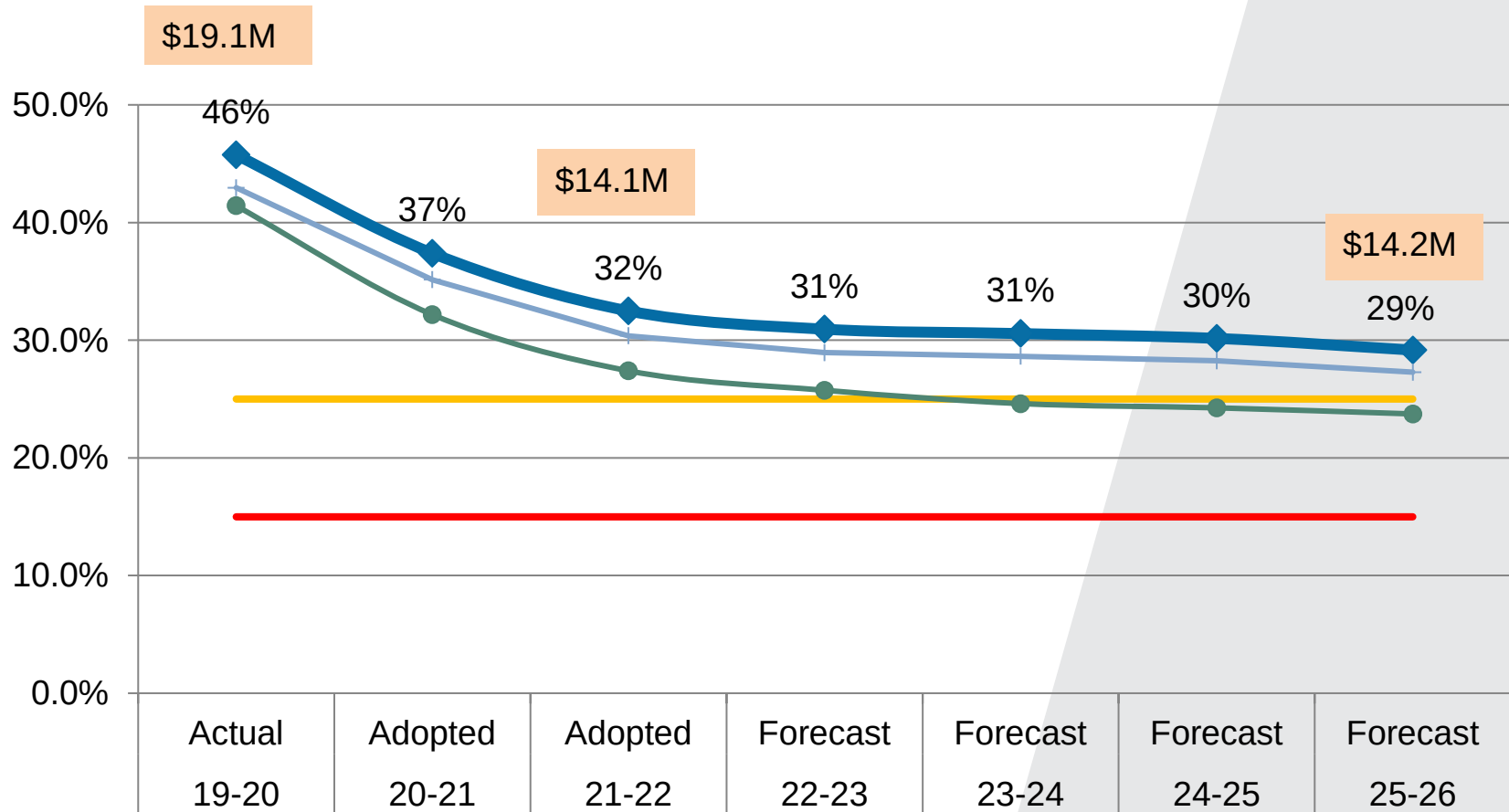
- Revenues are tracking higher than budget
- \$2.3 million received to date or 61% of budget (without \$1.0 million loan)
- No significant impact to development services is expected from County moving back into the “Purple Tier”

Enterprise Funds



- Expecting higher water revenue as well as increased wastewater flows due to higher levels of stay at home residents
- Number of accounts delinquent steady but with higher balance

Updated General Fund Forecast



◆ GF Six Year Forecast October 21, 2020

— Fund Balance Minimum Level of 15% of Revenues

+ GF Six Year Forecast July 22, 2020

— Fund Balance Goal of 25% of Revenues

● GF Six Year Forecast Budget Adoption June 17, 2020

Questions?



From: [D. Muirhead](#)
To: [CC Public Comment](#)
Subject: comment City Council January 20 Agenda Item #10: Outside appointments
Date: Tuesday, January 19, 2021 7:55:42 PM

Dear Morgan Hill City Council,

City Council meeting date: January 20, 2021
Agenda Item #10: City Council appointments to Outside Agencies

I have a general comment on applicability of the Open Meeting law and specific comments on VTA Board and South County Joint Planning.

Applicability of the Open Meeting law

It would be helpful if you identify which meetings are subject to the Open Meeting requirements and which are exempt. For meetings not subject to the Brown Act, this new Council could establish a practice of producing meeting summaries if you continue to exclude public observation (as opposed to public participation) of actual meetings. The PL566 Elected Officials Quarterly Meeting is one of interest to me.

Santa Clara Valley Transportation Authority (VTA) Board of Directors
This seat is intended to alternate between MH and Gilroy every two years. Former Councilmember Carr held that position, so it should rotate to Gilroy. Gilroy Mayor Blankley was the South County Board alternate and is well-positioned to provide continuity.

South County Joint Planning Advisory Committee (SCJPAC)

This committee has not been used for some time for its purpose of addressing issues re: land use planning of regional significance. You should enable it or disband it.

One possible subject would be the City Water Operations Activity Goal to develop South County water supply strategies in cooperation with Gilroy and Water District (Sustainable Water Management Planning Technical Memorandum Sept 2019).

There was "concern" by the previous Gilroy Mayor that this committee would just be a complaint session for residents of unincorporated County. I on the other hand believe that all residents of South County deserve a forum for discussion of common interest.

For the historical record, here are the past meetings that I know of:

2011/09/01 SCJPAC
2012/02/16 SCJPAC - MH Agricultural Policies
2012/08/01 SCJPAC - Cordoba Mosque
2012/09/27 SCJPAC
2015/03/19 SCJPAC - General Plan Rural Local-serving
2017/02/09 SCJPAC - HSR
2017/06/08 SCJPAC

Thank you for your consideration, Doug Muirhead, Morgan Hill

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opening a new helpdesk request online or call 408-909-0055.

Item # 10

AGENDA DATE: 01/20/2021

SUPPLEMENT # 2

	Outside Agency	Primary 1	Primary 2	Alternate 1	Alternate 2	Alternate 3
1	SCC Library District JPA	Constantine	-----	OPEN	-----	-----
2	SCV Habitat Agency Governing Board	Spring	Martinez Beltran	McKay	OPEN	-----
3	SCV Habitat Agency Implementation Board	Spring	-----	Martinez Beltran	McKay	-----
4	Silicon Valley Clean Energy	Martinez Beltran	-----	staff	-----	-----
5	Pajaro River Watershed Flood Prevention	Spring	OPEN	-----	-----	-----
6	SCVWD Elected Officials PL566	Spring	OPEN	Martinez Beltran	-----	-----
7	SCC Housing & Community Development Advisory Committee	McKay	-----	Martinez Beltran	-----	-----
8	South County Joint Planning Advisory Committee	OPEN	-----	McKay	-----	-----
9	City/School Liaison Committee	Constantine	OPEN	Martinez Beltran	McKay	-----
10	South County United Health Leadership Team	Spring	-----	Constantine	-----	-----
11	ABAG	Martinez Beltran	-----	McKay	-----	-----
12	Cities Association	Constantine	-----	McKay	-----	-----
13	Cities Association - City Selection Committee	Constantine	-----	McKay	-----	-----
14	Cities Association - Legislative Action Committee	Constantine	-----	McKay	-----	-----
15	LOCC Peninsula Division	Martinez Beltran	-----	McKay	-----	-----
16	Caltrain Policy Maker Group	OPEN	-----	Constantine	-----	-----
17	Comprehensive County Expressway Planning Policy Advisory Board	McKay	-----	Constantine	-----	-----
18	MTA Policy Advisory Committee	OPEN	-----	Martinez Beltran	-----	-----
19	MTA MG-Group 4	Constantine	OPEN	-----	-----	-----
20	MTA Board of Directors	Constantine	-----	Gilroy Rep.	-----	-----
21	Valley Water Commission	Constantine	-----	Martinez Beltran	-----	-----
22	South County Regional Wastewater Authority	Spring	OPEN	Constantine	Martinez Beltran	McKay
23	Joint Water Resource Committee	Spring	OPEN	Constantine	Martinez Beltran	McKay



COVID-19 Actions Due to Shelter-in-Place Order

as of January 8, 2021

The City of Morgan Hill is working hard from home and satellite locations to continue to provide high quality services and support to the Morgan Hill community. Below is an update on the many efforts our dedicated City teammates have been working on in response to the COVID-19 pandemic.

