

From: Steve Chappell
To: [Christina Turner](#); [Rich Constantine](#); [John McKay](#); [Rene Spring](#); [Yvonne Martinez Beltran](#); [Gino Borgioli](#); [Michelle Bigelow](#)
Subject: The State of Morgan Hill Telcom/Datacom Infrastructure
Date: Thursday, February 4, 2021 2:52:34 PM

***** City Clerk Bigelow: Please add my email to the Council record of the next CC meeting in public comment. Thank you, -Steve***

4 February, 2021

City Manager Turner and City Council-

The event of 3 February 2021 completely crippling Morgan Hill from communicating to the outside world should be of zero surprise to all of you. Why? Because for nearly 20 years I and others have warned multiple City Councils, City Staff members and the ever elusive Tony Eulo and his follow-on John Lang this was going to happen.

And it has happened, several times alone in the past years, namely because Mr. Eulo et al and City Council have outright refused to make modern, accountable and progressive movements toward preserving and protecting our critical infrastructure. You are also in Violation with Federal Guidelines as repeatedly warned to City Staff, who have ignored the fact that they should have, or could have, done something about this years ago. I have a stack of communications sent back and forth, but most notably 5 years ago when the charade of how the City was planning for it's improvements which have never come.

The event of 3 February placed the bulk of forced Work From Home citizens in jeopardy from not being productively engaged with their employers. It jeopardized our Emergency Lifeline to Local First Responders at MHPD and MHFD. It cut off the entire City from educating it's Children at home and access to remote teachers within MHUSD. In other words, this disaster, partially created by the City of Morgan Hill left all of us in the dark for an entire day.

You should ALL be consumed with concern by now over these very fundamental issues:

- Why has City Staff, namely Tony Eulo et al failed the Citizens of Morgan Hill with his and others complete inaction and disregard for the preservation of our critical infrastructure as guided by **42 U.S. Code § 5195c** - Critical infrastructures protection, which demands that Cities must defend and prepare critical infrastructure in the event of disaster, such as that of 3 February. He has been advised by myself and many others that lack of action would lead to this. He has also failed to exercise the City's rights under US Code to ensure that all providers involved were held to ensure they had appropriate backup, redundancy and fail over to prevent crippling an entire City. In other words, Mr. Eulo has failed to do his job for years, maybe even a decade or more, and it's only appropriate he is relieved of his City Position immediately and

terminated. Failure to take action against a City Staff member that has had years to correct this mean that all of you are equally complicit in failing the Citizens of Morgan Hill

- What immediate actions are you taking to prevent this from happening again? How are you accountable to the Residents and Citizens who entrust you by never acting in a proactive way after being repeatedly warned and advised that you need to act? Well that ship has long sailed, and none of you have acted responsibly, appropriately or under any semblance of best practices when it comes to preserving and protecting our critical telcom/datacom infrastructure. In fact, you have acted with complete disregard. How many more years of warnings do you need?

You next actions should be as follows, without wasting another moment of time:

#1 - In the next 30 Days, demand by subpoena Spectrum/Charter/Frontier Gov reps appear to a public hearing at City Hall to answer for immediate plans on Tel/Datacom Redundancy and Failure mode. It is your job to protect our City Infrastructure, it is their job to ensure they follow your guidance.

#2- Demand instantly all Tel/Datacom providers supply a short term 3 month plan (90 days) to add capacity via alternate backbone circuits into and out of the entire south County area.

#3- Conjoin as a party of interest with the City of Gilroy and town of San Martin to form a coalition and collaboration for the Broadband Health/Safety and security of our joint Tel/Datacom Infrastructure. Make a 30 day plan of action to form the coalition, the players, the oversight. Have a 90 day plan to put boots on the ground, shovels in the dirt and facilities placed to begin that plan of action.

#4- Begin immediate discussions with AT&T, Comcast and any / all about a possible growth and take-over of all facilities in the entire South County Region as a collective with Gilroy and San Martin predicated on multiple backup and redundant services and extremely modern QOS and strict SLA's.

#5- Fire Tony Eulo at the City of Morgan Hill, Fire John Lang and any others who have failed to do their job and protect the Citizens of Morgan Hill. Tony and John should just quit now because they have for years failed the Citizens of Morgan Hill. Yesterday PROVES that.

#6- City Council- do your job working to protect the interests of the Citizens of Morgan Hill and stop bickering for endless hours in City Council meetings about your agendas for better campaign contributions and all you waste our tax dollars on. Do your damn job. Make things work better. If that requires people like Tony Eulo getting fired, then get it done and let's get someone who can modernize our Infrastructure that actually knows what they are doing and can get it done. The #1 Job you all have is Preserving the safety and security of Morgan Hill Residents. Public safety is #1. #2 is our infrastructure. #3 is cutting expenditures and fat from the City, City Staff and people

who can't do the job. If you waste one minute of time on anything else in City Council meetings, you are failing to do what you are elected to do. All you have to do is those 3 things, absolutely nothing else in this City is more important than that.

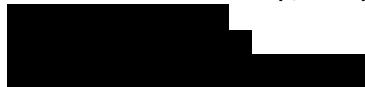
The disaster this week is all your fault for once again NOT LISTENING to the Residents wishes. All of you sitting on your high table have been warned for years about this and you have DONE NOTHING. Stop making empty promises, stop writing plans that go no where, stop spending our tax dollars on consultants that deliver NO Results. Just do your job and prevent disasters like that of 3 February from EVER happening again. Once again, it's time to replace staff that haven't done what they should have over 10 years ago.

If you plan on not doing anything, or waiting for some magical fairy to waive a wand and fix all the infrastructure ills, you are likely to find yourself approaching another lawsuit. Because apparently only suing the City is how things get done when you don't listen to the Residents and tax paying Citizens who pay for this City to run. And that includes all the jobs of City Staff.

Do the right thing, do it swiftly and smartly.

KR, --Steve

Steve Chappell, Chief Technology Officer
Accudata Partners Group, Inc. (APGI)



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WORKSHOP

AGENDA DATE: 02/24/2021

SUPPLEMENT # 2

From: Grzan Family
To: [Michelle Bigelow](#)
Subject: Outage Places the Community at Grave Risk
Date: Monday, February 8, 2021 6:43:12 AM

(Please distribute this email to the City Manager, Mayor and Individual Councilmembers)

Dear Honorable Council and City Manager:

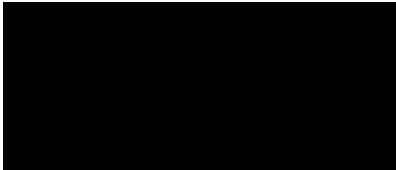
I am writing to you with deep concern regarding the outage of cellular, internet and cable services from Charter/Spectrum Communications that occurred at approximately 10 AM, Wednesday, February 3, 2021 and continued for 12 hours. The outage placed our community at grave risk as the community could not access emergency services (ambulance and fire) should such services be required.

I understand that a fiber-optic cable was severed, a repeat must be avoided in the future. I am asking our Council leadership to advise the community as to what it should do if it should it reoccur and how I can it can access emergency services during such an occurrence. Where are the guidelines and processes in contacting fire, EMG, police and public works and other such services? If we do not have a plan, I demand that the Council develop such a plan. Perhaps our police, fire or EMG services should establish a community access points and dispatch a radio equip vehicle to a designated public park or street location to whom the public could report emergencies.

