



Special - 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, June 16, 2021 5:30 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 <<mailto:ccpubliccomment@morganhill.ca.gov>>

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

SPECIAL/REGULAR MEETING

A special meeting of the City Council is called at 5:30 p.m. for the purpose of conducting a Housing Affordability Workshop.

5:30 p.m. Housing Affordability Workshop

7:00 p.m. Regular Meeting

SPECIAL MEETING

5:30 p.m. Housing Affordability Workshop

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

WORKSHOP

This workshop is the third in a series of Housing Workshops that will look at the current and future state of housing in Morgan Hill. This workshop is called "Housing Affordability." Staff will present and discuss the following:

- What is considered affordable housing?
- What are the different ways these units are built and by who?
- Who is the housing for?
- What agencies work on affordable housing?
- City's history of affordable housing production.
- Current City efforts.

REGULAR MEETING

7:00 p.m.

The City Council has adopted a policy that regular meetings shall not continue beyond 11:00 p.m. unless extended by a majority of the City Council.

PRESENTATIONS

YAC Presentation- Asset #33- Interpersonal Competence

PROCLAMATIONS

Proclaiming June 19, 2021 as Juneteenth

RECOGNITIONS

Recognizing the many volunteers who staffed the Morgan Hill Safeway/Albertsons Companies COVID-19 vaccination clinics

CITY COUNCIL REPORTS

Council Member Yvonne Martinez Beltran

June 16, 2021

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

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. RECEIVE REPORT REGARDING USE OF PROPOSITION 68 PARK GRANT FUNDING

Recommendation:

Receive report on potential use of Proposition 68 Per Capita Grant Funding and anticipated use for Community Park improvements.

2. ADOPT THE 2021 SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI), A PROGRAM UNDER THE COMMUNITY RATING SYSTEM OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM

Recommendation:

1. Adopt the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI), a program under the Community Rating System of the Federal Emergency Management Agency's National Flood Insurance Program; and
2. Approve the implementation of the 5-Year PPI Plan for the Community Rating System Program.

3. ADOPT RESOLUTION AMENDING FY 2021-2022 BUDGET TO SUPPORT A PILOT PRIVATE SEWER LATERAL GRANT PROGRAM

Recommendation:

1. Direct staff to implement a Pilot Private Sewer Lateral Grant Program; and
2. Adopt resolution amending the FY 2021-2022 Adopted Budget by \$100,000 to support the Program.

4. APPROVE THIRD AMENDMENT TO SUBDIVISION IMPROVEMENTS AGREEMENT FOR DUNNE MURPHY - TRACT NO. 10387

Recommendation:

1. Approve Third Amendment to Subdivision Improvements Agreement;
2. Authorize the City Manager to execute the Third Amendment to the Subdivision Improvements Agreement with Nordstrom Cal Homes, LLC; and
3. Authorize the recordation of the Third Amendment to the Subdivision Improvements Agreement.

5. APPROVE PURCHASE OF THREE POLICE VEHICLES AND TWO POLICE MOTORCYCLES

Recommendation:

1. Approve the purchase and build out of three vehicles from Priority 1 Public Safety Equipment and two motorcycles from BMW of Long Beach for a total amount not to exceed \$395,502;
2. Authorize the City Manager to approve the purchases with Priority 1 Public Safety Equipment Installation, Inc. and Long Beach BMW; and
3. Authorize the auction of 2006 Ford Van F350-Transport Van #122 and 2003 Ford F250 Truck ASO truck #147 as necessary following their temporary use assignments.

6. APPROVE SEVENTH AMENDMENT TO CENTENNIAL RECREATION CENTER PARTNERSHIP AGREEMENT WITH THE YMCA OF SILICON VALLEY

Recommendation:

Authorize the City Manager to execute a seventh amendment to the Centennial Recreation Center Operating Agreement with the YMCA of Silicon Valley.

7. APPROVE THE MAY 5, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

8. APPROVE THE MAY 19, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

9. APPROVE THE MAY 26, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

10. APPROVE THE JUNE 2, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

11. ADOPT RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1 (DISTRICT)

Recommendation:

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year (FY) 2021-22 annual assessments and ordering the levy of assessments for the District.

Estimated Time: 5 Minutes

OTHER BUSINESS

12. RECEIVE MONTHLY BUDGET UPDATE AND APRIL 2021 FINANCIAL AND INVESTMENT REPORTS

Recommendation:

Accept and file report.

Estimated Time: 15 Minutes

13. ADOPT RESOLUTION DECLARING LEVEL 2 WATER SUPPLY SHORTAGE

Recommendation:

Adopt resolution declaring a Level 2 Water Supply Shortage and amending adopted budget.

Estimated Time: 60 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, equitable, 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 Equity, Diversity, and Inclusiveness
- Advancing Regional Initiatives
- Advocating for Local Control

2020-2021 Strategic Priorities

- **Fiscal Sustainability**
- Affordable Housing and Homelessness
- Community Outreach, 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.





CITY COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

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

RECEIVE REPORT REGARDING USE OF PROPOSITION 68 PARK GRANT FUNDING

RECOMMENDATION(S)

Receive report on potential use of Proposition 68 Per Capita Grant Funding and anticipated use for Community Park improvements.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure
Supporting Our Youth
Seniors
and Entire Community

2020-2021 Strategic Priorities

Fiscal Sustainability

GUIDING DOCUMENTS

Bikeways
Trails
Parks
and Recreation Masterplan

REPORT NARRATIVE:

On September 4 2019, the City Council approved a resolution authorizing the submission of an application for Proposition 68 per capita grant funding. The per capita funding is to be awarded to all cities and counties as long as they commit to use the funding for eligible projects. It is estimated that Morgan Hill should receive approximately \$200,000 in funding.

At the time of the prior resolution the City intended to apply for funds with the most likely project being the replacement of the restroom facility at Galvan Park. After further review of maintenance needs and to support the greatest impact from an operational perspective, City staff are now recommending the funds be used in conjunction with other funds to improve and renovate facilities at Community Park. With the upcoming completion of the Magical Bridge Playground and the deteriorated condition of many Community Park facilities it is believed that the Community Park improvements and renovations will have a greater impact.

Proposition 68 per capita funds are available for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis. Since the City does not have significant funding for renovations, City staff is recommending utilization of funds

for rehabilitation of existing infrastructure. The proposed improvements will potentially include:

- Create two new picnic areas
- Refresh, improve and add new segments trails/paths throughout the park
- Upgrade Basketball Court Fencing (to prevent balls from going into the pond)
- Replace damaged and aged BBQ pits
- Replace Water Fountains with new multi-use fountains
- Rehabilitate Pond Pump System
- Add Additional Trash Cans
- Refresh Mulch through the entire Park

COMMUNITY ENGAGEMENT: Inform

Investing in existing assets while carefully planning for future growth and promoting financial stability for operation of City facilities are two actions included in the City's Bikeways, Trails, Parks and Recreation Master Plan the City developed with substantial community engagement. Given the City's limited resources, City staff are recommending funds be used to replace existing aging infrastructure. If the project is approved, the City will inform the community about the renovations and promote once the project is complete.

ALTERNATIVE ACTIONS:

The City Council could choose to provide alternate direction for the use of grant funding.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Parks and Recreation Commission reviewed this proposed use of grant funds at their May 2021 meeting and recommends the Council follow the action recommended within this report.

FISCAL AND RESOURCE IMPACT:

Grant funding of approximately \$200,000 would be accepted for this project. Additional funding from Park Impact Funds or Quimby Funds may be requested for allocation in the future. Funds accepted would be used in coordination with Capital Improvement Project 118020 - Park Renovation.

CEQA (California Environmental Quality Act): Categorical Exemption

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

LINKS/ATTACHMENTS:

1. 2019 Report with Resolution (weblink)



CITY COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

PREPARED BY: Maria Angeles, Senior Civil Engineer
APPROVED BY: City Manager

ADOPT THE 2021 SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI), A PROGRAM UNDER THE COMMUNITY RATING SYSTEM OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM

RECOMMENDATION(S)

1. Adopt the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI), a program under the Community Rating System of the Federal Emergency Management Agency's National Flood Insurance Program; and
2. Approve the implementation of the 5-Year PPI Plan for the Community Rating System Program.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

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

2020-2021 Strategic Priorities

Community Outreach
Engagement and Messaging

REPORT NARRATIVE:

The Federal Emergency Management Agency (FEMA) requires the elected body of each community who participates in the National Flood Insurance Program's (NFIP) Community Rating System (CRS) to approve a Multi-Jurisdictional Program for Public Information (PPI) (5-Year Plan) to receive points under the CRS program. The PPI was introduced into Santa Clara County's CRS program in 2013 and participation is voluntary. In the PPI process, communities can work together to decide which flood risk reduction messages are the most appropriate and design a program to deliver those messages. The number of points earned as a result of having an approved PPI will vary depending on how extensive a program is implemented within each participating community. It is estimated that this 2021 Santa Clara County Multi-Jurisdictional Program for Public Information (Attachment 1) will earn from 80 to 200 points per Santa Clara County community participating in the Santa Clara County CRS Users Group. These points contribute to discounts on flood insurance for each participating community.

Community Rating System (CRS) Program and PPI Background

CRS is a voluntary program under the NFIP that allows communities to earn flood insurance premium discounts for their residents and businesses. Communities earn

CRS points for activities that promote good flood risk reduction practices, including implementation of outreach activities under the PPI. Communities are assigned class ratings based on the points earned. CRS Class ratings are assigned at 500-point increments and each improvement in class rating nets an additional 5% discount for property owners who pay flood insurance premiums in participating communities.

The City of Morgan Hill has participated in the CRS Program since May 2003 and has a current CRS class rating of 7 which allows Morgan Hill residents and businesses a 15% discount on their flood insurance premium. Based on current NFIP data, there are 426 flood insurance policies in force within the City of Morgan Hill and policy holders paid a total of \$428,201 in annual flood insurance premiums (an average annual premium of \$1,005 per policy). As a result of the City's CRS class 7 rating, the total annual savings to Morgan Hill policy holders is approximately \$58,676 (an average savings of \$138 per policy). The total savings for Santa Clara County residents from CRS discounts for all participating communities is approximately \$2.37 million per year.

The City Council adopted Resolution No. 16-134 on August 24, 2016, which adopted the 2015 Santa Clara County Multi-Jurisdictional Program for Public Information (2015 PPI). FEMA required that annual evaluation reports on the 2015 PPI be shared with the elected bodies that approved them. Four annual evaluation reports were previously presented to the City Council: Year 1 Report (FY 2015-16), Year 2 Report (FY 2016-17), Year 3 Report (FY 2017-18), and Year 4 Report (FY 2018-19).

In February 2020, Valley Water hosted the start of a new five-year PPI process, in which fifteen (15) agencies worked together to review and update the 2015 PPI. These agencies included the original eleven (11) participating CRS agencies (the Cities of Cupertino, Gilroy, Los Altos, Milpitas, Morgan Hill, Mountain View, Palo Alto, San Jose, Santa Clara, Sunnyvale, and Valley Water) and four (4) agencies that were interested in applying to become a CRS community (the Town of Los Gatos, Town of Los Altos Hills, City of Saratoga, and the County of Santa Clara). Staff and external stakeholders from each of the agencies participated in the drafting of the new 2021 PPI.

The PPI must be developed by a committee comprised of both staff and non-governmental representatives/stakeholders from each of the participating agencies, known as the PPI Committee. Each participant brought unique perspectives and suggestions that enhanced the outreach plan. In addition to FEMA's standard messages, two messages were identified as important to Santa Clara County. The first was encouraging residents and workers to make a personal family emergency plan. The second was urging drivers to slow down on wet roads and avoid driving through ponded water to reduce traffic accidents.

Every five years, CRS communities must also update the PPI. Each year, the CRS agencies must re-convene to evaluate whether the flood risk reduction messages are still appropriate and adjust the PPI, as needed. Additionally, a report to FEMA must be submitted annually describing the PPI implementation and the report is shared with each participating agency's governing body.

There was a delay in completing the 2021 PPI due to most participating communities shifting their priorities to respond to the COVID-19 public health crisis. FEMA extended the deadline to complete the PPI to early 2021. Valley Water reconvened the participating agencies and their stakeholders in October 2020 to finalize the 2021 PPI for Santa Clara County.

The attached 2021 PPI was reviewed by FEMA to ensure its provisions fully comply with FEMA requirements, prior to approval by any participating agency's government body. The 2021 PPI includes the City's credited PPI outreach projects that were carried out over the past several years and are proposed to be continued for the next five years. These projects are shown on pages 53 and 54 of Attachment 1.

Staff is recommending the adoption of the attached 2021 PPI and approval of the implementation of the 5-Year PPI Plan. Other agencies are also scheduled to adopt this PPI. Valley Water approved the 2021 PPI at its April 27, 2021, Board Meeting.

COMMUNITY ENGAGEMENT: Involve

Ms. Swanee Edwards, a City of Morgan Hill resident for more than 30 years, has been invited to participate in future PPI Committee meetings as the City's non-governmental stakeholder. Ms. Edwards is a member of the Morgan Hill Chamber of Commerce, American Association of University Women (AAUW), Morgan Hill Community Foundation, and the San Martin Alliance. She expressed interest in volunteering as the City's stakeholder upon hearing about the PPI through Valley Water staff. Ms. Edwards also volunteers for Valley Water and completed Valley Water's first Water Ambassador Program.

ALTERNATIVE ACTIONS:

Not Applicable.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On August 24, 2016, City Council adopted Resolution No. 16-134 which adopted the 2015 Santa Clara County Multi-Jurisdictional PPI.

The City Council also received annual evaluation reports during the following Council meeting dates:

June 6, 2018	Year 1 Report (FY 2015-16) & Year 2 Report (FY 2016-17)
August 22, 2018	Year 3 Report (FY 2017-18)
July 17, 2019	Year 4 Report (FY 2018-19)

FISCAL AND RESOURCE IMPACT:

The adoption of the 2021 PPI has no fiscal impact. The City's participation in the PPI Committee and the Santa Clara County CRS Users Group, and implementation of the PPI is accommodated with existing staff and operating budgets for the City's Floodplain Management Program within the Engineering & Utilities Department. Valley Water is currently incurring the cost to manage and coordinate the meetings and other tasks associated with the Multi-Jurisdictional PPI.

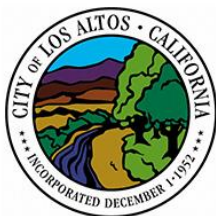
CEQA (California Environmental Quality Act): Not a Project

The recommended actions do not constitute a project under CEQA and considered as “an organizational or administrative activity of a government that will not result in direct or indirect physical changes in the environment.”

LINKS/ATTACHMENTS:

1. 2021 Santa Clara County Multi-Jurisdictional PPI

Santa Clara County Multi-Jurisdictional Program for Public Information 2021 (5-Year Plan)



April 2021

Prepared by:

Santa Clara Valley Water District

and

Participating County of Santa Clara Communities

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List of Abbreviations

Abbreviation	Description
AFN	Access and Functional Needs
ALERT	Automated Local Evaluation in Real Time
ARES	Amateur Radio Emergency Services
CADRE	Collaborating Agencies' Disaster Relief Effort
CAL	Communities at Large
CCD	Coastal Clean-Up Day
CERT	Community Emergency Response Team
CFM	Certified Floodplain Manager
CFPW	California Flood Preparedness Week
CIP	Capital Improvement Projects
COVID	Corona Virus Disease
CP	Coverage Improvement Plan
CPI	Coverage Improvement Plan Implementation
CPRU	Community Project Review Unit
CRS	Community Rating System
CUP	City of Cupertino
CWM	Countywide Mailer
DFH	Disclosure of Flood Hazard
DWR	Department of Water Resources
ECHO	Executive Council of Homeowners
EOC	Emergency Operations Center
ED	Earth Day
ESV	Emergency Services Volunteers
FAA	Financial Assistance Advice
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FPM	Floodplain Manager or Floodplain Mailer
FRP	Flood Response Preparations
GIL	City of Gilroy
GIS	Geographic Information System
GF	Gilroy Garlic Festival
HOA	Homeowners Association
ISO	Insurance Services Office
JPA	Joint Powers Authority
LA	City of Los Altos
LAH	Town of Los Altos Hills
LG	Town of Los Gatos
MS4s	Municipal Separate Storm Sewer Systems
NFIP	National Flood Insurance Program
NOAA	National Ocean & Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System

NRCD	National River Clean-Up Day
OA	Operational Area
OEM	Office of Emergency Management
OES	Office of Emergency Services
O&M	Operations & Maintainance
OP	Outreach Project
MCOH	Municipal Corporation Open House
MIL	City of Milpitas
MH	City of Morgan Hill
MV	City of Mountain View
MVA&WF	Mountain View Art & Wine Festival
PA	City of Palo Alto
PE	Professional Engineer
PG&E	Pacific Gas & Electric
PPA	Property Protection Advice
PPI	Program for Public Information
PPV	Protection Advice Provided after a Site Visit
PWWCOH	Public Works Week Community Open House
RACES	Radio Amateur Civil Emergency Service
ReadySCC	Ready Santa Clara County
REB	Real Estate Agent Brochure
RL	Repetitive Loss
SAR	City of Saratoga
SC	City of Santa Clara
SCC	Santa Clara County
SCVURPP	Santa Clara Valley Urban Runoff Pollution Prevention Program
SFHA	Special Flood Hazard Area
SJ	City of San José
SU	City of Sunnyvale
TA	Target Audience
TNL	Thursday Night Live
TP	Town Picnic
USACOE	United States Army Corps of Engineers
USGS	United States Geological Survey
VW	Valley Water
WDR	Waste Discharge Requirements
WEB	Flood Protection Website

I. BACKGROUND

Santa Clara County is located at the south end of San Francisco Bay and has come to be known as Silicon Valley. Currently, eleven (11) of the seventeen (17) communities in Santa Clara County participate in the Federal Emergency Management Agency's (FEMA), National Flood Insurance Program (NFIP), Community Rating System (CRS), a program to provide discounts on flood insurance premiums. Santa Clara Valley Water District (Valley Water), the water management agency for Santa Clara County, participates as one of the few fictitious communities in the nation. This unique arrangement was set up with FEMA in 1998 so participating Santa Clara County CRS communities could take advantage of Valley Water's point-earning efforts. Essentially, this allows Valley Water's activities to provide a foundation of points with simplified bookkeeping, since FEMA has already approved the activities through Valley Water's 5-year verification visits and subsequent annual recertifications.

Flooding in Santa Clara County comes from heavy local rainstorms that occur during the winter months of December through March. Occasionally, the rainy season extends into April, but little rain falls between May to October. Valley Water designs and carries out extensive flood protection outreach programs. For example, Valley Water shares social media videos and postings, digital banners, newspaper advertorials, radio, and television/mobile ads targeted by area and language and maintains an extensive website of flood protection information. Communities have augmented Valley Water's efforts through other efforts targeted within their specific jurisdiction. Until the Program for Public Information (PPI) process started, there had been little discussion between the communities and Valley Water about the effectiveness of these programs and if they contained the most significant messages.

Since becoming part of the program, Valley Water has led meetings to educate participating communities floodplain managers and increase participation in CRS. In 2012, Valley Water hosted a 5-day FEMA class on Floodplain Management, to help prepare staff from local cities for the Certified Floodplain Manager (CFM) exam. Based on the high number of participants, it was clear that local communities were interested in working with their counterparts in other communities to understand the CRS program better and maximize their own jurisdiction's CRS points.

The California Department of Water Resources (DWR) provides statewide NFIP workshops that are designed to interpret and explain the NFIP regulations and to give an overview of the need for community-based floodplain management. DWR and FEMA conduct workshops for floodplain management agencies, including State and local officials. The workshops allow floodplain management officials to have a greater understanding of FEMA's minimum regulation requirements and how to meet them. Valley Water continues to coordinate with the DWR to ensure these trainings and workshops can be offered locally to our area's CFMs and floodplain management officials by hosting these events, at a minimum, every other year.

The new Program for Public Information (PPI) introduced in the *FEMA NFIP CRS Coordinator's Manual (Edition 2013)* was recognized as an excellent project to work on jointly with the CRS communities of Santa Clara County. As stated in the example PPI from Snohomish County, Washington:

The Program for Public Information is a planning tool to provide a step-by-step coordinated approach to flood hazard outreach. The PPI can be developed and implemented by a single community or with other communities as a multi-jurisdictional effort. The purpose is the same: to improve communication with citizens, and to provide information about flood hazards, flood safety, flood insurance and ways to protect property and natural floodplain functions to those who can benefit from it. The intent of the CRS program, and the PPI, is to reduce injury to people and damage to property from future floods. Coordination between jurisdictions through a Multi-Jurisdictional Program for Public

Information further increases efficiency in resources and improves communication with citizens.

Additionally, developing a Multi-Jurisdictional PPI in Santa Clara County was a way to earn significant CRS points, which may translate into greater discounts on flood insurance premiums for our policy holders. The Multi-Jurisdictional PPI rewards participants for developing messages that are tailored to local needs.

In November 2013, Valley Water proceeded to convene a meeting of all the CRS coordinators in the county to explain the PPI process and gauge interest for developing a Multi-Jurisdictional PPI for Santa Clara County. Although Valley Water offered to host the process and provided staffing, it was understood that for the 2015 PPI development each participating community would be required to: 1) conduct the CRS Self-Assessment; 2) recruit a non-governmental stakeholder; 3) participate in the PPI Committee meetings and 4) bring the PPI to their elected body for approval. With the enthusiastic support of the CRS coordinators, the PPI process was started.

In 2015, twelve (12) communities agreed to develop the PPI. These communities were comprised of the ten (10) incorporated cities, County of Santa Clara, and Valley Water. For the original twelve (12) communities, several factors encouraged development of the PPI in 2015. First, the California Department of Water Resources (DWR) *Flood Futures Report*, released in November of 2013, took a comprehensive look at flood risk across the entire state. Santa Clara County was listed second in California in two important flood risk categories: most-people-exposed-to-flooding and most-property-exposed-to-flooding. Additionally, the threat of sea-level rise and increases in storm intensity expected from climate change may make flooding more severe locally. Finally, the local Insurance Service Office (ISO) CRS Specialist brought it to Valley Water's attention as something that would work well with the agency's role as a fictitious community.

The six priority topics of the revised CRS program are essentially best management practices for households but are not necessarily focused on businesses. The major employers of Silicon Valley form a ring around the edge of the bay, located in areas subject to tidal flooding. As sea levels rise due to climate change, these industrial parks will be subject to more frequent flooding. Although the buildings may be designed to withstand floods, issues associated with flooded roads may create problems for thousands of workers getting to and from work. Each person who works in the tidal flooding zone will need to develop emergency plans for getting home before freeways flood, communicate with their families, and take care of them.

In Santa Clara County, most of the flood risk to households is from fluvial flooding (creek flooding). Since Santa Clara County is adjacent to San Francisco Bay, tidal and fluvial flooding both pose risks. Historically, fluvial flooding has caused most of the flood damage that has occurred here, but in the future, the risk of tidal flooding is expected to increase due to climate change-induced sea-level rise. The PPI Committee meetings have provided an opportunity for staff from the various cities and Valley Water, who work on CRS regularly, to talk about what the local flood messages really need to say and what aspects of the extensive public outreach plan are already in place and are working well. As electronic forms of communication become more and more a part of daily living, information is expected to be just a few clicks away. The role of local flood professionals is to make sure that the information is in place for people to find when they need it. In the PPI meetings, discussions have occurred as to what makes up that "needed information."

II. GOALS

The PPI participants share a vision to improve the efficiency of the communities' collective outreach efforts and to tailor outreach messages better to local needs. The participants also see the PPI as the backbone activity of an ongoing CRS Users Group that will help the local governments maintain or improve their individual CRS ratings by encouraging the purchase of flood insurance and promoting best practices that reduce flood risk.

At the beginning of the PPI process, it was recognized that getting the twelve (12) communities to meet all the FEMA requirements for participation would be a challenge. Consequently, the goal was set for the first year's PPI as getting the process going with as many communities as possible and developing a track record of success. Given that Valley Water has had an extensive public outreach program for many years, the goal was not to increase the size and scope of the program but to tailor the existing programs to be more effective and efficient.

Through discussions with stakeholders during the PPI meetings, the PPI process was determined to be a good way to evaluate the existing outreach system and build on what works well. The cities' staff had good insight about what aspects of Valley Water's program were well-received with their residents through questions, complaints, and comments they have gotten from the public over the years. The stakeholders shared reactions to various components of past outreach efforts and their effectiveness in conveying the message.

Several messages relating to public safety came out of the discussions as messages that need to be stressed. One was to "*slow down on wet roads*" and the other is "*never drive through water.*" Even though these are common sense messages, there are accidents every rainy season because some people do not follow them.

The lack of personal emergency plans was also seen as an ongoing problem. Although it is easy to prepare these plans, many families do not get around to it until after the emergency has already happened. For the most part, the family emergency plan is the same for a whole range of emergencies. Locally, the most likely emergencies are related to fire, earthquake, or flooding.

Another goal that surfaced through the discussions is collaborating with non-governmental organizations like American Red Cross and Pacific Gas & Electric (PG&E), who conduct their own outreach. A few slides will be added to the standard American Red Cross and/or PG&E presentations on flooding and encouraging people to purchase flood insurance. The PPI participants may send speakers with knowledge of flooding to appropriate groups.

III. PPI COMMITTEE

2015 PPI Committee

FEMA requires that each community provide at least two representatives to the regional PPI Committee, with at least half of the representatives from outside of the local government. Additionally, at least half of the representatives must attend all the meetings of the regional committee. The past 2015 PPI Committee is listed in Appendix C.

Each PPI Committee member was asked to share their perspectives on flood information needs and how the existing programs worked.

The meetings were organized to follow the example in the FEMA report *Developing a Program for Public Information (March 2013)* which breaks the process into the following seven (7) steps:

- Step 1: Establish a PPI Committee.
- Step 2: Assess the community's public information needs and inventory existing public information and outreach efforts.
- Step 3: Formulate messages.
- Step 4: Identify outreach projects to convey the messages.
- Step 5: Examine other public information initiatives.
- Step 6: Prepare the PPI document.
- Step 7: Implement, monitor, and evaluate the program.

The process was designed to be accomplished in four meetings to allow time for a wide range of discussions. Between the third and the fourth meeting, a subgroup worked on drafting the PPI for the rest of the committee members to review. The dates were set at the beginning of the process for participants to arrange their schedules accordingly. Even with a lot of lead time, getting participation was challenging. Part of the issue may have been local weather conditions. Severe drought made planning for flood protection seem less relevant than normal.

The first stakeholder meeting was held on February 12, 2014. Communities were asked to complete FEMA's self-assessment before the meeting. The participants got to know each other by sharing the flood risk characteristics and flood insurance statistics identified from the self-assessments. These characteristics were translated into the public information needs (Step 2) and target audiences. Step 3 was started by formulating messages and Step 4 by identifying projects for the PPI.

The second meeting was held on March 27, 2014. The information from the previous meeting had been captured in a draft of the PPI worksheet and it was agreed to use this draft worksheet as minutes of the discussion. A presentation was given on the outreach program operated by Valley Water and discussion ensued regarding the effectiveness of these programs based on perceptions of the stakeholders. Significant progress was made on Steps 3, 4, and 5. In addition to outreach projects, the importance of other public information initiatives (Step 5) was discussed. As our society gets more web-based, people expect to find the information they seek at any time day or night within a few clicks. The consensus was that as the flood protection professionals for the county, it is our job to make sure that the information is available on our websites for our residents to find when they need it.

The third meeting was held on April 24, 2014. The American Red Cross presented their outreach programs, which are designed for disaster planning in general, not necessarily for flooding disasters. PG&E also briefly presented. This finished Step 2. The PPI worksheet was updated again.

During the April meeting, a sub-committee was convened to draft the PPI. Three working meetings were held to work through issues related to the draft. Writing assignments were shared to produce a draft for the full PPI Committee to review. Messages were formulated (Step 3) and outreach projects to convey the messages (Step 4) were identified.

The fourth meeting was held on June 26, 2014, to discuss the draft of the PPI and to finish filling out the assignments for the PPI worksheet. Based on the comments received at the meeting, another draft was circulated by email for the PPI stakeholders to approve.

2021 PPI Committee

Every five years, the PPI Committee reconvenes to review and revise the PPI document. The 2021 PPI Committee (see Table 1) initially met on February 27, 2020, to update the 2015 PPI; due to sunset in April 2020. The meeting outcomes included: 1) gathering communities' input on how the 2015 PPI worked in FY20; 2) planning and confirming the PPI messages to finalize the Annual Evaluation Report for FY20 (Year 5), and 3) reviewing and updating the 2015 PPI to develop the 2021 PPI in accordance with the *FEMA NFIP CRS Coordinator's Manual (Edition 2017)*.

Shortly after the meeting, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of a State of Emergency in the State of California in response to the COVID-19 pandemic. On March 16, 2020, the County of Santa Clara Public Health Officer issued a legal order directing all residents to shelter-in-place starting March 17, 2020. In compliance with the Public Health Order, all upcoming Santa Clara County PPI Meetings were postponed until further notice.

On October 29, 2020, the PPI Committee reconvened virtually to discuss the revisions on the 2015 PPI. It was the consensus of the committee to amend the existing 2015 PPI, rather than create a new document.

On December 11, 2020, the PPI Committee met virtually to review the newly drafted 2021 PPI. During the meeting, Valley Water's 2020-21 Flood Awareness Campaign was discussed, including Valley Water's Annual Floodplain Mailer. The committee also reviewed the previous year's 2019-20 Flood Awareness Campaign survey data results. Valley Water shared the 'Social Media Resource Guide' available to all Santa Clara County cities and the county.

The PPI Committee reviewed the additional outreach projects for Activity 360 - Flood Protection Assistance and outreach projects for Activity 370 - Flood Insurance Promotion. Additionally, the PPI Committee agreed to create two Appendices. Appendix A documents the creditable CRS activities each community will report on during their verification cycle visit and Appendix B documents the non-creditable Activity 330 Outreach Projects conducted in the community. The non-creditable CRS activities are other additional flood preparedness outreach efforts the community undertakes; however, outreach projects identified in Appendix B may be creditable under other CRS activities/element, such as Activity 350, c). Flood protection website (WEB).

For the benefit of communities/representatives who were unable to join the PPI meetings scheduled on February 27, 2020, October 29, 2020, or December 11, 2020, Zoom videos of the October and December meetings were shared with PPI Committee members following each meeting.

For the 2021 PPI Committee, there are 15 participating communities, 11 (eleven) participating CRS communities and four (4) communities who are showing an interest in applying to become a CRS community. These four communities are the County of Santa Clara, the Town of Los Altos Hills, the Town of Los Gatos, and the City of Saratoga.

Stakeholder Definition and Responsibilities

According to the *FEMA NFIP CRS Coordinator's Manual (Edition 2017)* (page 330-23), "a stakeholder can be any agency, organization, or person (other than the community itself) that supports the message." For example, a city resident or floodplain resident, business leader, insurance agent, civic group, academia, a non-profit organization, major employers, managers of critical facilities, farmer, landowner, developer, and other participants with no attachment to the local government can be a stakeholder.

The responsibilities of a stakeholder are as follows:

Annually:

- 1) Attend Santa Clara County PPI Committee Meetings (internal/external stakeholder) meetings (typically two (2) meetings a year); and
- 2) Provide input on the development of the Annual Evaluation Report for the PPI.

Every Five Years:

- 1) Provide input on the development of the Santa Clara County Multi-Jurisdictional Program for Public Information (PPI) with the perspective of a resident/business/organization (typically 2-4 meetings every five (5) years).

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Table 1. Members of the Santa Clara County Multi-Jurisdictional 2021 PPI Committee

Community	Local Government Representative and Alternates	External Stakeholders
County of Santa Clara	Chris Freitas , Sr. Civil Engineer Neville R. Pereira , PE, Development Services Manager, Department of Planning and Development, Floodplain Manager	Marsha Hovey , CADRE Board Chair
Cupertino	Chad Mosley , Assistant Public Works Director/City Engineer, Public Works Department, Floodplain Manager Jennifer Chu , Senior Civil Engineer Public Works Department	Jim Oberhofer , Emergency Coordinator Cupertino ARES/RACES
Gilroy	Gary Heap , City Engineer Public Works Department Jorge Duran , Senior Civil Engineer, Floodplain Manager Public Works Department	Merna Leal , City of Gilroy resident
Los Altos	Steven Golden , Senior Planner, Floodplain Manager Andrea Trese , Associate Civil Engineer	Christopher Wilson , Operations Manager, Los Altos Suburban District, California Water Company
Los Altos Hill	Carl Cahill , City Manager, Floodplain Manager Nichol Bowersox , Public Works Director/ City Engineer Christine Hoffmann , Assistant Engineer (DPW)	Phil Witt , General Manager Purissima Hills Water District
Los Gatos	WooJae Kim , P.E, Town Engineer Parks and Public Works, Floodplain Manager	Annamaria Swardenski , Swardenski Consulting
Milpitas	Steven Erickson , City Engineer/Engineering Director, Floodplain Manager Kan Xu , Principal Civil Engineer, Engineering Land Development Section Brian Petrovic , Associate Civil Engineer Engineering Land Development Section Elizabeth Koo , Administrative Analyst, Engineering Land Development Section	Warren Wettenstein , Chairman of the Economic Development & Trade Commission and President of the Milpitas Chamber
Morgan Hill	Maria Angeles , Senior Civil Engineer, Floodplain Manager, CFM Charlie Ha , Supervising Civil Engineer Engineering & Utilities Department	Swanee Edwards , City of Morgan Hill resident
Mountain View	Renee Gunn , Senior Civil Engineer, Public Works Department Gabrielle Abdon , Assistant Engineer, CFM	Kevin Conant , PG&E
Palo Alto	Rajeev Hada , Project Engineer, CFM Public Works Department, Engineering Services Division, Floodplain Manager	Dan Melick , CERT Volunteer City of Palo Alto resident
San José	Arlene Lew , Principal Engineering Technician Vivian Tom , Senior Transportation Specialist Department of Public Works Development Services Division	Shari Carlet , City of San José resident, certified Floodplain Manager
Santa Clara	Evelyn Liang , Senior Civil Engineer Falguni Amin , Principal Engineer Public Works – Engineering	Kevin Moore , Retired City Council member
Saratoga	David Dorchich , PE, QSP/D, Associate Civil Engineer, Community Development Department, Floodplain Manager	Rebecca Gallardo , Real Estate Agent for Interio, a Berkshire Hathaway Affiliate, servicing all areas of the Bay Area
Sunnyvale	Tamara Davis , Senior Management Analyst	Jeff Holzman , Director, Real Estate District Development Google Agnes Veith , City of Sunnyvale resident
Valley Water	Trisha Howard , Program Administrator Paola Giles , Public Information Representative III Sherilyn Tran , Office of Civic Engagement Unit Manager	Nikki Rowe , American Red Cross

IV. COMMUNITIES' FLOOD HAZARD AREAS

The sections below provide a description of each participating community and their flood hazard areas. In Santa Clara County, careful attention needs to be paid to flood protection for the businesses that make up Silicon Valley. Many of these large employers are located in a ring of office parks near the edge of the San Francisco Bay in areas subject to both fluvial and tidal flooding. This is particularly true for the communities of Palo Alto, Mountain View, Sunnyvale, Santa Clara, San José, and Milpitas.

Data Sources for Individual Community Sections:

Community Description: The introductory community description sections were provided by each community.

Population Data: In the below individual city/county pages, the population data were obtained from the US Census Bureau population estimates dated July 1, 2019:
<https://www.census.gov/quickfacts/fact/table>.

Flood Hazard Data: The Flood Hazard Data was provided by each community.

Flood Insurance Data: The Flood Insurance Data was provided by the CRS Technical Reviewer, ISO representative Dave Arkens on November 15 and 18, 2020, from the FEMA Community Information System (CIS) database. These estimates are dated as of November 2, 2020.

The insurance occupancy zone data indicates residential land use. The insurance flood zone data indicates policies in different flood zones, including non-flood zones.

For the definitions of the FEMA flood zone designations in the insurance occupancy and flood zone, please see Appendix D.

FEMA Flood Hazard Area Maps: The FEMA Flood Hazard Area Maps were provided by Valley Water's Geographic Information System (GIS) team through the Flood Insurance Rate Map (FIRM) database and are dated as of November 2020.

The FIRM is the basis for floodplain management, mitigation, and insurance activities for the NFIP. Insurance applications include enforcement of the mandatory purchase requirement of the Flood Disaster Protection Act, which "... requires the purchase of flood insurance by property owners who are being assisted by Federal programs or by Federally supervised, regulated or insured agencies or institutions in the acquisition or improvement of land facilities located or to be located in identified areas having special flood hazards, " Section 2(b)(4) of the Flood Disaster Protection Act of 1973.

In addition to the identification of SFHAs, the risk zones shown on the FIRMs are the basis for the establishment of premium rates for flood coverage offered through the NFIP. The FIRM Database presents the flood risk information depicted on the FIRM in a digital format suitable for use in electronic mapping applications. The FIRM Database serves to archive the information collected during the Flood Risk Project.

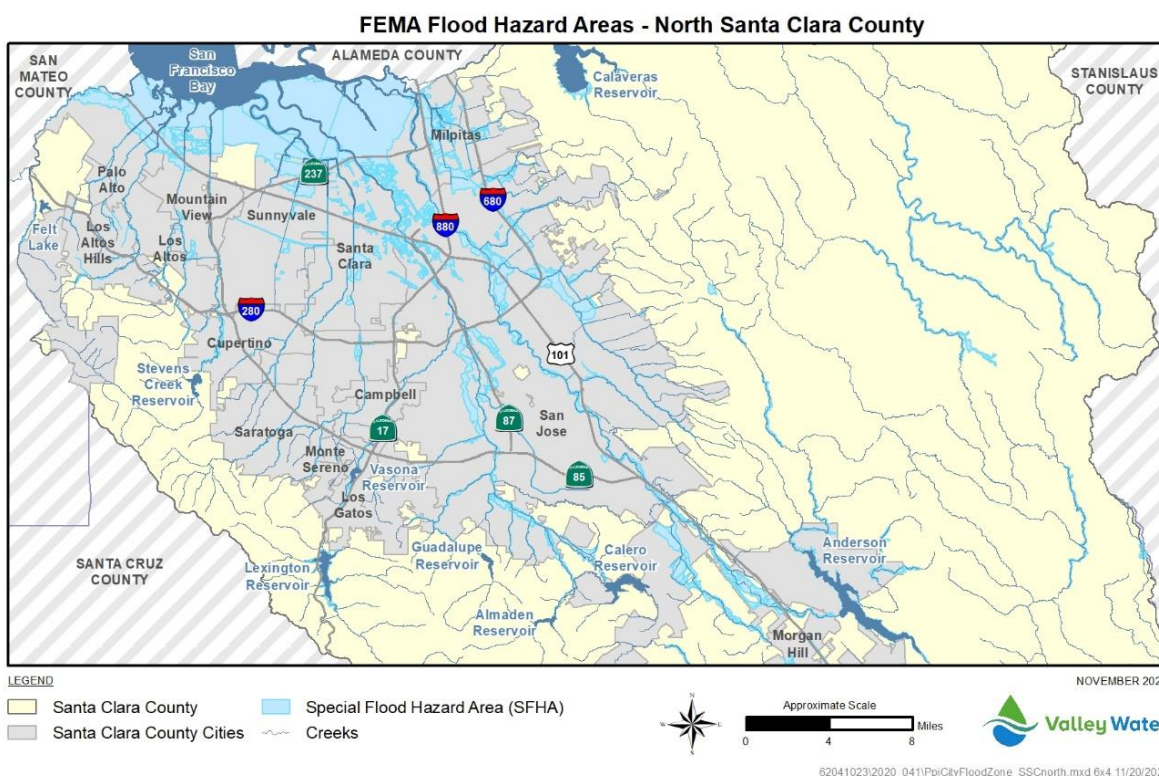
County of Santa Clara, Unincorporated Areas

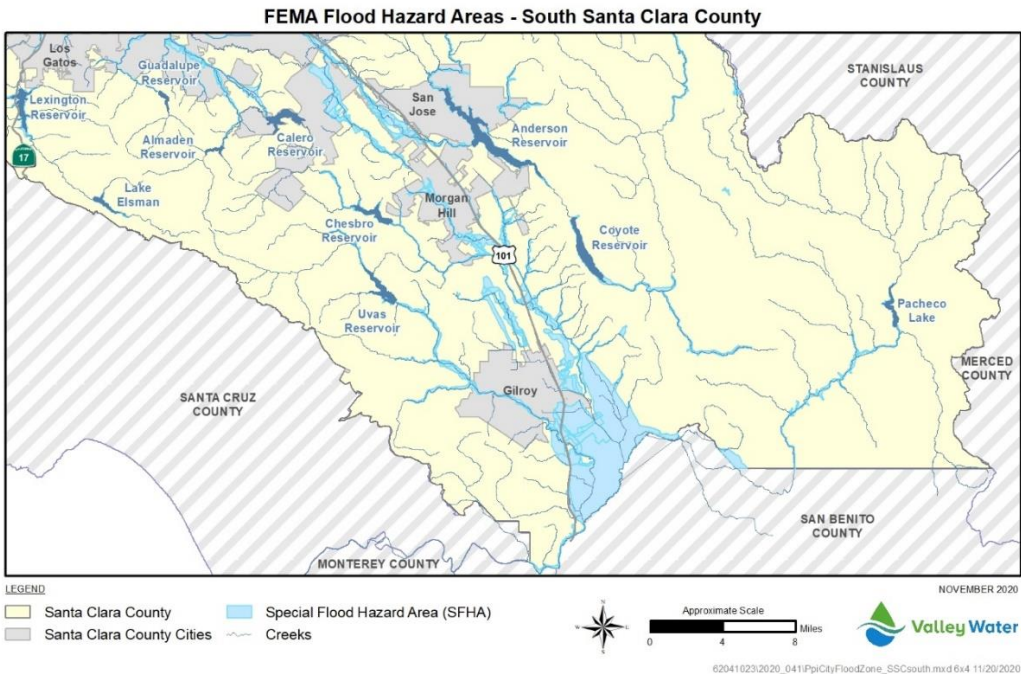
The County of Santa Clara is located at the south end of San Francisco Bay between Alameda and San Mateo counties. The county has a population of about 1,927,852 residents. There are 13 incorporated cities and two (2) incorporated towns located in Santa Clara County. Most are concentrated in the northern half of the county near San Francisco Bay and these cities are jointly known as Silicon Valley. Gilroy and Morgan Hill are located in the southern half of the county. Santa Clara County also falls in two (2) major watersheds. The northern section flows to San Francisco Bay through Coyote Creek, the Guadalupe River, Stevens Creek, San Francisquito Creek, and a few smaller creeks. The southern section flows to Monterey Bay through the Pajaro River.

Although 73 percent of the land is unincorporated or not included within any city; only five (5) percent of the County's population lives outside of the cities. Most of the unincorporated land is used for agriculture (63 percent), 19 percent is in low-density residential, 17 percent is in parks and open space preserves with about one (1) percent in commercial and industrial uses.

Flood Hazard On the FEMA floodplain maps, four (4) Special Flood Hazard Area (SFHA) zones are identified. They are A, AE, AO, and AH. The number of structures in the SFHA is unknown, but most are included in low-density residential zones except for eight (8) trailer parks in the unincorporated County. Most of the flooding in the unincorporated County occurs along Llagas Creek between Morgan Hill and Gilroy, flowing south to and along the Pajaro River which forms

part of the southern boundary of the County. There are levees included in the SFHA and they have been re-certified within the last seven years. Though the county has experienced isolated local flooding events in the last ten years, no events of note have been experienced since the storm events of 1995, 1997, and 1998 (Disaster DR-1046, DR-1155, and DR-1203, respectively).





Repetitive Loss Properties The unincorporated section in the areas of County of Santa Clara have three (3) repetitive loss properties.

County of Santa Clara Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	338	\$517,704	\$88,651,200	124	\$1,586,157.90	\$71,472.81
2-4 Family	5	\$8,006	\$1,250,000	2	\$2,520.04	\$425.00
All Other Residential	4	\$8,173	\$1,785,900	6	\$144,245.01	\$3,425.00
Non Residential	38	\$122,904	\$7,434,600	9	\$126,397.89	\$3,385.00
Total	385	\$656,787	\$99,121,700	141	\$1,859,320.84	\$78,707.81

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	123	\$222,993	\$30,144,600	50	\$869,607.32	\$32,150.78
A Zones	104	\$259,113	\$24,952,100	40	\$180,129.76	\$11,820.00
AO Zones	57	\$62,601	\$15,199,500	16	\$306,699.26	\$14,577.03
AH Zones	10	\$10,640	\$2,544,600	2	\$14,080.36	\$370.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	41	\$76,355	\$10,485,300	15	\$421,076.92	\$14,065.00
B, C & X Zone						
Standard	21	\$15,307	\$7,393,100	4	\$15,559.56	\$1,925.00
Preferred	11	\$4,307	\$3,850,000	2	\$0.00	\$495.00
Total	367	\$651,316	\$94,569,200	129	\$1,807,153.18	\$75,402.81

City of Cupertino

The City of Cupertino is located at the southern end of San Francisco Bay, on the western edge of the Santa Clara Valley. It is approximately ten (10) miles southwest of the Mineta San José International Airport with convenient freeway access via State Route 85 and Interstate 280. The city, home of Apple's corporate headquarters and De Anza College, has a population of over 59,276 residents and encompasses 11.3 square miles or 7,230 acres.

Flood Hazard Under the current FIRMs, the City of Cupertino has 130 structures in the Special Flood Hazard Area (SFHA). The city's SFHAs consist solely of designated zones A and AE. Of the total number of structures in the SHFA, 80 percent are single-family (1-4 units), one (1) percent is multi-family (5 or more units), and 19 percent are commercial or non-residential. Several streams run through Cupertino that flow into the San Francisco Bay, including Calabazas Creek, Saratoga Creek, Stevens Creek, Regnart Creek, Heney Creek, Prospect Creek and Permanente Creek. Specific areas that are susceptible to flooding are near Stevens Creek and Heney Creek. The city had experienced flooding around Calabazas Creek in 1998, but flood protection projects completed by Valley Water have decreased the risk of flooding significantly.

Repetitive Loss Properties There are currently no repetitive loss properties in the city. The city had one (1) repetitive loss property within its jurisdiction and the property was purchased by the city in 2014.



City of Cupertino Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	66	\$65,619	\$19,769,000	11	\$56,103.61	\$3,130.00
2-4 Family	5	\$1,584	\$1,352,400	1	\$751.13	\$225.00
All Other Residential	4	\$11,089	\$2,400,000	7	\$755,315.99	\$23,069.98
Non Residential	4	\$7,797	\$2,200,000	1	\$0.00	\$275.00
Total	79	\$86,089	\$25,721,400	20	\$812,170.73	\$26,699.98

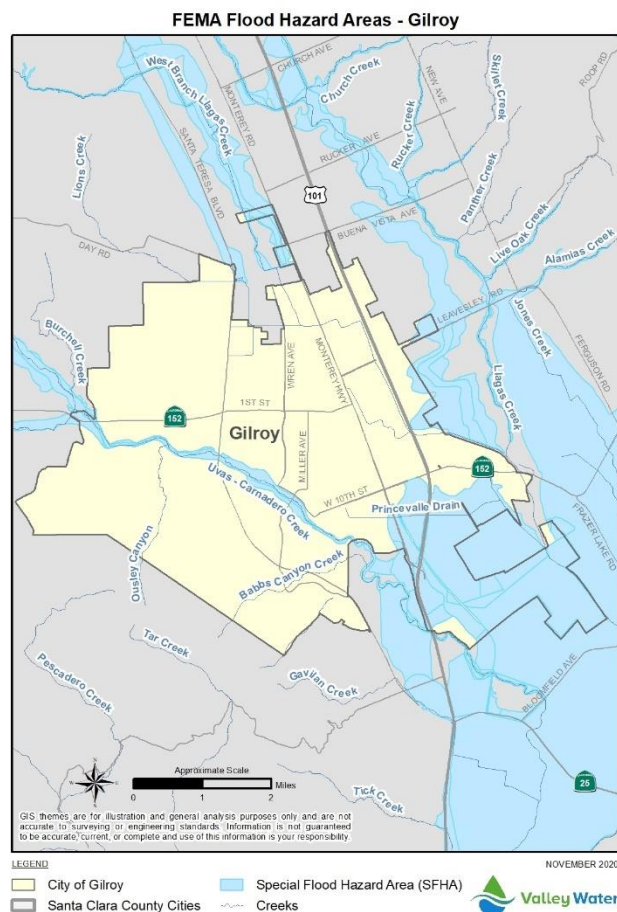
Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	23	\$38,838	\$5,767,400	4	\$7,595.12	\$975.00
A Zones	1	\$1,918	\$250,000	2	\$49,259.62	\$1,750.00
AO Zones	0	\$0	\$0	0	\$0.00	\$0.00
AH Zones	0	\$0	\$0	0	\$0.00	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	4	\$6,475	\$788,500	0	\$0.00	\$0.00
B, C & X Zone						
Standard	11	\$21,342	\$4,680,500	6	\$38,500.00	\$1,810.00
Preferred	37	\$16,618	\$13,235,000	7	\$716,815.99	\$22,094.98
Total	76	\$85,191	\$24,721,400	19	\$812,170.73	\$26,629.98

City of Gilroy

The City of Gilroy is situated in South Santa Clara County at the crossing of U.S. Highway 101 and State Highway 152. The city is located approximately 16 miles south of San José to Monterey/Day Road on U.S. Route 101 and 19 miles inland from the Pacific Coast. The city has a population of about 59,032 residents and has a total area of 10,340 acres or approximately 16.156 square miles. Approximately seven (7) percent of this area in parks and preserves and another 29 percent consists of agriculture and other open space uses. The remaining area is nearly completely developed, with the predominance of single-family residences. The City of Gilroy has about 19 percent of vacant areas (developable land).

Flood Hazard Under the current FIRMs, the City of Gilroy has 96 structures in the Special Flood Hazard Area (SFHA). The SFHAs are mainly in FEMA designated Zones A, AE, AH, and AO. Of the total structures in the SFHA, 26 percent are single-family (1-4 units), none are multi-family (5 or more units), and four (4) percent are commercial or non-residential. The City of Gilroy receives waters from Lions, Llagas, Uvas, North and South Morey Creek. Specific areas that are susceptible to flooding are around Uvas Creek. The levee on Uvas Creek has been certified by FEMA. The City of Gilroy experienced flooding during the storms of December 14 to 28 in 1955. The heaviest precipitation occurred during the 3-day period ending December 23rd. The 12.9 inches of rain reported in the Gilroy area resulted in the Uvas and Carnadero Creeks creating a flow of 14,000 cubic feet per second (CFS) at U.S. Highway 101. Miller Slough was the principal flood problem in January 1963. A rainfall of 3.21 inches for 24 hours caused severe flooding of Forest Street, Church Street, and Sixth Street, with all the water flowing from Miller Slough.



FEMA Flood Hazard Areas Some zone designation areas in Gilroy are being reviewed. Please contact the city's Floodplain Manager for information regarding the zones that are being reviewed.

Repetitive Loss Properties There are no repetitive loss properties in Gilroy.

City of Gilroy Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	52	\$27,172	\$15,989,900	27	\$211,308.55	\$7,395.00
2-4 Family	0	\$0	\$0	0	\$0.00	\$0.00
All Other Residential	10	\$2,502	\$1,040,000	3	\$0.00	\$210.00
Non Residential	74	\$145,420	\$37,758,200	5	\$90,808.78	\$4,995.00
Total	136	\$175,094	\$54,788,100	35	\$302,117.33	\$12,600.00

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	42	\$34,114	\$18,928,800	4	\$6,014.40	\$785.00
A Zones	14	\$49,594	\$5,054,700	12	\$70,557.19	\$2,520.00
AO Zones	1	\$3,290	\$722,200	1	\$0.00	\$70.00
AH Zones	18	\$40,754	\$7,461,000	1	\$52,940.47	\$800.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	2	\$4,786	\$700,000	0	\$0.00	\$0.00
B, C & X Zone						
Standard	12	\$22,353	\$5,550,000	16	\$174,799.72	\$8,575.00
Preferred	34	\$15,064	\$11,535,000	0	\$0.00	\$0.00
Total	123	\$169,955	\$49,951,700	34	\$304,311.78	\$12,750.00

City of Los Altos

The City of Los Altos is located at the base of the San Francisco Peninsula, 40 miles south of San Francisco. The approximately 6.3 square-mile city is developed primarily for single-family residential with small businesses, schools, libraries, and churches. According to the 2019 census, it has a population of 30,089, with a population density of 4,466.8 people per square mile, and an average household size of 2.61 people.

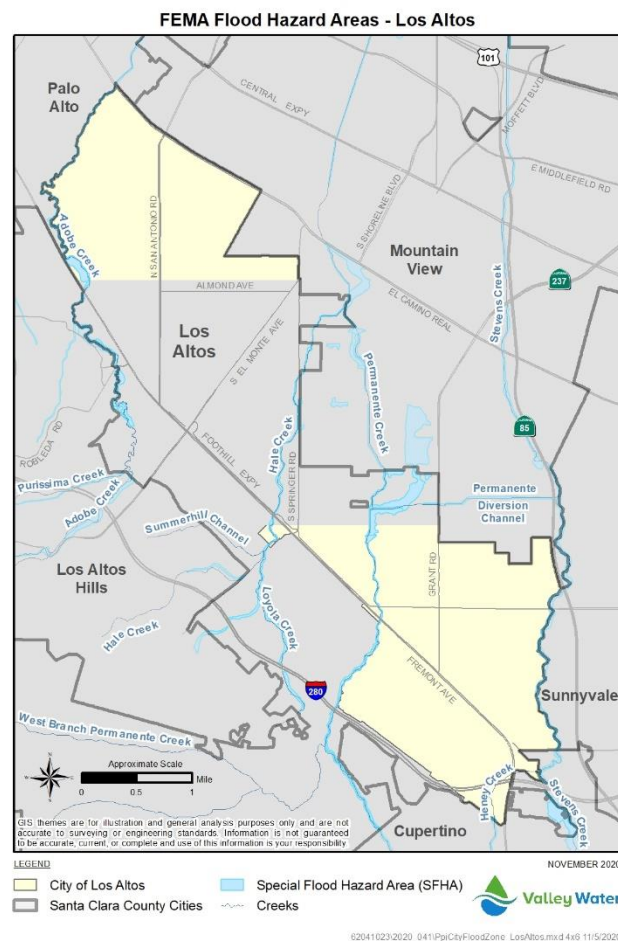
Los Altos' climate is marine-influenced with an average summertime high temperature of 78°F and an average low of 57°F, dropping to an average winter nighttime low temperature of 41°F and an average high of 60°F. Mean annual precipitation ranges from 15 to 22 inches, with most precipitation falling from November through March. Precipitation occurs entirely as rainfall. Snowmelt is not a hydrologic process that significantly affects runoff in the city.

Flood Hazard Under the current FIRMs, the City of Los Altos has approximately 550 properties in the Special Flood Hazard Area (SFHA). SFHAs are mainly in FEMA designated Zones A, AH, AE and AO. Of the total structures in the SFHA, 99 percent are single-family, and one (1) percent are commercial or non-residential. The city has four (4) creeks: Adobe Creek, Hale Creek, Permanente Creek, and Stevens Creek. Specific areas that are susceptible to flooding are around Adobe, Permanente, and Hale Creeks.

Precipitation that falls within the City of Los Altos generates stormwater runoff. This runoff is conveyed in several mostly manmade flood protection systems that discharge to the creeks. Most of these systems do not interact with one another, and potential improvements to one system should not impact the performance of other systems. The total land area within the city limits is roughly 6.3 square miles (approximately 4,000 acres). To create a rural aesthetic, many of the streets in Los Altos do not have traditional suburban curb and gutter-lined streets. This layout provides some attenuation before runoff reaches a storm drain inlet.

In addition to storm drains, flood protection is provided to the City of Los Altos by Valley Water and its maintenance of our four creeks (Hale, Stevens, Adobe, and Permanente) that convey storm-generated runoff north to the San Francisco Bay.

Repetitive Loss Properties There are no repetitive loss properties in the City of Los Altos.



City of Los Altos Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	112	\$84,511	\$34,838,600	13	\$32,874.17	\$2,655.00
2-4 Family	2	\$784	\$700,000	0	\$0.00	\$0.00
All Other Residential	2	\$760	\$780,000	0	\$0.00	\$0.00
Non Residential	0	\$0	\$0	0	\$0.00	\$0.00
Total	116	\$86,055	\$36,318,600	13	\$32,874.17	\$2,655.00

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	12	\$21,659	\$3,079,600	5	\$0.00	\$570.00
A Zones	3	\$10,794	\$440,800	4	\$27,633.02	\$800.00
AO Zones	16	\$14,900	\$4,104,300	0	\$0.00	\$0.00
AH Zones	3	\$2,730	\$768,900	0	\$0.00	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	0	\$0	\$0	0	\$0.00	\$0.00
B, C & X Zone						
Standard	12	\$8,296	\$4,000,000	2	\$0.00	\$185.00
Preferred	68	\$27,156	\$23,425,000	2	\$5,241.15	\$1,100.00
Total	114	\$85,535	\$35,818,600	13	\$32,874.17	\$2,655.00

Town of Los Altos Hills

The Town of Los Altos Hills is a residential community in the northwestern region of Santa Clara County. The Town is located adjacent to the City of Los Altos, 35 miles south of San Francisco, five (5) miles south of Stanford University, and 17 miles north of downtown San Jose. The town encompasses approximately nine (9) square miles and contains primarily single-family residences. According to the 2019 Census Bureau, the population is 8,423 with a population density of 918 people per square mile.

There are no commercial or industrial uses within the town limits. As the town has developed over the past 50 years, residents have continued to support the preservation of low-density residential development and the semi-rural character of the community through one-acre zoning, the right to keep horses on private property, and the protection of open space, creek corridors, wildlife habitat, and heritage oak trees.

The town has a mild climate with average summertime highs of 78 degrees, and average wintertime lows of 43 degrees. The town receives approximately 21 inches of rain per year, of which most occurs between November and April. The town does not typically receive any precipitation in the form of snow and does not typically receive any snowmelt runoff.

Flood Hazard: The town has six (6) creeks: Adobe Creek, Barron Creek, Deer Creek, Hale Creek, Matadero Creek, and Purissima Creek. Under the current Flood Insurance Rate Maps (FIRMs), the Town has properties in the Special Flood Hazard Area (SFHA) along each of the creeks. SFHAs are shown on the FIRMs as Zone A, V, AE, AO, AH, VE, or AR. The SFHAs included in the town are Zone A and AE. Approximately one (1) percent of structures in the town are located in the one (1) percent annual chance floodplain (SFHAs).

Stormwater runoff, which is generated by precipitation within Los Altos Hills, is conveyed either in the manmade storm drain system or allowed to naturally attenuate as overland flow. The storm drain system discharges to the creeks mentioned above. The system is comprised of small, localized systems that do not interact with one another. To maintain the semi-rural character of the town, many of the streets do not contain traditional curb and gutter lined streets. The lack of curb and gutter allows for some natural attenuation of runoff. In addition to the storm drain system, flood protection is provided to the town by Valley Water maintenance of Adobe Creek, Barron Creek, Deer Creek, Hale Creek, Matadero Creek, and Purissima Creek. These creeks convey storm-generated runoff to the San Francisco Bay.



Repetitive Loss Properties: There are no repetitive loss properties in the Town of Los Altos Hills.

Town of Los Altos Hills Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	47	\$47,709	\$14,707,200	16	\$45,661.56	\$3,355.00
2-4 Family	0	\$0	\$0	0	\$0.00	\$0.00
All Other Residential	0	\$0	\$0	0	\$0.00	\$0.00
Non Residential	1	\$1,628	\$60,000	0	\$0.00	\$0.00
Total	48	\$49,337	\$14,767,200	16	\$45,661.56	\$3,355.00

Insurance by Zone

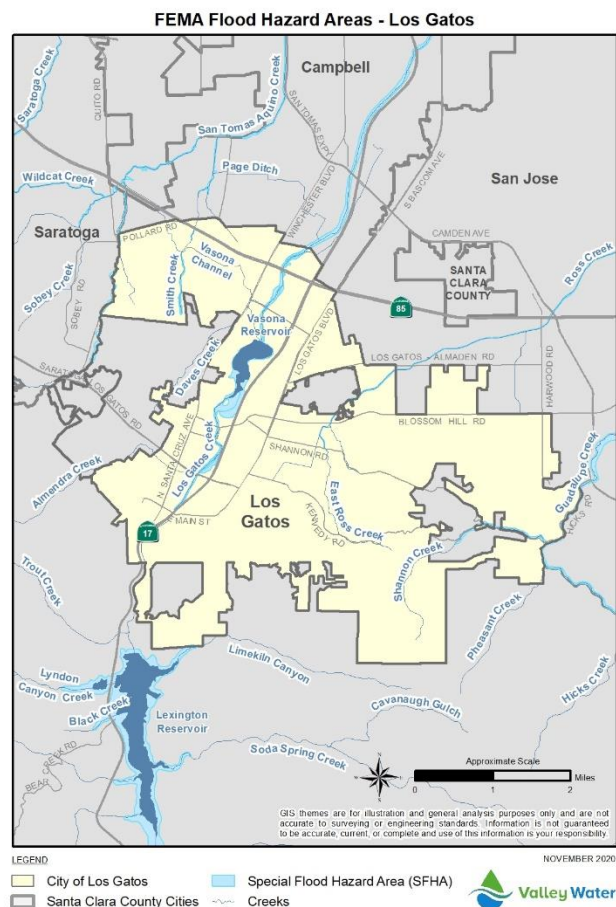
	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	12	\$23,104	\$2,807,200	6	\$3,723.91	\$875.00
A Zones	5	\$11,939	\$1,250,000	2	\$4,779.05	\$495.00
AO Zones	0	\$0	\$0	0	\$0.00	\$0.00
AH Zones	0	\$0	\$0	0	\$0.00	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	0	\$0	\$0	0	\$0.00	\$0.00
B, C & X Zone						
Standard	5	\$3,768	\$1,750,000	6	\$19,102.18	\$810.00
Preferred	26	\$10,526	\$8,960,000	2	\$18,056.42	\$1,175.00
Total	48	\$49,337	\$14,767,200	16	\$45,661.56	\$3,355.00

Town of Los Gatos

The Town of Los Gatos is located at the southern end of San Francisco Bay. The town is about 50 miles south of San Francisco. The town has a population of around 30,222 residents and encompasses 7,455 acres or approximately 11.7 square miles. Approximately 58 percent of this area are in residential, three (3) percent in commercial and industrial, two (2) percent in office/research and development, five (5) percent in public/quasi-public, one (1) percent in agricultural, 26 percent in parks and open space, and the remaining in vacant/unassigned areas.

Flood Hazard Under the current FIRMS, the Town of Los Gatos has 165 properties in the Special Flood Hazard Area (SFHA). The SFHAs are mainly in FEMA designated zones A, AE, AH and AO. Of the total properties in the SFHA, 87 percent are 1-4 family residential, less than one (1) percent are multi-family (5 or more families), and the remaining 12 percent are non-residential areas. The town has Ross Creek, Los Gatos Creek, Smith Creek, and San Tomas Aquino Creek.

Repetitive Loss Properties The town does not have repetitive loss properties.



Town of Los Gatos Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	82	\$47,653	\$25,643,100	21	\$51,957.41	\$4,240.00
2-4 Family	0	\$0	\$0	0	\$0.00	\$0.00
All Other Residential	3	\$1,602	\$1,112,000	0	\$0.00	\$0.00
Non Residential	0	\$0	\$0	0	\$0.00	\$0.00
Total	85	\$49,255	\$26,755,100	21	\$51,957.41	\$4,240.00

Insurance by Zone

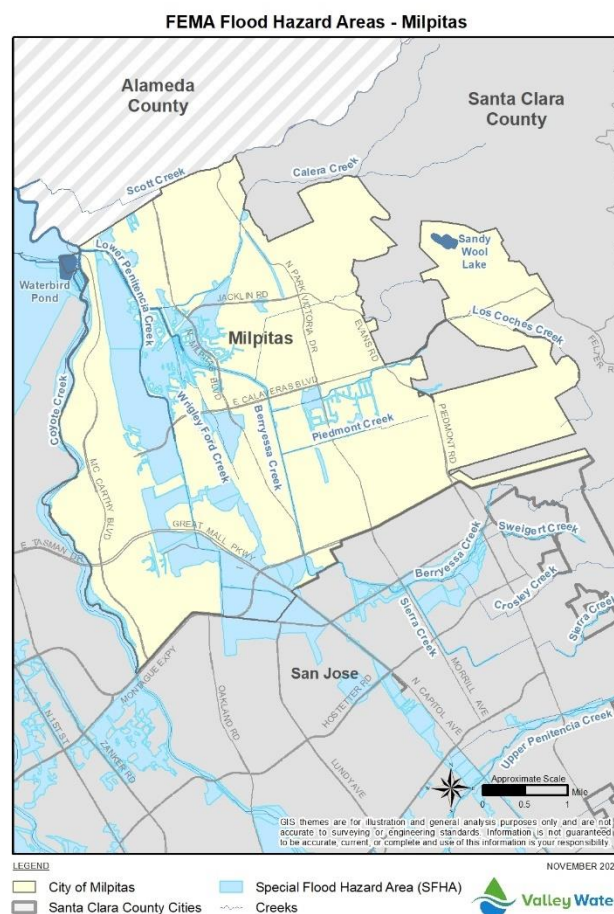
	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	10	\$14,736	\$2,525,000	0	\$0.00	\$0.00
A Zones	1	\$1,981	\$250,000	8	\$28,297.59	\$1,725.00
AO Zones	0	\$0	\$0	0	\$0.00	\$0.00
AH Zones	0	\$0	\$0	0	\$0.00	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	0	\$0	\$0	0	\$0.00	\$0.00
B, C & X Zone						
Standard	7	\$6,049	\$1,533,100	9	\$19,061.87	\$1,600.00
Preferred	67	\$26,489	\$22,447,000	3	\$4,597.95	\$845.00
Total	85	\$49,255	\$26,755,100	20	\$51,957.41	\$4,170.00

City of Milpitas

The City of Milpitas, located at the southern tip of the San Francisco Bay, is a progressive community that is an integral part of the high-tech Silicon Valley. With a diverse resident population of 84,196, Milpitas features quality schools, conveniently located neighborhood parks and shopping centers. Milpitas is often called the “Crossroads of Silicon Valley”, with most of its 8,680 Acres or 13.63 square miles of land situated between two major freeways (I-880 and I-680), State Route 237, and a county expressway. A new light rail line opened for service in 2004 and an extension of the BART subway system is underway. The city encompasses 8,680 acres of land. Approximately 12 percent of this area is in parks and preserves, less than one (1) percent consists of agricultural uses and other open space uses, 31 percent in low-density residential uses, four (4) percent in medium-density residential uses, eight (8) percent in high-density residential use, 12 percent in commercial/educational uses and 17 percent in industrial uses. There are approximately 1,790 acres, or 2.9 square miles, designated for various industrial uses. About 271 acres are vacant and available in parcels ranging from ½ acre to 75 acres. There are eight existing industrial parks and 550 manufacturing plants in Milpitas.

Flood Hazard The City of Milpitas manages a floodplain that includes several local and regional creeks that convey stormwater to other jurisdictions, bay lands and marshes of the San Francisco Bay. Calera, Coyote, Penitencia, Berryessa, Los Coches Piedmont, Wrigley/Ford, and Tularcitos Creeks are among the major creeks that receive this stormwater. The City of Milpitas has 3,000 properties and 3,300 structures in the Special Flood Hazard Area (SFHA). SFHAs are mainly in FEMA designated zones A, AE, AH, and AO and are located near Calera, Penitencia, Berryessa, Los Coches and Tularcitos Creeks.

Repetitive Loss Properties The city does not have repetitive loss properties.



City of Milpitas Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	861	\$930,877	\$217,612,800	64	\$72,077.29	\$11,620.00
2-4 Family	103	\$43,713	\$24,465,100	4	\$3,259.08	\$525.00
All Other Residential	193	\$59,584	\$42,116,500	1	\$0.00	\$125.00
Non Residential	92	\$191,745	\$48,877,500	4	\$0.00	\$445.00
Total	1,249	\$1,225,919	\$333,071,900	73	\$75,336.37	\$12,715.00

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	313	\$612,811	\$78,773,400	7	\$0.00	\$1,515.00
A Zones	2	\$2,199	\$526,300	29	\$46,730.91	\$4,730.00
AO Zones	146	\$178,946	\$43,627,900	5	\$6,706.92	\$2,055.00
AH Zones	424	\$258,998	\$97,639,700	14	\$8,802.44	\$2,010.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	3	\$3,831	\$705,000	0	\$0.00	\$0.00
B, C & X Zone						
Standard	57	\$52,889	\$17,360,500	6	\$2,877.70	\$960.00
Preferred	83	\$49,683	\$28,988,000	0	\$0.00	\$0.00
Total	1,028	\$1,159,357	\$267,620,800	61	\$65,117.97	\$11,270.00

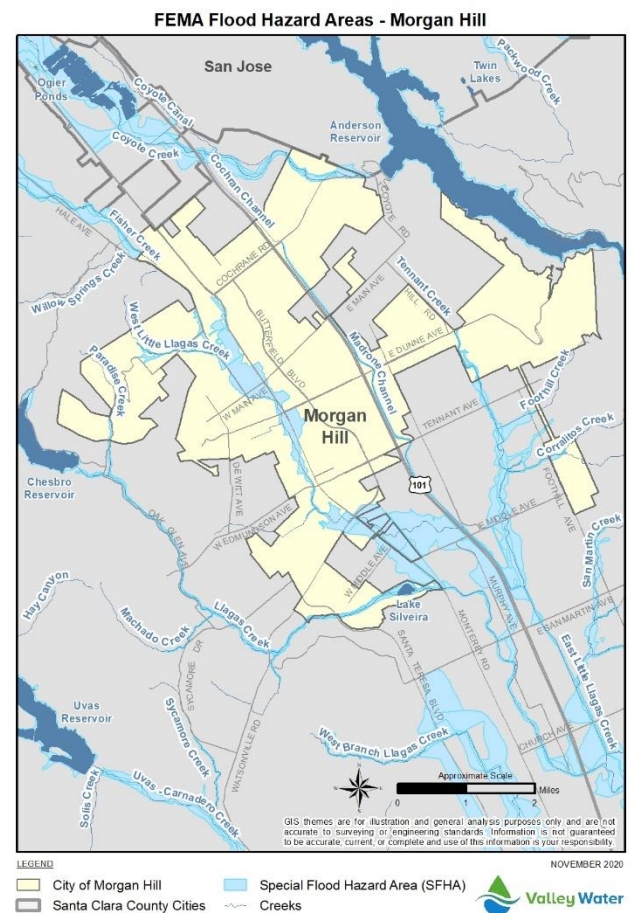
City of Morgan Hill

The City of Morgan Hill is located within South Santa Clara County between the City of San José and the City of Gilroy; Morgan Hill is about 65 miles south of San Francisco. The city has an approximate population of 45,952 residents with an area of 8,206 acres or approximately 13 square miles, with the following breakdown in land use:

a. Commercial	705 acres (10.8 percent)
b. Industrial	718 acres (11.0 percent)
c. Mixed-Use	238 acres (3.6 percent)
d. Open Space	1,328 acres (20.3 percent)
e. Public Facilities	301 acres (4.6 percent)
f. High-Density Res. (6 to 12 DU/ac.)	242 acres (3.7 percent)
g. Medium-Density Res. (up to 7 DU/ac)	744 acres (11.4 percent)
h. Low-Density Res. (0 to 4 DU/ac)	2,259 acres (34.6 percent)

Flood Hazard Under the current FIRMs, the City of Morgan Hill has approximately 643 structures (as of 2018) in the Special Flood Hazard Area (SFHA). SFHAs are mainly in the FEMA designated Zone A, AE, AH, and AO. Of the total structures in the SFHA, 34 percent (221 structures) are low-density residences, 31 percent (197 structures) are medium-density residences, and 15 percent (96 structures) are high-density residences. There is one (1) main creek, West Little Llagas Creek, which runs through the west side of Morgan Hill and flows south; it is along West Little Llagas Creek where residents and commercial properties are susceptible to flooding. West Little Llagas Creek is tributary to Llagas Creek which conveys water to the south to Gilroy and eventually the Monterey Bay.

Repetitive Loss Properties The city has four (4) repetitive loss properties with 19 structures in the repetitive loss areas in FEMA designated Zone A, AE, AH, or AO zones.



City of Morgan Hill Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	295	\$252,228	\$84,389,900	59	\$341,180.11	\$24,139.57
2-4 Family	26	\$31,752	\$6,742,500	3	\$36,652.84	\$1,650.00
All Other Residential	67	\$40,040	\$18,646,000	0	\$0.00	\$0.00
Non Residential	38	\$104,181	\$15,456,100	11	\$233,120.31	\$10,228.45
Total	426	\$428,201	\$125,234,500	73	\$610,953.26	\$36,018.02

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	177	\$272,444	\$48,771,900	31	\$396,189.98	\$23,743.02
A Zones	2	\$7,110	\$500,000	10	\$53,522.39	\$2,455.00
AO Zones	10	\$12,082	\$2,785,300	9	\$50,199.67	\$2,775.00
AH Zones	22	\$18,492	\$5,629,200	0	\$0.00	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	0	\$0	\$0	0	\$0.00	\$0.00
B, C & X Zone						
Standard	81	\$63,729	\$22,765,100	15	\$106,045.67	\$5,500.00
Preferred	123	\$50,983	\$41,599,000	4	\$2,469.44	\$1,000.00
Total	415	\$424,840	\$122,050,500	69	\$608,427.15	\$35,473.02

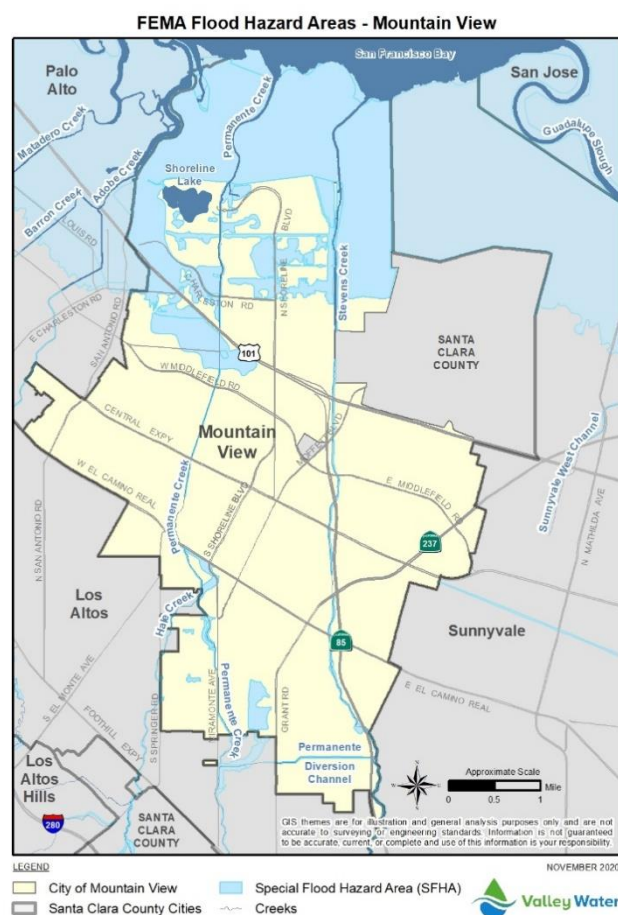
City of Mountain View

Just over 12 square miles and home to approximately 82,739 residents, while the daytime population exceeds 125,000. The size and population of Mountain View may be modest, yet it has a prominent role on the world stage as the center of innovation for Silicon Valley, being the home to some of the most prominent tech companies in the world as well as hundreds of startups. The vibrant downtown draws people from all over the world to visit its shops and restaurants. The wonderful parks and network of trails delight people of all ages.

Mountain View boasts strong safety and public education records and is considered one of the best places to live in the Bay Area.

Flood Hazard Under the current FIRMs, the City of Mountain View has 1,139 parcels in the Special Flood Hazard Area (SFHA). SFHAs are in FEMA designated Zones A, AE, AH, and AO (1 & 2). Stevens Creek, Permanente Creek, Permanente Diversion Channel, and Hale Creek all flow through the City of Mountain View. The city is also subject to tidal flooding from San Francisco Bay.

Repetitive Loss Properties There are no repetitive loss properties in the City of Mountain View.



City of Mountain View Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	222	\$132,091	\$62,229,600	1	\$274.58	\$225.00
2-4 Family	61	\$31,023	\$14,412,000	0	\$0.00	\$0.00
All Other Residential	69	\$63,971	\$17,685,000	6	\$10,645.22	\$1,500.00
Non Residential	76	\$170,634	\$38,347,600	2	\$0.00	\$400.00
Total	428	\$397,719	\$132,674,200	9	\$10,919.80	\$2,125.00

Insurance by Zone

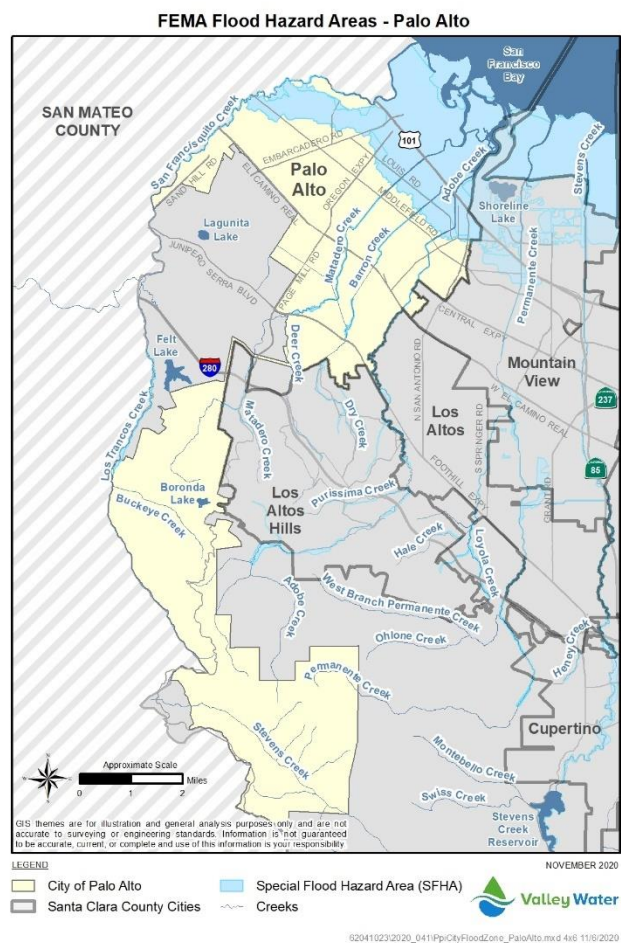
	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	45	\$106,987	\$22,290,300	1	\$0.00	\$275.00
A Zones	1	\$823	\$76,000	0	\$0.00	\$0.00
AO Zones	150	\$190,528	\$43,098,400	2	\$2,450.59	\$575.00
AH Zones	5	\$5,475	\$1,277,100	0	\$0.00	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	0	\$0	\$0	0	\$0.00	\$0.00
B, C & X Zone						
Standard	33	\$32,030	\$9,924,400	3	\$5,653.35	\$750.00
Preferred	87	\$36,025	\$28,823,000	0	\$0.00	\$0.00
Total	321	\$371,868	\$105,489,200	6	\$8,103.94	\$1,600.00

City of Palo Alto

The City of Palo Alto is located on the San Francisco Peninsula, at the southern end of San Francisco Bay. The city is 35 miles south of San Francisco and 14 miles north of San José and at the northern edge of Santa Clara County, between the cities of Mountain View and Menlo Park. The city has a population of around 65,364 residents and encompasses 16,627 acres or approximately 26 square miles. Approximately 40 percent of this area is in parks and preserves and another 15 percent consists of agriculture and other open space uses. The remaining area is nearly completely developed, with single-family uses predominating. Less than one (1) percent of the city's land area consists of vacant, developable land.