City Attorney

- Suspended enforcement of minimum parking requirements in shopping centers and commercial districts to allow the use of outdoor areas for retail merchandise and pick-up, and for expanded restaurant space.
- Suspended enforcement of limitations on hours of operation to allow commercial and industrial operations to continue with social distancing—this suspension does not apply to hours of operation for bars and restaurants that serve alcohol.
- Suspended enforcement of construction hours beginning at 6 a.m. to 8 p.m. Monday through Saturday for certain large construction projects, except in public rights-of-way. Home remodels in residential neighborhoods are not included.
- Created streamlined processes to modify design review approvals for projects impacted by COVID-19. This will allow developers to value-engineer approved projects and to modify designs to allow social distancing. Fees for this streamlined process will be waived.
- Drafted emergency order prohibiting rent increases
- Providing guidance to City departments and local businesses on shelter-in-place orders

City Manager

- Conducting COVID-19 video conference calls with Leadership Team
- Hosting Zoom Town Hall meetings with the Community
- Participating in regular meetings with City Managers in the County to discuss local responses and participating in calls hosted by the County
- Advocating for funding at all levels
- Working with County on plans for DePaul Health Center

Community Engagement and Messaging

- Curating content and regularly updating the [City of Morgan Hill COVID-19 webpages](#) and website newsflashes

- Creating and sending hundreds of e-mail updates to over 18,000 community members with significantly high open rates, frequently over 50%
- Hundreds of hours spent monitoring and responding to COVID related emails, social media posts, and other inquiries
- Many hours spent ensuring accurate and complete understanding of new orders, changes to orders to effectively communicate with our residents
- Providing and sharing COVID Information translated to Spanish whenever possible
- Routing agreements electronically to keep City business moving
- Participating in weekly and biweekly regional calls for Public Information Officers to share information, ideas, and best practices, and ensure consistent messaging
- Preparing and broadcasting videos created by the City Council and Leadership Team
- Managing a virtual information call center fielding and responding to hundreds of calls and text messages
- Coordinating and executing virtual City Council, Planning Commission, and Town Hall public meetings
- Partnering with the City of Gilroy, Community Groups, and the County to reach the Spanish speaking community more effectively through targeted bilingual virtual community meetings and bilingual press conferences

Development Services

- Coordinated with Development community to determine construction eligibility
- Instituted safety practices for Building Inspectors
- Staff remotely processing all projects including virtual meetings with applicants
- Virtual Planner on Duty to respond to emails and phone calls
- Implemented virtual application process to accept Planning, Building and applications via email
- Established electronic systems for stamping plans, issuing permits, and accepting fees

Economic Development

- Implemented an Economic Development Business Recovery Plan to support recovery of the restaurant industry, retailers, and small businesses, to encourage tourism, and support new investment
- Launched a Morgan Hill al Fresco program to encourage restaurants to expand outdoor dining onto public sidewalks and parking areas through an expedited process at no charge
- Providing information to businesses and employees affected by COVID-19 through dedicated web page
- Hosting Zoom meetings with business owners and key City officials to share COVID-19 information, answer questions, and assist them with successful operation

- Deployed a Business Impact Survey that was emailed and mailed to all businesses
- Coordinating Business Resiliency Roundtables to provide technical information and support to businesses
- Relaxed on-street parking regulations and supplied signage to support curbside pick-up activity
- Offered Place Branding grant opportunities for streetscape activation projects through art, landscaping, and beautification projects
- Created a Guide to Recovery, “Morgan Hill Ready” with information about reopening from the State, County, and Industry-specific recommendations and requirements
- The City partnered with the Morgan Hill Chamber of Commerce to launch a “Buy Local Morgan Hill” campaign offering the business community a platform for increasing product awareness and educate residents of the importance of shopping local and to encourage more business-to-business transactions through product matchmaking
- Coordinated “Sidewalk Saturdays”, an outdoor popup retail event for retailers that do not have a storefront to join an outdoor retail market opportunity in Downtown

Engineering

- Began managing encroachment permits and work in the public right of way in accordance with the shelter-in-place order, cancelling all work not allowed per the Order
- Created a streamlined process for encroachment permits to allow the use of City rights-of-way and other public spaces to expand retail and restaurant operations to allow social distancing. Fees for this streamlined process will be waived
- Moved towards online contract management and online bidding to allow essential contract work to continue relating to significant street maintenance and wastewater projects
- Continuing to provide public works inspection services on essential projects

Finance

- Continuing to monitor and analyze the impact to City’s finances from the COVID-19 pandemic. The Adopted Budget included actions taken to address the anticipated revenue shortfalls
- Worked with State of California to prepare and submit the City’s qualified cost certification to receive CARES Act allocation
- Implemented virtual credit card processing and online receipting for teammates working from home
- Established COVID-19 related expenditure tracking to submit for reimbursement from FEMA and anticipating \$30,000 in reimbursements thus far
- Implemented Lockbox Services for Utility Billing Payments
- Added Ring Central phone service so UB customer service calls could be answered remotely

- Continued to promote paperless billing and electronic payment enrollment. Over 67% of Citywide accounts are now enrolled online, of which, 66% are enrolled in paperless statements and 54% are now enrolled in autopay

Fire

- Prepared an Incident Action Plan (IAP) detailing all COVID-19 related decontamination and operational readiness
- Prepared a Pandemic Plan outlining how we will adjust if we have limited operational resources
- The City and South Santa Clara County Fire District were jointly awarded:
 - \$5,749 in FEMA reimbursement for COVID-related PPE purchases
 - \$9,919 in FEMA funding for additional COVID-related PPE purchases
 - As a result, the City will receive \$7,834 in FEMA revenues
- Responded to approximately 200 COVID-related calls for service
- Established relationships and agreements to provide rapid employee testing results and contact tracing
- Collaborated with all Fire Departments in the County to establish response guidelines necessary to ensure the safety of our employees and the public
- Increased daily disinfecting of stations and equipment using an EPA registered disinfectant
- Continued to operate a comprehensive Annual Fire Inspection Program during COVID-19 Pandemic
- Assisted local businesses with outdoor operating requirements during the COVID-19 Pandemic

Geographic Information Systems (GIS)

- Created a web map for City teammates so that they can access MHMaps layers, including a new senior care facilities layer, remotely without City network access
- Provided methodology, source data, and formatting requirements to consultant tasked with developing the new City address database
- Rolled out a new web map service called CityMaps for City teammates to replace the old MHMaps with an updated, enhanced web map that uses current GIS technology, and can be accessed remotely
- Supported GIS integration with Sedaru and POSM utilities business systems to ensure continuity and reliability of those systems remotely
- Continued to provide mapping support to teammates working remotely

Housing

- Collaborated with regional partners and community-based organizations to assist families and individuals in need of rental assistance and/or hotel vouchers for homeless families with health conditions
- Created and manage a local list of Food and Community Resources available to the community during COVID-19
- Collaborated with [Silicon Valley Strong](#) and Santa Clara County Emergency Operations Center (EOC) to gather ideas, resources, volunteer opportunities, and needs to create a regional website for all Silicon Valley residents
- Sending resource emails and COVID-19 updates related to State and County Eviction Moratorium Ordinances, and Morgan Hill Rent Freeze information to the School District, Charter Schools, local Apartment Communities, Faith Based Community, Mobile Home and RV Parks, local Community Based Organizations, South County Farmers, Chamber of Commerce, Leadership Morgan Hill, and South County Collaborative
- Requested essential sanitation items for Safe Park and Inclement Weather Shelter from Santa Clara County EOC
- Housing team has coordinated and worked every COVID-19 testing event in Morgan Hill. As of December 16, 2020, 3,411 tests have been administered.
- The City funded a County isolation quarantine program (\$154,917) and to date:
 - \$21,752 for rental assistance
 - approximately \$6,000 for in home support (groceries and supplies)
 - 5 households were placed in a hotel/motel for isolation

Human Resources

- Administering and managing the Families First Coronavirus Response Act (FFCRA) for our City teammates
- Finalized, developed, and implemented COVID-19 Facility Use Policies and Procedures to follow when entering and working within City facilities to ensure employee safety through the shelter-in-place
- Regularly update COVID policies to follow CDC and County guidelines, rules, and regulations
- Provided COVID-19 training to all teammates covering policies and procedures

Information Technology

- Issued 30 laptops to City teammates so they can work remotely
- Increased internet connectivity by 5x to support additional teammates working remotely simultaneously
- Deployed a new scalable Virtual Private Network (VPN) solution for teammates to access City resources securely
- Transitioned network users from the old VPN to the new VPN: installed the new VPN on almost all city issued laptops

- Procured new laptops and headsets to support increased remote work capabilities
- Securely deployed Eden Web to users without the need for VPN for timecards submittal
- Deployed outdoor Wi-Fi to support the transition of CRC classes to a virtual format

Maintenance and Utilities

- Installed traffic safety barriers in Downtown parking spaces to create additional outdoor dining spaces called “parklets”
- Continue to provide essential services to the community in the areas of water, wastewater, street maintenance, storm drain maintenance, and maintenance for fire prevention
- Supported the closure of specific amenities within park areas in accordance with the shelter-in-place order
- Developed use guidelines for park facilities allowed to remain open in alignment with County and State guidelines
- Supported maintenance of park facilities through significant increased use of the facilities
- Supported physical improvements to City facilities allowed and required to remain open through COVID-19
- Implemented an operational plan to ensure continuity of operations to support essential services during the COVID-19 emergency
- Supported COVID-19 decontamination response at City facilities to ensure safety of City employees