Without Verizon cellular, I personally had to drive five (5) miles away from my home at 3 PM on February 3rd to be able to contact Charter/Spectrum. But they were not able to tell me anything other than there was a major outage. The Charter Agent lamented that she should know so that she could provide information and an estimated ETA (Estimated Time of Arrival/ Repair) so the community can take appropriate action. She said, "They don't tell us". The response is unacceptable and must stop.

During this pandemic we have learned the value of the internet. Doctor's appointments are routinely scheduled over the internet, we were able to sign up for vaccines, over the internet, we order medicines, food and other vital necessities using the internet. Children and students received instruction; employers are able to communicate with employees working from home. But as we have become more reliant on internet communications, we do not have a backup, work around or alternatives when they go down. Today, that must stop. We are grave risk. I ask that Council undertake and develop or review and update an emergency plan should such an outage reoccur. Even with all the preventive measures and cautions, we all know that it will.

Respectfully
Mark Grzan
Former City Councilmember
Mayor Pro Tempore



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From: [City of Morgan Hill](#) on behalf of [PIO](#)
To: [Christina Turner](#)
Subject: February 3, 2021 Spectrum Outage Recap
Date: Thursday, February 4, 2021 6:12:06 PM



February 3, 2021 Spectrum Outage Recap

What Happened, How the City Responded, What You Can Do

To Our Morgan Hill Community,

As you know, yesterday, Morgan Hill experienced a massive outage that affected internet, cable TV, and phone services in our community. This was isolated to Morgan Hill and caused significant inconvenience for most and was devastating for many. We want to share what happened, how we responded and what, if anything, can be done to prevent future, similar events from happening.

What Caused the Outage

Yesterday's outage was allegedly caused by a Spectrum fiber line that was inadvertently cut by one of Spectrum's subcontractors. The City was not notified directly of this incident. City staff learned of this situation at the same time as the rest of our community.

Spectrum and Verizon's services were both impacted by the fiber cut. Frontier also experienced an outage, but disruption to Frontier services was unrelated.

How the City Responded

Upon learning that there was an extensive outage impacting a majority of our community, the City's Emergency Operations Center began working to identify the extent of the outage, address immediate communications, and solve other public safety challenges.

- **9-1-1:** All of the City's 9-1-1 systems and equipment were intact and unaffected by yesterday's fiber cut. However, since we did not know the extent of the damage, there was a concern that VOIP and Verizon Wireless customers needing 9-1-1 services would be unable to dial out due to their service being affected. Because of this, the City's Dispatch Supervisor immediately asked for 9-1-1 to be routed to Santa Clara County Communication. This change had not impact to the end user.
- **Police:** Police patrol teams were doubled and sent to highly visible and heavily traveled locations within the City. Patrol teams also checked on vulnerable facilities such as assisted living centers.
- **Communication:** The City sent out information through our many communication channels as we received it from Spectrum, knowing that many would not be able to access or receive, but hoping that those that did would be able to share accurate information with friends and neighbors.

What can be done to prevent future outages?

Despite what you may read on social media, the City of Morgan Hill does not and cannot regulate or contract with any providers of internet, phone, or cable TV services. The City has no control over which providers offer service to Morgan Hill or the infrastructure they provide.

Cities including Morgan Hill are prevented by State and Federal law from regulating cable and internet services. Cable franchises are granted by the State, not the City.

The City has reached out to Spectrum and demanded that they provide Morgan Hill with redundancy of service. Additionally, we have reached out to the California Public Utilities Commission (CPUC), Robert Rivas, our State Assemblyman, and Senator John Laird asking that they also demand and require Spectrum to dramatically enhance the redundancy built into their system to reduce the scope, duration, and impact of future outages.

What can residents do?

Residents should also reach out to Spectrum, the CPUC, and our state representatives. We have crafted a letter for you to use available on the [City website](#).

Email addresses for each is provided below for your convenience:

[Spectrum](#)

CPUC

- [Rachel Peterson, CPUC Executive Director](#)
- CPUC Commisioners
 - belen.diaz-torres@cpuc.ca.gov
 - Johnathan.Koltz@cpuc.ca.gov
 - Pilar.Manriquez@cpuc.ca.gov
 - Sean.Simon@cpuc.ca.gov
 - Nicole.Cropper@cpuc.ca.gov
 - Leuwam.Tesfai@cpuc.ca.gov

[Assemblyman Robert Rivas](#)

[Senator John Laird](#)

Broadband Community Workshops

As was previously announced, the City was already planning a series of community workshops on the broadband issues in Morgan Hill. They have been scheduled for 7 p.m. on February 24, March 24, and April 28th. Details, including the link to these meetings will be shared in another email very soon. We hope you will join us.



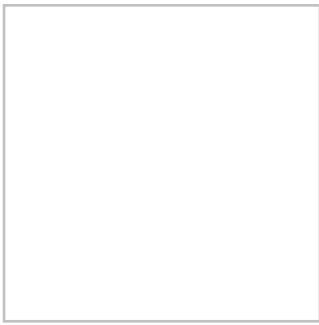
City of Morgan Hill | www.morganhill.ca.gov

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

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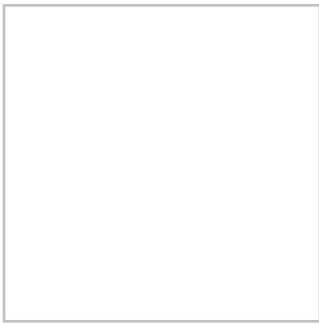
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The Facts on Broadband Service in Morgan Hill

Recently there has been significant discussion in the community on the Broadband Service provided in Morgan Hill. The City staff and elected officials understand the community outrage and anger following the recent outage. Furthermore, the City representatives understand the need for improved service and for many years have continuously demanded improved service and redundancy from our primary internet provider, Spectrum. These demands have not been responded to and the City has now escalated these demands to the California Public Utilities Commission (CPUC).

Cable Franchise

Many years ago the City of Morgan Hill was responsible for directly managing its own cable franchise, however, this changed in 2006 when the State passed [Assembly Bill 2987](#) better known as Digital Infrastructure and Video Competition Act of 2006 (DIVCA), moving oversight of cable franchises to the CPUC. Franchises are now granted by the State, not the City, and actually are not difficult to get. However, it is economic factors that prevent new franchises from coming into the market. As is the case with water service, gas service, electric service, sewer service, or landline phone service, extensive investment is needed to construct the infrastructure needed to provide new broadband service. Spectrum currently owns all of the infrastructure throughout the City that provides broadband cable service, and any new company would need to spend tens to hundreds of millions of dollars to construct an alternative system. With that level of investment required just to build the system, rates would be astronomically higher than those that Spectrum can offer.

Morgan Hill is not unique in this dilemma as the vast majority of cities across the nation are limited to a single cable broadband service provider. It is believed that future competition for broadband services will come from wireless providers as their technologies become more robust and at a lower cost. In fact, many people today receive service from a host of local companies providing wireless broadband access. It is expected that these local companies will continue to prosper and expand their service offerings.

City Oversight of Franchises

DIVCA does provide a means for local government to satisfy issues with cable providers in relation to cable service, but this is not the case for broadband service provided by the same companies. DIVCA actually expressly forbids cities from adopting more rigorous customer service standards than those outlined in the law and the standards contained in State and Federal law are essentially meaningless. Their standards address issues like the following:

- Office hours and phone answering time
- Noticing for programming changes
- Service call response time
- Distribution of information on the complaint resolution process

Standards like these are not the concern that the vast majority of customers have, and they **are solely focused on cable television service and not broadband internet services**. The Federal government specifically preempts cities from regulating broadband services. This was a decision made by the FCC about 20 years ago and [affirmed in 2019 after some cities passed regulations affecting broadband services](#). In fact, the FCC even limited its own power to regulate broadband providers and this entire sector is relatively unregulated.