Flood Hazard Under the current FIRMs, the City of Palo Alto has 4,889 structures in the Special Flood Hazard Area (SFHA). SFHAs are mainly in FEMA designated zone A, AE, and AH. Of the total structures in the SFHA, 87 percent are single-family (1-4 units), 11 percent are multi-family (5 or more units), and two (2) percent are commercial or non-residential. The city has four (4) creeks, San Francisquito Creek, Matadero Creek, Adobe Creek, and Barron Creek, that flow to San Francisco Bay. San Francisquito Creek flows into San Francisco Bay, and Matadero Creek, Barron Creek and Adobe Creek flow into 600 acres Palo Alto Flood Basin. The flow of water from the flood basin to the bay passes through eight (8) box culverts controlled by flap gates in the box culverts. Specific areas that are susceptible to flooding are around San Francisquito Creek and San Francisco Bay, where the levees are not built to FEMA standard for a 100-year storm protection. The city had experienced flooding around San Francisquito Creek in 1955 and 1998 when water overtopped the levee and caused immense damage to properties. A Joint Powers Authority was established in the year 2000 to provide flood protection for the San Francisquito Watershed.

Repetitive Loss Properties There are five (5) repetitive loss areas in the city and there are 107 building structures on the five (5) repetitive loss areas.



City of Palo Alto Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	2,288	\$2,649,633	\$610,650,100	454	\$8,574,374.89	\$372,073.59
2-4 Family	70	\$37,070	\$16,830,600	0	\$0.00	\$0.00
All Other Residential	394	\$179,738	\$85,876,800	12	\$238,321.38	\$8,625.00
Non Residential	96	\$580,340	\$45,317,000	14	\$192,278.78	\$8,162.56
Total	2,848	\$3,446,781	\$758,674,500	480	\$9,004,975.05	\$388,861.15

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	1,282	\$2,253,965	\$323,208,900	156	\$3,469,136.56	\$137,779.30
A Zones	38	\$78,125	\$9,262,300	27	\$646,228.60	\$24,191.23
AO Zones	37	\$37,081	\$9,607,900	159	\$3,463,894.86	\$141,374.06
AH Zones	762	\$720,210	\$193,982,900	31	\$323,129.25	\$19,769.84
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	0	\$0	\$0	0	\$0.00	\$0.00
B, C & X Zone						
Standard	184	\$146,911	\$50,442,400	27	\$168,810.38	\$10,787.74
Preferred	317	\$151,274	\$111,583,000	32	\$247,978.43	\$14,123.11
Total	2,620	\$3,387,566	\$698,087,400	432	\$8,319,178.08	\$348,025.28

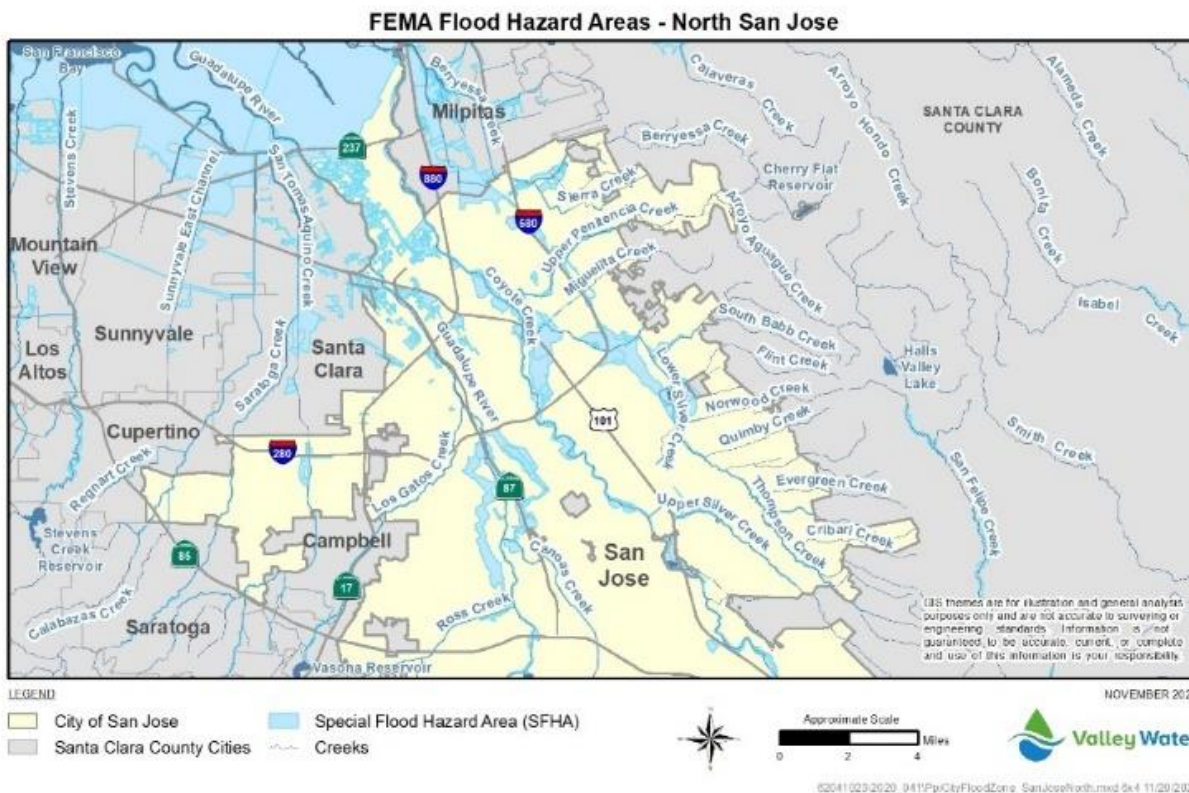
City of San José

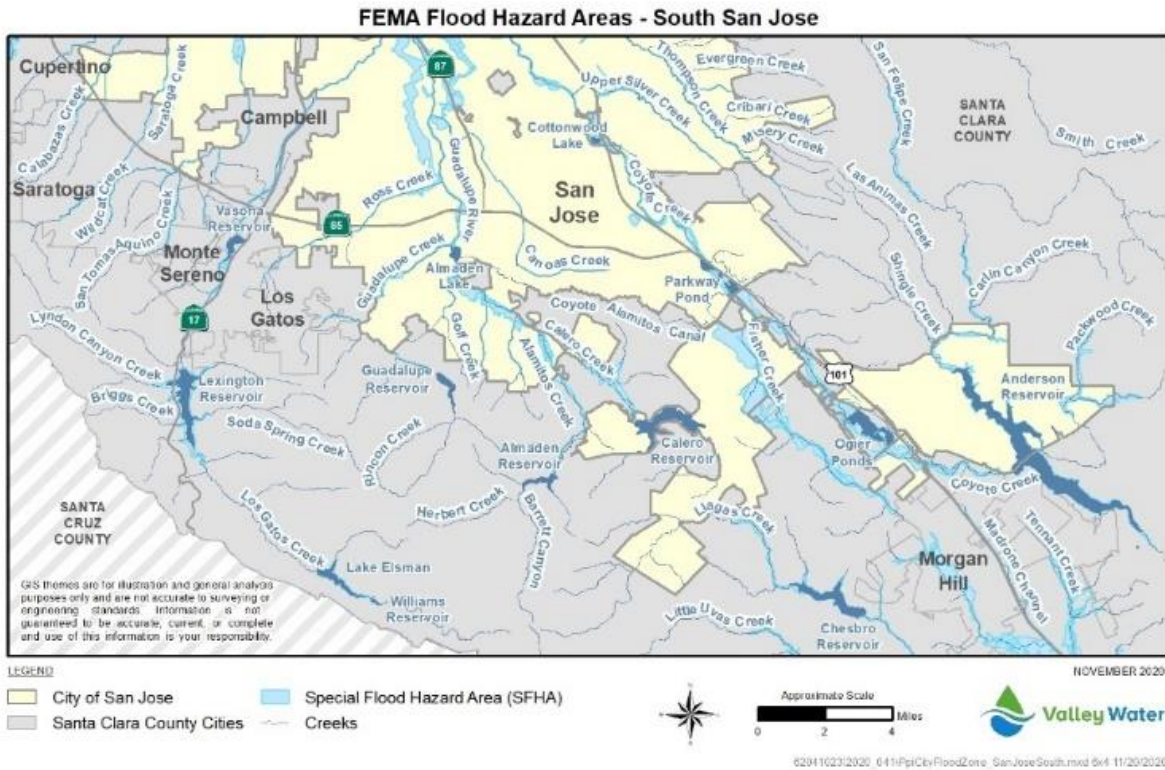
The City of San José is located at the southern tip of the San Francisco Bay. With a population of 1,021,795 residents. San José is the third-largest city in California. The city encompasses 115,200 acres or approximately 180 square miles. Approximately 17 percent of this area is in parks, agriculture, and other open space uses. Residential use is comprised of 34 percent single-family, two (2) percent two-family, four (4) percent multi-family and one (1) percent mobile homes. Other uses include four (4) percent in commercial, three (3) percent educational, and 10 percent in industrial uses.

Flood Hazard Under the current FIRMs, the City of San José has approximately 20,000 structures in the Special Flood Hazard Area (SFHA); 67 percent of these structures are single-family residences

(1-4 units), 13 percent are multi-family (5 or more units), and 20 percent are other non-residential uses, including commercial and industrial. These structures are located in FEMA flood zone designations A, AE, AH and AO. There are two (2) main creeks/rivers that flow into the San Francisco Bay, the Coyote Creek, and the Guadalupe River. The areas that flood San José are from the many tributaries that drain into the Coyote Creek and the Guadalupe River.

Repetitive Loss Properties The City of San José has six (6) repetitive loss properties with a total of 11 structures.





City of San José Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	4,604	\$3,780,947	\$1,151,265,400	517	\$6,404,404.92	\$277,415.63
2-4 Family	531	\$398,700	\$127,607,700	76	\$2,866,636.23	\$111,657.24
All Other Residential	996	\$430,135	\$228,028,500	22	\$546,597.69	\$17,692.42
Non Residential	499	\$1,243,952	\$229,130,900	32	\$710,402.65	\$29,450.53
Total	6,630	\$5,853,734	\$1,736,032,500	647	\$10,528,041.49	\$436,215.82

Insurance by Zone

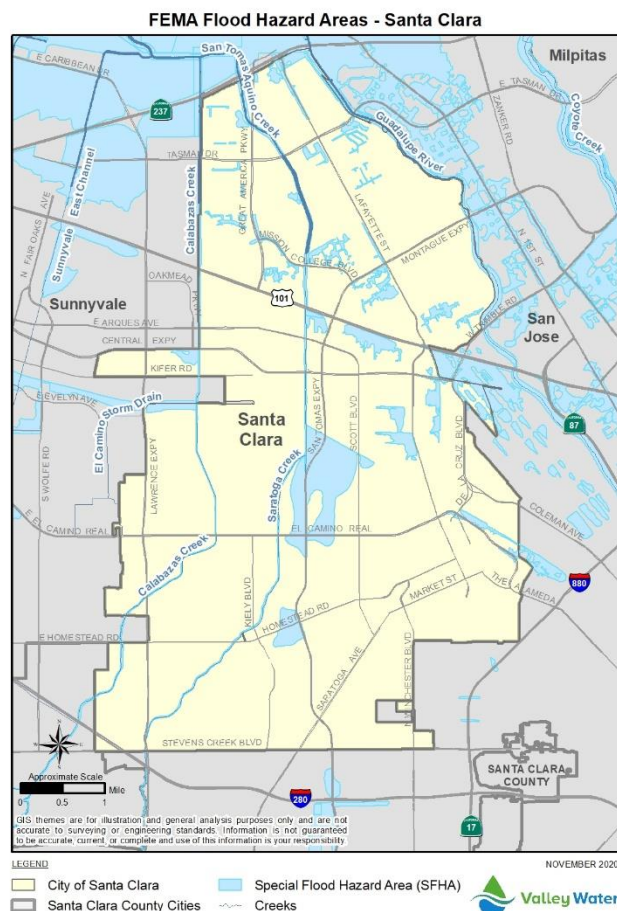
	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	757	\$1,349,929	\$212,096,900	123	\$4,634,069.72	\$162,791.30
A Zones	20	\$48,250	\$5,095,200	79	\$725,661.42	\$24,699.40
AO Zones	2,532	\$2,576,621	\$644,679,500	176	\$2,674,644.82	\$135,066.19
AH Zones	1,008	\$831,852	\$244,809,200	47	\$239,089.26	\$15,540.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	1	\$703	\$100,000	7	\$31,082.76	\$2,400.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	157	\$325,262	\$40,828,100	26	\$378,470.93	\$13,209.07
B, C & X Zone						
Standard	122	\$116,773	\$42,579,800	4	\$175,631.38	\$6,124.17
Preferred	185	\$120,513	\$68,864,000	7	\$9,456.96	\$2,605.00
Total	4,782	\$5,369,903	\$1,259,052,700	469	\$8,868,107.25	\$362,435.13

City of Santa Clara

The City of Santa Clara is located about 45 miles south of San Francisco. The city encompasses roughly 12,352 acres, or 19.3 square miles, and has a population of approximately 130,365. The city is categorized into areas consisting of approximately 43 percent residential, 27 percent commercial and industrial, 11 percent office/research and development, 11 percent public/quasi-public, and six (6) percent parks and open space, with the remaining area being categorized as vacant/unassigned.

Flood Hazard Under the current FIRMS, the City of Santa Clara has 1,012 properties in the Special Flood Hazard Area (SFHA). SFHA are mainly in FEMA designated zone A, AE, AH, and AO. Of the total properties in the SFHA, 50 percent are 1-4 family residential, 27 percent are multi-family (5 or more families), and the remaining 23 percent are non-residential areas. The city has four (4) creeks/rivers: Calabazas Creek, Saratoga Creek, San Tomas Aquino Creek, and Guadalupe River. The city has experienced flooding around Calabazas Creek and San Tomas Aquino Creek in 1983, 1986, and 1998 when water overtopped the levees and caused significant damage to properties.

Repetitive Loss Properties The city does not have repetitive loss properties.



City of Santa Clara Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	375	\$238,589	\$102,884,800	25	\$296,887.02	\$8,865.00
2-4 Family	111	\$48,378	\$27,438,000	2	\$880.40	\$150.00
All Other Residential	202	\$134,805	\$55,039,000	4	\$0.00	\$590.00
Non Residential	112	\$237,210	\$65,019,000	1	\$11,985.67	\$750.00
Total	800	\$658,982	\$250,380,800	32	\$309,753.09	\$10,355.00

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	2	\$13,274	\$1,000,000	0	\$0.00	\$0.00
A Zones	0	\$0	\$0	14	\$176,693.06	\$4,745.00
AO Zones	240	\$252,011	\$67,834,400	6	\$880.40	\$800.00
AH Zones	131	\$192,854	\$45,846,400	3	\$266.54	\$160.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	1	\$2,367	\$500,000	0	\$0.00	\$0.00
B, C & X Zone						
Standard	20	\$22,304	\$6,168,100	3	\$988.46	\$335.00
Preferred	135	\$109,191	\$52,631,000	4	\$253,483.06	\$6,495.00
Total	529	\$592,001	\$173,979,900	30	\$432,311.52	\$12,535.00

City of Saratoga

The City of Saratoga is located on the west side of the Santa Clara Valley, directly west of San José, in the San Francisco Bay Area. The city is 48 miles south of San Francisco and 14 miles west of San José and at the southwest edge of Santa Clara County, between the cities of Cupertino and Los Gatos. The city has a population of 30,153 residents and encompasses 8,179 acres or approximately 13 square miles. Approximately 40 percent of this area is in parks and preserves, and another 15 percent consists of agriculture and other open space uses. The remaining area is nearly completely developed, with single-family uses predominating. Less than one (1) percent of the city's land area consists of vacant, developable land.

Flood Hazard Under the current FIRMs, the City of Saratoga has 128 structures in the Special Flood Hazard Area (SFHA). SFHA are mainly in FEMA designated zone A, AE, and AH. Of the total structures in the SFHA, 98 percent are single-family (1-4 units), and two (2) percent are commercial or non-residential. The city has six (6) creeks: Calabazas, Rodeo, Saratoga, Wildcat, Vasona, and San Tomas. In general, flooding from these creeks has been confined to the relatively narrow flood plain directly adjacent to the creeks.

Repetitive Loss Properties There are no repetitive loss properties within the city.



City of Saratoga Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	75	\$54,033	\$23,780,100	18	\$53,675.76	\$12,075.00
2-4 Family	1	\$421	\$350,000	0	\$0.00	\$0.00
All Other Residential	2	\$2,881	\$739,700	0	\$0.00	\$0.00
Non Residential	3	\$7,564	\$2,150,000	0	\$0.00	\$0.00
Total	81	\$64,899	\$27,019,800	18	\$53,675.76	\$12,075.00

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	16	\$28,614	\$4,423,100	3	\$17,303.34	\$1,025.00
A Zones	1	\$1,981	\$250,000	4	\$4,888.78	\$735.00
AO Zones	0	\$0	\$0	0	\$0.00	\$0.00
AH Zones	0	\$0	\$0	0	\$0.00	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	0	\$0	\$0	0	\$0.00	\$0.00
B, C & X Zone						
Standard	9	\$8,425	\$2,944,700	8	\$4,488.41	\$1,120.00
Preferred	55	\$25,879	\$19,402,000	3	\$26,995.23	\$9,195.00
Total	81	\$64,899	\$27,019,800	18	\$53,675.76	\$12,075.00

City of Sunnyvale

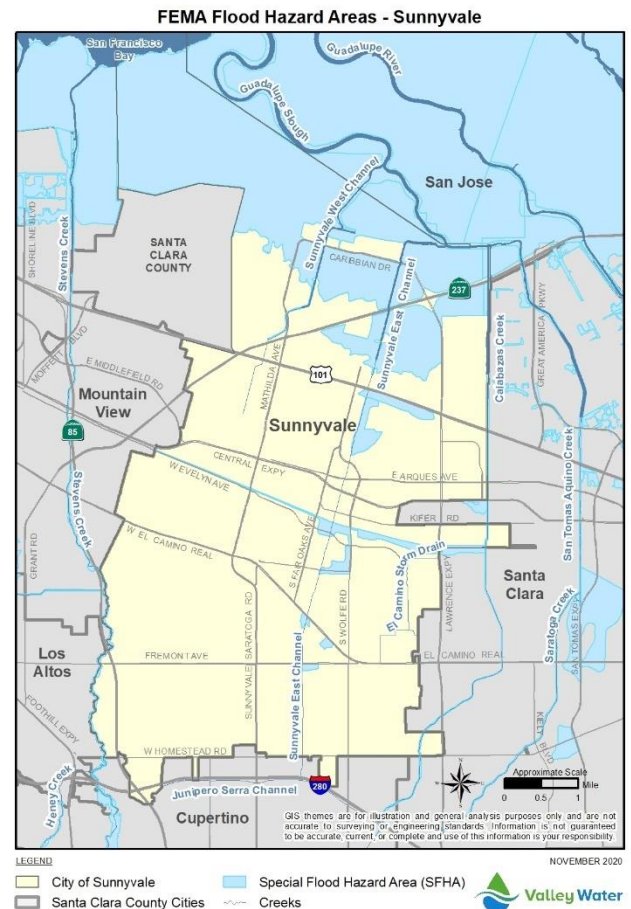
The City of Sunnyvale is one of the major cities that make up the Silicon Valley located in the San Francisco Bay Area. It is the second-highest populated city within Santa Clara County, with a population of 152,703. Sunnyvale is bordered by portions of San José to the north, Moffett Federal Airfield to the northwest, Mountain View to the west, Los Altos to the southwest, Cupertino to the south, and Santa Clara to the east.

The city's land area is approximately 22.87 square miles. Of this, 15.47 square miles are considered developable, as follows: 0.3 percent vacant, 54.7 percent residential, 22.4 percent office/industrial, 6.2 percent retail/service, 7.4 percent parks/open space, and 6.2 percent other uses.

Flood Hazard Under the current FIRMS, Sunnyvale has 1,270 parcels that lie within a Special Flood Hazard Area (SFHA). SFHA's in Sunnyvale are: Zones A, and V. Approximately 20 percent, or 254 parcels, are zoned for non-residential use. The remaining parcels within the SFHA are primarily single-family (1-4 units) residential (997 parcels), with only 19 parcels being multi-family residential (5+ units).

Areas subject to flooding in Sunnyvale are, in general, the northern portion of the city, selected areas flanking the East and West Channels, Calabazas Creek, El Camino Real, and US Highway 101. Both the East and West Channels and Calabazas Creek flow directly into the San Francisco Bay, which abuts the northerly boundary of the city.

Repetitive Loss There are no repetitive loss properties within the City of Sunnyvale.



City of Sunnyvale Flood Insurance Data (as of 11/02/20)

Insurance by Occupancy

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
Single Family	398	\$433,459	\$100,277,400	7	\$11,268.56	\$2,640.00
2-4 Family	198	\$101,139	\$48,134,000	0	\$0.00	\$0.00
All Other Residential	130	\$114,516	\$39,682,300	0	\$0.00	\$0.00
Non Residential	62	\$261,572	\$31,407,200	3	\$57,386.63	\$2,525.00
Total	788	\$910,686	\$219,500,900	10	\$68,655.19	\$5,165.00

Insurance by Zone

	Policies in Force	Premium	Insurance in Force	Number of Closed Paid Losses	\$ of Closed Paid Losses	Adjustment Expense
A01-30 & AE Zones	255	\$543,251	\$67,781,700	6	\$62,845.76	\$4,490.00
A Zones	3	\$6,163	\$750,000	0	\$0.00	\$0.00
AO Zones	134	\$164,907	\$38,067,100	1	\$0.00	\$125.00
AH Zones	0	\$0	\$0	0	\$0.00	\$0.00
AR Zones	0	\$0	\$0	0	\$0.00	\$0.00
A99 Zones	0	\$0	\$0	0	\$0.00	\$0.00
V01-30 & VE Zones	0	\$0	\$0	0	\$0.00	\$0.00
V Zones	0	\$0	\$0	0	\$0.00	\$0.00
D Zones	0	\$0	\$0	0	\$0.00	\$0.00
B, C & X Zone						
Standard	133	\$110,107	\$36,132,500	2	\$5,809.43	\$550.00
Preferred	141	\$61,947	\$44,123,000	1	\$0.00	\$0.00
Total	666	\$886,375	\$186,854,300	10	\$68,655.19	\$5,165.00

V. TARGET AUDIENCES

The PPI Committee identified several key audiences that can be divided into categories: 1) those who are at risk of flood impacts; and 2) those who are a conduit to those who are at risk of flood impacts or “messengers to other target audiences.”

Priority Audiences and Areas:

1. Community at Large

The PPI Committee recognized that the entire community that lives and/or works in Santa Clara County is subject to impacts due to flooding. CRS typically focuses on residential flooding; however, in the San Francisco Bay Area, flooding of businesses and roads is also significant.

Within the community-at-large, there are several sub-communities:

Multi-lingual Communities: Within the community-at-large, there are non-English language speakers and non-US citizens. More than 112 languages are spoken in the Bay Area; however, the top three non-English languages are Spanish, Vietnamese, and Mandarin Chinese.

Groups with Special Evacuation Needs: Within the community-at-large, access and functional need individuals require special evacuation support, such as seniors and fixed or low-income residents. These groups are of great concern during a flooding event and would need additional time, resources, and logistics to support them.

New Residents, Visitors, and Tourists: Within the community-at-large, there are residents, visitors, and tourists who are new to the area or visiting for a short duration and may be unfamiliar with the hazards specific to this region. They may be unaware of flood risks, the resources available to them, and where to locate them. Additionally, new residents are less likely to be aware of sandbag locations and how to flood-proof a structure.

2. Special Flood Hazard Area (SFHA) Communities

The PPI Committee identified several geographic areas that are particularly prone to flooding. This includes areas of Mountain View and Milpitas that are prone to shallow flooding; areas of Mountain View and Palo Alto that are prone to riverine flooding, especially north of Highway 101; areas subject to tidal flooding; Los Altos, near Permanente and Hale creeks; areas of Palo Alto prone to flooding from San Francisquito Creek; flood-prone areas of San José, including Alviso; Morgan Hill, especially the downtown area; the South County corridor between Morgan Hill and the county line.

A map of each community SFHA can be found on each community-specific page under Section IV: Communities' Flood Hazard Areas.

Residents and Businesses in the Special Flood Hazard Area (SFHA): The offices of the largest employers of Silicon Valley form a ring around the edge of the San Francisco Bay, located in areas that flood. Consequently, thousands of people

work in the zone subject to tidal flooding, driving into and out of the tidal zone every day on their way to and from work. Street flooding can impact workers' commutes. Major thoroughfares can be blocked by flooding, impeding access to residents, schools, hospitals, and workplaces.

Those at risk of flood impacts include property owners, renters, and workers. For people who work in the tidal zone, family emergency plans are critical. Individuals should have flood-safe routes identified to get safely out of the tidal flooding zone. For residents who live in the FEMA-designated SFHA, the emergency plan ensures individuals and families are prepared for a flood event.

Additionally, it is important for our communities to protect their property by purchasing flood insurance for home and business locations. Most homeowner insurance policies do not cover damage from natural disasters, such as flooding. Therefore, advising residents to purchase flood insurance to cover the contents in their homes is a critical message for this community.

Within the SFHA, there are several sub-communities:

Low Lying Areas, Along Rivers and Creeks: Within the SFHA, there are low-lying areas along rivers and creeks at risk for flooding.

Coastal Communities at Risk for Sea Level Rise/Tsunamis: Within the SFHA, there are coastal communities at risk for sea-level rise and tsunamis. These areas are identified through the base flood elevation. The bayfront cities in Santa Clara County with areas subject to fluvial and tidal flooding are Palo Alto, Mountain View, Sunnyvale, Santa Clara, San José, and Milpitas.

Repetitive Loss (RL) Areas: Within the SFHA, there are a few repetitive loss areas located in the County of Santa Clara and the cities of Morgan Hill, Palo Alto and San José. Additional information on these areas can be found on each community-specific page under Section IV: Communities' Flood Hazard Areas.

3. Messengers to Other Target Audiences (Organizations and Businesses Serving the Community)

Lenders, real estate agencies or boards, developers/contractors, and appraisers all serve as a messenger to people who are at risk of flooding as they provide their respective business service. In addition, organizations or agencies that serve at-risk communities include PG&E, American Red Cross, Emergency Assistance Network (EAN), Community Emergency Response Teams (CERT), neighborhood associations, schools, churches, hospitals, and social services agencies. These messenger organizations and businesses function as another target audience for the PPI.

As government agencies work to reduce flood risk, they need to provide these messengers with the best information available and tailor the message to the County of Santa Clara's needs. In other words, the PPI needs to include training that convey the information that the messengers will need. This will be implemented by presentations to groups, website postings and newsletter

articles. While all the messages need to be conveyed to messengers from time to time, some messages are more pertinent than others. For instance, lenders need a detailed understanding of flood insurance, but neighborhood associations would be more interested in how to protect people and property from a flood.

All these audiences can be reached through a combination of messages from Valley Water, the cities, the county, and the American Red Cross.

VI. OTHER PUBLIC INFORMATION EFFORTS

To develop an effective PPI, the committee inventoried a broad sample of current initiatives, programs, and training that focus on raising the community's awareness of local flood hazards and encouraging them to take action that will reduce risks (see Table 2).

Outside activity by agencies and organizations in Santa Clara County relating to flood protection generally falls into one of four categories: 1) training and courses; 2) community-based engagement events; 3) traditional and social media messaging, and 4) mailers. Many community events feature at least one agency providing information on disaster preparedness and safety. The information in all four categories is usually provided on websites as well, so it is readily available.

Additionally, phone and tablet apps have become particularly popular. The American Red Cross has developed a series of free apps related to disaster awareness such as flood protection, first aid, earthquake, and fire. The content of this messaging usually covers general hazard awareness and safety, with an increasing emphasis on preparedness, planning, and mitigation; however, the information can be applied to flood preparedness and safety.

Table 2: Other Public Information Efforts

Agency/Organization	Project/Effort	Message
American Red Cross Silicon Valley Chapter	• <u>Training</u>: Personal preparedness, organizational preparedness. Audience: Adults, Seniors, Youth/Kids. • <u>Community events</u>: Regularly staff booths at community events and company health fairs to provide information about American Red Cross services and preparedness. • <u>Social media messaging</u>: Facebook, Twitter posts with updates on current disaster responses, seasonal tips on safety, preparedness. • <u>Website</u>: Downloadable materials. • <u>Other</u>: Smart device apps.	General hazard/disaster awareness, safety, and preparedness. The importance of preparing a family emergency plan.
Collaborating Agencies Disaster Relief Effort (CADRE)	• <u>Training</u>: Monthly meetings, workshops, annual conference, which include training sessions. • <u>Social media messaging</u>. • <u>Website</u>: http://www.cadresv.org. • <u>Other</u>: Newsletter.	Target CBOs, FBOs and nonprofit service providers. Organization disaster readiness and resiliency.
Catholic Charities of Santa Clara County	• <u>Training</u>: Disaster preparedness workshops.	Disaster readiness and preparedness.
Community Emergency Response Training (CERT)	• <u>Training</u>: Personal preparedness.	Disaster readiness and preparedness.
Department of Water Resources	• <u>Training</u>: Flood manager trainings, workshops, California Flood Preparedness prep meetings (Aug-Oct). • <u>Community events</u>: California Flood Preparedness Week (CFPW) every October. • <u>Social media messaging</u>: Social media toolkits for CFPW, social media messaging. • <u>Website</u>: Downloadable materials, toolkits, tips on flood safety: https://water.ca.gov/What-We-Do/Flood-Preparedness. • <u>Other</u>: YouTube channel.	Flood preparedness and safety messaging.
Federal Emergency Management Agency (FEMA)	• <u>Training</u>: Online trainings. • <u>Community events</u>: Community events in partnership with local city/county. • <u>Social media messaging</u>: Facebook, Twitter, social media toolkits, smart device app: FEMA app. • <u>Website</u>: https://www.Ready.gov/floods. • <u>Other</u>: Youth education materials, YouTube channel.	Disaster readiness and preparedness.

NOAA	• <u>Training</u>: Online webinars. • <u>Social media messaging</u>: Facebook, Twitter, Smart device app: NOAA Weather Radio. • <u>Website</u>: Downloadable materials: https://www.weather.gov/safety/flood. • <u>Other</u>: Youth education materials, YouTube channel.	Flood preparedness and safety messaging.
Pacific Gas & Electric (PG&E)	• <u>Other</u>: Utility bill inserts, radio safety ads.	Safety tips related to winter storms.
Santa Clara County Department of Public Health	• <u>Website</u>: Downloadable materials: https://www.sccgov.org/sites/phd/hi/phep/Pages/prep-home.aspx.	Disaster readiness and preparedness.
Santa Clara County Office of Emergency Management	• <u>Website</u>: Downloadable materials: https://emergencymanagement.sccgov.org/home. • <u>Other</u>: Smart device app: ReadySCC.	Disaster readiness and preparedness.
San José Fire Department (Office of Emergency Services)	• <u>Training</u>: Personal preparedness.	Disaster readiness and preparedness.
Silicon Valley Independent Living Center (SVILC)	• <u>Training</u>: Personal preparedness.	Disaster readiness and preparedness.
US Army Corps of Engineers	• <u>Training</u>: Online webinars. • <u>Website</u>: Downloadable materials: https://www.usace.army.mil/. • <u>Other</u>: Youth education materials, YouTube channel.	Flood preparedness and safety messaging.
Valley Water	• <u>Training</u>: Virtual Flood Preparedness workshop, covering FEMA SFHA maps, stream gauges tools, community flooding hot spot awareness, flood insurance options, communication plans, emergency kits, and alerts and tips for avoiding floodwaters. • <u>Community events</u>: Flood awareness materials distributed at community fairs and events. • <u>Social media messaging</u>: Extensive multilingual flood awareness campaign with multilingual flood awareness videos and posts on Facebook, Instagram, Twitter, Nextdoor and YouTube, TV, radio, Pandora, print and digital newspapers, as well as email newsletter. • <u>Website</u>: Flood awareness blogs, videos, links, and preparedness resources available at http://www.valleywater.org/floodready. • <u>Other</u>: Mailers – Multi-lingual mailer with flood preparedness tips and resources distributed to 52,000 homes and 15 cities every winter.	Flood preparedness and safety messaging.

VII. COMMUNICATION STRATEGY, PROJECTS, AND INITIATIVES

The focus of the Multi-Jurisdictional PPI (5-Year Plan) is to encourage flood preparedness best practices for the following key audiences:

- The community-at-large;
- Special Flood Hazard Area (SFHA) communities; and
- Messengers to other target audiences.

The committee selected nine (9) topics with messages for each topic that need to be disseminated to the various audiences. The first six (6) are the same as the six (6) priority messages for the CRS program and included several public messages to select from. Three (3) additional topics were added by the committee and include one (1) priority message each (see Table 3).

Table 3: CRS Priority Messages

Topic Number	Topic message	Public Message <i>(select one message per topic)</i>
TOPIC #1	Know your flood hazard	• Know your flood risk • Contact your floodplain manager to find out if your property is in a floodplain • Check if your home or business is in a Special Flood Hazard Area
TOPIC #2	Insure your property for your flood hazard	• Get flood insurance ahead of time • Insure your property • There is a 30-day waiting period for the policy to take place
TOPIC #3	Protect people from the flood hazard	• Put your 3-day emergency kit together • Follow evacuation orders • Learn the best route to high ground
TOPIC #4	Protect your property from the flood hazard	• Protect your home from flood threats • Prepare your home • Sandbags can offer protection against a foot or less of floodwater • Get sandbags before a flood
TOPIC #5	Build responsibly	• Build responsibly in floodplains • Comply with development requirements • Check with your city/county floodplain manager before you build
TOPIC #6	Protect natural floodplain functions	• Keep creeks clean and flowing • Keep debris and trash out of our streams • Don't pollute, dump, or drain anything in creeks
Additional Outreach Topic Messages <i>(only one message per topic)</i>		
TOPIC #7	Develop an emergency plan	• Develop an emergency plan
TOPIC #8	Download disaster apps	• Download disaster emergency apps
TOPIC #9	Understand shallow flooding risks—don't drive through standing water	• Understand shallow flooding risks - don't drive through standing water

Flood Response Preparation Projects:

City of Santa Clara's Flood Response Program (FRP) provides a road map for city staff in various departments to quickly distribute prescribed messages through several social media outlets before, during, and after a storm event. These messages serve to remind residents to prepare for an impending storm by cleaning up fallen leaves, picking up sandbags from the city, and preparing emergency kits for their household. During a storm or flood event, these messages inform residents how to stay safe. After a storm or a flood, these messages relay essential safety information and provide resources for reporting issues to the city or appropriate agencies.

1. Before a storm/flood: The City of Santa Clara's Office of Emergency Service notifies all departments whether localized or area-wide flooding is anticipated. The fire Department, Police Department, and the Department of Public Works post their pre-approved messages and informs the City Manager's Office.
2. During a storm/flood: The City of Santa Clara's Manager's Office and the Office of Emergency Services authorize public outreach activities during a flood event when the Emergency Operations Center (EOC) is activated. Specifically, for storms, each department posts its pre-approved message that applies to the current situation. In this situation, the City Manager's Office does not need to give authorization, but they must be informed.
3. After a flood: The City of Santa Clara's Manager's Office and Office of Emergency Services authorize public outreach activities following a flood event.

Additionally, many of our communities are developing their Flood Response Programs (FRP) message plan. One idea was to develop a regionwide FRP messaging plan (*listed as 'Other New Initiatives' Item No. 9*), which would encompass all the participating communities.

Table 4: Flood Response Preparation Priority Messages:

Topic Message	Public Message (can select multiple messages per topic)
Messaging Before A Flood	
TOPIC #1: Know your flood hazard	Your floodplain manager can provide you with flood insurance information and may have a FEMA Elevation Certificate for your property on file.
TOPIC #4: Protect your property from the flood hazard	- Prepare your house for the storm by gathering building materials like plywood, plastic sheeting, and sandbags. - Follow the sandbag guide to construct barriers to stop floodwater from entering your home. - To further protect your home from localized flooding, make sure to keep the gutter in front of your house clean.
TOPIC #6: Protect natural floodplain functions	- If you see a storm drain clogged/flooded or tree branches down, please call (number). - Place fallen leaves into your clean green container instead of blowing them onto the street and pick-up litter that can clog up storm drains.
TOPIC #7: Develop an emergency plan	- Make a family emergency plan and emergency kit for your home and car. - Sign up for AlertSCC.
Messaging During A Flood	
TOPIC #2: Insure your property for your flood hazard	- Collect your valuable documents, such as property insurance. - If you need to evacuate, take your property insurance documents and their contact number with you.
TOPIC #3: Protect people from the flood hazard	- If advised to evacuate, do so immediately. - Turn off utilities at the main switches or valves. - Disconnect electrical appliances. - Do not touch electrical equipment if you are wet or standing in water. - Check city/county website for the most up-to-date information on street closure, current situation, available shelter, and press releases. - Tune to radio stations KCBS (740 AM), KGO (810 AM), and KLIV (1590 AM) for emergency information.
TOPIC #9: Understand shallow flooding risks—Don't drive through standing water	- Avoid fast-moving water. "Turn Around Don't Drown." - For puddles, let off the gas, keep the steering wheel straight, and don't slam on the brakes. - Do not drive into flooded areas.

Messaging After A Flood	
TOPIC #3: Protect people from the flood hazard	• Do not walk in floodwater. • Stay away from a downed power line and report them to Silicon Valley Power's 24-hour hotline at 408-615-5640. • Return home only when authorities indicate it is safe. • Don't attempt to re-enter your home before then, or you may be at risk of the building collapsing. • Check the city/county website for the most up-to-date information. • Check the city/county website for the most up-to-date information on street closure, current situation, available shelter, and press releases. • Listen for news reports on whether the community's water supply is safe to drink. Check on the city/county website or contact City Water Utility Department at (number) to confirm.
TOPIC #5: Build responsibly	• Get a permit for flood damage repairs to avoid future damages. The city/county has a permit process to help you get back into your house.
TOPIC #6: Protect natural floodplain functions	• If you see a storm drain clogged/flooded or tree branches down, please call (number).

Outreach Projects:

Numerous outreach projects have been carried out over the past several years. Since they match the key audiences and are an effective means to disseminate the nine (9) topic messages, they will continue. Each outreach project includes one or more of the key messages. These projects are also reflected in Appendix A: CRS Creditable Outreach and Flood Response Projects by Community and Appendix B: Additional CRS Outreach Projects by Community (Non-Creditable Activities for Activity 330).

1. Outreach and Flood Response Projects by CRS Community

- a. **County of Santa Clara:** The County of Santa Clara's website includes a Santa Clara County "Storm and Flood Information and Resources" webpage available for all residents in the county: <https://www.sccgov.org/sites/opa/Pages/storm.aspx>. The storm and flood information page redirects residents to Valley Water's Flood Ready webpage, National Weather Service, American Red Cross, and www.floodsmart.gov, as useful resources.

The County has a Consumer Protection Division's website that also includes a "Flood Safety Information" webpage. The site redirects residents to Valley Water's Access Valley Water customer portal for reporting debris in creeks and flood-ready webpage and www.Ready.gov. Additionally, there are multi-language 'Flood Safety Information' documents for resident's use and other resourceful links: <https://cpd.sccgov.org/flood-safety-information>.

Every fall, the County sends annual letters to the properties in the unincorporated section of the county's mapped repetitive loss areas, as required by FEMA and is a prerequisite for a CRS Class 9.

As needed, the County's Office of Emergency Management shares Valley Water's digital social media resource links during the flood season. The "Floods Follow Fires. Are you Ready?" and "Got Sandbags" messages redirect to Valley Water's website and all messages are available in English, Spanish, Chinese, and Vietnamese. Messages are used on social media, short-form newsletter, short-form email, web, and Nextdoor.

The County's Office of Emergency Management's website has a "Be a Prepared Community Member" webpage that includes emergency preparedness information including, signing up for AlertSCC, making an emergency plan, downloading the ReadySCC App, building an emergency supply kit, packing a go-bag, checking on neighbors, "Do One Thing," 12-month preparedness calendar, and get CERT trained. <https://emergencymanagement.sccgov.org/be-prepared-community-member>.

The County's Office of Emergency Management's website has a "People with Access and Functional Needs (AFN)" webpage that provides resources to help enhance independence and readiness through emergency preparedness: <https://emergencymanagement.sccgov.org/people-access-and-functional-needs-afn>.

- b. City of Cupertino:** The City of Cupertino publishes annual flood notice in the local newsletter (The Cupertino Scene, a community-wide newsletter) that highlights nine (9) priority topics and is mailed to all residential and commercial properties within Cupertino's jurisdiction. These notices provide information on flood risks and flood safety and inform property owners on ways to protect themselves and their property. The notice is typically published before or at the beginning of the rainy season (October or November issue).

Although there are no longer any repetitive loss properties within the city, the City of Cupertino continues to send annual letters to these properties, highlighting five (5) of the nine (9) priority topics. The letter is typically mailed mid-year.

In addition, Valley Water conducts several general and informational outreach projects that distribute materials countywide, highlighting the nine (9) priority topics that Cupertino can take credit for. Some of these outreach materials include their latest Flood Ready campaign brochures and flood kits, FEMA flood-related materials, which have also been distributed at various Cupertino events/facilities.

The City of Cupertino recognizes the robust social media campaign led by Valley Water and has linked the city's main flood preparation webpage, 'Citizens Preparedness' to Valley Water's Flood Ready webpage.

The City's Office of Emergency Services also hosts a "Citizen Preparedness" webpage that includes emergency preparedness

information for different types of disaster such as floods. The webpage also includes re-directing to Valley Water's Flood Ready webpage.

<https://www.cupertino.org/residents/community-services-programs/emergency-services/citizen-preparedness>.

Cupertino's Public Works Department and Community Development Department's Building Division also work closely together to provide Flood Protection Assistance, Property Protection Advice, site visits, and general flood protection assistance to interested community members. Advice and assistance are provided one-on-one, either over the phone, face-to-face at the public counter or through comments related to development review. Site visits, if requested, are also conducted, and scheduled directly with qualified city staff.

The city participates in yearly clean-up events: the annual National River Clean-up Day (each May) and Coastal Clean-up Day (each September) and coordinates volunteers. Staff coordinate with Valley Water on both these clean-up efforts. The city also participates in Valley Water's Adopt-a-Creek Program.

On a project-specific basis, the city provides homeowners and business owners of active construction sites a Winter Preparedness notification that informs them that during the winter season, they need to winterize their project(s) site. Certain soil disturbance activities are not allowed during the rainy season.

- c. **City of Gilroy:** The City of Gilroy recognizes Valley Water's Flood Awareness Campaign and has linked the city's main flood webpage to Valley Water's Flood Ready webpage. In addition, all the residents in the FEMA designated SFHA receive Valley Water's annual floodplain mailer. This mailer is kept in a static location at City Hall for residents to pick-up and is also distributed at various events throughout the year.

Gilroy participates in two fair/events. The Gilroy Garlic Festival, held typically at the end of July and the city's Public Works Week Community Open House, held typically in May. Both support promoting PPI topic messages – distributes flood preparedness materials.

- d. **City of Los Altos:** Annually, the City of Los Altos sends a letter, along with a "Are You Prepared for a Flood in Your Neighborhood?" brochure, each fall to property owners in the SFHA to inform them their property is within the SFHA, flood risk reduction information, requirements for development standards within the SFHA, availability of flood insurance, and where additional information can be found. The mailer contains information on the following topic messages:

- What to do before, during, and after
- Recognize the natural and beneficial functions of floodplains
- History of flooding in Los Altos
- Determine if your property is located in an area subject to flooding

- Purchase flood insurance
- Maintain drainage channels and pipes free of obstruction and debris
- Protect your property from flood damage
- Know floodplain development standards
- Comply with development requirements
- Plan for emergencies – Prepare a family disaster plan, make an emergency kit, sign-up for AlertSCC.

Also, in the fall, each year, two (2) newspapers ads are published in the 'Los Altos Town Crier,' which contain similar information as the "Are You Prepared for a Flood in Your Neighborhood?" brochure including flood insurance information.

- e. **Town of Los Altos Hills:** The Town of Los Altos Hills hosts a "Flood Information" webpage on the town's website. This webpage includes information on the PPI nine topics, including a supporting message. The webpage redirects to the following key resource websites: www.valleywater.org/floodready, www.floodsmart.org, www.ready.gov, and www.weather.gov.

The town recognizes Valley Water's Flood Awareness Campaign and has linked the town's main flood webpage to Valley Water's Flood Ready webpage. In addition, all residents in the FEMA designated SFHA receiving Valley Water's annual floodplain mailer; the mailer is kept at a static location in the town hall for residents to pick-up.

The town's "Our Town" quarterly newsletter (fall issue) includes information on flood preparedness. The newsletter is mailed out town-wide and is also available online on the town's website.

The town participates in annual clean-up events: National River Clean-up Day (each May) and Coastal Clean-up Day (each September) and coordinates volunteers. They coordinate with Valley Water on both these clean-up efforts. The city also participates in Valley Water's Adopt-a-Creek Program.

Annually, the town hosts two events - Earth Day (held in the spring) and the Town Picnic (held late summer). The town distributes various flood preparedness and safety materials at these events, including Valley Water's annual floodplain mailer and promotional item (e.g., emergency starter kits, Get Flood Ready Emergency Supply Checklist tote bags, etc.). Additionally, Valley Water hosts a table at the Town Picnic event and distributes various flood readiness materials and information (i.e. FEMA flood insurance information, ReadySCC, and American Red Cross Flood apps, AlertSCC, sandbag guidelines, flood protection project-specific notices, FEMA NFIP materials, and preparedness activity/coloring books, etc.) to the public.

- f. **Town of Los Gatos:** The Town of Los Gatos' website encourages residents and businesses to purchase flood insurance and redirects visitors to www.floodsmart.gov.

The town recognizes Valley Water's Flood Awareness Campaign and has linked the town's main flood webpage to Valley Water's Flood Ready webpage. In addition, all residents in the FEMA designated SFHA receiving Valley Water's annual floodplain mailer; the mailer is kept at a static location in the town hall for residents to pick-up.

- g. **City of Milpitas:** Annually, the City of Milpitas mails out a brochure, "Flood Public Advisory" during the months of December or January to residents and businesses within SFHA and the community at large. The brochure promotes flood safety and flood preparedness messaging, including purchase flood insurance, SFHA, flood warning information, illegal dumping, ongoing flood mitigation projects, the city's participation in the CRS, elevation certificates, Flood Protection Assistance, permit requirements for floodplain development, floor elevations, substantial improvements, and substantial damage, and provides contact information for a number of flood-related issues. The city's "Flood Public Advisory" brochure, along with Valley Water's "Are You Flood Ready?" floodplain mailers are posted in the public libraries and at City Hall.

The city offers Flood Protection Assistance, Property Protection Advice and provides in-person flood risk consultation at the front counter. Anyone seeking flood zoning and flood mitigation information, can talk to a Registered Civil Engineer and/or a CFM from the Engineering Department. This service is advertised to the whole city by the 'Flood Public Advisory' that is mailed out annually between December-January. An engineer and/or CFM will visit the project site upon request and will provide an analysis report after the visit. A copy of any site visits and analysis report will be kept on file with the city.

On a project-specific basis, the city provides contractors a Winter Preparedness notification that informs them that during the winter season, they need to winterize their project(s) site. Certain soil disturbance activities are not allowed during the rainy season.

The city participates in annual clean-up events: National River Clean-up Day (each May) and Coastal Clean-up Day (each September) and coordinates volunteers. They coordinate with Valley Water on both these clean-up efforts. The city also participates in Valley Water's Adopt-a-Creek Program.

Year-round, the city distributes at various events the FEMA flood-related publications, including "Myths and Facts about the NFIP" and "Q&A NFIP Handbook" and the front counter area in a brochure rack.

The city's website has a "Flood Information" webpage contains information on several of the PPI message topics; the webpage also

redirects to Valley Water, FEMA, NOAA, www.floodsmart.gov, www.Ready.gov, and USGS webpages.

- h. **City of Morgan Hill:** Annually, the City of Morgan Hill sends a citywide “Flood Report” close to or during the start of the rainy season. The report is for residents and businesses to understand the flood hazards in the City of Morgan Hill, to learn what they can do to protect themselves before the next rainy season and to find out about recent and planned improvements being made in the city. The Flood Report varies on PPI priority messages including:

- Know Your Flood Risk
 - Flood Insurance Rate Maps (FIRMS)
 - FEMA Flood Map Service Center (redirects to www.msc.fema.gov)
 - City contact information for flood map requests, flood protection assistance, and other flood-related inquiries
 - Major Creeks: Llagas, West Little Llagas, Edmundson, Foothill, Paradise, Tennant, Coyote, Maple, and Corralitos Creeks
- Build Responsibly - Morgan Hill Municipal Code Chapter 15.80
- SFHA
- Recent and Planned Improvements
- Keep Debris and Trash Out of Streams – It’s illegal to dump into our creeks; Do Not Dump
- Insure Your Property (redirects to www.floodsmart.gov)
- Be Prepared Before a Flood
 - Protect Your Property
- Elevation Certificates
- Be Prepared During a Flood
 - Register for AlertSCC
 - Follow evacuation orders
 - Stayed tuned (radio or TV) for possible warnings
 - Avoid floodwaters – “Turn Around Don’t Drown”
- 6” of moving water can knock you off your feet
- A car can be carried away by just 2’ of water
- Develop a Family Emergency Plan
 - Create a communications plan
 - Assemble an emergency kit
 - Keep a minimum 3-day supply of non-perishable food and bottled water
- Download Disaster and Emergency Apps
 - ReadySCC
 - Red Cross Flood App
- Redirects to www.ValleyWater.org/FloodReady

From year-to-year, the Flood Report can also include additional messaging based on the current outreach efforts and publicity requirements on city’s CRS activities.

The city's website has a "Flood Information" webpage that contains the city's flooding information, which redirects to their Floodplain Management page and includes a link to the city's annual "Flood Report." The webpage redirects to Valley Water's Flood Ready webpage and also contains FEMA flood information.

Each summer, the city sends an annual notice to Repetitive Loss (RL) areas as required by FEMA and is a prerequisite for a CRS Class 9.

- i. **City of Mountain View:** The City of Mountain View sends information on flood risk, flood safety, and the importance of buying flood insurance in the Winter version of the city's newsletter called, "The View." The city publishes this newsletter bi-annually and is sent to all postal addresses in the City of Mountain View (over 17,000 addresses). The Fall edition of the newsletter includes a "Are You Flood Prepared?" section that provides a wealth of informs the public of flood risks including the nine priority flood messages including: know your flood risk, contact your floodplain manager to find out if your property is in a floodplain, how to insure your property, protect people from the flood hazard by creating a 3-day emergency kite, protect your property with city provided sandbags, build responsibly, protect the natural floodplain by keeping debris and trash out of our streams, develop an emergency plan, download the emergency apps and 'Turn around don't drown' messaging. The city's "Flood Protection and Insurance Information" webpage also provides information on many of these same topics and also redirects to Valley Water's webpage and www.floodsmart.gov.

Each year, all residents and businesses see these nine priority flood messages again as an insert in their utility bill that arrives between July-September.

The city participates in the Mountain View Art & Wine Festival (each September) and Thursday Night Live (months of June and July) and distributes Valley Water's annual floodplain mailer and the promotional item (e.g., emergency starter kits, Get Flood Ready Emergency Supply Checklist tote bags, etc.). Valley Water also hosts a table at the Mountain View Art & Wine Festival and distributes various flood readiness materials and information (i.e. Valley Water's floodplain mailer [containing all 9 PPI topic messages], FEMA NFIP flood insurance information, ReadySCC, and American Red Cross flood apps, AlertSCC, sandbag guidelines, flood protection project-specific notices, FEMA NFIP materials, and preparedness activity/coloring books, etc.) to the public.

The City of Mountain View does a social media notification about storm preparation for winter storms ahead of time. The notification directs residents to their "Flood Protection and Insurance Information" webpage. The city has also linked the city's webpage to Valley Water's Flood Ready webpage.

- j. **City of Palo Alto:** Annually, the City of Palo Alto's "Are You Ready for Winter Storms?" flyer (aka utility insert) is sent to all residents and

businesses in the city, in their utility bills in the fall. The flyer contains information on the nine (9) PPI topic messages, including: what to do before, during, and after a storm; prepare family emergency plans and emergency kits; sign up for AlertSCC; bookmark cityofpaloalto.org/storms webpage for up-to-date local storm information; stay powered safely; understand shallow flooding – Turn Around, Don't Drown; protect your property – know your flood hazard area, insure your property sufficiently, purchase flood insurance; identify flood zone designation; build responsibly; clean out roof gutters, downspouts, landscape inlets and swales; sandbags available/locations; report hazardous material spills and illegal dumping; **Do Not Dump**; emergency information: flood warning and creek levels; blocked storm drains, mud slides, and fallen trees; sign up to receive text or email notifications of flood conditions; get Red Cross flood app; become an Emergency Services Volunteers (ESV); and other general information including non-emergency; real-time public safety updates are posted on social media accounts on: Twitter, Nextdoor, Facebook, etc. Information on the link to real-time creek monitor page and San Francisquito Creek JPA early flood warning system is also provided.

The city distributes various flood preparedness and safety documents, including FEMA NFIP materials for public/policyholders (e.g. *Valley Water's annual floodplain mailer, FEMA's NFIP Why Do I Need Flood Insurance? Your Homeowners Insurance Does Not Cover Flooding, The Preferred Risk Policy for Homeowners and Renters, etc.*). These materials are available at the Public Works Department, the Development Center, and are also made available via the city's website, "Flood Information and Winter Storm Preparedness" webpage that redirects to 'Flood Information Documents' from the City of Palo Alto Library Digital Collection database. These materials are also distributed at the city's annual events noted below.

Annually, the city also sends out a utility announcement, "Anytime it can rain, it can flood. Don't get caught off-guard." The announcement includes a link to the city's flood safety tips webpage at www.cityofpaloalto.org/storms. The announcement is sent once a year during the month of March/April. Messages included are: Valley Waters Flood Safety Tips, purchase flood insurance, prepare a family emergency plan, know the location of neighborhood streams and drainage channels, learn the best route to high ground; protect natural floodplains; protect your home and understand shallow flooding.

As required by FEMA and is a prerequisite for a CRS Class 9, the city also sends annual letters to the properties in the city's mapped repetitive loss areas, highlighting flood safety tips; the letter is typically mailed in the month of August/September.

Annually, at the beginning of the flood season (September/October), the city sends out letters to real estate agencies informing them of their responsibility to identify flood hazard areas and to take advantage of the

Flood Zone Lookup on the city's website on the Floodplain Management webpage.

The city participates in the annual clean-up events: National River Clean-up Day (each May) and Coastal Clean-up Day (each September). They coordinate with Valley Water on both these clean-up efforts. Additionally, the city participates in Valley Water's Adopt-A-Creek Program.

Trash booms are located in Matadero Creek and Adobe Creek. Annually, booms clean-ups are done on an as-needed basis. The city also assesses its hot spots and cleans up the local drainage system on an ongoing basis as part of the city's operations and maintenance.

Each April, city staff host a flood readiness table at the city's annual Earth Day event and at the City Municipal Corporation Open House held in July. Flood preparedness materials are distributed to the community, including Valley Water's outreach promotional item (varies from year to year) and their annual floodplain mailer, the city's "Are You Ready for Winter Storms?" utility insert, the Creekwise mailer/brochure, and runs a slideshow presentation of flood preparedness and protection. Upon request, the city also participates in other fairs and promotes flood readiness.

- k. **City of San José:** Annually, at the beginning of the flood season, the City of San José sends an annual flyer to properties in repetitive loss areas typically between September and December as required by FEMA and is a prerequisite for a CRS Class 9. The informs property owners that their property is in a flood-prone area. The flyer also details ways property owners can protect themselves and their property, such as be informed and know your flood risk, how to reduce this risk, how to protect your people and your property, including flood insurance (redirecting to www.floodsmart.gov), build responsibly, and to practice flood safety.

The city's Public Works, Development Services, "Flood Hazard Zones" webpage located here: <https://www.sanjoseca.gov/your-government/departments/public-works/development-services/floodplain-management>, includes information on the following:

- **Flood Information**
Public Works staff provides information regarding flood zones, flood insurance, Special Flood Hazard Area regulations, and maintains copies of elevation certificates. The public may also check if their property is in the flood zone by visiting [flood hazards zone map](#).
- **Flood Hazard Zones**
The City of San José is a member of the [National Flood Insurance Program](#). Membership in the program allows residents of the City of San José to obtain federally backed mortgages and disaster assistance in the event of floods. In exchange, the city requires new land developments and remodels of existing buildings to

conform to rules that minimize flood damage. Public Works is responsible for administering this program and providing flood zone information to the citizens of San José.

- **Re-directs to Valley Water's Flood Ready webpage** for more information about watersheds and historical flooding information. The city also has a link on its website to www.floodsmart.gov for residents to learn more about purchasing flood insurance.

The city recognizes Valley Water's Flood Awareness Campaign and has linked the city's main flood webpage to Valley Water's Flood Ready webpage. In addition, all the residents in the FEMA designated SFHA receive Valley Water's annual floodplain mailer. This mailer is kept in a static location at City Hall for residents to pick-up and is also distributed at various events throughout the year.

Annually, at the beginning of the flood season (September–December), the city sends out letters to real estate and insurance agencies and lenders, informing them of their responsibility to identify flood hazard areas and to take advantage of the Flood Zone Lookup on the city's website on the "Flood Hazard Zones webpage and advises to contact the city for map reading services and elevation certificates on file.

The city hosts an annual public safety event, 'Building Permits and Home Safety Open House,' typically held in May. Valley Water staff also participates in the city's annual Pumpkins in the Park' event, held in October. At both events, there are booths/tables with information/materials that support our PPI topic messages; flood prevention materials are distributed.

- I. **City of Santa Clara:** Each fall, the City of Santa Clara mails out a citywide newsletter for residents and businesses, including all addresses in the SFHA, called "Inside Santa Clara." The fall issues have a "Are You Flood Ready" page that includes all nine (9) CRS key priority messages urging residents and business to purchase flood insurance, learn more about flood from floodsmart.gov, find out their flood zone and flood risk with available services from the city, prepare emergency kits and family emergency plans, sign up for ALERT SCC (the Santa Clara County emergency alert system), download emergency apps "ReadySCC" or the Red Cross Emergency App, make permanent improvements to reduce flood damages with free Flood Protection Assistance, Property Protection Advice service from the city, build responsibly and obtain building permits and elevation certificates in SFHA, protect properties from flood threats with sandbags available from the city, stay safe from shallow flood and flood water while driving or walking – Turn Around, Don't Drown, keep storm drain inlet and catch basins clear of debris or leaves. The citywide newsletter also provided "How To" information on staying safe during a flood, proper sandbag usage, reporting storm drain blockage, and reporting illegal dumping in/near creeks to reduce flood and pollution risk. The newsletter is mailed to all residential and business addresses in the city. Additional copies of the newsletter are available for display and pick

up at City Hall, and it can also be accessed online on the city's website: <https://www.santaclaraca.gov/i-want-to/stay-informed/newsroom/city-publications/inside-santa-clara>.

City staff host a flood readiness table at the city's annual Art & Wine Festival held each September to display and distribute emergency preparedness kits, Valley Water's floodplain mailer and flood reporting phone number magnet and provide flood zone look up service. Valley Water also sponsors a table at the festival promoting flood preparedness and distributes various flood readiness materials to the community.

During the storm season, the City of Santa Clara publishes social media posts on Facebook, Twitter, and other platforms, focused on safety and urges residents to stay vigilant while walking or driving during heavy rains/storms; reminds them to keep storm drain inlets clear, and advises them to report blocked storm drain inlets. The city's Office of Emergency Services prepared a pre-flood plan (FRP) for public information projects that will be implemented before, during, and after a storm/flood, as well as identifying who is responsible for posting these messages, what type of events they apply to, what social media platforms to post to and how often. Before a storm/flood, the messages focus on emergency kit, plan, and app-sign-up preparation, and flood damage prevention. During a storm/flood, the messages focus on shallow flood risk, utility safety, and where to find accurate information on evacuation order, shelter, and road closure. After a flood, the messages focus on keeping people safe, reporting issues, where to find accurate information on the current status for drinking water, utility, road closure, evacuation order and shelter, and rebuilding and recovery.

The city's website, "Flood Protection Information" webpage contains valuable information on flood-related topics, such as local flood risk, FEMA flood zones, flood insurance, and flood emergency preparedness, among other things. Many FEMA publications containing a wealth of flood-related information are also available for viewing in hard copy at Santa Clara City Hall or at the City of Santa Clara Central Library: <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/engineering/flood-protection>.

- m. **City of Saratoga:** The City of Saratoga's website encourages residents/businesses to purchase flood insurance and redirects visitors to www.floodsmart.gov: <https://www.saratoga.ca.us/218/Winter-Storms>.

The City of Saratoga does a social media notification about storm preparation for winter storms ahead of time. The notification directs residents to their "Staying Safe, Winter Storms" webpage. The City of Saratoga has also linked the city's Winter Storms webpage to Valley Water's Flood Ready webpage.

The City of Saratoga recognizes Valley Water's Flood Awareness Campaign and has linked the city's main flood webpage to Valley Water's Flood Ready webpage. In addition to all residents in the FEMA

designated SFHA receiving Valley Water's annual floodplain mailer, the mailer is kept static at the City Hall for residents to pick-up.

- n. **City of Sunnyvale:** The City of Sunnyvale sends two (2) mailers and one (1) newsletter article each October. The first mailer/postcard is targeted to all residents and businesses within the SFHA informing them of the requirement to purchase flood insurance and about the automatic 15% discount. The second mailer/postcard is targeted to real estate agents informing them of the client's responsibility for identification and purchase of flood insurance and the availability of the automatic 15% discount.

The City of Sunnyvale's annual fall "Horizon" newsletter, which come out in October, includes a "Know How to Be Flood Safe" article that promotes flood safety and flood preparedness messaging, including purchasing flood insurance and promotes www.floodsmart.gov, Flood Zone Lookup information, AlertSCC, Do Not Dump, and highlights the city's website.

Additionally, the City of Sunnyvale has permanent "Road May Flood" street signs in areas of the city prone to flooding and promotes the "Flood Zone Look Up" featured on the city's website.

Furthermore, during the rainy season (October-March), the City of Sunnyvale actively posts flood safety and preparedness messaging through the city's Environmental Services social media platforms (i.e., Facebook and Twitter).

- o. **Valley Water:** Valley Water sends an annual multi-language floodplain mailer countywide to all residents and businesses within the SFHA in Santa Clara County.

The floodplain mailer is an extensive mailer that includes language on all the nine (9) PPI priority messages, such as contact numbers for mapping services for each of the communities and flood response messaging on what to do before, during, and after a flood. The mailer is sent out each year between November/December to remind residents and businesses in the SFHA of the upcoming rainy season and urges them to prepare beforehand and to purchase flood insurance. An electronic version of the mailer is also available on Valley Water's website on the flood preparedness page at www.valleywater.org. It should be noted that this is not necessarily a mailer to every creek side owner. Many properties are adjacent to creeks but not in the SFHA and would not receive this mailer.

Hard copies of the floodplain mailer are provided to all the cities/county for their use to disseminate at various events (i.e. emergency preparedness fairs, festivals, public meetings, etc.), including keeping the mailer static in lobby areas for visitors to pick-up. Electronic copies are also provided to the CRS communities to post on their websites.

Additionally, Valley Water includes flooding messages in an annual multi-language countywide mailer sent to every postal address in the county in

late October/early November. This is a general mailer whose topics cover the full range of services Valley Water carries out; therefore, topics vary from year to year, but a minimum of six (6) topics are included. The importance of buying flood insurance is always mentioned and the 30-day waiting period for an NFIP policy to go into effect.

Every CRS community submits the floodplain and countywide mailers for CRS credit. Annually, Valley Water also distributes and provides each community with a flood promotional item to giveaway to the public at community events.

During the year, Valley Water participates in booth duty support at various events and fairs throughout the county, including Valley Water Capital project meetings, or other events, as requested by various organizations. A number of communities pursue Outreach Project (OP) credit under Activity 300 for this activity. Valley Water distributes flood preparedness and awareness outreach materials (e.g., annual floodplain and countywide mailers, FEMA NFIP materials, USACOE Disaster preparedness coloring book, etc.) to the public at various events/fairs throughout the county encouraging the public to “Get Flood Ready.” Valley Water maintains public outreach materials for use before, during and after a flood and safety messaging. The distributed materials cover all of the nine (9) key CRS messages: sandbag guideline and flood protection project(s) information; downloading flood/emergency apps; information to encourage creating a family emergency plan; encourage homeowners, business owners, and renters to purchase of flood insurance ahead of time; prepare emergency kits; to know your flood risk; protecting people and property from flood threats; keeping creeks clean and flowing; avoid floodwaters, and to build responsibly in floodplains. The materials that are distributed include several FEMA publications and Valley Water flood preparedness promotional items which can vary from year to year.

Annually, Valley Water Office of Government Relations participates in the below community events during the flood season (*from September-May*. Note: The below list of events is subject to be amended.):

Table 5: Community Events During the Flood Season

Month	Event
September	- Santos Car Show (<i>Alviso/San José</i>) - Mountain View Chamber of Commerce Art & Wine Festival (<i>Mountain View</i>) - Cupertino Chamber of Commerce Silicon Valley Fall Festival (<i>Cupertino</i>) - Morgan Hill Chamber of Commerce Taste of Morgan Hill (<i>Morgan Hill</i>)
October	- Day on the Bay Multicultural Festival (<i>hosted by Santa Clara County</i>) - Day in the Park (<i>hosted by the City of San José, District 8</i>) - Pumpkins in the Park (<i>hosted by Guadalupe River Park Conservancy, San José</i>) - Diwali Festival of Lights (<i>hosted by Cupertino Chamber of Commerce</i>) - Hispanic Chamber of Commerce of Silicon Valley Festiv'ALL (<i>sponsored by Valley Water and City of San José</i>)

November	- Annual American Indian Heritage Celebration (<i>hosted by ConXion to Community, San José</i>)
December	- Santa Visits Alviso (<i>San José</i>)
January	- South Valley Science Fair (hosted by South Valley Science and Engineering fair, Morgan Hill) - San José Women's March (hosted by Women's March Bay Area, San José)
February	- Valley Medical Center's Women's Leadership Policy Summit (hosted by Valley Medical Center Foundation, Saratoga)
March	- Silicon Valley Leadership Group Regional Economic Forum (hosted by Silicon Valley Leadership Group, Campbell) - Tech Challenge (hosted by The Tech Interactive, San José) - Morgan Hill Wildflower Run (hosted by American Association of University Women, Morgan Hill)
April	- City of Palo Alto Great Race for Saving Water (hosted by City of Palo Alto)
May	- Berryessa Annual Art & Wine Festival (hosted by Berryessa Business Association & Bay Area Community Services, San José) - Campbell Chamber of Commerce Boogie on the Avenue (hosted by Campbell Chamber of Commerce, Campbell) - Mushroom Mardi Gras (hosted by Morgan Hill Mushroom Mardi Gras Inc., Morgan Hill)

Additionally, throughout the year, there are other countywide events that Valley Water participates in by hosting a table and distributing flood preparedness materials.

Valley Water's "Let's Talk Water" Speakers Bureau Program provides general presentations to various groups, including Homeowners Associations. The presentations talk about where your water comes from, reviews the history of Valley Water and how we operate. Presenters also discuss our water supply sources for our county, water quality, flood protection, including flood awareness/preparedness, and our creeks and ecosystems. Information is shared on the topic of flood protection includes, a brief description of the CRS program, how to find your flood risk, make your 3-day emergency kit, the importance of purchasing flood insurance, and Valley Water's ongoing flood protection projects: <https://www.valleywater.org/learning-center/lets-talk-water-speakers-bureau>.

Annually, Valley Water distributes a soft copy of our 'Flood Safety Tips' brochure for all SCC CRS communities' use (print hard copies to distribute at events and/or post of flood preparedness webpages. This brochure covers all nine (9) key priority topics and is also made available on Valley Water's Flood Ready website.

2. Valley Water's Annual Flood Awareness Media Campaign

Annually, Valley Water conducts a flood awareness media campaign, reaching the community at large, including our multi-lingual community, groups with special evacuation needs, new residents, visitors, and tourists. The campaign runs the duration of the rainy season, typically from November to April, and features social media videos and postings on various platforms (i.e., Facebook, Twitter, Instagram, Nextdoor, etc.), digital banners, newspaper advertorials, radio ads, billboards, utility bill inserts for communities to use, communities re-direct to Valley Water's flood ready website, and television/mobile ads targeting residents who live in flood-prone areas and multilingual ethnic communities.

As part of Valley Water's annual flood awareness campaign, an annual floodplain mailer is sent to all addresses in the County of Santa Clara's FEMA designated SFHA (see *Section 1. Outreach and Flood Response Projects by CRS Community, Item o. Valley Water*).

Additionally, as needed, Valley Water conducts an outreach campaign targeted to "hot spot" areas (i.e., locations Valley Water has identified as prone to flooding) by engaging in additional outreach with the public, as needed and/or requested. This outreach may include a live or virtual event where residents in hot spot areas receive additional info on how to prepare for a flood event and will include a Board member promoting for residents to purchase flood insurance. An annual 'Winter Preparedness Emergency Resources Guide' (postcard/flyer) is mailed to residents and/or businesses who live or are located within hot spot locations. The guide includes the following CRS messages:

- 'Know Your Risk' by visiting www.msc.fema.gov to see your location on a FEMA SFHA map;
- 'Prepare Your Home' by downloading emergency apps and monitoring stream levels and finding sandbags locations; and
- 'Get Insured' by visiting www.floodsmart.gov to find an agent in your areas.
- What to do Before, During, and After a Flood.

As part of the flood awareness campaign, a 'Get Flood Ready, Social Media and Web Resources Guide' is provided to each of the communities for their use as part of their outreach efforts.

3. Do Not Dump Program

- a. Storm Drain Stenciling/Medallion – For more than 20 years, the County of Santa Clara has a program to locate and label all storm drain inlets "Do Not Dump" stencils at storm drains. This program, which helps prevent shallow flooding continues. Several Santa Clara County cities/county and Valley Water participate in the Storm Drain Stenciling Program.
- b. Cities in Santa Clara County require all developments modifying or constructing new catch basins/storm drains/inlets to stencil the "No Dumping! Flows to Bay." In addition, some of these cities require all bid documents for capital projects which are modifying or constructing new

catch basins and require the contractors to install the same stencil. The program is also highlighted on cities' websites.

In South County municipalities (permittees) are subject to the statewide "Phase II" Stormwater Permit: National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements (WDRs) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s). The permit became effective July 1, 2013 and remains effective (as amended) until reissued. The last amendment was effective January 1, 2019.

The North County municipalities (permittees) are subject to the San Francisco Bay Municipal Regional Stormwater NPDES Permit. The permit was effective January 1, 2016 and was due to expire December 31, 2020 but has been administratively extended.

- c. The City of Cupertino's annual flood notices in the local newsletter, 'The Cupertino Scene,' contains dumping is illegal messaging and how to report.
- d. The City of Milpitas's annual "Flood Public Advisory" annual brochure contains dumping is illegal messaging and how to report.
- e. The City of Palo Alto's annual "Are You Ready for Winter Storms?" utility bill insert contains the Do Not Dump and report illegal dumping messages.
- f. The City of Sunnyvale's annual fall "Horizon" newsletter includes a "Know How to Be Flood Safe" article that promotes the Do Not Dump message.
- g. Valley Water places "Do Not Dump" signs by waterways/channels.
- h. Valley Water lists the Pollution Hotline number in all their Project Notices.

4. Information for Use Before, During, and After a Flood

- a. Valley Water maintains public outreach materials for use before, during, and after a flood, including safety messages, how to file insurance claims, the need for permits, etc. These materials include several FEMA publications and Valley Water collateral items. Several of these items are also available on our website. Valley Water distributes these outreach materials to the public at various events/fairs throughout the county, at public meetings, with stakeholders (e.g., Second Harvest Food Bank, HOA's, Fire Departments, etc.) to help disseminate our flood preparedness messaging. These items are also made available upon request to cities/county to distribute within their community.

Valley Water's website includes a 'Flood Safety Advice: Before, During, and After a Flood' webpage <https://www.valleywater.org/floodready/flood-safety-advice-during-after>.

- b. The City of Santa Clara has a plan that outlines flood response activities to carry out before, during, and after a storm/flood. The plan identifies how to disseminate information on social media (i.e., frequency and type of messaging, which media platforms, and who will be responsible for posting the messages).
- c. The City of Milpitas' 'Flood Public Advisory' annual brochures provide information on what to do before and during a flood.

Other Public Information Initiatives

The PPI Committee reviewed other public information activities, in addition to outreach projects. Additional credit is available under Activities 340, 350, 360, and 540 if the element is described in the PPI document with specific recommendations on how it should be conducted.

Activity 340 (DFH and REB) – Additional credit is provided if the PPI states that real estate agents should (or have agreed to) advise house hunters about the flood hazard and that real estate agents give house hunters a REB brochure.

- The **City of Morgan Hill** mails out during the rainy season an annual newsletter, "Ask Before You Buy: Know Your Flood Risk!", to local real estate agents that provide homebuyers help to determine the flood risk of the property being purchased.
- The **City of Palo Alto** sends out annual letters to real estate agencies, informing them of their responsibility to identify flood hazard areas and to take advantage of the Flood Zone Lookup on the city's website on the Floodplain Management webpage at the beginning of the flood season (September/October).
- The **City of San Jose** sends out letters to real estate and insurance agencies and lenders, informing them of their responsibility to identify flood hazard areas and to take advantage of the Flood Zone Lookup on the city's website on the "Flood Hazard Zones webpage and advises to contact the city for map reading services and elevation certificates on file (September–December).
- The **City of Sunnyvale** sends a mailer/postcard targeted to real estate agents informing them of the client's responsibility for identification and purchase of flood insurance and the availability of the automatic 15% discount.
- **Other communities** could follow suit and send out the info to real estate agents advising house hunters about flood hazards and advise real estate agents to give house hunters a REB brochure.

Activity 350 (WEB1) – Additional bonus credit is provided if the communities website covers the additional priority messages (Topics 7-9) that are listed in the PPI, listed in *Table 3: CRS Priority Messages*.

- All communities' website flood protection resources webpage includes language that contains the three additional PPI priority messages noted below:
 - 7. Develop an emergency plan.
 - 8. Download disaster apps.
 - 9. Understand shallowing risks—don't drive through standing water.

Activity 360 (PPA, PPV, FAA) – Additional bonus credit is provided if the PPI discusses how the community's property protection services should be conducted (PPA), discusses site visits as part of the community's property protection service (PPV), and discusses how the community's financial assistance advisory service should be conducted (FAA).

- The **City of Cupertino** provides property protection advice, site visits, and general flood protection assistance to interested community members. Advice and assistance are provided one-on-one, either over the phone, face-to-face at the public counter or through comments related to development review. Site visits, if requested, are also conducted and scheduled directly with qualified city staff. This service is advertised to the entire community in their annual flood notices in the local newsletter (The Cupertino Scene, a community-wide newsletter). The notice is typically published before or at the beginning of the rainy season (October or November issue).
- The **City of Milpitas** offers Flood Protection Assistance and provides in-person flood risk consultation at the front counter. Anyone seeking flood zoning and flood mitigation information, can talk to a Registered Civil Engineer and/or a Certified Floodplain Manager (CFM) from the Engineering Department. This service is advertised to the whole city by the 'Flood Public Advisory' that is mailed out annually between December-January. An engineer and/or CFM will visit the project site upon request and will provide an analysis report after the visit. A copy of any site visits and analysis report will be kept on file with the city.
- The **City of Santa Clara** provides property protection advice, and general flood protection assistance to interested residents and businesses. Advice and assistance are provided one-on-one by reviewing site plans and site photos, either over the phone, or face-to-face at the permit center counter. Site visits, if requested, are also conducted and scheduled directly with qualified city staff. This service is advertised to the entire community every year in the fall issue of citywide newsletter "Inside Santa Clara", which typically goes out every September.
- **Other communities** could follow suit and send out the info on how the community's property protection services should be conducted, including site visits as part of the community's property protection service and offer the community financial assistance advisory service.

Activity 540 (Drainage System Maintenance) – Additional credit is provided if the PPI specifies the message and recommends the best way to disseminate it.

- Valley Water's annual floodplain, countywide mailers and all project notices include messaging on Do Not Dump/Illegal Dumping. All communities comply with the Santa Clara County's Storm Drain Stenciling/Medallion Program as developments that are modifying or constructing new catch basins/storm drains/inlets are required, per the below-noted permits, to stencil the "No Dumping Flows to Bay." In addition, some of these cities require all bid documents for capital projects, which are modifying or constructing new catch basins, require the contractors to install the same stencil. The program is also highlighted on cities' websites.

- *South County municipalities are subject to the statewide “Phase II” NPDES Permit*
- *North County municipalities are subject to the SF Bay Municipal Regional Stormwater NPDES Permit*

Other New Initiatives

The PPI committee identified a number of new initiatives:

1. Continue and expand the standardized flood message prepared for each community to include flood messages in utility bills each year, including PG&E.
2. Expand on partnerships with local chambers of commerce to disseminate and share flood preparedness information.
3. Expand on outreach to the Asian and Latino communities who live in flood prone areas.
4. Expand on outreach to “hot spot” flood prone areas by hosting on-site or virtual events.
5. Expand on reaching local homeowners associations (HOA)s and apartment associations
(i.e. *Executive Council of Homeowners [ECHO]*)
6. Expand on reaching residents in marginal and low-income communities through partnering with organizations that reach these communities. (i.e. *Second Harvest Food Bank and others*)
7. Communities could pursue FEMA Matching Funds Grants for severe Repetitive Loss Areas.
8. Review and expand other public information activities, such as Flood Protection Assistance (Activity 360) and Flood Insurance Promotion (Activity 370).
9. Develop a regionwide Flood Response Program messaging plan.