Police

- Resource Request to Santa Clara County EOC for COVID-19 sanitizing supplies
- COVID-19 pre-shift screening stations and set-up 4 sign-in stations at the Police Department
- Police Department Lobby implemented screening prior to any member of the public entering
- Emergency Operations Center (EOC) virtually activated in response to COVID-19
- Proclaimed Local Emergencies for COVID-19 and SCU Lightening Complex Fire
- Mobile Command Vehicle deployed and disinfected for 7 events: SWAT, SCU Lightening Fire, non-violent protests
- Investigated over 300 COVID-19 order complaints
- Misdemeanors cited and released in field to minimize potential exposure in Police Department
- Implemented disinfecting procedures for the Police building including holding cells, booking area, and all vehicles following COVID-19 exposures

- Filmed community safety message video
- Participated in a dozen plus Birthday visits
- Patrol and Traffic Divisions have been assisting the Morgan Hill Unified School District with traffic control and food distribution
- Social Distancing Protocol for Public and City Employees implemented for Police and IT facilities
- Santa Clara County Public Health Social Distancing Protocol submitted, implemented, and updated for Police Department
- Implemented less contact between Officers and Dispatchers by going paperless
- Acquired filtration system for Dispatch
- Social Media outreach during COVID-19; Facebook (average 5,000 views per post), Twitter, Instagram
- Implemented a MHPD COVID-19 Response Policy for Positive Cases

Recreation

- Opened a virtual membership to Centennial Recreation Center (CRC) Members and the community
- Partnered with the YMCA to provide for the pickup of nearly 100 meals a day to Seniors
- Provided well check calls to Seniors formally participating in programs at the Senior Center
- Continuing to offer health and wellness programs as the County Order allows
- Developed a policy to allow local businesses to use outdoor park spaces for health and wellness programs
- Supported the use of City outdoor facilities for permissible uses in alignment with County and State guidelines

Morgan Hill, we are here for you! We will get through this together!

From: [Christina Turner](#)
To: [Michelle Bigelow](#); [Angie Gonzalez](#)
Subject: Agenda Supplement - Multiple items
Date: Tuesday, January 19, 2021 3:58:35 PM

Please supplement the Q&A below. Thank you!

1. Item 4 - Black and Veatch – Who is on the evaluation team?

Utilities Management Analyst, Utilities Operations Manager, Public Services Director

2. Item 5 - Isolation quarantine program – did the city put this on website and was this communication in a 411?

- Please explain how the county administers and become aware of those in need

Flyers have been distributed by the County Public Health Department and Office of Supportive Housing to countywide nonprofits and Community-based organizations. We sent information to the South County CBOs through the South County Collaborative listserv. Also, the [City's COVID page](#), has a [link](#) which leads to the info: "In Need of Shelter, Santa Clara County has assigned a Multi-Departmental Joint Operations team to manage all [shelter and temporary housing resources](#) during the Shelter-In-Place Order due to the COVID19 Crisis." We will also push this out through the City's weekly 411 e-blast.

The hotline (408) 278-6420 operates 7 days a week from 9 am to 6 pm. Once someone calls into the hotline requesting help, staff assesses them and determines their need; whether they are COVID positive or exposed, unable to quarantine at home, loss of job, whether they need financial assistance, food delivered, groceries, etc. They are directed to the appropriate resource. See attached flyer.

Although the (408-278-6420) is considered the main line, There's actually 2 hotlines:

- 408-278-6420 is the housing hotline for shelter or isolation motel placement.
- 408-808-7770 is the Isolation and Quarantine line for rent, financial, food assistance.

People can call either, they refer back and forth as needed, both operated through the Joint Department Operations Center.

3. Item 6 – Density Bonus Concessions – Item b. if 204 parking spaces are required and their requesting 140, wouldn't that limit the occupants' available spaces

Absolutely. State Density Bonus law does not require projects provide parking. A concession could be no parking provided at all. Most developers in Morgan Hill understand the lack of transit and the need for a parking space for every unit (at a minimum). Staff advocates strongly that affordable projects include as much parking as possible or look at other options such as shuttles, car share, etc. This particular developer is very mindful of the issues Morgan Hill faces with lack of transit options and the need for cars. They have pushed their site plan to provide as much parking as possible.

4. Item 8 – Eminent domain – It appears that there is an easy solution to see if the property is

truly worth \$7.79 million, get a second appraisal. The original offer of \$3.5 million was three years ago, as well all know, property values increase. Again, a second appraisal should be performed and if close to the \$7 million, then we can gauge a reasonable figure. It seems there is an unknown here?

We would be willing to get a second appraisal, but the property owner does not currently have interest in this. They claim to have a second appraisal but will not share information on what their appraisal is based on. Unless we understand the difference in appraisal our appraisers will not come close to getting to this price. The price of the property through ED will not increase as our current possession and use agreement (attached) requires that the value be based on valuation as of October 3, 2018.

5. Item 9 – Financials – What is the ERAF Fund? Explain the excess of \$1.7 million vs \$250K budgeted?

Background: In the early 1990s, the Legislature permanently redirected a significant portion of the property tax revenue from cities, counties, and special districts to schools and community colleges. The redirected revenue is deposited into a countywide account Educational Revenue Augmentation Funds (ERAF). Revenue from ERAF is allocated to schools and community colleges to offset the funding these entities otherwise would receive from the state General Fund.

Excess ERAF: In a few counties, ERAF revenue is more than enough to offset all of the General Fund allocated to schools and community colleges. In the mid-1990s, the Legislature enacted a law shifting the portion of ERAF not needed for schools and community colleges to other to Noneducation Agencies in the county. The revenue shifted through this process is known as excess ERAF.

The \$1.7 million is the preliminary estimated amount by the County. However, this preliminary estimate is subject to State Controller's Office adjustment which is not known until later in the fiscal year. Our estimate of \$250K is a conservative number and was put together during the budget process and before the County provided its preliminary number. It is important to note that prior to 2018, the City did not receive a significant amount from the excess ERAF.

6. Item 9 – Financials - Development services fund - Please explain why received revenue was \$2.3 million but the expenditures were \$2.8 million, approx. \$500K more

The revenues and expenditures do not necessarily match dollar for dollar in a given period of time. This is due to timing when monies are received (revenues) and when they are spent (expenditure). Example: A project may submit development review fees in amount of \$100,000 in June, last month of fiscal year, but the staff/contract work for that review doesn't commence/get recorded until subsequent months in new fiscal year.

In addition, there are certain processes that cannot be recovered by fees, such as state reporting requirements, public counter/information services, or Planning Commission/City Council initiated research/workshops etc.

Staff has engaged a consultant to conduct a comprehensive fee study to update certain development user fees which were developed about five years ago.

7. Item 9 – Financials – Rev/exp summary – can you give me a why level of why expenses to budget are more in the general, CD, sewer, water, debt and internal services. Should we be running at least even?

Our revenues for the most part typically lag in receipt or billing compared to our expenses. These lags relate to time lapses inherent in municipal business processes. Take property tax for example, which is a largest revenue category for the General Fund, does not begin to come in until December. That is five months behind. Some categories have a shorter lag such as water and wastewater revenues. We do not bill our residents for December consumption until January. That being said, revenues and expenses should even out or be close to budget when we close out the fiscal year, which happens a few months after the actual fiscal year end date of June 30.

8. Item 9 – Financials – Recreation report – What specific steps are we taking to mitigate these losses

The following actions have been taken:

- a. Eliminated 2.5 permanent positions from the Division this fiscal year (retirement, vacancies and transfers)
- b. Furloughed over 100 part-time teammates
- c. Renegotiated YMCA Agreement and budget (eliminating FT staff and furloughing many staff members)
- d. Closed facilities and turned off non-essential systems
- e. Continued to operate outdoor fitness and aquatics programs that are allowed and still able to generate revenue
- f. Numerous other small scale changes

9. Item 9 - Financials – Year to date revenues – Could you explain what “other charges current services”?

These are charges for misc. current services such as emergency medical services (ems) fees, fire inspection fees, abandoned vehicle abatement/stored vehicle release fees, animal control fees, and franchise tow fees, to name a few.

10. Item 9 – Financials – Year to date revenues – Can you explain what “asset seizure” is and why this is a negative number

Asset seizure fund collects revenue from the seizure of assets obtained by the police department from enforcement activities. Expenditures may be made from these funds only for police related activities in accordance with guidelines established by the state and federal governments. The negative number is the comparison amount to last year. As of December 31, 2020, the City received \$477 versus \$16,849 in prior fiscal year.

11. Item 9 – Financials – Fund Activity Summary – What is the difference between reserved and unreserved in the ending fund balance?

Reserved represents contractual obligation such as purchase orders or contracts that were

entered into. Unreserved is the amount available for the respective fund.

Public Comment
AGENDA DATE: 1/20/2021
SUPPLEMENT # 1

From: [NICHOLA CARPENDALE](#)
To: [CC Public Comment](#)
Subject: council resolution regarding events of January 6
Date: Saturday, January 16, 2021 8:44:13 AM

Hi

I would like to ask the council to put forth a statement condemning the insurrection of January 6 in Washington, DC

Thank you

Nikki Carpendale

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AAUW Morgan Hill PO Box 1528, Morgan Hill, CA 95038

www.aauwmh.org

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

As members of a non-partisan organization devoted to advocacy and equity for all, we unequivocally repudiate the seditious incitement of violence by the President and the elected leaders who supported and encouraged him, responsible for the vicious and bloody assault on our Capitol Building in Washington DC on January 6, 2021.