The issues that Morgan Hill residents care about, based on the complaints that we receive, include:

- Broadband service drops and inconsistency
- Broadband pricing
- Broadband connection speed and bandwidth issues

The City is prevented from addressing any of the above by the FCC order and never had the authority to address these under DIVCA.

The City does support the filing of cable television complaints and processes these with Spectrum. They do not provide the type of support some residents are requesting, in terms of forcing improvements to the cable system, but they do help customers address specific household issues. In order to get large-scale improvements in the system, the CPUC would need to act and that is precisely what the City's recent actions are intending to stimulate.

Local Government Involvement

The City has tried to work to encourage improved telecommunications through the limited resources and means that are available. The City has contacted other broadband service providers. It has been pointed out by community members that Comcast previously had a customer service center in Morgan Hill and that the City should have allowed Comcast to provide service in Morgan Hill. At that time, the City did not prohibit Comcast from providing service and in fact reached out directly to Comcast to ask how it could be supportive in this endeavor. However, there was no interest from Comcast due to the economic factors previously mentioned. Additionally, the City has heard requests from community members to use provisions of DIVCA to replace Spectrum with Comcast. The City has no authority to do this under DIVCA and the only means for something such as this to happen would be for one company to purchase the infrastructure from another.

The City has made efforts to incentivize companies to enter the Morgan Hill market. This work has included setting up small cell standards that could support wireless providers, utilizing City infrastructure projects to place conduit in the community, and most recently an RFP for City facility infrastructure was expanded to try to incentivize new fiber installation that supports the greater community. The City understands these efforts have only a very small impact as compared to what the private broadband provider is able to do. Knowing this, the City has recently reached out to the California Public Utilities Commission (CPUC) and our State Representatives, asking that they also demand and require Spectrum to improve service in our community and create needed redundancy.

Please note that much of the information being exchanged in the community is inaccurate statements made by people who are not familiar with the situation. Some of these statements are false (claiming that the City is preventing a competitor from siting here), others reflect personal wishes (saying that the City should have a second broadband provider), while others reflect an unrealistic expectation for the level of service that the City is able to provide. Additionally, community members have blamed specific teammates in our local government for service limitations and the recent outage. The information has been inaccurate, inappropriate, and disturbing.

Most importantly, the vast majority of what is being exchanged in some community conversations is simply not helpful to solving the problem, nor does it engender the development of a cooperative effort in which local residents, businesses, and the City government work together to improve the situation.

What can residents and businesses do?

As getting a second broadband provider to build an entirely new system in Morgan Hill will likely never happen, we should all work together to press Spectrum to build a more resilient system that is not susceptible to catastrophic failures. By diversifying the fiber connectivity of the system, Spectrum should be able to maintain a system that is able to be repaired rapidly when accidents occur. The City is pressing for this improvement and residents should also reach out to Spectrum, the CPUC, and our state representatives. We have crafted a letter for you to use available on the [City website](#).

Email addresses for each is provided below for your convenience:

[Spectrum](#)

[CPUC](#)

[Assemblyman Robert Rivas](#)

[Senator John Laird](#)

Broadband Community Workshops

Even prior to the outage, the City had scheduled and planned for the conversation between our broadband providers, City Council members, and our community. The City will be hosting a series of community workshops on the broadband issues in Morgan Hill. They have been scheduled for 7 p.m. on February 24, March 24, and April 28th. Details, including the link to these meetings will be shared in another email very soon. We hope you will join us.



**Mayor
Rich Constantine**

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

February 12, 2021

WORKSHOP
AGENDA DATE: 02/24/2021
SUPPLEMENT # 5

To the Morgan Hill Community,

Last week, our community experienced a severe communications outage that affected our residents, our businesses, and our local students. It was a lost day for many of us at a time when we could ill afford to lose a day. While the contractor that cut the fiber that caused the outage has been identified, nothing can ever be done to give us all our day back.

We recognize this is the third catastrophic outage the community has experienced in the past 12 years. While each outage had a completely different cause and occurred at completely different locations, the net effect remained the same. While we have consistently advocated for broadband redundancy, we have not had any success in obtaining it. During this time, our society has transitioned to depend more and more on fast and reliable internet access. Having this outage occur while so many of us are working and studying from home, was especially painful. We regret that the City has been unable to convince our local providers to build redundancy into their systems and vow to work harder on this issue.

While the outage was disappointing, it pales in comparison to the disappointment we felt in reviewing some of the comments made by a few individuals in the community. Some community members have targeted particular staff members, spreading reckless falsehoods, and exposing specific individual staff members to contempt, ridicule, and calls for their termination. These community members have done nothing to solve the problem we are facing or in any way move the community toward a solution. In fact, they have done just the opposite.

We can achieve great things when we work together. We can build a successful downtown, we can offer to help those in need, and we can support our small and large businesses. Recently, a community member has stepped forward to organize volunteer cleanups of different areas in South County. This man is expressing his passion for the community with his actions. He has found a way to forge a solution instead of sitting at home and forging dissent on social media.

We also know we are too small to work apart. The truth is our City government is literally the leanest in Santa Clara County and while we aspire to do everything, the reality is we need to prioritize how we spend our limited dollars and limited staff time. Even when we work together, some things will remain out of reach.

We recognize many members of the community have previously expressed dissatisfaction with the broadband services provided by Spectrum. To address this, the City was already planning a series of three community workshops designed to both provide the community with information on how we got to where we are today, what changes may be on the horizon, and what residents can do to improve their service. We hope that you will join us on February 24, March 24, and April 28. Also, the City has shared a document, [The Facts on Broadband Service in Morgan Hill](#) that provides information on our broadband.

In the spirit of working together on improving broadband internet access, the City has started a campaign asking those that regulate broadband access to investigate the situation and require local providers to build redundancy into their systems in order to minimize the chances of future catastrophic outages and to ensure that we do not lose all of the community's providers at once. While we may not ultimately succeed in this campaign, we do know that we do not have a chance unless the community works together.

Sincerely,

A handwritten signature in blue ink, reading "Richard Constantine". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Rich Constantine, Mayor
City of Morgan Hill

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Local Government Involvement

The City has tried to work to encourage improved telecommunications through the limited resources and means that are available. The City has contacted other broadband service providers. It has been pointed out by community members that Comcast previously had a customer service center in Morgan Hill and that the City should have allowed Comcast to provide service in Morgan Hill. At that time, the City did not prohibit Comcast from providing service and in fact reached out directly to Comcast to ask how it could be supportive in this endeavor. However, there was no interest from Comcast due to the economic factors previously mentioned. Additionally, the City has heard requests from community members to use provisions of DIVCA to replace Spectrum with Comcast. The City has no authority to do this under DIVCA and the only means for something such as this to happen would be for one company to purchase the infrastructure from another.

The City has made efforts to incentivize companies to enter the Morgan Hill market. This work has included setting up small cell standards that could support wireless providers, utilizing City infrastructure projects to place conduit in the community, and most recently an RFP for City facility infrastructure was expanded to try to incentivize new fiber installation that supports the greater community. The City understands these efforts have only a very small impact as compared to what the private broadband provider is able to do. Knowing this, the City has recently reached out to the California Public Utilities Commission (CPUC) and our State Representatives, asking that they also demand and require Spectrum to improve service in our community and create needed redundancy.