VIII. ANNUAL EVALUATION REPORTS

The Santa Clara County Multi-Jurisdictional PPI Committee will meet at least once per year to evaluate the PPI and incorporate any needed revisions. This meeting will be coordinated through the ongoing CRS User’s Group meetings which are expected to occur at least twice a year. The evaluation will cover:

- Reviewing projects that were completed.
- Evaluation of progress toward outcomes.
- Recommendations on projects that have not been completed.
- Recommendations for new projects not previously identified.
- Target Audience changes; and
- Impact of the program during a real flood event if one has occurred.

A report will be prepared by Valley Water or through a sub-committee of the PPI Committee for submission with each CRS community’s annual CRS recertification package.

During Fiscal Years 2016-19 (Years 1-4), the 2015 PPI Committee met a minimum of twice a year to complete annual evaluation reports for each year. Each community that participated in

the 2015 PPI sent annual evaluation reports to their respective governing body and included the report as part of their annual recertification submittals.

In 2020, the Insurance Services Office (ISO) authorized the exemption of the 2015 PPI Year 5 Annual Evaluation Report, as the Multi-Jurisdictional PPI was scheduled to be updated for its five (5) year revision.

IX. FIVE-YEAR REVISIONS

Every five (5) years, the Santa Clara County Multi-Jurisdictional PPI Committee will meet to review and revise the PPI. At that time, the PPI Committee can decide to draft a new document or an addendum to the existing document that updates the needs assessment and all sections that should be changed based on evaluations of the projects.

The PPI is reviewed for CRS credit according to the *FEMA NFIP CRS Coordinator's Manual (Edition 2017)* currently in effect, not the version used when the community originally requested this credit. The update can qualify as the annual evaluation report for the year it was prepared. The updated PPI must be adopted following the same process as the adoption of the original document.

X. ADOPTION OF THE PPI

The Multi-Jurisdictional PPI will be considered fully adopted after it has been approved by the elected body of each of the participating communities. Each CRS community is encouraged to use Valley Water's Board Agenda Memo so that all the elected officials receive the same information. This saves staff time and resources.

When a community develops a PPI as outlined in the *FEMA NFIP CRS Coordinator's Manual (Edition 2017)*, the PPI must be adopted by the community, through either:

- A formal vote by the community's governing body, or
- A formal vote by another body that has the authority and can provide the funding to implement the PPI, such as a flood control district. If this option is used, the PPI document must still be provided to the community's governing body for informational purposes.

In April of 2015, nine (9) of the twelve (12) CRS communities' governing bodies adopted the original Santa Clara County Multi-Jurisdictional 2015 PPI (5-Year Plan).

XI. REFERENCES

1. Federal Deposit Insurance Corporation (FDIC), Flood Disaster Protection Act of 1973, <https://www.fdic.gov/regulations/laws/rules/6000-2400.html>, December 1973.
2. Federal Emergency Management Agency (FEMA), Developing a Program for Public Information, https://crsresources.org/files/300/developing_a_ppi_for_credit_under_the_crs.pdf, March 2013.
3. Federal Emergency Management Agency (FEMA), National Flood Insurance Program Community Rating System Coordinator's Manual, <https://crsresources.org/>, 2017.

4. Federal Emergency Management Agency (FEMA), Flood Zones, <https://www.fema.gov/glossary/flood-zones>, July 2020.
5. Flood Insurance Sheets by Occupancy and by Zone provided by ISO, CRS Technical Reviewer, Dave Arkens on November 15 and 18, 2020.
6. Shawnee County, Kansas, Definitions of FEMA Flood Zone Designations, <https://snmapmod.snco.us/fmm/document/fema-flood-zone-definitions.pdf>.
7. Snohomish County Public Works Surface Water Management, Washington, Snohomish, City of Monroe, City of Sultan: Multi-Jurisdictional Program for Public Information, January 2013.
8. State of California et al, California's Flood Future: Recommendations for Managing the State's Flood Risks, November 2013.
9. US Census Bureau: Population Estimates, <https://www.census.gov/quickfacts/fact/table>, (V2019), July 1, 2019.
10. Town of Surfside Beach, South Carolina PPI, https://crsresources.org/files/300/surfside_beach_example_ppi.pdf, November 2014.

Appendix A CRS Creditable Outreach and Flood Response Projects by CRS Community Santa Clara County Multi-Jurisdictional PPI 2021						
Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
Community At Large (CAL) – <i>Multi-lingual Communities</i> – <i>Groups with Special Evacuation Needs</i> – <i>New Residents, Visitors and Tourists</i>	<u>Topic 1:</u> Know your flood hazard Message 1A - Know your flood risk Message 1B - Contact your floodplain manager to find out if your property is in a floodplain Message 1C - Check if your home or business is in a Special Flood Hazard Area <u>Topic 2:</u> Insure your property for your flood hazard Message 2A - Get flood insurance ahead of time Message 2B – Insure your property Message 2C – There is a 30-day waiting period for the policy to take place <u>Topic 3:</u> Protect people from the flood hazard Message 3A - Put your 3-day emergency kit together Message 3B - Follow evacuation orders Message 3C – Learn the best route to high ground <u>Topic 4:</u> Protect your property from the flood hazard Message 4A - Protect your property from the flood hazard Message 4B - Prepare your home Message 4C - Sandbags can offer protection against a foot or less of floodwater Message 4E - Get sandbags before a flood <u>Topic 5:</u> Build responsibility Message 5A - Build responsibly in floodplains Message 5B - Comply with development requirements Message 5C - Check with your local floodplain manager before you build <u>Topic 6:</u> Protect natural floodplain functions Message 6A -Keep creeks clean and flowing Message 6B - Keep debris and trash out of our streams Message 6C - Don’t pollute, dump, or drain anything in creeks <u>Topic 7:</u> Develop a Family Emergency Plan Message 7A: Develop an emergency plan <u>Topic 8:</u> Download disaster Apps Message 8A - Download disaster emergency apps <u>Topic 9:</u> Understand shallow flooding risks – don’t drive through standing water Message 9A - Understand shallow flooding risks - don’t drive through standing water FEMA’s message: “Turn Around Don’t Drown®.”	Educate our community on flood protection and preparedness measures	(VW OP #01) Multi-language Countywide Mailer (CWM) to every postal address in Santa Clara County (Topics 1-5 and 7, 8)	Valley Water Communications	Each late October or November	All Santa Clara County CRS Communities
			(VW OP #02) Distributes a soft copy of our Flood Safety Tips brochure for all SCC CRS communities’ use (print hard copies to distribute at events and/or post of flood preparedness webpages) (Topics 1-9)	Valley Water Communications	Annually, November/December	All Santa Clara County CRS Communities
			(CUP OP #03) Flood notice in the local newsletter, “The Cupertino Scene” (Topics 1-9)	City of Cupertino	Each October or November issue	N/A
			(LA OP #04) Two (2) newspapers ads, in the Los Altos Town Crier (Topics 1-5)	City of Los Altos	Each fall	N/A
			(LAH OP #05) The town’s “Our Town” quarterly newsletter includes information on flood preparedness. The newsletter is mailed out town-wide and is also available online on the town’s website (<i>Topics TBD during cycle visit</i>)	Town of Los Altos Hills	Each fall	N/A
			(LAH OP #06) The town distributes various flood preparedness and safety materials at events, including Valley Water’s annual floodplain mailer and promotional item (e.g., emergency starter kits, Get Flood Ready Emergency Supply Checklist tote bags, etc.), FEMA flood insurance information, ReadySCC, and American Red Cross Flood apps, AlertSCC, sandbag guidelines, flood protection project-specific notices, FEMA NFIP materials, and preparedness activity/coloring books, etc.) to the public	Town of Los Altos Hills	Annually, spring and late summer	N/A
			(MIL OP #07) “Flood Public Advisory” brochure to community at large (Topics 1-6)	City of Milpitas	Each December or January	N/A
			(MH OP #08) Sends a citywide “Flood Report” brochure (Topics 1-9)	City of Morgan Hill	Annually, close to or during the start of the rainy season	N/A
			(MV OP #09) Sends “The View” citywide newsletter, Winter version, includes information on flood risk, flood safety, and the importance of buying flood insurance (Topics 1-9)	City of Mountain View	Fall newsletter edition	N/A
			(MV OP #10) Mails a utility bill insert to all resident and businesses that contains information on flood risk, flood safety, and the importance of buying flood insurance (Topics 9)	City of Mountain View	Between July - September	N/A
			(PA OP #11) Sends the “Are You Ready for Winter Storms?’ flyer (aka utilities insert) to all residents and businesses in the City, along with their utility bills (Topics 1-9)	City of Palo Alto	Each Fall	N/A
			(PA OP #12) Sends out utility announcement, “Anytime it can rain, it can flood. Don’t get caught off-guard” (Topics 1, 2,3, 4, 5, 6, 7, & 9 – <i>will pursue adding other topic</i>)	City of Palo Alto	Each March/April	N/A
			(PA OP #13) The city distributes various flood preparedness and safety documents, including FEMA NFIP materials for public/policyholders	City of Palo Alto	Year Round	N/A
			(SC OP #14) Mails out a citywide newsletter for residents and businesses called “Inside Santa Clara” (Topics 1-9)	City of Santa Clara	Each fall	N/A
		Educate our community on flood protection and preparedness measures	(VW OP #15) Flood Ready webpage: Flood & Safety, Flood Protection Resources, includes floodplain and countywide mailers https://www.valleywater.org/floodready	Valley Water	Year Round	All Santa Clara County CRS Communities

¹ **Message Topics:** **Outreach Projects (OP):** Topic 1 – Know your flood hazard; Topic 2 – Insure your property for your flood hazard; Topic 3 – Protect people from the flood hazard; Topic 4 – Protect your property from the hazard; Topic 5 – Build responsibly; Topic 6 – Protect natural floodplain functions; Topic 7 – Develop a Family Emergency Plan; Topic 8 – Download disaster Apps; Topic 9 – Understand shallow flooding risks – “Don’t drive through standing water.”
Flood Response Preparations (FRP): What to Do Before, During and After a Flood/Storm

² Each September, all deliverables need to be reported to Valley Water for tracking purposes.

³ A **stakeholder** can be any agency, organization, or person (other than the community itself) that supports the message. Stakeholders can be: an insurance company that publishes a brochures on flood insurance, even if it is set out at City Hall; a local newspaper that publishes a flood or hurricane season supplement each year; FEMA, if, for example, a FEMA brochure is used as an informational material; schools that implement outreach activities; a local newspaper; a neighborhood or civic association that sponsors and hosts a presentation by a community employee; a utility company that includes pertinent articles in its monthly bills; or presentations made by state or FEMA staff at a Risk Map meeting.

Appendix A
CRS Creditable Outreach and Flood Response Projects by CRS Community
Santa Clara County Multi-Jurisdictional PPI 2021

Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
		Increase in ‘hits’ on Valley Water and communities Flood Protection Resources webpage	(ALL OP #16) All communities’ website flood protection resources webpage includes language that contains the three additional PPI priority messages noted below: 7. Develop an emergency plan 8. Download disaster apps 9. Understand shallow flooding risks—don’t drive through standing water	All Santa Clara County Communities	Year Round	N/A
		<i>These website projects are credited under Activity 350 – Flood Protection Information, element c). Flood protection website (WEB), not credited under Activity 330</i>	(SCC OP #17) Hosts a “Storm and Flood Information and Resources” webpage available for all residents in the county, includes re-directing to www.floodsmart.gov https://www.sccgov.org/sites/opa/Pages/storm.aspx	Santa Clara County Office of Public Affairs	Year Round	N/A
		<i>Note: To receive any WEB credit, the community’s website must meet the following criteria:</i>	(SCC OP #18) Hosts a “Flood Safety Information” webpage, includes re-directing to www.valleywater.org/floodready https://cpd.sccgov.org/flood-safety-information	Santa Clara County Consumer Protection Division	Year Round	N/A
		<i>The community must check the website’s links at least monthly, and fix those that are no longer accurate. At least annually, the community must review the content to ensure that it is still current and pertinent</i>	(SCC OP #19) Hosts a “Be a Prepared Community Member” webpage that includes emergency preparedness information https://emergencymanagement.sccgov.org/be-prepared-community-member	Santa Clara County Office of Emergency Management	Year Round	N/A
			(SCC OP #20) Hosts a “People with Access and Functional Needs (AFN)” webpage https://emergencymanagement.sccgov.org/people-access-and-functional-needs-afn	Santa Clara County Office of Emergency Management	Year Round	N/A
			(CUP OP#21) Hosts a “Citizen Preparedness” webpage that includes emergency preparedness information, includes re-directing to Valley Water’s www.valleywater.org/floodready webpage https://www.cupertino.org/residents/community-services-programs/emergency-services/citizen-preparedness	City of Cupertino Office of Emergency Services	Year Round	N/A
			(GIL OP #22) The city hosts an “Emergency Preparedness” webpage Emergency Preparedness Gilroy, CA - Official Website (cityofgilroy.org) (listed in Appendix B)	City o Gilroy Fire Department	Year Round	N/A
			(LA OP #23) The city’s Public Works Department hosts a ‘Flood Zone Information’ webpage on its website (listed in Appendix B) https://www.losaltosca.gov/publicworks/page/flood-zone-information	City of Los Altos Public Works Department	Year Round	N/A
			(LAH OP #24) The town hosts a “Flood Information” webpage on the town’s website. This webpage includes information on the PPI nine topics, including a supporting message. The webpage redirects to the following key resource websites: www.valleywater.org/floodready , www.floodsmart.org , www.ready.gov , and www.weather.gov	Town of Los Altos Hills	Year Round	N/A
			(LG OP #25) The town’s website encourages residents and businesses to purchase flood insurance and redirects visitors to www.floodsmart.gov	Town of Los Gatos	Year Round	N/A
	(MIL OP #26) The city’s’ website has a “Flood Information” webpage that contains information on several of the PPI message topics; the webpage also redirects to Valley Water, FEMA, NOAA, www.floodsmart.gov , www.Ready.gov , and USGS webpages The city’s website also has a “Important Flood Hazard Information” webpage that contains information on several of the PPI message topics; the webpage also redirects to Valley Water, FEMA, NOAA, www.floodsmart.gov (listed in Appendix B) https://www.ci.milpitas.ca.gov/milpitas/departments/engineering/flood-information/	City of Milpitas Engineering Department	Year Round	N/A		

Appendix A
CRS Creditable Outreach and Flood Response Projects by CRS Community
Santa Clara County Multi-Jurisdictional PPI 2021

Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
			(MH OP #27) The city's website has a "Flood Information, Floodplain Management" webpage that contains city's flooding information which redirects to their Floodplain Management page and includes a link to the city's annual "Flood Report." The webpage redirects Valley Water's flood ready webpage and also contains FEMA flood information http://www.morgan-hill.ca.gov/747/Flood-Information Floodplain Management City of Morgan Hill, CA - Official Website	City of Morgan Hill Engineering Land Development	Year Round	N/A
			(MH OP #28) The city's website has a "Emergency Preparedness" webpage (listed in Appendix B) http://www.morgan-hill.ca.gov/133/Emergency-Preparedness	City of Morgan Hill Police Department	Year Round	N/A
			(MV OP #29) Hosts a "Flood Protection and Insurance Information" webpage on its website (listed in Appendix B) www.mountainview.gov/depts/pw/flood_protection.asp	City of Mountain View Public Works Department	Year Round	N/A
			(PA OP #30) Hosts a "Floodplain Management" webpage (listed in Appendix B) https://www.cityofpaloalto.org/gov/depts/pwd/stormwater/floodzones.asp	City of Palo Alto Public Works Department	Year Round	N/A
			(PA OP #31) Hosts a "Flood Safety Tips" webpage www.cityofpaloalto.org/storms;flood_safe_11-16.cdr (cityofpaloalto.org)	City of Palo Alto Public Works Department	Year Round	N/A
			(PA OP #32) Hosts a "Creek Monitor" webpage (listed in Appendix B) https://www.cityofpaloalto.org/gov/depts/pwd/creek_monitor/default.asp	City of Palo Alto Public Works Department	Year Round	N/A
			(PA OP #33) Hosts a "Flood Information and Winter Storm Preparedness" webpage which contains useful information for flood readiness (listed in Appendix B) https://www.cityofpaloalto.org/services/public_safety/flood_information_winter_storms/default.asp	City of Palo Alto Office of Emergency Services	Year Round	N/A
			(SJ OP #34) The city's webpages includes a "Flood Hazard Zones" webpage which includes information of flood preparedness https://www.sanjoseca.gov/your-government/departments/public-works/development-services/floodplain-management	City of San Jose Public Works, Development Services	Year Round	N/A
			(SC OP #35) The city's "Flood Protection Information" webpage contains valuable information on flood related topics https://www.santaclaraca.gov/our-city/departments-g-z/public-works/engineering/flood-protection (also listed in Appendix B)	City of Santa Clara	Year Round	N/A
			(SAR OP #36) The city's website encourages residents/businesses to purchase flood insurance and redirects visitors to www.floodsmart.gov	City of Saratoga	Year Round	N/A
			(SAR OP #37) The city has a "Staying Safe, Winter Storms" webpage. They have also linked the city's Winter Storms webpage to Valley Water's Flood Ready webpage https://www.saratoga.ca.us/218/Winter-Storms	City of Saratoga	Year Round	N/A
			(SUN OP #38) The city has a "Flood Protection" webpage Sunnyvale, CA - Flood Protection (listed in Appendix B)	City of Sunnyvale	Year Round	N/A
	Topics 1-9 and supporting messages Flood Awareness Media Campaign, including social media	Educate our community on flood protection and preparedness measures	(VW OP #39) Conducts a flood awareness media campaign, reaching the community at large, including our multi-lingual community. Many of the Santa Clara County CRS Communities recognize Valley Water's Flood Awareness Campaign and link it on their community's flood information webpage and re-direct to Valley Water's Flood Ready webpage (Topics 1-9) <i>Campaign features social media videos and postings on various platforms (i.e. Facebook, Twitter, Instagram, Nextdoor, etc.), digital banners, newspaper advertorials, radio ads, billboards, utility bill inserts for communities to use, communities re-direct to ValleyWater.org/FloodReady and television/mobile ads targeting residents who live in flood-prone areas and multilingual ethnic communities</i>	Valley Water Communications	Annually, for the duration of the rainy season, typically from November to April	All Santa Clara County CRS Communities
			(VW OP #40) As part of the flood awareness campaign, a 'Get Flood Ready, Social Media and Web Resources Guide' is provided to all cities/county in Santa Clara County for their use as part of their outreach efforts	Valley Water	Upon the completion of the annual FPM	All Santa Clara County CRS Communities

Appendix A CRS Creditable Outreach and Flood Response Projects by CRS Community Santa Clara County Multi-Jurisdictional PPI 2021						
Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
			(SCC OP #41) Shares Valley Water’s digital social media resource links during the flood season. The “Floods Follow Fires. Are you Ready?” and “Got Sandbags” messages redirect to Valley Water’s website. Messages are used on social media, short form newsletter, short form email, web, and Nextdoor	Santa Clara County Office of Emergency Management	Year Round	N/A
			(CUP OP #42) Recognizes the robust social media campaign led by Valley Water and has linked the city’s main flood preparation webpage to Valley Water’s Flood Ready webpage	City of Cupertino	Year Round	N/A
			(GIL OP #43) The city recognizes Valley Water’s Flood Awareness Campaign and has linked the city’s main flood webpage to Valley Water’s Flood Ready webpage	City of Gilroy	Year Round	N/A
			(LAH OP #44) The town recognizes Valley Water’s Flood Awareness Campaign and has linked the town’s main flood webpage to Valley Water’s Flood Ready webpage	Town of Los Altos Hills	Year Round	N/A
			(LG OP #45) Recognizes Valley Water’s Flood Awareness Campaign and has linked the Town’s main flood webpage to Valley Water’s Flood Ready webpage	Town of Los Gatos	Year Round	N/A
			(MV OP #46) The city does a social media notification about storm preparation for winter storms ahead of time. The notification directs residents to their “Flood Protection and Insurance Information” webpage. The city has also linked the city’s webpage to Valley Water’s Flood Ready webpage	City of Mountain View	Year Round	N/A
			(SC FRP #47) City publishes social media posts, on Facebook, Twitter, and other platforms, focused on safety The city has prepared a pre-flood plan (FRP) for public information projects that will be implemented before, during, and after a storm/flood, as well as identifying who is responsible for posting these messages, what type of events they apply to, what social media platforms to post to and how often	City of Santa Clara Office of Emergency Services	During the storm season	N/A
			(SJ OP #48) Recognizes Valley Water’s Flood Awareness Campaign and has linked the city’s main flood webpage to Valley Water’s Flood Ready webpage. Keeps Valley Water’s floodplain mailer static location at City Hall for residents to pick-up and is also distributed at various events throughout the year	City of San Jose	Year Round	N/A
			(SAR OP #49) Recognizes Valley Water’s Flood Awareness Campaign and has linked the city’s main flood webpage to Valley Water’s Flood Ready webpage	City of Saratoga	Year Round	N/A
			(SAR OP #50) The city does a social media notification about storm preparation for winter storms ahead of time	City of Saratoga	Year Round	N/A
			(SUN OP #51) The city actively posts flood safety and preparedness messaging through social media platforms (i.e. Facebook and Twitter)	City of Sunnyvale Environmental Services	During the rainy season (October – March)	N/A
	Topics 1-9 and supporting messages	Educate our community on flood protection and preparedness measures	(VW OP #52) Copies of Valley Water’s multi-language floodplain mailer are made available to all Santa Clara County CRS Communities to disseminate at various events, including keeping the mailer static in lobby areas for visitors to pick-up. Valley Water attends various communities’ events/fairs throughout the county and disseminates flood readiness materials, including various FEMA flood-related publications and Valley Water flood ready materials (Topics 1– 9)	Valley Water	Annually, September - May	All Santa Clara County CRS Communities
	Community Events – Distribute flood preparedness materials to the community	Increase in ‘hits’ on Valley Water and cities Flood Protection Resources pages and improve Valley Water’s Flood Campaign results				
		Residents less stress during emergencies and better prepared before a flood event	(CUP OP #53) Distributes flood readiness outreach materials at various events/ facilities	City of Cupertino	Year Round, as needed	N/A
			(GIL OP #54) Participates in two fair/events: Gilroy Garlic Festival (GF) and city’s Public Works Week Community Open House (PWWCOH)	City of Gilroy	End of July (GF) Typically, in May (PWWCOH)	N/A

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Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
			(LAH OP #55) Hosts two events - Earth Day (ED) and the Town Picnic (TP)	Town of Los Altos Hills	Annually, Spring (ED) and late Summer (TP)	N/A
			(MIL OP #56) Distributes FEMA flood-related publications at various events	City of Milpitas	Year Round	N/A
			(MV OP #57) The city participates Mountain View Art & Wine Festival (MVA&WF) and Thursday Night Live (TNL) and distributes flood preparedness information	City of Mountain View	Each September (MVA&WF) Months of June/July (TNL)	Valley Water
			(PA OP #58) Staff hosts a flood readiness table at city’s annual Earth Day (ED) event and at the city Municipal Corporation Open House (MCOH). Upon request, the city also participates in other fairs and promotes flood readiness, including Creekwise mailer/brochure	City of Palo Alto	Each April (ED) and July (MCOH)	Can vary depending on requests made to City to support fairs
			(SJ OP #59) Staff hosts and participates in the ‘Building Permits and Home Safety Open House.’ The city’s also hosts ‘Pumpkins in the Park’ event which Valley Water staff participates in and promotes flood preparedness	City of San Jose	Each May and October	Valley Water
			(SC OP #60) City hosts a flood readiness table at the Art & Wine Festival. Valley Water also sponsors a table at the festival promoting flood preparedness and distributes various flood readiness materials to the community	City of Santa Clara	Each September	N/A
	<u>Topic 3:</u> Protect people from the flood hazard Message 3A - Put your 3-day emergency kit together Message 3B - Follow evacuation orders Message 3C – Learn the best route to high ground <u>Topic 9:</u> Understand shallow flooding risks – don’t drive through standing water Message 9A - Understand shallow flooding risks - don’t drive through standing water FEMA’s message: “Turn Around Don’t Drown®.”	Less damage due to the floods; improve sandbag distribution Fewer accidents and rescues	(SUN OP #61) City has permanent “Road May Flood” street signs in areas of the City prone to flooding and promotes the “Flood Zone Look Up” featured on the city’s website	City of Sunnyvale	Year Round	N/A
	<u>Topic 4:</u> Protect your property from the flood hazard Message 4A - Protect your property from the flood hazard Message 4B - Prepare your home Message 4C - Sandbags can offer protection against a foot or less of floodwater Message 4E - Get sandbags before a flood <u>Topic 5:</u> Build responsibility Message 5A - Build responsibly in floodplains Message 5B - Comply with development requirements Message 5C - Check with your local floodplain manager before you build	Increase in inquires on retrofitting measures. Decrease the number of repairs and elevations without permits. Increase number of repairs with permits Ensure people who are interested in protecting their property from flooding are getting the help they need Keep families safe	(CUP OP #62) The city offers Flood Protection Assistance, Property Protection Advice. Staff provides in-person flood risk consultation at the front counter and/or site visits when requested	City of Cupertino	Year Round	N/A
			(MIL OP # 63) The city offers Flood Protection Assistance, Property Protection Advice and provides in-person flood risk consultation at the front counter	City of Milpitas	Year Round	N/A
			(SC OP #64) The city offers Flood Protection Assistance, Property Protection Advice	City of Santa Clara	Year Round	N/A
	<u>Topic 6:</u> Protect natural floodplain functions Message 6A - Keep creeks clean and flowing Message 6B - Keep debris and trash out of our streams Message 6C - Don’t pollute, dump, or drain anything in creeks	Cleaner streams and fewer dumping violations Fewer debris blockages during high-flow events Drainage inspectors report fewer calls and a decrease in the amount of trash removed	(VW OP #65) “Do Not Dump”/illegal dumping message is sent each year to all Santa Clara County residents in Valley Water’s CWM and FPM	Valley Water Communications	Each late October or November (CWM) Each November/December (FPM)	All Santa Clara County CRS Communities
			(VW OP #66) “Do Not Dump” signs placed by waterways/channels	Valley Water O&M	Year Round	N/A
			(VW OP #67) Lists Pollution Hotline number in all Project Notices	Valley Water Communications	Year Round	N/A

Appendix A CRS Creditable Outreach and Flood Response Projects by CRS Community Santa Clara County Multi-Jurisdictional PPI 2021						
Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
			(SCC OP #68) Storm Drain Stenciling/Medallion Program	Santa Clara County	Year Round	All Santa Clara County CRS Communities
			(SUN OP #69) The city’s “Horizon” newsletter, includes Do Not Dump messaging	City of Sunnyvale	Annually, fall	N/A
			(ALL OP #70) Developments that are modifying or constructing new catch basins/storm drains/inlets are required, per the below-noted permits, to stencil the “No Dumping! Flows to Bay.” In addition, some of these cities, require all bid documents for capital projects which are modifying or constructing new catch basins, require the contractors to install the same stencil. The program is also highlighted on cities’ websites. ▪ <i>South County municipalities are subject to the statewide “Phase II” NPDES Permit</i> ▪ <i>North County municipalities are subject to the SF Bay Municipal Regional Stormwater NPDES Permit</i>	All	Year Round	N/A
			(CUP OP #71) The city’s annual flood notice in the local newsletter, ‘The Cupertino Scene,’ contains dumping is illegal messaging and how to report	City of Cupertino	Annually, October - November	N/A
			(CUP OP #72) Participates in clean-up events: the annual National River Clean-up Day (NRCD) and Coastal Clean-Up Day (CCD). They coordinate with Valley Water on both these clean-up efforts. The city also participates in Valley Water’s Adopt-a-Creek Program	City of Cupertino	Each May (NRCD) and September (CCD)	Volunteers Valley Water Stream Stewardship
			(LAH OP #73) The town participates in annual clean-up events: National River Clean-up Day (each May) and Coastal Clean-up Day (each September) and coordinates volunteers. They coordinate with Valley Water on both these clean-up efforts. The town also participates in Valley Water’s Adopt-a-Creek Program	Town of Los Altos Hills	Each May (NRCD) and September (CCD)	Volunteers Valley Water Stream Stewardship
			(MIL OP #74) “Flood Public Advisory” brochure contains dumping is illegal messaging and how to report	City of Milpitas	Each December or January	N/A
			(MIL OP #75) Participates in annual clean-up events: National River Clean-up Day (NRCD) and Coastal Clean-Up Day (CCD). They coordinate with Valley Water on both these clean-up efforts. The city also participates in Valley Water’s Adopt-a-Creek Program	City of Milpitas	Each May (NRCD) and September (CCD)	Volunteers Valley Water Stream Stewardship
			(MH OP #76) “Flood Report” contains message on keeping debris and trash out of streams – Do Not Dump messaging	City of Morgan Hill	Annually, close to or during the start of the rainy season	N/A
			(PA OP #77) “Are You Ready for Winter Storms?” utilities insert contains the Do Not Dump and report illegal dumping messages	City of Palo Alto	Each fall	N/A
			(PA OP #78) Utility bill insert includes a ‘Utility Announcement on Flood Safety Tips,’ including Protect natural floodplains - keep rain gutters and drainage channels free of debris	City of Palo Alto	Annually, March-April	N/A
			(PA OP #79) Participates in annual clean-up events: National River Clean-up Day (NRCD) and Coastal Clean-Up Day (CCD). They coordinate with Valley Water on both these clean-up efforts. Additionally, the city participates in Valley Water’s Adopt-a-Creek Program	City of Palo Alto	Each May (NRCD) and September (CCD)	Volunteers Valley Water Stream Stewardship
			(PA OP #80) Clean-ups of trash booms located in Matadero Creek and Adobe Creek are done annually on an as-needed basis. The city also assesses its hot spots and cleans up the local drainage system on an ongoing basis and part of its operations and maintenance	City of Pal Alto	Annually, as-needed	N/A
			(SUN OP #81) “Horizon” newsletter includes a “Know How to Be Flood Safe” article that promotes the Do Not Dump message	City of Sunnyvale	Each October, Fall Edition	N/A

Appendix A CRS Creditable Outreach and Flood Response Projects by CRS Community Santa Clara County Multi-Jurisdictional PPI 2021						
Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
Residents and Businesses in the Special Flood Hazard Area (SFHA) – <i>Low Lying Areas, Along Rivers and Creeks</i> – <i>Coastal Communities at Risk for Sea Level Rise/Tsunamis</i> – <i>Repetitive Loss (RL) Areas</i>	<u>Topic 1:</u> Know your flood hazard Message 1A - Know your flood risk Message 1B - Contact your floodplain manager to find out if your property is in a floodplain Message 1C - Check if your home or business is in a Special Flood Hazard Area	Residents/businesses in the SFHA are aware they’re in the SFHA and prepare before floods Increase in number of flood insurance policies in the SFHAs and RLAs in the county in general	(VW OP #82) Multi-language floodplain mailer (FPM) to all residents and businesses within the SFHA in Santa Clara County (Topics 1– 9)	Valley Water	Each November/ December	All
			(CUP OP #83) Flood notice in the local newsletter, The Cupertino Scene, which reaches residents and businesses in the SFHA (Topics 1-9)	City of Cupertino	Each October or November issue	N/A
	<u>Topic 2:</u> Insure your property for your flood hazard Message 2A - Get flood insurance ahead of time Message 2B – Insure your property Message 2C – There is a 30-day waiting period for the policy to take place	Prospective buyers understand flood risks	(LA OP #84) Letter, along with a “Are You Prepared for a Flood in Your Neighborhood?” brochure to property owners in the SFHA (Topics 1-8)	City of Los Altos	Annually, each fall	N/A
		Increase number of elevation certificates on file, and structures repaired with permits; decrease the number of repetitive loss increase homes	(LAH OP #85) The town’s “Our Town” quarterly newsletter includes information on flood preparedness. The newsletter is mailed out town-wide and is also available online on the town’s website (<i>Topics TBD during cycle visit</i>)	Town of Los Altos Hills	Each fall	N/A
	<u>Topic 3:</u> Protect people from the flood hazard Message 3A - Put your 3-day emergency kit together Message 3B - Follow evacuation orders Message 3C – Learn the best route to high ground	Increase in the number of flood insurance policies with contents coverage	(MIL OP #86) “Flood Public Advisory” brochure to residents and businesses within SFHA (Topics 1-6)	City of Milpitas	Each December or January	N/A
	<u>Topic 4:</u> Protect your property from the flood hazard Message 4A - Protect your property from the flood hazard Message 4B - Prepare your home Message 4C - Sandbags can offer protection against a foot or less of floodwater Message 4E - Get sandbags before a flood		(MH OP #87) Sends a citywide “Flood Report” brochure, including to those in the SHFA (Topics 1-9)	City of Morgan Hill	Annually, close to or during the start of the rainy season	N/A
	<u>Topic 5:</u> Build responsibility Message 5A - Build responsibly in floodplains Message 5B - Comply with development requirements Message 5C - Check with your local floodplain manager before you build		(MV OP #88) Sends “The View” citywide newsletter, Winter version, includes information on flood risk, flood safety, and the importance of buying flood insurance (Topics 1-9)	City of Mountain View	Fall newsletter edition	N/A
			(MV OP #89) Mails a utility bill insert to all resident and businesses that contains information on flood risk, flood safety, and the importance of buying flood insurance (Topics 9)	City of Mountain View	Between July - September	N/A
	<u>Topic 6:</u> Protect natural floodplain functions Message 6A -Keep creeks clean and flowing Message 6B - Keep debris and trash out of our streams Message 6C - Don’t pollute, dump, or drain anything in creeks		(PA OP #90) Sends the “Are You Ready for Winter Storms?’ flyer (<i>aka utilities mailer</i>) to all residents and businesses in the city, including to those in the SFHA, along with their utility bills (Topics 1-9)	City of Palo Alto	Each fall	N/A
			(PA OP #91) Sends out utility announcement, “Anytime it can rain, it can flood. Don’t get caught off-guard” (Topics 1, 2,3, 4, 5, 6, 7, & 9 – <i>will pursue adding other topic</i>)	City of Palo Alto	Each March/April	N/A
	<u>Topic 7:</u> Develop a Family Emergency Plan Message 7A: Develop an emergency plan		(SC OP #92) Mails out a citywide, including all addresses in the SFHA, newsletter for residents and businesses called “Inside Santa Clara” (Topics 1-9)	City of Santa Clara	Each fall	N/A
	<u>Topic 8:</u> Download disaster Apps Message 8A - Download disaster emergency apps		(SUN OP #93) Sends two (2) mailers and one (1) “Horizon” newsletter article “Know How to Be Flood Safe” that promotes flood safety and flood preparedness messaging targeted to all residents and businesses within the SFHA (Topics 2 and 4)	City of Sunnyvale	Each fall around October	N/A
	<u>Topic 9:</u> Understand shallow flooding risks – don’t drive through standing water Message 9A - Understand shallow flooding risks - don’t drive through standing water FEMA’s message: “Turn Around Don't Drown®.”		(SUN OP #94) Sends mailer to all those in the SFHA (Topics 1-4, and 7)	City of Sunnyvale	Each October	N/A
	<u>Topic 2:</u> Insure your property for your flood hazard Message 2A - Get flood insurance ahead of time Message 2B – Insure your property Message 2C – There is a 30-day waiting period for the policy to take place	Increase in number of flood insurance policies in the SFHAs, RLAs, and in the county in general	(SCC OP #95) Sends letters to the properties in the unincorporated section in the areas of the county’s mapped repetitive loss areas	Santa Clara County	Annually, each fall	N/A
		Prospective buyers understand flood risks	(CUP OP #96) Continues to send a letter to former repetitive loss properties	City of Cupertino	Annually, mid-year	N/A
		Increase in the number of flood insurance policies with contents coverage	(MH OP #97) Sends a notice to repetitive loss (RL) areas as required by FEMA	City of Morgan Hill	Annually, each summer	N/A
			(PA OP #98) Sends letters to the properties in the city’s mapped repetitive loss areas, highlighting flood safety tips	City of Palo Alto	Annually, typically August - September	N/A

Appendix A CRS Creditable Outreach and Flood Response Projects by CRS Community Santa Clara County Multi-Jurisdictional PPI 2021						
Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
Messengers to Other Target Audiences (Organizations & Businesses Serving the Community)			(SJ OP #99) Sends letters to the properties in the city’s mapped repetitive loss areas	City of San Jose	Annually, each typically between September - December	N/A
	<u>Topic 1:</u> Know your flood hazard Message 1A - Know your flood risk Message 1B - Contact your floodplain manager to find out if your property is in a floodplain Message 1C - Check if your home or business is in a Special Flood Hazard Area	Educate our community on flood protection and preparedness measures by working and coordinating with groups who serve as messengers, to people who are at risk of flooding, as they provide their respective business service	(VW OP #100) Administers a “Let’s Talk Water” Speakers Bureau Program that customizes presentations to update groups on specific issues provide updates on Valley Water projects, including flood protection projects and to educate residents on existing flood risks as well as provide resources and tips to be flood ready	Valley Water Communications Unit	On a project-specific basis or as requested	Could vary from year-to-year Kiwanis Rotary Clubs Homeowners and Neighborhood Associations Forum Groups Association of Realtors
	<u>Topic 2:</u> Insure your property for your flood hazard Message 2A - Get flood insurance ahead of time Message 2B – Insure your property Message 2C – There is a 30-day waiting period for the policy to take place					
	<u>Topic 3:</u> Protect people from the flood hazard Message 3A - Put your 3-day emergency kit together Message 3B - Follow evacuation orders Message 3C – Learn the best route to high ground		(VW OP #101) Participates in booth duty support at various events and fairs throughout the county, including Valley Water Capital project meetings or other events, as requested by various organizations	Valley Water Office of Government Relations	Annually. During the flood season (starting in September – May)	All Santa Clara County CRS Communities
	<u>Topic 4:</u> Protect your property from the flood hazard Message 4A - Protect your property from the flood hazard Message 4B - Prepare your home Message 4C - Sandbags can offer protection against a foot or less of floodwater Message 4E - Get sandbags before a flood		(VW OP #102) Partner with local Second Harvest Food Bank with distributing FEMA and Valley Water flood preparedness materials, including promotional item(s) as available	Valley Water CRS Program	In October (during CFPW)	Second Harvest Food Bank of Silicon Valley
	<u>Topic 5:</u> Build responsibility Message 5A - Build responsibly in floodplains Message 5B - Comply with development requirements Message 5C - Check with your local floodplain manager before you build		(ALL OP #103) Other New Initiatives (as noted in the PPI document)	All	TBD	TBD
	<u>Topic 6:</u> Protect natural floodplain functions Message 6A -Keep creeks clean and flowing Message 6B - Keep debris and trash out of our streams Message 6C - Don’t pollute, dump, or drain anything in creeks		1. Continue and expand the standardized flood message prepared for each community to include flood messages in utility bills each year, including PG&E. 2. Expand on partnerships with local chambers of commerce to disseminate and share flood preparedness information. 3. Expand on outreach to the Asian and Latino communities who live in flood prone areas. 4. Expand on outreach to “hot spot” flood prone areas by hosting on-site or virtual events. 5. Expand on reaching local homeowners associations (HOA)s and apartment associations (i.e. Executive Council of Homeowners [ECHO]) 6. Expand on reaching residents in marginal and low-income communities through partnering with organizations that reach these communities. (i.e. Second Harvest Food Bank and others)			
	<u>Topic 7:</u> Develop a Family Emergency Plan Message 7A: Develop an emergency plan		(CUP OP #104) The city provides a Winter Preparedness notification informing contractors that during the winter season, they need to winterize their project(s) site as certain soil disturbance activities are not allowed during the rainy season	City of Cupertino	On a project-specific basis	Various contractors
	<u>Topic 8:</u> Download disaster Apps Message 8A - Download disaster emergency apps		(MIL OP#105) On a project-specific basis, the city provides contractors a Winter Preparedness notification that informs them that during the winter season, they need to winterize their project(s) site. Certain soil disturbance activities are not allowed during the rainy season	City of Milpitas	On a project-specific basis	Various contractors
	<u>Topic 9:</u> Understand shallow flooding risks – don’t drive through standing water Message 9A - Understand shallow flooding risks - don’t drive through standing water FEMA’s message: “Turn Around Don’t Drown®.”					
	<u>Topic 2:</u> Insure your property for your flood hazard Message 2A - Get flood insurance ahead of time Message 2B – Insure your property Message 2C – There is a 30-day waiting period for the policy to take place	Increase in number of flood insurance policies in the SFHAs and in the county in general Prospective buyers understand flood risks <i>These projects are credited under Activity 340 (DFH and REB) – Additional credit is provided if the PPI states that real estate agents should (or</i>	(MH OP #106) The city mails out a newsletter, “Ask Before You Buy: Know Your Flood Risk!” to local real estate agents which are provided to homebuyers to help determine the flood risk of the property being purchased (listed in Appendix B) (PA OP #107) Sends out letters to real estate agencies informing them of their responsibility to identify flood hazard areas and to take advantage of the Flood Zone Lookup on the city’s website	City of Morgan Hill City of Palo Alto	During the rainy season Annually, beginning of flood season (September/October)	Real Estate Agencies/Agent Real Estate Agencies/Agent

Appendix A CRS Creditable Outreach and Flood Response Projects by CRS Community Santa Clara County Multi-Jurisdictional PPI 2021						
Audience	¹ Message	Outcome	Project(s) Proposed to Support the Messages (XX denotes Community acronym, and Outreach Project #)	Assignment	² Schedule	³ Stakeholder
		<i>have agreed to) advise house hunters about the flood hazard and that real estate agents give house hunters a REB brochure</i>	(SJ OP #108) Sends out letters to real estate and insurance agencies and lenders, informing them of their responsibility to identify flood hazard areas and to take advantage of the Flood Zone Lookup on the city’s website on the “Flood Hazard Zones webpage and advises to contact the city for map reading services and elevation certificates on file	City of San Jose	At the beginning of the flood season (September – December)	Real Estate Agencies/Agent
			(SUN OP #109) Sends mailer/postcard targeted to real estate agents informing them of the client’s responsibility for identification and purchase of flood insurance and the availability of the automatic 15% discount	City of Sunnyvale	Each October	Real Estate Agencies/Agents

APPENDIX B

Additional Non-Credited CRS Outreach Projects for Activity 330 by Community

Please Note: Some of the below-identified Outreach Projects may be creditable under other CRS activities/element, such as Activity 350, c). Flood protection website (WEB)

CRS Community	Outreach Projects
County of Santa Clara	The County's website includes a "Santa Clara County Storm and Flood Information and Resources" webpage available for all residents in the county. The storm and flood information page redirects residents to Valley Water's Flood Ready webpage and www.floodsmart.gov as useful resources: https://www.sccgov.org/sites/opa/Pages/storm.aspx. Santa Clara County has a Consumer Protection Division's website that also includes a "Flood Safety Information" page. The site redirects residents to Valley Water's Access Valley Water customer portal for reporting debris in creeks: https://cpd.sccgov.org/flood-safety-information.
City of Cupertino	City staff promotes the use of "Property Information" whenever possible. FIRM information is searchable by property address and easily viewed through the city's "Property Information" web mapping application, an interactive map that allows public users to view data for any property in Cupertino. Interested community members can access Property Information from the city's main webpage and immediately find out what flood zone and panel number their property is located in.
City of Gilroy	The city's floodplain management regulations comply with Title 44 of the Code of Federal Regulations that regulates development within the city's floodplains and meet state and federal minimum standards. Gilroy has a comprehensive Community Emergency Response Team (CERT) program that educates residents about disaster preparedness for the hazards, including flooding, that may impact their area and trains them in basic disaster response skills, such as fire safety, light search and rescue, team organization, and disaster medical operations. CERT offers a consistent, nationwide approach to volunteer training and organization that professional responders can rely on during disaster situations, which allows them to focus on more complex tasks. Through CERT, the capabilities to prepare for, respond to and recover from disasters are built and enhanced. CERT volunteers are trained to respond safely, responsibly, and effectively to emergency situations, but they can also support their communities during non-emergency events as well.
City of Los Altos	City Council adopts a Proclamation California Flood Preparedness Week. At the beginning of the flood season, the city's Public Information Officer does social media on various platforms (e.g., City Manager community email, Facebook, Nextdoor, Twitter, etc.). The city's Public Works Department hosts a 'Flood Zone Information' webpage on its website: https://www.losaltosca.gov/publicworks/page/flood-zone-information. This page contains information on: • Creeks that run through Los Altos: Adobe Creek, Hale Creek, Permanente Creek, and Stevens Creek and the by-pass near Blach School, which carries overflow

	from Permanente Creek to Stevens Creek. All these creeks may subject property to flooding during periods of heavy storms. • Information for Insurance (redirects to FEMA's NFIP, www.floodsmart.gov) • Flood zone information • Link to Valley Water's Flood Protection, Flood Ready resource page and news blogs for various flood-related articles. • Link to Valley Water's Sign-up for Emergency Alerts (Alert SCC, ReadySCC and American Red Cross Flood App) • FEMA NFIP • FEMA National Flood Hazard Mapping • FEMA Map Service Center <i>Supporting Documents</i> - Santa Clara Valley Water District: Contact Your Floodplain Manager - FEMA: Protecting Building Utilities from Flood Damage - FEMA: Protecting Structures Built on Fill - FEMA: Reducing Damage from Localize Flooding - FEMA: Reducing Flood Risk to Residential Building that Cannot be Elevated - FEMA: Substantial Improvement, Substantial Damage Desk Reference - 2019 PPI Annual Evaluation Report (updated annually) - Mailer to Property Owners – Special Flood Hazard Areas (SFHA)
City of Milpitas	The city distributes a Winter Preparedness flyer that informs contractors that the winter season will arrive, and they need to winterize their project(s) site. Certain soil disturbance activities are not allowed during the rainy season. The city participates in the annual National River Clean-up (each May) and Coastal Clean-up Day (each September). They coordinate with Valley Water on both these clean-up efforts. Year-round, the City of Milpitas distribute at various events the FEMA flood-related publications, including "Myths and Facts about the NFIP" and "Q&A NFIP Handbook" and the front counter area in a brochure rack. The City of Milpitas' "Important Flood Hazard Information" webpage contains information on several of the PPI message topics. The webpage also redirects to Valley Water, FEMA, NOAA, www.floodsmart.gov, www.Ready.gov, and USGS webpages: https://www.ci.milpitas.ca.gov/milpitas/departments/engineering/flood-information/.
City of Morgan Hill	Citywide weekly newsletter/e-mail blast (called Weekly 411) sent out to subscribers during the rainy season include messages about flood safety, emergency preparedness, emergency Apps: AlertSCC, ReadySCC, and the Red Cross Flood App, sandbags, and flood insurance. The city's Floodplain Management webpage includes a link to Valley Water's Flood Ready webpage ALERT System Real-Time Data, as well as a link to FEMA's Flood Map Service Center: http://www.morgan-hill.ca.gov/748/Floodplain-Management. The city participates in National River Cleanup Day and Coastal Cleanup Day. Morgan Hill Creek Cleanup is advertised in the City's Recreation Activity Guide on the City's website. Each September, the city declares September as "National Preparedness Month." The city's weekly newsletters/e-mail blasts during the month of September include information on how to be prepared throughout the month.

	The city's <u>Emergency Preparedness webpage</u> has a link to the Department of Homeland Security's www.Ready.gov website which contains a fillable family emergency communication plan: http://www.morgan-hill.ca.gov/133/Emergency-Preparedness. During the rainy season, the city mails out an annual newsletter, "Ask Before You Buy: Know Your Flood Risk!" to local real estate agents which are provided to homebuyers to help determine the flood risk of the property being purchased. The city has links to Valley Water's "Permits for Working on Valley Water Land or Easement" on the City's Floodplain Management webpage. Valley Water's webpage includes a link to the Water Resources Protection Ordinance. The city and/or Valley Water hosts an informational table at the annual city festivals: Mushroom Mardi Gras (each May) and the Taste of Morgan Hill (each September). Flood readiness information is disseminated to the public.
City of Mountain View	The city's Public Works Department hosts a "Flood Protection and Insurance Information" <u>webpage</u> on its website: https://www.mountainview.gov/depts/pw/flood_protection.asp. Topics include: - Upcoming Storm Season Information - Flood Protection – Sand and sandbags available; how to fill a sandbag - See Santa Clara Valley Water District's floodplain mailer - Flood Safety Tips (redirects to Valley Water's Flood Ready webpage) - What to do before, during, and after a flood - Protection Information - Flood Safety - Flood Insurance - Flood Map Information (redirects to www.floodsmart.gov) - Flood Protection Tips - Preparing for Winter Storm Season - Remove Fallen Leaves - Emergency Contact Numbers - Obtain Sandbags When Necessary - Report Flooding or Standing Water - Report Downed Trees and Limbs - Do Not Touch Downed Power Lines - Prepare at Home – Emergency kits - Contact numbers to report power outages or downed power lines Trash capture devices are installed in the storm drains of some of the city's high generation rate area and we partner with Valley Water on trash removal on the two creeks in the city.
City of Palo Alto	The City of Palo Alto's website, <u>Public Works "Creek Monitor" webpage</u> includes real-time creek monitoring on San Francisquito Creek, Matadero Creek, and Adobe Creek. This webpage redirects visitors to the San Francisquito Creek Joint Power Authority (JPA), Flood Early Warning System website. The information on this JPA website updates every 15 minutes: https://www.cityofpaloalto.org/gov/depts/pwd/creek_monitor/default.asp Additionally, the <u>"Creek Monitor" webpage</u> redirects to the National Weather Service, Palo Alto forecast and radar pages; USGS San Francisquito Creek stream gauge; and the California Nevada River Forecast Center websites: https://www.cityofpaloalto.org/gov/depts/pwd/creek_monitor/default.asp

	The City of Palo Alto's "Floodplain Management" webpage provides relevant FEMA information, including Flood Zone Lookup for all interested residents. This page directs visitors to FEMA Elevation Certificate Information; FEMA NFIP; FEMA Technical Bulletins for Construction in the SFHA; Letter of Map Amendment application materials; and City of Palo Alto Development Center, Permits and Applications: https://www.cityofpaloalto.org/gov/depts/pwd/stormwater/floodzones.asp The City of Palo Alto's Office of Emergency Services, "Flood Information and Winter Storm Preparedness" webpage contains useful information for flood readiness: https://www.cityofpaloalto.org/services/public_safety/flood_information_winter_storms/default.asp
City of San José	The city has a "Flood Emergency Notifications" webpage that includes the following topics: https://www.sanjoseca.gov/news-stories/news/emergency-notifications/flood-emergency-notifications - Emergency public information notifications and updates are provided. - The city's Incident Management Team, a branch of the Emergency Operations Center communicates with Valley Water and the National Weather Service to actively monitor the situation and is ready to respond if conditions change. The city informs residents of significant changes that may cause flooding and ongoing efforts (i.e., Flood Watch or Flood Warnings, creek levels, localized flooding, and downed tree branches). - City field crews respond to routine storm maintenance calls. - Crews from PG&E respond to localized power outages; residents can find the latest information on outages on the PG&E website and their Safety Action Center for preparedness tips and more. - Evacuation Center(s) will open if needed and location(s) will be listed on the city's social media accounts if an evacuation warning or order is issued. - Expected weather conditions are updated. Residents are advised to stay safe by taking the following precautions: • Monitor the news and follow the City of San José on social media, Facebook, Twitter and Instagram for regular updates • Be ready and tell neighbors to be ready to evacuate, if needed • Protect property with sandbags to route water away from structures • Raise furniture on the first floor to reduce damage if water threatens to enter home • Seniors or mobility impaired: Alert family or friends, so they are prepared to assist should conditions change • Pack a bag with important documents, medicines, spare clothes • Report blocked drains and other storm-related issues at 408-794-1900 • When driving, turn your car around if you encounter water on the road that looks to be 6 inches or deeper—or if you can't tell how deep it is. Be especially cautious at night when it is harder to recognize flood danger.

	- Sandbag Locations within the City of San José are listed. A complete list of sandbag locations can be viewed by visiting: https://www.valleywater.org/sandbags. - Sign up for Text and Email Alerts - Residents are advised to opt in to AlertSCC, the Santa Clara County emergency alert system: http://bit.ly/2BzQxt0. AlertSCC is a free, easy, and confidential way for anyone who lives or works in Santa Clara County to get emergency warnings sent directly to their cell phone, email, or landline. In addition to AlertSCC, the ReadySCC emergency preparedness mobile app is available. - Warming Center – If needed, the City of San José may open warming centers to service the homeless. Additional information can be found on the "Cold Weather Tips for Older Adults" or find a warming center in Santa Clara County. The City of San José has established policies that govern development within north San José as related to flood hazard mitigation and impact avoidance. The objective of the city is to provide consistent policies throughout the area to allow increased development density, protect new structures from flooding, minimize potential increases in flood depths, and ensure consistency with FEMA requirements and the city's floodplain management ordinance. The city's Municipal Code, Part 5. 17.08.600 defines the Requirements for Special Flood Hazard Areas: https://www.sanjoseca.gov/home/showpublisheddocument?id=66695. The city's Public Works, Development Services "Flood and General Inquiry" webpage allows for members of the public to submit inquiries on flood-related issues and questions, including flood zones: https://www.sanjoseca.gov/your-government/departments-offices/public-works/development-services/flood-general-inquiry. The city also posts on their webpage the following materials: • Valley Water's brochure "List of Creeks that are Flood Prone": https://www.sanjoseca.gov/home/showpublisheddocument?id=9371; • Valley Water's brochure "Prepare for Winter Storms ARE YOU FLOOD-READY": https://www.sanjoseca.gov/home/showpublisheddocument?id=40707. • The American Red Cross Emergency Preparedness Checklist: https://www.sanjoseca.gov/home/showpublisheddocument?id=49753.
City of Santa Clara	The city has an Adopt-A-Spot Program that encourages and supports volunteers to organize clean-up events in the city. The Adopt-A-Spot Program is designed to enable community groups, businesses, churches, schools, and other organizations to play an active role in keeping public spaces clean and beautiful while allowing them to set their own schedule. Information on the program and how to Adopt-A-Spot is posted on the city website. The city organizes volunteers for the National River clean-up event each year and event results of trash collected is posted on the city website. The city has a funded program to install hundreds of new storm drain inlet inserts every year. The city promotes ALERTSCC and ReadySCC on social media and during CERT training courses.

	The city hosts workshops to promote developing family emergency plans and kits. The city publishes a comprehensive and easy to follow guide on putting together an emergency kit and family emergency plan, and it is available on the city website. The City of Santa Clara City Hall and library have a wealth of flood awareness material available for check out or free to take home. Materials include flood awareness coloring books for children, flood insurance information in English and Spanish for residents and businesses, technical information on protecting a building from flood and more. The city posts social media messages including topics on protecting people and property from flood hazard, such as shallow flood danger and proper usage of sandbags and sandbags availability. The city's Public Works Department has a flood protection webpage on the city's website: https://www.santaclaraca.gov/our-city/departments-g-z/public-works/engineering/flood-protection.
City of Sunnyvale	The city hosts a link on its Flood Protection page on how to prevent stormwater pollution: http://www.mywatershedwatch.org/. City staff, through Environmental Services, hosted Coastal Clean-up in Sunnyvale. City staff provided preparedness training/information at Farmer's Market and instructed people to download emergency and flood apps to stay informed about the latest emergencies and flood updates. Additionally, city staff provides flood safety information and distributes emergency starter kits at the city's Annual State of the City address. The city's website promotes: Topics on city's 'Flood Protection' webpage: https://sunnyvale.ca.gov/property/floodprotection/default.htm Prepare for Storms - Develop Family Emergency Plan - Sign up to receive public safety and weather alerts on your phone - Keep gutters free from debris - Pick-up free sandbags, available at the city's Corporation Yard Flood Tips and Resources - Find out what to do before, during, and after a flood or storm - Get emergency preparedness apps from the Red Cross - Download the FEMA app for safety, weather, and shelter information - If you see a blocked storm drain, call our 24-hour Sewer and Storm Drain Response Hotline Other Related Topics - Report broken limbs or fallen tree - Report illegal dumping in storm drains - Learn how to prevent stormwater pollution - Learn about local improvements to prevent flooding Topics on city's 'Emergency Preparedness' webpage: https://sunnyvale.ca.gov/government/safety/emergency.htm

	- AlertSCC - Follow SunnyvaleDPS Twitter feed for local information during an emergency. - Radio 1680AM on your portable or car radio for local information during a disaster. - ReadySCC - Listos California preparedness class, offered by Sunnyvale Emergency Response Volunteers (SERV). - www.Ready.gov The city's Public Safety Department's Office of Emergency Services provides training, support, and services to ensure the city is prepared to respond to and recover from the effects of major emergencies.
Valley Water	Flood Ready webpage: Flood & Safety, Flood Protection Resources https://www.valleywater.org/floodready includes: Valley Water in Your Area tool on website homepage: https://www.valleywater.org/ - Nine Things to Know to Be Flood Ready https://www.valleywater.org/news-events/news-releases/9-things-you-need-know-be-flood-ready - Sign Up for Emergency Alerts: AlertSCC and ReadySCC https://www.valleywater.org/floodready/sign-up-for-emergency-alerts - Sandbags Distribution Sites https://www.valleywater.org/sandbags - ALERT System Real-Time Data - Stream, reservoir, surface water and precipitation gauge data https://www.valleywater.org/your-water/alert-system-real-time-data - Flood Safety Advice: Before, During, and After a Flood https://www.valleywater.org/floodready/flood-safety-advice-during-after - Is Your Home in a Flood Zone? (re-directing to www.floodsmart.gov using https://msc.fema.gov/portal https://www.valleywater.org/floodready/is-your-home-in-a-flood-zone - Report creek blockages, local flooding https://www.valleywater.org/floodready/report-creek-blockages-local-flooding - Flood Insurance (re-directing to www.floodsmart.gov) https://www.valleywater.org/floodready/flood-insurance - Flood Reports - Since 1967, Valley Water staff have prepared reports following instances of severe flooding https://www.valleywater.org/floodready/flood-reports - Stream Maintenance Program https://www.valleywater.org/flooding-safety/stream-maintenance-program - Dam Safety Program https://www.valleywater.org/flooding-safety/dam-safety-program - Climate Change https://www.valleywater.org/your-water/water-supply-planning/climate-change - Levee Safety https://www.valleywater.org/flooding-safety/levee-safety - HEC-2 and HEC-RAS data library https://www.valleywater.org/flooding-safety/hec-2-and-hec-ras-data-library - Vertical Control Network https://www.valleywater.org/flooding-safety/vertical-control-network - Flood Emergency Action Plans https://www.valleywater.org/flooding-safety/flood-emergency-action-plans - Adopt a Creek Program https://www.valleywater.org/learning-center/adopt-a-creek ▪ Creekwise Mailer – Various communities distribute this mailer at events they host, including fairs.

https://www.valleywater.org/sites/default/files/CreekWise%202018%20flyer_for_Web%20FINAL%20CORRECT.pdf

- Creekside Property Program <https://www.valleywater.org/learning-center/healthy-creeks-and-ecosystems/creekside-property-program>
- National River Cleanup Day <https://www.valleywater.org/news-events/events/2019-national-river-cleanup-day>
- Coastal River Cleanup Day <https://www.valleywater.org/news-events/news-releases/volunteer-coastal-cleanup-day-sept-15>
- Safe, Clean Water and Natural Flood Protection Grants and Partnerships Program <https://www.valleywater.org/learning-center/safe-clean-water-and-natural-flood-protection-grants-partnerships-program>
- Let's Talk Water: Speakers Bureau Program <https://www.valleywater.org/learning-center/lets-talk-water-speakers-bureau>
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Flood Protection projects:

Safe, Clean Water, and Natural Flood Protection Program, Priority E: Flood Protection to Homes, Business, Schools, and Highways <https://www.valleywater.org/project-updates/safe-clean-water-and-natural-flood-protection-program/priority-e-provide-flood-protection-homes-businesses-schools-and-highways>

5-year Capital Improvement Plan (CIP), Chapter 3 – Flood Protection <https://www.valleywater.org/how-we-operate/five-year-capital-improvement-program>

Neighborhood Work Project Notices <https://www.valleywater.org/project-updates/in-your-neighborhood/neighborhood-work-notice>

Every month, staff check the Flood Ready webpage on Valley Water's website to ensure that it is operational and ensure the content is up to date.

Valley Water Flood Watch map-based tool on the website: <https://gis.valleywater.org/SCVWDFloodWatch/>

Monitor reservoir, stream, rainfall levels with the ALERT Gauge System Real-Time Data on the website: <http://alert.valleywater.org/>

Valley Water in Your Area tool on website homepage: <https://www.valleywater.org/>

Every year before winter, Valley Water Operations & Maintenance crews prepare waterways to help carry floodwaters safely by conducting inspections and maintenance of creeks. Crews remove vegetation and sediment to improve the flow of water. During the rainy season, crews go out during and after storms to clear creeks that we manage of debris and fallen trees that can cause blockage and result in flooding.

Valley Water sends thousands of flyers, **Project Notices** (previously Neighborhood Work Notices) each year to residents and businesses located near a capital or maintenance project site throughout the county. The notices are posted on Valley Water's website, under the Project Updates webpage. Valley Water is dedicated to keeping residents and businesses informed and safe through its flood protection programs and project. These flyers contain a message to discourage illegal dumping in creeks and advertise a pollution reporting hotline.

Valley Water's **Sandbag Guidelines** for Homeowners brochures are distributed at various safety events and fairs throughout the county and are available in multiple language. The

brochures are made available to all cities and the county to distribute. Various sandbag sites are managed by Valley Water and are open from late November through April each season. Certain sites are stocked with filled sandbags, when available, during that period. Additional sites are stocked with sand and empty bags for self-filling. A Sandbag Distribution Sites map is distributed at events/fairs and the map is posted on Valley Water's webpage. The map also includes information on several other sandbag stations managed by various cities within Santa Clara County. "How to Properly Fill a Sandbag" and "How to Protect Your Home with Sandbag" videos are also posted on Valley Water's website.

Valley Water and Santa Clara County cities/county promote the county's **AlertSCC and ReadySCC (Ready Santa Clara County) emergency app and the American Red Cross flood app**. Communities encourage the public to download either/or both apps so that they are prepared and are kept informed before, during and after an event. This information is shared with the public at events/fairs and is included in several of Valley Water's flyers/mailers.

Beginning in approximately June of each year, Valley Water participates in the **California Department of Water Resources'** statewide agency coordination calls, leading up to California Flood Preparedness Week (CFPW) held in October annually. Valley Water encourages Santa Clara County cities/county to participate in the State's CFPW campaign and offer support to the cities/county to promote participation. Each October, Valley Water also executes a resolution declaring the designated week in October as CFPW in Santa Clara County.

Valley Water also maintains a **Flooding & Safety, Flood Protection Resources webpage** on their website: <https://www.valleywater.org/floodready>. As the flood protection authority for Santa Clara County, flood protection is one of Valley Water's priorities. This resourceful flood protection webpage provides a wealth of information to the residents and businesses Valley Water serves. Information is provided to the public on flood preparedness, including how to keep their family, property, and business flood safe.

Valley Water's **Education Outreach Program** reaches close to 19,000 students a year throughout the county. The program offers age-appropriate curriculum on flood preparedness either in a classroom setting or virtual events where students receive information on how to prepare for a flood event.

APPENDIX C
Past Members of the Santa Clara County 2015 PPI Committee

Community	Local Government Representative and Alternates	External Stakeholders
County of Santa Clara	Chris Freitas	Trish Mulvey , CLEAN South Bay
Cupertino	Chad Mosley , Senior Engineer Winnie Pagan , Associate Civil Engineer Public Works Department	Julia Kinst , Neighborhood Block Leader
Gilroy	Claudia Moran-Garcia , Civil Engineer I Public Works Department Maria Angeles , City Development Engineer, CFM	Mark Turner , Chamber of Commerce
Los Altos	Aida Fairman , PE Associate Civil Engineer Kathleen Gallagher , CSG Consultants, Inc. Frank Navarro , CSG Consultants, Inc.	Brandi Garcia , PG&E Pam Perdue , PG&E
Milpitas	Ahmed Aly , Principal Civil Engineer, CFM Engineering Land Development Section Babak Kaderi , Assistant Civil Engineer Engineering Land Development Section	Donna Chiaramonte , State Farm
Morgan Hill	Charlie Ha , Associate Engineer Public Works Department	Sanjar Chakamian , Morgan Hill Downtown
Mountain View	Renee Gunn , Associate Civil Engineer, CFM Jacqueline Andrews Solomon , Assistant Public Works Director/City Engineer, CFM	Lydia Kou , Real Estate Agent Erin McKeown, Google
Palo Alto	Rajeev Hada , Project Engineer, CFM Public Works Department, Engineering Services Division	Dan Melick , CERT Volunteer
San José	Arlene Lew , Floodplain Manager, CFM Department of Public Works	Erik Fong , Willow Glen Neighborhood Association Linda Baker, Alain Pinel Realtor
Santa Clara	Van Truong Falguni Amin , Acting Principal Engineer Public Works - Engineering	Kevin Moore , retired City Council member
Sunnyvale	Jennifer Ng , Senior Civil Engineer Public Works	Kerry Haywood , Moffett Park Business Group
Valley Water	Pat Showalter , Sr. Project Manager Ricardo Barajas , Public Information Rep. II Merna Leal , Project Coordinator	Naomi Pease , American Red Cross

Definitions of FEMA Flood Zone Designations

Flood zones are geographic areas that the FEMA has defined according to varying levels of flood risk. These zones are depicted on a community's Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area.

Moderate to Low Risk Areas

In communities that participate in the NFIP, flood insurance is available to all property owners and renters in these zones:

ZONE	DESCRIPTION
B and X (shaded)	Area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods. B Zones are also used to designate base floodplains of lesser hazards, such as areas protected by levees from 100-year flood, or shallow flooding areas with average depths of less than one foot or drainage areas less than 1 square mile.
C and X (unshaded)	Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level. Zone C may have ponding and local drainage problems that don't warrant a detailed study or designation as base floodplain. Zone X is the area determined to be outside the 500-year flood and protected by levee from 100-year flood.

High Risk Areas

In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all of these zones:

ZONE	DESCRIPTION
A	Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas; no depths or base flood elevations are shown within these zones.
AE	The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.
A1-30	These are known as numbered A Zones (e.g., A7 or A14). This is the base floodplain where the FIRM shows a BFE (old format).
AH	Areas with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones.
AO	River or stream flood hazard areas, and areas with a 1% or greater chance of shallow flooding each year, usually in the form of sheet flow, with an average depth ranging from 1 to 3 feet. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Average flood depths derived from detailed analyses are shown within these zones.
AR	Areas with a temporarily increased flood risk due to the building or restoration of a flood control system (such as a levee or a dam). Mandatory flood insurance purchase requirements will apply, but rates will not exceed the rates for unnumbered A zones if the structure is built or restored in compliance with Zone AR floodplain management regulations.
A99	Areas with a 1% annual chance of flooding that will be protected by a Federal flood control system where construction has reached specified legal requirements. No depths or base flood elevations are shown within these zones.

High Risk - Coastal Areas

In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all of these zones.

ZONE	DESCRIPTION
V	Coastal areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves. These areas have a 26% chance of flooding over the life of a 30-year mortgage. No base flood elevations are shown within these zones.
VE, V1 - 30	Coastal areas with a 1% or greater chance of flooding and an additional hazard associated with storm waves. These areas have a 26% chance of flooding over the life of a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones.

Undetermined Risk Areas

ZONE	DESCRIPTION
D	Areas with possible but undetermined flood hazards. No flood hazard analysis has been conducted. Flood insurance rates are commensurate with the uncertainty of the flood risk.

From FEMA Map Service Center:

<http://msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=floodZones&title=FEMA%20Flood%20Zone%20Designations>



CITY COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

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

ADOPT RESOLUTION AMENDING FY 2021-2022 BUDGET TO SUPPORT A PILOT PRIVATE SEWER LATERAL GRANT PROGRAM

RECOMMENDATION(S)

1. Direct staff to implement a Pilot Private Sewer Lateral Grant Program; and
2. Adopt resolution amending the FY 2021-2022 Adopted Budget by \$100,000 to support the Program.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment and Preserving
Open Space and Agricultural Land
Maintaining Infrastructure

REPORT NARRATIVE:

The purpose of this agenda item is to introduce a cost assistance grant program to accompany the City's recently-adopted Private Sewer Lateral (PSL) Ordinance and to amend the FY 2021-2022 Adopted Budget by \$100,000 to fund the program.

On May 5, 2021, the City Council introduced the Private Sewer Lateral Ordinance, which takes effect on June 1, 2022. The addition of a cost assistance program has the potential to help many property owners comply with the ordinance and will stimulate additional property owners to repair or replace their sewer lateral early which will expedite the desired reductions in stormwater infiltration and inflow.

City staff has researched a variety of cost assistance programs taking place in nearby cities to address this issue. When looking into the pros and cons of a loan versus a grant program, staff found the grant was the most popular option and was easier to administer. In some instances, loan programs, even at 0% interest, have not attracted any applications from property owners.

Staff recommends that the City establish a Pilot Private Sewer Lateral (PSL) Grant Program with the following components:

- \$100,000 allocated for the 2021-22 fiscal year;
- Funds distributed first come, first served;
- Two different grant opportunities for property owners depending upon the severity of the deficiencies in their lateral:

1. PSL Repair Grant: 50% of the total repair costs (up to a \$2,000 cap) for point repairs along the lateral line; or
2. PSL Replacement Grant: 50% of the total replacement costs (up to \$5,000 cap) for a complete lateral line replacement.

COMMUNITY ENGAGEMENT: Inform

While there was substantial community engagement prior to the adoption of the ordinance, staff has not pursued engagement yet on the financial assistance opportunity as it would be premature to publicize a grant program before it was approved by the City Council. If the Council approves the pilot program, staff will inform the general community and the real estate community about the opportunity. Since realtors are often in contact with property owners long before a home is sold, it is anticipated that they will proactively inform their customers and potential customers about the program as a component of their professional services.

ALTERNATIVE ACTIONS:

The Council could decline to approve this program and resolution or could choose to fund it at a different amount.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

While this is the first opportunity that the City Council has had to consider this Pilot Program, it is consistent with many prior Council decisions including:

- Introduction of the Private Sewer Lateral Ordinance on May 5, 2021 and subsequent adoption on June 2, 2021;
- Approvals of the two settlement agreements that the City has entered into as a result of sewer overflows; and
- Approvals of numerous projects to identify and reduce infiltration and inflow for the publicly-owned portions of the sewer collection system.

FISCAL AND RESOURCE IMPACT:

The attached resolution (Attachment 1) approves a new \$100,000 appropriation from the Sewer Fund (Fund 640) to support this program. As indicated on the Budget Scorecard in the resolution, this appropriation should come from the City's Sewer Operations Fund as the work is solely related to sewer operations and has the potential to ultimately reduce sewer operating expenses. There are adequate reserves available to fund the Pilot program within the Fund. Supporting this work will be assigned to the temporary part-time teammate assigned to implement the PSL Ordinance.

CEQA (California Environmental Quality Act): Categorical Exemption

The activities described in this Staff Report are categorically exempt under CEQA, specifically pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities), as the subject work involves the repair, maintenance or minor alteration of existing facilities involving negligible or no expansion of use of those facilities.

LINKS/ATTACHMENTS:

1. Resolution Amending Budget

RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING AN AMENDMENT TO THE CITY'S FISCAL YEAR 2021-2022 BUDGET IN THE SEWER FUND (FUND NO. 640) TO APPROPRIATE \$100,000 THEREFOR

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

WHEREAS, the reasons supporting this Resolution are set forth in detail in that certain City Council Staff Report entitled "Adopt resolution amending FY 2021/2022 Adopted Budget by \$100,000 to support a private sewer lateral financial assistance program" submitted for City Council consideration at its meeting of June 16, 2021, submitted to the City Council by the City Manager (the "Staff Report"), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, recommended amendments are needed and proposed to the City's previously adopted Annual Budget for Fiscal Year 2021-2022 as set forth on Exhibit A to this Resolution, to appropriate the requisite funds to implement the actions authorized by this Resolution; and

WHEREAS, the consideration by City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report, or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public meeting at which 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 City Council determines that adoption of this Resolution is in the public interest.

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

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

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

- a. That the City's previously adopted Fiscal Year 2021/2022 Budget, as the same has been amended to date, is hereby further amended in accordance with and as

reflected on Exhibit A attached hereto and incorporated herein by this reference;
 and

- b. That the City Clerk is hereby authorized and directed to forward a copy of this Resolution to the City's Finance Director, who is hereby authorized and directed to take all actions necessary to implement the terms of this Resolution pertaining to the Fiscal Year 2021-2022 Budget of City.

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

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Morgan Hill at its meeting held on this 16th day of June 2021 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

COUNCIL MEMBERS:
COUNCIL MEMBERS:
COUNCIL MEMBERS:
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 the 16th day of June 2021.

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

DATE: _____

MICHELLE BIGELOW, City Clerk

EXHIBIT A

AGENDA BUDGET SCORECARD

FISCAL YEAR 2021-2022

ADJUSTMENT #

001

FUND:

640 Sewer Operations Fund

DEPARTMENT:

5900 Sewer Operations

OBJECT:

42999 REIMBURSEMENT AGREEMENT

AGENDA DATE:

06/16/21

AGENDA ITEM TITLE:

Sewer Lateral Repair Pilot Program Reimbursement

	07/01/21 PROJECTED BEGINNING FUND BALANCE	ESTIMATED REVENUES	AMENDED APPROPRI- ATIONS	06/30/22 PROJECTED ENDING FUND BALANCE
ORIGINAL BUDGET	3,090,137	14,118,167	13,829,626	3,378,678
CUMULATIVE REVISIONS PRIOR TO RECOMMENDED ACTION	-	-	-	-
RECOMMENDED ACTION		-	100,000	(100,000)
RESULT OF RECOMMENDED ACTION	<u>3,090,137</u>	<u>14,118,167</u>	<u>13,929,626</u>	<u>3,278,678</u>



CITY COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

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

APPROVE THIRD AMENDMENT TO SUBDIVISION IMPROVEMENTS AGREEMENT FOR DUNNE MURPHY - TRACT NO. 10387

RECOMMENDATION(S)

1. Approve Third Amendment to Subdivision Improvements Agreement;
2. Authorize the City Manager to execute the Third Amendment to the Subdivision Improvements Agreement with Nordstrom Cal Homes, LLC; and
3. Authorize the recordation of the Third Amendment to the Subdivision Improvements Agreement.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment and Preserving
Open Space and Agricultural Land

GUIDING DOCUMENTS

Morgan Hill 2035 General Plan

REPORT NARRATIVE:

Dunne Murphy – Tract No. 10387 (Project) is a 14-lot (12 project lots, 2 private lots) subdivision located on the southeast corner of East Dunne Avenue and Murphy Avenue (Attachment 1). The Final Map for the Project was recorded on December 18, 2017.

The original owner of the Project, Live Oak Investments, LLC, executed a Subdivision Improvements Agreement (SIA) (Attachment 2) with the City, requiring the public improvements of the Project be complete within eighteen (18) months from the date of the recordation of the Final Map. The SIA also allows the City Manager to extend the Agreement by no more than six (6) months.

In August 2018, the Project was bought by Nordstrom Cal Homes, LLC, and the SIA was assigned to Nordstrom Cal Homes, LLC.

Nordstrom Cal Homes, LLC requested a six (6) month extension which was approved by the City Manager via a First Amendment (Attachment 3) which extended the SIA to December 18, 2019.

In December 2019, due to an expired Design Review Approval (SR2017-0003), Nordstrom Cal Homes, LLC reapplied and received a new Design Review Approval, SR2019-0031, which is valid until December 9, 2021.

In October 2019, Nordstrom Cal Homes, LLC submitted a written request to the City to extend the deadline by an additional eighteen (18) months to complete the public improvements due to delays in obtaining a construction loan and expiration of permits due to the change in ownership. The Second Amendment (Attachment 4) was approved by the City Council on November 20, 2019, which gave a new SIA expiration date of June 18, 2021.

To date, Nordstrom Cal Homes, LLC has not obtained the necessary building permits per the new Design Review Approval (SR2019-0031). As a result of the COVID-19 pandemic, the Project was unable to begin work due to labor shortages and national economic uncertainties.

Recently, Nordstrom Cal Homes, LLC submitted a request for another amendment to the Subdivision Improvements Agreement to allow for an extension of time to complete the public improvements by eighteen (18) months, with a new SIA expiration date of December 18, 2022.

Staff recommends that City Council authorize the City Manager to sign and record a third amendment to the Subdivision Improvements Agreement (Attachment 5) on behalf of the City.

COMMUNITY ENGAGEMENT: Inform

This report serves to inform the community of the recommended Amendment to the Subdivision Improvements Agreement for the Project.

ALTERNATIVE ACTIONS:

No other feasible alternatives. It is in the City's best interest to amend the agreement to have the project and public improvements move forward with the RDCA commitments in place.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

May 3, 2017 – City Council approved the Final Map for Dunne Murphy – Tract 10387.

November 20, 2019 – City Council approved the Second Amendment to the Subdivision Improvements Agreement, which extended the SIA expiration to June 18, 2021.

FISCAL AND RESOURCE IMPACT:

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

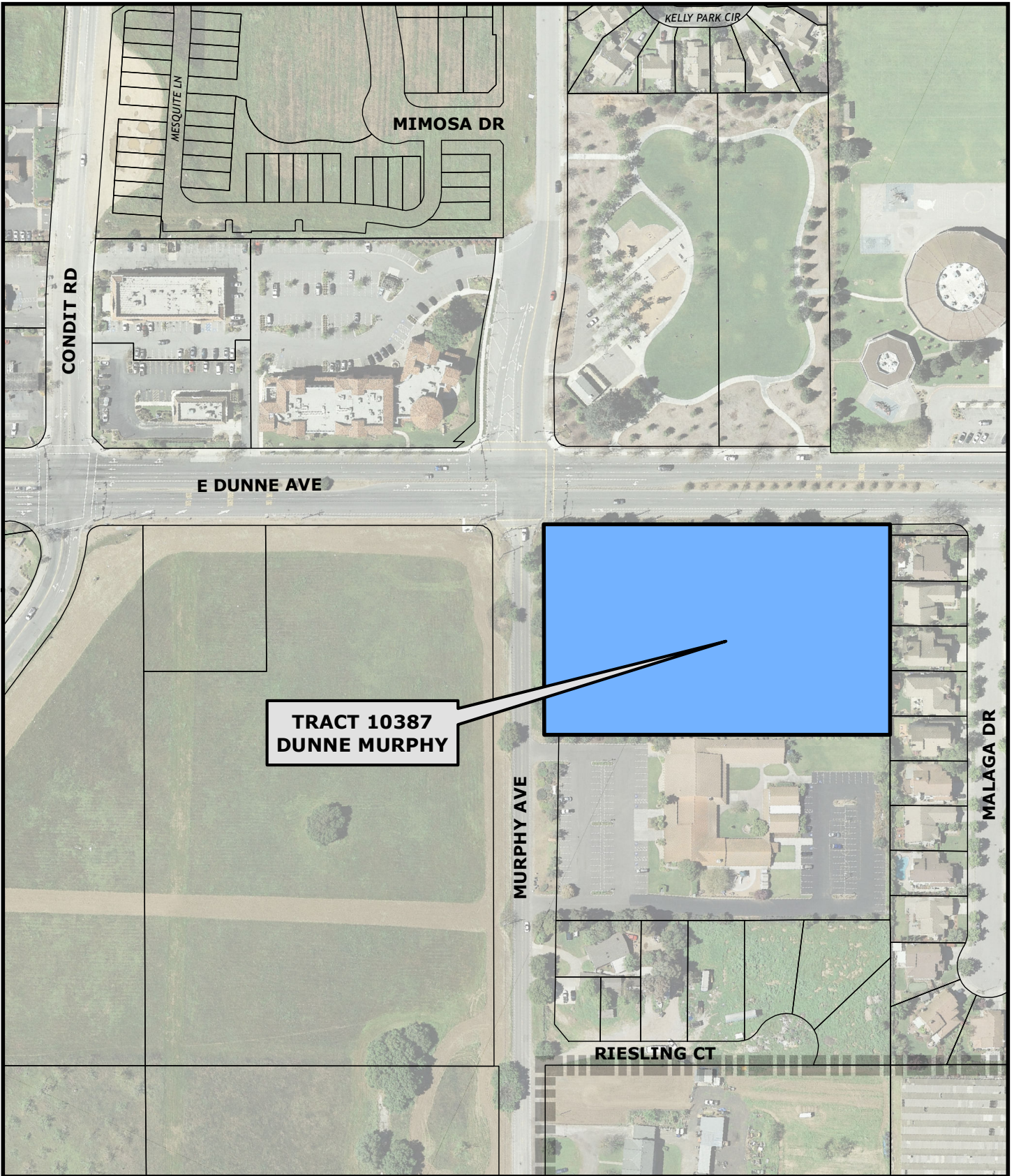
CEQA (California Environmental Quality Act):

Project - Mitigated Negative Declaration was adopted on February 9, 2016.