The violent mob, with a proliferation of white supremacist, Nazi, and anti-Semitic symbols did this in the President's name. Lives were lost, the Capitol building desecrated, ransacked, and pillaged, and the Confederate flag representing racism, human-trafficking, and slavery, placed in our sacred Capitol building for the first time in history.

Our highest elected leader, our President, flouted federal law, his oath, principles of democracy, decency, and truth, and incited a treasonous insurrection, witnessed in real time on TV by us, and by people all over the globe. This attempt to subvert the results of a fair election, undo the will of the people, and accept the "most secure election ever" as concluded by legal experts and the Supreme Court, after a multitude of attempts to sue without evidence, is a perilous threat to our democracy. The organized armed insurgency still planned across all 50 states and Washington DC for the 20th show no sign of abatement or evidence of lessons learned.

We are encouraged that our leaders in Congress have initiated legal action, and we exhort them to ensure that the President and his encouragers face consequences so that this never happens again. We ask our local officials to make a statement, in solidarity, regarding this grave attack on our democracy. These steps will help us move forward with the new president and legislature, on a path toward healing our country to which we are all committed.

We make this statement in the name of democracy, decency, federal law, and the Constitution of the United States.

Respectfully,



AAUW Morgan Hill PO Box 1528, Morgan Hill, CA 95038
www.aauwmh.org

Kay Arora, AAUW Morgan Hill Member; SURJ South County Member
Mary Cox, AAUW Morgan Hill Member/Past President
Kathy Devine, AAUW Morgan Hill Member
Donna Dicker, AAUW Morgan Hill Board Member/Past President
Betsy Ding, AAUW Morgan Hill Member
Marcia Fishman, AAUW Morgan Hill Member
Gautam Ganapathy, AAUW Morgan Hill Member
Suman Ganapathy, AAUW Morgan Hill Board; Morgan Hill Library, Culture & Arts
Commissioner; LMH Class of 2018; SURJ South County Member
Carol Holzgrafe, AAUW Morgan Hill Member/Past President; LMH Class of 1999
Amina Khemici, AAUW Morgan Hill Member; SURJ South County Member; SVIC Member
Katie Khera, AAUW Morgan Hill Member; Morgan Hill Library, Culture & Arts
Commissioner; SURJ South County Member
Margaret MacNaughton, AAUW Morgan Hill Member
Elizabeth Mandel, AAUW Morgan Hill Board/Past President; LMH Class of 2019
Sousan Manteghi-Safakish, AAUW Morgan Hill Member; SURJ South County Member
Margaret McCann, AAUW Morgan Hill Member/Past President; LMH Class of 2016
Monica McClintock, AAUW Morgan Hill Member
Janet McElroy, AAUW Morgan Hill Board/Past President
Marji McMillan, AAUW Morgan Hill, Member; SURJ South County Member
Cinda Meister, AAUW Morgan Hill Member; LMH Class of 2016
Gretchen Merrick, AAUW Morgan Hill Member
Kathy Napoli, AAUW Morgan Hill Member
Jill Paveza, AAUW Morgan Hill Member
Marilyn Pifer, AAUW Morgan Hill Member
Jean Pinard, AAUW Morgan Hill Member
Yvonne Randolph, AAUW Morgan Hill Member
Jenny Redfern, AAUW Morgan Hill Member/Past President
Elaine Reimer, AAUW Morgan Hill Member
Susan Rife, AAUW Morgan Hill Member; LMH Class of 2017
Donna Ruebusch, AAUW Morgan Hill Member
Marian Sacco, AAUW Morgan Hill President; LMH Class of 2005
Kathy Sullivan, AAUW Morgan Hill Member
Joan Stempel, AAUW Morgan Hill Member
Sherrie Wren, AAUW Morgan Hill Board
Janet Wright, AAUW Morgan Hill Board
Beth Wyman, AAUW Morgan Hill Member; Past Morgan Hill Mayor

From: NICHOLA CARPENDALE <nicarp@verizon.net>
Sent: Tuesday, January 19, 2021 3:42 PM
To: Christina Turner <Christina.Turner@morganhill.ca.gov>
Subject: CC meeting agenda 1/20/21

Hi Christina

If it is not too late, can our SURJ statement go on tomorrow's agenda?

Thank you
Nikki Carpendale

We, members of SURJ South County (**Showing Up for Racial Justice**) and citizens of Morgan Hill, were horrified and disgusted by the insurrection at the Capitol instigated and fomented by President Trump. We will continue to put pressure on our leaders in Congress to take legal action against Trump and those that participated in the heinous acts of January 6th. As we wait for them to be held accountable, we expect our own city leaders to go on the record robustly condemning their criminal acts of sedition. In order for citizens to trust our city leaders, such a statement needs to be made. This is a nonpartisan statement made in recognition of a serious attack on American democracy.

From: [Suman Ganapathy](#)
To: [John McKay](#); [Rich Constantine](#); [Yvonne Martinez Beltran](#); [CC Public Comment](#); [Gino Borgioli](#); [Rene Spring](#)
Subject: Re: AAUW Letter to City Council: A Response to the Insurrection at the Capitol
Date: Wednesday, January 20, 2021 11:07:27 PM

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

Hello! Following my comments to City Council tonight, another speaker took exception to my prefacing my remarks as “non-partisan”. In case any of you were left with similar questions, I wanted to take the opportunity to clarify our organization’s position on being “political” versus “partisan”.

Because AAUW is politically active, and lobbies for legislation in support of gender equity for women and girls, this is an argument we have heard time and again.

AAUW is certainly political in that it establishes public policy platforms at both the state and national level and then works in support of that public policy platform to create social change.

However, at the same time, AAUW remains firmly non-partisan. In Morgan Hill, for example, we hold candidate forums in election years, always inviting all candidates and never endorsing or advocating for a specific candidate, faction, or party.

Being non-partisan, however, does not mean that we are obliged to refrain from holding elected officials accountable for positions or actions they have taken. Our former president – as stated by our National AAUW’s CEO along with leaders of other national women’s organizations – “has stoked racism, sexism, antisemitism, Islamophobia, ableism, xenophobia, toxic masculinity, and more”. These are the facts; this is not a partisan statement. For the sake of democracy, it is imperative that he be held accountable.

If you would like to learn more about AAUW Morgan Hill’s position on our role in advocacy and public policy, please visit our website at <http://www.aauwmh.org/advocacy>.

Thanks ever so much!

Respectfully,

On Tue, Jan 19, 2021 at 9:24 PM Suman Ganapathy <sumanmitraganapathy@gmail.com> wrote:

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

Happy New Year! I wanted to begin with complimenting all of you on the exemplary work you and the City are doing during these troubled times.

AAUW National, along with a group of other national women's organizations, sent a response to the January 6th insurrection at the Capitol. Here's a link to that message: <https://www.aauw.org/resources/news/media/womens-community-statement-on-president-trumps-removal/> Several of us members of the Morgan Hill branch would like to present our own statement at the MH City Council meeting on the 20th (tomorrow) at the public comment section of the meeting.

Attached the letter, with names of AAUW members who signed their names to it.

We hope to be able to add the call-to-action at the end of the letter to the agenda of a future city council meeting.

Thanks ever so much!

Respectfully,
Suman Ganapathy

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From: dmtms@aol.com
To: [CC Public Comment](#)
Subject: New Horizons Development at Hill Road and Barrett Av Comments
Date: Tuesday, January 26, 2021 5:55:06 PM

Re: the New Horizons Housing Development

My husband and I live on Sorrel Way right next to where new houses will be built. We have lived here for 24 years without any major neighborhood problems until now. We are deeply concerned that Sorrel will be turned into a thoroughfare from Barrett Road past our house to the stop sign at Fountain Oaks. We see no indication there will be speed bumps or turnabouts to slow down traffic and can only imagine the speed at which people will drive that road. This is already a problem on Fountain Oaks.

We are also concerned that Sorrel Way will become the most direct route to the elementary school on Fountain Oaks and as exit to E. Dunne. Our street is only 4 houses deep to the stop sign at Sorrel Way and Fountain Oaks. Already, when school is in session, it's extremely difficult to leave our house and turn left onto Fountain Oaks to get to work. This little street cannot take the extra traffic generated by an additional 340+ households trying to get out to Fountain Oaks or Dunne in the mornings and afternoons.

Since we are at the end of Sorrel Way, we have also often reported to the city flooding in front of our house due to lack of trenches dug into the field and the grade of the street. New development on the field must take this flooding into consideration and not make the issue worse for our houses.

Additionally, we have limited evacuation routes for the Jackson Oaks, Holiday Estates and Jackson Meadows area. We were required to evacuate this past summer due to the wildfires. We are firmly asserting that safe evacuation routes must be incorporated into this new development to avoid risk of lives in the future.

We have discussed these issues with the other households living on our block of Sorrel Way. We are all concerned about the amount of traffic that will be generated on our little block from this new development. Several of the households have young children who are used to playing freely on the sidewalks and chasing toys into the street. We are alarmed at the risk to the children and the elderly on our block by the increased and potentially high-speed traffic this development will bring.