Please note that much of the information being exchanged in the community is inaccurate statements made by people who are not familiar with the situation. Some of these statements are false (claiming that the City is preventing a competitor from siting here), others reflect personal wishes (saying that the City should have a second broadband provider), while others reflect an unrealistic expectation for the level of service that the City is able to provide. Additionally, community members have blamed specific teammates in our local government for service limitations and the recent outage. The information has been inaccurate, inappropriate, and disturbing.

Most importantly, the vast majority of what is being exchanged in some community conversations is simply not helpful to solving the problem, nor does it engender the development of a cooperative effort in which local residents, businesses, and the City government work together to improve the situation.

What can residents and businesses do?

As getting a second broadband provider to build an entirely new system in Morgan Hill will likely never happen, we should all work together to press Spectrum to build a more resilient system that is not susceptible to catastrophic failures. By diversifying the fiber connectivity of the system, Spectrum should be able to maintain a system that is able to be repaired rapidly when accidents occur. The City is pressing for this improvement and residents should also reach out to Spectrum, the CPUC, and our state representatives. We have crafted a letter for you to use available on the [City website](#).

Email addresses for each is provided below for your convenience:

[Spectrum](#)

[CPUC](#)

[Assemblyman Robert Rivas](#)

[Senator John Laird](#)

Broadband Community Workshops

Even prior to the outage, the City had scheduled and planned for the conversation between our broadband providers, City Council members, and our community. The City will be hosting a series of community workshops on the broadband issues in Morgan Hill. They have been scheduled for 7 p.m. on February 24, March 24, and April 28th. Details, including the link to these meetings will be shared in another email very soon. We hope you will join us.



**Mayor
Rich Constantine**

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

February 12, 2021

WORKSHOP
AGENDA DATE: 02/24/2021
SUPPLEMENT # 5

To the Morgan Hill Community,

Last week, our community experienced a severe communications outage that affected our residents, our businesses, and our local students. It was a lost day for many of us at a time when we could ill afford to lose a day. While the contractor that cut the fiber that caused the outage has been identified, nothing can ever be done to give us all our day back.

We recognize this is the third catastrophic outage the community has experienced in the past 12 years. While each outage had a completely different cause and occurred at completely different locations, the net effect remained the same. While we have consistently advocated for broadband redundancy, we have not had any success in obtaining it. During this time, our society has transitioned to depend more and more on fast and reliable internet access. Having this outage occur while so many of us are working and studying from home, was especially painful. We regret that the City has been unable to convince our local providers to build redundancy into their systems and vow to work harder on this issue.

While the outage was disappointing, it pales in comparison to the disappointment we felt in reviewing some of the comments made by a few individuals in the community. Some community members have targeted particular staff members, spreading reckless falsehoods, and exposing specific individual staff members to contempt, ridicule, and calls for their termination. These community members have done nothing to solve the problem we are facing or in any way move the community toward a solution. In fact, they have done just the opposite.

We can achieve great things when we work together. We can build a successful downtown, we can offer to help those in need, and we can support our small and large businesses. Recently, a community member has stepped forward to organize volunteer cleanups of different areas in South County. This man is expressing his passion for the community with his actions. He has found a way to forge a solution instead of sitting at home and forging dissent on social media.

We also know we are too small to work apart. The truth is our City government is literally the leanest in Santa Clara County and while we aspire to do everything, the reality is we need to prioritize how we spend our limited dollars and limited staff time. Even when we work together, some things will remain out of reach.

We recognize many members of the community have previously expressed dissatisfaction with the broadband services provided by Spectrum. To address this, the City was already planning a series of three community workshops designed to both provide the community with information on how we got to where we are today, what changes may be on the horizon, and what residents can do to improve their service. We hope that you will join us on February 24, March 24, and April 28. Also, the City has shared a document, [The Facts on Broadband Service in Morgan Hill](#) that provides information on our broadband.

In the spirit of working together on improving broadband internet access, the City has started a campaign asking those that regulate broadband access to investigate the situation and require local providers to build redundancy into their systems in order to minimize the chances of future catastrophic outages and to ensure that we do not lose all of the community's providers at once. While we may not ultimately succeed in this campaign, we do know that we do not have a chance unless the community works together.

Sincerely,

A handwritten signature in blue ink, reading "Richard Constantine". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Rich Constantine, Mayor
City of Morgan Hill



Broadband in Morgan Hill Community Workshop Series #1



February 24, 2021

How the City Responded to February 3rd Spectrum Outage



- City contacted Charter to identify scope and source
- Numerous messages to Community
- Police presence sent to highly visible and traveled locations
- Patrol teams checked on vulnerable populations
- Fire and medical services were unaffected
- Letters sent to CPUC and Community

Spectrum Outage Recap



City's 911 Dispatch Center

- Up and running because it uses copper lines
- Backup internet service - South Valley Internet
- City switched 911 services to County during outage and never lost landline service
- Many were unable to call 911 because they lost their VOIP and some Verizon Wireless service

Spectrum Outage Recap (continued)



City's Role

- City does NOT have franchise agreement with Charter/Spectrum for cable TV nor broadband internet
- Broadband services are essentially only regulated by Federal Government
- City only has a minor regulatory role to insignificant cable television standards

Spectrum Outage Recap (continued)



Broadband Providers

- Other broadband providers encouraged and continue to be welcomed to Morgan Hill
- Majority of Americans are served by just one cable company due mostly to high cost of building a second network

Spectrum Outage Recap (continued)



City

- Morgan Hill does not have financial, infrastructure, nor staffing resources to become an independent wired broadband provider
- City continually encourages public/private partnerships
- City has explored and will continue to explore wireless options for Community

Spectrum Outage Recap (continued)



Residents

- Consider other service providers (Frontier landline, Frontier broadband, wireless broadband)
- If strongly interested in maintaining service and the ability to call 911 during occasional service outages, consider two paths of connectivity

UPCOMING BROADBAND COMMUNITY WORKSHOPS



Upcoming Broadband Community Workshops



Preview:

1. Pending Infrastructure and Technological Developments and What They Might Do
2. What the City Can't Do
3. What the City Can Do
4. What Local Residents and Businesses Should Do

Broadband workshop Outline

Call to order - Rich

Roll call – Michelle

Declaration of Posting – Michelle

Opening Remarks: Rich

- Thank you for taking the time to join us for this important conversation. First, let me acknowledge just how impactful the internet outage that took place on February 3rd was to our community. I, along with the Council was impacted as well, and we were just as frustrated as you. Internet service in Morgan Hill has been an ongoing conversation as we know more needs to be done. In fact, this series of Broadband workshops to have this important conversation with all of you, was scheduled before the internet outage happened. Please know that we take this very seriously and will continue to work with the community to address this issue.
- In this workshop setting, to share your comments/questions, please do so by either raising your virtual hand to speak, or by typing your comments/questions in the Q&A box. We would like community members to speak on their own behalf, as such, we will not allow ceding of time

Summary of Agenda: Christina

- I would like to reiterate what Mayor Constantine said, thank you for joining us for this important conversation. Your feedback is important to us. I want to also acknowledge that now more than ever, losing internet service is incredibly impactful with so many people working from home and many families whose kids are participating in schooling from home.
- Overview of evenings agenda/outline

What we did: Christina

- During the outage, the City contacted Charter to try to identify the scope and source of the outage. Messages were sent out to the community notifying residents that a significant outage had occurred and was being worked on. While staff knew that many people would not see the message due to the outage, some residents who weren't Spectrum customers did maintain service and would see the message. Police officers were doubled and sent to highly visible and heavily traveled locations within the City. Patrol teams also checked on vulnerable facilities such as assisted living centers. Fire protection and medical response services were unaffected.
- Letters to CPUC
- Letter to community

Five Facts: Christina

- I would like to share some information with you about the internet outage and internet in Morgan Hill with you
 - The City's 911 Dispatch Center was up and running during the February 3rd outage because it uses copper lines not fiber and has a backup internet service through South Valley Internet. The City proactively switched 911 services to the County during the outage, in an abundance of caution, but actually never lost landline services. We understand that many people were unable to call 911 because they lost their (voice over internet phone) VOIP and some Verizon Wireless service.
 - The City has no franchise agreement with Charter/Spectrum for cable television nor broadband internet services. Broadband services are essentially only regulated by the Federal government. The minor regulatory role the City does have is limited to relatively insignificant cable television standards.