LINKS/ATTACHMENTS:

1. Site Map - Tract 10387
2. Original Subdivision Improvements Agreement

3. First Amendment to Subdivision Improvements Agreement
4. Second Amendment to Subdivision Improvements Agreement
5. Third Amendment to Subdivision Improvements Agreement



CITY OF MORGAN HILL

Land Development Engineering Division
Engineering and Utilities Department

SITE PLAN
TRACT 10387
DUNNE MURPHY



Attachment: Site Map - Tract 10387 (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT 10387)

23830275Regina Alcomendras
Santa Clara County - Clerk-Recorder

12/18/2017 02:13 PM

Titles: 1 Pages: 28

Fees: \$0.00

Taxes: \$0

Total: \$0.00

RECORDING REQUESTED BY
WHEN RECORDED RETURN TOCITY OF MORGAN HILL
City Clerk's Office
17575 PEAK AVENUE
MORGAN HILL, CA 95037(RECORD AT NO FEE PURSUANT TO
GOVERNMENT CODE SECTION 27383)

THE AREA ABOVE IS RESERVED FOR RECORDER'S USE

SUBDIVISION IMPROVEMENTS AGREEMENT**LIVE OAK INVESTMENT CORPORATION
DUNNE MURPHY – TRACT NO. 10387**

168-04-17-056

This Subdivision Improvements Agreement ("Agreement") between the City of Morgan Hill, a municipal corporation ("City"), and **Live Oak Investment Corporation**, a corporation ("Subdivider"), is entered into this 25th day of October, 2017. City and Subdivider hereby acknowledge the following:

1. Subdivider has filed a Tentative Subdivision Map and supporting documents for **Tract No. 10387**, the subdivision known as **Dunne Murphy** ("Map").
2. City desires, as part of the conditions of approval ("Conditions") of the Final Tract Map or Parcel Map ("Final Map"), that certain improvements be installed by Subdivider ("Improvements") as shown on the City Engineer approved and signed Subdivision Improvement Plans entitled "**Improvement Plans for Dunne Murphy, Tract No. 10387**" ("Plans").
3. Subdivider has been unable to complete, prior to filing of the Final Map, all of the improvements required by City to the satisfaction of the City Engineer.
4. Subdivider is required by the terms of the Morgan Hill Municipal Code ("Municipal Code"), to improve all streets, highways, or public areas which are part of the development, including but not limited to necessary paving, curbs, sidewalks, catch basins, water mains, culverts, storm drains, and sanitary sewers, in accordance with the plans and specifications on file with the City Engineer and to post certain securities to secure the completion of the Improvements.
5. To assure City that Subdivider will construct, install and complete all Improvements required for the Subdivision, the parties have entered into this Agreement.

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

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

Section 1. Incorporation by Reference

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

Section 2. Construction of Improvements

(a) Subdivider shall construct to the approval of City, and as provided for in the Conditions, the Improvements as shown fully executed in the Plans entitled **"Improvement Plans for Dunne Murphy, Tract No. 10387"**.

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

(c) Survey Monumentation:

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

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

Section 3. Modification of Plans

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

Section 4. Security

(a) Pursuant to California Government Code 66499.3(a), and the Municipal Code, Subdivider shall, concurrently with the execution hereof, furnish a surety bond in an amount equal to at

least one hundred percent (100%) of the estimated construction cost of the Improvements as security guaranteeing the faithful performance of the Improvements and this Agreement ("Performance Bond").

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

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

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

(c) Subdivider shall, upon acceptance of the Improvements by the City Council, furnish a surety bond in an amount equal to fifty percent (50%) of the estimated construction cost of the Improvements (as listed in Section 4(a) above) to secure the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof against any defective work or labor performed, or defective materials furnished by Subdivider.

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

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

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

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

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

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

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

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

(h) In lieu of providing the Performance Bond and the Labor and Material Bond required under subsection 4(a) and 4(b) hereinabove, Subdivider may provide City, at City's sole option, with a cash deposit in an amount required pursuant to Morgan Hill Municipal Code section 17.32.190.B which cash deposit obligation of Subdivider shall be made, memorialized and agreed to by Subdivider through execution of a Cash Deposit Agreement Guaranteeing Improvements in substantially the form attached hereto as Exhibit "D".

Section 5. Inspections

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

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

Section 6. Timing of Performance

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

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

Section 7. Work Performance and Warranty

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

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

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

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

(e) Subdivider warrants that: (1) it has investigated the work to be performed under this agreement, (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the difficulties and restrictions of the work under this Agreement. Should Subdivider discover any conditions materially differing from those inherent in the Improvements or work or as represented by City, it shall immediately inform City and shall not proceed, except at Subdivider's risk, until written instructions are received from City.

(f) Subdivider guarantees and warrants the work required by this Agreement and agrees to remedy any defects in the Improvements or work arising from faulty or defective materials or construction occurring within twelve (12) months after its acceptance. Following notice, Subdivider shall, without delay or cost to City, repair, replace, or construct any defective or unsatisfactory portion of the Improvements. City may, at its sole option, perform the repair or replacement itself if Subdivider or its surety has failed to commence repair within twenty (20) days after City has mailed written notice to Subdivider. In such event, Subdivider or its surety agrees to pay the cost of repair and replacement to City, plus fifteen percent (15%); and City may recover such costs as a lien against the Subdivision. City may proceed immediately to make repairs should an emergency arises.

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

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

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

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

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

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

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

Section 9. Indemnity

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

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

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

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

Section 10. Insurance

No later than ten days following issuance of the notice of award, Subdivider is required to procure and provide proof of the insurance coverage required by this section in the form of certificates and endorsements. The required insurance must cover the activities of Subdivider and its Subcontractors relating to or arising from the performance of work associated with the Improvements, and must remain in full force and effect at all times during the period covered by the Agreement, including any extensions of time as may be granted, and until such time as the Improvements have been accepted for maintenance by City. The coverages may be arranged under a single policy for the full limits required or by a combination of underlying policies with the balance provided by excess or "umbrella" policies, provided each such policy complies with the requirements set forth herein. If Subdivider fails to provide any of the required coverage in full compliance with the requirements outlined in this Agreement, City may, at its sole discretion, purchase such coverage at Subdivider's expense and deduct the cost from payments due to Subdivider, or terminate the Agreement for default. Subdivider further understands that City reserves the right to modify the insurance requirements set forth herein, with thirty (30) days' notice provided to Subdivider, at any time as deemed necessary to protect the interests of City.

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

- (1) Commercial General Liability Insurance ("CGL"): Subdivider shall maintain CGL and shall include coverage for liability arising from Subdivider's or its

Subcontractor's acts or omissions in the performance of work associated with the Improvements against claims and liabilities for personal injury, death, or property damage providing protection in the minimum amount of: (i) five million dollars (\$5,000,000.00) for bodily injury or death to any one person for any one accident or occurrence and at least five million dollars (\$5,000,000.00) for property damage, or (ii) the maximum amount of such insurance available to Subdivider under Subdivider's combined insurance policies (including any excess or "umbrella" policies), whichever is greater.

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

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

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

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

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

(b) **Required Endorsements.** Subdivider shall provide proof of the following endorsements, listed for each policy for which endorsements are required, as outlined below:

(1) **ALL Policies:**

“Waiver of Subrogation” - Each required policy must include an endorsement providing that the carrier agrees to waive any right of subrogation it may have against City and City’s elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers.

(2) **General Liability:**

a. “Additionally Insured” - City, its elected or appointed officials, boards, agencies, officers, agents, employees, and volunteers are named as additional insureds;

b. “Primary and Non-Contributing” - Insurance shall be primary non-contributing;

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

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

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

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

Certificate Holder address:

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

Section 11. Permits and Requisite Fees

(a) Subdivider shall pay all current fee obligations in the total amount of **\$485,010** due under City Resolution No. 5592, as amended, in accordance with the Department of Public Work fee schedule, as follows:

- (1) **\$223,074** payable at the time of recording of the Final Map, and
- (2) **\$261,936** payable on a pro-rata basis for each individual lot in the Subdivision prior to final inspection of each and every residence.
- (3) All fees payable pursuant to this Subsection (a) constitutes valid and due consideration for City's approval of the final Map, and amounts set forth are estimates that are subject to change prior to the issuance of building permit(s), subject to resolution or ordinance of the City Council.

(b) Subdivider shall, at its expense, obtain all necessary permits and licenses for the construction of the Improvements, give all necessary notices, and pay all fees and taxes required by law.

(c) Subdivider shall obtain a City Business License.

(d) Subdivider agrees to procure, at its expense, any necessary permits for Improvements outside City's jurisdiction.

Section 12. On-Site Supervision

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

Section 13. Waiver

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

Section 14. Notices. All notices shall be personally delivered or mailed, via first class mail to the below listed addresses. These addresses shall be used for delivery of service of process. Notices shall be effective five (5) days after date of mailing, or upon date of personal delivery.

- a. Address of Subdivider is as follows:
LIVE OAK INVESTMENT CORPORATION
 175 E. Main Ave. Ste. # 130

Morgan Hill, CA 95037

b. Address of City is as follows:

Public Works Director
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037

With a copy to:

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

Section 15. Noncompliance

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

Section 16. Notice of Breach and/or Default

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

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

Section 17. Performance by Surety or City

- (a) In the event of a material breach and/or default by Subdivider, Subdivider's surety shall have the duty to take over and complete the Improvements.
- (b) If the surety, within a reasonable time after receiving notice of Subdivider's default does not provide City written notice to take over the performance of this Agreement or if the surety does not commence performance thereof within the time specified in such notice to City, City may take over the construction of the Improvements and prosecute the same to completion, by contract or by any method City may deem advisable, on behalf and at the expense of Subdivider, and Subdivider's surety shall be

liable to City for any excess cost or damages incurred by City thereby. In such event, City, without liability for so doing, may take possession of and utilize to complete the Improvements such materials, appliances, and other property belonging to Subdivider as may be on the work site(s) and necessary therefore.

(c) City shall have the right to draw upon or utilize the appropriate security provided for in Section 4 to recover costs and damages to City damages. The right of City to draw upon or utilize the security is additional and not in lieu of any other remedy available to City at law or in equity. The parties agree that the estimated costs and security amounts may not reflect the actual cost of construction or installation of Improvements, and therefore, City damages for Subdivider's default shall be measured by the cost of completing the required Improvements.

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

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

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

Section 18. Successors in Interest

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

Section 19. Effective Date

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

Section 20. Amendment of Agreement

This Agreement may only be amended by mutual consent of the original parties or their successors in interest, provided that any such amendment is executed in writing by the parties to be bound thereby. Copies of any such amendments shall be sent to surety(ies).

Section 21. Execution

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

Section 22. Non-Liability of Officials and Employees of City.

No official or employee of City shall be personally liable for any default or liability under this Agreement.

Section 23. Law to Govern: Venue

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

Section 24. Limitations Upon Subcontracting and Assignment.

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

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Section 25. Miscellaneous

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

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

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

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

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

(f) Preservation of Agreement. Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision interpreted, and all remaining provisions shall remain enforceable.

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

[TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS: (1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; AND (2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER.]

CITY OF MORGAN HILL

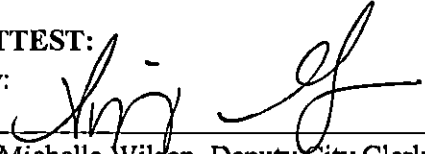
By:


Steve Rymer, City Manager
Christina Turner

Date: 10/25/17

ATTEST:

By:


Michelle Wilson, Deputy City Clerk

Date: 10/25/17**APPROVED AS TO FORM:**

By:

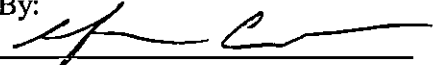

Donald A. Larkin, City Attorney

Date: 10-20-17

Cynthia Haddon, Assistant City Attorney

"Subdivider"**LIVE OAK INVESTMENT CORPORATION**

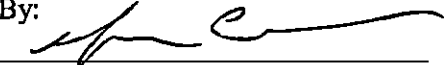
By:


Print Name Gabriel Connors
(If Corporation, must be Chairperson of the Board, President, or Vice President)

President

Date: 5/5/17

By:


Print Name Gabriel Connors

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

Secretary

Date: 5/5/17

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

State of California
County of Santa Clara

On May 5th 2017 before me, Tina T. Leslie a Notary Public in and for said County and State, personally appeared Gabriel Connors proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Tina T. Leslie

SIGNATURE OF NOTARY PUBLIC



(ABOVE AREA FOR NOTARY SEAL)

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

State of California
County of Santa Clara

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

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

Performance Bond
Page 4 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

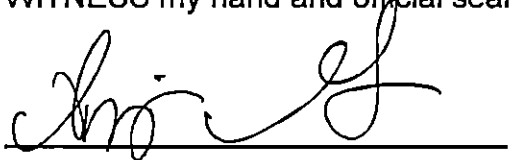
A notary or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Santa Clara

On October 25, 2017, before me, Angelica Gonzalez, a Notary Public in and for said County and State, personally appeared Christina J. Turner, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signature(s) on the instrument the person, or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



SIGNATURE OF NOTARY PUBLIC



(ABOVE AREA FOR NOTARY SEAL)

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT 10387)

EXHIBIT "A"
IMPROVEMENTS AND
ESTIMATED COSTS OF IMPROVEMENTS
AS OF MARCH 2017

	Description	Quantity	Unit	Unit Price	Total
Schedule I - Public Tract Streets					
4	Street finish grading	14400	LS	\$0.50	\$7,200.00
7	AC pavement (4"AC/13AB)	14400	LS	\$5.50	\$79,200.00
8	City std. curb and gutter	700	LF	\$25.00	\$17,500.00
14	City std. electroliers	5	EA	\$3,000.00	\$15,000.00
Scheudle II - Water Improvements					
1	8" DIP water main	993	LF	\$50.00	\$49,650.00
2	City std. fire hydrant	3	EA	\$4,000.00	\$12,000.00
3	1" water services	14	EA	\$1,500.00	\$21,000.00
4	1-1/2" irrigation w/RPBP	1	EA	\$2,000.00	\$2,000.00
5	Existing fire hydrant relocation	1	EA	\$1,000.00	\$1,000.00
Scheudle III - Sanitary Sewer					
1	8" PVC sanitary main (SDR26)	350	EA	\$4.00	\$1,400.00
2	City std. manholes	3	EA	\$3,500.00	\$10,500.00
Scheudle IV - Storm Drainage					
1	24" RCP SD	77	LF	\$68.00	\$5,236.00
2	15" RCP SD	100	LF	\$55.00	\$5,500.00
4	City std. curb inlets	3	EA	\$3,000.00	\$9,000.00
Schedule V - Dunne & Murphy					
1	Street Grading	19528	SF	\$1.00	\$19,528.00
2	AC pavement (5"AC/14.5AB)	11478	LS	\$6.00	\$68,868.00
3	City std. curb and gutter	755	LF	\$25.00	\$18,875.00
4	City std. sidewalk	3977	SF	\$6.00	\$23,862.00
5	Min. 2" AC grind and overlay	19570	LS	\$2.00	\$39,140.00
6	Signing & striping	1	LS	\$10,000.00	\$10,000.00
7	City std. fire hydrant	1	EA	\$4,000.00	\$4,000.00
8	8" sewer PVC (SDR 26)	294	LF	\$60.00	\$17,640.00
9	Sanitary sewer manholes	1	EA	\$3,500.00	\$3,500.00
11	City std. electroliers	5	EA	\$3,500.00	\$17,500.00
11	24" RCP storm drain	424	LF	\$90.00	\$38,160.00
12	City std. manholes	1	EA	\$3,500.00	\$3,500.00
Sub Total					\$500,759.00
10% Contingency					\$50,075.90
Total					\$550,834.90

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

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

Bond No.: _____

Premium: _____

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

LIVE OAK INVESTMENT CORPORATION
DUNNE MURPHY – TRACT NO. 10387

whereby principal agrees to install and complete certain designated public improvements, which said agreement, dated _____, 2017, and identified as project **Dunne Murphy – Tract No. 10387**, is hereby referred to and made a part hereof; and

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

Now, therefore, we, the principal and _____, as surety, are held and firmly bound unto the City of Morgan Hill hereinafter called ("City"), in the penal sum of **four hundred eighty nine thousand two hundred forty seven dollars (\$489,247)**, lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The Surety's office is located at _____,

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

License No.: _____

Address: _____

Telephone No.: _____

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

Name of non-resident agent: _____

Performance Bond

Page 1 of 4

Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

Non-resident agent's office address: _____

Telephone No.: _____

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

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

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

Executed this _____ day of _____ 2017.

Principal

Principal

By:

Surety

By:

Performance Bond
Page 2 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

Attorney-in Fact

By:

California Resident Agent

By:

Non-resident Agent - Attorney-in-Fact

APPROVED:

Karl Bjarke, Public Works Director

Date:

APPROVED AS TO FORM:

By:

Donald A. Larkin, City Attorney

Date:

(Acknowledgment on following page.)

Performance Bond
Page 3 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

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

State of California
County of Santa Clara

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

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

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

State of California
County of Santa Clara

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

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

Performance Bond
Page 4 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

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

Bond No.: _____

Premium: _____

Whereas, the City Council of the City of Morgan Hill, State of California, **LIVE OAK INVESTMENT CORPORATION** (hereinafter designated as "the principal") have entered into a Subdivision Improvement Agreement:

LIVE OAK INVESTMENT CORPORATION
DUNNE MURPHY – TRACT NO. 10387

whereby the principal agrees to install and complete certain designated public improvements, which agreement, dated _____, 2017, and identified as project **Dunne Murphy – Tract No. 10387**, is hereby referred to and made a part hereof; and

Whereas, under the terms of the agreement, the principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Morgan Hill, hereinafter "City," to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

Now, therefore, the principal and the undersigned as corporate surety, and their successors and assigns are held firmly bound unto City and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the agreement and referred to in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code in the sum of **four hundred eighty nine thousand two hundred forty seven dollars (\$489,247)**, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

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

Labor and Material Bond
Page 1 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

The Surety's office is located at _____.

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

License No.: _____

Address: _____

Telephone No.: _____

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

Name of non-resident agent: _____,

Non-resident agent's office address: _____

Telephone No.: _____

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

Executed this _____ day of _____ 2017.

Principal

Principal

By:

Surety

By:

Labor and Material Bond
Page 2 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

Attorney-in Fact

By:

California Resident Agent

By:

Non-resident Agent - Attorney-in-Fact

APPROVED:

Karl Bjarke, Public Works Director

Date:

APPROVED AS TO FORM:

By:

Donald A. Larkin, City Attorney

Date:

(Acknowledgment on following page.)

Labor and Material Bond
Page 3 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT

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

State of California
County of Santa Clara

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

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

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

State of California
County of Santa Clara

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

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)

Labor and Material Bond
Page 4 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT 10387)

EXHIBIT "D"
CASH DEPOSIT AGREEMENT GUARANTEEING IMPROVEMENTS
LIVE OAK INVESTMENT CORPORATION
DUNNE MURPHY – TRACT NO. 10387

THIS AGREEMENT is made this ____ day of _____, 2017, by the City of Morgan Hill, a municipal corporation, ("City"), and **LIVE OAK INVESTMENT CORPORATION**, a California Corporation ("Subdivider").

RECITALS

The following Recitals are a substantive part of this Agreement:

1. This Agreement is entered into pursuant to Sections 17.32.180 and 17.32.190 of the City of Morgan Hill's Municipal Code.
2. City has entered into a Subdivision Improvement Agreement, with Subdivider pertaining to the development on Tract 10378 and commonly known as **Dunne Murphy**, and the Subdivision Improvement Agreement shall be referenced for further particulars of the subdivision. This Cash Deposit Agreement "Agreement" is intended to fulfill the requirements for Performance/Labor & Material Bonds as set forth in the Subdivision Improvement Agreement.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Deposit.** That Subdivider has deposited the cash sum (cash, certified check, or cashier's check) of **nine hundred thirty six thousand four hundred nineteen dollars (\$936,419)** in lawful money of the United States of America herein called "Deposit Sum", with City, which funds shall be used for installing and guaranteeing the public improvements required by the Subdivision Improvement Agreement between City and Subdivider. The Subdivision Improvement Agreement is attached hereto and incorporated herein as Exhibit "A", and Subdivider certifies and warrants that they have reviewed the Subdivision Improvement Agreement and agree to be bound by relevant provisions of such Agreement.
2. **Additional Deposits.** In the event the Deposit Sum is insufficient to complete and/or repair the public improvements, Subdivider will deposit with City such additional sum in lawful money of the United States of America as an additional deposit in such amount that will be

CASH DEPOSIT AGREEMENT
 GUARANTEEING IMPROVEMENTS

Page 1 of 4
 Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT 10387)

required to complete the public improvements; said additional deposit to be subject to the terms of this Agreement.

3. **Disbursement.** The parties agree that City shall disburse, via two party checks, to the Subdivider, the contractor or the subcontractor in order to pay contractors, subcontractors, laborers and material suppliers performing work pursuant to the Subdivision Improvement Agreement, upon certification by the City Engineer of Morgan Hill that sufficient work has been completed to justify the progress payment request of Subdivider. It is further agreed that City will not disburse aggregated payments in excess of **three hundred eighty five thousand five hundred eighty four dollars (\$385,584)** or until City has accepted the subdivision improvements in their entirety. Upon both City acceptance of the subdivision improvements and Subdivider submittal of Warranty Bond, City can disburse up to **nine hundred thirty six thousand four hundred nineteen dollars (\$936,419)** in the aggregate of the funds. One (1) year after City acceptance of the subdivision improvements, upon written approval of City's Engineer, remaining funds can be disbursed by City.

4. **City Substitution for Subdivider.** In the event Subdivider fails to properly perform under the Subdivision Improvement Agreement, and City exercises its right to perform the contract itself or to subcontract work to a third party pursuant to the Subdivision Improvement Agreement, then Subdivider agrees that all funds then remaining shall remain deposited with City for disbursement to parties actually performing the work.

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

6. **Independent Contractor.** It is agreed to that Subdivider and Subdivider's contractors, subcontractors, agents, or employees shall act and be independent contractors and not agents or employees of City.

7. **Subdivision Agreement.** This Agreement shall include the Subdivision Agreement which is incorporated herein. In the event of any inconsistency between the terms of the Subdivision Agreement and this Agreement, the Subdivision Agreement shall govern.

8. **Indemnity.** All indemnity provisions of the Subdivision Improvement Agreement shall apply with full force to this Agreement. City shall not be liable to Subdivider, Subdivider's contractors, subcontractors, agents, or employees for any payment under this agreement; liability for full repayment under the Subdivision Improvement Agreement shall be the sole responsibility of Subdivider.

CASH DEPOSIT AGREEMENT
GUARANTEEING IMPROVEMENTS

Page 2 of 4
Version: October 2016

9. **Limitations Upon Subcontracting and Assignment.** Neither this Agreement nor any portion shall be assigned by Subdivider without prior written consent of City.

10. **Authority to Execute.** The persons executing this Agreement on behalf of entities represent and warrant that they are 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.

11. **Modification.** This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written. This Agreement may be modified on provisions waived only by subsequent mutual written agreement executed by City and Subdivider.

12. **California Law.** 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.

13. **Interpretation.** This Agreement is a negotiated document and shall be deemed to have been drafted jointly by both parties, and no rule of construction or interpretation shall apply against any particular Party bases on a contention that the Agreement was drafted by one of 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.

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CASH DEPOSIT AGREEMENT
GUARANTEEING IMPROVEMENTS

Page 3 of 4
Version: October 2016

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

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

[TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS: (1) CHAIRPERSON OF THE BOARD, PRESIDENT, OR VICE PRESIDENT; **AND** (2) SECRETARY, ASSISTANT SECRETARY, CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER.]

ATTEST:

CITY OF MORGAN HILL

By: _____
Michelle Wilson, Deputy City Clerk
Date: _____

By: _____
Steve Rymer, City Manager
Date: _____

APPROVED:

"SUBDIVIDER"
LIVE OAK INVESTMENT
CORPORATION

By: _____
Karl Bjarke, Public Works Director
Date: _____

By: _____
Title: _____
Date: _____

APPROVED AS TO FORM:

By: _____
Donald A. Larkin, City Attorney
Date: _____

"SUBDIVIDER"
LIVE OAK INVESTMENT
CORPORATION
By: _____
Title: _____
Date: _____

CASH DEPOSIT AGREEMENT
GUARANTEEING IMPROVEMENTS
Page 4 of 4
Version: October 2016

Attachment: Original Subdivision Improvements Agreement (3109 : APPROVAL OF 3RD SIA AMENDMENT FOR DUNNE MURPHY - TRACT 10387)

24316601

4.c

Regina Alcomendras
Santa Clara County - Clerk-Recorder
10/30/2019 11:21 AM

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RECORDING REQUESTED BY
WHEN RECORDED RETURN TO

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

CITY OF MORGAN HILL

COPY

CONFORMED BY THE COUNTY OF SANTA CLARA
RECORDER'S OFFICE

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

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AMENDMENT TO SUBDIVISION IMPROVEMENTS AGREEMENT

DUNNE MURPHY – TRACT NO. 10387

169-04-17-051

THIS AMENDMENT TO THE SUBDIVISION IMPROVEMENTS AGREEMENT ("AMENDMENT") is dated as of this 28th day of October, 2019, is entered into by and between the CITY OF MORGAN HILL, a California municipal corporation ("CITY"), and **Nordstrom Cal Homes, LLC**, a California limited liability company ("SUBDIVIDER"). SUBDIVIDER and CITY are collectively referred to as the "Parties".

RECITALS

The following recitals are a substantive portion of this AMENDMENT:

1. The CITY and Live Oak Investment Corporation (ORIGINAL SUBDIVIDER) entered into that Subdivision Improvements Agreement (ORIGINAL AGREEMENT) on October 25, 2017 to develop the property located on the southeast corner of Murphy Avenue and Dunne Avenue in Morgan Hill, California (APNs 817-78-005 thru 817-78-012 and 817-78-014 thru 817-78-017), as a 12-lot residential development project designated as Tract No. 10387 ("Project"). The ORIGINAL AGREEMENT was recorded on December 18, 2017 with the Santa Clara County Recorder as document number 23830275.
2. On October 21, 2019, an Assignment and Assumption Subdivision Improvement Agreement was recorded with the Santa Clara County Recorder as document number 24309117 that Live Oak Investment Corporation (Assignor) transfer and assigns to Nordstrom Cal Homes, LLC (Assignee) all of the Assignor's rights, title, and interest in and to, and obligations under the, the ORIGINAL AGREEMENT.
3. On December 18, 2017, the final map for Tract No. 10387 was recorded with the Santa Clara County Recorder in Book 910 of Maps, pages 13 through 16.
4. Pursuant to the ORIGINAL AGREEMENT, the SUBDIVIDER is required to perform and complete all public improvements within eighteen (18) months from the date of the recording of the Final Map (no later than June 18, 2019). Pursuant to Section 6 of the ORIGINAL AGREEMENT, the City Manager may extend the deadline for completion by not more than

six (6) months at her reasonable discretion and determination that granting the extension will not be detrimental to the public welfare.

5. On May 3, 2019, the SUBDIVIDER submitted a written request to extend the deadline by an additional six (6) months (no later than December 18, 2019) to complete the public improvements due to project delays in obtaining the construction loan due to change in ownership.
6. The City Engineer deemed that the extension of the deadline by an additional six (6) months is necessary to allow the SUBDIVIDER to continue working on the project's building permit submittal that is currently under review by the CITY.
7. Pursuant to Section 17.32.270 of the Morgan Hill Municipal Code (Chapter 17.32, Improvements and Improvement Agreements), the completion date may further be extended by the City Council upon written request by the SUBDIVIDER not less than thirty days prior to expiration of the subdivision improvement agreement and the submittal of adequate evidence to justify the extension. If City Council approves the extension, the SUBDIVIDER shall enter into a Subdivision Improvement Extension Agreement with the CITY.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. All terms and conditions of the ORIGINAL AGREEMENT shall remain in full force and effect, except that the following amendments shall be made as set forth below.

The first paragraph of Section 6 of the ORIGINAL AGREEMENT is amended to read as follows:

Section 6. Timing of Performance

Subdivider agrees to perform and complete all Improvements within twenty-four (24) months from the date of the recording of the Final Map. The Subdivider may request the City Council to further extend the deadline for completion upon written request by the Subdivider and the submittal of adequate evidence to justify the extension.

//

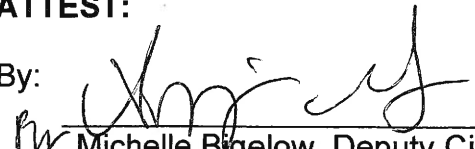
//

2. Those individuals who are signing this AMENDMENT 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 AMENDMENT.

IN WITNESS THEREOF, the parties have executed this AMENDMENT on the day and year shown below.

ATTEST:

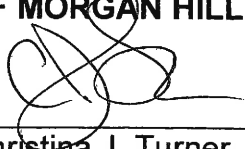
By:


 Deputy Clerk
 Michelle Bigelow, Deputy City Clerk

Date: 10/29/19

CITY OF MORGAN HILL

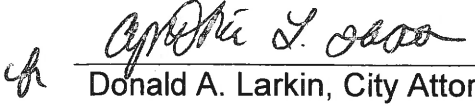
By:


 Christina J. Turner, City Manager

Date: 10/28/19

APPROVED AS TO FORM:

By:

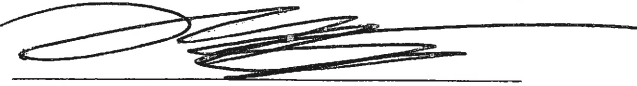

 Donald A. Larkin, City Attorney

Date: 10-28-19

"Subdivider"

**Nordstrom Cal Homes, LLC, a
 California limited liability company**

By:


 Jenny Huang, Manager

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

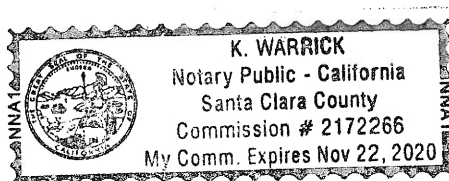
State of **California**
County of **Santa Clara**

On October 15 2019, before me, K. WARRICK a Notary Public in and for said County and State, personally appeared Jenny Huang proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC



(ABOVE AREA FOR NOTARY SEAL)

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

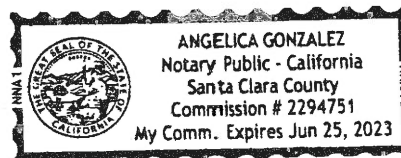
State of **California**
County of **Santa Clara**

On October 28 2019, before me, Angelica Gonzalez a Notary Public in and for said County and State, personally appeared Christina Turner proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC



(ABOVE AREA FOR NOTARY SEAL)

RECORDING REQUESTED BY
WHEN RECORDED RETURN TO

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

24347154

Regina Alcomendras
Santa Clara County - Clerk-Recorder
12/04/2019 12:12 PM

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THE AREA ABOVE IS RESERVED FOR RECORDER'S USE

SECOND AMENDMENT TO SUBDIVISION IMPROVEMENTS AGREEMENT

DUNNE MURPHY – TRACT NO. 10387

THIS SECOND AMENDMENT TO THE SUBDIVISION IMPROVEMENTS AGREEMENT ("SECOND AMENDMENT") is dated as of this 25th day of November, 2019, is entered into by and between the CITY OF MORGAN HILL, a California municipal corporation ("CITY"), and Nordstrom Cal Homes, LLC, a California limited liability company ("SUBDIVIDER"). SUBDIVIDER and CITY are collectively referred to as the "Parties".

RECITALS

The following recitals are a substantive portion of this SECOND AMENDMENT:

1. The CITY and Live Oak Investment Corporation (ORIGINAL SUBDIVIDER) entered into that Subdivision Improvements Agreement ("ORIGINAL AGREEMENT") on October 25, 2017 to develop the property located on the southeast corner of Murphy Avenue and Dunne Avenue in Morgan Hill, California (APNs 817-78-005 thru 817-78-012 and 817-78-014 thru 817-78-017), as a 12-lot residential development project designated as Tract No. 10387 ("Project"). The ORIGINAL AGREEMENT was recorded on December 18, 2017 with Santa Clara County Recorder as document number 23830275.
2. A Final Map for Tract 10387 was recorded on December 18, 2017 in Book 910 of Maps, at Pages 13 through 16 with Santa Clara County Recorder.
3. Pursuant to the ORIGINAL AGREEMENT, the SUBDIVIDER is required to perform and complete all public improvements within eighteen (18) months from the date of the recording of the Final Map (no later than June 18, 2019).
4. On October 21, 2019, an Assignment and Assumption of Subdivision Improvement Agreement ("Assignment and Assumption") by and among the City of Morgan Hill, a municipal corporation ("City"), Live Oak Investment Corporation, a California

Corporation ("Assignor") and Nordstrom Cal Homes. LLC, a California limited liability company ("Assignee") was recorded with the Santa Clara County Recorder as document number 24309117, transferring and assigning to Assignee all of the Assignor's rights, title, and interest in and to, and obligations under the Original Agreement.

5. On October 28, 2019, an Amendment to Subdivision Improvements Agreement was approved by the City Manager pursuant to Section 6 of the ORIGINAL AGREEMENT, extending the deadline for completion to December 18, 2019 (not more than six (6) months) at her reasonable discretion and determination that granting the extension will not be detrimental to the public welfare. This Amendment was recorded on October 30, 2019 with the Santa Clara County Recorder as document number 24316601.
6. Pursuant to Section 17.32.270 of the Morgan Hill Municipal Code (Chapter 17.32, Improvements and Improvement Agreements), the completion date may further be extended by the City Council upon written request by the SUBDIVIDER not less than thirty days prior to expiration of the subdivision improvement agreement and the submittal of adequate evidence to justify the extension.
7. On October 10, 2019, the SUBDIVIDER submitted a written request to extend the deadline by an additional eighteen (18) months (no later than June 18, 2021) to complete the public improvements due to delays in obtaining a construction loan and expiration of permits due to the change in ownership.
8. The City Council deemed that the extension of the deadline by an additional eighteen (18) months is necessary to allow the SUBDIVIDER to continue working on the project's building permit submittal that is currently under review by the CITY.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. All terms and conditions of the ORIGINAL AGREEMENT, as assigned and amended shall remain in full force and effect, except that the following amendments shall be made as set forth below.

The first paragraph of Section 6 of the ORIGINAL AGREEMENT is amended to read as follows:

Section 6. Timing of Performance

Subdivider agrees to perform and complete all Improvements within Forty-Two (42) months from the date of the recording of the Final Map. The Subdivider may request

the City Council to further extend the deadline for completion upon written request by the Subdivider and the submittal of adequate evidence to justify the extension.

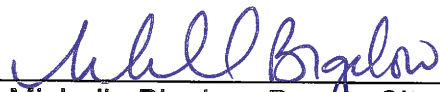
2. Those individuals who are signing this SECOND AMENDMENT on behalf of entities represent and warrant that they are, respectively, duly authorized to sign on behalf of the entities and to bind the entities fully to each and all of the obligations set forth in this SECOND AMENDMENT.

IN WITNESS THEREOF, the parties have executed this SECOND AMENDMENT on the day and year shown below.

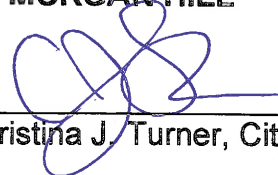
ATTEST:

CITY OF MORGAN HILL

By:


Michelle Bigelow, Deputy City Clerk

By:


Christina J. Turner, City Manager

Date:

11/25/19

Date:

11/25/19

APPROVED AS TO FORM:

"Subdivider"

By:


for Donald A. Larkin, City Attorney
Cynthia L. Hasson, Assistant City Attorney

Nordstrom Cal Homes, LLC

Date:

11-22-19

By:



Jenny Huang, Manager

Date:

11/06/19

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

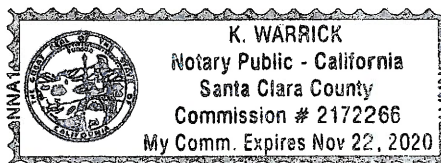
State of California
County of Santa Clara

On November 6 2019, before me, K. WARRICK a Notary Public in and for said County and State, personally appeared Jenny Huang proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC



(ABOVE AREA FOR NOTARY SEAL)

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

State of California
County of Santa Clara

On November 25 2019, before me, Michelle Bigelow a Notary Public in and for said County and State, personally appeared Christina Turner proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC



(ABOVE AREA FOR NOTARY SEAL)

RECORDING REQUESTED BY
WHEN RECORDED RETURN TO

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

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

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THIRD AMENDMENT TO SUBDIVISION IMPROVEMENTS AGREEMENT

DUNNE MURPHY – TRACT NO. 10387

THIS THIRD AMENDMENT TO THE SUBDIVISION IMPROVEMENTS AGREEMENT ("THIRD AMENDMENT") is dated as of this ___ day of _____, 2021, and is entered into by and between the CITY OF MORGAN HILL, a California municipal corporation ("CITY"), and Nordstrom Cal Homes, LLC, a California limited liability company ("SUBDIVIDER"). SUBDIVIDER and CITY are collectively referred to as the "Parties".

RECITALS

The following recitals are a substantive portion of this THIRD AMENDMENT:

1. The CITY and Live Oak Investment Corporation (ORIGINAL SUBDIVIDER) entered into that Subdivision Improvements Agreement ("ORIGINAL AGREEMENT") on October 25, 2017 to develop the property located on the southeast corner of Murphy Avenue and Dunne Avenue in Morgan Hill, California (APNs 817-78-005 thru 817-78-012 and 817-78-014 thru 817-78-017), as a 12-lot residential development project designated as Tract No. 10387 ("Project"). The ORIGINAL AGREEMENT was recorded on December 18, 2017 with Santa Clara County Recorder as document number 23830275.
2. A Final Map for Tract 10387 was recorded on December 18, 2017 in Book 910 of Maps, at Pages 13 through 16 with Santa Clara County Recorder.
3. Pursuant to the ORIGINAL AGREEMENT, the SUBDIVIDER is required to perform and complete all public improvements within eighteen (18) months from the date of the recording of the Final Map (no later than June 18, 2019).
4. On October 21, 2019, an Assignment and Assumption of Subdivision Improvement Agreement ("Assignment and Assumption") by and among the City of Morgan Hill, a municipal corporation ("City"), Live Oak Investment Corporation, a California

Corporation ("Assignor") and Nordstrom Cal Homes. LLC, a California limited liability company ("Assignee") was recorded with the Santa Clara County Recorder as document number 24309117, transferring and assigning to Assignee all of the Assignor's rights, title, and interest in and to, and obligations under the Original Agreement.

5. On October 28, 2019, an Amendment to Subdivision Improvements Agreement was approved by the City Manager pursuant to Section 6 of the ORIGINAL AGREEMENT, extending the deadline for completion to December 18, 2019 (not more than six (6) months) at her reasonable discretion and determination that granting the extension will not be detrimental to the public welfare. This Amendment was recorded on October 30, 2019 with the Santa Clara County Recorder as document number 24316601.
6. Pursuant to Section 17.32.270 of the Morgan Hill Municipal Code (Chapter 17.32, Improvements and Improvement Agreements), the completion date may further be extended by the City Council upon written request by the SUBDIVIDER not less than thirty days prior to expiration of the subdivision improvement agreement and the submittal of adequate evidence to justify the extension.
7. On October 10, 2019, the SUBDIVIDER submitted a written request to extend the deadline by an additional eighteen (18) months (no later than June 18, 2021) to complete the public improvements due to delays in obtaining a construction loan and expiration of permits due to the change in ownership.
8. On November 20, 2019, the City Council approved a Second Amendment to Subdivision Improvements Agreement pursuant to Morgan Hill Municipal Code Section 17.32.270, extending the deadline for completion an additional eighteen (18) months. This Amendment was recorded on December 4, 2019 with the Santa Clara County Recorder as document number 24347154.
9. On May 13, 2021, the SUBDIVIDER submitted a written request to extend the deadline by an additional eighteen (18) months (no later than December 18, 2022) due to the effects of the COVID-19 pandemic, which includes labor shortages and national economic uncertainties.
10. The City Council deemed that the extension of the deadline by an additional eighteen (18) months is necessary to allow the SUBDIVIDER to continue working on the project's building permit submittal that is currently under review by the CITY.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. All terms and conditions of the ORIGINAL AGREEMENT, as assigned and amended shall remain in full force and effect, except that the following amendments shall be made as set forth below.

The first paragraph of Section 6 of the ORIGINAL AGREEMENT is amended to read as follows:

Section 6. Timing of Performance

Subdivider agrees to perform and complete all Improvements within Sixty (60) months from the date of the recording of the Final Map. The Subdivider may request the City Council to further extend the deadline for completion upon written request by the Subdivider and the submittal of adequate evidence to justify the extension.

2. Those individuals who are signing this THIRD AMENDMENT 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 THIRD AMENDMENT.

IN WITNESS THEREOF, the parties have executed this THIRD AMENDMENT on the day and year shown below.

ATTEST:

CITY OF MORGAN HILL

By:

By:

Michelle Bigelow, City Clerk

Christina J. Turner, City Manager

Date:

Date:

APPROVED AS TO FORM:

"Subdivider"

By:

Nordstrom Cal Homes, LLC

Donald A. Larkin, City Attorney

Date:

By:



Jenny Huang, Manager

Date:

5/21/2021

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

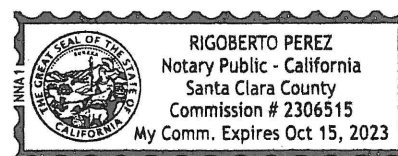
State of **California**
County of **Santa Clara**

On 21 May 2021, before me, Rigoberto Perez a Notary Public in and for said _____ County _____ and _____ State, personally appeared Jenny Huang proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

[Signature]
SIGNATURE OF NOTARY PUBLIC



(ABOVE AREA FOR NOTARY SEAL)

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

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

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

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

WITNESS my hand and official seal.

SIGNATURE OF NOTARY PUBLIC

(ABOVE AREA FOR NOTARY SEAL)



CITY COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

PREPARED BY: Ray Ramos, Administrative Sergeant
APPROVED BY: City Manager

APPROVE PURCHASE OF THREE POLICE VEHICLES AND TWO POLICE MOTORCYCLES

RECOMMENDATION(S)

1. Approve the purchase and build out of three vehicles from Priority 1 Public Safety Equipment and two motorcycles from BMW of Long Beach for a total amount not to exceed \$395,502;
2. Authorize the City Manager to approve the purchases with Priority 1 Public Safety Equipment Installation, Inc. and Long Beach BMW; and
3. Authorize the auction of 2006 Ford Van F350-Transport Van #122 and 2003 Ford F250 Truck ASO truck #147 as necessary following their temporary use assignments.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety

2020-2021 Strategic Priorities

Fiscal Sustainability

GUIDING DOCUMENTS

Public Safety Master Plan

REPORT NARRATIVE:

Police Fleet Background

The Police Department operates a vehicle fleet program to ensure safe and operational vehicles. Each vehicle has a replacement date of approximately six to ten years, depending on the type of vehicle and its assignment. The Police Department's Vehicle Replacement Plan allows the City to financially plan for scheduled vehicle purchases to maintain safe and operational police vehicles for patrol officers, detectives, and civilian members of the Department.

The following are scheduled for replacement:

Vehicle #144 (2013 Ford Interceptor) Patrol Car

The replacement of patrol vehicle #144 has been deferred from last year (since 2020) to this year due to low mileage and good condition of the vehicle. Staff recommends repurposing the existing, 2013 Ford Interceptor (vehicle #144) as a pool car, supplementing the patrol fleet for use when vehicles are being serviced or repaired.

Vehicle #122 (2006 Ford Van F350) Prisoner Transport

The 2006 Ford Van F-350 used for transporting prisoners has been deferred since 2016 because of its good condition, however, there are increasing repair costs associated to the vehicle and it is now at the end of its life cycle with over 116,250 miles. Staff recommends selling the 2003 Ford-250 Utility vehicle at auction.

Vehicle #147 (2003 Ford F250 Truck) Animal Services

The 2003 Ford -250 Utility has also been deferred since 2013, because of its good condition, however, there are increasing repair costs associated to the vehicle and it is also at the end of its life cycle with 95,704 miles and 18 years of regular use. Staff recommends selling the 2003 Ford-250 Utility vehicle at auction.

Motorcycle #148 and #149 (2016 Honda Motorcycle)

Staff recommends purchasing two new BMW motorcycles for use by the two traffic officers. The traffic officers currently use two 2016 Honda motorcycles. However, the Police Department has received a "Warning Advisory" from Honda indicating that any modifications to Honda motorcycles, including installation of police equipment or attachments can adversely affect the safety of the rider, the performance, handling, and stability of the motorcycle. A Traffic Officer is one of the most dangerous positions within the Department due to the exposure to other vehicles on the roadway and is less visible to motorists. Because these factors can put the officers' lives in significant jeopardy, staff recommends replacing the two Honda motorcycles with two new BMW motorcycles. The Honda motorcycles will be repurposed only as training motorcycles. With the acquisition of the two new BMWs, staff recommends repurposing the two 2016 Honda motorcycles (#148 and #149) for training.

There are sufficient funds for the purchase of the 2022 Ford Interceptor, 2022 Ford Transit Van and 2022 Ford F250 Animal Services Truck as well as the two motorcycles within in the Vehicle Replacement Fund (VRF).

Existing Vehicles	Mileage	Replacement Vehicles
2013 Ford Interceptor – Patrol car # 144	81,309	2022 Ford Interceptor Utility
2016 Honda Motorcycle # 148	54,449	2021 BMW Motorcycle
2016 Honda Motorcycle # 149	24,940	2021 BMW Motorcycle
2006 Ford Van F350 – Transport Van # 122	116,250	2022 Ford Transit Van
2003 Ford F250 Truck – ASO truck #147	95,704	2022 Ford F250 Truck

The Police Department recommends purchasing the 2022 Ford Interceptor Utility Vehicle, 2022 Ford Transit Van and 2022 Ford F250 through third-party dealer, Priority 1 Public Safety Equipment Installation Inc., who will purchase the vehicles from Towne Ford in Redwood City California.

Staff also recommends purchasing the two 2021 BMW motorcycles from Long Beach BMW Motorcycles.

All the purchases are competitive government bid prices pursuant to Morgan Hill Municipal Code ("MHMC") Sections 3.04.150(2) and 3.04.180.

The Ford Store of Morgan Hill is unable to order Police Interceptors from the Ford factory and there are no local vendors that supply a Police Package Ford Police Interceptor Utility. Purchasing a base vehicle and making after-market changes to equip the vehicle with a Police Package is not cost effective. The Police Department has purchased fourteen fleet vehicles in recent years through Priority 1 and one motorcycle from Long Beach BMW; both companies have provided good customer service and delivered the vehicles within budget and on time.

COMMUNITY ENGAGEMENT: Inform

This staff report serves to inform the community about the recommended purchases of the new police vehicles and motorcycles.

ALTERNATIVE ACTIONS:

Should the Council choose not to approve the purchase and replacement of the 2013 Ford Interceptor #144, 2016 Honda Motorcycle # 148, 2016 Honda Motorcycle # 149 2006 Ford F350 Transport Van # 122 and 2003 Ford F250 Utility ASO truck #147, the Police Department fleet will continue to maintain older vehicles, which will be costly, and the Department will not have the adequate number of safe and operational vehicles and motorcycles required for the patrol and traffic divisions.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The Council has previously authorized the use of Long Beach BMW for the purchase and build-out of a police motorcycle in 2019 and Priority 1 for the purchase and build-out of multiple police vehicles in 2016 through 2020.

FISCAL AND RESOURCE IMPACT:

There are sufficient funds in the VRF (Fund 790) for the purchase of these five vehicles.

The competitive government bid prices do not include the total vehicle/motorcycle build-out. The build-out cost of safety and communication equipment includes special orders, tax, lights, sirens, control modules, radio installation, rifle racks, computers, cargo boxes, animal services body and police decals. During the build-out there are inevitably some changes and adjustments that need to be made. As such, staff recommends a 10% contingency plan for each vehicle authorized to be purchased.

All proceeds from the vehicles (#122 and #147) sold in auction will go directly back to the Vehicle Replacement Fund (790).

Build-Out 2022 Ford Interceptor	Cost
Ford Interceptor Utility (replacing #144)	\$42,770
Emergency System Build-out/ Decals	\$26,542
Sales Tax	\$6,216

10% Contingency Plan	\$7,552
Total Cost	\$83,080

Build-Out 2022 Ford Transit Van	Cost
2022 Ford Transit Van (replacing #122)	\$39,750
Emergency System Build-out/ Decals	\$42,903
Sales Tax	\$7,439
10% Contingency Plan	\$9,009
Total Cost	\$99,101

Build-Out 2022 Ford F-250 ASO	Cost
Ford F-250 Truck (replacing #147)	\$30,450
Emergency System Build-out/ Decals	\$62,852
Sales Tax	\$8,350
10% Contingency Plan	\$10,165
Total Cost	\$111,817

Build-Out 2021 BMW Motorcycle	Cost
BMW Motorcycle R 1250 RT-P (Replacing #148 & #149)	\$25,972
Emergency System Build-out/ Decals	\$9,486
Sales Tax	\$3,191
Tire/CRV/Shipping	\$334
Motorola Police Radio	\$7,155
10% Contingency Plan	\$4,614
Total Cost - EACH	\$50,752

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

Not a project: The purchase of vehicles does not constitute a project as defined in Section 15378 of the State CEQA guidelines as the purchase is an administrative activity that will not result in physical environmental impacts.

LINKS/ATTACHMENTS:

1. Quote for ASO Truck
2. Quote for Ford Utility Patrol Vehicle
3. Quote for BMW
4. Quote for (2) motorcycle radios
5. Quote Van w cameras



Priority 1 Public Safety Equipment Installation Inc.

425 Harbor Blvd. #6
Belmont, CA 94002-4048
TEL: (650) 654-9900
FAX: (650) 654-9947

Estimate

Date	Estimate #
5/13/2021	3097

Name / Address
City of Morgan Hill 100 Edes Ct Morgan Hill, CA 95037

Attention
Sgt. Ramirez Jason Lorenzo

Vehicle#	Terms	Rep
Animal Control	Net 30	Marc

Item	Description	Qty	Total
X2A	2022 Ford F-250 4X2 S/C 164" Wheelbase with the following options: (Z1) Oxford White, (A) VNYL 40/20/40 Seat, (S) Medium Earth Interior, (600A) Equipment Group, (572) Dual Zone AC, (996) 6.2L V8 Engine, (X37) 3.73 Reg Axle, (90L) Power Group, (66D) PU Box Delete, (18B) Plat Running Board, (43B) Rear Defrost, (512) Spare Tire/Whl2, (52B) Brake Controller, (60C) Lane Warning, (63R) RR Stab W/AUX, (66S) Upfitter Switches, (67D) 200/240 AMP ALT, (872) RR Cam & Prep, (924) Privacy Glass,	1	30,450.00T
Tire Fee	Ca. Tire Tax Fee	1	8.75T
Misc	Diamond Truck Body (Estimate #20441)	1	42,365.00T
PRI-KIT	Wire harness-Relays, diodes, connectors, hardware etc.	1	650.00T
2150A	Whelen headlight flasher	1	60.00T
M8S211110-C	Data911 M8 System, Core I7 Processor, 16GB RAM, WIFI, 12.1 Standard Touchscreen (1699 MIT) Display, Std Keyboard, 36 Month Warranty, 120GB SSD, Windows 10 Pro.	1	7,350.00T
21TRPL52MC	Code 3 2100 TR Multi-Color Amber/White lighrbar with amber arrowstick	1	2,150.00T
Z3	Code 3 Z3 siren controller, without siren functions working	1	862.50T
CC-F-TMC-711	Troy 18" console, 7" sloped with 11" level	1	440.95T
AC-F150-15-MNT	Troy floor mount for 2017 F-150 where factory center console is removed.	1	158.00T
UNI SPOT	Unity spotlight with mounting bracket for F-250 (Driver Side)	1	285.00T
Subtotal			
Sales Tax (9.0%)			
Total			

Attachment: Quote for ASO Truck (3104 : Approve the purchase of three vehicles and two motorcycles)



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Estimate

Date	Estimate #
5/13/2021	3097

Name / Address
City of Morgan Hill 100 Edes Ct Morgan Hill, CA 95037

Attention
Sgt. Ramirez Jason Lorenzo

Vehicle#	Terms	Rep
Animal Control	Net 30	Marc

Item	Description	Qty	Total
TM-5502UBD-UNIB-E	HINT Mount for Ford F-250 for Data911. Includes Display Holder	1	645.00T
EMPS2STS4F	Sounfoff MPower Amber / White post mount (grille) (rear bumper)	4	492.00T
Misc	Tremco Ignition Security System	1	155.00T
Decals	Morgan Hill Police Vehicle Graphics	1	380.00T
PDU-8S	Power Management System	1	263.25T
C3100U	Code 3 100w siren speaker with universal mounting bracket	1	181.65T
AC-INTBH-G	Troy internal cup holders with rubber grommets.	1	46.80T
AC-SIDE-ARM-6	Troy Armrest	1	76.15T
L3-AP1-SET	Troy 12V power outlet with black cap	1	10.20T
MMSU1	Magnetic mic clip kit.	2	66.00T
14152532	Blue Sea dual USB socket with cover	1	33.00T
ASFC-155-U2-821	Panorama flexi 152-821 meg antenna	1	67.00T
C23F-1MP	Antenna	1	19.75T
C74-FP-6-SMAP	Sharkee GPS cable SMA male	1	19.05T
DPX-210-270	Panorama VHF UHF diplexer	1	264.00T
GPSB	Panorama 4 element antenna	1	203.75T
Labor	Install vehicle graphics	1	225.00
Labor	Drill 'A' Pillar hole and install driver side spotlight	1	300.00
Labor	Install emergency lighting equipment, lighting controller, radio, computer and wire arrowstick and scene lights installed by Diamond Truck.1	1	4,400.00T
Misc	pick up and delivery to Diamond Truck for install	1	500.00T
Subtotal			
Sales Tax (9.0%)			
Total			

Attachment: Quote for ASO Truck (3104 : Approve the purchase of three vehicles and two motorcycles)



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Estimate

Date	Estimate #
5/13/2021	3097

Name / Address
City of Morgan Hill 100 Edes Ct Morgan Hill, CA 95037

Attention
Sgt. Ramirez Jason Lorenzo

Vehicle#	Terms	Rep
Animal Control	Net 30	Marc

Item	Description	Qty	Total
Freight	Freight	1	175.00T
Subtotal			\$93,302.80
Sales Tax (9.0%)			\$8,350.00
Total			\$101,652.80

Attachment: Quote for ASO Truck (3104 : Approve the purchase of three vehicles and two motorcycles)



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FAX: (650) 654-9947

Estimate

Date	Estimate #
5/17/2021	3100

Name / Address
City of Morgan Hill 100 Edes Ct Morgan Hill, CA 95037

Attention
Captain Ramos

Vehicle#	Terms	Rep
2022 Patrol	Net 30	Marc

Item	Description	Qty	Total
K8A	2022 Ford Interceptor Utility, AWD, with the following equipment: (66A) Front headlamp lighting solution, (86T) Tail Lamp/olice housing, (99C) EcoBoost Engine, (67V) Police wire harness, (43D) Dark Car Feature, (17T) Dome Light/Cargo Area, (51S) Dual LED spotlamps, (92R) Rear Solar Glass, (52P) Hidden Rear Door Plunger, (59B) Keyed Alike 1284X, (90G) Ballistic Door Panel LVL IV+, (76P) Pre-Collision Assist, (76R) Reverse Sensing, (60R) Noise Suppression Bonds.	1	42,770.00T
Tire Fee	Ca. Tire Tax Fee	1	8.75T
PRI-KIT	Wire harness-Relays, diodes, connectors, hardware etc.	1	650.00T
27.1.20	27 Circuit Power Distribution Center	1	620.00T
Z3	Code 3 Z3 siren controller	1	862.50T
C3100U	Code 3 100w siren speaker with universal mounting bracket	1	181.65T
21TRPL47MC	Code 3 21TR Multi-Color Red/Wht driver side and Blue/Wht passenger side and Red/Amber and Blue/Amber arrowstick	1	2,050.00T
BK0534ITU20	Setina PB400 pushbumper	1	358.21T
FK0400ITU20	Setina Fender Wraps for PB400 Pushbumpers for 2020 Poilce Interceptor Utility	1	410.00T
MCRNTJ	Whelen micron snap in grill light split red/blue	2	252.72T
VTX609R	Whelen Vertex Hide-a-way super L.E.D, Red	1	109.35T
VTX609B	Whelen Vertex Hide-a-way super L.E.D, Blue	1	109.35T
ENT2B3-J	Sound Off under mirror intersector light red/blue	2	338.00T
Misc	Sound Off under mirror adapters	2	40.00T
Subtotal			
Sales Tax (9.0%)			
Total			

Attachment: Quote for Ford Utility Patrol Vehicle (3104 : Approve the purchase of three vehicles and two motorcycles)



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Estimate

Date	Estimate #
5/17/2021	3100

Name / Address
City of Morgan Hill 100 Edes Ct Morgan Hill, CA 95037

Attention
Captain Ramos

Vehicle#	Terms	Rep
2022 Patrol	Net 30	Marc

Item	Description	Qty	Total
GK10301S1USSCA	T-Rail dual gun mount with 1 universal and 1 shotgun. With Handcuff Key Override	1	377.05T
PK0374ITU20TM	Setina #6VS RP Coated Polycarbonate, Recessed Panel Partition (tall man)	1	718.00T
WK0040ITU20	Setina Window Barrier VS 3-Piece Set, Side Windows & Rear Hatch. Rear Cardo Compartment	1	338.00T
QK0634ITU20	Setina full replacement hard seat with center pull seatbelt system.	1	1,295.00T
WK0595ITU20	Setina Window Barrier VS Polycarbonate	1	260.00T
CC-UV-L-20	Troy L shaped console for Ford Utility	1	400.95T
AC-INBHG	4 Inch Cup Holder	1	43.00T
L3-APISET	Troy DC outlet plug with black caps	1	10.92T
14152532	Blue Sea dual USB socket with cover	1	33.00T
MMSU1	Magnetic mic clip kit.	2	66.00T
TM-5502-PIU-20	HINT Mount for Data911 for 2020 Ford PIU. Includes Display Holder	1	605.00T
ASFC-155-U2-821	Panorama flexi 152-821 meg antenna	1	67.00T
C23F-1MP	Panorama CS23FME-MPL	1	19.75T
C74-FP-6-SMAP	Sharkee GPS cable SMA male	1	19.05T
APG500-Q-BL	GPS Low Profile Antenna, USB Connector	1	285.00T
GPSB	Panorama 4 element antenna	1	203.75T
INV-FF-ELETRAY-I...	False Floor with Electronics Tray W/Wings Polyurea Finish for 2020 Utility	1	650.00T
INV-FF-BIRCHBOA...	Birch board for false floor	1	40.00T
Subtotal			
Sales Tax (9.0%)			
Total			

Attachment: Quote for Ford Utility Patrol Vehicle (3104 : Approve the purchase of three vehicles and two motorcycles)



Priority 1 Public Safety Equipment Installation Inc.

425 Harbor Blvd. #6
Belmont, CA 94002-4048
TEL: (650) 654-9900
FAX: (650) 654-9947

Estimate

Date	Estimate #
5/17/2021	3100

Name / Address
City of Morgan Hill 100 Edes Ct Morgan Hill, CA 95037

Attention
Captain Ramos

Vehicle#	Terms	Rep
2022 Patrol	Net 30	Marc

Item	Description	Qty	Total
933-0683A	D&R Single Drawer Cabinet Used with Laguna Ready Buckle Seat System	1	1,400.00T
CM-732	Custom upper D&R Bar	1	125.00T
Misc	Tremco Ignition Security System	1	155.00T
Misc	Morgan Hill PD Graphics	1	400.00T
M8S@11110-C	Data911 M8 System, Core I7 Processor, 16GB RAM, WIFI, , 12.1 Standard Touchscreen, (1600 NIT) Display, Std Keyboard, 36 Month Warranty, 120GB SSD, Windows 10 Pro.	1	7,350.00T
Paint	Paint two front doors and roof white	1	1,200.00T
Labor	Install PD vehicle graphics	1	250.00
Labor	Install and wire emergency equipment, radio, computer and gunlock system	1	4,000.00T
Freight	Freight	1	240.00T
Subtotal			\$69,312.00
Sales Tax (9.0%)			\$6,215.58
Total			\$75,527.58

Attachment: Quote for Ford Utility Patrol Vehicle (3104 : Approve the purchase of three vehicles and two motorcycles)

LONG BEACH
BMW MOTORCYCLES

2125 E. Spring St. Long Beach CA 90806 / 562-426-1200

City of Morgan Hill

Quote

5/20/2021

LA County Sheriff Order: PO-SH-21009529-1

2021 BMW R 1250 RT-P	\$ 27,984.85
Delete Setcom communication system	\$ (1,397.50)
Delete Shotgun Mount	\$ (615.00)
Shift Assist Pro (Dealer installed)	\$ 825.00
Ride Modes Pro (Dealer Installed)	\$ 375.60
ClearWater Darla Safety lights	\$ 949.00
Saddlebad LED lights	\$ 144.00
Rifle Rack	\$ 767.00
Install Dealer supplied Stalker 2X	\$ 4,595.00
PVP Bluetooth Motor Kit	\$ 895.00
Install Agency supplied radio	\$ 600.00
Misc Radio/Radar installation parts	\$ 250.00
Doc fee	\$ 85.00
Sub Total	\$ 35,457.95
Sales Tax 9.00%	\$ 3,191.22
Tire Fee	\$ 3.50
CVR Fee	\$ 30.00
Shipping	\$ 300.00
Grand Total OTD	\$ 38,982.67



Charles Berthon

Attachment: Quote for BMW (3104 : Approve the purchase of three vehicles and two motorcycles)

Quote Number: QUOTE-14
MORGAN HILL POLICE DEPT, C

Billing Address:
MORGAN HILL POLICE DEPT, CITY OF
17575 PEAK AVE
MORGAN HILL CA, 95037

Quote Name: APX8500 Motorcycle 051721
Quote Date: 2021-05-17
Expiration Date: 2021-08-15
Contract Name: 36144 - SVRCS

Quote Created By:
Jeff Van Dell

Jeff.Van.Dell@motorolasolutions.com

Customer:
MORGAN HILL POLICE DEPT, CITY OF
Mario Ramirez
mario.ramirez@morganhill.ca.gov
408-779-2101

Terms and Conditions: SVRCS

Line #	Item Number	Description	Quantity	Unit List Price	Ext. List Price	Discount %	Discount \$	Unit Sale Price	*Encryption Promotion	Ext. Sale Price	APC
	APX™ 8500										
1	M37TSS9PW1AN	APX8500 ALL BAND MP MOBILE	2	\$4,770.00	\$9,540.00	27.00%	\$1,287.90	\$3,482.10		\$6,964.20	0681
1a	GA00250AB	ADD: MOTORCYCLE WIFI/GNSS	2	\$100.00	\$200.00	27.00%	\$27.00	\$73.00		\$146.00	0681
1b	GA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00		\$0.00	0681
1c	G996AS	ENH: OVER THE AIR PROVISIONING	2	\$100.00	\$200.00	27.00%	\$27.00	\$73.00		\$146.00	0656
1d	GA00580AA	ADD: TDMA OPERATION	2	\$450.00	\$900.00	27.00%	\$121.50	\$328.50		\$657.00	0656
1e	G51AT	ENH:SMARTZONE	2	\$1,500.00	\$3,000.00	27.00%	\$405.00	\$1,095.00		\$2,190.00	0656
1f	G78AT	ENH: 3 YEAR ESSENTIAL SVC	2	\$176.40	\$352.80	0.00%	\$0.00	\$176.40		\$352.80	0185
1g	GA05509AA	DEL: DELETE UHF BAND	2	-\$800.00	-\$1,600.00	27.00%	-\$216.00	-\$584.00		-\$1,168.00	0681
1h	GA09001AA	ADD: WI-FI CAPABILITY	2	\$300.00	\$600.00	27.00%	\$81.00	\$219.00		\$438.00	0681
1i	B18CS	ADD: AUXILIARY SPKR SPEC MCYCL APX	2	\$60.00	\$120.00	27.00%	\$16.20	\$43.80		\$87.60	0656
1j	GA00512AB	ADD: ANT MTCL 1/4 WAVE WHIP 150.8-162	2	\$50.00	\$100.00	27.00%	\$13.50	\$36.50		\$73.00	0681
1k	GB43AH	ADD: AES ENCRYPTION AND ADP	2	\$475.00	\$950.00	27.00%	\$128.25	\$346.75	\$0.00	\$0.00	0656
1l	G138AC	ADD: APX7500 MOTORCYCLE CH SFWR O5	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00		\$0.00	0656
1m	W620AE	ADD:NO MTRCYCLE ENCL NEEDED APX	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00		\$0.00	0656
1n	G444AH	ADD: APX CONTROL HEAD SOFTWARE	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00		\$0.00	0656
1o	GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	2	\$0.00	\$0.00	0.00%	\$0.00	\$0.00		\$0.00	0681
1p	G806BL	ENH: ASTRO DIGITAL CAI OP APX	2	\$515.00	\$1,030.00	27.00%	\$139.05	\$375.95		\$751.90	0681
1q	W22BB	ADD: STD PALM MICROPHONE APEX	2	\$72.00	\$144.00	27.00%	\$19.44	\$52.56		\$105.12	0656
1r	G174AG	ADD: ANT 3DB LOWPRO MCYC 762-870	2	\$43.00	\$86.00	27.00%	\$11.61	\$31.39		\$62.78	0681
1s	G361AH	ENH: P25 TRUNKING SOFTWARE APX	2	\$300.00	\$600.00	27.00%	\$81.00	\$219.00		\$438.00	0656
1t	G298AS	ENH: ASTRO 25 OTAR W/ MULTIKEY	2	\$740.00	\$1,480.00	27.00%	\$199.80	\$540.20	\$370.00	\$370.00	0656
1u	G67EJ	ADD: E5 REMOTE MOUNT MOTORCYCLE	2	\$400.00	\$800.00	27.00%	\$108.00	\$292.00		\$584.00	0656
1v	GA01670AA	ADD: APX E5 CONTROL HEAD	2	\$572.00	\$1,144.00	27.00%	\$154.44	\$417.56		\$835.12	0681

Net Total \$13,033.52
Estimated Tax @ 9% \$1,173.02
Estimated Freight \$104.27
Grand Total \$14,310.80

*Encryption promotion valid until August 15

Attachment: Quote for (2) motorcycle radios [Revision 1] (3104 : Approve the purchase of three vehicles and two motorcycles)



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Estimate

Date	Estimate #
5/26/2021	2914

Name / Address
City of Morgan Hill 100 Edes Ct Morgan Hill, CA 95037

Attention
Captain Ramirez

Vehicle#	Terms	Rep
Low Roof Transit	Net 30	Marc

Item	Description	Qty	Total
W1Y	2022 Ford Transit Van, Low Roof, 148" Wheel Base, 9500 GVWR	1	39,750.00T
PRI-KIT	Wire harness-Relays, diodes, connectors, hardware etc.	1	850.00T
PDU-8S	Power Management System	1	263.25T
C3100U	Code 3 100w siren speaker with universal mounting bracket	1	181.65T
2150A	Whelen headlight flasher	1	60.00T
EMPS2STS3R	Sound Off Mpower red stud mount (windshield & grille)	3	369.00T
EMPS2STS3B	Sound Off Mpower blue stud mount (windshield & grille)	3	369.00T
PMP2WSDDDB	Sound Off dual windshield shroud for Mpower lights	2	44.00T
Z3	Code 3 Z3 siren controller	1	862.50T
C-1800	Havis Shield 18" console	1	260.60T
EMPS2STS3R	Sound Off Mpower red stud mount (over wheels)	2	246.00T
EMPS2STS3B	Sound Off Mpower blue stud mount (over wheels)	2	246.00T
ELUC3H010 R	Sound Off Hide-a-Way L.E.D, RED (brake light area)	2	160.00T
ELUC3H010 B	Sound Off Hide-a-Way L.E.D, BLUE (brake light area)	2	160.00T
EMPS2STS4D	Sound Off Mpower red/white stud mount (rear bumper)	1	123.00T
EMPS2STS4E	Sound Off Mpower blue/white stud mount (rear bumper)	1	123.00T
PT-F05-120-3	Havis Prisoner Transport Insert for 2022. Ford Transit Low Roof Long Length 148" Wheel Base Cargo Van	1	17,235.00T
PT-A-503	Havis Ford Transit Prisoner Transport vent adaptor kit	1	590.00T
PT-A-504	Havis Prisoner Transport option to be used with PT-A-503 vent adaptor kit	1	137.00T
PT-A-505	Prisoner Transport option to be used with PT-A-503 vent adaptor kit	1	192.00T
Subtotal			
Sales Tax (9.0%)			
Total			

Attachment: Quote Van w cameras (3104 : Approve the purchase of three vehicles and two motorcycles)



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Estimate

Date	Estimate #
5/26/2021	2914

Name / Address
City of Morgan Hill 100 Edes Ct Morgan Hill, CA 95037

Attention
Captain Ramirez

Vehicle#	Terms	Rep
Low Roof Transit	Net 30	Marc

Item	Description	Qty	Total
PT-A-506	Havis Prisoner Transpot option to be used with PT-A-503 vent adaptor kit	1	240.00T
EL3D12A10 J	Sound Off 12 lamp arrowstick with R/B on ends (external mount)	1	746.15T
ETSWDAS01	Sound Off arrow stick controller	1	103.00T
PT-A-603	Havis Prisoner Transport 3 camera video system option	1	3,500.00T
PT-A-608	Havis Prisoner Transport Digital Recorder for 3 Camera System	1	2,667.00T
Paint	Paint front doors and roof white	1	2,000.00T
Freight	Freight	1	1,675.00T
Labor	Install and wire emergency equipment, prisoner transport system, air conditioning vent and adapter kit for rear prisoner areas.	1	9,500.00T
Subtotal			\$82,653.15
Sales Tax (9.0%)			\$7,438.78
Total			\$90,091.93

Attachment: Quote Van w cameras (3104 : Approve the purchase of three vehicles and two motorcycles)



CITY COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

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

APPROVE SEVENTH AMENDMENT TO CENTENNIAL RECREATION CENTER PARTNERSHIP AGREEMENT WITH THE YMCA OF SILICON VALLEY

RECOMMENDATION(S)

Authorize the City Manager to execute a seventh amendment to the Centennial Recreation Center Operating Agreement with the YMCA of Silicon Valley.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Supporting Our Youth
Seniors
and Entire Community

2020-2021 Strategic Priorities

Fiscal Sustainability

GUIDING DOCUMENTS

Bikeways
Trails
Parks
and Recreation Masterplan

REPORT NARRATIVE:

The City partners with the YMCA of Silicon Valley for operations of the Centennial Recreation Center (CRC). This partnership was started prior to the opening of the CRC in 2006 and has endured for the last 15 years. Both the YMCA and the City continue to identify opportunities to better partner and the flexible contract framework has allowed the City and YMCA to adjust responsibilities for CRC operations over the years.

This proposed Seventh Amendment will provide for the partnership continuing for another five years. Previously, the City and YMCA had shared in a risk/reward scenario based on both expenses and revenues associated with operating the CRC. With the closure of the CRC due to the Covid 19 Pandemic the partnership was turned on its head financially. The City and YMCA approved an amendment to the agreement in 2020 that eliminated the risk/reward function for the YMCA. The proposed Seventh Amendment continues this. City staff and the YMCA agree there is enough incentive to support revenue generation and expense savings without the financial risk/reward component in the agreement. The YMCA has demonstrated commitment to this over the last year of operations through the pandemic, where they have worked with City teammates to vastly reduce expenses, while supporting reopening the CRC during Covid conditions. For services provided at the CRC, the YMCA will be reimbursed for

direct expenses plus 18% for overhead and administration up to the amount budgeted by the City.

The YMCA of Silicon Valley has been a long-standing partner with the City of Morgan Hill and is experiencing significant financial hurdles in recovering from the Covid 19 Pandemic. This amendment will support the ongoing partnership of the City and YMCA during these difficult times and serves as the foundation for the CRC to operate post-pandemic.

COMMUNITY ENGAGEMENT: Not Applicable

No community engagement has occurred for this item, as the amendment was negotiated between the City and YMCA staff.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council approved the original agreement with the YMCA for operating the CRC in 2006. The Council has approved amending the agreement six times previously, including two 5-year extensions on the term of the agreement.

FISCAL AND RESOURCE IMPACT:

Under the proposed amendment there will be no risk/reward payment. For Fiscal Year (FY) 2021-22, the approved budget for the YMCA operations totals \$1,238,805. Future payments to the YMCA will be determined through the annual budget process. The majority of this expense will be offset by revenue generated from the CRC.

CEQA (California Environmental Quality Act): Not a Project

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

LINKS/ATTACHMENTS:

1. CRC 7th Amendment

**SEVENTH AMENDMENT TO THE
CITY OF MORGAN HILL AND YMCA
COMMUNITY RECREATION CENTER OPERATING AGREEMENT**

This SEVENTH AMENDMENT TO AGREEMENT is made this ____ day of _____, 20__, by THE CITY OF MORGAN HILL, a municipal corporation ("CITY"), and YMCA OF SILICON VALLEY, formerly known as YMCA of Santa Clara Valley, a California Non Profit Corporation ("YMCA"), for operation of the Centennial Recreation Center ("CRC") located at 171 West Edmundson Avenue, Morgan Hill, California.

WHEREAS, CITY and YMCA entered into the Original Community Recreation Center Operating Agreement ("Original Agreement") made as of June 29, 2006 for operating the CRC.

WHEREAS, CITY and YMCA believe that membership reciprocity between the Centennial Recreation Center and the branches of YMCA will provide an equal benefit to Morgan Hill residents who are members of the CRC desiring to use other YMCA branch facilities and YMCA members desiring to use the CRC.

WHEREAS, CITY and YMCA entered into the First Addendum to the Original Agreement on October 5, 2010 ("First Addendum").

WHEREAS, CITY and YMCA entered into the Second Addendum to the Original Agreement on December 23, 2015 ("Second Addendum").

WHEREAS, CITY and YMCA entered into the Third Amendment to the Original Agreement on April 4, 2016 ("Third Amendment").

WHEREAS, CITY and YMCA entered into the Fourth Amendment to the Original Agreement on September 21, 2016 ("Fourth Amendment").

WHEREAS, CITY and YMCA entered into the Fifth Amendment to the Original Agreement on December 22, 2016 ("Fifth Amendment") and a Side Letter on March 8, 2018.

WHEREAS, CITY and YMCA entered into the Sixth Amendment to the Original Agreement on June 27, 2020.

The Original Agreement, First Addendum, Second Addendum, Third Amendment, Fourth Amendment, Fifth Amendment, Side Letter and Sixth Amendment are attached collectively hereto as **Exhibit A** and are incorporated herein by this reference.

WHEREAS, CITY and YMCA desire to extend and make further modifications to the Original Agreement.

THEREFORE THE PARTIES MUTUALLY AGREE AS FOLLOWS:

Attachment: CRC 7th Amendment [Revision 1] (3120 : Seventh Amendment to CRC Partnership Agreement with the YMCA)

Amendments: All terms and conditions of the Original Agreement, as amended, as attached as Exhibit A, shall remain in full force and effect; except that the following amendments shall be made as set forth below:

1. Paragraph 2.1 shall be amended and replaced in its entirety by the following:

The term of this Agreement shall terminate June 30, 2026 unless earlier terminated by either party as provided in Section 2 or extended as provided in Section 2.3.

2. Paragraph 5.5 shall be amended and replaced in its entirety by the following:

As part of the annual budget and work plan adoption process, the parties will agree on a method for separately accounting for fee based activities (health and fitness, aquatics facility operations) and non-fee based activities. There shall be no annual reconciliation process associated with profit sharing. The City shall pay the YMCA for direct costs and administrative overhead up to the amount approved in the annual budget. The Administrative overhead rate utilized in the annual budget for the YMCA shall be 18%.

3. Paragraph 18.2 shall be amended and replaced in its entirety by the following:

The Parties agree that the membership reciprocity arrangement as outlined in Section 18 assumes equal use of YMCA facilities by CRC members and vice versa. Additionally, any YMCA member who regularly uses the CRC more than ten times per month and more than his or her home YMCA will be asked to transfer membership to the CRC. Any CRC member regularly using a specific YMCA more than ten times per month and more than the CRC will be asked to transfer membership to the YMCA. All reciprocal use of the CRC and YSV locations and Reciprocal YMCAs will be tracked by the YMCA. The YMCA and City will share use numbers reciprocally by the tenth day of July and January each year.

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TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS
(1) CHAIRPERSON OF THE BOARD PRESIDENT OR VICE PRESIDENT AND
(2) SECRETARY ASSISTANT SECRETARY CHIEF FINANCIAL OFFICER OR
ASSISTANT TREASURER

ATTEST:

CITY OF MORGAN HILL

City Clerk/Deputy City Clerk

City Manager

Michelle Bigelow
Print Name

Christina Turner
Print Name

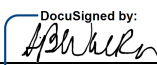
Date: _____

Date: _____

APPROVED AS TO FORM:

YMCA of Silicon Valley

City Attorney

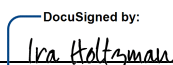
DocuSigned by:

By: C602F1AFC66742A...

Donald Larkin
Print Name

Title: Sandy walker, CEO
Print Name and Title of Signer.
If Corporate: Chairman,
President or Vice President

Date: _____

Date: 6/9/2021

DocuSigned by:

By: 605407E5E2C44D1...