Specifically, we are requesting:

1. The main entrance to this development be clearly designated as Hill Road and designed to encourage this as the PRIMARY entrance/exit for all of the residents. The Sorrel Way/ Fountain Oaks area can not absorb new traffic without substantial delays, major inconvenience, and potential risk to the current residents of the street.
2. A stop sign at the edge of the new development as it enters our neighborhood right at where the field starts on Sorrel Way. This will help regulate traffic pouring onto Sorrel Way and allow those of us who are existing residents, to have a safe chance to pull out of our driveways.
3. A turnabout on the newly opened area of Sorrel, to slow those careless and distracted drivers from exceeding the speed limit and racing past our houses.
4. A reduced speed limit on Sorrel through the development to 15 miles/hour or less.
5. Alleviation of current flood conditions that exist at the edge of the field and Sorrel Way.
6. Safe and additional evacuation routes for the existing residents of the Sorrel/Fountain Oaks area and for the new development.

We appreciate and anticipate responses to these issues.

Thank you,

Donna and Greg Rose

(408)779-6780

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From: abinowbx@gmail.com
To: [CC Public Comment](#)
Subject: Morgan Hill New Horizons Development
Date: Sunday, January 24, 2021 12:16:46 PM

I am a resident who's backyard is adjacent to the lot proposal construction of New Horizons in the corner of Hill and Barrett Avenues.

I'm writing to express my environmental concerns with the creation of neighborhood population increase, already congested streets, noise level, gas emissions, social impact, school traffic, infrastructure, etc.

With the massive exodus of folks out of California, it is unclear why Morgan Hill continues to populate the City with more housing and no jobs; for example, <https://www.cnn.com/2021/01/23/why-companies-are-fleeing-california.html>

What can we do to redirect this and similar constructions in Morgan Hill to a time when the economy has recovered, COVID-19 is more controlled, and the infrastructure is in place? How can I assist?

Sincerely,
Abigail ReyesPeña
Morgan Hill Resident

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From: [Shelly Conway](#)
To: [CC Public Comment](#)
Subject: New Horizons development
Date: Sunday, January 24, 2021 4:38:41 PM

To the City Clerk,

I am just writing to make a few comments about the New Horizons development that I recently found out will be built near me. I live in the Morgan Village Condos neighborhood off of Hill Rd and E. Dunne. I looked at the website for the development and it looks like a beautiful plan (although I can't imagine the pond will really be as big as it looks in the drawings-if so where does all that water come from in a drought?) .

We do need more housing and high density housing is more affordable, leaves more open space and also is better for the environment than huge single family housing neighborhoods. I am glad to see the park areas will be open to the public unlike some of the HOA neighborhoods.

I do have one comment though, with all the increase in traffic this many homes will lead to I think it would be very important to put in sidewalks along Barrett Ave and Hill Road, all the way to Live Oak High school and also bicycle lanes. Bike lanes could actually decrease traffic if some of the high school students living all along off Hill Rd could safely ride a bike to school. (my son tried riding a bike to Live Oak when he was in school but it was too unsafe when all the other cars were whizzing by on the way to school in the morning).

Thankyou for your time taking my comment.

Charlotte Conway
2230 Brega Ct
Morgan Hill, CA 95037

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From: perry.eden
To: [CC Public Comment](#)
Subject: objection to SR2020-0006 Morgan Hill DEVCO
Date: Tuesday, January 26, 2021 10:42:35 AM

Our names are Dennis and Eden Perry of 2505 Fountain Oaks Dr., Morgan Hill.

We object to the amendment of the General Plan land use designation for the increase in density from single family detached medium to residential attached medium for the following reasons:

1. Increased water and sewage. The last time they built new homes, they took out a pressure regulator and many residents' pipes broke. We sued the city and won \$25,000.

At a time when Anderson is drained, where are we going to get more water?

2. Traffic impact on Hill, Tennant, Dunne, Fountain Oaks, and Barrett. They did the study during the covid shutdown when there was no school and people weren't working. The traffic on Fountain Oaks 3 times a day around Jackson school is horrendous. There was already a little boy who was killed on Saddleback and Dunne a few years ago.

3. School overcrowding at Jackson.

4. More air pollution.

5. More noise pollution from cars and ambulances and fire to take seniors to the hospital.

6. Keep the integrity of the neighborhood. Put high density in the areas around downtown and the freeway or Cochrane.

7. Senior housing should be close to shopping and services so they can walk there.

We hope you deny amending the GENERAL PLAN and respect the wisdom of previous city councils. What about measure P? The people of Morgan Hill don't want growth and high density housing.

Sincerely Dennis and Eden Perry

Sent from my Galaxy



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January

Developmental Asset #32

Planning and Decision Making

Young person knows how to plan ahead and make choices.



January

Complementary Asset #21

Achievement Motivation

Young person is motivated to do well in school.

How does planning and decision making aid youth?



Youth will:

- ☐ Prepare for the future
- ☐ Develop a strong work ethic
- ☐ Avoid unnecessary stress
- ☐ Emphasizes independence
- ☐ Understand internal and external consequences



Agnes William, Active Member



→ How has planning and decision making helped you achieve your goals?

- ◆ Organize my thoughts
- ◆ Set goals for myself
- ◆ Prepare for what's to come

Whiteboard



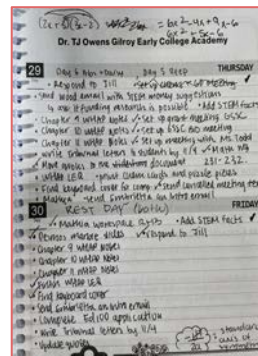
Ria Deshpande, Vice President



→ How has planning and decision making helped you achieve your goals?

- ◆ Develops stability
- ◆ Self-accomplished
 - Motivated for more
- ◆ Confident in my abilities
- ◆ Visualize the future

Scheduling...Life



The Margie Snively
Future Women Leaders Conference
Saturday, April 6, 2019

Thank you to our sponsors: AAUW

Agenda

8:30 - 8:50	Registration / Light Snacks
9:00 - 9:20	Opening Ceremonies / Introductions
9:20 - 10:00	Keynote Address by Divya Gopisetty
10:15 - 11:00	Workshops A
11:15 - 12:00	Workshops B
12:00 - 1:15	Lunch Activities / Entertainment
1:15 - 2:00	Workshops C
2:00 - 3:00	Closing Activities

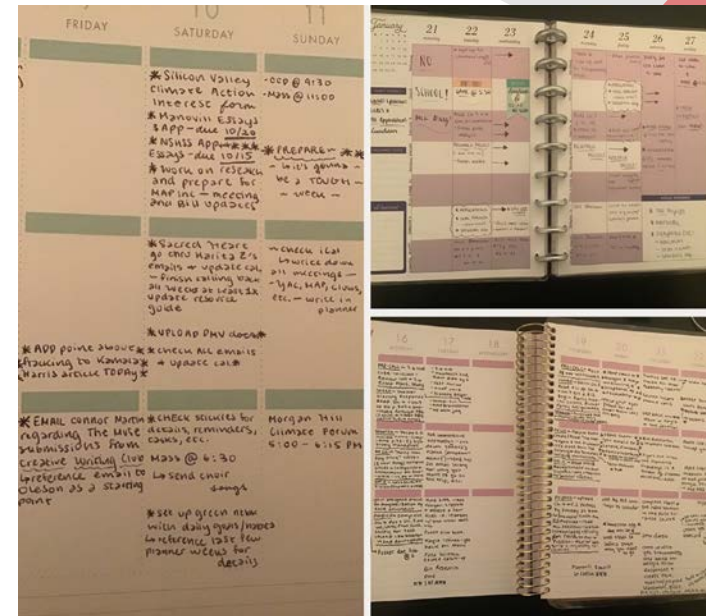


Elizabeth Joseph, Active Member



- How has planning and decision making helped you achieve your goals?
- ◆ High School acceptance-- provided planner
 - ◆ applications that lead to many acceptances

Planner



Tips for Community Members



- ❖ Provide students with planners
- ❖ Practice making a daily to-do list
- ❖ Support independence: help make the “right” decisions
- ❖ Encourage seeking opportunities



Questions to Council:

- What are some tools that you use or have used to help you plan?
- As adults, there are many challenging decisions to make. How do you make these decisions?
- How do you prioritize your “to do” list when you have many action items that you find equally important?





Regular Meeting Agenda

City Council

Rich Constantine - Mayor
John McKay - Mayor Pro Tem
Gino Borgioli - Council Member
Yvonne Martinez Beltran - Council Member
Rene Spring - Council Member

Wednesday, January 20, 2021 7:00 p.m.

Virtual Meeting

VIRTUAL MEETING GUIDELINES AND PUBLIC COMMENT

Virtual Meeting Guidelines and Public Comment

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. Physical meetings will not be in the City Council Chamber until further notice.

City Council meetings will be live streamed on Channel 17, on the City's website and on the City's Facebook page. Those members of the community that would like to participate in the meetings remotely may do so by joining the virtual meeting at: <https://bit.ly/MHCityCouncilMeeting> or by calling in to: (669) 900-9128, then enter the webinar id: 873 3200 8380#.