- Other broadband providers have been encouraged and continue to be welcomed to come to Morgan Hill at any time. The vast majority of Americans are served by just one cable company due mostly to the high costs of building a second new broadband network in a community
- The City of Morgan Hill does not have the financial, infrastructure, nor staffing resources to become an independent wired broadband provider. The City has and continues to encourage public private partnerships with providers as the only realistic option the City has to facilitate improved services for our residents and local businesses. We have explored and will continue to explore wireless options for the community that may expand the options available.
- Other services (Frontier landline, Frontier broadband, wireless broadband) are available to most people in the community. Those strongly interested in maintaining service and the ability to call 911 during service outages should consider maintaining two paths of connectivity. Even with enhanced system redundancy, outages will inevitably occur. The City, for example, gets backup service from a local internet service provider, South Valley Internet.

Invite Charter to speak: Christina

Invite community to speak: Rich

- Limit time depending on number of speakers

Staff, Charter, PUC to address public comments: Christina/Michelle

- Staff, Charter, & PUC to answer spoken questions - Tony
- Michelle to read Q&A questions for team to answer

Preview of upcoming workshops: Christina

- Pending Infrastructure and Technological Developments & What They Might Do
- What the City Can't Do
- What the City Can Do
- What Local Residents and Businesses Should Do

Invite Council to comment: Rich

- 5 Minutes each

Public Comment – Items not on agenda: Rich

- As a reminder, we would like the community to speak on their own behalf and will not allow ceding of time.

Adjournment: Rich



Broadband in Morgan Hill Community Workshop Series #1



February 24, 2021

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Special 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, February 24, 2021 7:00 p.m.

Virtual Meeting

SPECIAL MEETING

A Special Meeting of the City Council is called at 7:00 pm for the purpose of conducting a Community-Council Workshop.

CALL TO ORDER

Mayor Constantine

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2
City Clerk Michelle Bigelow

PUBLIC COMMENT

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COMMUNITY-COUNCIL WORKSHOP

The City is and has been aware that broadband service in Morgan Hill does not meet the community's expectations, nor in many cases does it meet the community's true needs as was experienced February 3, 2021. The Morgan Hill Broadband Community Workshop Series will provide an opportunity to share information, ask questions and better understand the challenges we face as a community. The workshops will focus on:

- Providing the community with a better understanding of the history of broadband services in Morgan Hill.
- What infrastructure (both wired and wireless) exists in Morgan Hill.
- How broadband is regulated and what that means to Morgan Hill.
- What the City can and cannot do.
- What residents and local businesses can and should do.

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)

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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)

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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.



Special Meeting Agenda

City Council

Rich Constantine - Mayor
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Gino Borgioli - Council Member
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Wednesday, February 24, 2021 7:00 p.m.

Virtual Meeting

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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 [<mailto:ccpubliccomment@morganhill.ca.gov>](mailto:ccpubliccomment@morganhill.ca.gov)

* Please note that comments made on Facebook are not considered public comment.

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Unanswered questions:

Rick Kent 07:39 PM

From Paramit's perspective a day of outage could be \$1M. That is why we have back up. There is no reason Charter could not have the same back up.

Rahul Ramachandran 07:20 PM

I appreciate the Mayor and the city council taking time to explain. Please do reach out to the residents and I'm sure there are many subject matter experts in the city, who can volunteer to help the community by providing information and suggestions to everyone. I can volunteer as well!

David H

LISA LUDOVICI: By what date will Charter commit to laying that rich fiber cable in MORGAN HILL?

Ray 07:17 PM

What is the time frame for these new services? What does "near future" mean?

Anonymous Attendee 07:21 PM

CPUC and City of Morgan Hill: what is meant by "Require market participants to comply with all applicable consumer protection laws", what laws specifically???

GJ 07:21 PM

Comcast- Xfinity. PLEASE!!! They'll make necessary investments ... don't they already offer some MH coverage? Charter/Spectrum has to get the boot- anything would be better I have lived here for nearly 30 years, and was one of the first with 'broadband' ... I have lived through all the growing pains. Charter has consistently failed to proportionally invest in our growing community. NO MORE EXCUSES. Even THEIR TECHS ACKNOWLEDGE THE LACK OF INVESTMENT. One cut fiber cable, and we get wiped out? Lack of planning and spending leads to a network that is that fragile.

Thomas Harrell 07:21 PM

Is there anything being done to maintain uptime? I cannot work and hold remote meetings when my connection goes dead for 10 minutes at a time multiple times a day.

Steve Chappell 07:27 PM

Lisa Ludovici, Charter has refused to honor their obligation to deliver Broadband to my Business without paying a \$15,000, yet your service runs directly in front of our building. DIVCA states you are obligated to provide service within 125', yet we are under that, the fiber is on our property, and you won't deliver after we have asked for 10 years. Why?

Steve Chappell 07:35 PM

Charter spent 2 years telling us they would deliver service they never delivered. Who do we get help from when Charter took all of our signed contracts and haven't delivered in 5 years since we signed all the contracts?

Bart Fisher 07:50 PM

So is there anything the City can do to incentivize a change in Charter's network architecture to introduce redundancy? Can we pay them to make the changes just for us? If they won't invest, can the City invest with some agreements for service level expectations?

Steve Chappell 07:51 PM

Why can't the City partner with San Martin and Gilroy to form a South County Broadband initiative to open more options for a larger population? Everyone want more and better, so why aren't we working with our partner nieghboring Cities??

Veronica Hoyle-Kent 08:18 PM

It's important that the CPUC take a look at the monopoly that's been created in our city. How can the state require the city to increase high density housing in Morgan Hill if a critical utility is not up to the challenge of increasing capacity on their infrastructure.

Andrew Brickweg - Etheric Networks 08:53 PM

Etheric Networks - Wireless ISP services in Morgan Hill - check our ad and listing in your community directory. We can help!

Sean Voss 08:59 PM

Anthony Eulo 08:51 PM

We do not have a dedicated staffperson for this issue. We rely on technical consultants, when needed, and research reports produced by other entities. Any additional staff hired to focus on this area would come at the expense of other desired services like enhancements to public safety services and infrastructure maintenance.

Anthony, did not this incident did not make clear the importance of connectivity in it's role for public safety & infrastucture? Chief Palsgrove had to deploy his officers because of this incident. Internet / Network connectivity must be treated with the same seriousness of "classic" infrastructure.

John Bennett 09:11 PM

SVI uses Zayo Fiber

Laura Schaub - Etheric Networks 09:15 PM

Outstanding discussion, thank you very much. We look forward to the next one!