Title: Ira Holtzman, CFO
Print Name and Title of Signer.
If Corporate: Secretary,
Assistant Secretary, Chief
Financial Officer or Assistant
Treasurer

Date: 6/9/2021

Attachment: CRC 7th Amendment [Revision 1] (3120 : Seventh Amendment to CRC Partnership Agreement with the YMCA)

**SIXTH AMENDMENT TO THE
CITY OF MORGAN HILL AND YMCA
COMMUNITY RECREATION CENTER OPERATING AGREEMENT**

This SIXTH AMENDMENT TO AGREEMENT is made this ____ day of ^{6/27/2020}, 20__, by THE CITY OF MORGAN HILL, a municipal corporation ("CITY"), and YMCA OF SILICON VALLEY, formerly known as YMCA of Santa Clara Valley, a California Non Profit Corporation ("YMCA"), for operation of the Centennial Recreation Center ("CRC") located at 171 West Edmundson Avenue, Morgan Hill, California.

WHEREAS, CITY and YMCA entered into the Original Community Recreation Center Operating Agreement ("Original Agreement") made as of June 29, 2006 for operating the CRC.

WHEREAS, CITY and YMCA believe that membership reciprocity between the Centennial Recreation Center and the branches of YMCA will provide an equal benefit to Morgan Hill residents who are members of the CRC desiring to use other YMCA branch facilities and YMCA members desiring to use the CRC.

WHEREAS, CITY and YMCA entered into the First Addendum to the Original Agreement on October 5, 2010 ("First Addendum").

WHEREAS, CITY and YMCA entered into the Second Addendum to the Original Agreement on December 23, 2015 ("Second Addendum").

WHEREAS, CITY and YMCA entered into the Third Amendment to the Original Agreement on April 4, 2016 ("Third Amendment").

WHEREAS, CITY and YMCA entered into the Fourth Amendment to the Original Agreement on September 21, 2016 ("Fourth Amendment").

WHEREAS, CITY and YMCA entered into the Fifth Amendment to the Original Agreement on December 22, 2016 ("Fifth Amendment") and a Side Letter on March 8, 2018. The Original Agreement, First Addendum, Second Addendum, Third Amendment, Fourth Amendment, Fifth Amendment and Side Letter are attached collectively hereto as **Exhibit A** and are incorporated herein by this reference.

WHEREAS, due to the March 16, 2020 Santa Clara County Public Health Department Order to shelter in place, the Centennial Recreation Center has been generally closed to the public.

WHEREAS, closure of the facility and associated loss of revenue was not anticipated by the City or the YMCA at the time it entered into the Original Agreement or Amendments.

WHEREAS, CITY and YMCA desire to make further modifications to the Original Agreement.

THEREFORE THE PARTIES MUTUALLY AGREE AS FOLLOWS:

Amendments: All terms and conditions of the Original Agreement, as amended, as attached as Exhibit A, shall remain in full force and effect; except that the following amendments shall be made as set forth below:

1. Paragraph 5.3 shall be amended and replaced in its entirety by the following:

The City and YMCA may agree to a mid-year budget adjustment to the CRC budget in special circumstances including but not limited to a significant unexpected expense affecting the CRC operations which could not be reasonably anticipated or controlled. For Fiscal Year 2020/21 the City and YMCA agree to update the CRC budget based on known conditions by December 31, 2020.

2. Paragraph 5.5 shall be amended and replaced in its entirety by the following:

As part of the annual budget and work plan adoption process the parties will agree on a method for separately accounting for fee based activities health and fitness, aquatics facility operations and non-fee based activities. For Fiscal Year 2019/20 and Fiscal Year 2020/21 no payments shall be made by either party in relation to net operating gain or loss.

3. Paragraph 13.2 is amended and replaced per the March 8, 2018 Side Letter in its entirety by the following:

The parties agree and will ensure that all CRC staff are trained in all safety related matters as required by law or appropriate for the services provided at the CRC. This includes tuberculosis and criminal history checks as part of pre-employment screening, and blood borne pathogens and child abuse prevention training after hire.

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TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS
(1) CHAIRPERSON OF THE BOARD PRESIDENT OR VICE PRESIDENT AND

(2) SECRETARY ASSISTANT SECRETARY CHIEF FINANCIAL OFFICER OR
ASSISTANT TREASURER

ATTEST:

DocuSigned by:
Michelle Bigelow
City Clerk/Deputy City Clerk

Michelle Bigelow
Print Name

Date: 6/29/2020

APPROVED AS TO FORM:

DocuSigned by:
Donald Larkin
City Attorney

Donald Larkin
Print Name

Date: 6/25/2020

CITY OF MORGAN HILL

DocuSigned by:
Christina Turner
City Manager

Christina Turner
Print Name

Date: 6/27/2020

YMCA of Silicon Valley

Sandra B Walker
By: Sandra B. Walker

Title: President / CEO
Print Name and Title of Signer.
If Corporate: Chairman,
President or Vice President

Date: May 12, 2020

Karla Jessup
By: Karla Jessup

Title: Chief Human Resources Officer
Print Name and Title of Signer.
If Corporate: Secretary,
Assistant Secretary, Chief
Financial Officer or Assistant
Treasurer

Date: May 12, 2020

126-04-00-003



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

March 8, 2018

YMCA of Silicon Valley
80 Saratoga Avenue
Santa Clara, CA 95051

Re: Side Letter to the Centennial Recreation Center Operating Agreement

This is a Side Letter to that Operating Agreement, including all amendments thereto (hereinafter "Agreement"), initially entered into on June 29, 2006, between the City of Morgan Hill and YMCA of Silicon Valley (collectively, referred to as "the Parties") for operation of the Centennial Recreation Center. The Parties, without waiving any rights set forth in the Agreement, agree to delete the drug testing requirement by removing it from section 13.2 to read as follows:

13.2 The parties agree and will ensure that all CRC staff are trained in all safety related matters as required by law or appropriate for the services provided at the CRC. This includes tuberculosis, ~~drug screen~~ and criminal history checks as part of pre-employment screening, and blood borne pathogens and child abuse prevention training after hire.

This Side Letter shall expire on June 30, 2021, concurrently with the expiration of the Agreement. Should the parties amend the Agreement prior to its expiration date, this Side Letter shall terminate, and the change to section 13.2 shall be incorporated into the amendment if appropriate.

This Side Letter is not intended to and does not confer any rights or obligations on either party, and all terms and conditions of the Agreement, as amended, shall remain in full force and effect except as expressly set forth above. The Side Letter is effective upon the last date signed below.

ATTEST:

fw _____
Michelle Bigelow, Deputy City Clerk

Date: 4/12/18

CITY OF MORGAN HILL

Christina J. Turner, City Manager

Date: 4/10/18

APPROVED AS TO FORM:

for _____
Donald A. Larkin, City Attorney

Date: 4-5-18

[Signatures Continued on Next Page]

Attachment: CRC 7th Amendment [Revision 1] (3120 : Seventh Amendment to CRC Partnership Agreement with the YMCA)

On behalf of YMCA of Silicon Valley, I consent to the above.
YMCA of Silicon Valley

Sandra B Walker

Title: Sandra Berlin Walker, President/CEO
Print Name and Title of Signer.

Date: March 14, 2018

126 04-04-003

**FIFTH AMENDMENT TO THE
CITY OF MORGAN HILL AND YMCA
COMMUNITY RECREATION CENTER OPERATING AGREEMENT**

This FIFTH AMENDMENT TO AGREEMENT is made this 22 day of December 2016, by THE CITY OF MORGAN HILL, a municipal corporation ("CITY"), and YMCA OF SILICON VALLEY, formerly known as YMCA of Santa Clara Valley, a California Non Profit Corporation ("YMCA"), for operation of the Centennial Recreation Center ("CRC") located at 171 West Edmundson Avenue, Morgan Hill, California.

WHEREAS, CITY and YMCA entered into the Original Community Recreation Center Operating Agreement ("Original Agreement") made as of June 29, 2006 for operating the CRC.

WHEREAS, CITY and YMCA believe that membership reciprocity between the CRC and the branches of YMCA will provide an equal benefit to Morgan Hill residents who are members of the CRC desiring to use other YMCA branch facilities and YMCA members desiring to use the CRC.

WHEREAS, CITY and YMCA entered into the First Addendum to the Original Agreement on October 5, 2010 ("First Addendum").

WHEREAS, CITY and YMCA entered into the Second Addendum to the Original Agreement on December 23, 2015 ("Second Addendum").

WHEREAS, CITY and YMCA entered into the Third Amendment to the Original Agreement on April 4, 2016 ("Third Amendment").

WHEREAS, CITY and YMCA entered into the Fourth Amendment to the Original Agreement on September 21, 2016 ("Fourth Amendment"). The Original Agreement, First Addendum, Second Addendum, Third Amendment and Fourth Amendment are attached collectively hereto as **Exhibit A** and are incorporated herein by this reference.

WHEREAS, CITY and YMCA desire to make further modifications to the Original Agreement.

THEREFORE THE PARTIES MUTUALLY AGREE AS FOLLOWS:

Amendments: All terms and conditions of the Original Agreement, as amended, as attached as Exhibit A, shall remain in full force and effect; except that the following amendments shall be made as set forth below:

1. Section 18 shall be amended and replaced in its entirety by the following:

"18. Membership Reciprocity

18.1. Effective January 1, 2017, the CRC will no longer sell YMCA Silicon Valley ("YSV") memberships. Also effective January 1, 2017, CRC memberships will include the benefit of allowing CRC members access to all YSV locations and all YMCAs that have entered into a reciprocity agreement with the YSV ("Reciprocal YMCAs"). In exchange for this benefit, the City shall allow YMCA members who purchase memberships at YSV and Reciprocal YMCA locations to access the CRC at no additional charge. Use of the City's Aquatics Center is not included as part of reciprocal use.

18.2 The Parties agree that the membership reciprocity arrangement as outlined in Section 18 assumes equal use of YMCA facilities by CRC members and vice versa. Should use patterns indicate greater use of the CRC by YMCA members than CRC member use of YMCA facilities, the YMCA shall pay the City for each net member use (calculated as YMCA member uses of the CRC minus CRC member uses of the YMCA facilities) at the current inter-branch Day Pass rate of five dollars (\$5.00) per unit per visit. Conversely, the City will not pay the YMCA should use patterns indicate greater use of YMCA facilities by CRC members than YMCA member use of the CRC. Additionally, any YMCA member who regularly uses the CRC more than ten times per month *and* more than his or her home YMCA will be asked to transfer membership to the CRC. Any CRC member regularly using a specific YMCA more than ten times per month *and* more than the CRC will be asked to transfer membership to the YMCA. All reciprocal use of the CRC and YSV locations and Reciprocal YMCAs will be tracked by the YMCA. The YMCA will share use numbers with the City by the tenth day of each month. Payments (if applicable) to the City shall be made biannually.

18.3 CRC staff may set limits on attendance or restrict use of the CRC facility or programs for YMCA members in order to provide CRC members with priority use. YMCA staff may set limits on attendance or restrict use of YSV or Reciprocal YMCA facilities or programs for CRC members in order to provide YMCA members with priority use.

18.4 Both parties will monitor use and meet to evaluate and/or modify the terms of this reciprocity arrangement by June 30, 2017. Any modifications to this Section 18 shall be in writing signed by both parties. Notwithstanding Section 11 of this Agreement, both parties have the ability to terminate the membership reciprocity provisions and all terms outlined in this Section 18 by providing written notice to the other party ninety (90) days ahead of the intended termination date.

SIGNATURES ON THE FOLLOWING PAGE

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS
(1) CHAIRPERSON OF THE BOARD PRESIDENT OR VICE PRESIDENT AND
(2) SECRETARY ASSISTANT SECRETARY CHIEF FINANCIAL OFFICER OR
ASSISTANT TREASURER

ATTEST:



City Clerk/Deputy City Clerk

for Michelle Wilson

Print Name

Date: 12/22/16

APPROVED AS TO FORM:



City Attorney

Donald Larkin

Print Name

Date: 12/20/2016

CITY OF MORGAN HILL



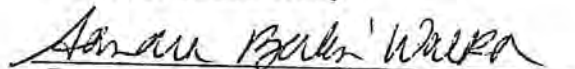
City Manager

for Steve Rymer

Print Name

Date: 12/22/16

YMCA of Silicon Valley

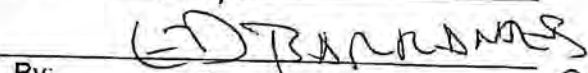


By:

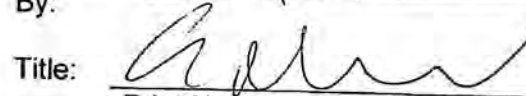
Title: President/CEO

Print Name and Title of Signer.
If Corporate: Chairman,
President or Vice President

Date: 12/16/16



By:

Title: 

Print Name and Title of Signer.
If Corporate: Secretary,
Assistant Secretary, Chief
Financial Officer or Assistant
Treasurer

Date: 12/19/2016

176-04-06-003

**FOURTH AMENDMENT TO THE
CITY OF MORGAN HILL AND YMCA
COMMUNITY RECREATION CENTER OPERATING AGREEMENT**

This FOURTH AMENDMENT TO AGREEMENT is made this 21st day of September 2016, by THE CITY OF MORGAN HILL, a municipal corporation ("CITY"), and YMCA OF SILICON VALLEY, formerly known as YMCA of Santa Clara Valley, a California Non Profit Corporation ("YMCA"), for operation of the Centennial Recreation Center ("CRC") located at 171 West Edmundson Avenue, Morgan Hill, California.

WHEREAS, CITY and YMCA entered into the Original Community Recreation Center Operating Agreement ("Original Agreement") made as of June 29, 2006 for operating the CRC.

WHEREAS, CITY and YMCA believe that membership reciprocity between the Centennial Recreation Center and the branches of YMCA will provide an equal benefit to Morgan Hill residents who are members of the CRC desiring to use other YMCA branch facilities and YMCA members desiring to use the CRC.

WHEREAS, CITY and YMCA entered into the First Addendum to the Original Agreement on October 5, 2010 ("First Addendum").

WHEREAS, CITY and YMCA entered into the Second Addendum to the Original Agreement on December 23, 2015 ("Second Addendum").

WHEREAS, CITY and YMCA entered into the Third Amendment to the Original Agreement on April 4, 2016 ("Third Amendment"). The Original Agreement, First Addendum, Second Addendum, and Third Amendment are attached collectively hereto as **Exhibit A** and are incorporated herein by this reference.

WHEREAS, CITY and YMCA desire to make further modifications to the Original Agreement.

THEREFORE THE PARTIES MUTUALLY AGREE AS FOLLOWS:

Amendments: All terms and conditions of the Original Agreement, as amended, as attached as Exhibit A, shall remain in full force and effect; except that the following amendments shall be made as set forth below:

1. Section 18 shall be added to the Agreement to read in its entirety:

"18. Membership Reciprocity

18.1. Effective June 1, 2016, the CRC will sell YMCA Silicon Valley ("YSV") Memberships, which shall allow CRC members access to all other YMCA of the Silicon Valley locations. The City shall retain all monthly membership revenue and processing fees associated with the sale of YSV Memberships at the CRC.

In exchange for this revenue, the City shall allow YSV Members who purchase YSV Membership at YSV branch locations to access the CRC at no additional charge.

18.2 Effective June 1, 2016, other YSV branch locations shall be allowed to sell a Morgan Hill Aquatics Center Membership to members who possess a YSV Membership. This additional membership shall provide YSV Members access to the Morgan Hill Aquatics Center at no additional charge. The YMCA will retain ten percent (10%) of the monthly membership revenue for Morgan Hill Aquatics Center Memberships to cover administrative costs and shall pay the City the remaining ninety percent (90%) of revenue. Payments shall be made on a monthly basis.

18.3 CRC Members will be allowed to access YMCA locations for a reduced day fee rate. Likewise, members of other individual YSV Branch locations will be able to access the CRC (not the Aquatics Center) for the same reduced day fee rate.

18.4 The Parties agree to meet to evaluate the sale and use of YSV Memberships prior to January 31, 2017 and again prior to June 30, 2017. This arrangement assumes fairly equal use of other YMCA facilities by CRC members and vice versa. Should use patterns indicate a net difference in use greater than twenty five percent (25%) over the twelve (12) month period (YSV member use minus CRC YSV member use, divided by the lesser of the two), the Parties agree to amend this Agreement to adjust payments or use to more appropriately compensate for member use patterns.

18.5 The initial rates at the CRC for YSV memberships and day fees for YSV branch members shall be:

	Enrollment Fee	CRC Member Monthly Rates (Resident/ Non-Resident)	YSV Enrollment Fee	YSV Add-On Monthly Rates (Resident/ Non-Resident)
Adult Membership	\$50	\$63/\$67	\$55	\$27/\$23
Adult YSV Upgrade (no kids)			\$40	\$12/\$8
Adult Senior YSV Upgrade			\$40	\$7/\$3
Family Membership	\$75	\$90/\$96	\$75	\$38/\$32
Family YSV Upgrade (no kids)			\$60	\$23/\$17
Adult Plus	\$0	\$46/\$50	\$90 (Must upgrade family membership to YSV 3 adults membership)	\$30/\$20
Couple Senior / Special Hours	\$75	\$72/\$78	Must upgrade to adult, family or YSV senior membership.	
Senior / Special Hours	\$50	\$43/\$47	Must upgrade to adult, family or YSV senior membership.	
Senior YSV Upgrade (not special hours)			\$40	\$27/\$23
Youth/Teen	\$50	\$28/\$32	\$0	\$12/\$8
Core Class	\$0	FREE		
Specialty Class	\$0	Member Fee/Member Fee +\$10		
Swim Lessons	\$0	Member Fee/Member Fee + \$10		
Daily CRC Member Use at other YSV Locations		\$5 per visit per membership		
Daily YSV Member Use at CRC		\$5 per visit per membership		
YSV Aquatics Center Membership Add-On				\$25 (one member, any age), \$50 (2 or more members, any age)

18.6 The Parties agree that adjustment to fees outlined in Section 18.5 may be necessary to maintain consistency between CRC fees and YMCA fees for YSV membership. The City Manager has authority to adjust fees outlined in Section 18.5. This authority does not include other general CRC fees for membership and daily rates, which must be approved by the City Council.

18.7 Both Parties have the ability to terminate membership reciprocity and all terms outlined in Section 18 of this Agreement by providing written notice to the other Party ninety (90) days ahead of the intended termination date.

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS
(1) CHAIRPERSON OF THE BOARD PRESIDENT OR VICE PRESIDENT AND
(2) SECRETARY ASSISTANT SECRETARY CHIEF FINANCIAL OFFICER OR
ASSISTANT TREASURER

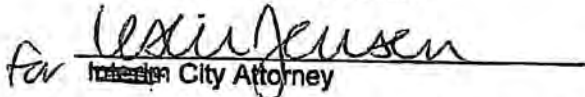
ATTEST


City Clerk/Deputy City Clerk

Michelle Wilson
Print Name

Date: 9/22/16

APPROVED AS TO FORM:

for 
City Attorney

Gary M. Baum Donald A. LARKIN
Print Name

Date: 09/20/16

Resolution No. 16-089

CITY OF MORGAN HILL


City Manager

Steve Rymer
Print Name

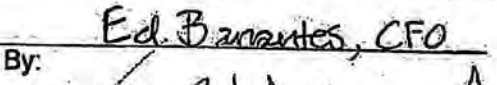
Date: 9/21/16

YMCA of Silicon Valley

By: 

Title: Elizabeth Jordan, COO
Print Name and Title of Signer.
If Corporate: Chairman,
President or Vice President

Date: 9/2/16

By: 

Title: Ed. Barrantes, CFO
Print Name and Title of Signer.
If Corporate: Secretary,
Assistant Secretary, Chief
Financial Officer or Assistant
Treasurer

Date: 9/16/16

Exhibit A

126-04-00-003

**THIRD AMENDMENT TO THE
CITY OF MORGAN HILL AND YMCA
COMMUNITY RECREATION CENTER OPERATING AGREEMENT ("AGREEMENT")**

This THIRD AMENDMENT TO AGREEMENT is made this 4th day of April, 2011, by THE CITY OF MORGAN HILL a municipal corporation ("CITY") and YMCA OF SILICON VALLEY, formerly known as YMCA of Santa Clara Valley, a California Non-Profit Corporation ("YMCA"), for operation of the Centennial Recreation Center ("CRC") located at 171 West Edmundson Avenue, Morgan Hill, California.

WHEREAS, CITY and YMCA entered into the Original Community Recreation Center Operating Agreement ("Original Agreement") made as of June 29, 2006 for operating the CRC.

WHEREAS, CITY and YMCA entered into the First Addendum to the Original Agreement on October 5, 2010. CITY and YMCA entered into the Second Addendum to the Original Agreement on December 23, 2015.

WHEREAS, the Original Agreement and the amendments made by the First and Second Addendums thereto are hereinafter collectively referred to as the "Agreement" and are attached hereto as Exhibit A.

WHEREAS, Section 2.3 of the Agreement provides for two (2) five (5) year extensions by written mutual agreement and the parties have agreed to the first extension of the terms of the Agreement. Additionally, the Agreement provides for extensions beyond these first two (2) five (5) year extensions based upon mutual agreement.

WHEREAS, CITY and YMCA desire to extend the term of the Agreement for an additional five (5) years and make other modifications to the Agreement.

THEREFORE THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. The Agreement shall be amended to reflect the new address of the YMCA of Silicon Valley so that Paragraph 1 shall be amended and replaced in its entirety by the following:

"1. Parties to the Agreement.

City is the City of Morgan Hill, 17575 Peak Avenue, Morgan Hill, California 95037, with its principal contact for purposes of this Agreement as follows:

City Manager
17575 Peak Avenue
Morgan Hill, CA 95037
Phone: 408-779-7271
Fax: 408-779-1592

YMCA is the YMCA of Silicon Valley, 80 Saratoga Avenue, Santa Clara, California 95051, with its principal contact for purposes of this Agreement as follows:

President and CEO, YMCA of Silicon Valley
80 Saratoga Avenue
Santa Clara, CA 95051
Phone: 408-351-6413
Fax: 408-298-0143"

2. The term of the Agreement shall be extended to June 30, 2021 so that Paragraph 2.1 of the Agreement shall be amended and replaced in its entirety by the following:

"2.1 The term of this Agreement shall terminate June 30, 2021 unless earlier terminated by either party as provided in Section 2 or extended as provided in Section 2.3."
3. Paragraph 3.2 sub section e. of the Agreement shall be amended and replaced in its entirety by the following:

"e. Reporting on status of operations at the CRC as requested."
4. Paragraph 3.6 of the Agreement shall be amended and replaced in its entirety by the following:

"3.6 The City Community Services Director and the YMCA Chief Operating Officer shall meet periodically to evaluate CRC operations. Reports shall be provided annually to the City Council and the Board of Directors of the YMCA of Silicon Valley on member satisfaction data and data on the financial performance of the CRC. The Director and Chief Operating Officer may involve other City and YMCA staff in development of the annual report as desired."
5. Paragraph 5.1 sub section c. of the Agreement shall be amended and replaced in its entirety by the following:

"c. The proposed annual budget and work plan will be included in the City Manager's Recommended Budget, which must be submitted to the City Council no later than May 15 each year. Once the City Council has established the annual operating budget, the YMCA may agree to the CRC operating budget or terminate this Agreement subject to the notification provisions of section 5.6."

6. Paragraph 5.2 of the Agreement shall be amended and replaced in its entirety by the following:
- "5.2 As part of the initial annual budget, the City shall pay YMCA an agreed upon amount including direct expenses and overhead for the provision of health and fitness programs at the CRC or other City facilities in support of the CRC membership. The first three payments shall be made quarterly, in equal installments, and shall be due by July 15, October 15 and January 15. The final quarterly payment shall be made within 15 days following September 1 of each year. YMCA shall provide the City with reconciliation of actual quarterly expenses by October 31, January 31, April 30, and July 31 each year. Operating expenses to be paid to the YMCA for health and fitness programs shall be established with the adoption of the annual budget and work plan."
7. Paragraph 7 of the Agreement shall be amended and replaced in its entirety by the following:
- "7. Integration with other Facilities.
- The parties agree to discuss and consult on recreational and fitness programs offered to Morgan Hill residents including, but not limited to, teens and seniors at other City or YMCA owned or operated venues."
8. Paragraph 8.2 shall be removed from the Agreement.
9. Paragraph 9.2 of the Agreement shall be amended and replaced in its entirety by the following:
- "9.2. Members of the CRC who signed up for membership prior to April 1, 2016 shall be allowed to utilize five other YMCA of Silicon Valley facilities until September 1, 2016. After September 1, 2016 access to other YMCA facilities shall not be included as a benefit of CRC membership. After April 1, 2016 no portion of processing fee paid by CRC members shall be credited to the YMCA of Silicon Valley."
10. Paragraph 14 of the Agreement shall be amended and replaced in its entirety by the following:
- "14 Notices.
- Any notice, consent, authorization or other communication to be given shall be in writing and deemed duly given and received when (a) delivered personally, (b) transmitted by facsimile, (c) one business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or (d) three business days after being mailed by first class mail charges and postage prepaid

and in all cases properly addressed to the party to receive such notice at the last address furnished for such purpose by the party to whom notice is directed.

In the case of notices to be given to the City notice shall be addressed as follows:

City Manager
City of Morgan Hill
17575 Peak Avenue
Morgan Hill CA 95037
Phone 408-779-7271
Fax 408-779-1592

With a copy to:

City Clerk
City of Morgan Hill
17575 Peak Avenue
Morgan Hill CA 95037
Phone 408-779-7271
Fax 408-779-3117

In the case of notices to be given to the YMCA notice shall be addressed as follows:

President and CEO, YMCA of Silicon Valley
80 Saratoga Avenue
Santa Clara, CA 95051
Phone: 408-351-6413
Fax: 408-298-0143

Either party may change its address or other contact information by giving notice in writing to the other party as specified in this section."

11. Exhibits A and B to the Agreement shall be replaced in their entirety by Revised Exhibits A and B to this Third Amendment.

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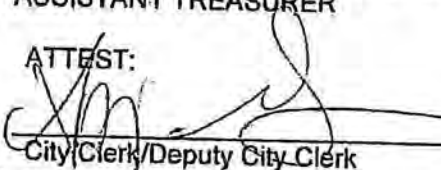
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12. All terms and conditions of the Agreement as amended as attached as Exhibit A shall remain in full force and effect.

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS
(1) CHAIRPERSON OF THE BOARD PRESIDENT OR VICE PRESIDENT AND
(2) SECRETARY ASSISTANT SECRETARY CHIEF FINANCIAL OFFICER OR ASSISTANT TREASURER

ATTEST:

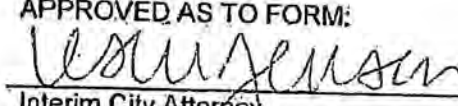

City Clerk/Deputy City Clerk

for Michelle Wilson

Print Name

Date: 4/28/16

APPROVED AS TO FORM:


Interim City Attorney

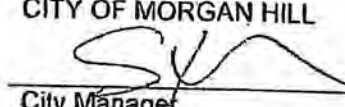
for Gary M. Baum

Print Name

Date: 04/25/16

Resolution NO. 16-017

CITY OF MORGAN HILL

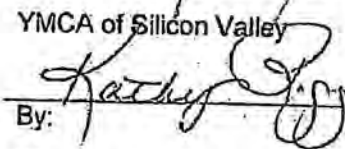

City Manager

Steve Rymer

Print Name

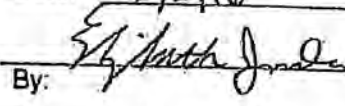
Date: 4/27/16

YMCA of Silicon Valley

By: 

Title: President and CEO
Print Name and Title of Signer.
If Corporate: Chairman,
President or Vice President

Date: 2/2/16

By: 

Title: Chief Operating Officer
Print Name and Title of Signer.
If Corporate: Secretary,
Assistant Secretary, Chief
Financial Officer or Assistant
Treasurer

Date: 2/2/16

12b-04-06-003

**SECOND ADDENDUM TO THE
CITY OF MORGAN HILL AND YMCA
COMMUNITY RECREATION CENTER OPERATING AGREEMENT ("AGREEMENT")**

This SECOND ADDENDUM TO AGREEMENT is made this 23rd day of December, 2015, by THE CITY OF MORGAN HILL a municipal corporation CITY and YMCA OF SILICON VALLEY formerly known as YMCA of Santa Clara Valley a California Non Profit Corporation ("YMCA") for operation of the Centennial Recreation Center CRC located at 171 West Edmundson Avenue, Morgan Hill, California.

WHEREAS the CITY and YMCA entered into the Agreement made as of June 29, 2006 for operating the CRC.

WHEREAS the CITY and YMCA entered into the First Addendum to the Agreement on October 10, 2010.

WHEREAS the City and YMCA desire to extend the term of the Agreement, but need additional time to discuss details of the extension.

THEREFORE THE PARTIES MUTUALLY AGREE AS FOLLOWS:

All terms and conditions of the Agreement as amended as attached as Exhibit A shall remain in full force and effect except that Paragraph 2.3 of the agreement shall be amended to reflect a change of the extension deadline, which shall be extended to February 5, 2016, the new language for Paragraph 2.3 of the Agreement which is amended and replaced in its entirety by the following:

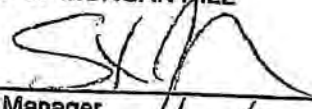
- "2.3 This Agreement may be extended for two additional five-year terms upon the written mutual agreement of the parties which agreement must be reached no later than December 31, 2010, for the first extension, and no later than February 6, 2016, for the second extension. The parties may mutually agree to additional extensions beyond this date. Prior to each extension, the parties shall prepare an evaluation of the success of CRC operations and present it to the City Council and YMCA. Criteria for this evaluation are provided in the COP."

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS
(1) CHAIRPERSON OF THE BOARD PRESIDENT OR VICE PRESIDENT AND
(2) SECRETARY ASSISTANT SECRETARY CHIEF FINANCIAL OFFICER OR
ASSISTANT TREASURER

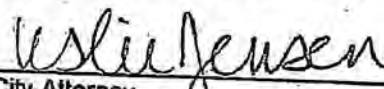
ATTEST:

Deputy 
City Clerk
Date: 1/4/16

CITY OF MORGAN HILL

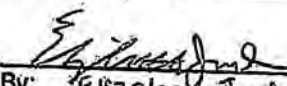

City Manager
Date: 12/23/15

APPROVED AS TO FORM:

for 
City Attorney
Date: 12/23/15
Council Approval:
12/16/15

YMCA OF SILICON VALLEY


By: Kathy Richards
Title: President and CEO
Date: 12/22/15


By: Elizabeth Jordan
Title: Chief Operating Officer
Date: 12/22/15

126-04-06-003

Exhibit A

**FIRST ADDENDUM TO THE
CITY OF MORGAN HILL AND YMCA
COMMUNITY RECREATION CENTER OPERATING AGREEMENT ("AGREEMENT")**

This FIRST ADDENDUM TO AGREEMENT is made this 5th day of October, 2010, by THE CITY OF MORGAN HILL, a municipal corporation, ("CITY") and, YMCA OF SILICON VALLEY (formerly known as YMCA OF Santa Clara Valley), a California Non-Profit Corporation ("YMCA") for operation of the Centennial Recreation Center ("CRC") located at 171 West Edmundson Avenue, Morgan Hill, California.

WHEREAS, the CITY and YMCA entered into the Agreement made as of June 29, 2006, for operating the CRC.

WHEREAS, Section 2.3 of the Agreement provides for two five-year extensions by written mutual agreement and the parties have agreed to the first extension of the terms of the Agreement.

THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

All terms and conditions of the Agreement, as amended, as attached as Exhibit "A," shall remain in full force and effect; except that the term of the Agreement shall be extended to June 30, 2016, so that Paragraph 2.1 of the Agreement shall be amended and replaced in its entirety by the following:

"2.1 The term of this Agreement shall terminate June 30, 2016, unless earlier terminated by either party as provided in Section 2.2 or extended as provided in Section 2.3."

TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS:

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

ATTEST:

Julie Annakis, Deputy
City Clerk
Date: 5/16/2011

CITY OF MORGAN HILL

[Signature]
City Manager
Date: 5-13-11

APPROVED:

[Signature]
Risk Manager
Date: May 11, 2011

YMCA of Silicon Valley

[Signature]
By:
Title: Executive Vice President
Date: 10/05/10

APPROVED AS TO FORM:

[Signature]
City Attorney
Date: May 12, 2011
Council res. 10/20/10

[Signature]
By:
Title: Chief Financial Officer
Date: 10/05/10

Attachment: CRC 7th Amendment [Revision 1] (3120 : Seventh Amendment to CRC Partnership Agreement with the YMCA)

06418

**CITY OF MORGAN HILL
AND
YMCA
COMMUNITY RECREATION CENTER
OPERATING AGREEMENT**

This Agreement ("Agreement") is made this 29 day of JUNE, 2006 ("Effective Date"), by and between the City of Morgan Hill, a California general law city ("City"), and the YMCA of Santa Clara Valley, a California non-profit corporation ("YMCA") for operations of the Centennial Recreation Center ("CRC") located at 171 W Edmundson Avenue, Morgan Hill, California.

Recitals

- A. The City owns the newly constructed CRC, a 52,000 square foot community recreation center which includes a fitness room, gymnasium, an indoor swimming pool, a senior wing and a teen wing.
- B. The YMCA is experienced in operating health and fitness facilities and is interested in expanding its programs in the Morgan Hill area.
- C. The City currently operates an Outdoor Aquatics Center, a Community Cultural Center and certain recreational programs.
- D. The parties believe they can maximize the programs offered and better control the expenses of operating the CRC if the City, using City employees, provides aquatics and teen programming while the YMCA, using YMCA employees, provides health and fitness and senior services at the CRC.
- E. The City and YMCA desire to take advantage of the YMCA's experience in offering membership-based health and fitness programming while ensuring that the City remains responsible to the City Council and the residents of Morgan Hill for the CRC's operations including its financial performance.
- F. The parties desire to set forth the terms and conditions of their relationship in this Agreement with further details of the actual CRC operations to be set forth in a Center Operating Plan. The initial Center Operating Plan ("COP") is attached to this Agreement as Exhibit A; however it is intended that specific services provided by each party and the operating relationships may change over the course of this Agreement in order to meet community needs.
- G. The City and YMCA commit themselves to work together in the spirit of partnership for the success of the CRC, subject to the terms and conditions of this Agreement, and to deal with each other with fairness, respect, cooperation, and good faith in the operation of the CRC and performance of this Agreement. The City and YMCA commit to promptly resolve disputes over this Agreement and/or CRC operations.

C:\Documents And Settings\jburill\Local Settings\Temporary Internet Files\OLK1\YMCA-Morgan Hill CRC Agreement 4-26-06 - Execution Doc

NOW THEREFORE, the parties agree as follows.

Agreement

1. Parties to the Agreement

City is the City of Morgan Hill, 17555 Peak Avenue, Morgan Hill, California 95037, with its principal contact for purposes of this Agreement as follows:

City Manager
17555 Peak Avenue
Morgan Hill, CA 95037
Phone: 408-779-7271
Fax: 408-779-1592

YMCA is the YMCA of Santa Clara Valley, 1922 The Alameda, 3rd Floor, San Jose, California 95126, with its principal contact for purposes of this Agreement as follows:

President and CEO, YMCA of Santa Clara Valley
1922 The Alameda, 3rd Floor
San Jose, CA 95126
Phone: 408-298-3888
Fax: 408-298-0413

2. Term

- 2.1 The term of this Agreement shall commence on the Effective Date and shall terminate on June 30, 2011, unless earlier terminated by either party as provided in Section 2.2 or extended as provided in Section 2.3.
- 2.2 In addition to the provisions of Section 5.6 and 5.7 below, either party may request an early termination of this Agreement after June 30, 2009. Such a request must be made in writing, and must be made a minimum of six months in advance of proposed termination date, unless City and YMCA mutually agree to a lesser time. Provided that such written request is timely made, termination shall occur upon the specified termination date.
- 2.3 This Agreement may be extended for two additional five-year terms upon the written mutual agreement of the parties which agreement must be reached no later than December 31, 2010, for the first extension, and December 31, 2015, for the second extension. The parties may mutually agree to additional extensions beyond this date. Prior to each extension, the parties shall prepare an evaluation of the success of CRC operations and present it to the City Council and YMCA. Criteria for this evaluation are provided in the COP.

3. Management and Staffing.

- 3.1 City and YMCA agree to cooperatively manage and operate the CRC as a first class recreation center for the benefit of the public. A "Recreation Supervisor," or other classification as determined by the City, shall be employed by the City and responsible for all CRC operations. The initial COP is attached to this Agreement as Exhibit A and is incorporated into this Agreement by this reference. The COP, among other things, details staff duties and operating relationships. The parties hereby authorize the Morgan Hill City Manager ("City Manager") and YMCA of Santa Clara Valley CEO ("CEO") to modify in writing the COP from time to time as may be necessary to facilitate efficient operations of the CRC consistent with the intent of this Agreement.
- 3.2 The Recreation Supervisor shall be employed by the City. The City shall provide the YMCA with opportunities for meaningful and substantial input on the selection and ongoing performance of the Recreation Supervisor. The Recreation Supervisor shall have operational authority for the management and operation of the CRC. The duties and responsibilities of the Recreation Supervisor shall include, but not be limited to:
- a. Managing the CRC so that it is developed and maintained as a first class recreational center.
 - b. Preparing and administering the annual budget and work plan for development and operation of the CRC.
 - c. Preparing the annual progress report for the preceding fiscal year for approval by the City Council.
 - d. Organizing, scheduling, and directing YMCA and City employees assigned to the CRC.
 - e. Reporting on status of operations at the CRC as requested, including, but not limited to, providing a monthly report intended for the City Council and YMCA Board of Directors.
 - f. Performing all duties that are usual and customary and normally associated with the position of a recreation supervisor of a public recreation center.
- 3.3 Notwithstanding the parties' agreement to cooperatively manage and operate the CRC, City employees working at the CRC are employed solely by the City, and the City retains all responsibilities associated with their employment. YMCA employees working at the CRC are employed solely by the YMCA, and the YMCA retains all responsibilities associated with their employment. The parties agree to cooperate fully with each other in resolving any employment issues. The YMCA agrees to indemnify and hold the City, its agents, officers and employees harmless from any claim or damage resulting from an employment matter involving a CRC YMCA employee acting within the scope of employment. The City agrees

to indemnify and hold the YMCA, its agents, officers and employees harmless from any claim or damage resulting from an employment matter involving a CRC City employee acting within the scope of employment.

- 3.4 Performance issues on the part of the Recreation Supervisor may be raised by either party and addressed through the dispute resolution process provided for in Section 11.1 of this Agreement.

- 3.5 The CRC staff shall be comprised of employees of both the City and the YMCA. It is acknowledged and agreed between the parties that to achieve the optimum performance of the total CRC staff, City employees may be directed to work at the CRC on YMCA activities within the scope of this Agreement and YMCA employees may be directed to work at the CRC on City activities within the scope of this Agreement.

- 3.6 The City Recreation and Community Services Director and the YMCA Vice President of Operations shall meet periodically to evaluate CRC operations and shall prepare no later than December 31 of each year and present as soon as practicable thereafter an annual report on CRC operations to the City Council and the Board of Directors of the YMCA of Santa Clara Valley. The report shall include member satisfaction data as well as data on the financial performance of the CRC. The Director and Vice President may involve other City and YMCA staff in development of the annual report as desired.

4. Grounds and Facilities.

- 4.1 The City shall retain title to the grounds, buildings, structures and all other improvements, and its equipment. Subject to approval of the Recreation Supervisor, certain equipment owned by the YMCA may be used at the CRC; provided, however, any such equipment must be identified in a writing attached to the COP and the equipment must be clearly marked as YMCA property on the equipment itself.

- 4.2 The City and YMCA agree that both parties shall continue joint use of the grounds, buildings, equipment and other improvements at the CRC in furtherance of this Agreement. The Recreation Supervisor shall determine the most effective use of the CRC grounds, buildings, equipment and other improvements subject to the approval of the City's Director of Recreation and Community Services, or such other individual designated in writing by the City Manager, in consultation with the Vice President of Operations for the YMCA, or such other individual designated in writing by the YMCA CEO.

5. Budget and Funding.

- 5.1 The parties agree that it is the intent of the arrangement governed by this Agreement that revenues generated by CRC programs and activities will be sufficient to cover operating expenses (including, but not limited to, maintenance and contributions to any capital improvement reserves established in the budget) no later than fiscal year 2008/09. (For purposes of this Agreement, "fiscal year" shall mean the twelve consecutive months beginning July 1 of the year first referenced and ending June 30 of the year last referenced. For example, "fiscal year 2008/09" means the period beginning July 1, 2008 and ending June 30, 2009.)
- a. In February of each year, the Recreation Supervisor and the Executive Director of the Mount Madonna YMCA ("Executive Director") shall develop budget assumptions related to the CRC operating budget for the following fiscal year.
 - b. Before March 15, or on another mutually-agreed upon date, the Recreation Supervisor and Executive Director shall develop the preliminary proposed annual CRC operating budget and workplan. The budget will include estimated costs and revenue from health and fitness activities and senior services as well as agreed-upon capital improvement reserves. The YMCA may agree to the preliminary proposed CRC operating budget and workplan or terminate this Agreement subject to the notification provisions of section 5.6.
 - c. The proposed annual budget and work plan and the latest progress report will be included in the City Manager's Recommended Budget, which must be submitted to the City Council no later than May 15 each year. Once the City Council has established the annual operating budget, the YMCA may agree to the CRC operating budget or terminate this Agreement subject to the notification provisions of section 5.6.
 - d. Once the annual budget and work plan is approved by the City Council, that annual budget and work plan shall be implemented by the Recreation Supervisor for the upcoming fiscal year.
- 5.2 As part of the initial annual budget, the City shall pay YMCA an agreed-upon amount including direct expenses and overhead for the provision of health and fitness programs at the CRC. All the agreed-upon services shall be provided at the CRC. The foregoing payments shall be made quarterly, in equal installments, and shall be due by July 15, October 15, January 15 and April 15. YMCA shall provide the City with reconciliation of actual quarterly expenses by October 31, January 31, April 30, and July 31 each year. Operating expenses to be paid to the YMCA for health and fitness programs shall be established with the adoption of the annual budget and work plan.

- 5.3 The City and YMCA may agree to a mid-year budget adjustment to the CRC budget in special circumstances including, but not limited to, a significant unexpected expense affecting the CRC operations which could not be reasonably anticipated or controlled.
- 5.4 The City shall provide YMCA with monthly reports on the operating position of the CRC. Both parties agree to maintain agreed-upon customer service standards and accessibility over the course of the year, while recognizing that operations may change over the year in order to meet financial objectives for CRC operations.
- 5.5 As part of the annual budget and work plan adoption process, the parties will agree on a method for separately accounting for fee-based activities (health and fitness, aquatics, facility operations) and non-fee-based activities (senior and teen centers). A budget worksheet for the initial year is attached as Exhibit B. A final annual budget reconciliation shall be prepared no later than October 1 of each year. Any net operating gain for the health and fitness program (calculated by subtracting approved operating expenses, including a reserve for future capital expenditures, from health and fitness program revenue) shall be distributed to the parties as follows: 60% to the City and 40% to the YMCA. Any net operating loss for the health and fitness program (calculated by subtracting approved operating expenses, including a reserve for future capital expenditures, from health and fitness program revenue) shall be paid by parties as follows: 60% from other City funds and 40% by transfer of funds from the YMCA to the City no later than thirty (30) days after receipt of the final budget reconciliation.
- 5.6 In the event that the YMCA does not agree to the annual budget and work plan as approved by the City Council, this Agreement shall terminate. The YMCA will notify the City in writing that this Agreement shall be terminated six months from the date of notification, or on another date as agreed-upon by the parties. Distribution of net operating gain or loss shall be suspended during the six month notice period. Likewise, the YMCA shall not be obligated to pay a proportional amount of revenue shortfalls, as described in section 5.5, during the six month notice period. The parties acknowledge and agree that such a termination will require a substantial amount of time to accommodate ongoing obligations at the CRC and to enable full separation of responsibilities and obligations of the parties. The parties agree to cooperate reasonably one with the other in such an event to facilitate such a separation as expeditiously as possible. Termination of this Agreement as provided in this Section (with each party bearing its own costs) shall be the sole remedy of the parties.
- 5.7 In the event that the YMCA objects to the candidate selected by the City for the position of Recreation Supervisor, either at the initial hire or in

future hiring actions, the YMCA may terminate this Agreement by giving the City six months advance written notice. Distribution of net operating gain or loss shall be suspended during the six month notice period. Likewise, the YMCA shall not be obligated to pay a proportional amount of revenue shortfalls, as described in section 5.5, during the six month notice period. The parties acknowledge and agree that such a termination will require a substantial amount of time to accommodate ongoing obligations at the CRC and to enable full separation of responsibilities and obligations of the parties. The parties agree to cooperate reasonably one with the other in such an event to facilitate such a separation as expeditiously as possible. Termination of this Agreement as provided in this Section (with each party bearing its own costs) shall be the sole remedy of the parties.

6. Programming and Pricing.

- 6.1 The City and YMCA will agree upon programming and pricing as part of the annual budget and work plan process. The initial programming and pricing is as described in the COP. The parties will agree on which existing recreational and fitness programming currently offered by the City or the Mt. Madonna YMCA, if any, will be moved to the CRC.
- 6.2 The parties acknowledge that the scope of community services offered at the CRC, including youth, family, intergenerational, special event, and adaptive programming, may evolve over time.
- 6.3 Initial program pricing and the pricing philosophy for the CRC are provided in Section 2 of the COP.
- 6.4 It is intended that the annual City Council approval of the budget and work plan will authorize the City Manager to adjust prices and programming as needed in accordance with a City Council adopted policy or directive.

7. Integration with other Facilities.

The parties agree to consult with each other prior to offering new recreational and fitness programs to Morgan Hill residents including, but not limited to, teens and seniors at other City or YMCA owned or operated venues.

8. Senior Services.

- 8.1 The parties agree that the YMCA will provide senior program services as defined in the COP at the CRC. The YMCA currently has a contract with the County of Santa Clara to provide a Senior Nutrition Site in Morgan Hill. It is anticipated that the YMCA will relocate the Senior Nutrition Site to the CRC. In developing the annual budget, as long as the County pays for the direct costs of the Senior Nutrition Site, there will be no charge to the City for these services. At any time that the County ceases paying the YMCA

for a Senior Nutrition Site at the CRC, inclusion of this service and the cost of providing it will be considered as part of the annual budget and work plan.

- 8.2 As part of the annual budget and work plan, the City will provide an annual stipend to the YMCA to subsidize the operation of the Senior Center core program. In Fiscal Year 06/07, this will be \$37,500. In the first full year of operation, Fiscal Year 07/08, this will increase to \$75,000. Increases in future years will be agreed upon by the parties as part of the annual budget and work plan process.

9. Revenues and Marketing.

- 9.1 The parties agree that Morgan Hill residents are intended to be the primary beneficiaries of the CRC, although the CRC will be available for the use of non-residents as well. To that end, the parties desire to develop a marketing plan and activity program pricing structure that will accomplish the foregoing goal and will provide adequate revenues to cover annual operating expenditures. The parties also intend to jointly and/or individually seek grants or other sources of funding which may be available to provide existing or expanded services and programs at the CRC. Both parties agree to cooperate fully, one with the other, in such endeavors. Implementation of this Section is addressed more fully in the COP.
- 9.2 Members of the CRC will be able to utilize other YMCA of Santa Clara Valley facilities. Half of the processing fee paid by members who chose this option will be credited to the YMCA of Santa Clara Valley.
- 9.3 The parties agree that there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, disability, national origin, sexual orientation, or ancestry, in any activity or membership offered pursuant to this Agreement.

10. Audits, Record Retention and Inspection.

- 10.1 The parties understand and agree that the City is a public entity and as such is subject to various laws including, but not limited to, the California Public Records Act, and as such members of the public as well as representatives of governmental agencies have access to and the right to examine, audit, excerpt, copy or transcribe any pertinent transaction, activity, or other records of each party relating to this Agreement. Such material, including, but not limited to, all pertinent costs, accounting, and financial records shall be retained by each party for a period of at least five (5) years after their creation date.

10.2 Each party grants the other party, at the requesting party's expense, the right to conduct at any reasonable time an audit and re-audit of the books, records and business conducted related to this Agreement and observe the operation of the business so that the accuracy of the above records and any of the invoices for services provided can be confirmed.

10.3 In the event of any dispute between the parties as to financial matters, the parties agree, as their sole remedy, to mutually choose an independent auditor to conduct an investigation of the disputed matter. If the parties are unable to mutually choose an independent auditor, each party shall identify one auditor and those two auditors shall choose a third, independent auditor to conduct the investigation. The auditor so named shall be deemed to have been mutually chosen by the parties. If, as a result of the investigation of the mutually chosen auditor, any adjustment in payment is required by either party, such payment shall be made within sixty (60) days of receipt of written demand for same. The decision of the mutually chosen auditor shall be final and binding upon the parties.

10.4 If either party triggers the process set forth in section 10.3 (the "Triggering Event"), that action shall give either party the opportunity to terminate this Agreement by providing the other party six months advance written notice of such desire to terminate. Such option to terminate must be exercised within ninety (90) days of the Triggering Event. The action to terminate this Agreement described in this section is not intended nor shall it adversely affect the process set forth in section 10.3.

11. Dispute Resolution.

11.1 Operational Issues. Except as otherwise specifically set forth in this Agreement, any dispute concerning day to day operational decisions in the implementation of this Agreement as further detailed in the COP shall be resolved by the Recreation and Community Services Director and the Vice President of Operations of the YMCA. For any disputes which cannot be resolved by these individuals, either party may request that the Morgan Hill City Manager resolve the dispute after first consulting with the YMCA CEO. The decision of the City Manager shall be final.

11.2 Other Issues. Should other disputes arise between the parties for which a dispute resolution mechanism or remedy is not otherwise specifically set forth in this Agreement (such as, for example, in section 10.3), and the parties are unable to resolve such matters between themselves by negotiation after the complaining party has provided the other party written notice of the complaint and a reasonable opportunity to cure the problem, then such disputes shall be resolved in the courts of the County of Santa Clara in accordance with applicable law and procedure, including any claims procedures that may be required by law with respect to a general law city.

11.3 Termination Option. If either party seeks judicial redress of a dispute as set forth in section 11.2 (the "Triggering Event"), that action shall give either party the opportunity to terminate this Agreement by providing the other party six months advance written notice of such desire to terminate. Such option to terminate must be exercised within ninety (90) days of the Triggering Event. The action to terminate this Agreement described in this section is not intended nor shall it adversely affect the process set forth in section 11.2.

12 Indemnification.

12.1 The City agrees to indemnify, defend and hold harmless YMCA, its agents, officer and employees, from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, including, but not limited to, bodily injury, death, personal injury, or property damage arising from or connected with City's operations or its services under this Agreement, including any Worker's Compensation suits, liability or expense, arising from or connected with services performed by or on behalf of the City by any person pursuant to this Agreement. City's duty to indemnify YMCA shall survive the expiration or other termination of this Agreement.

12.2 YMCA agrees to indemnify, defend and hold harmless City, its agents, officer and employees, from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, including, but not limited to, bodily injury, death, personal injury, or property damage arising from or connected with YMCA's operations or its services under this Agreement, including any Worker's Compensation suits, liability or expense, arising from or connected with services performed by or on behalf of the YMCA by any person pursuant to this Agreement. YMCA's duty to indemnify City shall survive the expiration or other termination of this Agreement.

13. Insurance.

13.1 General Requirements. Without limiting YMCA's Indemnification of City or limiting City's Indemnification of YMCA, YMCA and City shall each provide and maintain at its own expense throughout the term of this Agreement the hereinafter listed programs of insurance covering its operations hereunder. Such insurance provided by YMCA and by City shall be provided by insurers satisfactory to City's Risk Manager and satisfactory to the YMCA's Risk Manager, respectively, and a certificate or other evidence of coverage and certified copies of additional insured endorsements satisfactory to City and YMCA, respectively, shall be delivered to the City's Risk Manager and to the YMCA's Risk Manager, respectively, before the effective date of this agreement. It is recognized

that City currently provides general liability, workers' compensation, and auto liability insurance coverage through a combination of self insurance, pooled coverage, and purchased excess insurance coverage. Such evidence of coverage shall specifically identify this Agreement and shall contain the express condition that City or YMCA, as applicable, is to be given at least thirty (30) days advance written notice of any modification or termination of any program of insurance. All such insurance provided by YMCA shall be primary to and not contributing with any other insurance maintained by City. With the exception of workers' compensation insurance, all such insurance provided by YMCA and by City shall name "City of Morgan Hill, its elected officials, officers, employees, agents and representatives" and "YMCA of Santa Clara Valley, its officers, employees, agents, and representatives," respectively, as additional insureds.

At all times during the term of this Agreement, YMCA and City shall provide and maintain the following forms and amounts of insurance:

- a. Liability. Comprehensive General Liability Insurance written on a commercial general liability form or on a comprehensive general liability form covering the hazards of premises-operations, products/completed operations, independent contractors, advertising, contractual, broad form of property damage, and personal injury with a combined single limit of not less than Two Million Dollars (\$2,000,000) per occurrence and an aggregate limit of not less than Four Million Dollars (\$4,000,000).
- b. Workers' Compensation. Insurance in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability.
- c. Comprehensive Automobile Liability. Endorsed for all owned, non-owned, and hired vehicles with a combined single limit of not less than Two Million Dollars (\$2,000,000) per accident.
- d. Failure to Comply. Failure on the part of YMCA or City to procure or maintain required insurance shall constitute a material breach of contract upon which City or YMCA, respectively, may immediately terminate this Agreement. Notwithstanding this requirement, in the event that YMCA or City fails to procure or keep in effect at all times the insurance coverage required herein, City or YMCA, respectively, may in its discretion procure said insurance on behalf of YMCA or City, respectively, and charge YMCA or City, respectively, the full cost of the insurance and administrative costs.

13.2 The parties agree and will ensure that all CRC staff are trained in all safety related matters as required by law or appropriate for the services provided

at the CRC. This includes tuberculosis, drug screen and criminal history checks as part of pre-employment screening, and blood borne pathogens and child abuse prevention training after hire.

14. Notices.

Any notice, consent, authorization or other communication to be given shall be in writing and deemed duly given and received when (a) delivered personally, (b) transmitted by facsimile, (c) one business day after being deposited for next-day delivery with a nationally recognized overnight delivery service, or (d) three business days after being mailed by first class mail, charges and postage prepaid, and in all cases properly addressed to the party to receive such notice at the last address furnished for such purpose by the party to whom notice is directed.

In the case of notices to be given to the City, notice shall be addressed as follows:

City Manager
City of Morgan Hill
17555 Peak Avenue
Morgan Hill, CA 95037
Phone: 408-779-7271
Fax: 408-779-1592

With a copy to:

City Clerk
City of Morgan Hill
17555 Peak Avenue
Morgan Hill, CA 95037
Phone: 408-779-7271
Fax: 408-779-3117

In the case of notices to be given to the YMCA, notice shall be addressed as follows:

President and CEO
YMCA of Santa Clara Valley
1922 The Alameda, Third Floor
San Jose, CA 95126
Phone: 408-298-3888
Fax: 408-298-0413

Either party may change its address or other contact information by giving notice in writing to the other party as specified in this section.

15. Amendments.

This Agreement shall only be amended by a writing signed by both parties after approval by the City Council and YMCA Board of Directors.

16. Appropriations.

The payment of any obligations of the City described in this Agreement is subject to the annual appropriation of funds for said payments by the City Council. This provision does not affect any obligation of the City for payment of funds attributable to a fiscal year for which an annual budget has been approved.

17. Miscellaneous Provisions.

17.1 Good Faith and Cooperation. The City and YMCA agree that it is in their mutual best interest and in the best interest of the public that the CRC be operated and managed as herein agreed and, to that end, the parties shall in all instances cooperate and act in good faith in compliance with all of the terms, covenants, and conditions of this Agreement and shall deal fairly with each other.

17.2 Severability. If any provision of this Agreement, or the application of such provision to any party or circumstance, shall be held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement, or the application of such provision to such party or circumstance other than those to which it is held to be invalid or unenforceable, shall not be affected thereby.

17.3 Governing Law. This Agreement shall be governed by and construed and interpreted in accordance with the laws of the State of California, without regard to that state's conflict of laws principles.

17.4 Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes all prior to contemporaneous written or oral negotiations, correspondence, understandings and agreements between the parties regarding the subject matter hereof.

17.5 Parties in Interest. Nothing in this Agreement shall confer any rights or remedies under or by reason of this Agreement on any party other than the YMCA and the City nor shall anything in this Agreement relieve or discharge the obligation or liability of any third party to any party to this Agreement nor shall any provision give any third party any right of subrogation or action over or against any party to this Agreement.

17.6 Waiver. Failure of either party to complain of any action, non-action or default of the other party shall not constitute a waiver of such party's rights hereunder with respect to such action, non-action or default. Waiver by the YMCA or City of any right or any default hereunder shall not constitute a waiver of any subsequent default of the same obligation or for any other default, past, present or future. No payment by a party, or acceptance by the other party, of a lesser amount than shall be due from one party to the

other shall be treated otherwise than as a payment on account. The acceptance by a party of a check for a lesser amount, with an endorsement or statement thereon, or upon any letter accompanying such check, that such lesser amount is payment in full, shall be given no effect, and a party may accept such check without prejudice to any rights or remedies which it may have against the other party.

- 17.7 Construction. This Agreement has been negotiated by the parties and their respective legal counsel and will be fairly interpreted in accordance with its terms and without strict construction in favor of or against any party.
- 17.8 No Assignment. This Agreement, nor any part of it nor any right or obligation arising from it shall be assigned without the express written consent of the parties.
- 17.9 Independent Contractor Status. The parties shall at all times be acting as independent contractors. This Agreement is not intended, and shall not be construed to create the relationship of agent, servant, employee, partner, joint venture or association as between the parties. The parties understand and agree that any of their personnel furnishing services to the CRC under this Agreement are employees solely of the party which hired such personnel for purposes of workers' compensation liability and for purposes of receiving all other types of employee benefits. The parties shall bear the sole responsibility and liability for furnishing workers' compensation benefits to any personnel hired by them for injuries arising from or connected with services performed under this Agreement, and shall bear the sole responsibility and liability for furnishing all other employee benefits to any personnel hired by them.

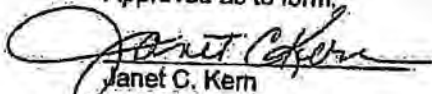
IN WITNESS WHEREOF, the YMCA and the City have executed this Agreement as of the day and year first above written.

YMCA

By: 
Name: DAVID G. THORNTON
Title: PRESIDENT & CEO

CITY OF MORGAN HILL

Approved as to form:


Janet C. Kern
City Attorney
C:\Documents And Settings\Jbun\Local Settings\Temporary Internet Files\OLK11\YMCA-Morgan Hill CRC Agreement 4-28-06 - Execution Doc

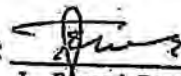
By: 
J. Edward Tewes, City Manager
C:\Documents And Settings\Jbun\Local Settings\Temporary Internet Files\OLK11\YMCA-Morgan Hill CRC Agreement 4-28-06 - Execution Doc

EXHIBIT A**CENTENNIAL RECREATION CENTER OPERATING PLAN
June 2021**

The purpose of this document is to outline the operational structure of the YMCA and City partnership for the operation of the CRC. This document is intended to set operational processes and does not allocate liability between the parties. In the event of any inconsistency between this document and the Operating Agreement, the terms of the Operating Agreement shall prevail.

1. Community Recreation Center Management.

- a. The City of Morgan Hill and the YMCA of Silicon Valley through the Mt. Madonna Branch will work together in the spirit of partnership to provide health and fitness and senior services to members and participants of the Centennial Recreation Center. The YMCA will offer an agreed-upon range of programming and will involve the City in hiring, supervising and evaluating all staff that deliver these programs.

- b. **Personnel**
It is recognized that all staff who work at the CRC are members of multiple work teams and are members of one CRC staff team. When staff are working they will be expected to work together as one, high performing team focusing on customer service, safety, communication, and cooperation.

All CRC staff will attend appropriate staff meetings as determined by the Recreation Manager and YMCA Executive Director. YMCA staff will be expected to attend selected YMCA trainings and staff meetings of the branch or Association. City staff will be expected to attend selected City trainings and meetings. When appropriate, CRC staff will have access to selected YMCA and City trainings.

To ensure a team environment, CRC staff will have many items in common:

- Identical staff uniforms and nametags with the partnership logo.
- Joint staff meetings.
- Identical payroll periods.
- Identical safety and risk management policies.
- Expectation to work as a team and support all other departments of the CRC.
- Responsibility to identify problems and provide solutions for the entire center.

The Recreation Manager will be hired by the City and will be responsible for providing leadership for all CRC team members in an effort to deliver a

large volume of high quality programs. The team will be comprised of three major departments:

- City staff hired by the Recreation Manager.
- City staff hired by the City's Maintenance Manager.
- YMCA staff hired by the YMCA.

Success of the Recreation Manager will be measured by:

- Creating one high performing CRC staff team from City CRC, YMCA CRC, and Maintenance Division CRC staff
- Membership income/ number of members enrolled
- Member satisfaction survey results
- Number of seniors served in the Senior Center
- Number of teens served in the Teen Center
- Reaching or exceeding budgeted net for entire center
- Overall facility cleanliness and functioning
- Safety & Risk Management
- Satisfaction of City residents with easy movement between CRC, YMCA, and City Programs

The YMCA Executive Director will be hired by the YMCA and will supervise the Associate Executive Director, the Health and Fitness Program Director, Kid's Club and will be responsible for membership retention and all land based fitness programming. Water based fitness classes will be supervised by the City Aquatics Coordinator.

The Recreation Manager and YMCA Executive Director are responsible for marketing the membership of the facility in coordination with the City's Marketing and Communications Coordinator. The Recreation Supervisor will supervise the sales and service staff who work the Welcome Center. They will assure that people can join the facility at any time the facility is open, and will be responsible for all enrollment for CRC programs, City programs, and YMCA programs (in coordination with the YMCA Executive Director).

c. Reporting relationships.

	CRC City Staff	Recreation Manager	CRC YMCA Staff
Position	Recreation Supervisor, Aquatics Coordinators, Maintenance Specialist	Recreation Manager	Associate Executive Director, Wellness Center Director, Wellness Coordinator, Kids Club Coordinator, Nutrition Site Manager,

	CRC City Staff	Recreation Manager	CRC YMCA Staff
Job Descriptions	City	City with YMCA input	YMCA with City input
Recruiting	City	City with YMCA input	YMCA with City input
Screening	City	City	YMCA of Silicon Valley
Decide finalists	City	City with YMCA input	YMCA with City input
Interviews	Regular process, possible YMCA involvement	Regular process with a visit to a YMCA and a near final interview with City and YMCA staff together	Regular process with City involvement
Decision	City	City decision with YMCA input	YMCA decision with City input
Reports to	Recreation Manager	Community Services Director	Mt Madonna YMCA Branch Executive
Employee Progressive Discipline	City with possible YMCA input	City with possible YMCA input	YMCA with possible City input
Performance Evaluation	Recreation Manager with input from YMCA	Community Services Director with input from YMCA	YMCA with input from Recreation Manager

d. Staff liaison:

The Mt. Madonna YMCA will provide a liaison to the CRC to:

- Meet regularly with Recreation Manager to coordinate YMCA programming and services with the CRC
- Work with Recreation Manager, City Marketing and Communications Coordinator, and YMCA Executive Director on marketing and enrollment strategies
- Provide supervision to YMCA Staff to assure program quality and maximum enrollment
- Resolve any YMCA staff performance problems

di. Capital expenditures.

The City has an established fund for ongoing replacement of capital equipment and facility components. Contributions to this fund are occur annually. The City and YMCA will continue to work together to identify funding opportunities for future facility expansion.

dii. Facility maintenance.

The Recreation Manager will be responsible for managing facility maintenance in cooperation with the City's Maintenance Manager. The YMCA will be responsible for fitness equipment upkeep and maintenance. At all times, the CRC and its equipment will be maintained in a safe, clean, and operational manner. All CRC staff will be responsible to assist in keeping the facility clean as part of their daily duties. City staff and/or

contractual crews will perform detailed, daily cleaning. A daily, monthly, quarterly, and annual cleaning plan will be developed to ensure the long-term integrity of the CRC.

- g. **Cash Handling/Accounting/Payables/Receivables/Collections.**
The Recreation Manager will be responsible to ensure all cash handling, accounting, payables, receivables, and collections policies are adhered to by CRC staff. The City and YMCA will cooperatively determine which party can most effectively and efficiently perform these duties as part of the partnership. Detailed policies and procedures will be maintained for all financial aspects of the CRC operations.
- h. **Membership policies.**
The City and YMCA will cooperatively develop membership policies that are intended to ensure community access, maximize revenue and comply with legal mandates. Existing YMCA policies may be modified to meet the CRC's operational needs. Both parties understand and agree that there shall be no discrimination based upon race, color, creed, religion, gender, marital status, age, disability, national origin, sexual orientation or ancestry.
- i. **Membership software.**
The City and YMCA will cooperatively determine which software package best meets the CRC's membership sales, tracking, and management needs. All appropriate CRC team members will be thoroughly trained to ensure that accurate and timely processing of information is achieved.
- j. **Operating hours: Estimated Days and Hours of Operation.**
The CRC will be open seven days per week except on major holidays; Easter, July Fourth, Thanksgiving, and Christmas. Operating hours will be determined based on demand.

The City and YMCA may determine that it is in the best interest of the partnership and CRC members to adjust the operating schedule.
- k. **Customer surveys and complaint resolution.**
Customer surveys will be available at the Welcome Center and online at all times. The Recreation Manager and Associate Executive Director will be responsible to track comments, provide recommendations for service improvements, and to ensure all complaints are handled in a professional and timely manner.

2. Programming and pricing.

- a. Pricing Policy
 - Member fees will be set to provide access to the health and fitness facility and maximize revenue
 - The resident rate will apply to those who work or live in Morgan Hill.

- The standard rate will apply to those who do not live or work in Morgan Hill.
- Since membership is the income stream that will provide the best chance of cost recovery, pricing will be done to encourage membership
- Seniors and teens have specialized centers in the facility, and will not need to join in order to take advantage of the programs in these centers. If they wish to use the fitness facilities, they will need to join the CRC or purchase a day pass.

b. Pricing changes

The City Manager will be empowered by the City Council to adjust fees pursuant to Council policy.

- As expenses increase, prices will be adjusted to meet cost recovery goals
- Fee increases would be determined by taking into account 3 major items:
 - (1) Salary increases
 - (2) CPI
 - (3) Significant increases in costs in other operational areas
- If it is determined that the current pricing structure relating to the daily fee is undermining the cost recovery goal, the City Council will make a decision to revise the fee or the goal.

c. Main Membership Categories

- Adult: Includes one adult and all children under the age of 18 living at the same address. Access all hours, and all core programs.
- Family: Two adults and all children under the age of 18 living at the same address. Access all hours, and all core programs
- Special Hours: One adult, designed for seniors and those with flexible schedules. 10:00 am to 4 pm weekdays, and any time on the weekends, and access all core programs during these hours
- Couple Special Hours: Same as "Special Hours", but for two adults.
- Adult Plus: Addition of extra adult over the age of 18 living at the same address, access all hours, and all core programs
- Day Pass: Access for one person to open gym, open swim, fitness room

Categories may be adjusted, deleted or new categories added by agreement of both parties.

d. Aquatics Center Membership

One membership for CRC and Aquatics Center use will be offered. Membership benefits of the Aquatics Center include Lap Swim, Recreation Swim, and Aquatics Fitness Classes.

e. Membership Reciprocity

The City and YMCA may choose to offer additional membership options for CRC members to utilize YMCA of Silicon Valley facilities. The YMCA and City will continue to discuss options for YMCA of Silicon Valley members to utilize the CRC. A target of March 1, 2016, is established for the development and initial implementation of a reciprocity policy.

f. Program Pricing Structure.

Type	Member	Non/member
Membership processing fee	\$50 for Adult \$75 for Family	
Membership	Fee	n/a
Core class	Free	Fee + \$10
Specialty Class	Member fee	Non-member fee + \$10
Swim lessons	Member fee	Non-member fee + \$10
Fitlinxx	Free	n/a
Day Pass adult	Free	Fee

- Core Fitness classes and Fitlinxx are free for members. Examples:
 - Aerobics
 - Water Fitness
 - Group cycling class
 - Wellness Orientation
- Day pass participants can use the gymnasium, the fitness center, and lap or recreational swim. Day pass participants are required to pay an additional fee to participate in group exercise classes.
- Some Specialty Classes will have an additional cost for everyone. Examples:
 - Strength Training
 - Personal Training
 - Swim lessons
 - YMCA Diabetes Prevention Program

g. Strategic Planning

The Recreation Manager and YMCA Executive Director will work with CRC staff, YMCA staff and City staff to develop and update an ongoing strategy for membership recruitment and retention.

3. Partnership Evaluation.

As described in Section 2.3 of the Operating Agreement, the parties will conduct an evaluation of the success of the partnership prior to extending the term of Agreement. This evaluation will be presented to the City of Morgan Hill City Council and the YMCA of Silicon Valley Board of Directors and Mt. Madonna YMCA Board of Managers, as appropriate.

The parties will work together on the development of this evaluation, agreeing to the criteria to be used in the evaluation. The criteria may include:

- Extent to which a high performing CRC staff team has been developed from City CRC, YMCA CRC, and Aquatics Division CRC staff
- Membership income/ number of members enrolled
- Member experience survey results
- Number of seniors served in the Senior Center
- Number of teens served in the Teen Center
- Reaching or exceeding budgeted net for entire center
- Overall facility cleanliness and functioning
- Safety and risk Management
- Satisfaction of City residents with easy movement between CRC, YMCA, and Aquatics Center Programs

5. Advertising and marketing of facility and programming.

- a. The partnership of the City and YMCA will be prominently displayed on the facility, staff uniforms, and written materials. Both the City and YMCA agree that any differentiation of the two parties for branding purposes is not intended to separate the staff during the operation of the facility, but to take advantage of the brand name of the YMCA and City for marketing purposes. The parties will maintain a logo to identify and celebrate the partnership.
- b. The Recreation Manager is responsible for developing a marketing plan in coordination with the YMCA. The YMCA Executive Director, Associate Executive Director, City Marketing Coordinator, Recreation Supervisor and Recreation Manager will meet regularly and review the CRC promotion schedule.
- c. The parties intend to advertise CRC programming in both City and YMCA publications/resources.
- d. All staff members are expected to support marketing and communication efforts by keeping updated program information available for use online and on social media.
- e. Printed materials will say "Centennial Recreational Center, operated in Partnership with the YMCA."
- f. City is willing to have YMCA staff provide information regarding other YMCA programming that would be available to CRC members as part of their membership.
- g. The partnership will be identified with signage inside the building. Printed materials with the YMCA logo and other identifying information may be used at the facility.
- h. All printed materials posted in the facility will meet established facility standards for type and sizing to ensure neat and orderly aesthetics within the facility.
- i. Guidelines for use of the CRC logo versus YMCA logo have been established for use inside the facility.

6. Senior Services Provided at the CRC.

The YMCA will provide a senior nutrition program and wellness activities for Seniors at the CRC, in conjunction with City offered Senior programs and programs coordinated with other senior service organizations:

- a. The YMCA will operate a daily nutrition program. Specific attendance goals will be set by the YMCA in partnership with the City and the County.
- b. The YMCA will have opportunities to offer health and wellness classes for seniors.

7. Teen Services Provided

- a. The YMCA will operate the Teen Center at the CRC. The City and YMCA will agree to hours of operation and staffing levels annually as part of the budget process.
- b. The YMCA Teen Center staff will work with the City's Recreation Coordinator to involve the City's Youth Action Council in Teen Center operations.
- c. The YMCA and City will coordinate with other youth service agencies to enhance services offered in the Teen Center.

8. Emergency Operations

As a City facility the CRC is designated for use in City emergency response. This use may be as a shelter or other function. All City and YMCA staff are expected to support operations of the facility as part of emergency response. City and YMCA staff members may be asked to participate in training in areas of emergency response as part of their job function.

10. It is understood between the parties that this COP may be amended from time to time by the mutual agreement of the parties to reflect operating experience.

Certificate Of Completion

Envelope Id: 6E3091C0365D40C09C99C3A0AFBA70AF

Status: Completed

Subject: Please DocuSign: CRC 7th Amendment and Exhibits

Source Envelope:

Document Pages: 47

Signatures: 2

Certificate Pages: 5

Initials: 0

AutoNav: Enabled

Envelopeld Stamping: Enabled

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Envelope Originator:

City Clerk's Office

17575 Peak Ave

Morgan Hill, CA 95037

cityclerk@morganhill.ca.gov

IP Address: 174.85.103.169

Record Tracking

Status: Original

6/8/2021 11:41:33 AM

Holder: City Clerk's Office

cityclerk@morganhill.ca.gov

Location: DocuSign

Security Appliance Status: Connected

Pool: StateLocal

Storage Appliance Status: Connected

Pool: City of Morgan Hill

Location: DocuSign

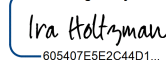
Signer Events

Ira Holtzman

ira.holtzman@ymcasv.org

Security Level: Email, Account Authentication
(None)**Signature**

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Signature Adoption: Pre-selected Style

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Timestamp

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Viewed: 6/8/2021 4:25:10 PM

Signed: 6/9/2021 12:08:15 PM

Electronic Record and Signature Disclosure:

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Sandy Walker

Sandy.Walker@ymcasv.org

Security Level: Email, Account Authentication
(None)

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Signature Adoption: Drawn on Device

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In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Chris Ghione

chris.ghione@morganhill.ca.gov

Public Services Director

Security Level: Email, Account Authentication
(None)**COPIED**

Sent: 6/9/2021 3:02:15 PM

Viewed: 6/9/2021 3:09:09 PM

Electronic Record and Signature Disclosure:

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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Completed	Security Checked	6/9/2021 3:02:15 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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Attachment: CRC 7th Amendment [Revision 1] (3120 : Seventh Amendment to CRC Partnership Agreement with the YMCA)

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Morgan Hill (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Morgan Hill:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: michelle.bigelow@morganhill.ca.gov

To advise City of Morgan Hill of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at michelle.bigelow@morganhill.ca.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from City of Morgan Hill

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to michelle.bigelow@morganhill.ca.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Morgan Hill

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to michelle.bigelow@morganhill.ca.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify City of Morgan Hill as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City of Morgan Hill during the course of your relationship with City of Morgan Hill.

DRAFT



Meeting Minutes City Council

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

Wednesday, May 5, 2021 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 7:00 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

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

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

PROCLAMATIONS

Mayor Constantine announced the proclamations.

Minutes Acceptance: Minutes of May 5, 2021 7:00 PM (CONSENT CALENDAR)

Proclaiming the month of May 2021 as Affordable Housing Month
 Proclaiming the month of May 2021 as Aquatics Month
 Proclaiming the month of May 2021 as Older Americans Month
 Proclaiming the month of May 2021 as Wildfire Awareness Month

CITY COUNCIL REPORTS

Mayor Constantine reported on his outside activities. He shared that the Water Commission is part of Valley Water and in the April meeting the committee voted 12 to 6, not to increase the groundwater production charges and also gave the following comments: We would also like to support in keeping the agricultural rates as low as possible, these are all recommendations to the board, and that we are also looking at other resources such as purification, recycling, desalination, and stormwater capture and of course looking forward to any federal funds that may come available to help us become more water resilient.

In regard to Anderson Dam he shared that, with the help of Congresswoman Zoe Lofgren's office, we have gotten through the regulatory maze of working with different federal organizations like Federal Energy Regulatory Commission (FERC), the National Marine Fishery Services (NMFS), the Army Corp of Engineers, the US Fish and Wildlife along with Valley Water. When the group first met in December of 2019, it didn't seem like they were actually going to be able to start construction in a timely fashion. He stated that construction of the tunnel, which will allow water to be drained from the reservoir much faster, should start this spring. He commended Congresswoman Lofgren and her staff and as well as the other Congressmen involved for their support. He shared that the last meeting that they had was really a fantastic working relationship. Again, all of the agencies, are working together to get this expedited. After the construction of the tunnel which should take about 2 years, the construction on the retrofitting on the dam should take place. That will probably be in 2022. The construction should go until 2030, so it's a long process. We are going through possibly a drought right now, so we are going to need that water source to come back online as quickly as possible.

CITY MANAGER'S REPORT

City Manager Christina Turner wished everyone a Happy Cinco De Mayo and spoke to the evening's supplements and presentations.

She announced a series of housing workshops that we are going to be kicking off. Four community workshops will be held right before the council meetings at 5:30 p.m., in May and June. We are going to be rolling out the dates in our 411 that goes out on Friday. The first workshop is going to be "All things housing" and we are going to discuss City regulations for housing in current City projects. The second workshop will be on "State Mandates for housing production" which will cover SB330, Density bonus law, and other legislation that regulates how we process housing developments. The third workshop is going to be on "Housing Affordability" and this will provide an opportunity for the community to learn all about our affordable housing program here in Morgan Hill. The fourth workshop is on "Housing and Long Term Sustainability" and that will cover strategies for economic, environmental, and infrastructure sustainability.

In addition to these workshops, the housing team is participating in a couple of different housing webinars that are more of a regional nature. The first one will be in Spanish on the topic of "Affordable Housing 101" on May 18th. The second will be a "Model for Agricultural Housing in South County", that's going to be on May 28th. We will have a new dedicated City page on these housing series on our website that will provide information on our projects and programs, and the recordings of these workshops. The webpage will also provide an opportunity for our community to sign up for notifications.

She shared that Catholic Charities has announced that they have a program for rent assistance. It is both for landlords who have income-eligible renters who are experiencing financial hardship due to COVID with past due rent, as well as renters who have experienced financial hardship. To apply you can go to housingiskey.com or call Catholic Charities at 408-273-7478 to set up an appointment. Tomorrow, May 6th, they will be hosting a rent relief informational webinar in Vietnamese and then one on Friday, May 7th in Spanish.

She concluded by sharing a video related to wildfire preparedness.
https://twitter.com/CAL_FIRE/status/1389284128114151424?s=01

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

Mayor Pro Tem McKay shared that the vaccination clinics held at both Sobrato High School and the Community and Cultural Center sponsored by Safeway and Albertson's have hit a wall and the appointment registrations have really dwindled. He encouraged the community to continue to get vaccinated. As of yesterday May 4th, 82.1% of Morgan Hill residents have had at least one dose of the vaccine. He would like to see everybody get that second dose if necessary, and let's push those numbers higher. He shared that, right now, we have the 7th best rate out of 17 communities in Santa Clara County. We can do even better.

PUBLIC COMMENT

Public comment opened at 7:15 p.m. The following people were called to speak:

Krista Rupp

Joe Baranowski

Dave Mathews

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

PUBLIC COMMENT SUPPLEMENT 1

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1, 2, and 4 through 7.