Public comment may be provided in the following ways:

- Join the virtual City Council meeting via the link above, when public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes
- Join the virtual meeting by calling in to the number above, dial *9 to raise your hand and be called upon to speak for up to 3 minutes
- Send public comments in writing to the City Clerk at ccpubliccomment@morganhill.ca.gov [<mailto:ccpubliccomment@morganhill.ca.gov>](mailto:ccpubliccomment@morganhill.ca.gov)

* Please note that comments made on Facebook are not considered 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

City Clerk Michelle Bigelow

DECLARATION OF POSTING AGENDA

Per Government Code Section 54954.2

City Clerk Michelle Bigelow

PRESENTATIONS

YAC PRESENTATION- ASSET #32- PLANNING AND DECISION MAKING

RECOGNITIONS

2020 STEM Winners

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)

ADOPTION OF AGENDA

CONSENT CALENDAR

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Pursuant to City Council Policies and Procedures (CP 97-01), any member of the Council or public may request to have an item removed from the Consent Calendar for comment and action.

Time Estimate for Consent Calendar: 1 - 10 Minutes

1. ACCEPT SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) COMMUNITY-BASED TRANSPORTATION PLAN FOR MORGAN HILL

Recommendation:

Accept the Morgan Hill Community-Based Transportation Plan (CBTP).

2. ADOPT ORDINANCE 2319, NEW SERIES, OF THE CITY OF MORGAN HILL AMENDING SECTION 8.28.040 (ENUMERATION OF UNLAWFUL NOISES) OF CHAPTER 8.28 (NOISE) OF TITLE 8 (HEALTH AND SAFETY) AND AMENDING VARIOUS CODE PROVISIONS WITHIN TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL IMPLEMENTING MINOR AMENDMENTS DUE TO CLERICAL ERRORS AND INCONSISTENCIES; AMENDING CHAPTER 18.52 (FENCES AND WALLS) OF TITLE 18 (ZONING) TO CLARIFY AND ESTABLISH DESIGN AND SCREENING REQUIREMENTS OF FENCES AND WALLS; AND TO ESTABLISH CHAPTER 18.115 (GENERAL PLAN AMENDMENTS) OF TITLE 18 (ZONING CODE) OF THE MUNICIPAL CODE OF THE CITY OF MORGAN HILL ESTABLISHING PROCEDURES FOR AMENDING THE GENERAL PLAN

Recommendation:

Waive the reading, adopt Ordinance No. 2319, New Series, and declare that said title, which appears on the agenda, shall be determined to have been read by title and further reading waived.

3. APPROVE CITY POSITION AND COMMUNICATION REGARDING VTA'S PROPOSED MEASURE B FUNDING REALIGNMENT, VALLEY WATER'S FUNDING OF PHASE 2A OF UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT AND FEDERAL STIMULUS SUPPORT FOR STATE AND LOCAL GOVERNMENTS

Recommendation:

1. Ratify City position and accept City communication sent to Santa Clara County Board of Supervisors regarding opposition of Valley Transportation Authority's (VTA) proposed 2016 Measure B 10-year outlook base scenario and funding realignment;
2. Authorize City Manager to communicate the City's position to Valley Transportation Authority Board when the matter is placed on its agenda;
3. Ratify City position and accept City communication sent to Valley Water in support of funding Phase 2A of the Upper Llagas Flood Control Protection Project; and
4. Ratify City position and accept City communication sent to Federal legislative representatives in support for economic stimulus for state and local governments.

4. APPROVE AGREEMENT WITH BLACK & VEATCH FOR RISK AND RESILIENCY ASSESSMENT (RRA) AND EMERGENCY RESPONSE PLAN (ERP) SERVICES

Recommendation:

Approve and authorize the City Manager to execute and administer an agreement with Black & Veatch Corporation in the amount of \$143,880 for the development of a Risk and Resilience Assessment and Emergency Response Plan.

5. APPROVE FIRST AMENDMENT TO AGREEMENT WITH SANTA CLARA COUNTY FOR ISOLATION QUARANTINE PROGRAM

Recommendation:

Approve the First Amendment to the agreement between the County of Santa Clara and the City of Morgan Hill for the Countywide Isolation and Quarantine Support Program to extend the term through June 30, 2021.

6. APPROVE GOVERNMENT CODE 65915 DENSITY BONUS CONCESSIONS FOR A 100 PERCENT AFFORDABLE HOUSING PROJECT (SR2020-0023 WATSONVILLE-HORDNESS)

Recommendation:

Adopt resolution approving the request for the following affordable housing concessions, pursuant to Government Code:

1. Increase in floor area ratio;
2. Reduction in on-site parking;
3. Reduction in common open space; and
4. Increase in building height.

7. APPROVE THE DECEMBER 16, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

8. ADOPT RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY FROM GARCIA FOR THE HALE AVENUE EXTENSION PROJECT

Recommendation:

1. Adopt Resolution of Necessity determining that the public interest and necessity require the acquisition by eminent domain of real property from Rocke and Glenda Garcia as identified in Exhibit A for the Hale Avenue Extension Project; and
2. Authorize the City Attorney to file suit in eminent domain with respect to said property.

Estimated Time: 10 Minutes

OTHER BUSINESS

9. RECEIVE MONTHLY BUDGET UPDATE, DECEMBER 2020 FINANCIAL AND INVESTMENT REPORTS, AND CITY MANAGER AUTHORITY REPORT

Recommendation:

Accept and file report.

Estimated Time: 15 Minutes

10. REVIEW AND APPROVE CITY COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Recommendation:

1. Review, discuss, and approve the City Council appointments to Outside Agencies as necessary; and
2. Direct the City Clerk to notify the appropriate agencies of the updated assignments and update the Form 806 as necessary.

Estimated Time: 30 Minutes

FUTURE COUNCIL INITIATED AGENDA ITEMS

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

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



These strategic priorities were established prior to the COVID-19 pandemic. In light of recent events, we recognize that all of these goals and priorities will be viewed through the lens of the global pandemic, and we will continue to have equity, public health, and financial responsibility in mind.

Public Comment
AGENDA DATE: 1/20/2021
SUPPLEMENT # 1

From: [NICHOLA CARPENDALE](#)
To: [CC Public Comment](#)
Subject: council resolution regarding events of January 6
Date: Saturday, January 16, 2021 8:44:13 AM

Hi

I would like to ask the council to put forth a statement condemning the insurrection of January 6 in Washington, DC

Thank you

Nikki Carpendale

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AAUW Morgan Hill PO Box 1528, Morgan Hill, CA 95038

www.aauwmh.org

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

As members of a non-partisan organization devoted to advocacy and equity for all, we unequivocally repudiate the seditious incitement of violence by the President and the elected leaders who supported and encouraged him, responsible for the vicious and bloody assault on our Capitol Building in Washington DC on January 6, 2021.

The violent mob, with a proliferation of white supremacist, Nazi, and anti-Semitic symbols did this in the President's name. Lives were lost, the Capitol building desecrated, ransacked, and pillaged, and the Confederate flag representing racism, human-trafficking, and slavery, placed in our sacred Capitol building for the first time in history.

Our highest elected leader, our President, flouted federal law, his oath, principles of democracy, decency, and truth, and incited a treasonous insurrection, witnessed in real time on TV by us, and by people all over the globe. This attempt to subvert the results of a fair election, undo the will of the people, and accept the "most secure election ever" as concluded by legal experts and the Supreme Court, after a multitude of attempts to sue without evidence, is a perilous threat to our democracy. The organized armed insurgency still planned across all 50 states and Washington DC for the 20th show no sign of abatement or evidence of lessons learned.

We are encouraged that our leaders in Congress have initiated legal action, and we exhort them to ensure that the President and his encouragers face consequences so that this never happens again. We ask our local officials to make a statement, in solidarity, regarding this grave attack on our democracy. These steps will help us move forward with the new president and legislature, on a path toward healing our country to which we are all committed.

We make this statement in the name of democracy, decency, federal law, and the Constitution of the United States.

Respectfully,



AAUW Morgan Hill PO Box 1528, Morgan Hill, CA 95038
www.aauwmh.org

Kay Arora, AAUW Morgan Hill Member; SURJ South County Member
Mary Cox, AAUW Morgan Hill Member/Past President
Kathy Devine, AAUW Morgan Hill Member
Donna Dicker, AAUW Morgan Hill Board Member/Past President
Betsy Ding, AAUW Morgan Hill Member
Marcia Fishman, AAUW Morgan Hill Member
Gautam Ganapathy, AAUW Morgan Hill Member
Suman Ganapathy, AAUW Morgan Hill Board; Morgan Hill Library, Culture & Arts
Commissioner; LMH Class of 2018; SURJ South County Member
Carol Holzgrafe, AAUW Morgan Hill Member/Past President; LMH Class of 1999
Amina Khemici, AAUW Morgan Hill Member; SURJ South County Member; SVIC Member
Katie Khera, AAUW Morgan Hill Member; Morgan Hill Library, Culture & Arts
Commissioner; SURJ South County Member
Margaret MacNaughton, AAUW Morgan Hill Member
Elizabeth Mandel, AAUW Morgan Hill Board/Past President; LMH Class of 2019
Sousan Manteghi-Safakish, AAUW Morgan Hill Member; SURJ South County Member
Margaret McCann, AAUW Morgan Hill Member/Past President; LMH Class of 2016
Monica McClintock, AAUW Morgan Hill Member
Janet McElroy, AAUW Morgan Hill Board/Past President
Marji McMillan, AAUW Morgan Hill, Member; SURJ South County Member
Cinda Meister, AAUW Morgan Hill Member; LMH Class of 2016
Gretchen Merrick, AAUW Morgan Hill Member
Kathy Napoli, AAUW Morgan Hill Member
Jill Paveza, AAUW Morgan Hill Member
Marilyn Pifer, AAUW Morgan Hill Member
Jean Pinard, AAUW Morgan Hill Member
Yvonne Randolph, AAUW Morgan Hill Member
Jenny Redfern, AAUW Morgan Hill Member/Past President
Elaine Reimer, AAUW Morgan Hill Member
Susan Rife, AAUW Morgan Hill Member; LMH Class of 2017
Donna Ruebusch, AAUW Morgan Hill Member
Marian Sacco, AAUW Morgan Hill President; LMH Class of 2005
Kathy Sullivan, AAUW Morgan Hill Member
Joan Stempel, AAUW Morgan Hill Member
Sherrie Wren, AAUW Morgan Hill Board
Janet Wright, AAUW Morgan Hill Board
Beth Wyman, AAUW Morgan Hill Member; Past Morgan Hill Mayor

From: NICHOLA CARPENDALE <nicarp@verizon.net>
Sent: Tuesday, January 19, 2021 3:42 PM
To: Christina Turner <Christina.Turner@morganhill.ca.gov>
Subject: CC meeting agenda 1/20/21

Hi Christina

If it is not too late, can our SURJ statement go on tomorrow's agenda?