Elise Brentnall

this is Elise I have called in

David H

NO WAY! Everyone in MH can get Gig speed??!! NO ONE in MH has gig speed. NO ONE!! No one has fiber. No one has gig speed. No wonder there is such a disconnect between Charter and the

community. If Lisa thinks we all have fiber and gig speed, what else does Charter not know about what's happening on the ground?

Marc Trouard-Riolle 07:28 PM

Question for Lisa - are Charter/Spectrum prices common across the country for each product tier or do they vary from region to region? I find Charter pricing to be the most expensive I have ever paid for Internet, and with no viable alternative residents are essentially held captive to this service.

Anonymous Attendee 07:45 PM

Not related to access / redundancy: can the rep comment on if Charter / Spectrum is otherwise monetizing their customers data? Usage statistics, DHCP info, etc?

Anonymous Attendee 07:47 PM

Fiber is being run RIGHT NOW on Santa Teresa to Morgan Hill, who is doing that?

Anonymous Attendee 07:50 PM

Who is going to deliver Big Broadband to all these new Business Parks the City is letting in??

Community Outreach 08:03 PM

Can Lisa L. please reiterate her suggestion about sending a message to Charter customer service and requesting a credit for the Feb 3rd outage. Also, can this helpful message get shared via a City managed social media and info platform.

Rick Kent 08:10 PM

I bought my first house in Morgan Hill in 1982. Charter has had a bad name since then. I have lived in my current house for 20 years and we have avoided Charter as much as possible. What are you doing to upgrade your investment in the Morgan Hill.

Marc Trouard-Riolle 08:13 PM

Without any network redundancy, there are NO robust Internet service providers in Morgan Hill.

The Patrick Family 08:17 PM

So, what is being done to keep it from re-occurring? Solve the root-cause of the problem and it will not happen again! What is being done to keep this from occurring again in the future?

Jian Zhang 08:22 PM

AT&T has been very aggressive in pricing their fiber services. I use it for my business for many years and we have been very happy. If a community aggregates enough interest, AT&T would invest in rolling out fiber. I would be interested in compiling a list of interest. If you are interested, drop me a note at jz15000@gmail.com.

GJ 08:23 PM

@David H. - I pay for faster speed, but rarely experience it!

Marc Trouard-Riolle 08:26 PM

switching contractors isn't the answer, as accidents will happen and any new contractor might also make a mistake. Lisa (and Charter) needs to understand that network redundancy is required and the only answer to help mitigate the likelihood of future outages.

Anonymous Attendee 08:35 PM

South Valley Internet is a great service. We have lived here since 1993 and use SVI for our personal email. We use Spectrum for the high speed internet and since we're working from home; more than ever now. Why doesn't the city consider SVI to provide the services we need? As the owner, SVI has their own independent fibers...we called SVI to find out what was happening because we trust them and they will tell us the truth. My husband has an ongoing text conversation with a Spectrum manager because of our poor TV cable reception. I called them tonight because the new remote control was still not working correctly so I have a technician coming Friday to find out why. Thanks.

Anonymous Attendee 08:44 PM

If this is a Mayor and City Council priority, what exactly has been accomplished by any of you as a SOLUTION? Please name one thing.

Anonymous Attendee 08:48 PM

Spectrum has not followed the law and their obligation to deliver service. Who is helping us with that?

Anonymous Attendee 08:49 PM

Why aren't our bills just being adjusted automatically, instead we have to call in? I know there are exceptions.

Anonymous Attendee 08:51 PM

Mr. Baker at PUC, in parts of Morgan Hill, we have less than that speed. We need help and no one is helping us. Charter has fiber in front of our building but refuses to deliver. It's on our property! We need help.

GJ 08:58 PM

Notified? How- most all comms were down!

Anonymous Attendee 09:01 PM

Federal Law Mandates that Cities know and can protect their Critical Infrastructure, including Telcom/Datacom plants. The City has done nothing to make that a Priority. Who at the City is in charge of this???

Hamdey 09:02 PM

Just a Note: when I called customer service, they had no idea that we were out of service. even when it was passed 5PM. they kept telling me to re start your modem. Spectrum must improve of letting their staff know when outage occurs.

Anonymous Attendee 09:02 PM

Who at the City of Morgan Hill is taking a Leadership position here?

Marc Trouard-Riolle 09:02 PM

@Yvonne - what is required is for Charter to acknowledge the need for redundancy in their network services so that an issue such as someone digging through a fiber doesn't take down the entire city's Internet connection (including cell and other services). The design of the Internet stems from the need for network communication resilience (albeit for the military initially)! On this call Lisa @ Charter has openly acknowledged that Charter has no resilience on its network which is shocking.

Jack 09:08 PM

Please have Verizon here at the next meeting. Why did they have a single point of failure ?

John Bennett 09:10 PM

One of the largest fiber (Zayo) carriers is in South Valley Internet. All Charter needs to do is get a path into SVI and then you can solve your redundancy problem. The Zayo fiber runs north to San Jose at 11 Great Oaks. This is all about cost to Charter which probably why they won't or don't want to have diversity. There is also Wave Broadband which is also in MH.

John Bennett 09:11 PM

They use Zayo SVI

Anonymous Attendee 09:11 PM

Charter on their end needs to, immediately AFTER an incident happens, have good customer support, as much as it is possible, with people who can answer questions. And not be put on hold for an hour or more. Some PR needs to be manned up. Not as in most cases when one wonders if the internet is down, and gets referred actually TO the internet for a solution.

Anonymous Attendee 09:15 PM

I get from this meeting that it is important to have more construction site oversight. Check and double check and more...and then plan ahead how we can count on excellent internet service in the future, since everything!! is now an app and we are encouraged to use the internet. Thank you everyone!

David H

I hear Lisa saying that there has been infrastructure improvements to support BUSINESSES in Morgan Hill. Will there be fiber service to RESIDENCES from Charter? I am not aware of that being the case now. When will this happen? Does ANYONE have residential speeds more than 100Mb in MH?

Elise Brentnall

Morgan Hill has competition there are a number of WISPS in the area. The following is a list.

Elise Brentnall

WISPS in the area are South valley Internet, Razzolink, Etheric Networks and Bullet WIRELESS

Answered questions:

Campbell987 07:19 PM

In hindsight, why didn't the city build the conduit infrastructure and then lease it out to any Service Providers who wants to invest in Morgan Hill, instead of having Spectrum build it where no other Service Provider can use it, and any new Service Providers have to invest and build parallel infrastructures to provide service to the city.

This question has been answered live

Jarrold Sinclair

I thought the goal of this session was to talk about adding options so that there would be alternatives to Charter

Rahul Ramachandran 07:13 PM

We need the bay area big guns like Comcast (xfinity), ATT or Verizon to come to MH. Only then Charter will have a proper competition

Liam Downey 07:27 PM

We can't prevent accidents...so these types of cuts will happen, what they need is some redundancy plan...what is that plan?

This question has been answered live

Nick Gaich 07:29 PM

Lisa,

Can you please provide a deeper understanding of the physical constraints / preventing redundancy?

This question has been answered live

Michael Banack 07:33 PM

Does Charter have a North-bound backhaul channel from Morgan Hill that goes through San Jose? Or is all of the Morgan Hill traffic going south through Gilroy and San Louis Obispo?