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

1. ADOPT RESOLUTION APPROVING FY2021-22 LIST OF STREET REHABILITATION PROJECTS FUNDED BY SENATE BILL (SB) 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT

Recommendation:

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

2. APPROVE AN IMPACT FEE FREEZE AGREEMENT WITH LEVEL 10 CONSTRUCTION LP FOR A NEW 79,000 SQUARE FOOT INDUSTRIAL BUILDING ON 3.67 ACRES LOCATED ON RAILROAD AVENUE

Recommendation:

Direct the City Manager to execute an Impact Fee Freeze Agreement with Level 10 Construction, LP for the development of a new 79,000 square foot industrial building located on Railroad Avenue.

3. ITEM PULLED FOR DISCUSSION

4. APPROVE RE-FUNDING OF AN ACCOUNTING ASSISTANT POSITION

Recommendation:

Approve re-funding of an Accounting Assistant position.

5. APPROVE THE APRIL 21, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

6. AWARD STREET LIGHTING AND TRAFFIC SIGNAL MAINTENANCE SERVICE AGREEMENT

Recommendation:

1. Award a two-year contract with three one-year extensions to Cal-West Lighting and Signal Maintenance, Inc. in the amount of \$387,600; and
2. Authorize the City Manager to execute and administer the Maintenance Service Agreement with Cal-West Lighting and Signal Maintenance, Inc.

7. RATIFY CITY POSITION ON PENDING LEGISLATION SB 612 ELECTRICAL CORPORATIONS AND OTHER LOAD-SERVING ENTITIES: ALLOCATION OF LEGACY RESOURCES AND AB 125 EQUITABLE ECONOMIC RECOVERY, HEALTHY FOOD ACCESS, CLIMATE RESILIENT FARMS, AND WORKER PROTECTION BOND ACT OF 2022

Recommendation:

1. Receive legislative correspondence in support of SB 612 Electrical corporations and other load-serving entities: allocation of legacy resources and AB 125 Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2022; and
2. Ratify City's position.

ITEMS PULLED FOR DISCUSSION

3. APPROVE CALIFORNIA CLIMATE INVESTMENTS - DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE) FIRE PREVENTION GRANT APPLICATION

Recommendation:

Adopt resolution authorizing the City Manager to apply for and accept a grant application to the California

Climate Investments-Department of Forestry and Fire Protection (CAL FIRE) Fire Prevention Grant Program.

Public Services Director Chris Ghione answered questions.

Public comment opened at 7:28 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended action.

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

PUBLIC HEARING

8. RATIFY URGENCY ORDINANCE 2320 AND EXTEND THE TERM OF THE INTERIM MEASURES FOR A FULL YEAR

Recommendation:

Ratify Interim Urgency Ordinance 2320 and extend its term for an additional 22 months and 15 days.

City Attorney Donald Larkin provided the report.

The public hearing opened at 7:30 p.m. There being no requests to speak, the public hearing closed.

MOTION:

Approving the recommended action.

RESULT:	RATIFIED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Gino Borgioli, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

OTHER BUSINESS

9. ADOPT URGENCY ORDINANCE REQUIRING HAZARD PAY OR VACCINE INCENTIVES FOR GROCERY WORKERS

Recommendation:

1. Adopt urgency ordinance; OR
2. Waive first and second reading; AND
3. Introduce ordinance requiring hazard pay or vaccine incentives for grocery store employees.

City Attorney Donald Larkin provided the report.

Public comment opened at 8:08 p.m. The following people were called to speak:
 Brittney Sherman spoke on behalf of the Morgan Hill Chamber of Commerce
 Ryan Allain spoke on behalf of the California Retailers Association (CRA)
 Kevin Sanchez spoke on behalf of the California Grocers Association (CGA)
 John Gomez spoke on behalf of UFCW Local 5
 Hector Moreno spoke on behalf of UFCW
 Dave Mathews

Joe Barajas
 Chelsea Minor spoke on behalf of Raley's
 There being no further requests to speak, public comment closed.

MOTION:

Amend the draft ordinance to be effective May 12th, ending June 15th; waiving the first and second reading of the ordinance.

RESULT:	MOTION FAILED [2 TO 3]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Rich Constantine, Mayor
AYES:	Constantine, Martinez Beltran
NAYS:	McKay, Borgioli, Spring

10. PROVIDE DIRECTION REGARDING REDISTRICTING PROCESS FOR COUNCILMEMBER DISTRICT BOUNDARIES

Recommendation:

Determine the process for redistricting boundary lines for district-based elections of four Council seats, with the following options:

1. Use a City staff-led process without a redistricting commission, with a community outreach plan to encourage substantial public participation;
2. Establish an Advisory Redistricting Commission; or
3. Establish a Hybrid or Independent Redistricting Commission.

City Clerk Michelle Bigelow introduced Council Services Assistant Angie Gonzalez who provided the report. She turned the presentation over to Dr. Justin Levitt with National Demographics Corporation.

Public comment opened at 10:17 p.m. The following people were called to speak:

Marby Lee
 Armando Benavides
 Joe Baranowski

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

MOTION:

Directing staff to move forward with a City staff-led process without a redistricting commission, with a community outreach plan to encourage substantial public participation.

RESULT:	DIRECTED [3 TO 2]
MOVER:	Gino Borgioli, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Borgioli, Martinez Beltran, Spring
NAYS:	Constantine, McKay

11. INTRODUCE ORDINANCE REQUIRING WATER EFFICIENT FIXTURES TO BE INSTALLED ON SALE OF PROPERTY AND INTRODUCE ORDINANCE REQUIRING INSPECTION AND MAINTENANCE OF PRIVATE SEWER LATERALS

Recommendation:

1. Waive first and second reading of the Private Sewer Ordinance;
2. Introduce the Private Sewer Ordinance;
3. Waive first and second reading of the Water Conservation Ordinance;
4. Introduce the Water Conservation Ordinance; and
5. Direct staff to include funding for ordinance implementation in the midcycle budget update.

Program Administrator Anthony Eulo introduced Environmental Programs Specialist Shannon Keener who provided a presentation and report.

MOTION:

Extending the meeting to 11:45 p.m. and continuing item 14 to a future meeting.

RESULT: **EXTENDED [4 TO 1]**
MOVER: John McKay, Mayor Pro Tem
SECONDER: Rene Spring, Council Member
AYES: McKay, Borgioli, Martinez Beltran, Spring
NAYS: Constantine

Public comment opened at 11:17 p.m. The following people were called to speak:

Marby Lee

Jordan Nunes

Tim Beaubien

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

MOTION:

Waiving the first and second reading of the Private Sewer Ordinance changing the effective date to June 1, 2022.

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

MOTION:

Introducing the Private Sewer Ordinance.

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

MOTION:

Waiving the first and second reading of the Water Conservation Ordinance.

RESULT: **WAIVED [UNANIMOUS]**
MOVER: Yvonne Martinez Beltran, Council Member
SECONDER: Rene Spring, Council Member
AYES: Constantine, McKay, Borgioli, Martinez Beltran, Spring

MOTION:

Introducing the Water Conservation Ordinance.

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

MOTION:

Extending the meeting to 12:00 a.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Rene Spring, Council Member
SECONDER:	Yvonne Martinez Beltran, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

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

Recommendation:

Adopt resolutions approving the following actions:

1. Initiate the proceedings for the levy of assessments for Fiscal Year 2021-22;
2. Approve the Engineer's Annual Report and the proposed assessment levy; and
3. Declare the City Council's intention to levy the assessments in the District and to set the Public Hearing date for June 2, 2021.

Public Services Director Chris Ghione provided the report.

Public comment opened at 11:40 p.m. There being no requests to speak, public comment closed.

MOTION:

Approving the recommended actions.

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

13. INTRODUCE ORDINANCE REVISING CITY PROCUREMENT LIMITS FOR COUNTYWIDE PURCHASES

Recommendation:

1. Waive the first and second reading of the ordinance; and
2. Introduce the ordinance.

Program Administrator Anthony Eulo provided the report.

Public comment opened at 11:42 p.m. There being no requests to speak, public comment closed.

MOTION:

Waiving the first and second reading of the ordinance.

RESULT:	WAIVED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

MOTION:

Introducing the ordinance.

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

14. RECEIVE UPDATE ON SIGNIFICANT DEVELOPMENT PROJECTS

Item 14 was continued to a future meeting.

FUTURE COUNCIL INITIATED AGENDA ITEMS

Mayor Pro Tem McKay requested that his vote on item 10 be changed from a yes to a no vote.

Council Member Borgioli requested an item to discuss timing of agenda items.

Council Member Spring asked for a discussion/workshop on identity theft.

Council Member Martinez Beltran asked that we look at having Council Meetings translated into Spanish.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:51 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk

DRAFT



Meeting Minutes City Council

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

Wednesday, May 19, 2021 5:30 pm

Virtual Meeting

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 5:30 p.m. for the purpose of conducting a workshop.

5:30 p.m. Housing Workshop

7:00 p.m. Regular Meeting

SPECIAL MEETING

5:30 p.m. Housing Workshop

CALL TO ORDER

Mayor Constantine called the meeting to order at 5:30 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Remote	
John McKay	Mayor Pro Tem	Remote	
Gino Borgioli	Council Member	Remote	

Minutes Acceptance: Minutes of May 19, 2021 5:30 PM (CONSENT CALENDAR)

Yvonne Martinez Beltran	Council Member	Remote	
Rene Spring	Council Member	Remote	

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

WORKSHOP

This workshop is the first in a series of Housing Workshops (<https://www.morgan-hill.ca.gov/2162/2021-Housing-Conversation>) that will look at the current and future state of housing in Morgan Hill. This first workshop is called "All Things Housing". Staff will present and discuss the following:

1. What regulates Housing in Morgan Hill
2. Housing Facts - What types of housing exist in Morgan Hill - inventory, tenure and affordability
3. Housing Projects in the works

City Manager Christina Turner introduced the workshop and turned the presentation over to Development Services Director Jennifer Carman and Housing Manager Rebecca Garcia.

Public comment opened at 6:45 p.m. The following people were called to speak:

Alissa Crispin

Joe Baranowski

Rick Kent

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

The meeting recessed at 6:54 p.m.

WORKSHOP SUPPLEMENT 1

WORKSHOP PRESENTATION

REGULAR MEETING

The regular meeting convened at 7:00 p.m.

RECOGNITIONS

Recognizing YAC President Hassti Tirgardoorn for her years of service

Recognizing YAC Volunteer Les Taylor for her years of service

PRESENTATIONS

YAC PRESENTATION- ASSET #35- RESISTANCE SKILLS

PROCLAMATIONS

Proclaiming May 15, 2021 as National Peace Officers Memorial Day and the week of May 9-15, 2021 as National Police Week

Proclaiming the week of May 16-22, 2021 as Emergency Medical Services Week

Proclaiming the week of May 16-22, 2021 as National Public Works Week

CITY COUNCIL REPORTS

Mayor Pro Tem McKay announced that the South County Regional Wastewater Authority (SCRWA) Board approved the sewage treatment plant expansion which has been long-awaited and represents an \$81,730,000 investment of which Morgan Hill is responsible for roughly 42%. He then gave an update on the Housing and Community Development Advisory Committee and shared that they just approved \$4,430,000 in community development block grants and home investment partnership funds to be distributed throughout the County. He shared that he asked the Transportation, Communication, and Public Works Policy Committee for the Cal Cities to look into helping us create what would possibly be a public utility entity which would mean having our public access to broadband internet regulated so that we all get good service. He spoke regarding the Cal Cities' Policy Committee, Housing, Economic, and Community Development stating that there are more bills marching through the legislature that we aren't going to like and we have already started writing letters. He thanked Council Member Spring, who asked to write something about SB9, which we don't want to deal with, and we are looking at SB6 too. We are looking at a lot of bills and we are going to continue fighting for local control doing the best we can. He concluded by speaking about the local COVID clinics sharing that former Council Member Larry Carr introduced the Safeway/Albertsons Company Vaccine Clinics to the Morgan Hill Community. They started with just 4 clinics, and that has expanded to a total of 45 clinics. We are complete now and we have vaccinated somewhere between 16-18 thousand people and if we look at the statistics Morgan Hill now has 82.9 percent of those 12 and over vaccinated with at least one dose of the COVID 19 vaccine.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. She announced that effective today, May 19, the County reached a huge milestone and moved to the state's least restrictive yellow tier. The tier system is the state's blueprint for a safer economy. Case rates in our county have declined to some of the lowest levels at any point in the pandemic. Test positivity rates have hit an all-time low. With the county in a much better place than it was even a month ago, our health officer Dr. Sara Cody announced that she would be lifting most of the local restrictions and rules that are in place including requirements that businesses maximize the number of staff that are teleworking and replacing prior rules with a limited and local health order. That new order requires the continued reporting of COVID 19 cases in workplaces and schools and it requires employers to determine which staff are fully vaccinated in advance of changes to state masking and social distancing requirements for fully vaccinated people in the workplace. We have put out some information in our e-blast and an executive summary of the May 18th order. She outlined what the yellow tier involves.

What this means for City operations and services is that, although some of the requirements may be removed or phased out for the general public, the California workplace continues to be regulated by Cal OSHA and they have a standards board that is meeting tomorrow May 20th. They are going to vote to re-adopt their emergency regulations which contain some of the changes from our current standard. If approved, we will update some of our regulations accordingly. In the coming weeks, we will be announcing when we will start to re-open service to the community.

She mentioned that today May 19th, was the last of the series of clinics with the Pfizer vaccine at the Morgan Hill Community and Cultural Center. At this point, no other vaccination sites are scheduled. Second vaccination appointments will either go to the pharmacy or to another location.

Sobrato High School completed its first dose clinic which included the 12 to 15-year-old age group. No other clinics at Sobrato High School are scheduled at this time but that could change.

She concluded by sharing that the Morgan Hill Unified School District Board of Trustees announced the appointment of Dr. Carmen Garcia as the District's new Superintendent. This will be effective July 1 of this year. From the press release that went out, she is passionate about ensuring quality public education for all students. She is bilingual, bicultural, and over the course of 22 years has worked in multiple positions in public education including serving as a teacher, middle and high school administrator, researcher, central office administrator as well as superintendent.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

None.

PUBLIC COMMENT

Public comment opened at 7:42 p.m. The following people were called to speak:

Diya Kandhra

Diane Shroon

Linda Hutchins Knowles

Dashiell Leads

Armando Benavides

Jared Lebovitz

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1 through 5.

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

1. ACCEPT EAST MAIN AVENUE BIKE LANES AND SIDEWALK PROJECT

Recommendation:

1. Accept as complete the East Main Avenue Bike Lanes and Sidewalk Project in the final amount of \$1,210,089;
2. Authorize the City Engineer to sign the Notice of Completion; and
3. Direct the City Clerk to file said Notice of Completion with the County Recorder's Office.

2. ADOPT ORDINANCE 2321, NEW SERIES, ADDING SECTION 3.04.145 TO CHAPTER 3.04 ("PURCHASING") TO TITLE 3 ("REVENUE AND FINANCE") OF THE MORGAN HILL MUNICIPAL CODE INCREASING THE CITY MANAGER'S AUTHORITY TO PROCURE GOODS AND SERVICES THAT ARE EXCLUSIVELY RELATED TO THE

Minutes Acceptance: Minutes of May 19, 2021 5:30 PM (CONSENT CALENDAR)

CITY'S ROLE AS CONTRACTING AGENT USING COUNTYWIDE SOLID WASTE PLANNING FEE PROCEEDS

Recommendation:

Waive the reading, adopt Ordinance No. 2321, 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 LICENSE AGREEMENT WITH TOGLIATTI FARMS FOR CITY PROPERTY AT CONDOT ROAD AND TENNANT AVENUE

Recommendation:

Approve the License Agreement with Togliatti Farms for \$5,000 in annual rent and authorize the City Manager to execute the agreement.

4. APPROVE THE APRIL 28, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

5. AWARD 2021 SIDEWALK REPAIR CONTRACT TO DURAN CONSTRUCTION GROUP, INC.

Recommendation:

1. Award a contract to Duran Construction Group, Inc. in the amount of \$171,691.65;
2. Authorize the expenditure of construction contingency funds not to exceed \$42,908.35; and
3. Authorize the City Manager to execute and administer that certain construction contract with Duran Construction Group, Inc.

The meeting recessed at 7:59 p.m and reconvened at 8:10 p.m.

OTHER BUSINESS

6. DOWNTOWN TRAFFIC CALMING AND MONTEREY ROAD LANE REDUCTION

Recommendation:

1. Receive report on traffic calming activities in the Downtown;
2. Direct staff to include the funding of \$50,000 for the engineering and design consultants to support the design of an Improved Lane Reduction Program and associated Place Branding Design for the Downtown in the mid cycle budget adjustments;
3. Direct City staff to form a working committee made up of Downtown and community representatives;
4. Direct City staff to formally discuss public private partnership opportunities with the Downtown Businesses to support the lane reduction and place branding efforts; and
5. Direct City staff to begin the application process for Transit Development Act Funds for the Lane Reduction Program.

City Manager Christina Turner introduced the item. She then turned the presentation and report over to Public Services Director Chris Ghione and Assistant City Manager Edith Ramirez.

Public comment opened at 9:48 p.m. The following people were called to speak:

Michael van Avery
Paul Latala
Eric Wallace
Marby Lee

Dan McCranie
 Brittney Sherman
 Roberto Aguirrez
 Suman Ganapthy
 Ernesto Gomez
 Kim Panos
 Larry Carr
 Joe Baranowski
 Nick Gaich
 Karl Bjarke
 Armando Benavides
 Ryan Treffers
 Alex Vo
 Andrew Leon
 Jorge Sanchez
 There being no further requests to speak, public comment closed.

MOTION:

Extending the meeting to 11:20 p.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Gino Borgioli, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [3 TO 2]
MOVER:	John McKay, Mayor Pro Tem
SECONDER:	Gino Borgioli, Council Member
AYES:	Constantine, McKay, Borgioli
NAYS:	Martinez Beltran, Spring

MOTION:

Continuing items 7 and 8 to a future meeting.

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

7. USE OF GLYPHOSATE IN CITY MAINTENANCE ACTIVITIES

Recommendation:

1. Receive report on herbicide/Glyphosate use in City parks; and
2. Provide staff with direction on future use of herbicides/Glyphosate by the City.

Item 7 was continued to a future meeting.

RESULT:	CONTINUED TO A FUTURE MEETING
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8. DEVELOPMENT OF A TEMPORARY DOWNTOWN DOG PARK AT FORMER COMMUNITY GARDEN SITE

Recommendation:

Provide direction to City Staff on Parks and Recreation Commission proposed temporary Downtown Dog Park.

Item 8 was continued to a future meeting.

RESULT:	CONTINUED TO A FUTURE MEETING
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FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Martinez Beltran requested that the climate action resolution be brought back to the May 26, 2021 mid-cycle budget meeting. She also would like a discussion regarding the working group that will be formed for Downtown traffic calming.

Council Member Borgioli requested that we ask one or both of the senators for SB 330, SB35, and SB9 to attend a town hall to answer questions and provide information to our community.

Council Member Spring supports the request for the climate action resolution to come back. He would also like a discussion on what the American Rescue Plan Act monies can be spent on. He asked for a discussion on the plan for the al fresco program once we get back to normal.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:18 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk

DRAFT



Meeting Minutes City Council

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

Wednesday, May 26, 2021 5:00 pm

Virtual Meeting

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 5:00 p.m. for the purpose of conducting a joint meeting of the City Council, Planning Commission, Parks & Recreation Commission, and Library, Culture, and Arts Commission.

5:00 p.m. Joint Meeting

7:00 p.m. Regular Meeting

SPECIAL MEETING

5:00 p.m. Joint Meeting for Harassment & Discrimination Prevention Training

JOINT MEETING

Two-Hour Mandatory Harassment and Discrimination Prevention Training for Elected and Appointed Officials. (This is one of several training sessions that will be held for this required training)

CALL TO ORDER

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

Minutes Acceptance: Minutes of May 26, 2021 5:00 PM (CONSENT CALENDAR)

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

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

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

REGULAR MEETING

PUBLIC COMMENT

Public comment opened at 7:02 p.m. The following people were called to speak:

Laura Clendaniel

Joe Baranowski

Armando Benavides

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

City Manager Christina Turner announced the evening's supplements and presentations. She announced that as COVID case rates decline and many of our local rules begin to relax, City Hall will begin transitioning certain services to be open. The first of those services relates to Passports. Passport Services will resume on Tuesday July 6th. Appointments can be made on our website.

She shared that three months ago, California State Emergency Medical Services Agency opened up nominations for EMS awards to recognize people who have made significant contributions to EMS. Our Team nominated Dr. Bill Mulkerin who is the medical advisor for Morgan Hill City Fire Department as well as South Santa Clara County Fire Department. She proudly announced that he was selected by the State EMS Agency for the Distinguished Service Award. This award recognizes individuals for distinguished service or achievements affecting statewide EMS over an extended period of time. He has been our medical advisor since 2017 and he has been instrumental in training and educating our paramedics and EMTs for the past four years on new protocols, policies, medications, procedures, and other skills. He has hundreds of hours of trainings, ride-alongs at all of our Morgan Hill stations, and he attends many local, state, and national meetings that benefit us. He was a huge help during and is still engaged with COVID-19. He has participated in multiple unit-wide conference calls to let our teammates know the facts on the guidance and responses as well as PPE.

She announced that on June 1st at 9:00 a.m., the City will have a Pride Month flag raising ceremony in the area between City Council Chamber and City Hall. She encouraged the community to attend this socially distanced outdoor event.

She concluded by encouraging the community to view our Housing Conversation meeting videos on our website and to attend the next virtual meeting this Friday May 28 at 10:00 a.m. on A Model for Agricultural Workforce Housing in South County.

OTHER BUSINESS

1. USE OF GLYPHOSATE IN CITY MAINTENANCE ACTIVITIES

Recommendation:

1. Receive report on herbicide/Glyphosate use in City parks; and
2. Provide staff with direction on future use of herbicides/Glyphosate by the City.

Public Services Director Chris Ghione provided a presentation and report.

Public comment opened. There being no requests to speak, public comment closed.

Council provided direction to staff.

RESULT:	DIRECTION PROVIDED TO STAFF
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2. DEVELOPMENT OF A TEMPORARY DOWNTOWN DOG PARK AT FORMER COMMUNITY GARDEN SITE

Recommendation:

Provide direction to City Staff on Parks and Recreation Commission proposed temporary Downtown Dog Park.

Public Services Director Chris Ghione provided a presentation and report.

Public comment opened.

Joe Baranowski was called to speak.

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

Council provided direction to staff.

RESULT:	DIRECTION PROVIDED TO STAFF
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3. ADOPT FISCAL YEAR 2020-21 AND 2021-2022 MID-CYCLE BUDGET AMENDMENTS AND RESOLUTION AND THE MANAGEMENT, PROFESSIONAL, AND CONFIDENTIAL EMPLOYEES RESOLUTION

Recommendation:

1. Adopt resolution:
 - a. Authorizing changes to the adopted Fiscal Year (FY) 2020-2021 and 2021-22 City of Morgan Hill Operating and Capital Improvement Budget, including appropriation of American Rescue Funding; and
 - b. Adopting the FY 2021-22 Appropriations Limit and Appropriations Limit Adjustment Factors;
2. Accept a grant of \$450,000 from Destination Home to develop and advance the local implementation of the Community Plan to End Homelessness;
3. Authorize the City Manager to execute and administer the Destination Home grant agreement;
4. Approve the American Federation of State, County, and Municipal Employees Local 101, District Council 57 (AFSCME) salary schedule;
5. Adopt the Management, Professional, and Confidential Employees Resolution and corresponding salary schedule effective July 1, 2021; and
6. Adopt resolution to declare a climate emergency.

City Manager Christina Turner introduced the Mid-Cycle Budget Workshop and provided a presentation and report.

Public comment opened at 9:43 p.m. The following people were called to speak:

Hoai-An Truong
 Diya Kandhra
 Susan Kirchhoff
 Armando Benavides
 Joe Baranowski
 Jared Lebovitz
 Dashiell Leeds
 Krista Rupp spoke on behalf of Visit Morgan Hill
 Matthew Liam Lundy
 Diane Bailey
 Margaret McCann
 Dave Matthews
 Nick Gaich

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

The meeting recessed at 10:11 p.m. and reconvened at 10:20 p.m.

MOTION:

Extending the meeting to 11:10 p.m.

RESULT:	EXTENDED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor
SECONDER:	Yvonne Martinez Beltran, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

MOTION:

Approving the recommended actions.

RESULT:	ADOPTED [4 TO 1]
MOVER:	John McKay, Mayor Pro Tem
SECONDER:	Rene Spring, Council Member
AYES:	Constantine, McKay, Borgioli, Spring
NAYS:	Martinez Beltran

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, the meeting adjourned in honor of the victims of today's callous and senseless acts of violence at 11:08 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk

DRAFT



Meeting Minutes City Council

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

Wednesday, June 2, 2021 5:30 pm

Virtual Meeting

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 5:30 p.m. for the purpose of conducting a Housing Workshop: State Mandates for Housing Production.

5:30 p.m.

Housing Workshop: State Mandates for Housing Production

7:00 p.m.

Regular City Council Meeting.

CALL TO ORDER

Mayor Constantine called the meeting to order at 5:30 p.m.

ROLL CALL ATTENDANCE

City Clerk Michelle Bigelow called the roll.

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Remote	

Minutes Acceptance: Minutes of Jun 2, 2021 5:30 PM (CONSENT CALENDAR)

John McKay	Mayor Pro Tem	Remote	
Gino Borgioli	Council Member	Remote	
Yvonne Martinez Beltran	Council Member	Remote	
Rene Spring	Council Member	Remote	

DECLARATION OF POSTING AGENDA

City Clerk Michelle Bigelow declared the posting of the agenda.

HOUSING WORKSHOP

This workshop is the second in a series of Housing Workshops that will look at the current and future state of housing in Morgan Hill. This workshop is called "State Mandates for Housing Production." Staff will present and discuss the following:

1. What is the Housing Element and Regional Housing Needs Allocation (RHNA)?
2. What are the recent laws that affect housing production, application processing, and City regulations?
3. What laws are expected in the future?

City Manager Christina Turner introduced the workshop and turned the presentation over to Housing Manager Rebecca Garcia and Development Services Director Jennifer Carman.

Public comment opened at 6:38 p.m.

Brian Sullivan was called to speak.

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

WORKSHOP PRESENTATION

PROCLAMATION

Proclaiming the Month of June 2021 as Pride Month

CITY COUNCIL REPORTS

Council Member Borgioli shared that at the South County Regional Wastewater Authority (SCRWA) meeting, Director John Varela shared that he is unsure of the amount of water that Valley Water has to sustain our area going forward in the drought. Director Varela encouraged Council Members to reach out to talk to him about the possible situation that is brewing in our area.

CITY MANAGER'S REPORT

City Manager Christina Turner shared that the City received notice that Valley Water's Board of Directors will be considering the declaration of a water shortage emergency condition in the county. The Special Board meeting will be on Wednesday June 9th at 1:00 p.m., more information is available on Valley Water's website. Staff will be returning to the City Council on June 16th to discuss this matter further.

She shared that we have two more Housing Workshops, one on Wednesday June 16th on Housing Affordability and one on June 23rd on Housing and Long Term Sustainability. We will also have a Community Town Hall on Thursday, June 10th on creating inclusive communities through design form.

She announced that the Aquatic Center is opening daily for summer recreation swim on Wednesday, June 7th. Swimming lessons are available, as are many other recreation opportunities. Updated information is available on the City's website.

She shared that the City held a Pride Month flag raising ceremony at 9:00 a.m. on June 1st. It was a very well attended event. This is a powerful way that we demonstrate that we are an inclusive community and we recognize that all people in our community deserve to be treated respectfully and fairly. Our Pride flag will be displayed at three locations throughout the City during the month of June; at City Hall, the Community and Cultural Center, and the Centennial Recreation Center.

She concluded by speaking to the evening's supplements and presentations.

CITY ATTORNEY'S REPORT

None.

OTHER REPORTS

None.

PUBLIC COMMENT

Public comment opened at 7:08 p.m.

Joe Baranowski was called to speak.

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

ADOPTION OF AGENDA

MOTION:

Adopting the agenda as posted.

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

CONSENT CALENDAR

MOTION:

Approving consent calendar items 1 through 9.

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

1. APPOINTMENT OF COMMISSIONERS TO THE MORGAN HILL PLANNING COMMISSION

Recommendation:

Reappoint Laura Gonzalez Escoto, Malisha Kumar, and Mohamad Habib to serve on the Morgan Hill Planning Commission with terms ending June 1, 2025.

2. APPROVE SCHOOL RESOURCE OFFICER MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR (FY) 2021-22

Recommendation:

Authorize the City Manager to execute and administer the Memorandum of Understanding with the Morgan Hill Unified School District accepting funds for one School Resource Officer in the amount of \$130,000 for Fiscal Year 2021-22.

3. AWARD 2021 PAVEMENT REHABILITATION PROJECT TO A. TEICHERT & SON, INC. DBA TEICHERT CONSTRUCTION

Recommendation:

1. Approve 2021 Pavement Rehabilitation Project plans and specifications;
2. Award contract to A. Teichert & Son, Inc. DBA Teichert Construction for the 2021 Pavement Rehabilitation Project in the amount of \$2,131,400;
3. Authorize expenditure of construction contingency not to exceed \$532,850; and
4. Authorize the City Manager to execute and administer the construction contract with A. Teichert & Son, Inc. DBA Teichert Construction.

4. APPROVE REFINANCING FOR SKEELS HOTEL APARTMENTS

Recommendation:

Authorize City Manager to negotiate and approve re-subordination of existing City loan in the principal amount of \$153,331 and accrued interest of approximately \$74,000 for 13-unit Affordable Housing Apartment Complex.

5. APPROVE AMENDMENT TO CONSULTANT AGREEMENT WITH HOUSEKEYS, INC FOR BELOW MARKET RATE (BMR) AND LOAN ADMINISTRATION SERVICES

Recommendation:

1. Approve Second Amendment to Consultant Agreement, for BMR and Loan Administration services through June 30, 2022, for an additional \$550,000, totaling \$2,150,000 from July 1, 2018 – June 30, 2022; and
2. Authorize the City Manager to execute and administer the contract.

6. APPROVE SERVICE MAINTENANCE AGREEMENT WITH SALINAS PUMP COMPANY

Recommendation:

Approve and authorize the City Manager to execute a three-year agreement with Salinas Pump Company in the total not-to-exceed amount of \$750,000 for on-call routine and emergency repair, maintenance, and rehabilitation of the City's water wells and booster stations.

7. ADOPT RESOLUTION AUTHORIZING THE CITY TO CONTINUE PARTICIPATION IN THE SANTA CLARA COUNTY ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY PROGRAM

Recommendation:

Adopt resolution authorizing the City of Morgan Hill to continue participation in the 10-year term of the Santa Clara County Abandoned Vehicle Abatement Service Authority Program.

8. ADOPT ORDINANCE 2322, NEW SERIES, AMENDING CHAPTER 13.20 ("SEWERS AND INDUSTRIAL WASTE") OF TITLE 13 ("PUBLIC SERVICES") TO REQUIRE THE INSPECTION AND REPAIR OF PRIVATE SEWER LATERALS AND PRIVATE SANITARY SEWER COLLECTION SYSTEMS

Recommendation:

Waive the reading, adopt Ordinance No. 2322, 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.

9. ADOPT ORDINANCE 2323, NEW SERIES, ADDING SECTION, 13.04.335 ("PLUMBING FIXTURE RETROFIT REGULATIONS") OF CHAPTER 13.04 ("WATER SYSTEM") OF TITLE 13 ("PUBLIC SERVICES"), ESTABLISHING WATER EFFICIENCY STANDARDS FOR INTERIOR PLUMBING FIXTURES WHEN CHANGES IN OWNERSHIP OF REAL PROPERTY OCCUR

Recommendation:

Waive the reading, adopt Ordinance No. 2323, 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.

PUBLIC HEARING

10. TAX AND EQUITY FISCAL RESPONSIBILITY ACT (TEFRA) HEARING APPROVING ISSUANCE OF BONDS FOR DEPOT COMMONS AFFORDABLE HOUSING APARTMENTS AT 17145 DEPOT STREET AND THE WILLOWS AFFORDABLE HOUSING APARTMENTS AT 50 W. EDMUNDSON AVENUE WITHIN THE CITY OF MORGAN HILL

Recommendation:

1. Open/close public hearing consistent with the requirements of the Federal Tax and Equity Fiscal Responsibility Act ("TEFRA") and Section 147 (f) of the Internal Revenue Code of 1986, as amended (the "Code"); and
2. Adopt resolution approving the issuance of bonds by the California Municipal Finance Authority (CMFA), for the acquisition, rehabilitation, expansion and improvement of two multifamily rental housing facilities: Depot Commons, located at 17145 Depot Street and The Willows, located at 50 W. Edmundson Avenue.

Housing Manager Rebecca Garcia provided a presentation and report.

The public hearing opened at 7:17 p.m.

Sally Casas was called to speak.

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

MOTION:

Approving the recommended action.

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

11. APPROVE RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1 (DISTRICT)

Recommendation:

1. Open the Public Hearing; and
2. Continue the item to the June 16, 2021 City Council Meeting.

Public Services Director Chris Ghione provided the report.

The public hearing opened at 7:21 p.m. and will remain open until the June 16, 2021 City Council Meeting.

MOTION:

Continuing this item to June 16, 2021.

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

OTHER BUSINESS

12. RECEIVE REPORT REGARDING SENATE BILL (SB) 743 LEVEL-OF-SERVICE (LOS) TO VEHICLE-MILES-TRAVELED (VMT)

Recommendation:

Accept presentation by Staff and Nelson\Nygaard Consulting Associates, Inc. regarding the City's implementation of State Senate Bill (SB) 743 transition from Level-of-Service (LOS) to Vehicle-Miles-Traveled (VMT) metric for transportation analysis under the California Environmental Quality Act (CEQA).

Principal Planner Adam Paszkowski, along with Meghan Weir and Brian Manford with Nelson Nygaard provided a presentation and report.

Public comment opened at 8:47 p.m. The following people were called to speak:

Joe Baranowski

Armando Benavides

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

RESULT:	NO ACTION TAKEN
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13. RECEIVE REPORT AND PROVIDE DIRECTION ON FRAMEWORK FOR DIVERSITY, EQUITY, AND INCLUSION WORK PROGRAM.

Recommendation:

Receive report and provide direction on framework for Diversity, Equity, and Inclusion work program.

City Manager Christina Turner introduced the item and turned the presentation over to Assistant City Manager Edith Ramirez who provided a presentation and report.

Public comment opened at 9:25 p.m. The following people were called to speak:

Armando Benavides

Joe Baranowski

Sally Casas

Dave Mathews

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

RESULT:	NO ACTION TAKEN
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FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Martinez Beltran asked for a conversation about housing, transportation, and impact fees.

Minutes Acceptance: Minutes of Jun 2, 2021 5:30 PM (CONSENT CALENDAR)

CLOSED SESSION

City Attorney Donald Larkin announced the closed session item.

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 9:51 p.m. There being no requests to speak, public comment closed.

The meeting recessed at 9:51 p.m. and reconvened at 9:55 p.m.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 9:55 p.m.

Conference with Legal Counsel - Existing Litigation

Authority: Pursuant to CA Govt. Code Section 54656.9(a).

Case Name: Alanis v. City of Morgan Hill

Case Numbers: Workers' Compensation Claim No: MHL1800006

ADJOURNMENT

There being no further business, the meeting adjourned at 10:12 p.m.

MINUTES PREPARED BY:

Michelle Bigelow, City Clerk



CITY COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

PREPARED BY: Keri Russell, Maintenance Services Coordinator
APPROVED BY: City Manager

ADOPT RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1 (DISTRICT)

RECOMMENDATION(S)

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year (FY) 2021-22 annual assessments and ordering the levy of assessments for the District.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure

2020-2021 Strategic Priorities

Fiscal Sustainability

REPORT NARRATIVE:

The City of Morgan Hill Landscape Assessment District No. 1 (District) was created to pay for the maintenance of the parks and common landscaping in neighborhoods benefiting from the open space within the District. The purpose of this item is to:

- A) Provide an opportunity for public input;
- B) Confirm the FY 2021-22 Assessments; and
- C) Order the levy of the Assessments.

Per California Streets and Highways Code Sections 22623 to 22631, the Annual Report (Attachment 1) is required to set the annual assessments in the District. In addition to approving the report on May 5, 2021, the Council declared its intent to levy assessments in the District and established June 2, 2021 as the date of the official public hearing. Due to a noticing issue the public hearing also needs to be held on June 16, 2021.

COMMUNITY ENGAGEMENT: Inform

Ongoing resident outreach is occurring in several of the subareas and City staff are striving to increase the resident outreach. Some areas have more active homeowners' groups that work with City staff in planning maintenance projects for their subareas, while residents of other subareas are less engaged. In recent years, City staff have successfully outreached to several areas, and in 2020 were successful in working with the Mill Creek subarea to increase that assessment rate. Although outreach with residents is typically positive, not all residents are satisfied with the service being

provided within their subarea. This dissatisfaction is often due to the limitations of funding available to the subarea without the associated increase in assessments levied.

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

ALTERNATIVE ACTIONS:

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

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

In 1991, the City Council, under the Landscaping and Lighting Act of 1972, created the Fox Hollow/Murphy Springs Landscape Assessment District, and in 2010 chose to rename it to the City of Morgan Hill Landscape Assessment District No. 1.

On May 5, 2021, the City Council initiated the annual assessment process and approved the Engineer's Annual Report, for FY 2021-22.

FISCAL AND RESOURCE IMPACT:

The cost for preparation of the Engineer's Annual Report will be paid for by the Assessment District. It is anticipated that the District will generate \$188,552 in revenues in Fiscal Year 2021-22. Expenses are budgeted at \$174,829 meaning that overall, the District's reserves are projected to be increased by \$13,723 in the upcoming fiscal year. Providing administrative oversight to the District is a core activity of the Community Services Department's work program.

CEQA (California Environmental Quality Act): Categorical Exemption

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

LINKS/ATTACHMENTS:

1. Engineer's Report FY2021-22
2. Resolution

CITY OF MORGAN HILL

Fiscal Year 2021/22 Engineer's Report For:

Landscape Assessment District No. 1

June 2021

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

CITY COUNCIL

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

CITY STAFF

Christina Turner, City Manager
Chris Ghione, Public Services Director
Keri Russell, Maintenance Coordinator
Mariah Dabel, Financial & Policy Analyst

NBS

Greg Davidson, Client Service Director
Kristin Harvey, Senior Consultant

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1. ENGINEER'S LETTER

WHEREAS, the City Council of the City of Morgan Hill (the "City"), State of California, directed NBS to prepare and file a report, in accordance with Chapter 1, Article 4 of the Landscaping and Lighting Act of 1972 (the "Act"), presenting the plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the City's Landscape Assessment District No. 1 (the "District") for Fiscal Year 2021/22. The report includes a diagram for the District, showing the area and properties proposed to be assessed, an assessment of the estimated costs of the maintenance, operations and servicing the improvements, and the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received and;

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

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

Zone	Units	FY 2021/22 Maximum Assessment Rate	FY 2021/22 Actual Assessment Rate	Total Assessment ⁽¹⁾
Belle Estates	36	\$502.22	\$320.00	\$11,520.00
Chang/Bertelone	8	1,215.00	550.00	4,400.00
Conte Gardens	11	477.82	365.00	4,015.00
Diana Estates	64	139.39	139.39	8,920.96
Fox Hollow ⁽²⁾	75	226.42	173.53	13,014.75
Hamilton Square	38	425.54	325.00	12,350.00
Jackson Meadows #6	70	108.10	108.00	7,560.00
Jackson Meadows #7	10	314.58	100.00	1,000.00
La Grande Estates	32	88.00	88.00	2,816.00
Lacrosse/Gera	24	142.99	50.00	1,200.00
Llagas Creek ⁽²⁾	71	304.89	233.67	16,590.57
Llagas/Obata	5	629.16	400.00	2,000.00
Mill Creek ^(2,4)	84	293.55	285.00	23,940.00
Oak Creek I, II, III	119	453.82	350.00	41,650.00
Parsons Corner ⁽³⁾	NOT APPLICABLE			
Rose Haven	27	488.47	400.00	10,800.00
Sandalwood ⁽⁴⁾	11	450.00	450.00	4,950.00
Sparhawk ⁽²⁾	18	324.66	248.82	4,478.76
Stone Creek ⁽²⁾	35	506.84	388.46	13,596.10
Sunnyside/Stonegate ⁽²⁾	10	742.78	375.00	3,750.00
Totals:	748			\$188,552.14

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

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

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

⁽⁴⁾ Includes increased maximum assessment rate approved by property owners.



2. OVERVIEW

2.1 Introduction

In 1991, the City Council created the Fox Hollow/Murphy Springs Landscape Assessment District, under the Act, and in 2010 chose to rename it to the City of Morgan Hill Landscape Assessment District No. 1. The District was formed in order to provide for the continued maintenance, operation, and administration of various improvements within the boundaries of the District. Following the initial formation, additional territory was annexed to the District as separate Zones. Currently, the District is comprised of 19 Zones (which decreased from 20 as a result of property owners within Parsons Corner electing to detach from the District in April 2019).

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

2.2 Description of Boundaries

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

2.3 Description of Improvements and Services

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

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

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

3. ESTIMATE OF COSTS

3.1 Definitions of Budget Items

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

Direct Expenses

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

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

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

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

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

Administrative Expenses

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

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

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

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

Contingency/Capital Replacement Fund Balance (Reduction)/Reserve

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

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

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

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

3.2 Zone Budgets

The estimated costs of servicing, maintaining, repairing, and replacing the actual improvements for each Zone for Fiscal Year 2021/22 are shown on the following pages.

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Belle Estates</u>
DIRECT EXPENSES	
Maintenance	\$3,750.00
Extra Contract Costs	1,000.00
Water/Sewer	2,600.00
Electricity Costs	0.00
Other Supplies	525.00
Subtotal Direct Expenses	\$7,875.00
ADMINISTRATIVE EXPENSES	
Salaries	\$1,037.92
Postage/Advertising	10.03
Internal Services	714.52
Administrative/Engineering Contract	354.62
Subtotal Administrative Expenses	\$2,117.08
SUBTOTAL ZONE COST	\$9,992.08
Fund Balance (Reduction)/Reserve	1,527.92
TOTAL BALANCE TO LEVY	\$11,520.00
Number of Assessable Units	36
Assessment Rate per Unit	\$320.00
Estimated Beginning Fund Balance July 1, 2021	\$13,276.40
Fund Balance Change	1,527.92
Estimated Ending Fund Balance June 30, 2022	\$14,804.32

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	Chang / Bertelone
DIRECT EXPENSES	
Maintenance	\$2,154.00
Extra Contract Costs	0.00
Water/Sewer	1,000.00
Electricity Costs	0.00
Other Supplies	400.00
Subtotal Direct Expenses	\$3,554.00
ADMINISTRATIVE EXPENSES	
Salaries	\$230.65
Postage/Advertising	2.23
Internal Services	158.78
Administrative/Engineering Contract	78.80
Subtotal Administrative Expenses	\$470.46
SUBTOTAL ZONE COST	\$4,024.46
Fund Balance (Reduction)/Reserve	375.54
TOTAL BALANCE TO LEVY	\$4,400.00
Number of Assessable Units	8
Assessment Rate per Unit	\$550.00
Estimated Beginning Fund Balance July 1, 2021	\$10,263.14
Fund Balance Change	375.54
Estimated Ending Fund Balance June 30, 2022	\$10,638.68

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Conte Gardens</u>
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	1,000.00
Water/Sewer	1,500.00
Electricity Costs	200.00
Other Supplies	500.00
Subtotal Direct Expenses	\$3,200.00
ADMINISTRATIVE EXPENSES	
Salaries	\$317.14
Postage/Advertising	3.06
Internal Services	218.33
Administrative/Engineering Contract	108.36
Subtotal Administrative Expenses	\$646.89
SUBTOTAL ZONE COST	\$3,846.89
Fund Balance (Reduction)/Reserve	168.11
TOTAL BALANCE TO LEVY	\$4,015.00
Number of Assessable Units	11
Assessment Rate per Unit	\$365.00
Estimated Beginning Fund Balance July 1, 2021	\$13,618.01
Fund Balance Change	168.11
Estimated Ending Fund Balance June 30, 2022	\$13,786.13

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Diana Estates</u>
DIRECT EXPENSES	
Maintenance	\$3,737.00
Extra Contract Costs	500.00
Water/Sewer	800.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$5,037.00
ADMINISTRATIVE EXPENSES	
Salaries	\$1,845.18
Postage/Advertising	17.83
Internal Services	1,270.26
Administrative/Engineering Contract	630.43
Subtotal Administrative Expenses	\$3,763.70
SUBTOTAL ZONE COST	\$8,800.70
Fund Balance (Reduction)/Reserve	120.26
TOTAL BALANCE TO LEVY	\$8,920.96
Number of Assessable Units	64
Assessment Rate per Unit	\$139.39
Estimated Beginning Fund Balance July 1, 2021	7,685.86
Fund Balance Change	120.26
Estimated Ending Fund Balance June 30, 2022	\$7,806.11

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	Fox Hollow
DIRECT EXPENSES	
Maintenance	\$2,154.00
Extra Contract Costs	2,500.00
Water/Sewer	2,150.00
Electricity Costs	0.00
Other Supplies	500.00
Subtotal Direct Expenses	\$7,304.00
ADMINISTRATIVE EXPENSES	
Salaries	\$2,162.32
Postage/Advertising	20.89
Internal Services	1,488.59
Administrative/Engineering Contract	738.79
Subtotal Administrative Expenses	\$4,410.59
SUBTOTAL ZONE COST	\$11,714.59
Fund Balance (Reduction)/Reserve	1,300.16
TOTAL BALANCE TO LEVY	\$13,014.75
Number of Assessable Units	75
Assessment Rate per Unit	\$173.53
Estimated Beginning Fund Balance July 1, 2021	\$17,091.64
Fund Balance Change	1,300.16
Estimated Ending Fund Balance June 30, 2022	\$18,391.80

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	<u>Hamilton Square</u>
DIRECT EXPENSES	
Maintenance	\$8,148.21
Extra Contract Costs	0.00
Water/Sewer	4,268.00
Electricity Costs	265.00
Other Supplies	1,000.00
Subtotal Direct Expenses	<u>\$13,681.21</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$1,095.58
Postage/Advertising	10.58
Internal Services	754.22
Administrative/Engineering Contract	374.32
Subtotal Administrative Expenses	<u>\$2,234.70</u>
SUBTOTAL ZONE COST	\$15,915.91
Fund Balance (Reduction)/Reserve	(3,565.91)
TOTAL BALANCE TO LEVY	<u>\$12,350.00</u>
Number of Assessable Units	38
Assessment Rate per Unit	\$325.00
Estimated Beginning Fund Balance July 1, 2021	\$18,012.19
Fund Balance Change	<u>(3,565.91)</u>
Estimated Ending Fund Balance June 30, 2022	\$14,446.28

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	Jackson Meadows #6
DIRECT EXPENSES	
Maintenance	\$905.36
Extra Contract Costs	1,350.00
Water/Sewer	400.00
Electricity Costs	380.00
Other Supplies	0.00
Subtotal Direct Expenses	\$3,035.36
ADMINISTRATIVE EXPENSES	
Salaries	\$2,018.17
Postage/Advertising	19.50
Internal Services	1,389.35
Administrative/Engineering Contract	689.54
Subtotal Administrative Expenses	\$4,116.55
SUBTOTAL ZONE COST	\$7,151.91
Fund Balance (Reduction)/Reserve	408.09
TOTAL BALANCE TO LEVY	\$7,560.00
Number of Assessable Units	70
Assessment Rate per Unit	\$108.00
Estimated Beginning Fund Balance July 1, 2021	424.89
Fund Balance Change	408.09
Estimated Ending Fund Balance June 30, 2022	\$832.98

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	Jackson Meadows #7
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	350.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$350.00
ADMINISTRATIVE EXPENSES	
Salaries	\$288.31
Postage/Advertising	2.79
Internal Services	198.48
Administrative/Engineering Contract	98.51
Subtotal Administrative Expenses	\$588.08
SUBTOTAL ZONE COST	\$938.08
Fund Balance (Reduction)/Reserve	61.92
TOTAL BALANCE TO LEVY	\$1,000.00
Number of Assessable Units	10
Assessment Rate per Unit	\$100.00
Estimated Beginning Fund Balance July 1, 2021	4,795.47
Fund Balance Change	61.92
Estimated Ending Fund Balance June 30, 2022	\$4,857.39

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>La Grande Estates</u>
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	0.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$0.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$922.59
Postage/Advertising	8.91
Internal Services	635.13
Administrative/Engineering Contract	315.22
Subtotal Administrative Expenses	<u>\$1,881.85</u>
SUBTOTAL ZONE COST	\$1,881.85
Fund Balance (Reduction)/Reserve	934.15
TOTAL BALANCE TO LEVY	<u>\$2,816.00</u>
Number of Assessable Units	32
Assessment Rate per Unit	\$88.00
Estimated Beginning Fund Balance July 1, 2021	(9,289.96)
Fund Balance Change	<u>934.15</u>
Estimated Ending Fund Balance June 30, 2022	<u>(\$8,355.81)</u>

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Lacrosse/Gera</u>
DIRECT EXPENSES	
Maintenance	\$0.00
Extra Contract Costs	0.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	<u>\$0.00</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$345.97
Postage/Advertising	3.34
Internal Services	238.17
Administrative/Engineering Contract	118.21
Subtotal Administrative Expenses	<u>\$705.69</u>
SUBTOTAL ZONE COST	\$705.69
Fund Balance (Reduction)/Reserve	494.31
TOTAL BALANCE TO LEVY	<u>\$1,200.00</u>
Number of Assessable Units	24
Assessment Rate per Unit	\$50.00
Estimated Beginning Fund Balance July 1, 2021	2,241.65
Fund Balance Change	<u>494.31</u>
Estimated Ending Fund Balance June 30, 2022	<u>\$2,735.95</u>

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Llagas Creek</u>
DIRECT EXPENSES	
Maintenance	\$6,018.00
Extra Contract Costs	2,000.00
Water/Sewer	3,500.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$11,518.00
ADMINISTRATIVE EXPENSES	
Salaries	\$2,047.00
Postage/Advertising	19.78
Internal Services	1,409.20
Administrative/Engineering Contract	699.39
Subtotal Administrative Expenses	\$4,175.36
SUBTOTAL ZONE COST	\$15,693.36
Fund Balance (Reduction)/Reserve	897.21
TOTAL BALANCE TO LEVY	\$16,590.57
Number of Assessable Units	71
Assessment Rate per Unit	\$233.67
Estimated Beginning Fund Balance July 1, 2021	8,283.53
Fund Balance Change	897.21
Estimated Ending Fund Balance June 30, 2022	\$9,180.74

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Llagas/Obata</u>
DIRECT EXPENSES	
Maintenance	\$1,267.00
Extra Contract Costs	0.00
Water/Sewer	300.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$1,567.00
ADMINISTRATIVE EXPENSES	
Salaries	\$144.15
Postage/Advertising	1.39
Internal Services	99.24
Administrative/Engineering Contract	49.25
Subtotal Administrative Expenses	\$294.04
SUBTOTAL ZONE COST	\$1,861.04
Fund Balance (Reduction)/Reserve	138.96
TOTAL BALANCE TO LEVY	\$2,000.00
Number of Assessable Units	5
Assessment Rate per Unit	\$400.00
Estimated Beginning Fund Balance July 1, 2021	399.05
Fund Balance Change	138.96
Estimated Ending Fund Balance June 30, 2022	\$538.01

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	<u>Mill Creek</u>
DIRECT EXPENSES	
Maintenance	\$9,053.57
Extra Contract Costs	500.00
Water/Sewer	3,000.00
Electricity Costs	200.00
Other Supplies	750.00
Subtotal Direct Expenses	<u>\$13,503.57</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$2,421.80
Postage/Advertising	23.40
Internal Services	1,667.22
Administrative/Engineering Contract	827.45
Subtotal Administrative Expenses	<u>\$4,939.86</u>
SUBTOTAL ZONE COST	\$18,443.43
Fund Balance (Reduction)/Reserve	5,496.57
TOTAL BALANCE TO LEVY	<u>\$23,940.00</u>
Number of Assessable Units	84
Assessment Rate per Unit	\$285.00
Estimated Beginning Fund Balance July 1, 2021	8,018.41
Fund Balance Change	<u>5,496.57</u>
Estimated Ending Fund Balance June 30, 2022	<u>\$13,514.98</u>

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	<u>Oak Creek I, II, III</u>
DIRECT EXPENSES	
Maintenance	\$14,485.70
Extra Contract Costs	2,000.00
Water/Sewer	10,000.00
Electricity Costs	3,650.00
Other Supplies	3,000.00
Subtotal Direct Expenses	\$33,135.70
ADMINISTRATIVE EXPENSES	
Salaries	\$3,430.89
Postage/Advertising	33.15
Internal Services	2,361.89
Administrative/Engineering Contract	1,172.21
Subtotal Administrative Expenses	\$6,998.14
SUBTOTAL ZONE COST	\$40,133.84
Fund Balance (Reduction)/Reserve	1,516.16
TOTAL BALANCE TO LEVY	\$41,650.00
Number of Assessable Units	119
Assessment Rate per Unit	\$350.00
Estimated Beginning Fund Balance July 1, 2021	42,950.37
Fund Balance Change	1,516.16
Estimated Ending Fund Balance June 30, 2022	\$44,466.53

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	<u>Rose Haven</u>
DIRECT EXPENSES	
Maintenance	\$7,242.85
Extra Contract Costs	500.00
Water/Sewer	1,500.00
Electricity Costs	215.00
Other Supplies	400.00
Subtotal Direct Expenses	<u>\$9,857.85</u>
ADMINISTRATIVE EXPENSES	
Salaries	\$778.44
Postage/Advertising	7.52
Internal Services	535.89
Administrative/Engineering Contract	265.96
Subtotal Administrative Expenses	<u>\$1,587.81</u>
SUBTOTAL ZONE COST	\$11,445.66
Fund Balance (Reduction)/Reserve	(645.66)
TOTAL BALANCE TO LEVY	<u>\$10,800.00</u>
Number of Assessable Units	27
Assessment Rate per Unit	\$400.00
Estimated Beginning Fund Balance July 1, 2021	21,388.92
Fund Balance Change	<u>(645.66)</u>
Estimated Ending Fund Balance June 30, 2022	\$20,743.25

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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	<u>Sandalwood</u>
DIRECT EXPENSES	
Maintenance	\$317.00
Extra Contract Costs	0.00
Water/Sewer	0.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$317.00
ADMINISTRATIVE EXPENSES	
Salaries	\$317.14
Postage/Advertising	3.06
Internal Services	218.33
Administrative/Engineering Contract	108.36
Subtotal Administrative Expenses	\$646.89
SUBTOTAL ZONE COST	\$963.89
Fund Balance (Reduction)/Reserve	3,986.11
TOTAL BALANCE TO LEVY	\$4,950.00
Number of Assessable Units	11
Assessment Rate per Unit	\$450.00
Estimated Beginning Fund Balance July 1, 2021	5,019.53
Fund Balance Change	3,986.11
Estimated Ending Fund Balance June 30, 2022	\$9,005.64

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Sparhawk</u>
DIRECT EXPENSES	
Maintenance	\$2,154.00
Extra Contract Costs	0.00
Water/Sewer	1,750.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$3,904.00
ADMINISTRATIVE EXPENSES	
Salaries	\$518.96
Postage/Advertising	5.01
Internal Services	357.26
Administrative/Engineering Contract	177.31
Subtotal Administrative Expenses	\$1,058.54
SUBTOTAL ZONE COST	\$4,962.54
Fund Balance (Reduction)/Reserve	(483.78)
TOTAL BALANCE TO LEVY	\$4,478.76
Number of Assessable Units	18
Assessment Rate per Unit	\$248.82
Estimated Beginning Fund Balance July 1, 2021	2,021.11
Fund Balance Change	(483.78)
Estimated Ending Fund Balance June 30, 2022	\$1,537.33

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)



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**City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone**

	<u>Stone Creek</u>
DIRECT EXPENSES	
Maintenance	\$5,796.00
Extra Contract Costs	1,800.00
Water/Sewer	3,000.00
Electricity Costs	0.00
Other Supplies	0.00
Subtotal Direct Expenses	\$10,596.00
ADMINISTRATIVE EXPENSES	
Salaries	\$1,009.08
Postage/Advertising	9.75
Internal Services	694.67
Administrative/Engineering Contract	344.77
Subtotal Administrative Expenses	\$2,058.28
SUBTOTAL ZONE COST	\$12,654.28
Fund Balance (Reduction)/Reserve	941.82
TOTAL BALANCE TO LEVY	\$13,596.10
Number of Assessable Units	35
Assessment Rate per Unit	\$388.46
Estimated Beginning Fund Balance July 1, 2021	2,597.49
Fund Balance Change	941.82
Estimated Ending Fund Balance June 30, 2022	\$3,539.31

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Sunnyside / Stone Gate</u>
DIRECT EXPENSES	
Maintenance	\$1,810.71
Extra Contract Costs	400.00
Water/Sewer	500.00
Electricity Costs	0.00
Other Supplies	400.00
Subtotal Direct Expenses	\$3,110.71
ADMINISTRATIVE EXPENSES	
Salaries	\$288.31
Postage/Advertising	2.79
Internal Services	198.48
Administrative/Engineering Contract	98.51
Subtotal Administrative Expenses	\$588.08
SUBTOTAL ZONE COST	\$3,698.79
Fund Balance (Reduction)/Reserve	51.21
TOTAL BALANCE TO LEVY	\$3,750.00
Number of Assessable Units	10
Assessment Rate per Unit	\$375.00
Estimated Beginning Fund Balance July 1, 2021	13,213.07
Fund Balance Change	51.21
Estimated Ending Fund Balance June 30, 2022	\$13,264.28

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22 Budget by Zone

	<u>Total of all Zones</u>
DIRECT EXPENSES	
Maintenance	\$68,993.40
Extra Contract Costs	13,900.00
Water/Sewer	36,268.00
Electricity Costs	4,910.00
Other Supplies	7,475.00
Subtotal Direct Expenses	\$131,546.40
ADMINISTRATIVE EXPENSES	
Salaries	\$21,219.60
Postage/Advertising	205.00
Internal Services	14,608.00
Administrative/Engineering Contract	7,250.00
Subtotal Administrative Expenses	\$43,282.60
SUBTOTAL ZONE COST	\$174,829.00
Fund Balance (Reduction)/Reserve	13,723.14
TOTAL BALANCE TO LEVY	\$188,552.14
Number of Assessable Units	748
Assessment Rate per Unit	N/A
Estimated Beginning Fund Balance July 1, 2021	\$182,010.76
Fund Balance Change	13,723.14
Estimated Ending Fund Balance June 30, 2022	\$195,733.90

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4. ASSESSMENTS

The amount of the actual assessment for the Fiscal Year 2021/22 apportioned to each parcel, as shown on the latest equalized roll at the County Assessor's office, is listed in Section 6 of this Report. The description of each lot or parcel is part of the records of the County Assessor and such records are, by reference, made part of this Report.

4.1 Method of Apportionment

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

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

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

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

4.2 Belle Estates Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$11,520.00
Total Units	36
Fiscal Year 2021/22 Actual Assessment Per Unit	\$320.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$502.22

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$320.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$320.00
Change in the Actual Assessment Rate	\$0.00

4.3 Chang/Bertelone Zone

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

There are currently eight (8) parcels within this Zone, and the total Zone costs are spread to each of the eight (8) units as follows:

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$4,400.00
Total Units	8
Fiscal Year 2021/22 Actual Assessment Per Unit	\$550.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$1,215.00

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$550.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$550.00
Change in the Actual Assessment Rate	\$0.00

4.4 Conte Gardens Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$4,015.00
Total Units	11
Fiscal Year 2021/22 Actual Assessment Per Unit	\$365.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$477.82

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$365.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$365.00
Change in the Actual Assessment Rate	\$0.00

4.5 Diana Estates Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$8,920.96
Total Units	64
Fiscal Year 2021/22 Actual Assessment Per Unit ⁽¹⁾	\$139.39
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$139.39

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

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$139.39
Fiscal Year 2021/22 Actual Assessment Per Unit	\$139.39
Change in the Actual Assessment Rate	\$0.00

4.6 Fox Hollow/Murphy Springs Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$13,014.75
Total Units	75
Fiscal Year 2021/22 Actual Assessment Per Unit ⁽¹⁾	\$173.53
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$226.42

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

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$173.53
Fiscal Year 2021/22 Actual Assessment Per Unit	\$173.53
Change in the Actual Assessment Rate	\$0.00

4.7 Hamilton Square Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$12,350.00
Total Units	38
Fiscal Year 2021/22 Actual Assessment Per Unit	\$325.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$425.54

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$325.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$325.00
Change in the Actual Assessment Rate	\$0.00

4.8 Jackson Meadows 6A/6B Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$7,560.00
Total Units	70
Fiscal Year 2021/22 Actual Assessment Per Unit	\$108.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$108.10

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$108.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$108.00
Change in the Actual Assessment Rate	\$0.00

4.9 Jackson Meadows Number 7 Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$1,000.00
Total Units	10
Fiscal Year 2021/22 Actual Assessment Per Unit	\$100.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$314.58

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$100.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$100.00
Change in the Actual Assessment Rate	\$0.00

4.10 La Grande Estates Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$2,816.00
Total Units	32
Fiscal Year 2021/22 Actual Assessment Per Unit	\$88.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$88.00

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$88.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$88.00
Change in the Actual Assessment Rate	\$0.00

4.11 Lacrosse/Gera Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$1,200.00
Total Units	24
Fiscal Year 2021/22 Actual Assessment Per Unit	\$50.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$142.99

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$50.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$50.00
Change in the Actual Assessment Rate	\$0.00

4.12 Llagas Creek Estates Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$16,590.57
Total Units	71
Fiscal Year 2021/22 Actual Assessment Per Unit	\$233.67
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$304.89

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$233.67
Fiscal Year 2021/22 Actual Assessment Per Unit	\$233.67
Change in the Actual Assessment Rate	\$0.00

4.13 Llagas/Obata Zone

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

There are currently five (5) parcels within this Zone, and the total Zone costs are spread to each of the five (5) units as follows:

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$2,000.00
Total Units	5
Fiscal Year 2021/22 Actual Assessment Per Unit	\$400.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$629.16

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$400.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$400.00
Change in the Actual Assessment Rate	\$0.00

4.14 Mill Creek Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$186.82 per unit. In February 2020, the City conducted Proposition 218 proceedings to increase the maximum assessment rate and add an annual inflator of 3% for the Zone. Property owners approved the assessment rate increase to \$285.00 per unit and the inflator. The rate increase took effect in Fiscal Year 2020/21 and the 3% inflator takes effect in Fiscal Year 2021/22.

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$23,940.00
Total Units	84
Fiscal Year 2021/22 Actual Assessment Per Unit	\$285.00
Fiscal Year 2021/22 Maximum Assessment Per Unit ⁽¹⁾	\$293.55

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

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$285.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$285.00
Change in the Actual Assessment Rate	\$0.00

4.15 Oak Creek I, II, III

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$41,650.00
Total Units	119
Fiscal Year 2021/22 Actual Assessment Per Unit	\$350.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$453.82

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$350.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$350.00
Change in the Actual Assessment Rate	\$0.00

4.16 Parsons Corner Zone

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

4.17 Rose Haven Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$10,800.00
Total Units	27
Fiscal Year 2021/22 Actual Assessment Per Unit	\$400.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$488.47

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$400.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$400.00
Change in the Actual Assessment Rate	\$0.00

4.18 Sandalwood Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$4,950.00
Total Units	11
Fiscal Year 2021/22 Actual Assessment Per Unit	\$450.00
Fiscal Year 2021/22 Maximum Assessment Per Unit ⁽¹⁾	\$450.00

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

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$450.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$450.00
Change in the Actual Assessment Rate	\$0.00

4.19 Sparhawk Zone

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

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$4,478.76
Total Units	18
Fiscal Year 2021/22 Actual Assessment Per Unit	\$248.82
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$324.66

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$248.82
Fiscal Year 2021/22 Actual Assessment Per Unit	\$248.82
Change in the Actual Assessment Rate	\$0.00

4.20 Stone Creek Zone

The assessment rate originally approved at the time of annexing this Zone into the District was \$306.66 per unit. In July 2005, the City conducted Proposition 218 proceedings to add an annual inflator of 3% for the

Zone. Property owners approved the inflator. Each year the maximum assessment rate is increased by 3% over the previous year's maximum assessment rate. The inflator took effect in Fiscal Year 2005/06.

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

Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$13,596.10
Total Units	35
Fiscal Year 2021/22 Actual Assessment Per Unit	\$388.46
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$506.84

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

Fiscal Year 2020/21 Actual Assessment Per Unit	\$388.46
Fiscal Year 2021/22 Actual Assessment Per Unit	\$388.46
Change in the Actual Assessment Rate	\$0.00

4.21 Sunnyside/Stone Gate Zone

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

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

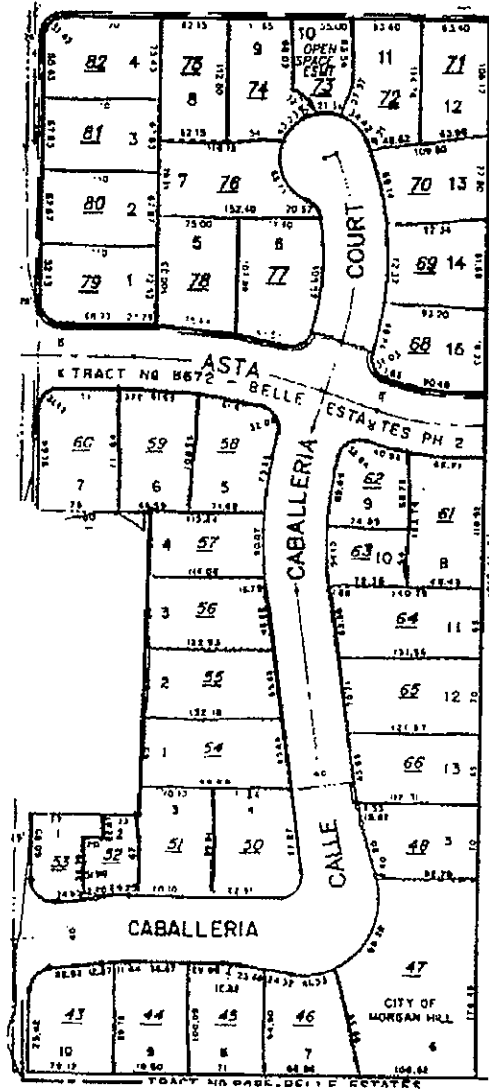
Estimated Fiscal Year 2021/22 Costs and Fund Adjustment	\$3,750.00
Total Units	10
Fiscal Year 2021/22 Actual Assessment Per Unit	\$375.00
Fiscal Year 2021/22 Maximum Assessment Per Unit	\$742.78

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

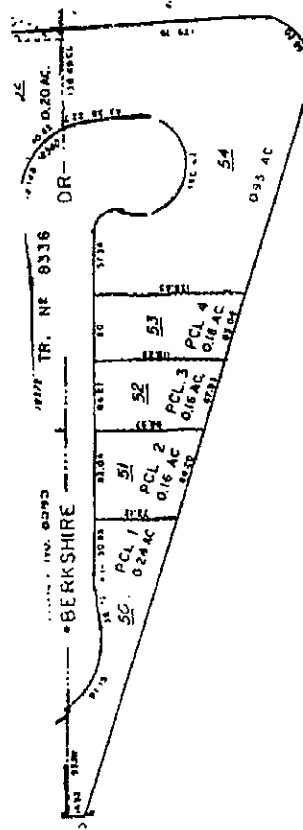
Fiscal Year 2020/21 Actual Assessment Per Unit	\$375.00
Fiscal Year 2021/22 Actual Assessment Per Unit	\$375.00
Change in the Actual Assessment Rate	\$0.00

5. ASSESSMENT DIAGRAMS

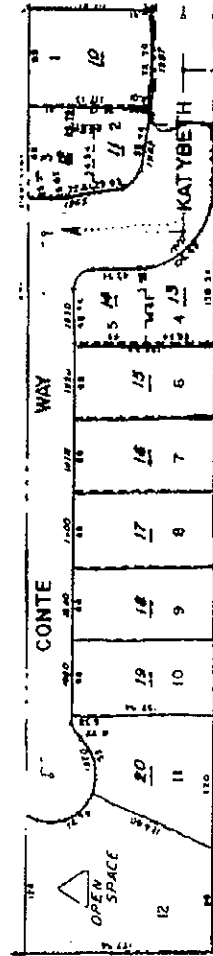
The Assessment Diagrams for each Zone in the District have been submitted to the City Clerk in the format required under the provisions of the Act. Copies of the diagrams are included herein. The lines and dimensions shown on maps of the County Assessor for the current year are, by reference, made part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