Thank you
Nikki Carpendale

We, members of SURJ South County (**Showing Up for Racial Justice**) and citizens of Morgan Hill, were horrified and disgusted by the insurrection at the Capitol instigated and fomented by President Trump. We will continue to put pressure on our leaders in Congress to take legal action against Trump and those that participated in the heinous acts of January 6th. As we wait for them to be held accountable, we expect our own city leaders to go on the record robustly condemning their criminal acts of sedition. In order for citizens to trust our city leaders, such a statement needs to be made. This is a nonpartisan statement made in recognition of a serious attack on American democracy.

From: [Suman Ganapathy](#)
To: [John McKay](#); [Rich Constantine](#); [Yvonne Martinez Beltran](#); [CC Public Comment](#); [Gino Borgioli](#); [Rene Spring](#)
Subject: Re: AAUW Letter to City Council: A Response to the Insurrection at the Capitol
Date: Wednesday, January 20, 2021 11:07:27 PM

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

Hello! Following my comments to City Council tonight, another speaker took exception to my prefacing my remarks as “non-partisan”. In case any of you were left with similar questions, I wanted to take the opportunity to clarify our organization’s position on being “political” versus “partisan”.

Because AAUW is politically active, and lobbies for legislation in support of gender equity for women and girls, this is an argument we have heard time and again.

AAUW is certainly political in that it establishes public policy platforms at both the state and national level and then works in support of that public policy platform to create social change.

However, at the same time, AAUW remains firmly non-partisan. In Morgan Hill, for example, we hold candidate forums in election years, always inviting all candidates and never endorsing or advocating for a specific candidate, faction, or party.

Being non-partisan, however, does not mean that we are obliged to refrain from holding elected officials accountable for positions or actions they have taken. Our former president – as stated by our National AAUW’s CEO along with leaders of other national women’s organizations – “has stoked racism, sexism, antisemitism, Islamophobia, ableism, xenophobia, toxic masculinity, and more”. These are the facts; this is not a partisan statement. For the sake of democracy, it is imperative that he be held accountable.

If you would like to learn more about AAUW Morgan Hill’s position on our role in advocacy and public policy, please visit our website at <http://www.aauwmh.org/advocacy>.

Thanks ever so much!

Respectfully,

On Tue, Jan 19, 2021 at 9:24 PM Suman Ganapathy <sumanmitraganapathy@gmail.com> wrote:

Dear Mayor Constantine, Mayor Pro-tem McKay, Council Members Spring, Beltran, and Borgioli,

Happy New Year! I wanted to begin with complimenting all of you on the exemplary work you and the City are doing during these troubled times.

AAUW National, along with a group of other national women's organizations, sent a response to the January 6th insurrection at the Capitol. Here's a link to that message: <https://www.aauw.org/resources/news/media/womens-community-statement-on-president-trumps-removal/> Several of us members of the Morgan Hill branch would like to present our own statement at the MH City Council meeting on the 20th (tomorrow) at the public comment section of the meeting.

Attached the letter, with names of AAUW members who signed their names to it.

We hope to be able to add the call-to-action at the end of the letter to the agenda of a future city council meeting.

Thanks ever so much!

Respectfully,
Suman Ganapathy

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From: dmtms@aol.com
To: [CC Public Comment](#)
Subject: New Horizons Development at Hill Road and Barrett Av Comments
Date: Tuesday, January 26, 2021 5:55:06 PM

Re: the New Horizons Housing Development

My husband and I live on Sorrel Way right next to where new houses will be built. We have lived here for 24 years without any major neighborhood problems until now. We are deeply concerned that Sorrel will be turned into a thoroughfare from Barrett Road past our house to the stop sign at Fountain Oaks. We see no indication there will be speed bumps or turnabouts to slow down traffic and can only imagine the speed at which people will drive that road. This is already a problem on Fountain Oaks.

We are also concerned that Sorrel Way will become the most direct route to the elementary school on Fountain Oaks and as exit to E. Dunne. Our street is only 4 houses deep to the stop sign at Sorrel Way and Fountain Oaks. Already, when school is in session, it's extremely difficult to leave our house and turn left onto Fountain Oaks to get to work. This little street cannot take the extra traffic generated by an additional 340+ households trying to get out to Fountain Oaks or Dunne in the mornings and afternoons.

Since we are at the end of Sorrel Way, we have also often reported to the city flooding in front of our house due to lack of trenches dug into the field and the grade of the street. New development on the field must take this flooding into consideration and not make the issue worse for our houses.

Additionally, we have limited evacuation routes for the Jackson Oaks, Holiday Estates and Jackson Meadows area. We were required to evacuate this past summer due to the wildfires. We are firmly asserting that safe evacuation routes must be incorporated into this new development to avoid risk of lives in the future.

We have discussed these issues with the other households living on our block of Sorrel Way. We are all concerned about the amount of traffic that will be generated on our little block from this new development. Several of the households have young children who are used to playing freely on the sidewalks and chasing toys into the street. We are alarmed at the risk to the children and the elderly on our block by the increased and potentially high-speed traffic this development will bring.

Specifically, we are requesting:

1. The main entrance to this development be clearly designated as Hill Road and designed to encourage this as the PRIMARY entrance/exit for all of the residents. The Sorrel Way/ Fountain Oaks area can not absorb new traffic without substantial delays, major inconvenience, and potential risk to the current residents of the street.
2. A stop sign at the edge of the new development as it enters our neighborhood right at where the field starts on Sorrel Way. This will help regulate traffic pouring onto Sorrel Way and allow those of us who are existing residents, to have a safe chance to pull out of our driveways.
3. A turnabout on the newly opened area of Sorrel, to slow those careless and distracted drivers from exceeding the speed limit and racing past our houses.
4. A reduced speed limit on Sorrel through the development to 15 miles/hour or less.
5. Alleviation of current flood conditions that exist at the edge of the field and Sorrel Way.
6. Safe and additional evacuation routes for the existing residents of the Sorrel/Fountain Oaks area and for the new development.

We appreciate and anticipate responses to these issues.

Thank you,

Donna and Greg Rose

(408)779-6780

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From: abinowbx@gmail.com
To: [CC Public Comment](#)
Subject: Morgan Hill New Horizons Development
Date: Sunday, January 24, 2021 12:16:46 PM

I am a resident who's backyard is adjacent to the lot proposal construction of New Horizons in the corner of Hill and Barrett Avenues.

I'm writing to express my environmental concerns with the creation of neighborhood population increase, already congested streets, noise level, gas emissions, social impact, school traffic, infrastructure, etc.

With the massive exodus of folks out of California, it is unclear why Morgan Hill continues to populate the City with more housing and no jobs; for example, <https://www.cnn.com/2021/01/23/why-companies-are-fleeing-california.html>

What can we do to redirect this and similar constructions in Morgan Hill to a time when the economy has recovered, COVID-19 is more controlled, and the infrastructure is in place? How can I assist?

Sincerely,
Abigail ReyesPeña
Morgan Hill Resident

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From: [Shelly Conway](#)
To: [CC Public Comment](#)
Subject: New Horizons development
Date: Sunday, January 24, 2021 4:38:41 PM

To the City Clerk,

I am just writing to make a few comments about the New Horizons development that I recently found out will be built near me. I live in the Morgan Village Condos neighborhood off of Hill Rd and E. Dunne. I looked at the website for the development and it looks like a beautiful plan (although I can't imagine the pond will really be as big as it looks in the drawings-if so where does all that water come from in a drought?) .

We do need more housing and high density housing is more affordable, leaves more open space and also is better for the environment than huge single family housing neighborhoods. I am glad to see the park areas will be open to the public unlike some of the HOA neighborhoods.

I do have one comment though, with all the increase in traffic this many homes will lead to I think it would be very important to put in sidewalks along Barrett Ave and Hill Road, all the way to Live Oak High school and also bicycle lanes. Bike lanes could actually decrease traffic if some of the high school students living all along off Hill Rd could safely ride a bike to school. (my son tried riding a bike to Live Oak when he was in school but it was too unsafe when all the other cars were whizzing by on the way to school in the morning).

Thankyou for your time taking my comment.