This question has been answered live

Anonymous Attendee 07:40 PM

The City has legal recourse for performance of all franchise providers through Court as dictated in DIVCA and CPUC guidelines. Why hasn't the City challenged any of this under their rights to do so?

This question has been answered live

Anonymous Attendee 07:42 PM

AT&T already has Fiber backbone running through Morgan Hill and they Deliver Service to San Martin. Why can't the City of Morgan Hill allow that Competition in since they are already here??

Ray 08:01 PM

Why is Frontier not part of this conversation?

morgan hill neighbor 08:15 PM

Are there any plans to look at 5G service providers that could help solve ISP options without having to lay new wire?

Brittney Sherman 06:50 PM

Good Evening Everyone. Brittney Sherman logged in on behalf of the Morgan Hill Chamber of Commerce :)

This question has been answered live

Sean Voss 07:06 PM

Who is the most knowledgeable on the city staff or elected officials and should we look to for guidance?

This is a complex technical issue coupled with a complex regulatory environment along with the financially complex options? Specifically, Are there truly qualified individuals to realistically address this issue?

Nick Gaich 07:07 PM

Can you please explain why our PUC Representative cannot speak in today's open forum workshop?

Anonymous Attendee 07:16 PM

What has been done by Mr. Eulo, Mr. Lang, City Staff and Council since the Nov 2 2016 City Council meeting that Mayor Constantine was at as a Council member in the Broadband development and planning options that were presented and months spent developing? What exactly has been accomplished by anyone at the City of MH in the 5 years following those plans and meetings we all attended?

This question has been answered live

Anonymous Attendee 07:20 PM

I am within the 125' guidelines required under DIVCA for Charter to deliver my Business Service, yet Charter refuses and is 25' away from my building with new fiber place on my property. Why is the City not enforcing the existing rules and making sure my business can have Broadband when Charter is Violating DIVCA guidelines??

This question has been answered live

Jarrold Sinclair

How do we encourage other ISPs to provide service in this area and provide more reliable service?

This question has been answered live

Anonymous Attendee 07:17 PM

Since 2006, how many issues/complaints has Charter/Spectrum received from the City of Morgan Hill, specifically Tony Eulo, who has been in charge of monitoring Cable TV for the residents of Morgan Hill?

Nick Gaich 07:19 PM

Edith, Appreciate the explanation. With an understanding that there is a ongoing investigation , can PUC inform the community on the scope, timing and intention of the investigation?

This question has been answered live

Anonymous Attendee 07:22 PM

Why do other Cities like Palo Alto and Most Cities in Silicon Valley have Cable by two providers and multiple Broadband providers, but we dont???

GJ 07:23 PM

I joined a bit late, but anyone from CUPUC on line?

Anonymous Attendee 07:23 PM

Why has the City of Morgan Hill (unlike many other Cities since the passage of DIVCA) not incorporated into our ordnances the guidelines of how the City manages DIVCA in our City??

John Bennett 07:27 PM

Does your fiber path come from the North or South

This question has been answered live

Bart Fisher 07:36 PM

I understand the CPUC representative can't comment at this time as they are investigating the outage. Can they give us an idea of how long their investigation will take and how their findings will be reported out?

Anonymous Attendee 07:58 PM

FYI; Charter should give all MH residents a 1 day out of 28 days refund at the minimum— I guarantee more than 50 people (mentioned) were totally upset - just listen tonight... huge issue for everyone working from MH that day (and lost productivity)

Anonymous Attendee 08:25 PM

The Mayor promised better Internet in Morgan Hill as his campaign promise. As our chief City Leader and Chief Elected Official, what exactly is he doing to negotiate with AT&T and others to bring better internet he promised us twice?

This question has been answered live

Elise Brentnall

Can you please ask Lisa if Spectrum has Diverse paths coming into Morgan Hill and if not why not

This question has been answered live

Jessica

we've had multiple outages due to charter not having the ability to provide the service, and when techs have come out, they've stated that they need to do more work outside of the property that is effected. We've had to upgrade to different hardware, which has all failed that was provided by spectrum

This question has been answered live

Bart Fisher 07:03 PM

Could you have the City Employees present introduce themselves and their roles (if it's not in the powerpoint already)

Ray 07:11 PM

Hi. Thank you all for putting this together.

I have read the acknowledgements by the city and recognize the challenges the city faces.

My questions is: In the responses to date, Frontier has been largely left out of the conversations with the focus directed mostly towards Spectrum/Charter. As Frontier is in bankruptcy, or just exiting bankruptcy, one of the conditions of the bankruptcy court was that service levels be significantly improved, with Frontier committing to providing fiber service to an estimated 350,000 customers. How do we find out if Morgan Hill is on that list, and/or how do we work with the CPUC to get Morgan Hill on that list, especially in light of the lack of service improvements here over a number of decades now? This would expand services in general to our community, and provide enhanced options for redundancy - a win win.

Rahul Ramachandran 07:11 PM

Frontier is not a competition to Charter in MH. Frontier can only support basic needs, but the current infra they have is no where close to Internet needs today.

Rahul Ramachandran 07:15 PM

@Anthony, thanks for the response. Consumer customers cannot afford dual links and that's usually reserved for businesses, which I strongly support.

Anonymous Attendee 07:18 PM

Mr. Eulo- How many "other" cities in Silicon Valley are serviced by multiple providers for broadband? Why is ATT not allowed to deliver Broadband in MH since they run through MH and surround us?

Anonymous Attendee 07:28 PM

Who do we send our Charter/Spectrum complaints to when they don't listen or help???

Anonymous Attendee 07:30 PM

Who is going to answer all the questions we all sent already?????

Anonymous Attendee 07:31 PM

that phne # Lisa???

Anonymous Attendee 07:32 PM

What has been done by Mr. Eulo, Mr. Lang, City Staff and Council since the Nov 2 2016 City Council meeting that Mayor Constantine was at as a Council member in the Broadband development and planning options that were presented and months spent developing? What exactly has been accomplished by anyone at the City of MH in the 5 years following those plans and meetings we all attended?

This question has been answered live

Anonymous Attendee 07:37 PM

According to the CPUC, why isn't the City enforcing this— Q: Who has authority to enforce video customer service rules?

A: Cities and counties have the sole jurisdiction to enforce video customer service rules. Disputes between local entities and franchise holders can be settled in court. For more information on the CPUC, please visit www.cpuc.ca.gov.

Liam Downey 07:40 PM

Don, I had a 2 part question...maybe you can address this when you go through the Q&A. Understand the legal question may not be a topic for now, but what we are entitled to per CPUC or our vendor contract should be something you could address tonight. Thanks

SK 07:44 PM

I work at Charter too and I know Charter serves big portions of Southern California with huge population. What is Charter's backup plan for So Cal in case a similar outage occurs? If no backup plan exists then that's very bad. If there is a backup plan, then can we implement a similar thing in MH?

This question has been answered live

Nick Gaich 07:47 PM

Lisa,

Charter/ Spectrum must have a recovery mitigation strategy and companion plan of action for incidents such as the one discussed tonight. Can you please share that plan and clarify how Charter/ Spectrum preformed to that plan.

This question has been answered live

Anonymous Attendee 07:52 PM

What has been done by Mr. Eulo, Mr. Lang, City Staff and Council since the Nov 2 2016 City Council meeting that Mayor Constantine was at as a Council member in the Broadband development and planning options that were presented and months spent developing? What exactly has been

accomplished by anyone at the City of MH in the 5 years following those plans and meetings we all attended?