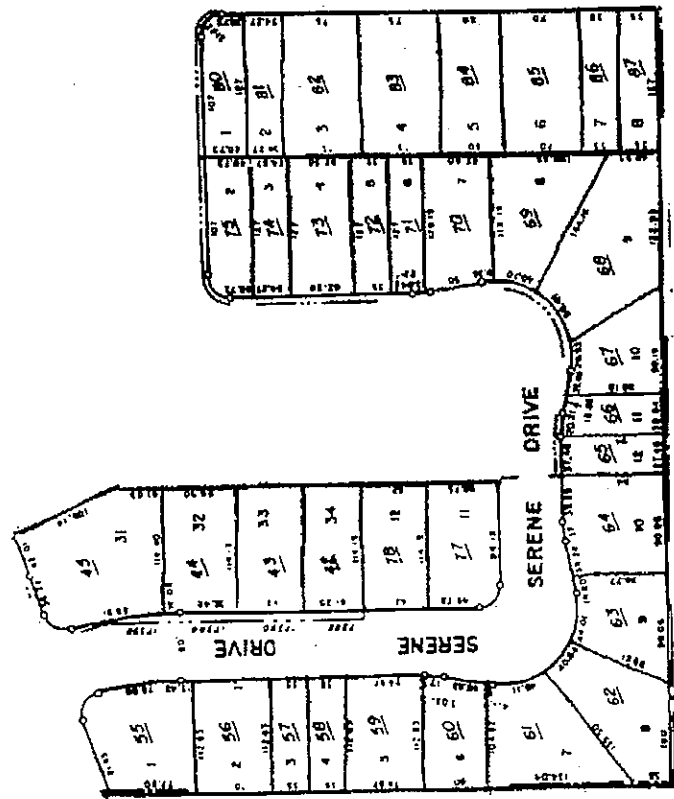
BELLE ESTATES ZONE



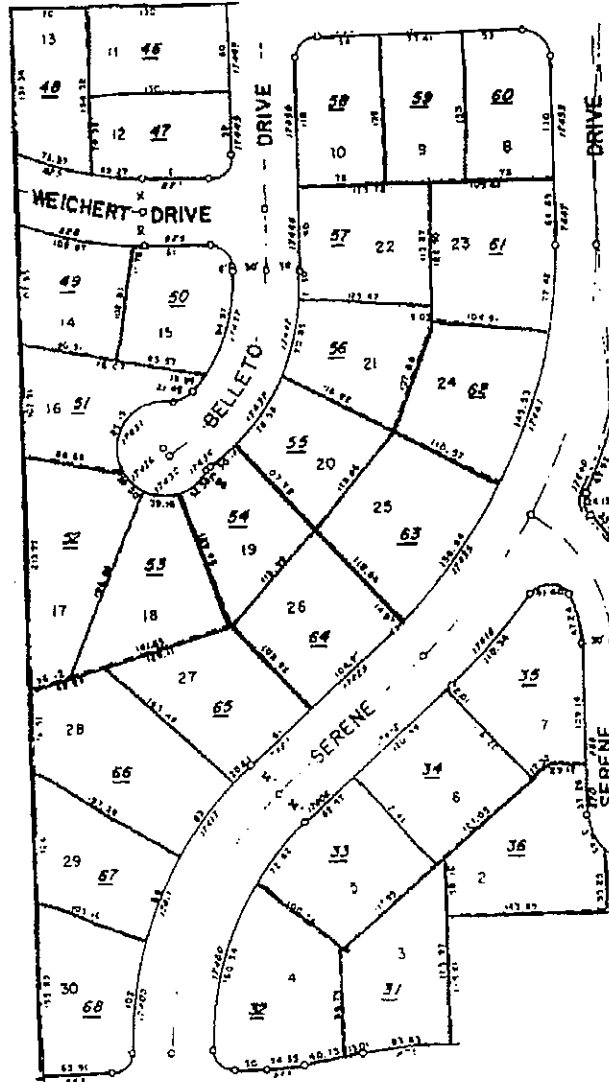
CHIANG/BERTELOONE ZONE



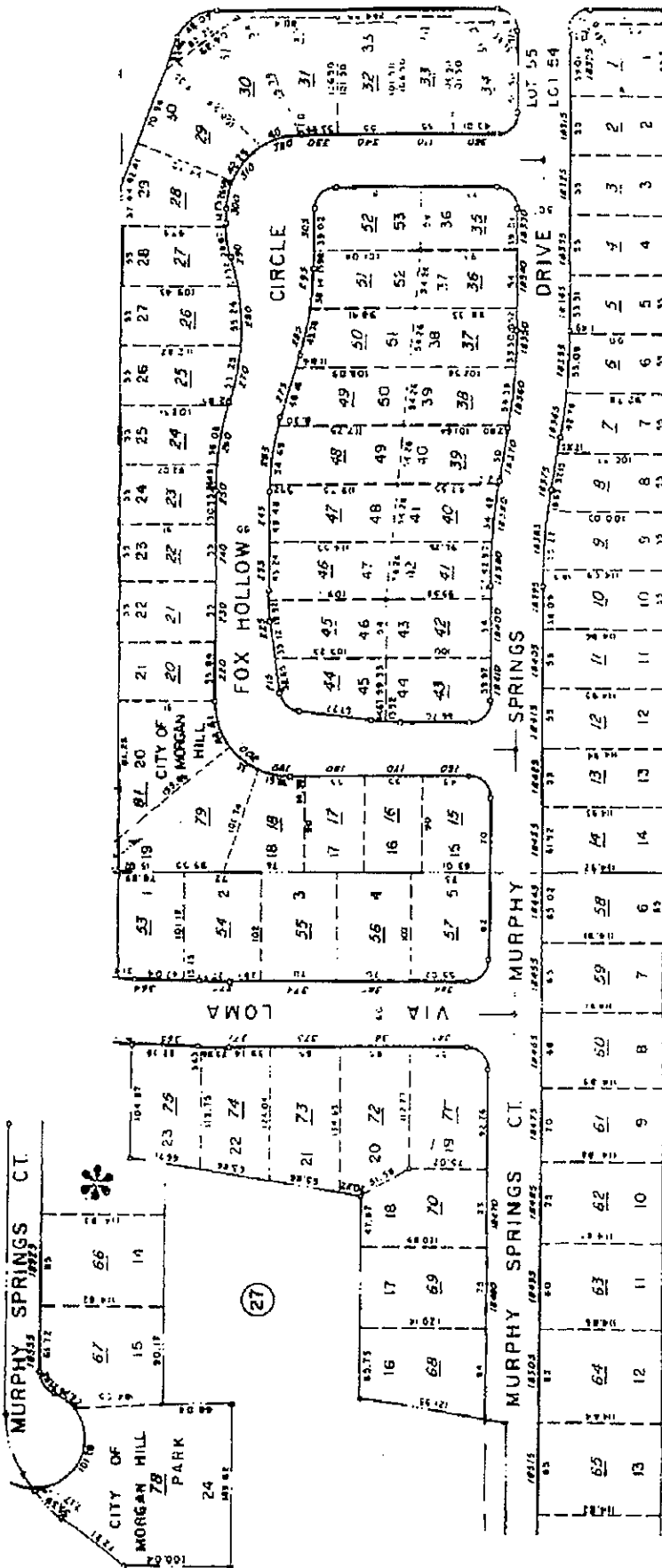
CONTE GARDENS ZONE



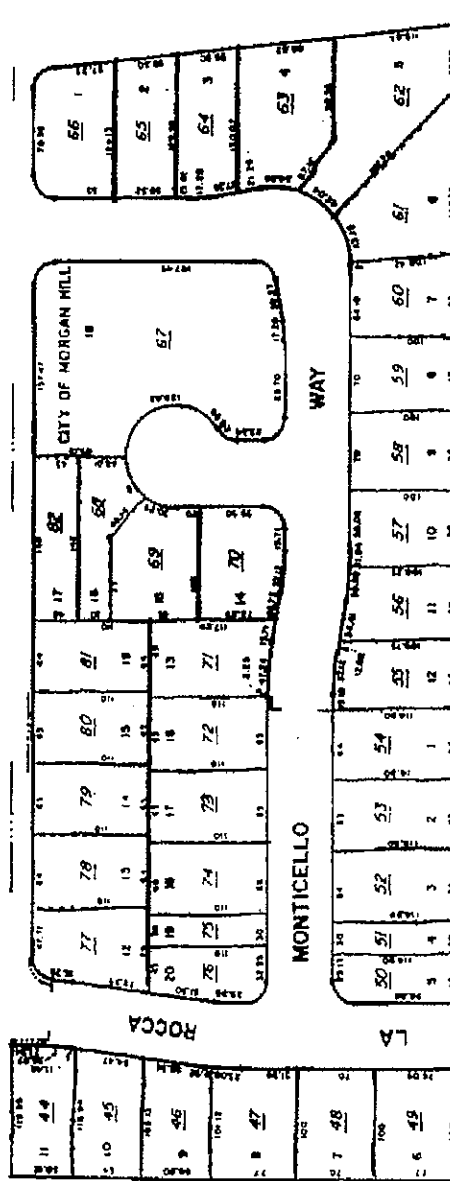
DIANA ESTATES ZONE SHEET 1



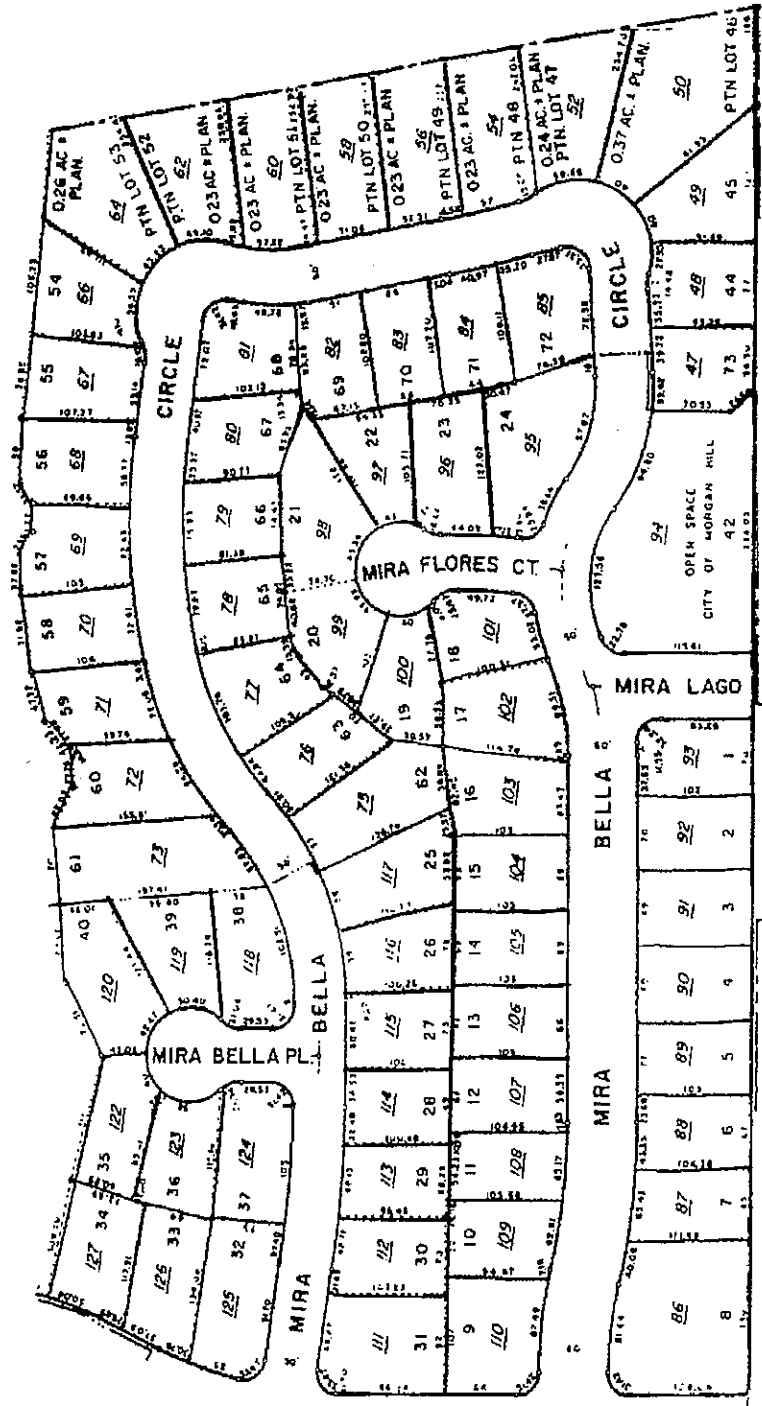
DIANA ESTATES ZONE SHEET 2



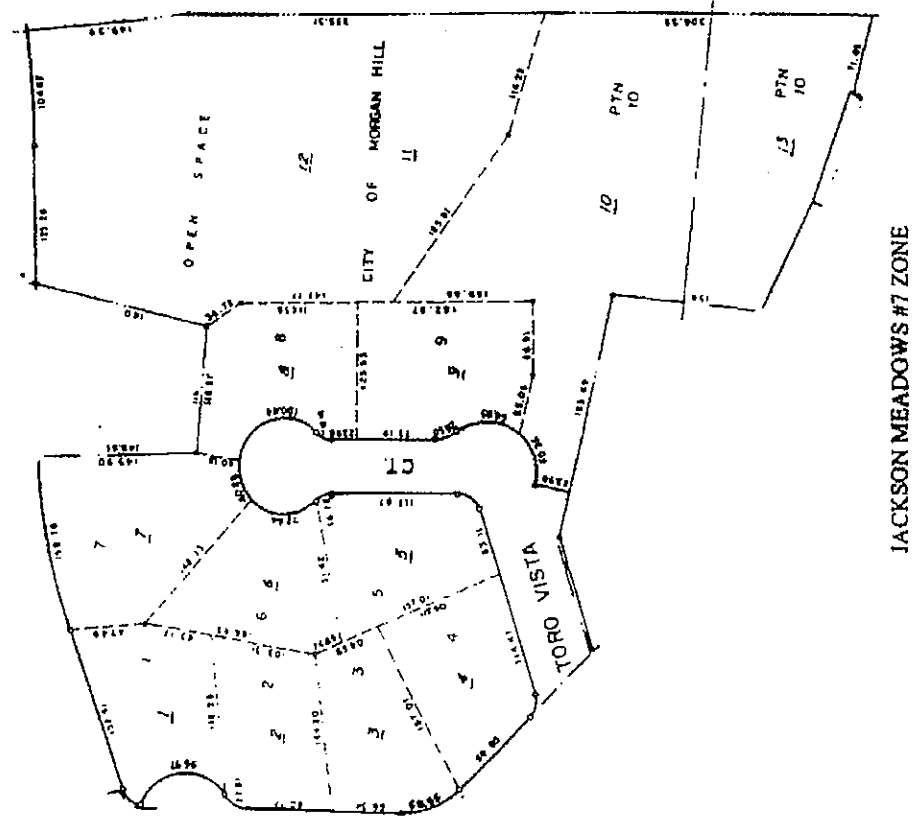
FOX HOLLOW/MURPHY SPRINGS ZONE



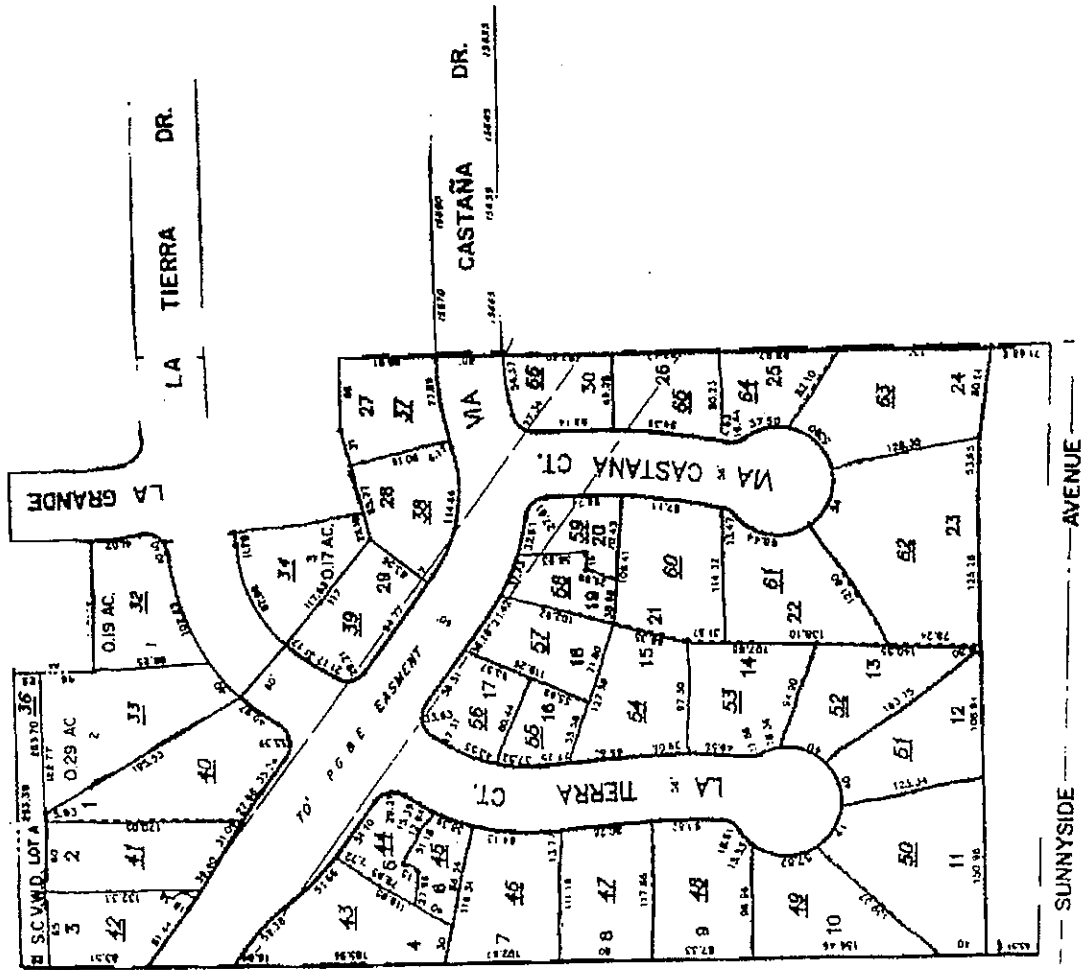
HAMILTON SQUARE ZONE



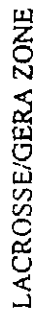
JACKSON MEADOWS #6 ZONE

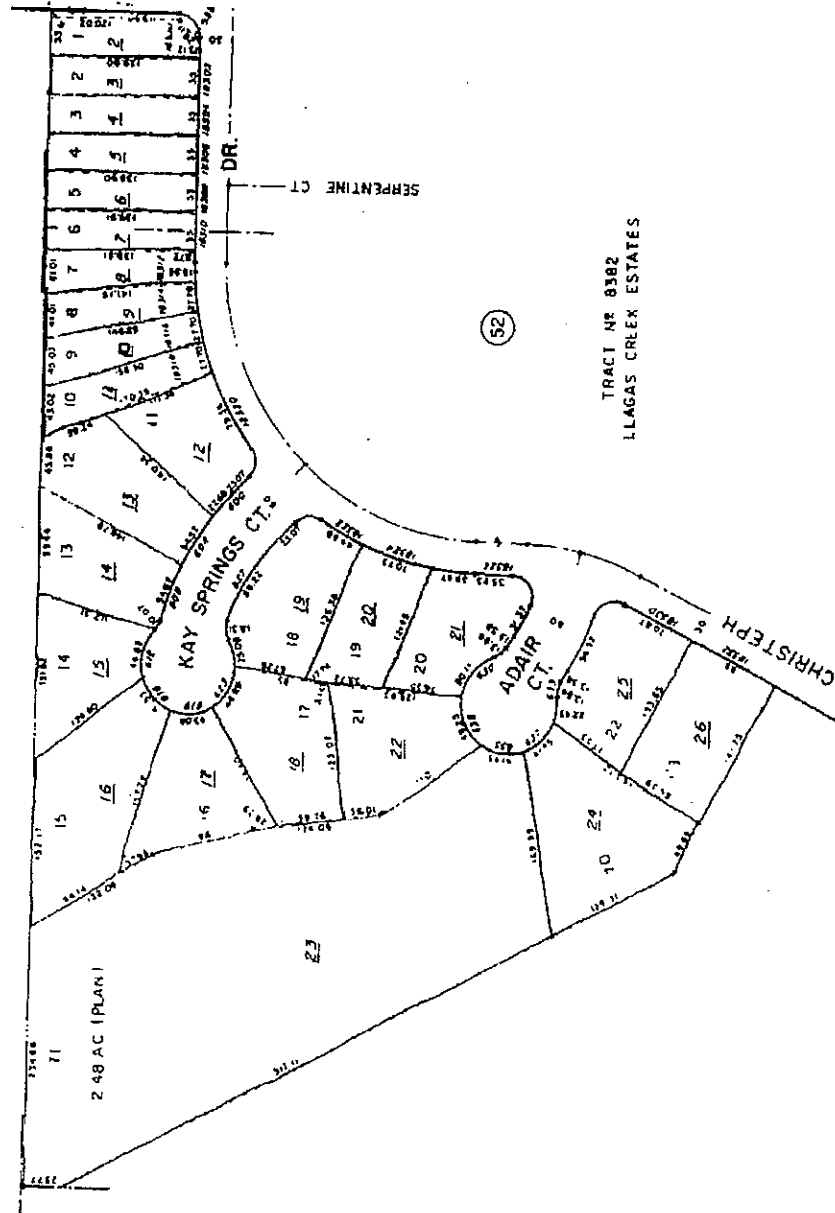


JACKSON MEADOWS #7 ZONE

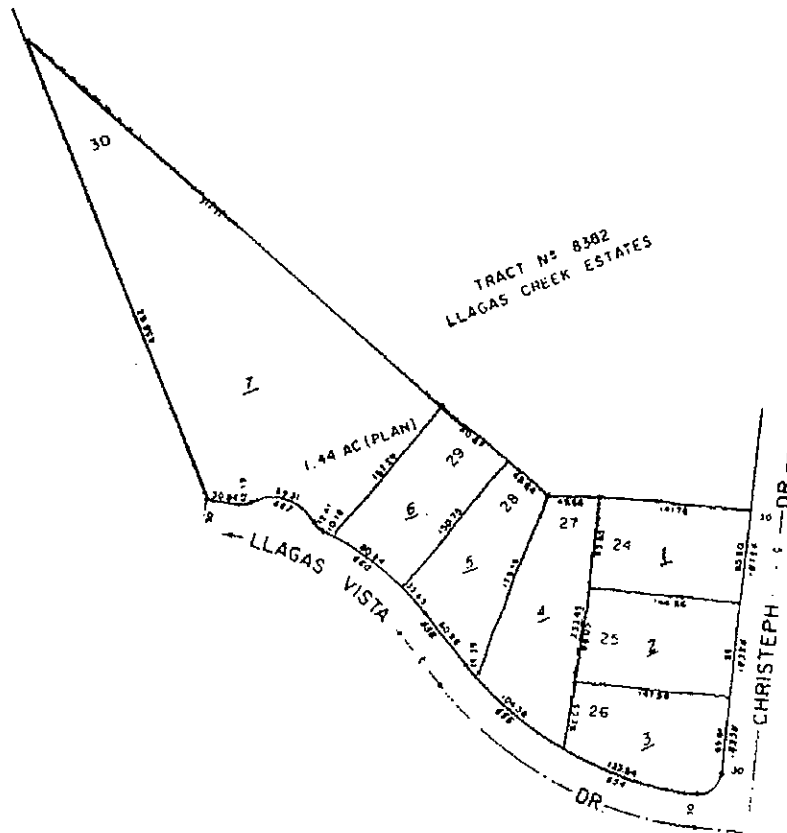


LA GRANDE ESTATES ZONE

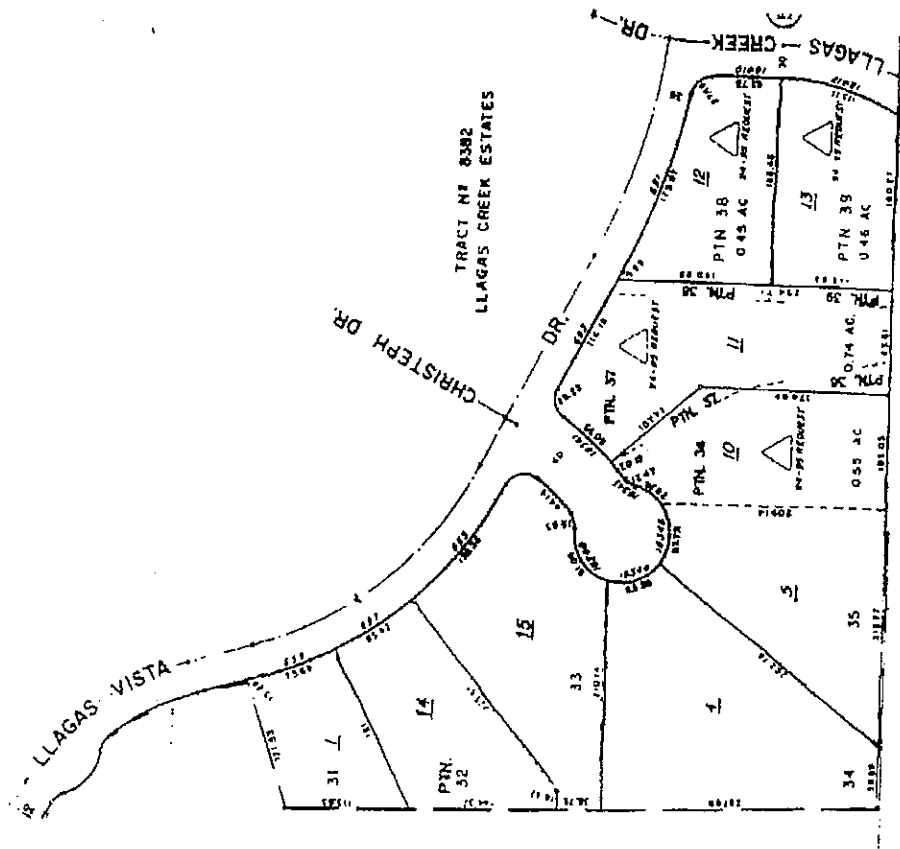




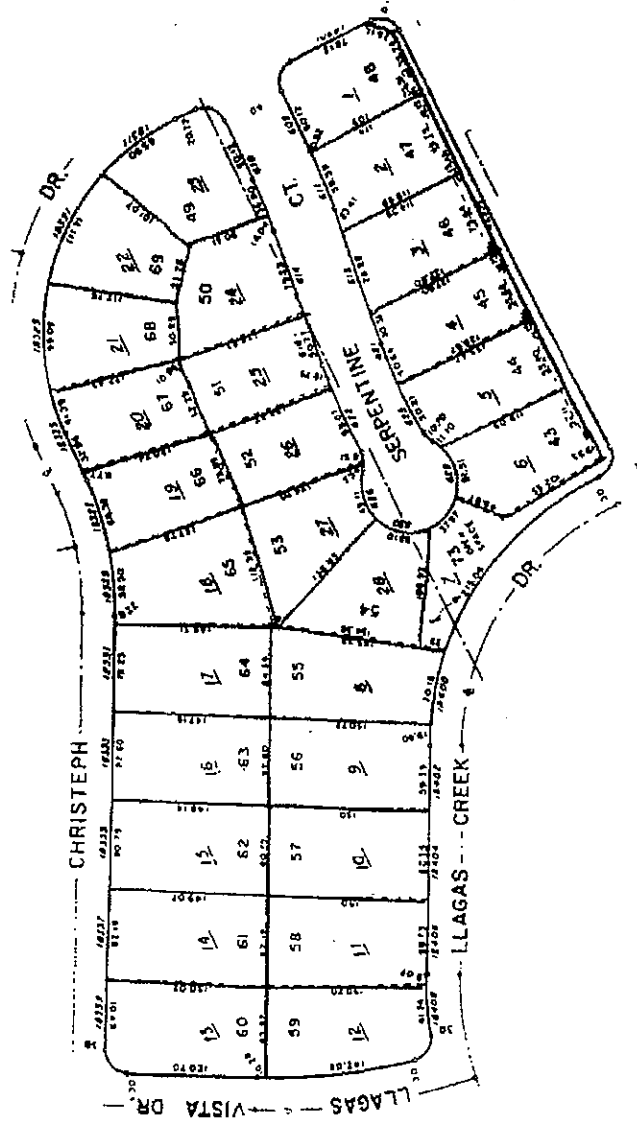
LLAGAS CREEK ESTATES ZONE SHEET 1



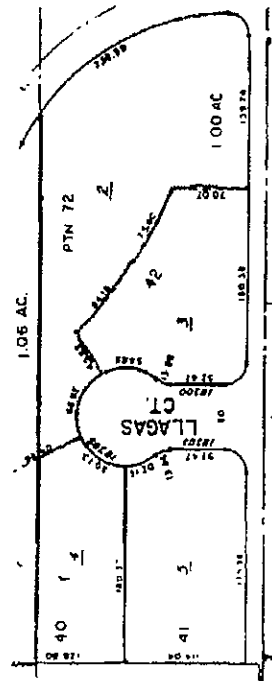
LLAGAS CREEK ESTATES ZONE SHEET 2



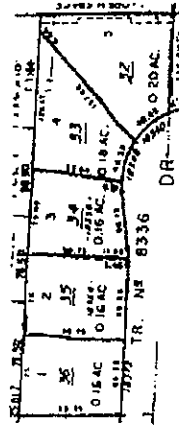
LLAGAS CREEK ESTATES ZONE SHEET 3



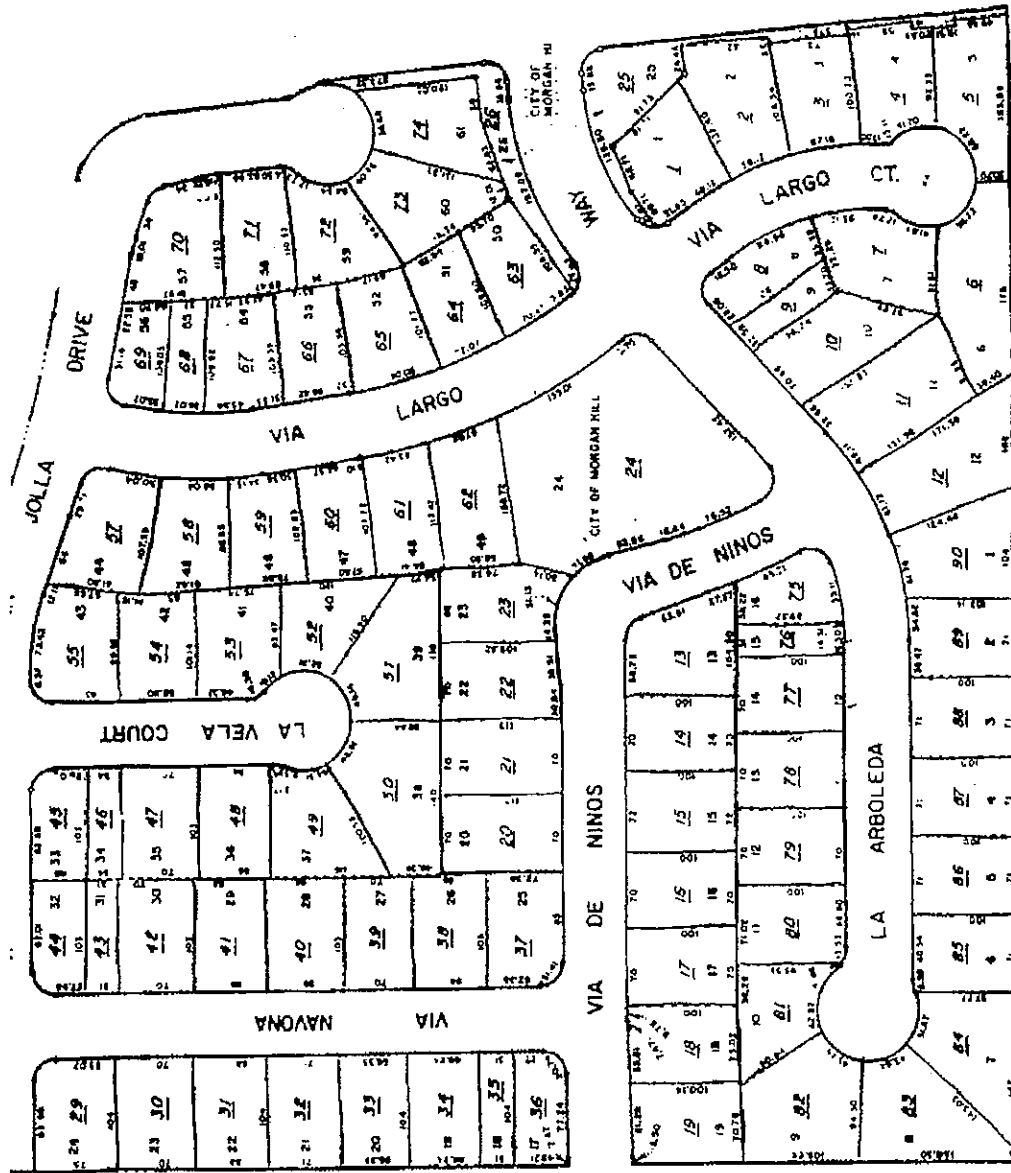
LLAGAS CREEK ESTATES ZONE SHEET 4



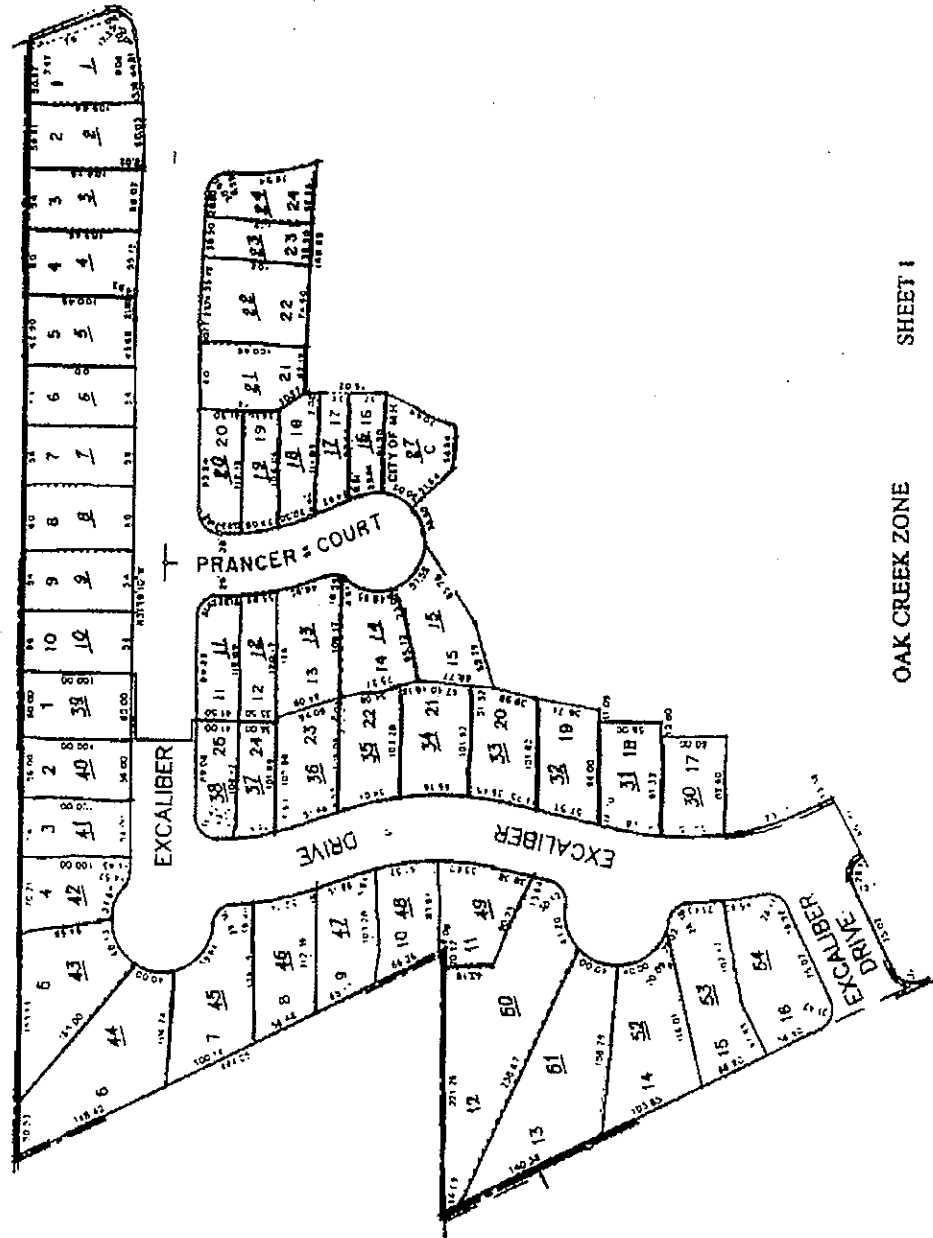
LLAGAS CREEK ESTATES ZONE SHEET 5

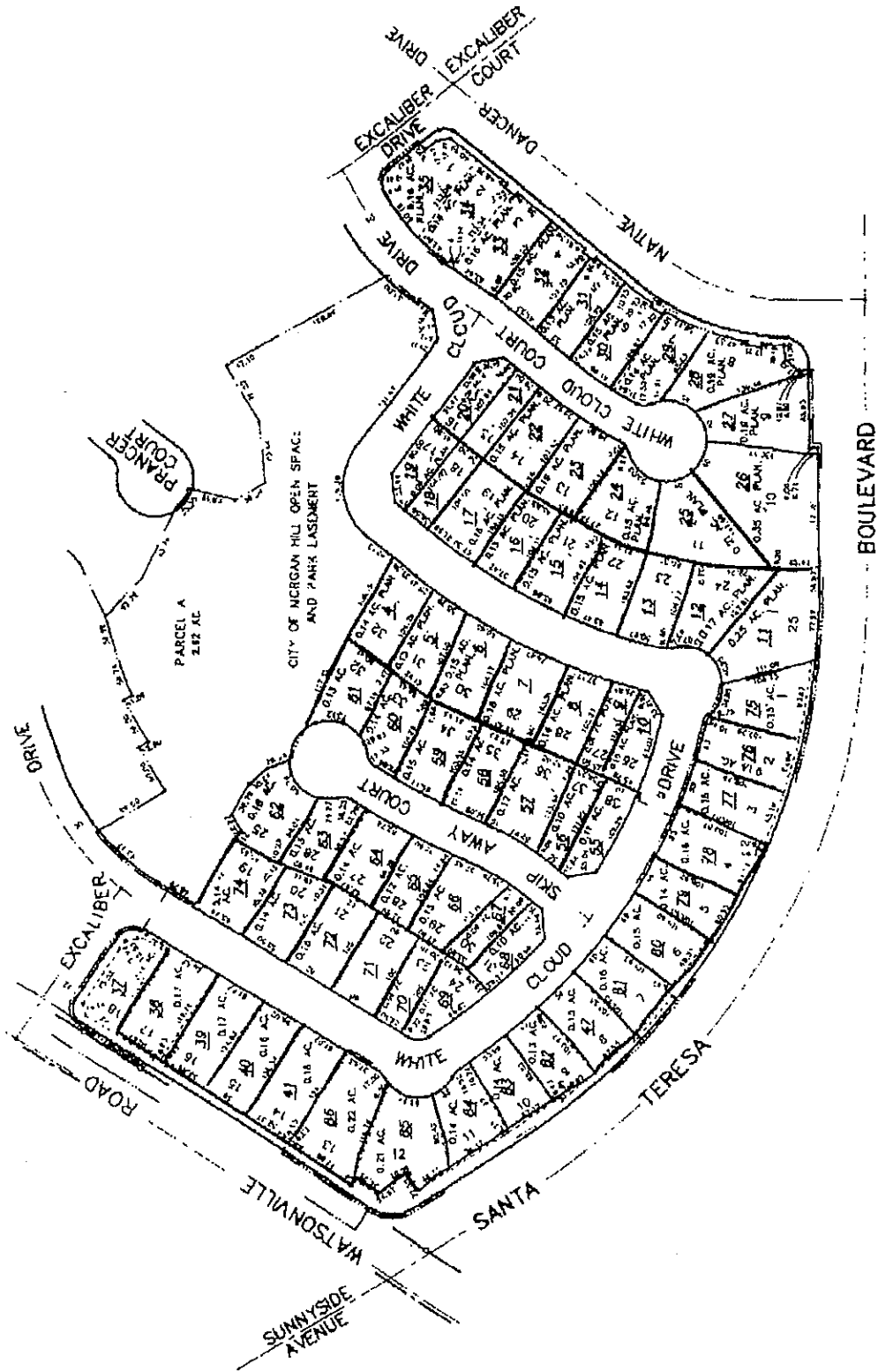


LLAGAS/OBATA ZONE



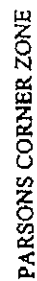
MILL CREEK ZONE

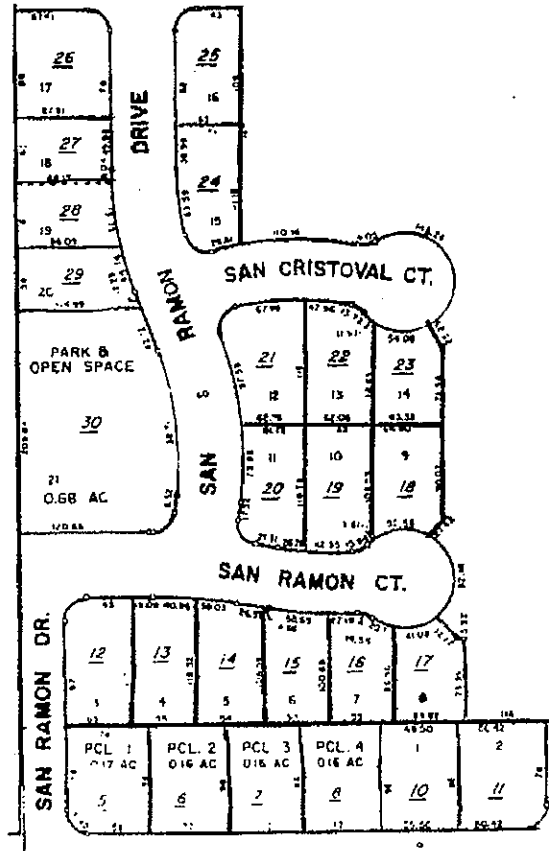




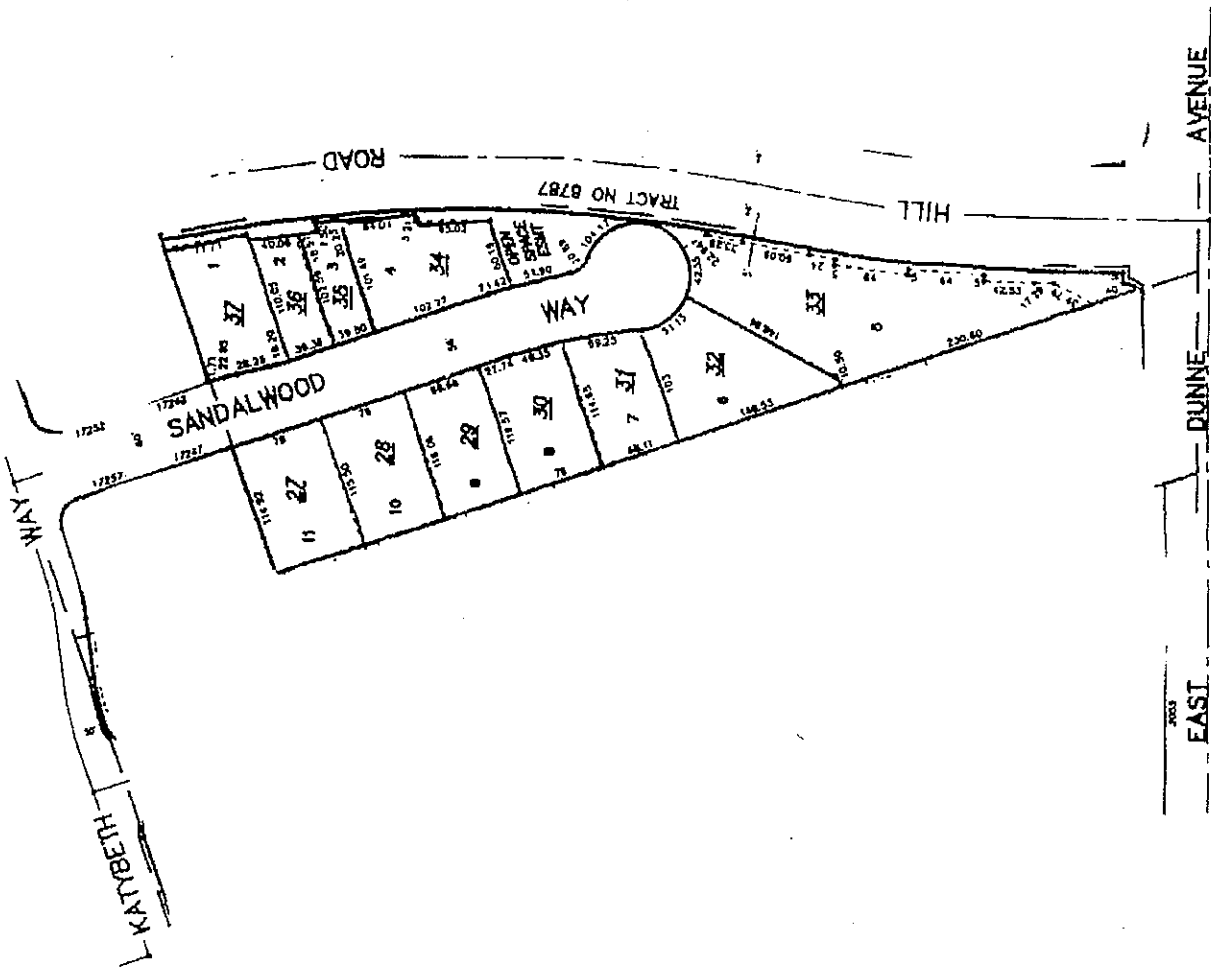
OAK CREEK ZONE

SHEET 2

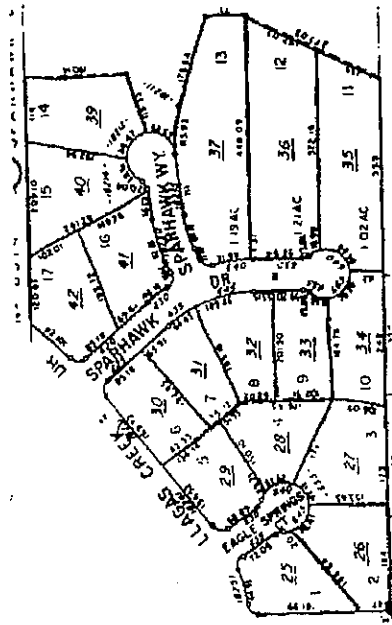




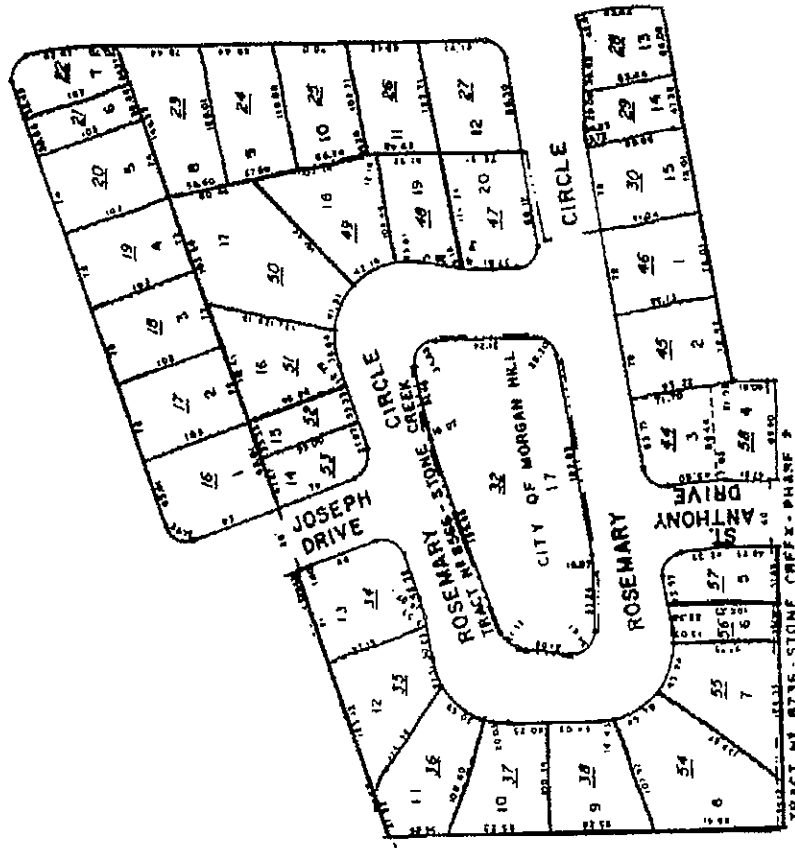
ROSEHAVEN ZONE



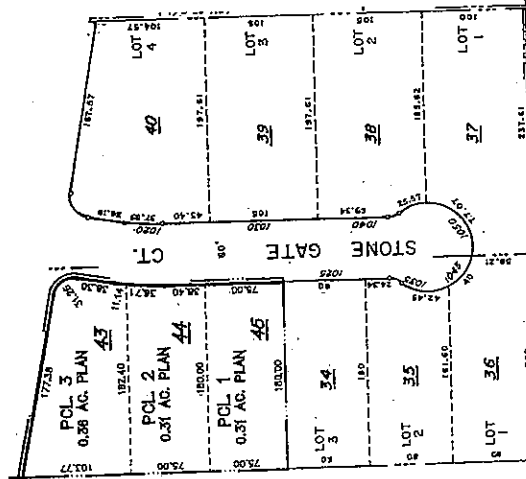
SANDALWOOD ZONE



SPARHAWK ZONE



STONE CREEK ZONE



SUNNYSIDE/STONEGATE ZONE

6. ASSESSMENT ROLL

The listing of Fiscal Year 2021/22 assessments is provided per Zone on the following pages. The description of each lot or parcel as part of the records of the County Assessor are, by reference, made part of this Report as well.

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Belle Estates	726-16-043	\$320.00	1.00	0.00	\$320.00
Belle Estates	726-16-044	320.00	1.00	0.00	320.00
Belle Estates	726-16-045	320.00	1.00	0.00	320.00
Belle Estates	726-16-046	320.00	1.00	0.00	320.00
Belle Estates	726-16-048	320.00	1.00	0.00	320.00
Belle Estates	726-16-050	320.00	1.00	0.00	320.00
Belle Estates	726-16-051	320.00	1.00	0.00	320.00
Belle Estates	726-16-052	320.00	1.00	0.00	320.00
Belle Estates	726-16-053	320.00	1.00	0.00	320.00
Belle Estates	726-16-054	320.00	1.00	0.00	320.00
Belle Estates	726-16-055	320.00	1.00	0.00	320.00
Belle Estates	726-16-056	320.00	1.00	0.00	320.00
Belle Estates	726-16-057	320.00	1.00	0.00	320.00
Belle Estates	726-16-058	320.00	1.00	0.00	320.00
Belle Estates	726-16-059	320.00	1.00	0.00	320.00
Belle Estates	726-16-060	320.00	1.00	0.00	320.00
Belle Estates	726-16-061	320.00	1.00	0.00	320.00
Belle Estates	726-16-062	320.00	1.00	0.00	320.00
Belle Estates	726-16-063	320.00	1.00	0.00	320.00
Belle Estates	726-16-064	320.00	1.00	0.00	320.00
Belle Estates	726-16-065	320.00	1.00	0.00	320.00
Belle Estates	726-16-066	320.00	1.00	0.00	320.00
Belle Estates	726-16-068	320.00	1.00	0.00	320.00
Belle Estates	726-16-069	320.00	1.00	0.00	320.00
Belle Estates	726-16-070	320.00	1.00	0.00	320.00
Belle Estates	726-16-071	320.00	1.00	0.00	320.00
Belle Estates	726-16-072	320.00	1.00	0.00	320.00
Belle Estates	726-16-074	320.00	1.00	0.00	320.00
Belle Estates	726-16-075	320.00	1.00	0.00	320.00
Belle Estates	726-16-076	320.00	1.00	0.00	320.00
Belle Estates	726-16-077	320.00	1.00	0.00	320.00
Belle Estates	726-16-078	320.00	1.00	0.00	320.00
Belle Estates	726-16-079	320.00	1.00	0.00	320.00
Belle Estates	726-16-080	320.00	1.00	0.00	320.00
Belle Estates	726-16-081	320.00	1.00	0.00	320.00
Belle Estates	726-16-082	320.00	1.00	0.00	320.00
Chang/Bertelone	764-23-050	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-051	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-052	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-053	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-057	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-058	550.00	1.00	0.00	550.00

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Chang/Bertelone	764-23-059	550.00	1.00	0.00	550.00
Chang/Bertelone	764-23-060	550.00	1.00	0.00	550.00
Conte Gardens	728-10-010	365.00	1.00	0.00	365.00
Conte Gardens	728-10-011	365.00	1.00	0.00	365.00
Conte Gardens	728-10-012	365.00	1.00	0.00	365.00
Conte Gardens	728-10-013	365.00	1.00	0.00	365.00
Conte Gardens	728-10-014	365.00	1.00	0.00	365.00
Conte Gardens	728-10-015	365.00	1.00	0.00	365.00
Conte Gardens	728-10-016	365.00	1.00	0.00	365.00
Conte Gardens	728-10-017	365.00	1.00	0.00	365.00
Conte Gardens	728-10-018	365.00	1.00	0.00	365.00
Conte Gardens	728-10-019	365.00	1.00	0.00	365.00
Conte Gardens	728-10-020	365.00	1.00	0.00	365.00
Diana Estates	726-07-042	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-043	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-044	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-045	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-055	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-056	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-057	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-058	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-059	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-060	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-061	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-062	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-063	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-064	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-065	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-066	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-067	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-068	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-069	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-070	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-071	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-072	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-073	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-074	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-075	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-077	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-078	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-080	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-081	139.39	1.00	(0.01)	139.38

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Diana Estates	726-07-082	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-083	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-084	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-085	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-086	139.39	1.00	(0.01)	139.38
Diana Estates	726-07-087	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-031	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-032	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-033	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-034	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-035	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-036	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-046	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-047	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-048	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-049	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-050	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-051	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-052	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-053	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-054	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-055	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-056	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-057	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-058	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-059	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-060	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-061	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-062	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-063	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-064	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-065	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-066	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-067	139.39	1.00	(0.01)	139.38
Diana Estates	726-08-068	139.39	1.00	(0.01)	139.38
Fox Hollow	764-47-001	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-002	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-003	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-004	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-005	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-006	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-007	173.53	1.00	(0.01)	173.52

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Fox Hollow	764-47-008	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-009	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-010	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-011	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-012	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-013	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-014	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-015	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-016	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-017	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-018	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-020	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-021	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-022	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-023	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-024	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-025	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-026	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-027	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-028	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-029	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-030	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-031	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-032	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-033	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-034	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-035	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-036	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-037	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-038	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-039	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-040	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-041	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-042	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-043	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-044	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-045	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-046	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-047	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-048	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-049	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-050	173.53	1.00	(0.01)	173.52

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City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Fox Hollow	764-47-051	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-052	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-053	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-054	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-055	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-056	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-057	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-058	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-059	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-060	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-061	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-062	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-063	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-064	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-065	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-066	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-067	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-068	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-069	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-070	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-071	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-072	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-073	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-074	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-075	173.53	1.00	(0.01)	173.52
Fox Hollow	764-47-079	173.53	1.00	(0.01)	173.52
Hamilton Square	767-36-044	325.00	1.00	0.00	325.00
Hamilton Square	767-36-045	325.00	1.00	0.00	325.00
Hamilton Square	767-36-046	325.00	1.00	0.00	325.00
Hamilton Square	767-36-047	325.00	1.00	0.00	325.00
Hamilton Square	767-36-048	325.00	1.00	0.00	325.00
Hamilton Square	767-36-049	325.00	1.00	0.00	325.00
Hamilton Square	767-36-050	325.00	1.00	0.00	325.00
Hamilton Square	767-36-051	325.00	1.00	0.00	325.00
Hamilton Square	767-36-052	325.00	1.00	0.00	325.00
Hamilton Square	767-36-053	325.00	1.00	0.00	325.00
Hamilton Square	767-36-054	325.00	1.00	0.00	325.00
Hamilton Square	767-36-055	325.00	1.00	0.00	325.00
Hamilton Square	767-36-056	325.00	1.00	0.00	325.00
Hamilton Square	767-36-057	325.00	1.00	0.00	325.00
Hamilton Square	767-36-058	325.00	1.00	0.00	325.00
Hamilton Square	767-36-059	325.00	1.00	0.00	325.00

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Hamilton Square	767-36-060	325.00	1.00	0.00	325.00
Hamilton Square	767-36-061	325.00	1.00	0.00	325.00
Hamilton Square	767-36-062	325.00	1.00	0.00	325.00
Hamilton Square	767-36-063	325.00	1.00	0.00	325.00
Hamilton Square	767-36-064	325.00	1.00	0.00	325.00
Hamilton Square	767-36-065	325.00	1.00	0.00	325.00
Hamilton Square	767-36-066	325.00	1.00	0.00	325.00
Hamilton Square	767-36-068	325.00	1.00	0.00	325.00
Hamilton Square	767-36-069	325.00	1.00	0.00	325.00
Hamilton Square	767-36-070	325.00	1.00	0.00	325.00
Hamilton Square	767-36-071	325.00	1.00	0.00	325.00
Hamilton Square	767-36-072	325.00	1.00	0.00	325.00
Hamilton Square	767-36-073	325.00	1.00	0.00	325.00
Hamilton Square	767-36-074	325.00	1.00	0.00	325.00
Hamilton Square	767-36-075	325.00	1.00	0.00	325.00
Hamilton Square	767-36-076	325.00	1.00	0.00	325.00
Hamilton Square	767-36-077	325.00	1.00	0.00	325.00
Hamilton Square	767-36-078	325.00	1.00	0.00	325.00
Hamilton Square	767-36-079	325.00	1.00	0.00	325.00
Hamilton Square	767-36-080	325.00	1.00	0.00	325.00
Hamilton Square	767-36-081	325.00	1.00	0.00	325.00
Hamilton Square	767-36-082	325.00	1.00	0.00	325.00
Jackson Meadows #6	817-26-047	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-048	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-049	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-066	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-067	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-068	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-069	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-070	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-071	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-072	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-073	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-075	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-076	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-077	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-078	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-079	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-080	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-081	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-082	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-083	108.00	1.00	0.00	108.00

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City of Morgan Hill
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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Jackson Meadows #6	817-26-084	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-085	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-086	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-087	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-088	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-089	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-090	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-091	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-092	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-093	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-095	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-096	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-097	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-098	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-099	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-100	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-101	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-102	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-103	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-104	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-105	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-106	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-107	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-108	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-109	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-110	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-111	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-112	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-113	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-114	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-115	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-116	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-117	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-118	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-119	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-120	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-122	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-123	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-124	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-125	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-126	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-127	108.00	1.00	0.00	108.00

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Jackson Meadows #6	817-26-129	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-130	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-131	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-132	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-133	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-134	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-135	108.00	1.00	0.00	108.00
Jackson Meadows #6	817-26-136	108.00	1.00	0.00	108.00
Jackson Meadows #7	817-70-001	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-002	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-003	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-004	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-005	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-006	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-007	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-008	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-009	100.00	1.00	0.00	100.00
Jackson Meadows #7	817-70-017	100.00	1.00	0.00	100.00
La Grande Estates	767-45-032	88.00	1.00	0.00	88.00
La Grande Estates	767-45-033	88.00	1.00	0.00	88.00
La Grande Estates	767-45-034	88.00	1.00	0.00	88.00
La Grande Estates	767-45-037	88.00	1.00	0.00	88.00
La Grande Estates	767-45-038	88.00	1.00	0.00	88.00
La Grande Estates	767-45-039	88.00	1.00	0.00	88.00
La Grande Estates	767-45-040	88.00	1.00	0.00	88.00
La Grande Estates	767-45-041	88.00	1.00	0.00	88.00
La Grande Estates	767-45-042	88.00	1.00	0.00	88.00
La Grande Estates	767-45-043	88.00	1.00	0.00	88.00
La Grande Estates	767-45-044	88.00	1.00	0.00	88.00
La Grande Estates	767-45-045	88.00	1.00	0.00	88.00
La Grande Estates	767-45-046	88.00	1.00	0.00	88.00
La Grande Estates	767-45-047	88.00	1.00	0.00	88.00
La Grande Estates	767-45-048	88.00	1.00	0.00	88.00
La Grande Estates	767-45-049	88.00	1.00	0.00	88.00
La Grande Estates	767-45-050	88.00	1.00	0.00	88.00
La Grande Estates	767-45-051	88.00	1.00	0.00	88.00
La Grande Estates	767-45-052	88.00	1.00	0.00	88.00
La Grande Estates	767-45-053	88.00	1.00	0.00	88.00
La Grande Estates	767-45-054	88.00	1.00	0.00	88.00
La Grande Estates	767-45-055	88.00	1.00	0.00	88.00
La Grande Estates	767-45-056	88.00	1.00	0.00	88.00
La Grande Estates	767-45-057	88.00	1.00	0.00	88.00

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La Grande Estates	767-45-058	88.00	1.00	0.00	88.00
La Grande Estates	767-45-059	88.00	1.00	0.00	88.00
La Grande Estates	767-45-060	88.00	1.00	0.00	88.00
La Grande Estates	767-45-061	88.00	1.00	0.00	88.00
La Grande Estates	767-45-062	88.00	1.00	0.00	88.00
La Grande Estates	767-45-063	88.00	1.00	0.00	88.00
La Grande Estates	767-45-064	88.00	1.00	0.00	88.00
La Grande Estates	767-45-065	88.00	1.00	0.00	88.00
Lacrosse/Gera	767-46-001	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-002	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-003	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-004	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-005	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-006	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-007	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-008	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-009	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-010	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-011	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-012	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-013	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-014	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-015	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-018	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-019	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-020	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-021	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-022	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-023	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-024	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-025	50.00	1.00	0.00	50.00
Lacrosse/Gera	767-46-026	50.00	1.00	0.00	50.00
Llagas Creek	764-49-002	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-003	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-004	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-005	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-006	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-007	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-008	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-009	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-010	233.67	1.00	(0.01)	233.66
Llagas Creek	764-49-011	233.67	1.00	(0.01)	233.66

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

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Llagas Creek	764-52-013	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-014	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-015	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-016	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-017	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-018	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-019	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-020	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-021	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-022	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-023	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-024	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-025	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-026	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-027	233.67	1.00	(0.01)	233.66
Llagas Creek	764-52-028	233.67	1.00	(0.01)	233.66
Llagas Creek	764-53-003	233.67	1.00	(0.01)	233.66
Llagas Creek	764-53-004	233.67	1.00	(0.01)	233.66
Llagas Creek	764-53-005	233.67	1.00	(0.01)	233.66
Llagas/Obata	764-23-032	400.00	1.00	0.00	400.00
Llagas/Obata	764-23-033	400.00	1.00	0.00	400.00
Llagas/Obata	764-23-034	400.00	1.00	0.00	400.00
Llagas/Obata	764-23-035	400.00	1.00	0.00	400.00
Llagas/Obata	764-23-036	400.00	1.00	0.00	400.00
Mill Creek	767-47-001	285.00	1.00	0.00	285.00
Mill Creek	767-47-002	285.00	1.00	0.00	285.00
Mill Creek	767-47-003	285.00	1.00	0.00	285.00
Mill Creek	767-47-004	285.00	1.00	0.00	285.00
Mill Creek	767-47-005	285.00	1.00	0.00	285.00
Mill Creek	767-47-006	285.00	1.00	0.00	285.00
Mill Creek	767-47-007	285.00	1.00	0.00	285.00
Mill Creek	767-47-008	285.00	1.00	0.00	285.00
Mill Creek	767-47-009	285.00	1.00	0.00	285.00
Mill Creek	767-47-010	285.00	1.00	0.00	285.00
Mill Creek	767-47-011	285.00	1.00	0.00	285.00
Mill Creek	767-47-012	285.00	1.00	0.00	285.00
Mill Creek	767-47-013	285.00	1.00	0.00	285.00
Mill Creek	767-47-014	285.00	1.00	0.00	285.00
Mill Creek	767-47-015	285.00	1.00	0.00	285.00
Mill Creek	767-47-016	285.00	1.00	0.00	285.00
Mill Creek	767-47-017	285.00	1.00	0.00	285.00
Mill Creek	767-47-018	285.00	1.00	0.00	285.00

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Mill Creek	767-47-019	285.00	1.00	0.00	285.00
Mill Creek	767-47-020	285.00	1.00	0.00	285.00
Mill Creek	767-47-021	285.00	1.00	0.00	285.00
Mill Creek	767-47-022	285.00	1.00	0.00	285.00
Mill Creek	767-47-023	285.00	1.00	0.00	285.00
Mill Creek	767-47-029	285.00	1.00	0.00	285.00
Mill Creek	767-47-030	285.00	1.00	0.00	285.00
Mill Creek	767-47-031	285.00	1.00	0.00	285.00
Mill Creek	767-47-032	285.00	1.00	0.00	285.00
Mill Creek	767-47-033	285.00	1.00	0.00	285.00
Mill Creek	767-47-034	285.00	1.00	0.00	285.00
Mill Creek	767-47-035	285.00	1.00	0.00	285.00
Mill Creek	767-47-036	285.00	1.00	0.00	285.00
Mill Creek	767-47-037	285.00	1.00	0.00	285.00
Mill Creek	767-47-038	285.00	1.00	0.00	285.00
Mill Creek	767-47-039	285.00	1.00	0.00	285.00
Mill Creek	767-47-040	285.00	1.00	0.00	285.00
Mill Creek	767-47-041	285.00	1.00	0.00	285.00
Mill Creek	767-47-042	285.00	1.00	0.00	285.00
Mill Creek	767-47-043	285.00	1.00	0.00	285.00
Mill Creek	767-47-044	285.00	1.00	0.00	285.00
Mill Creek	767-47-045	285.00	1.00	0.00	285.00
Mill Creek	767-47-046	285.00	1.00	0.00	285.00
Mill Creek	767-47-047	285.00	1.00	0.00	285.00
Mill Creek	767-47-048	285.00	1.00	0.00	285.00
Mill Creek	767-47-049	285.00	1.00	0.00	285.00
Mill Creek	767-47-050	285.00	1.00	0.00	285.00
Mill Creek	767-47-051	285.00	1.00	0.00	285.00
Mill Creek	767-47-052	285.00	1.00	0.00	285.00
Mill Creek	767-47-053	285.00	1.00	0.00	285.00
Mill Creek	767-47-054	285.00	1.00	0.00	285.00
Mill Creek	767-47-055	285.00	1.00	0.00	285.00
Mill Creek	767-47-057	285.00	1.00	0.00	285.00
Mill Creek	767-47-058	285.00	1.00	0.00	285.00
Mill Creek	767-47-059	285.00	1.00	0.00	285.00
Mill Creek	767-47-060	285.00	1.00	0.00	285.00
Mill Creek	767-47-061	285.00	1.00	0.00	285.00
Mill Creek	767-47-062	285.00	1.00	0.00	285.00
Mill Creek	767-47-063	285.00	1.00	0.00	285.00
Mill Creek	767-47-064	285.00	1.00	0.00	285.00
Mill Creek	767-47-065	285.00	1.00	0.00	285.00
Mill Creek	767-47-066	285.00	1.00	0.00	285.00

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Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Mill Creek	767-47-067	285.00	1.00	0.00	285.00
Mill Creek	767-47-068	285.00	1.00	0.00	285.00
Mill Creek	767-47-069	285.00	1.00	0.00	285.00
Mill Creek	767-47-070	285.00	1.00	0.00	285.00
Mill Creek	767-47-071	285.00	1.00	0.00	285.00
Mill Creek	767-47-072	285.00	1.00	0.00	285.00
Mill Creek	767-47-073	285.00	1.00	0.00	285.00
Mill Creek	767-47-074	285.00	1.00	0.00	285.00
Mill Creek	767-47-075	285.00	1.00	0.00	285.00
Mill Creek	767-47-076	285.00	1.00	0.00	285.00
Mill Creek	767-47-077	285.00	1.00	0.00	285.00
Mill Creek	767-47-078	285.00	1.00	0.00	285.00
Mill Creek	767-47-079	285.00	1.00	0.00	285.00
Mill Creek	767-47-080	285.00	1.00	0.00	285.00
Mill Creek	767-47-081	285.00	1.00	0.00	285.00
Mill Creek	767-47-082	285.00	1.00	0.00	285.00
Mill Creek	767-47-083	285.00	1.00	0.00	285.00
Mill Creek	767-47-084	285.00	1.00	0.00	285.00
Mill Creek	767-47-085	285.00	1.00	0.00	285.00
Mill Creek	767-47-086	285.00	1.00	0.00	285.00
Mill Creek	767-47-087	285.00	1.00	0.00	285.00
Mill Creek	767-47-088	285.00	1.00	0.00	285.00
Mill Creek	767-47-089	285.00	1.00	0.00	285.00
Mill Creek	767-47-090	285.00	1.00	0.00	285.00
Oak Creek I, II, III	779-51-001	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-002	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-003	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-004	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-005	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-006	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-007	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-008	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-009	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-010	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-011	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-012	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-013	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-014	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-015	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-016	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-017	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-018	350.00	1.00	0.00	350.00

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Oak Creek I, II, III	779-51-019	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-020	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-021	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-022	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-023	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-024	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-030	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-031	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-032	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-033	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-034	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-035	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-036	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-037	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-038	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-039	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-040	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-041	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-042	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-043	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-044	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-045	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-046	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-047	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-048	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-049	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-050	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-051	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-052	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-053	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-51-054	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-004	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-005	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-006	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-007	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-008	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-009	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-010	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-011	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-012	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-013	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-014	350.00	1.00	0.00	350.00

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Oak Creek I, II, III	779-52-015	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-016	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-017	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-018	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-019	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-020	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-021	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-022	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-023	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-024	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-025	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-026	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-027	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-028	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-029	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-030	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-031	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-032	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-033	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-034	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-035	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-037	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-038	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-039	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-040	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-041	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-047	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-055	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-056	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-057	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-058	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-059	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-060	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-061	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-062	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-063	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-064	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-065	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-066	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-067	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-068	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-069	350.00	1.00	0.00	350.00

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Oak Creek I, II, III	779-52-070	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-071	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-072	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-073	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-074	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-075	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-076	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-077	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-078	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-079	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-080	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-081	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-082	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-083	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-084	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-085	350.00	1.00	0.00	350.00
Oak Creek I, II, III	779-52-086	350.00	1.00	0.00	350.00
Rosehaven	817-10-005	400.00	1.00	0.00	400.00
Rosehaven	817-10-006	400.00	1.00	0.00	400.00
Rosehaven	817-10-007	400.00	1.00	0.00	400.00
Rosehaven	817-10-008	400.00	1.00	0.00	400.00
Rosehaven	817-10-010	400.00	1.00	0.00	400.00
Rosehaven	817-10-011	400.00	2.00	0.00	800.00
Rosehaven	817-10-012	400.00	1.00	0.00	400.00
Rosehaven	817-10-013	400.00	1.00	0.00	400.00
Rosehaven	817-10-014	400.00	1.00	0.00	400.00
Rosehaven	817-10-015	400.00	1.00	0.00	400.00
Rosehaven	817-10-016	400.00	1.00	0.00	400.00
Rosehaven	817-10-017	400.00	1.00	0.00	400.00
Rosehaven	817-10-018	400.00	1.00	0.00	400.00
Rosehaven	817-10-019	400.00	1.00	0.00	400.00
Rosehaven	817-10-020	400.00	1.00	0.00	400.00
Rosehaven	817-10-021	400.00	2.00	0.00	800.00
Rosehaven	817-10-022	400.00	1.00	0.00	400.00
Rosehaven	817-10-023	400.00	1.00	0.00	400.00
Rosehaven	817-10-024	400.00	1.00	0.00	400.00
Rosehaven	817-10-025	400.00	1.00	0.00	400.00
Rosehaven	817-10-026	400.00	2.00	0.00	800.00
Rosehaven	817-10-027	400.00	1.00	0.00	400.00
Rosehaven	817-10-028	400.00	1.00	0.00	400.00
Rosehaven	817-10-029	400.00	1.00	0.00	400.00
Sandalwood	728-11-027	450.00	1.00	0.00	450.00

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
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Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Sandalwood	728-11-028	450.00	1.00	0.00	450.00
Sandalwood	728-11-029	450.00	1.00	0.00	450.00
Sandalwood	728-11-030	450.00	1.00	0.00	450.00
Sandalwood	728-11-031	450.00	1.00	0.00	450.00
Sandalwood	728-11-032	450.00	1.00	0.00	450.00
Sandalwood	728-11-033	450.00	1.00	0.00	450.00
Sandalwood	728-11-034	450.00	1.00	0.00	450.00
Sandalwood	728-11-035	450.00	1.00	0.00	450.00
Sandalwood	728-11-036	450.00	1.00	0.00	450.00
Sandalwood	728-11-037	450.00	1.00	0.00	450.00
Sparhawk	764-31-025	248.82	1.00	0.00	248.82
Sparhawk	764-31-026	248.82	1.00	0.00	248.82
Sparhawk	764-31-027	248.82	1.00	0.00	248.82
Sparhawk	764-31-028	248.82	1.00	0.00	248.82
Sparhawk	764-31-029	248.82	1.00	0.00	248.82
Sparhawk	764-31-030	248.82	1.00	0.00	248.82
Sparhawk	764-31-031	248.82	1.00	0.00	248.82
Sparhawk	764-31-032	248.82	1.00	0.00	248.82
Sparhawk	764-31-033	248.82	1.00	0.00	248.82
Sparhawk	764-31-034	248.82	1.00	0.00	248.82
Sparhawk	764-31-035	248.82	1.00	0.00	248.82
Sparhawk	764-31-036	248.82	1.00	0.00	248.82
Sparhawk	764-31-037	248.82	1.00	0.00	248.82
Sparhawk	764-31-038	248.82	1.00	0.00	248.82
Sparhawk	764-31-039	248.82	1.00	0.00	248.82
Sparhawk	764-31-040	248.82	1.00	0.00	248.82
Sparhawk	764-31-041	248.82	1.00	0.00	248.82
Sparhawk	764-31-042	248.82	1.00	0.00	248.82
Stone Creek	726-06-016	388.46	1.00	0.00	388.46
Stone Creek	726-06-017	388.46	1.00	0.00	388.46
Stone Creek	726-06-018	388.46	1.00	0.00	388.46
Stone Creek	726-06-019	388.46	1.00	0.00	388.46
Stone Creek	726-06-020	388.46	1.00	0.00	388.46
Stone Creek	726-06-021	388.46	1.00	0.00	388.46
Stone Creek	726-06-022	388.46	1.00	0.00	388.46
Stone Creek	726-06-023	388.46	1.00	0.00	388.46
Stone Creek	726-06-024	388.46	1.00	0.00	388.46
Stone Creek	726-06-025	388.46	1.00	0.00	388.46
Stone Creek	726-06-026	388.46	1.00	0.00	388.46
Stone Creek	726-06-027	388.46	1.00	0.00	388.46
Stone Creek	726-06-028	388.46	1.00	0.00	388.46
Stone Creek	726-06-029	388.46	1.00	0.00	388.46

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

City of Morgan Hill
Landscape Assessment District No. 1
Fiscal Year 2021/22
Assessment Roll

Zone	APN	Rate Per Unit	Units	Rounding Adjustment	2021/22 Assessment (1)
Stone Creek	726-06-030	388.46	1.00	0.00	388.46
Stone Creek	726-06-034	388.46	1.00	0.00	388.46
Stone Creek	726-06-035	388.46	1.00	0.00	388.46
Stone Creek	726-06-036	388.46	1.00	0.00	388.46
Stone Creek	726-06-037	388.46	1.00	0.00	388.46
Stone Creek	726-06-038	388.46	1.00	0.00	388.46
Stone Creek	726-06-044	388.46	1.00	0.00	388.46
Stone Creek	726-06-045	388.46	1.00	0.00	388.46
Stone Creek	726-06-046	388.46	1.00	0.00	388.46
Stone Creek	726-06-047	388.46	1.00	0.00	388.46
Stone Creek	726-06-048	388.46	1.00	0.00	388.46
Stone Creek	726-06-049	388.46	1.00	0.00	388.46
Stone Creek	726-06-050	388.46	1.00	0.00	388.46
Stone Creek	726-06-051	388.46	1.00	0.00	388.46
Stone Creek	726-06-052	388.46	1.00	0.00	388.46
Stone Creek	726-06-053	388.46	1.00	0.00	388.46
Stone Creek	726-06-054	388.46	1.00	0.00	388.46
Stone Creek	726-06-055	388.46	1.00	0.00	388.46
Stone Creek	726-06-056	388.46	1.00	0.00	388.46
Stone Creek	726-06-057	388.46	1.00	0.00	388.46
Stone Creek	726-06-058	388.46	1.00	0.00	388.46
Sunnyside/Stonegate	773-31-034	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-035	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-036	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-037	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-038	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-039	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-040	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-043	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-044	375.00	1.00	0.00	375.00
Sunnyside/Stonegate	773-31-045	375.00	1.00	0.00	375.00
Totals:			748.00	(2.10)	188,550.04

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

Attachment: Engineer's Report FY2021-22 (3107 : LAD Ordering Assessments)

7. HISTORICAL ASSESSMENT RATES

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

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

Zone	Belle Estates	Chang/Bertelone	Conte Gardens	Diana Estates	Fox Hollow / Murphy Sp.	Hamilton Square	Jackson Meadows #6	Jackson Meadows #7	La Grande Estates	Lacrosse/Gera
Annexation Number	93-03	93-05	92-10	94-01	Original	94-03	93-06	91-03	95-03	91-04
Original Rate	\$502.22	\$1,215.00	\$477.82	\$139.39	\$106.15	\$425.54	\$108.10	\$314.58	\$88.00	\$142.99
Unit Count	36	8	11	64	75	38	70	10	32	24
1991/92	-	-	-	\$139.39	-	-	-	\$314.58	-	\$142.99
1992/93	-	-	-	-	-	-	-	-	-	-
1993/94	-	-	-	69.80	-	-	-	77.35	-	8.93
1994/95	-	-	-	69.80	\$106.15	-	-	77.35	-	8.93
1995/96	\$502.00	\$1,215.00	\$285.98	54.14	79.92	\$425.54	\$108.10	88.66	-	8.93
1996/97	71.00	8.93	477.82	21.94	49.11	214.08	76.04	194.70	-	8.93
1997/98	71.00	8.93	477.82	21.94	49.11	214.08	76.04	194.70	-	8.93
1998/99	71.00	8.93	477.82	21.94	49.11	214.08	76.04	194.70	-	8.93
1999/00	147.81	8.93	477.82	81.03	49.11	399.71	108.10	314.50	\$88.00	8.93
2000/01	147.81	8.93	477.82	81.03	49.11	399.71	108.10	314.50	88.00	8.93
2001/02	147.80	8.92	477.82	54.80	49.10	399.70	86.38	314.50	88.00	8.92
2002/03	147.80	8.92	477.82	70.00	101.10	399.70	104.18	314.50	88.00	8.92
2003/04	175.00	8.92	477.82	80.00	101.10	399.70	104.18	314.50	88.00	8.92
2004/05	180.00	8.92	477.82	80.00	101.10	399.70	108.10	314.50	88.00	8.92
2005/06	180.00	94.92	477.82	105.00	141.10	399.70	108.10	314.50	88.00	8.92
2006/07	180.00	94.92	477.82	105.00	141.10	399.70	108.10	314.50	88.00	8.92
2007/08	194.00	94.92	477.82	135.00	141.10	399.70	108.10	314.50	88.00	8.92
2008/09	234.00	94.92	477.82	139.39	149.69	425.54	108.10	314.50	88.00	130.00
2009/10	234.00	200.00	477.82	139.39	149.69	425.54	108.10	314.50	88.00	130.00
2010/11	234.00	300.00	477.82	139.39	149.69	425.54	108.10	314.50	88.00	130.00
2011/12	282.00	400.00	477.82	139.39	168.48	425.54	108.10	314.50	88.00	50.00
2012/13	282.00	400.00	477.82	139.39	173.53	425.54	98.10	140.00	88.00	50.00
2013/14	320.00	500.00	477.82	139.39	173.53	425.54	98.10	140.00	88.00	50.00
2014/15	320.00	500.00	477.82	139.39	173.53	425.54	98.10	140.00	88.00	50.00
2015/16	320.00	550.00	400.00	139.39	173.53	425.54	108.00	140.00	88.00	50.00
2016/17	320.00	550.00	400.00	139.39	173.53	425.54	108.00	100.00	88.00	50.00
2017/18	320.00	550.00	400.00	139.39	173.53	325.00	108.00	100.00	88.00	50.00
2018/19	320.00	550.00	365.00	139.39	173.53	325.00	108.00	100.00	88.00	50.00
2019/20	320.00	550.00	365.00	139.39	173.53	325.00	108.00	100.00	88.00	50.00
2020/21	320.00	550.00	365.00	139.39	173.53	325.00	108.00	100.00	88.00	50.00
2021/22	320.00	550.00	365.00	139.39	173.53	325.00	108.00	100.00	88.00	50.00

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

Zone	Llagas Creek Estates	Llagas/Obata	Mill Creek	Oak Creek	Parsons Corner	Rose Haven	Sandalwood	Sparhawk	Stone Creek	Sunnyside / Stone Gate
Annexation Number	91-05	91-07	93-01	94-04	95-02	95-01	96-01	91-06	94-02	91-01
Original Rate	\$140.84	\$629.16	\$186.82	\$453.82	\$568.32	\$488.47	\$192.39	\$174.77	\$306.66	\$449.40
Unit Count	71	5	84	119	10	27	11	18	35	10
1991/92	\$140.85	\$629.16	-	-	-	-	-	\$174.77	-	\$449.40
1992/93	-	-	-	-	-	-	-	-	-	-
1993/94	19.13	335.37	-	-	-	-	-	93.03	-	15.05
1994/95	19.13	15.05	-	-	-	-	-	308.84	-	15.04
1995/96	76.60	15.05	\$186.82	\$453.82	-	-	-	226.46	\$306.66	15.04
1996/97	59.54	8.93	64.57	47.67	\$568.32	\$488.47	-	147.33	146.66	8.93
1997/98	59.54	8.93	64.57	47.67	457.40	189.73	-	147.33	146.66	8.93
1998/99	59.54	8.93	64.57	337.09	457.40	189.73	-	147.33	146.66	8.93
1999/00	140.85	8.93	95.83	320.52	457.40	189.73	\$192.36	147.33	275.00	8.93
2000/01	140.85	8.93	158.64	245.16	457.40	189.73	192.36	147.33	275.00	8.93
2001/02	105.86	8.92	158.64	150.00	457.40	189.72	192.36	147.32	275.00	8.92
2002/03	140.00	8.92	182.64	250.00	300.00	300.00	192.36	147.32	275.00	275.00
2003/04	140.00	8.92	120.00	300.00	300.00	300.00	192.36	147.32	275.00	192.50
2004/05	140.00	8.92	120.00	300.00	300.00	300.00	192.36	147.32	306.66	192.50
2005/06	190.00	53.92	138.00	300.00	430.00	300.00	192.36	202.32	306.66	332.50
2006/07	190.00	53.92	138.00	300.00	430.00	300.00	192.36	202.32	306.66	332.50
2007/08	190.00	53.92	168.00	300.00	460.00	330.00	192.36	208.38	306.66	332.50
2008/09	195.70	53.92	186.82	300.00	460.00	370.00	192.36	214.64	306.66	332.50
2009/10	195.70	53.92	186.82	300.00	460.00	370.00	192.36	214.64	306.66	332.50
2010/11	195.70	53.92	186.82	300.00	460.00	370.00	192.36	214.64	306.66	332.50
2011/12	195.70	53.92	186.82	350.00	250.00	450.00	192.36	241.58	306.66	332.50
2012/13	195.70	53.92	186.82	350.00	250.00	450.00	192.36	248.82	388.46	332.50
2013/14	233.67	53.92	186.82	350.00	250.00	450.00	192.36	248.82	388.46	412.50
2014/15	233.67	53.92	186.82	350.00	250.00	450.00	192.36	248.82	388.46	412.50
2015/16	233.67	143.92	186.82	350.00	250.00	450.00	192.36	248.82	388.46	375.00
2016/17	233.67	143.92	186.82	350.00	250.00	488.00	192.36	248.82	388.46	375.00
2017/18	233.67	143.92	186.82	350.00	250.00	488.00	192.36	248.82	388.46	375.00
2018/19	233.67	400.00	186.82	350.00	250.00	400.00	450.00	248.82	388.46	375.00
2019/20	233.67	400.00	186.82	350.00	0.00	400.00	450.00	248.82	388.46	375.00
2020/21	233.67	400.00	285.00	350.00	0.00	400.00	450.00	248.82	388.46	375.00
2021/22	233.67	400.00	285.00	350.00	0.00	400.00	450.00	248.82	388.46	375.00

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF MORGAN HILL, CALIFORNIA, CONFIRMING THE
ASSESSMENT AND ORDERING THE LEVY FOR THE
CITY OF MORGAN HILL LANDSCAPE ASSESSMENT
DISTRICT NO. 1 FOR FISCAL YEAR 2021/22**

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

WHEREAS, the City has retained NBS for the purposes of assisting with the annual levy of the Assessment District, and the preparation and filing of an Annual Report; and

WHEREAS, NBS has not been required to update the Annual Report since the City Council’s preliminary approval on May 5, 2021; and

WHEREAS, the City Council has, by previous resolution, declared its intention to hold a Public Hearing concerning the levy and collection of assessments within the Assessment District; and

WHEREAS, notice of such Public Hearing was duly given in accordance with Section 22626 of the Act; and

WHEREAS, at the time and place specified in the aforementioned notice the City Council held and conducted such Public Hearing, and considered all objections to the assessment.

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

- 1. Final Approval of Report:** The City Council approves the Annual Report concerning the levy of assessments for the fiscal year commencing July 1, 2021 and ending June 30, 2022.
- 2. Confirmation of Assessment and Diagram:** The City Council hereby confirms the assessment and the diagram as is described in full detail in the Annual Report on file with the City Clerk.

3. **Levy of Assessment:** Pursuant to Section 22631 of the Act, the adoption of this resolution shall constitute the levy of an assessment for the fiscal year commencing July 1, 2021 and ending June 30, 2022.
4. **Ordering of the Levy:** The City Council hereby orders NBS to prepare and submit the levy of assessments to Santa Clara County for placement on the Fiscal Year 2021/22 secured property tax roll.

PASSED, APPROVED AND ADOPTED by the City Council of Morgan Hill at a regular meeting held on the 16th day of June 2021.

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. ____, adopted by the City Council at the meeting held on June 16, 2021.

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

DATE: _____

 Michelle Bigelow, CITY CLERK

Attachment: Resolution [Revision 2] (3107 : LAD Ordering Assessments)



CITY COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

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

RECEIVE MONTHLY BUDGET UPDATE AND APRIL 2021 FINANCIAL AND INVESTMENT REPORTS

RECOMMENDATION(S)

Accept and file report.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Maintaining Infrastructure
Preserving and Cultivating Public Trust

2020-2021 Strategic Priorities

Community Outreach
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 April 2021 financial and investment reports (Attachments 1 and 2).

April 2021 Financial Report

The Revenue and Expense Summary through April 2021 is included on the first page of the monthly financial report (Attachment 2). Overall, General Fund revenues total \$29.3 million or about 74% of the budget. Expenditures, including encumbrances, amounted to \$33.2 million or 75% 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 at the mid-cycle budget review on May 26, 2021. The City's sales tax revenue before rebates for the current fiscal year is projected to be approximately \$2.0 million more than the reduced original budgeted amount of \$8.3 million. The increase is partially due to the opening of the Chrysler Dodge dealership as well as continued strength in certain segments such as autos/transportation and County pool. As consumers continue to shift more toward online spending, which further accelerated due to the COVID-19 pandemic, robust growth in this segment has resulted statewide.

As for property tax, the most recent County's estimate projected Morgan Hill property tax revenue, excluding the property transfer tax, at \$15.4 million for the fiscal year 2020-

21, higher than budget by about \$1.8 million mainly due to higher receipts of excess Educational Revenue Augmentation Fund (ERAF) and former RDA residual distribution as a result of bond refunding savings.

An increase in sales tax and property tax are expected to be offset by reduced certain revenue categories such as recreation services and Transient Occupancy Tax (TOT). Staff's latest projection for recreation services is an additional net loss of approximately \$1.3 million for the current fiscal year, slightly better than the worst-case scenario of \$1.6 million as recently projected in April. Staff is seeing strong late May and early June registration for memberships and programs at the Centennial Recreation Center and Aquatics Center. This holds well for the recreation services revenue forecast. If this trend continues, staff anticipates additional revenue increases for recreation services for next fiscal year 2021-22. As for TOT, staff is still projecting revenue to come in about \$0.5 million less than the already reduced budget for the current year.