Charlotte Conway
2230 Brega Ct
Morgan Hill, CA 95037

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From: [perry.eden](#)
To: [CC Public Comment](#)
Subject: objection to SR2020-0006 Morgan Hill DEVCO
Date: Tuesday, January 26, 2021 10:42:35 AM

Our names are Dennis and Eden Perry of 2505 Fountain Oaks Dr., Morgan Hill.

We object to the amendment of the General Plan land use designation for the increase in density from single family detached medium to residential attached medium for the following reasons:

1. Increased water and sewage. The last time they built new homes, they took out a pressure regulator and many residents' pipes broke. We sued the city and won \$25,000.

At a time when Anderson is drained, where are we going to get more water?

2. Traffic impact on Hill, Tennant, Dunne, Fountain Oaks, and Barrett. They did the study during the covid shutdown when there was no school and people weren't working. The traffic on Fountain Oaks 3 times a day around Jackson school is horrendous. There was already a little boy who was killed on Saddleback and Dunne a few years ago.

3. School overcrowding at Jackson.

4. More air pollution.

5. More noise pollution from cars and ambulances and fire to take seniors to the hospital.

6. Keep the integrity of the neighborhood. Put high density in the areas around downtown and the freeway or Cochrane.

7. Senior housing should be close to shopping and services so they can walk there.

We hope you deny amending the GENERAL PLAN and respect the wisdom of previous city councils. What about measure P? The people of Morgan Hill don't want growth and high density housing.

Sincerely Dennis and Eden Perry

Sent from my Galaxy



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Supplement & Presentation List

January 20, 2021

City Council Meeting

Supplements

City Managers Report Supplement 1- COVID-19 Actions as of 1/8/2021

City Managers Report Supplement 2- Q&A for multiple reports

Public Comment Supplement 1- Email from Nikki Carpendale

Public Comment Supplement 2- Letter from AAUW

Public Comment Supplement 3- Email from Nikki Carpendale SURJ Statement

Item 02- Supplement 1 – Ord 2319 - Email from Joe Baranowski

Item 08- Supplement 1 – Eminent Domain- Image of map from Rocke Garcia

Item 08- Supplement 2 – Eminent Domain- Q&A

Item 10- Supplement 1 – Outside Appointments- Email from Doug Muirhead

Item 10- Supplement 2 – Outside Appointments – Outside appointments chart

Presentations

Item 09- Budget- Staff Presentation

From: NICHOLA CARPENDALE <nicarp@verizon.net>
Sent: Tuesday, January 19, 2021 3:42 PM
To: Christina Turner <Christina.Turner@morganhill.ca.gov>
Subject: CC meeting agenda 1/20/21

Hi Christina

If it is not too late, can our SURJ statement go on tomorrow's agenda?

Thank you
Nikki Carpendale

We, members of SURJ South County (**Showing Up for Racial Justice**) and citizens of Morgan Hill, were horrified and disgusted by the insurrection at the Capitol instigated and fomented by President Trump. We will continue to put pressure on our leaders in Congress to take legal action against Trump and those that participated in the heinous acts of January 6th. As we wait for them to be held accountable, we expect our own city leaders to go on the record robustly condemning their criminal acts of sedition. In order for citizens to trust our city leaders, such a statement needs to be made. This is a nonpartisan statement made in recognition of a serious attack on American democracy.



January

Developmental Asset #32

Planning and Decision Making

Young person knows how to plan ahead and make choices.



January

Complementary Asset #21

Achievement Motivation

Young person is motivated to do well in school.

How does planning and decision making aid youth?



Youth will:

- ☐ Prepare for the future
- ☐ Develop a strong work ethic
- ☐ Avoid unnecessary stress
- ☐ Emphasizes independence
- ☐ Understand internal and external consequences



Agnes William, Active Member



→ How has planning and decision making helped you achieve your goals?

- ◆ Organize my thoughts
- ◆ Set goals for myself
- ◆ Prepare for what's to come

Whiteboard



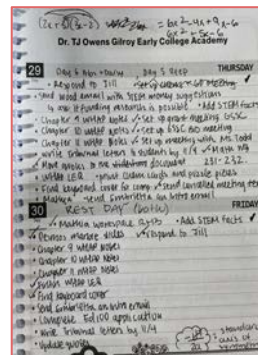
Ria Deshpande, Vice President



→ How has planning and decision making helped you achieve your goals?

- ◆ Develops stability
- ◆ Self-accomplished
 - Motivated for more
- ◆ Confident in my abilities
- ◆ Visualize the future

Scheduling...Life



The Margie Snively
Future Women Leaders Conference
Saturday, April 6, 2019

Thank you to our sponsors: AAUW

Agenda

8:30 - 8:50	Registration / Light Snacks
9:00 - 9:20	Opening Ceremonies / Introductions
9:20 - 10:00	Keynote Address by Divya Gopisetty
10:15 - 11:00	Workshops A
11:15 - 12:00	Workshops B
12:00 - 1:15	Lunch Activities / Entertainment
1:15 - 2:00	Workshops C
2:00 - 3:00	Closing Activities

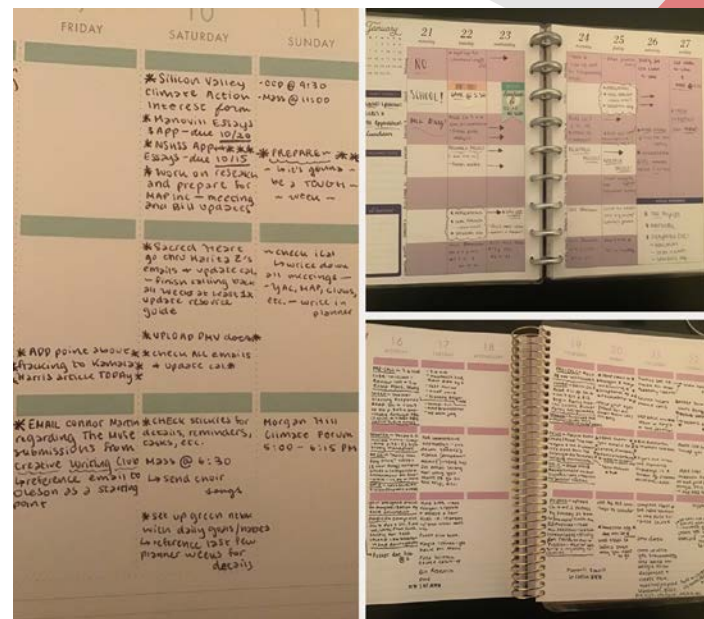


Elizabeth Joseph, Active Member



- How has planning and decision making helped you achieve your goals?
- ◆ High School acceptance-- provided planner
 - ◆ applications that lead to many acceptances

Planner



Tips for Community Members



- ❖ Provide students with planners
- ❖ Practice making a daily to-do list
- ❖ Support independence: help make the “right” decisions
- ❖ Encourage seeking opportunities



Questions to Council:

- What are some tools that you use or have used to help you plan?
- As adults, there are many challenging decisions to make. How do you make these decisions?
- How do you prioritize your “to do” list when you have many action items that you find equally important?





January

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January

Complementary Asset #21

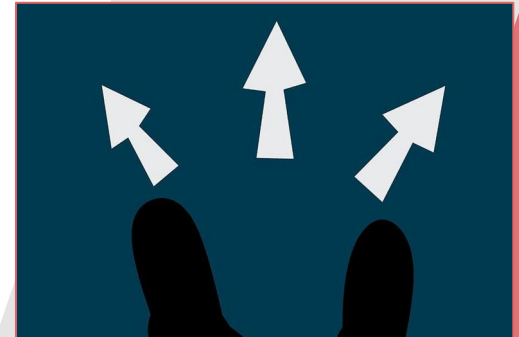
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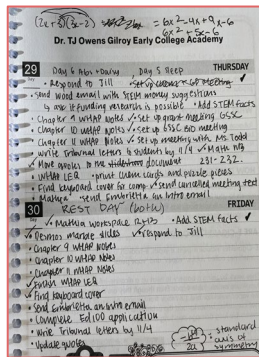
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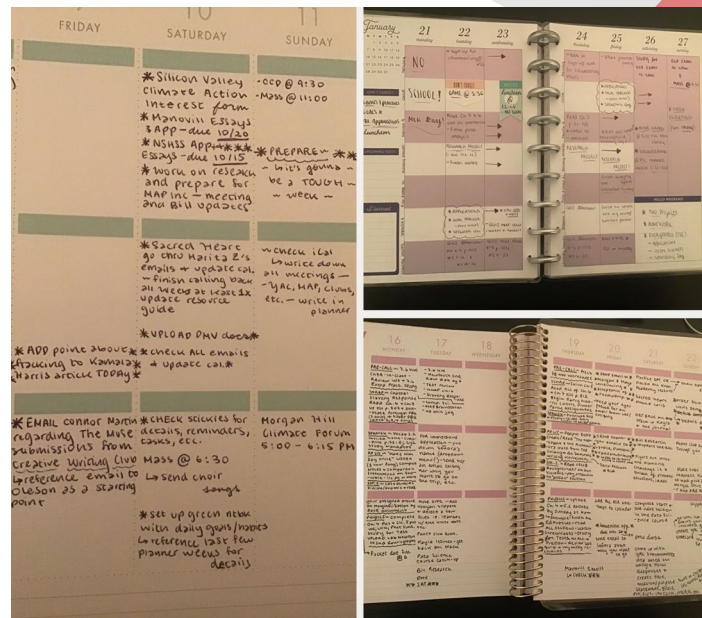


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