This question has been answered live

Brittney Sherman 08:06 PM

The Morgan Hill Chamber of Commerce issued a survey to the business community which revealed a general revenue loss of \$1,000-\$6,000 dollars, in addition to a loss of 6-24 hours of staff time. Has there been any discussion of credit for lost revenue? If so, what is the process for large and small businesses to be reimbursed?

This question has been answered live

Anonymous Attendee 08:06 PM

The California Access Services Fund provides money to Counties/Cities to improve access. Why isn't the City trying to get CASF Funds to help us build out with a private partner more available broadband and access??

The Patrick Family 08:12 PM

What exactly was the "root cause(s)" of the outage, and how can it be avoided again in the future?

Anonymous Attendee 08:27 PM

I'd like to hear SOLUTIONS, not Excuses from Tony and others. What is the City Solutions, not excuses??

Anonymous Attendee 08:40 PM

Why haven't all our written questions been answered??

Veronica Hoyle-Kent 08:44 PM

MHUSD is grateful for the open communications and outreach we've seen from the city. John Lang has been very transparent and eager to understand how the city can assist MHUSD in better serving our students. Thanks, John!

Ray 08:46 PM

So the Mayor's comments kind of beg the question what is the responsibility of the CPUC and also the city's recourse, when the LEC, Frontier, has essentially abandoned the city. There have been no appreciable service upgrades for 20 years. And the recent cable damage at Tenant Station left a significant number of customers without service for 2 full weeks.

Jarrold Sinclair

I got a quote from Wave Fiber but that is saving the permit process is 4 months to run a little over 100'. This is one of the processes I am talking about.

Jessica

Hi, just to carry off the point that was made in response to outages being due to situations outside of our control

This question has been answered live

Jessica

so to start, how would all of those outages be explained, ones not caused by car accidents, because there's been many in the past 6 years, not five as previously mentioned.

This question has been answered live

Jessica

Point 2: why is xfinity able to provide service to residents who have just moved to morgan hill within the past 6 months who previously had their service prior, but when asked and confronted, we're told that our area does not permit xfinity from serving

Jessica

point 3: charter has incompetent techs. From the mouth of spectrum itself, they need to send senior technicians to double check the work a previous senior technician has done, because at times they don't do the work correctly- you can get a documentation of this if you want, more than happy to connect with spectrum and get my call logs to see exactly who has said this multiple times. The issue is, we pay for tech visits multiple times who do not properly serve the issue, because a lot of times it's out of their control, you can only fix something so much when it's not able to hold up to put into simple terms

This question has been answered live

Jessica

it was a technician and management.

Jessica

Hi Anthony, in the event this happens again, where can we direct them so they can clear up the issue since they are under the impression that they cannot serve the area :)

Dismissed:

Liam Downey 07:20 PM

Is this a marketing pitch or an explanation of why the outage occurred? Really don't see much value in the marketing pitch...can we get to the crux of the issue please. Appreciate it.

Sabri Berisha 07:22 PM

Why are we listening for 20 minutes about how "great" Charter is? I want answers as to why they rely on a single path for critical services.

Anonymous Attendee 07:30 PM

Charter, that is an unacceptable non-answer for definitive upgrade to the network architecture, "monitoring" and "investigating" are not concrete steps

GJ 07:13 PM

Charter is a 117B market cap company... they have the capital to invest in our community ... they just haven't done so.

Anonymous Attendee 07:36 PM

I teach a San Jose State UNIV- that means canceling all my UNIV classes-that day- Meanwhile the TV line said we will be back shortly— (not 12 hrs). Maybe in the future, tell us it will be a few hours, at least? Since Verizon was out as well, there was no way to communicate.

Anonymous Attendee 07:39 PM

Charter / Spectrum comp-ing people who complain instead of just "all customers in Morgan Hill" combined with "no plans to install redundancy" means they're not taking this seriously.

Donna Knippen

Why isn't Spectrum just crediting everyone for that

Anonymous Attendee 07:07 PM

maybe a go fund to help out Charter?

Thomas Harrell 07:15 PM

So, are we merely informing us all of how little choice we have here? Has anything changed in the last 5 years since the previous meeting on this very subject that went nowhere?

Sabri Berisha 07:24 PM

YESSS Christina for president! She asks exactly what we need to know!!!

GJ 07:28 PM

Credits? Spectrum just RAISED another \$5 last month or so

GJ 07:29 PM

Charter simply is NOT credible to us anymore

Anonymous Attendee 07:55 PM

Why does Tony Eulo only have excuses and no solutions? Who's in charge of getting Morgan Hill better and more reliable internet???

Anonymous Attendee 08:25 PM

questo è un totale di tempo

Anonymous Attendee

I am a Charter internet customer. I have used Ookla SpeedTest to check upload and download speeds several times but have never got the kind of speeds the Charter representative mentions.

Rahul Ramachandran 07:10 PM

Charter has more money. Please reserve go-fund for ppl in need and not for companies who are ripping customers.

Anonymous Attendee 07:13 PM

need to raise prices so they can stay out of trouble .

Anonymous Attendee 07:15 PM

Not a fan of Frontier - terrible C.S.

Anonymous Attendee 07:20 PM

back bone needs Chiropractic work asap

Rahul Ramachandran 07:22 PM

Looks like we are sitting here and listening to what Charter is doing, while the questions and concerns are not being addresses.

Liam Downey 07:28 PM

Lisa...with all due respect...you're saying a lot...but really not saying or committing to anything...sounds like you have no plan or actions in place

John Bennett 07:29 PM

Ok I will wait

Rick Kent 07:29 PM

Hi Christina,

GJ 07:30 PM

And it WASN'T the first time!

Anonymous Attendee 07:31 PM

We already asked questions!!!

Liam Downey 07:37 PM

What are we entitled to?

Anonymous Attendee 07:38 PM

city of morgan hill should not talk lawsuits with this large company

Anonymous Attendee 07:46 PM

Please note the existence of the voting system for questions

GJ 07:49 PM

This poor guy got the 'we're upgrading' story. Charter acquired Falcon ages ago they simply don't make the investments

Marc Trouard-Riolle 07:50 PM

It's very disappointing to hear that Charter has no redundancy in their network and seemingly no concrete plans to improve this service. As a former IT infrastructure architect I can state that is a huge failure in design and says a lot about how seriously they value MH's business...

Anonymous Attendee 07:53 PM

Mayor Constantine made a Campaign Promise to give us better internet, what has he done???

Steve Chappell 07:59 PM

If you have invested, and Fiber is on my business street, why aren't you delivering it Lisa??

Anonymous Attendee 08:00 PM

The CPUC states Morgan Hill can litigate its franchisees.

https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Communications_-_Telecommunications_and_Broadband/Service_Provider_Information/Video_Franchising/CPUC_DIVCA_FAQ_2016-01_v001.pdf

GJ 08:00 PM

C'mon, man ... these 'rural' areas are a cash cow for them. They aren't making capital investments proportionate to our community growth.

GJ 08:01 PM

Charter- 117B market cap ... Comcast- 244B

GJ 08:12 PM

Frontier is ok for land line, but not broadband ... no speed, and company financially unstable.

Dave Mathews 08:33 PM

I pressed Alt+A to unmute and it didn't unmute. Is there another key combination I should be pressing?

Dave Mathews 08:35 PM

????

GJ 08:50 PM

I pay for 400G never get that speed ... don't pay for more than 200G

Anonymous Attendee 08:52 PM

When will our questions get answered?

Anonymous Attendee 08:58 PM

More excuses, no answers, no solutions. Great job.