American Rescue Plan Act (ARPA) Funding

The California Department of Finance (DOF) just released the ARPA allocations for non-entitlement cities (population under 50,000). The City of Morgan Hill is now anticipated to receive \$10,992,695 versus \$8,649,458 forecasted earlier. Here's the [link](#) to the DOF's [letter and ARPA allocations for non-entitlement cities](#).

Morgan Hill's allocation is still far short of the city's anticipated revenue loss from the global pandemic of over \$17 million. Nonetheless, this is exciting news as additional funds will help local cities like ours recover more quickly to a fiscally sustainable path, as well as allowing Morgan Hill to reinstate more services to the community that were cut as a result of the global pandemic. Staff will bring forward to the Council in August the proposed additional appropriations from the increased ARPA allocations that prioritize the community needs.

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. April 2021 Financial Statement Analysis
2. April 2021 Financial and Investment Report

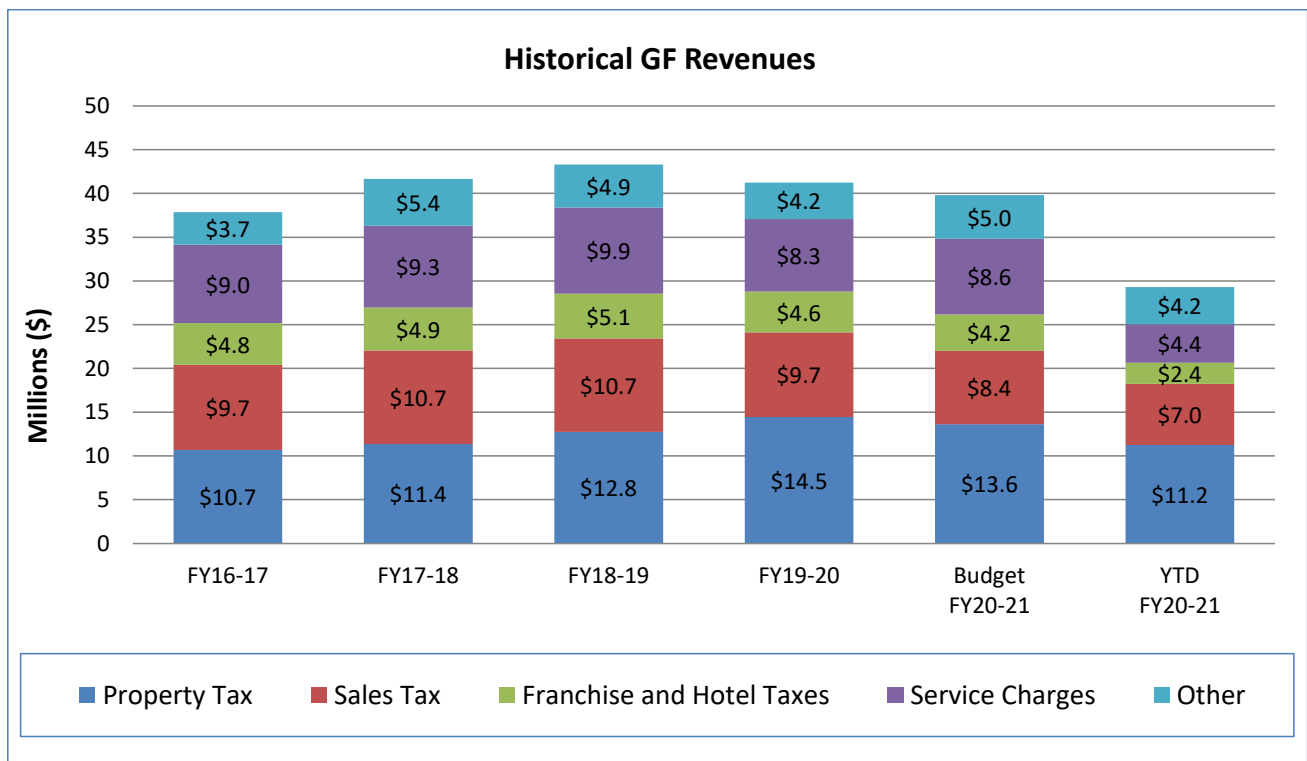


CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED APRIL 2021 – 83% OF YEAR COMPLETE

- **General Fund** – Revenues through April totaled \$29.3 million, or about 74% of the budgeted revenues. The most recent County’s estimate projected Morgan Hill property tax revenue, excluding the property transfer tax, at \$15.4 million for the fiscal year 2020-21, higher than budget by about \$1.8 million mainly due to higher receipts of excess Educational Revenue Augmentation Fund (ERAF) and former RDA residual distribution as a result of bond refunding savings. 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.

As for sales tax, there’s been no changes from the last projection. Sales tax revenue before rebates for the current fiscal year is projected to be approximately \$2.0 million more than the reduced budgeted amount of \$8.3 million. The increase is partially due to the opening of the Chrysler Dodge dealership as well as continued strength in certain segments such as autos/transportation and County pool. As consumers continue to shift more toward online spending, which further accelerated due to COVID-19 pandemic, resulting in robust growth in this segment across statewide.

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 April 30, 2021.



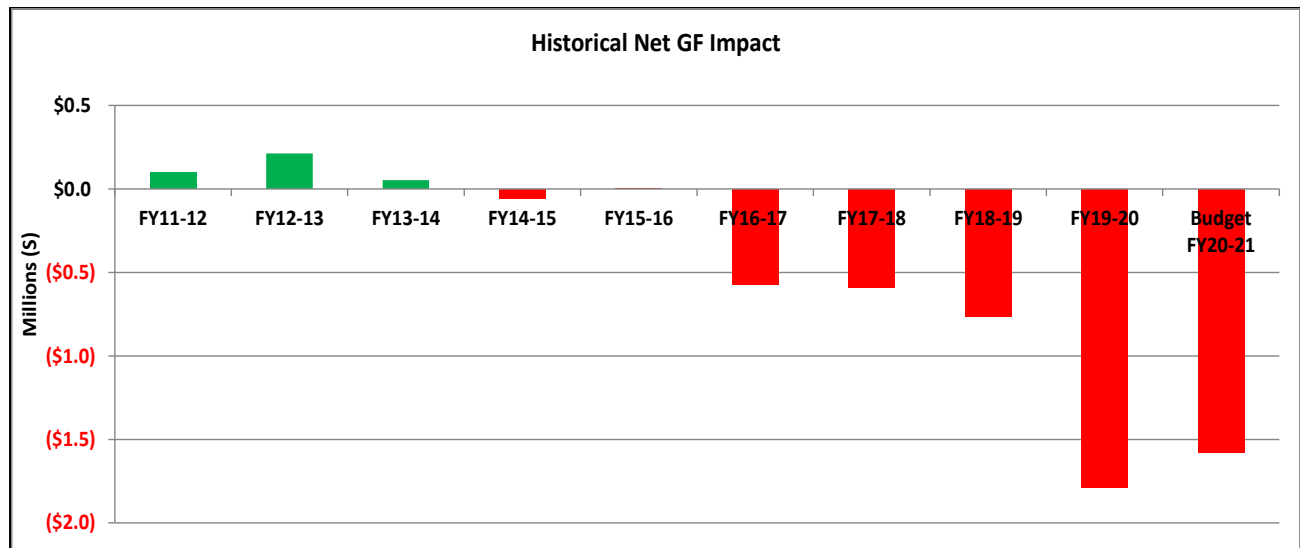
General Fund expenditures and encumbrances as of April 30, 2021 totaled \$33.2 million, of which



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED APRIL 2021 – 83% OF YEAR COMPLETE

approximately \$1.4 million is attributable to outstanding encumbrances.

- **Community Services** - The Community Services Department's recreation operations, as reflected in the schedule presented on page 4 of the Monthly Financial and Investments Reports, shows a negative impact to the General Fund of approximately \$2.6 million as of April 30, 2021. 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 just begun to open with a limited capacity recently.



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 April 30, 2021 totaled approximately \$4.0 million. Expenditures, including encumbrances, totaled \$4.3 million. The current fiscal year budgeted revenue of approximately \$4.8 million includes a borrowing from the General Fund of about \$1.0 million. However, staff is optimistic that the fund might not need to borrow this fiscal year. In addition, staff is currently engaging a consultant to conduct a comprehensive fee study to update the current fees which were developed about five years ago to address to fund's expected shortfall in the next fiscal year.
- **Debt Service Funds** – Expenditures through April 30, 2021 totaled about \$684,000. The debt service for the first half of the year includes both interest and principal, while the second half of the year will include interest only. Debt service payments were all scheduled when the bonds were issued, and are budgeted for in the months delineated in the underlying bond documents. The General Fund's portion



CITY OF MORGAN HILL, CALIFORNIA
FINANCIAL STATEMENT ANALYSIS - FISCAL YEAR 2020-21
FOR THE MONTH ENDED APRIL 2021 – 83% OF YEAR COMPLETE

of the annual debt service payments is approximately \$200,000, less than one percent of the General Fund's budgeted revenues.

- **Wastewater Operations** – Revenues from Sewer Operations through April 30, 2021 totaled \$10.6 million. Expenditures and outstanding encumbrances totaled \$10.7 million or 80% 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 April 30, 2021.

(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	10.6
Expenditures	9.8	10.8	11.4	12.3	13.3	10.7
Operating Margin	(0.1)	(0.5)	-	(0.4)	-	(0.1)
Operating Margin without Encumbrances	(0.0)	(0.3)	0.4	(0.1)	-	0.1

- **Water Operations** – Water Operations includes Utility Billing, Water Conservation, and Water Operations. Revenues from Water Operations through April 30, 2021 totaled \$12.3 million. Water Operations expenditures, including outstanding encumbrances, totaled \$12.7 million. Without the encumbrances, however, the expenditures amounted to \$11.8 million. The table below shows Water Operations revenues and expenditures from FY16-17 through FY19-20 Actual, FY20-21 Budget, and YTD as of April 30, 2021.

(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	12.3
Expenditures	11.2	12.1	14.3	16.4	15.6	12.7
Operating Margin	(0.3)	0.9	(0.1)	(1.1)	-	(0.4)
Operating Margin without Encumbrances	(0.1)	1.4	0.8	(0.1)	-	0.5

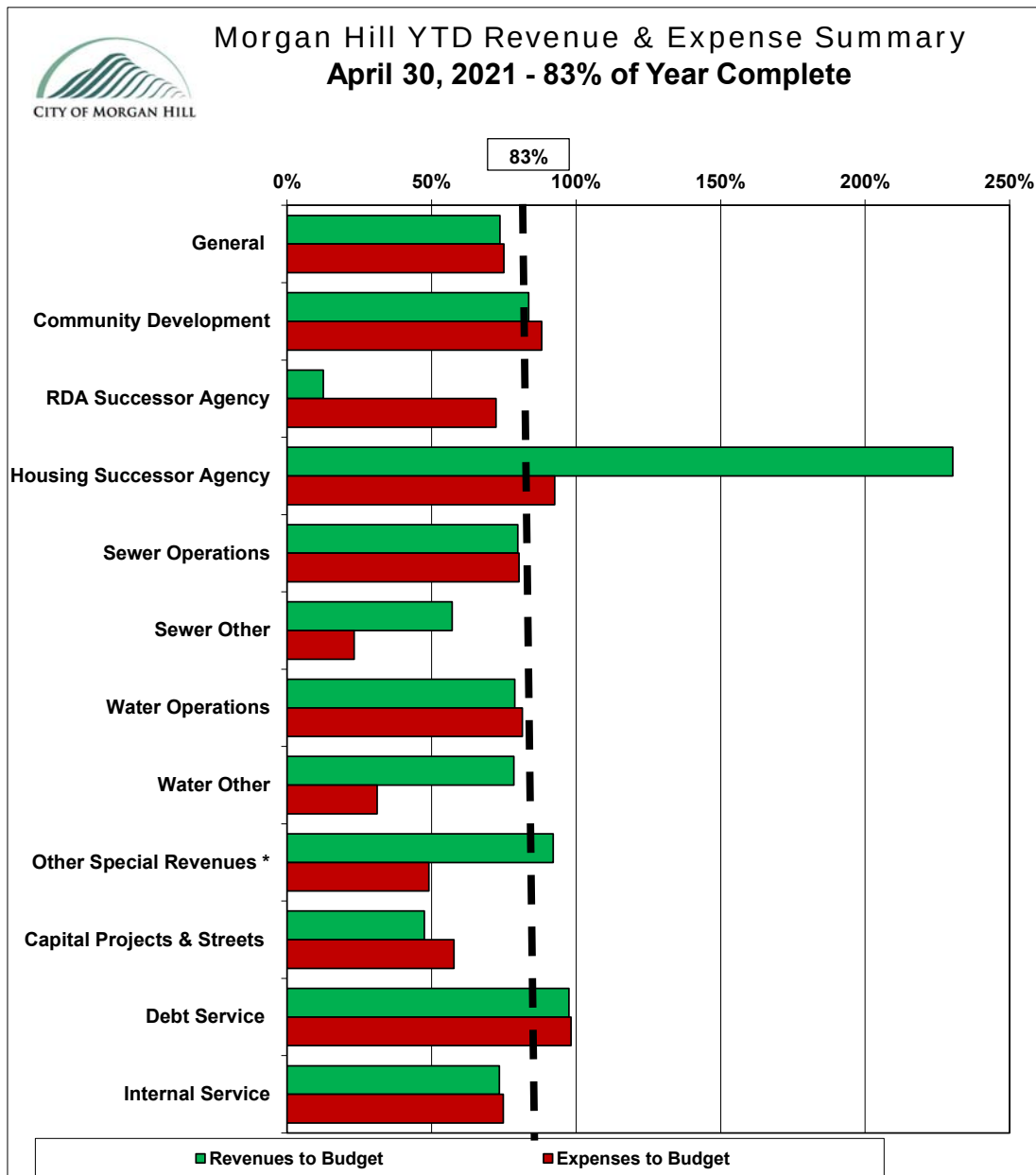
- **Investments** – Total interest earnings received on investments were \$21,000 during the month.

CITY OF MORGAN HILL
Monthly Financial and Investment Reports
April 30, 2021 - 83% of Year Complete



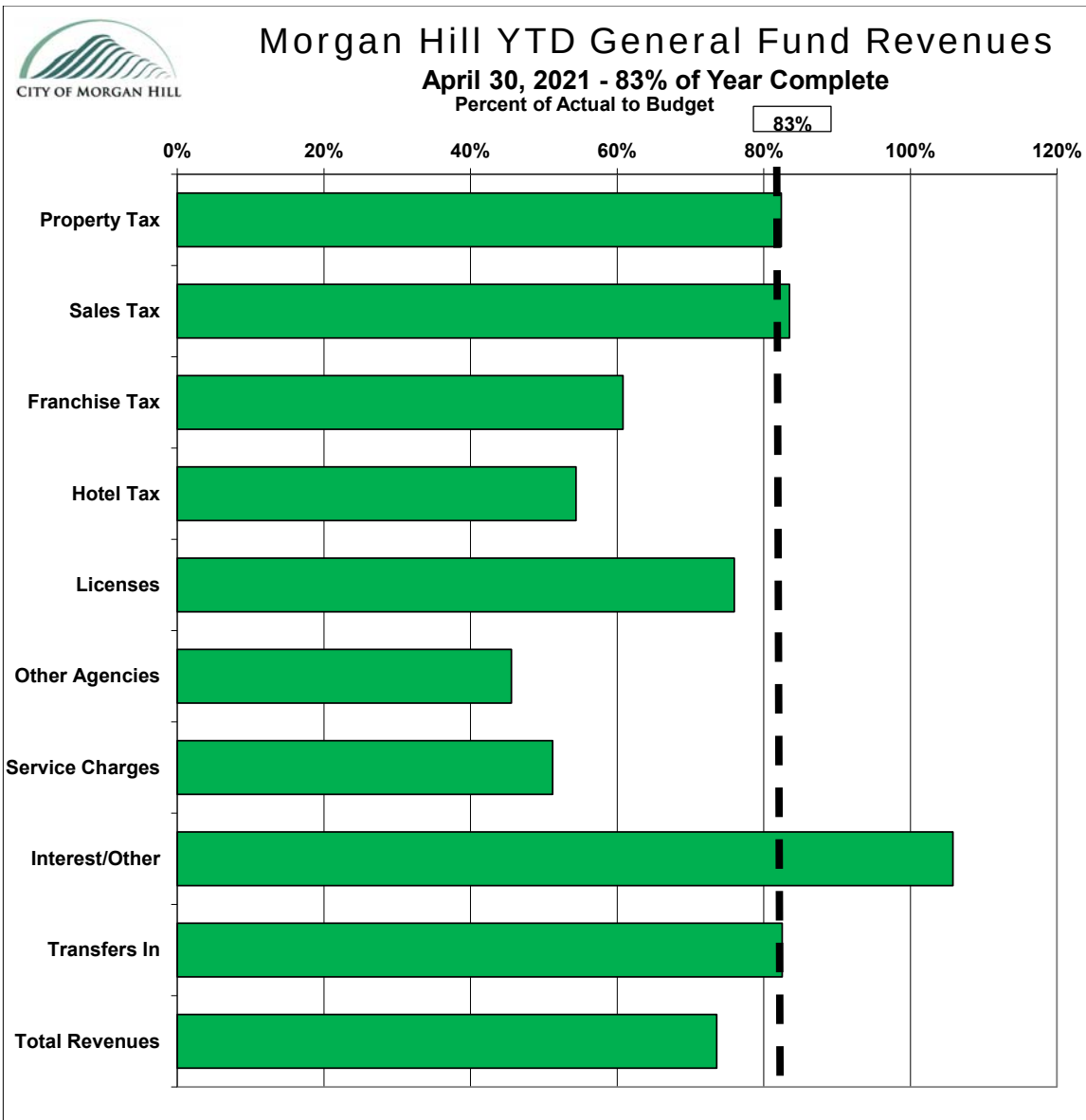
CITY OF MORGAN HILL

Prepared by:
FINANCE DIVISION

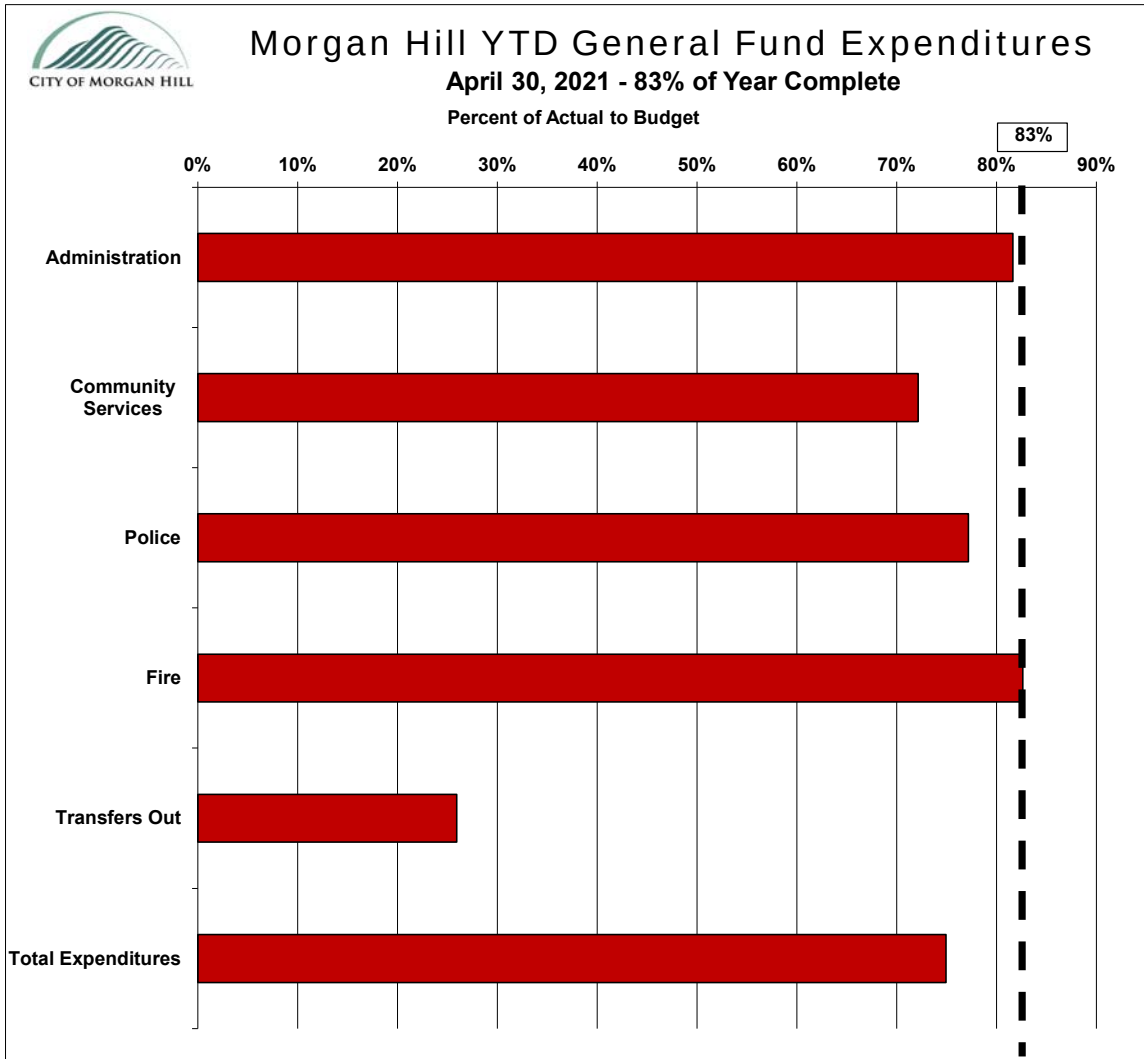


FUND NAME	REVENUES		EXPENSES	
	ACTUAL	% OF BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET
General	\$ 29,290,723	74%	\$ 33,216,373	75%
Community Development	3,965,479	84%	4,285,989	88%
RDA Successor Agency	888,931	12%	5,015,235	72%
Housing Successor Agency	490,650	230%	920,693	93%
Sewer Operations	10,594,100	80%	10,707,056	80%
Sewer Other	6,244,778	57%	5,973,492	23%
Water Operations	12,317,785	79%	12,727,877	81%
Water Other	5,238,508	78%	1,536,430	31%
Other Special Revenues *	3,411,543	92%	2,379,643	49%
Capital Projects & Streets	14,472,970	47%	38,087,829	58%
Debt Service	678,915	97%	683,803	98%
Internal Service	8,626,011	73%	9,479,357	75%
TOTAL FOR ALL FUNDS	\$ 96,220,393	66%	\$ 125,013,777	62%

* 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	\$ 11,243,786	82%	\$ 10,106,007	11%
Sales Tax	8,370,868	6,987,014	84%	6,930,419	1%
Franchise Tax	2,351,000	1,428,715	61%	1,817,327	-21%
Hotel Tax	1,819,000	990,393	54%	2,005,244	-51%
Licenses	185,444	140,876	76%	145,270	-3%
Other Agencies	703,650	320,698	46%	244,528	31%
Service Charges	8,632,432	4,417,320	51%	7,747,812	-43%
Interest/Other	1,619,336	1,713,133	106%	1,328,341	29%
Transfers In	2,483,580	2,048,790	83%	1,460,711	40%
TOTAL REVENUES	\$ 39,805,310	\$ 29,290,723	74%	\$ 31,785,660	-8%



EXPENDITURE CATEGORY	BUDGET	ACTUAL PLUS ENCUMBRANCES	% OF BUDGET	PRIOR YTD PLUS ENCUMBRANCES	% CHANGE FROM PRIOR YEAR
Administration	\$ 4,633,295	\$ 3,782,064	82%	\$ 3,819,931	-1%
Community Services	12,794,868	9,231,520	72%	9,856,474	-6%
Police	17,890,973	13,808,181	77%	14,110,665	-2%
Fire	7,162,540	5,918,637	83%	5,809,655	2%
Transfers Out	1,834,702	475,970	26%	1,563,330	-70%
TOTAL EXPENDITURES	\$ 44,316,377	\$ 33,216,373	75%	\$ 35,160,054	-6%

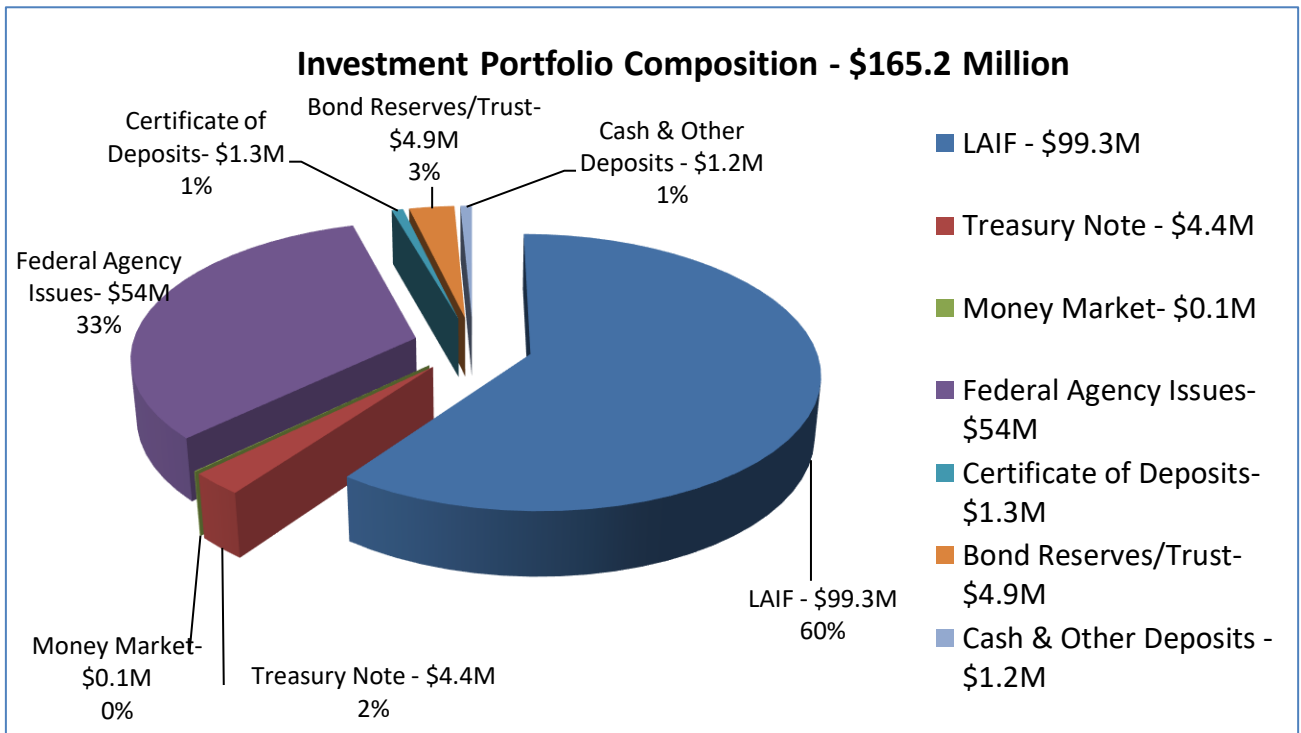


**City of Morgan Hill
Recreation Report - Fiscal Year 2020-21
For the Month and Ten Months Ended April 30, 2021
83% of Year Complete**

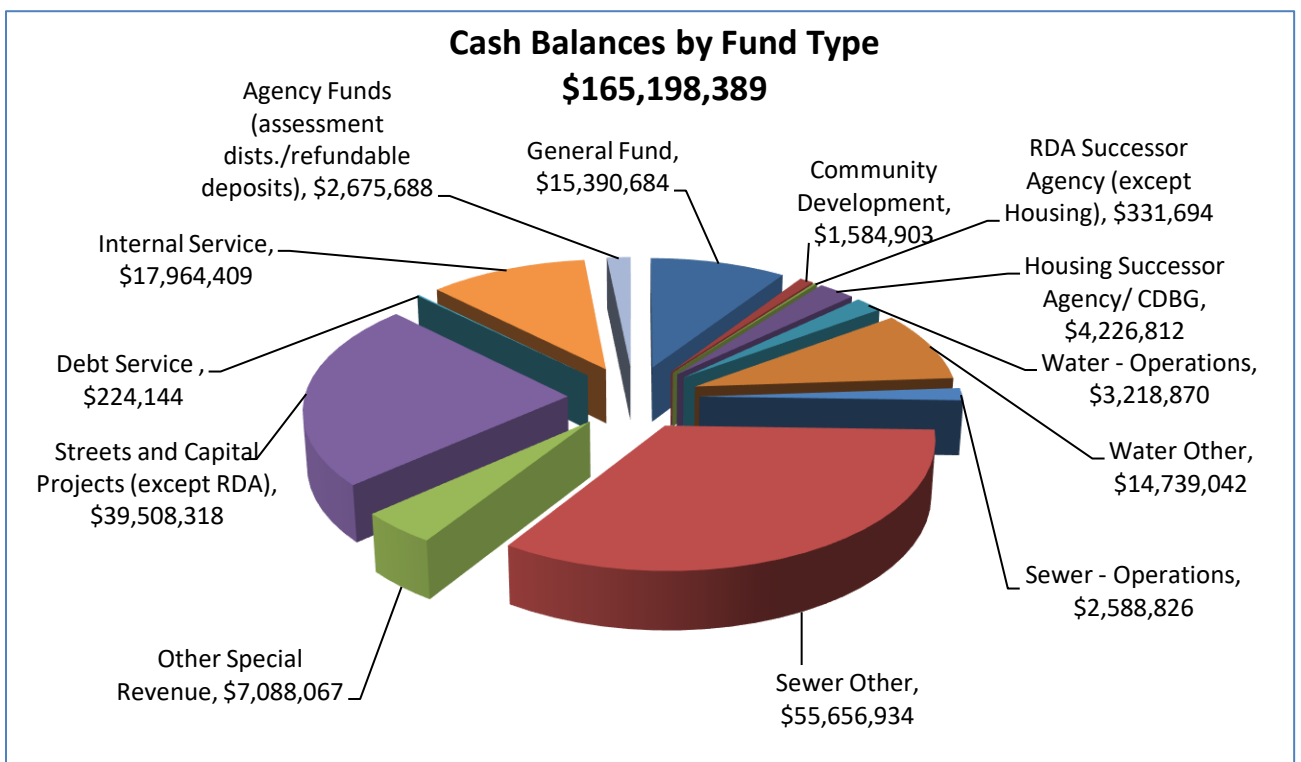
	<u>Budget</u>	<u>March 2021</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues				
Membership Services & Rec Programs	\$ 5,068,448	\$ 306,643	\$ 2,312,201	
Facility Rentals	696,431	10,131	107,580	
Community Services	104,460	53,748	68,039	
Transfers in	75,000	6,250	62,500	
Total Revenues	<u>\$ 5,944,339</u>	<u>\$ 376,773</u>	<u>\$ 2,550,320</u>	43%
Less: Expenditures				
Membership & Program Services	\$ 5,675,307	\$ 171,481	\$ 3,405,861	
Facility Rentals	1,236,339	28,644	688,321	
Community Services	609,834	33,101	362,728	
Total Expenditures	<u>\$ 7,521,481</u>	<u>\$ 233,225</u>	<u>\$ 4,456,910</u>	59%
Net Impact without encumbrances	<u>\$ (1,577,142)</u>	<u>\$ 143,548</u>	<u>\$(1,906,590)</u>	
Encumbrances	-	-	695,450	
Net Impact with encumbrances	<u>\$ (1,577,142)</u>	<u>\$ 143,548</u>	<u>\$(2,602,039)</u>	

City of Morgan Hill Monthly Investment Report - April 30, 2021

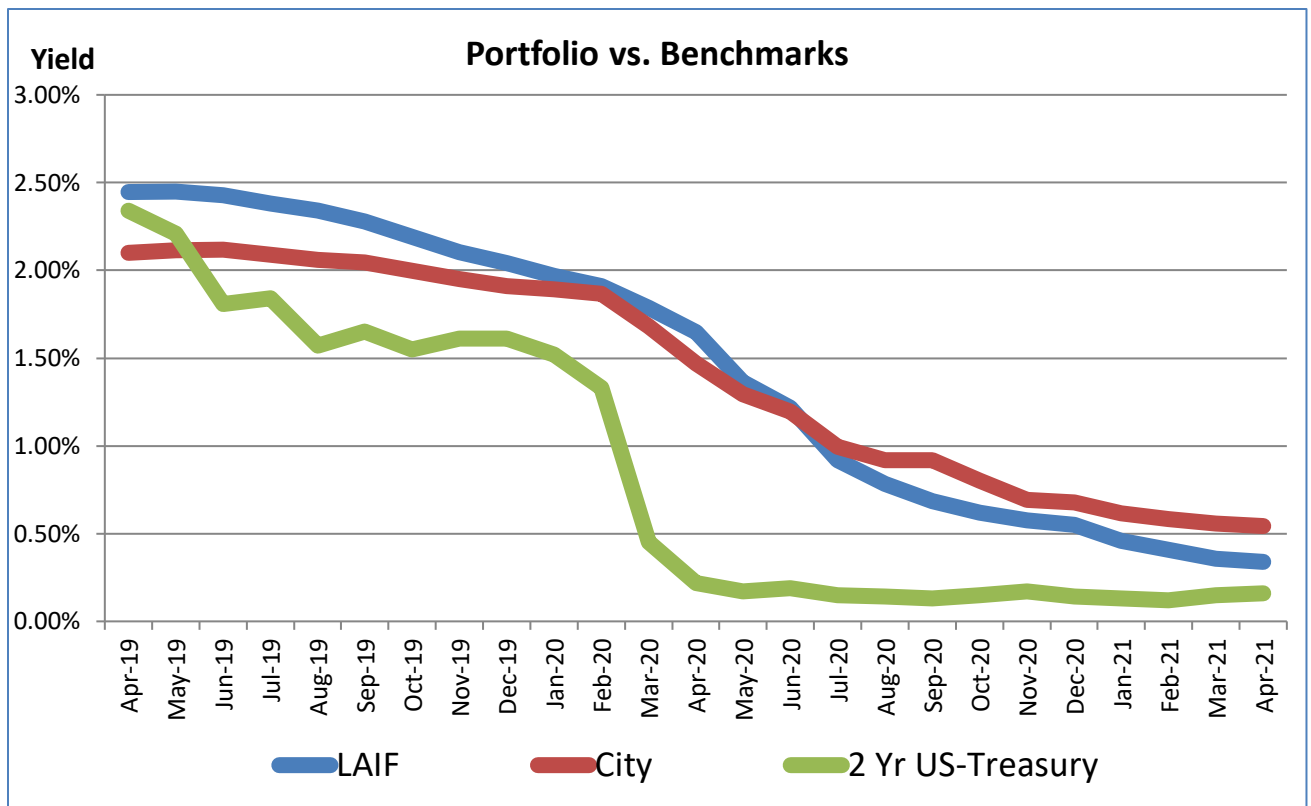
The following are the snapshots of City's investment portfolio as of April 30, 2021. The first chart shows the portfolio composition by investment type:



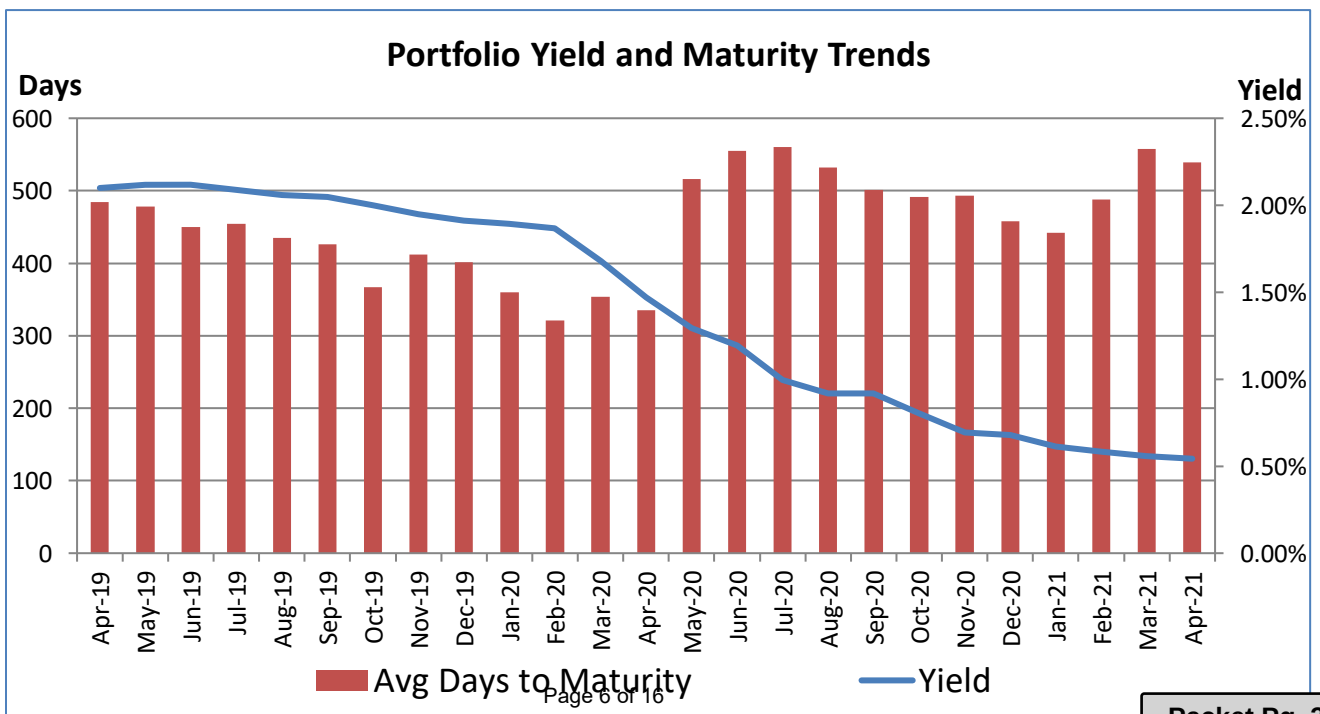
The chart below shows cash balances by fund type reconciled to City's financial system:



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 April 30, 2021

Investment Type	Settlement Date	Book Value	% of Portfolio	Market Value	YTM at Cost	Next Call Date	Date of Maturity
L A I F		\$ 99,303,995	60.11%	\$ 99,430,096	0.34%		
City Managed							
FNMA Bond	8/25/2016	4,000,000	2.42%	4,016,040	1.40%	8/25/2021	8/25/2021
Treasury Note	4/30/2018	4,401,343	3.28%	4,614,975	2.73%	3/31/2023	3/31/2023
FFCB Bond	4/8/2020	2,000,000	1.21%	2,010,320	0.88%	10/8/2021	4/8/2024
FFCB Bond	5/27/2020	2,000,000	1.21%	1,982,920	0.73%	5/27/2021	5/27/2025
FHLMC Bond	6/3/2020	2,000,000	1.21%	2,001,800	0.60%	6/3/2021	12/3/2024
FHLMC Bond	10/20/2020	2,000,000	1.21%	1,986,380	0.60%	10/20/2021	10/20/2025
FHLMC Bond	10/27/2020	2,000,000	1.21%	1,987,180	0.63%	10/27/2021	10/27/2025
FHLMC Bond	11/2/2020	2,000,000	1.21%	2,000,100	0.32%	5/2/2021	11/2/2023
FFCB Bond	11/3/2020	2,000,000	1.21%	1,963,620	0.54%	5/3/2021	11/3/2025
FNMA Bond	11/18/2020	2,000,000	1.21%	1,982,800	0.65%	5/18/2021	11/18/2025
FHLMC Bond	11/24/2020	2,000,000	1.21%	1,976,280	0.64%	5/24/2021	11/24/2025
FFCB Bond	11/24/2020	1,000,000	0.61%	988,200	0.60%	5/24/2021	11/24/2025
FHLMC Bond	11/25/2020	3,000,000	1.82%	2,966,100	0.63%	5/25/2021	11/25/2025
FHLMC Bond	11/30/2020	2,000,000	1.21%	1,985,940	0.65%	5/26/2021	11/26/2025
FFCB Bond	12/22/2020	2,000,000	1.21%	1,962,120	0.47%	6/22/2021	12/22/2025
FHLB Bond	1/22/2021	2,000,000	1.21%	1,971,060	0.63%	7/22/2021	1/22/2026
FNMA Bond	1/28/2021	2,000,000	1.21%	1,968,400	0.55%	7/28/2021	1/28/2026
FHLB Bond	1/28/2021	2,000,000	1.21%	1,982,240	0.65%	7/28/2021	1/28/2026
FHLB Bond	2/24/2021	2,000,000	1.21%	2,000,000	0.75%	8/24/2021	2/24/2026
FHLB Bond	2/25/2021	2,000,000	1.21%	1,973,680	0.66%	8/25/2021	2/25/2026
FHLB Bond	2/26/2021	2,000,000	1.21%	1,980,060	0.65%	8/26/2021	2/26/2026
FHLB Bond	3/10/2021	2,000,000	1.21%	1,994,640	0.85%	9/10/2021	3/10/2026
FHLB Bond	3/16/2021	2,000,000	1.21%	1,982,180	0.70%	9/16/2021	3/16/2026
FHLB Bond	3/16/2021	2,000,000	1.21%	1,991,700	0.80%	9/16/2021	3/16/2026
FHLB Bond	3/17/2021	2,000,000	1.21%	1,988,140	1.00%	9/17/2021	3/17/2026
FHLB Bond	3/23/2021	2,000,000	1.21%	2,000,000	1.00%	9/23/2021	3/23/2026
FHLB Bond	3/30/2021	2,000,000	1.21%	2,000,020	1.00%	9/30/2021	3/30/2026
CD - Goldman Sachs Bank USA	5/13/2020	250,000	0.15%	251,070	0.50%	5/13/2021	5/13/2022
CD - Woori America Bank	5/13/2020	250,000	0.15%	250,025	0.30%	5/13/2021	5/13/2021
CD - Safra Nat'l Bank	5/14/2020	250,000	0.15%	250,030	0.35%	5/13/2021	5/13/2021
CD - State Bank of India	5/14/2020	250,000	0.15%	250,038	0.40%	5/14/2021	5/14/2021
CD - American Nat'l Bank	5/20/2020	250,000	0.15%	250,825	0.40%	5/20/2022	5/20/2022
Sub Total/Average		\$ 59,651,343	36.72%	\$ 59,508,883	0.88%		
Money Market		\$ 97,610	0.06%	\$ 97,610	0.01%		
Total City Managed/Average		\$ 159,052,948	96.89%	\$ 159,036,589	0.54%		
Bond Reserve Accounts - Held By Trustees		\$ 1,512,335	0.92%	\$ 1,512,335			
Cash/Deposits		\$ 1,245,703	0.75%	\$ 1,245,703			
PARS Trust		\$ 3,387,404	2.05%	\$ 4,510,081			
GRAND TOTAL/AVERAGE		\$ 165,198,389	100%	\$ 166,304,707			

Attachment: April 2021 Financial and Investment Report (3127 : Monthly Budget Update and April 2021 Financial and Investment Reports)



CITY OF MORGAN HILL CASH AND INVESTMENT REPORT

FOR THE MONTH OF APRIL 30, 2021
FOR THE FISCAL YEAR OF 2020-21

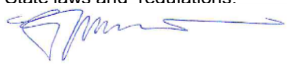
	Invested in Fund	Yield	Book Value End of Month	% of Total	Market Value
Investments					
State Treasurer LAIF - City	All Funds Pooled	0.34%	\$ 79,277,504	47.99%	\$ 79,378,175
2015 Wastewater Rev Bonds - CIP	Wastewater Fund	0.34%	20,026,491	12.12%	20,051,922
Federal Issues	All Funds Pooled	0.80%	54,000,000	32.69%	53,641,920
US Treasury Notes	All Funds Pooled	2.73%	4,401,343	2.66%	4,614,975
Certificate of Deposits	All Funds Pooled	0.39%	1,250,000	0.76%	1,251,988
Dreyfus Treas Cash Management Acct	All Funds Pooled	0.01%	97,610	0.06%	97,610
	SUBTOTAL		\$ 159,052,948	96.28%	\$ 159,036,589
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%	327,660	0.20%	327,660
Dreyfus Cash Mgmt 521	Successor Fund	0.00%	327,660	0.20%	327,660
Zions Bank - MH Ranch 2015	Agency Fund	0.01%	595,695	0.36%	595,695
Blackrock Liq Funds Fed Fund -DI -2015	Agency Fund	0.01%	595,695	0.36%	595,695
Zions Bank - Madrone Bus Park Taxable/ Tax Exempt 2015	Agency Fund	0.01%	588,968	0.36%	588,968
Blackrock Liquidity Temp Fund-2015	Agency Fund	0.01%	588,968	0.36%	588,968
	SUBTOTAL		1,512,335	0.92%	1,512,335
Other Cash/Deposits					
General Checking	All Funds		1,208,591	0.73%	1,208,591
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	1.32%	2,986,487
PARS - PENSION Trust			1,200,000	0.73%	1,523,593
	SUBTOTAL		4,633,107	2.80%	5,755,784
Total Cash and Investments			\$ 165,198,389	100.00%	\$ 166,304,707

CASH ACTIVITY SUMMARY FY 2020-21

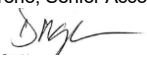
Fund Type	07/1/20 Balance	Change in Cash Balance	4/30/2021 Balance
General Fund	\$ 16,482,660	\$ (1,091,976)	\$ 15,390,684
Community Development	972,100	612,803	1,584,903
RDA Successor Agency (except Housing)	11,666,343	(11,334,649)	331,694
Housing Successor Agency/ CDBG	4,593,710	(366,899)	4,226,812
Water - Operations	3,747,502	(528,633)	3,218,870
Water Other	8,567,976	6,171,066	14,739,042
Sewer - Operations	3,220,859	(632,033)	2,588,826
Sewer Other	32,031,933	23,625,001	55,656,934
Other Special Revenue	5,770,282	1,317,785	7,088,067
Streets and Capital Projects (except RDA)	40,583,676	(1,075,358)	39,508,318
Debt Service	227,953	(3,810)	224,144
Internal Service	17,977,892	(13,482)	17,964,409
Agency Funds (assessment dists./refundable deposits)	3,260,978	(585,290)	2,675,688
Total	\$ 149,103,863	\$ 16,094,527	\$ 165,198,389

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 Jachimowicz, Treasurer



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Ten Months Ended April 30, 2021
83% 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	\$ 9,806,799	86%	\$ 9,291,632	\$ 515,167	6%
Property Tax - RPTTF Residual Distribution	2,144,000	2,144,000	1,123,570	52%	673,465	450,105	67%
Property Tax - Supplemental Roll	142,000	142,000	313,417	221%	140,911	172,506	122%
Sales Tax	8,027,793	8,027,793	6,766,856	84%	6,677,449	89,407	1%
Public Safety Sales Tax	343,075	343,075	220,158	64%	252,970	(32,812)	-13%
Transient Occupancy Taxes	1,819,000	1,819,000	990,393	54%	2,005,244	(1,014,851)	-51%
Franchise (Refuse, Cable, PG&E)	2,351,000	2,351,000	1,428,715	61%	1,817,327	(388,612)	-21%
Property Transfer Tax	436,000	436,000	449,707	103%	371,109	78,598	21%
TOTAL TAXES	26,616,868	26,616,868	21,099,615	79%	21,230,107	(130,492)	-1%
LICENSES/PERMITS							
Business License	154,500	154,500	137,695	89%	139,334	(1,640)	-1%
Other Permits	30,944	30,944	3,181	10%	5,936	(2,755)	-46%
TOTAL LICENSES/PERMITS	185,444	185,444	140,876	76%	145,270	(4,395)	-3%
FINES AND PENALTIES							
Parking Enforcement	8,000	8,000	3,627	45%	3,277	350	11%
Bails & Fines	73,645	73,645	29,548	40%	40,757	(11,209)	-28%
Administrative Citations	10,079	10,079	14,403	143%	95,306	(80,903)	-85%
TOTAL FINES AND PENALTIES	91,724	91,724	47,578	52%	139,340	(91,762)	-66%
OTHER AGENCIES							
Motor Vehicle in-Lieu	25,392	25,392	40,357	159%	36,203	4,154	11%
Other Revenue - Other Agencies	529,943	703,650	320,698	46%	244,528	76,170	31%
TOTAL OTHER AGENCIES	555,335	729,042	361,055	50%	280,731	80,324	29%
CHARGES CURRENT SERVICES							
Police False Alarm Charge	30,428	30,428	41,020	135%	27,007	14,013	52%
Business License Application Review	37,080	37,080	38,810	105%	32,312	6,498	20%
Membership Services & Rec Programs	5,068,448	5,068,448	2,312,201	46%	4,645,358	(2,333,157)	-50%
Facility Rentals	696,431	696,431	107,580	15%	724,370	(616,790)	-85%
Community Services	104,460	104,460	68,039	65%	77,002	(8,963)	-12%
General Administration Overhead	1,780,917	1,780,917	1,484,060	83%	1,492,850	(8,790)	-1%
Other Charges Current Services	914,668	914,668	365,610	40%	748,913	(383,302)	-51%
TOTAL CURRENT SERVICES	8,632,432	8,632,432	4,417,320	51%	7,747,812	(3,330,492)	-43%
OTHER REVENUE							
Use of money/property	816,362	816,362	360,727	44%	460,488	(99,761)	-22%
Other Revenues	249,858	249,858	814,764	326%	321,201	493,563	154%
TOTAL OTHER REVENUE	1,066,220	1,066,220	1,175,491	110%	781,689	393,802	50%
TRANSFERS IN							
One Time Transfer	225,000	225,000	150,070	67%	149,990	80	0%
Public Safety Facilities Fund	25,000	25,000	20,750	83%	-	20,750	0%
Supplemental Law Enforcement Fund	100,000	100,000	100,000	100%	100,000	-	n/a
Fire Impact	-	-	-	n/a	25,000	(25,000)	-100%
Streets	699,706	699,706	583,080	83%	515,971	67,109	13%
Park Maintenance	650,000	650,000	541,670	83%	-	541,670	n/a
Police Impact	-	-	-	0%	20,830	(20,830)	-100%
Sewer Operations	354,437	354,437	295,360	83%	293,210	2,150	1%
Water Operations	354,437	354,437	295,360	83%	293,210	2,150	1%
Park Development	75,000	75,000	62,500	83%	62,500	-	n/a
TOTAL TRANSFERS IN	2,483,580	2,483,580	2,048,790	82%	1,460,711	588,079	40%
TOTAL GENERAL FUND	39,631,603	39,805,310	29,290,723	74%	31,785,660	(2,494,936)	-8%
SPECIAL REVENUE FUNDS							
202 STREET MAINTENANCE							
Gas Tax 2105 - 2107.5	698,292	698,292	530,766	76%	596,853	(66,087)	-11%
Interest / Other Revenue/Other Charges	1,414	1,414	881	62%	3,150	(2,269)	-72%
202 STREET MAINTENANCE	699,706	699,706	531,647	76%	600,003	(68,356)	-11%

Attachment: April 2021 Financial and Investment Report (3127 : Monthly Budget Update and April 2021 Financial and Investment Reports)



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Ten Months Ended April 30, 2021
83% 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	989	117%	1,474	(486)	-33%
Police Grant/SLEF/JAG	100,000	100,000	115,060	115%	114,281	779	1%
205 SUPPLEMENTAL LAW ENFORCEMENT FUND	100,842	100,842	116,048	115%	115,755	293	0%
206 DEVELOPMENT SERVICES							
Building Fees	2,162,357	2,162,357	2,392,082	111%	2,119,817	272,265	13%
Planning Fees	743,344	743,344	837,447	113%	925,860	(88,413)	-10%
Engineering Fees	708,809	708,809	611,137	86%	444,481	166,656	37%
Other Revenue/Current Charges	1,133,225	1,133,225	124,813	11%	48,135	76,679	159%
206 DEVELOPMENT SERVICES	4,747,735	4,747,735	3,965,479	84%	3,538,292	427,187	12%
207 LONG RANGE PLANNING	677,026	677,026	606,485	90%	531,771	74,714	14%
215 and 216 HCD BLOCK GRANT							
Interest Income/Other Revenue	3,111	3,111	396	13%	1,007	(610)	-61%
215 and 216 HCD BLOCK GRANT	3,111	3,111	396	13%	1,007	(610)	-61%
225 ASSET SEIZURE	1,893	1,893	850	45%	18,036	(17,185)	-95%
229 LIGHTING AND LANDSCAPE	191,075	191,075	104,433	55%	97,993	6,440	7%
230 COMMUNITY FACILITIES DISTRICT	1,216	1,216	20,417	1679%	24,988	(4,571)	-18%
232 ENVIRONMENTAL PROGRAMS	446,843	446,843	484,379	108%	361,212	123,167	34%
234 MOBILE HOME PARK RENT STAB.	742	742	3,794	511%	6,531	(2,737)	-42%
235 SENIOR HOUSING	3,793	3,793	1,392	37%	3,618	(2,226)	-62%
236 HOUSING MITIGATION	2,248,764	2,248,764	1,976,857	88%	820,310	1,156,546	141%
237 BEGIN	-	-	1,083	n/a	-	1,083	n/a
238 CAL HOMES	-	-	81,104	n/a	-	81,104	n/a
240 EMPLOYEE ASSISTANCE	29,068	29,068	12,981	45%	16,505	(3,524)	-21%
247 ENVIRONMENT REMEDIATION	2,400	2,400	1,322	55%	3,372	(2,049)	-61%
250 COMH-SUCCESSOR AGENCY-MHRDA	7,112,060	7,112,060	888,931	12%	7,364,694	(6,475,763)	-88%
255 HOUSING SUCCESSOR AGENCY	213,057	213,057	490,650	230%	467,129	23,521	5%
TOTAL SPECIAL REVENUE FUNDS	16,479,332	16,479,332	9,288,249	56%	13,971,216	(4,682,967)	-34%
CAPITAL PROJECTS FUNDS							
301 PARK DEVELOPMENT	2,384,665	2,384,665	2,440,424	102%	1,196,105	1,244,319	104%
302 PARK MAINTENANCE	359,071	359,071	58,875	16%	333,891	(275,016)	-82%
303 LOCAL DRAINAGE	1,693,351	1,693,351	2,009,792	119%	821,295	1,188,496	145%
304 LOCAL DRAINAGE/NON AB1600	80,333	130,122	25,763	20%	24,387	1,376	6%
306 AGRICULTURE & OPEN SPACE PRESERVATION	178,958	178,958	246,191	138%	904,490	(658,299)	-73%
308 STREET CIP	2,571,010	2,571,010	1,736,646	68%	5,858,014	(4,121,368)	-70%
309 TRAFFIC IMPACT	16,415,755	16,415,755	3,988,406	24%	951,445	3,036,962	319%
311 POLICE IMPACT	-	-	-	n/a	197,050	(197,050)	-100%
313 FIRE IMPACT	-	-	-	n/a	114,743	(114,743)	-100%
315 PUBLIC SAFETY FACILITIES IMPACT	984,769	984,769	384,183	39%	-	384,183	n/a
346 PUBLIC FACILITIES NON-AB1600	611,297	611,297	886,265	145%	297,164	589,101	198%
347 PUBLIC FACILITIES IMPACT	336,106	336,106	236,179	70%	194,105	42,074	22%
348 LIBRARY	946,889	946,889	495,049	52%	445,632	49,417	11%
350 UNDERGROUNDING	12,817	12,817	107,549	839%	13,636	93,913	689%
355 SCHOOL PEDESTRIAN/TRAFFIC SAFETY	591,721	591,721	300,205	51%	93,754	206,451	220%
360 COMMUNITY/REC IMPACT FUND	1,498,683	1,498,683	1,025,795	68%	774,287	251,508	32%
375 QUIMBY FEE	1,072,238	1,072,238	-	n/a	-	-	n/a
TOTAL CAPITAL PROJECTS FUNDS	29,737,663	29,787,452	13,941,322	47%	12,219,999	1,721,323	14%
DEBT SERVICE FUNDS							
420 CIVIC CENTER DEBT	312,272	312,272	258,755	83%	251,823	6,932	3%
441 POLICE FACILITY BOND	384,252	384,252	420,160	109%	374,426	45,734	12%
TOTAL DEBT SERVICE FUNDS	696,524	696,524	678,915	97%	626,248	52,666	8%

Attachment: April 2021 Financial and Investment Report (3127 : Monthly Budget Update and April 2021 Financial and Investment Reports)



City of Morgan Hill
Year to Date Revenues - Fiscal Year 2020-21
For The Ten Months Ended April 30, 2021
83% 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	9,726,532	75%	8,349,464	1,377,068	16%
Interest Income/Transfers	36,691	36,691	18,821	51%	55,371	(36,550)	-66%
Other Revenue/Current Charges	267,694	267,694	848,747	317%	752,274	96,473	13%
640 SEWER OPERATION	13,276,826	13,276,826	10,594,100	80%	9,157,109	1,436,991	16%
641 SEWER EXPANSION							
Interest Income	215,876	215,876	136,040	63%	316,247	(180,207)	-57%
Development Impact Fee	6,225,545	6,225,545	2,354,789	38%	3,848,642	(1,493,853)	-39%
641 SEWER EXPANSION	6,441,421	6,441,421	2,490,829	39%	4,164,889	(1,674,060)	-40%
642 SEWER RATE STABILIZATION	44,423	44,423	15,983	36%	41,548	(25,565)	-62%
643 SEWER-CAPITAL PROJECT	4,455,944	4,455,944	3,737,965	84%	2,554,882	1,183,083	46%
TOTAL SEWER FUNDS	24,218,614	24,218,614	16,838,878	70%	15,918,428	920,450	6%
650 WATER OPERATION							
Water Sales	14,525,500	14,525,500	10,973,544	76%	10,230,627	742,917	7%
Meter Install & Service	24,600	24,600	101,964	414%	11,928	90,036	755%
Transfers-In / Interest Income	521,171	521,171	386,440	74%	411,275	(24,835)	-6%
Other Revenue/Current Charges	572,081	572,081	855,837	150%	715,958	139,880	20%
650 WATER OPERATION	15,643,352	15,643,352	12,317,785	79%	11,369,788	947,997	8%
651 WATER EXPANSION							
Interest Income/Other Revenue/Transfer	62,748	62,748	19,655	31%	40,490	(20,835)	-51%
Development Impact Fee	1,689,416	1,689,416	1,090,826	65%	959,776	131,050	14%
651 WATER EXPANSION	1,752,164	1,752,164	1,110,481	63%	1,000,266	110,215	11%
652 Water Rate Stabilization	65,904	65,904	55,898	85%	27,884	28,014	100%
653 Water Capital Project	4,863,152	4,863,152	4,072,129	84%	3,206,146	865,983	27%
TOTAL WATER FUNDS	22,324,572	22,324,572	17,556,293	79%	15,604,085	1,952,209	13%
TOTAL ENTERPRISE FUNDS	46,543,186	46,543,186	34,395,171	74%	31,522,513	2,872,658	9%
INTERNAL SERVICE FUNDS							
730 INFORMATION SYSTEMS	1,850,422	1,850,422	1,570,112	85%	1,509,969	60,143	4%
740 BUILDING MAINTENANCE	3,486,066	3,486,066	2,477,522	71%	2,681,948	(204,425)	-8%
741 BUILDING REPLACEMENT	726,251	726,251	568,033	78%	672,080	(104,047)	-15%
745 CIP ADMINISTRATION	1,721,606	1,721,606	969,055	56%	1,370,615	(401,561)	-29%
760 UNEMPLOYMENT INSURANCE	102,463	102,463	83,964	82%	2,162	81,801	3783%
770 WORKERS COMPENSATION	876,368	876,368	594,283	68%	701,248	(106,965)	-15%
790 EQUIPMENT REPLACEMENT	1,084,748	1,084,748	1,144,289	105%	982,037	162,252	17%
791 EMPLOYEE BENEFITS	1,031,234	1,031,234	498,833	48%	660,254	(161,421)	-24%
795 GENERAL LIABILITY INSURANCE	877,248	877,248	719,921	82%	897,136	(177,215)	-20%
TOTAL INTERNAL SERVICE FUNDS	11,756,406	11,756,406	8,626,011	73%	9,477,450	(851,439)	-9%
TOTAL FOR ALL FUNDS	\$ 144,844,714	\$ 145,068,210	\$ 96,220,393	66%	\$ 99,603,086	\$ (3,382,694)	-3%



City of Morgan Hill
Year to Date Expenses - Fiscal Year 2020-21
For the Month and Ten Months Ended April 30, 2021
83% 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	\$ 7,720	\$ 348,053	\$ 217,684	\$ 19,200	\$ 236,884	68%	\$ 21,700
	CITY ATTORNEY	54,201	717,004	541,346	118,783	660,129	92%	61,000
	CITY MANAGER	34,894	504,773	411,685	-	411,685	82%	39,000
	HUMAN RESOURCES	48,002	674,377	519,406	-	519,406	77%	51,000
	COUNCIL SVCS & RECORDS MGMT							
	Council Svcs & Records Mgmt	43,916	616,687	459,208	29,700	488,908	79%	49,000
	Elections	18,423	186,470	227,408	-	227,408	122%	18,000
	COUNCIL SVCS & RECORDS MGMT	62,339	803,157	686,616	29,700	716,316	89%	51,000
	FINANCE	129,863	1,585,931	1,174,627	63,018	1,237,645	78%	1,200,000
	TOTAL ADMINISTRATION	337,019	4,633,295	3,551,364	230,701	3,782,064	82%	3,600,000
II. COMMUNITY SERVICES								
	Membership Services & Rec. Programs	171,481	5,675,307	3,405,861	630,033	4,035,894	71%	4,800,000
	Recreation Facility Rentals	28,644	1,236,339	688,321	-	688,321	56%	1,000,000
	Community Services	33,101	609,834	362,728	65,417	428,145	70%	49,000
	Park Maintenance	90,739	1,103,136	844,848	73,862	918,710	83%	-
	Environmental Services	20,677	314,680	165,425	-	165,425	53%	11,000
	Street Maintenance	152,480	2,411,237	1,721,843	127,709	1,849,552	77%	1,800,000
	Downtown Maintenance	17,262	271,270	180,152	36,610	216,763	80%	21,000
	Cable Television	1,785	23,156	17,960	-	17,960	78%	-
	COMMUNITY SERVICES	516,169	11,644,959	7,387,137	933,631	8,320,768	71%	8,700,000
	CODE COMPLIANCE	13,013	160,479	130,248	-	130,248	81%	1,000,000
	INFRASTRUCTURE PLANNING & CONGESTION MGMT	24,168	335,902	276,403	-	276,403	82%	21,000
	ECONOMIC DEVELOPMENT PROGRAMS	41,946	653,527	458,899	45,201	504,100	77%	51,000
	TOTAL COMMUNITY SERVICES	595,296	12,794,868	8,252,688	978,832	9,231,520	72%	9,600,000
III. PUBLIC SAFETY								
	POLICE							
	PD Administration	96,905	1,373,018	1,240,046	38,607	1,278,652	93%	1,100,000
	Field Operations	674,817	8,709,877	6,637,595	91,812	6,729,407	77%	7,200,000
	Support Services	186,829	2,370,491	1,848,494	-	1,848,494	78%	1,800,000
	Emergency Services/Haz Mat	14,393	194,391	145,552	-	145,552	75%	1,000,000
	Special Operations	232,314	3,452,365	2,442,700	5,203	2,447,903	71%	2,100,000
	Dispatch Services	151,498	1,790,831	1,358,174	-	1,358,174	76%	1,400,000
	POLICE	1,356,758	17,890,973	13,672,559	135,622	13,808,181	77%	13,900,000
	FIRE	563,431	7,162,540	5,910,365	8,273	5,918,637	83%	5,700,000
	TOTAL PUBLIC SAFETY	1,920,190	25,053,513	19,582,924	143,894	19,726,818	79%	19,600,000
IV. TRANSFERS								
	Other	47,597	1,834,702	475,970	-	475,970	26%	1,500,000
	TOTAL TRANSFERS	47,597	1,834,702	475,970	-	475,970	26%	1,500,000
	TOTAL GENERAL FUND	2,900,102	44,316,377	31,862,946	1,353,427	33,216,373	75%	34,500,000

Attachment: April 2021 Financial and Investment Report (3127 : Monthly Budget Update and April 2021 Financial and Investment Reports)



City of Morgan Hill
Year to Date Expenses - Fiscal Year 2020-21
For the Month and Ten Months Ended April 30, 2021
83% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRIC YTD
SPECIAL REVENUE FUNDS								
202	STREET MAINTENANCE	58,660	703,934	586,600	-	586,600	83%	5
205	PUBLIC SAFETY/SUPP.LAW	589	107,069	105,890	-	105,890	99%	11
206	DEVELOPMENT SERVICES FUND							
	Planning	129,641	1,590,704	1,260,179	45,707	1,305,886	82%	1,7
	Building	168,458	2,114,110	1,616,289	9,520	1,625,809	77%	1,5
	Engineering	112,556	1,161,439	1,058,600	295,693	1,354,293	117%	1,1
206	DEVELOPMENT SERVICES FUND	410,655	4,866,253	3,935,068	350,921	4,285,989	88%	4,5
207	LONG RANGE PLANNING	73,187	1,523,735	732,395	218,688	951,083	62%	4
215/216	CDBG	447	5,365	4,470	-	4,470	83%	
225	ASSET SEIZURE	-	60,024	-	-	-		
229	LIGHTING AND LANDSCAPE	14,402	168,662	131,712	6,611	138,324	82%	1
230	COMMUNITY FACILITIES DISTRICT	1,583	36,418	19,525	-	19,525	54%	
232	ENVIRONMENT PROGRAMS	31,155	420,519	323,230	15,497	338,726	81%	3
234	MOBILE HOME PARK	37	438	370	-	370	84%	
236	HOUSING MITIGATION	119,811	2,494,568	609,771	198,768	808,539	32%	1
237	BEGIN	-	-	-	-	-	n/a	
240	EMPLOYEE ASSISTANCE	84	28,506	10,742	-	10,742	38%	
247	ENVIRONMENTAL REMEDIATION	454	-	1,974	-	1,974	n/a	
250	COMH-SUCCESSOR AGENCY-MHRDA	8	6,936,625	5,015,235	-	5,015,235	72%	6,9
255	HOUSING SUCCESSOR AGENCY	79,891	994,782	849,860	70,833	920,693	93%	8
TOTAL SPECIAL REVENUE FUNDS		790,963	18,346,897	12,326,843	861,318	13,188,161	72%	14,0
CAPITAL PROJECT FUNDS								
301	PARK DEVELOPMENT	249,875	10,956,438	4,211,861	4,508,850	8,720,711	80%	1,9
302	PARK MAINTENANCE	54,295	748,230	549,238	90,574	639,812	86%	9
303	LOCAL DRAINAGE	123,060	7,278,922	2,408,080	49,575	2,457,655	34%	3
304	LOCAL DRAIN. NON-AB1600	5,438	883,162	192,043	26,457	218,500	25%	1
306	AGRICULTURE & OPEN SPACE PRESERVATIK	2,228	132,691	22,280	35,956	58,236	44%	3,1
308	STREET CIP	27,348	6,132,529	2,829,212	976,152	3,805,363	62%	4,6
309	TRAFFIC IMPACT	102,164	32,689,024	1,541,901	15,614,910	17,156,811	52%	1,1
311	POLICE IMPACT	-	-	-	-	-	n/a	2
313	FIRE IMPACT	-	-	-	-	-	n/a	
315	PUBLIC SAFETY FACILITIES IMPACT	19,553	344,301	195,279	-	195,279	57%	-
346	PUBLIC FAC.NON AB1600	2,757	330,590	172,787	42,975	215,762	65%	
347	PUBLIC FACILITIES IMPACT	2,281	38,692	41,167	-	41,167	106%	1
348	LIBRARY IMPACT	18,438	1,732,111	668,484	129,754	798,238	46%	1,4
350	UNDERGROUNDING	92	1,107	920	-	920	83%	
355	SCHOOL PEDESTRIAN & TRAFFIC SAFETY	20,530	1,995,044	1,088,491	84,479	1,172,970	59%	3
360	COMM/REC CENTER IMPACT	26,818	1,954,607	1,548,744	471,060	2,019,804	103%	1,0
375	QUIMBY FEE	-	100,000	-	-	-	n/a	-
TOTAL CAPITAL PROJECTS FUNDS		654,878	65,317,446	15,470,487	22,030,742	37,501,229	57%	15,5
DEBT SERVICE FUNDS								
420	CIVIC CENTER DEBT	64,013	307,813	297,912	-	297,912	97%	3
441	POLICE FACILITY BOND DEBT	80,050	388,040	385,891	-	385,891	99%	3
TOTAL DEBT SERVICE FUNDS		144,063	695,853	683,803	-	683,803	98%	6

Attachment: April 2021 Financial and Investment Report (3127 : Monthly Budget Update and April 2021 Financial and Investment Reports)



City of Morgan Hill
 Year to Date Expenses - Fiscal Year 2020-21
 For the Month and Ten Months Ended April 30, 2021
 83% of Year Complete

FUND NO.	FUND/ACTIVITY	CURRENT MONTH ACTUAL EXPENSES	AMENDED BUDGET	YTD EXPENSES	OUTSTANDING ENCUMBRANCE	TOTAL ALLOCATED	PERCENT OF TOTAL TO BUDGET	PRIC YTI
ENTERPRISE FUNDS								
SEWER								
640	SEWER OPERATIONS	687,300	13,351,981	10,486,025	221,031	10,707,056	80%	8,8%
641	SEWER CAPITAL EXPANSION	47,776	7,487,155	686,879	654,160	1,341,039	18%	1,2%
642	SEWER RATE STABILIZATION	93	1,111	930	-	930	84%	
643	SEWER-CAPITAL PROJECTS	37,775	18,341,671	2,582,008	2,049,515	4,631,523	25%	4,8%
TOTAL SEWER FUND(S)		772,944	39,181,919	13,755,842	2,924,707	16,680,548	43%	14,9%
WATER								
	Water Operations	1,044,464	14,624,090	11,109,303	808,186	11,917,488	81%	10,3%
	Utility Billing	72,720	863,064	689,833	17,938	707,771	82%	7%
	Water Conservation	5,535	153,047	58,188	44,429	102,617	67%	
650	WATER OPERATIONS	1,122,718	15,640,201	11,857,324	870,552	12,727,877	81%	11,1%
651	WATER CAPITAL EXPANSION	46,094	1,064,517	496,295	247,008	743,303	70%	1,0%
652	WATER RATE STABILIZATION	30	362	300	-	300	83%	
653	WATER-CAPITAL PROJECTS	5,389	3,865,574	472,036	320,791	792,827	21%	4%
TOTAL WATER FUND(S)		1,174,231	20,570,655	12,825,955	1,438,351	14,264,306	69%	12,6%
TOTAL ENTERPRISE FUNDS		1,947,175	59,752,574	26,581,796	4,363,058	30,944,854	52%	27,5%
INTERNAL SERVICE FUNDS								
730	INFORMATION SYSTEMS	72,585	2,240,628	1,389,286	209,967	1,599,253	71%	1,6%
740	BUILDING MAINTENANCE	234,576	3,450,173	2,074,874	353,132	2,428,006	70%	2,5%
741	BUILDING REPLACEMENT	12,517	457,000	63,060	601	63,661	14%	1%
745	CIP ADMINISTRATION	124,895	1,655,366	1,302,652	11,875	1,314,527	79%	1,3%
760	UNEMPLOYMENT	-	75,000	17,495	-	17,495	23%	
770	WORKERS COMPENSATION	22,423	860,729	568,579	-	568,579	66%	8%
790	EQUIPMENT REPLACEMENT	118,145	1,863,653	1,109,454	527,468	1,636,922	88%	5%
791	EMPLOYEE BENEFITS FUND	74,418	625,000	595,348	-	595,348	95%	4%
795	GEN. LIABILITY INSURANCE	15,232	1,457,651	1,255,565	-	1,255,565	86%	9%
TOTAL INTERNAL SERVICE FUNDS		674,791	12,685,200	8,376,315	1,103,043	9,479,357	75%	8,5%
REPORT TOTAL		\$ 7,111,971	\$ 201,114,348	\$ 95,302,189	\$ 29,711,588	\$ 125,013,777	62%	\$ 100,9%

Attachment: April 2021 Financial and Investment Report (3127 : Monthly Budget Update and April 2021 Financial and Investment Reports)

		 City of Morgan Hill Fund Activity Summary - Fiscal Year 2020-21 For The Ten Months Ended April 30, 2021 83% 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	\$ 29,290,723	74%	\$ 31,862,946	72%	\$ (2,572,222)	\$ 1,353,427	\$ 15,249,586
TOTAL GENERAL FUND		\$ 19,175,235	\$ 29,290,723	74%	\$ 31,862,946	72%	\$ (2,572,222)	\$ 1,353,427	\$ 15,249,586
202	STREET MAINTENANCE	3,417	\$ 531,647	76%	\$ 586,600	76%	\$ (54,953)	\$ -	\$ (51,536)
205	PUBLIC SAFETY/SUPPL. LAW	144,963	116,048	115%	105,890	91%	10,158	-	155,121
206	DEVELOPMENT SERVICES	(24,043)	3,965,479	84%	3,935,068	81%	30,411	350,921	(344,553)
207	LONG RANGE PLANNING	1,250,193	606,485	90%	732,395	48%	(125,910)	218,688	905,595
215 / 216	CDBG	39,777	396	13%	4,470	83%	(4,074)	-	35,703
225	ASSET SEIZURE	142,239	850	45%	-	n/a	850	-	143,089
229	LIGHTING AND LANDSCAPE	163,636	104,433	55%	131,712	78%	(27,279)	6,611	129,745
230	COMMUNITY FACILITIES DISTRICT	126,360	20,417	1679%	19,525	54%	892	-	127,252
232	ENVIRONMENTAL PROGRAMS	161,766	484,379	108%	323,230	77%	161,149	15,497	307,418
234	MOBILE HOME PK RENT STAB.	58,766	3,794	511%	370	84%	3,424	-	62,190
235	SENIOR HOUSING	232,918	1,392	37%	-	n/a	1,392	-	234,310
236	HOUSING MITIGATION	3,056,699	1,976,857	88%	609,771	24%	1,367,086	198,768	4,225,016
237	BEGIN	217,113	1,083	n/a	-	n/a	1,083	-	218,196
238	CAL HOMES	-	-	n/a	-	38%	-	-	-
240	EMPLOYEE ASSISTANCE	63,113	12,981	45%	10,742	38%	2,239	-	65,352
247	ENVIRONMENT REMEDIATION	136,785	1,322	55%	1,974	n/a	(652)	-	136,133
250	COMH-SUCCESSOR AGENCY-MHRDA	(568,362)	888,931	12%	5,015,235	72%	(4,126,305)	-	(4,694,667)
255	HOUSING SUCCESSOR AGENCY	4,538,622	490,650	230%	849,860	85%	(359,210)	70,833	4,108,579
260	PUBLIC ART	-	-	n/a	-	-	-	-	-
TOTAL SPECIAL REVENUE FUNDS		\$ 9,743,962	\$ 9,207,145	56%	\$ 12,326,843	67%	\$ (3,119,698)	\$ 861,318	\$ 5,762,946
301	PARK DEV. IMPACT FUND	\$ 3,569,152	\$ 2,440,424	102%	\$ 4,211,861	38%	\$ (1,771,437)	\$ 4,508,850	\$ (2,711,135)
302	PARK MAINTENANCE	3,411,843	58,875	16%	549,238	73%	(490,363)	90,574	2,830,906
303	LOCAL DRAINAGE	12,068,666	2,009,792	119%	2,408,080	33%	(398,289)	49,575	11,620,803
304	LOCAL DRAINAGE/NON-AB1600	1,442,477	25,763	20%	192,043	22%	(166,281)	26,457	1,249,739
306	AGRICULTURE AND OPEN SPACE PRESERV	5,860,492	246,191	138%	22,280	17%	223,911	35,956	6,048,447
308	STREET CIP	3,866,352	1,736,646	68%	2,829,212	46%	(1,092,566)	976,152	1,797,635
309	TRAFFIC IMPACT FUND	(538,762)	3,988,406	24%	1,541,901	5%	2,446,505	15,614,910	(13,707,167)
315	PUBLIC SAFETY FACILITIES IMPACT	3,452,398	384,183	39%	195,279	57%	188,904	-	3,641,302
346	PUBLIC FACILITIES NON-AB1600	389,161	886,265	145%	172,787	52%	713,478	42,975	1,059,664
347	PUBLIC FACILITIES IMPACT FUND	830,098	236,179	70%	41,167	106%	195,012	-	1,025,110
348	LIBRARY IMPACT FUND	1,680,413	495,049	52%	668,484	39%	(173,435)	129,754	1,377,224
350	UNDERGROUNDING	966,109	107,549	839%	920	83%	106,629	-	1,072,738
355	SCHOOL PEDESTRIAN/TRAFFIC SFTY	1,076,228	300,205	51%	1,088,491	55%	(788,285)	84,479	203,463
360	COMM/REC CTR IMPACT FUND	2,050,691	1,025,795	68%	1,548,744	79%	(522,950)	471,060	1,056,681
TOTAL CAPITAL PROJECT FUNDS		\$ 40,125,318	\$ 13,941,322	47%	\$ 15,470,487	24%	\$ (1,529,165)	\$ 22,030,742	\$ 16,565,411
420	CIVIC CENTER DEBT	\$ 154,609	\$ 258,755	83%	\$ 297,912	97%	\$ (39,157)	\$ -	\$ 115,452
441	POLICE FACILITY BOND DEBT	74,409	420,160	109%	385,891	99%	34,269	-	108,678
TOTAL DEBT SERVICE FUNDS		\$ 229,018	\$ 678,915	97%	\$ 683,803	98%	\$ (4,888)	\$ (1)	\$ 224,130

		 City of Morgan Hill Fund Activity Summary - Fiscal Year 2020-21 For The Ten Months Ended April 30, 2021 83% 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	\$ 3,482,225	\$ 10,594,100	80%	\$ 10,486,025	79%	\$ 108,075	221,031	3,369,269
641	SEWER IMPACT FUND*	20,830,270	2,490,829	39%	686,879	9%	1,803,951	654,160	21,980,060
642	SEWER RATE STABILIZATION	2,674,255	15,983	36%	930	84%	15,053	-	2,689,308
643	SEWER-CAPITAL PROJECTS	7,626,168	3,737,965	84%	2,582,008	14%	1,155,958	2,049,515	6,732,610
650	WATER OPERATIONS	3,930,425	12,317,785	79%	11,857,324	76%	460,461	870,552	3,520,334
651	WATER IMPACT FUND*	2,803,482	1,110,481	63%	496,295	47%	614,186	247,008	3,170,660
652	WATER RATE STABILIZATION	3,094,803	55,898	85%	300	83%	55,598	-	3,150,401
653	WATER -CAPITAL PROJECT	4,517,933	4,072,129	84%	472,036	12%	3,600,093	320,791	7,797,235
TOTAL ENTERPRISE FUNDS		\$ 48,959,561	\$ 34,395,171	74%	\$ 26,581,796	44%	\$ 7,813,375	\$ 4,363,058	\$ 52,409,878
730	INFORMATION SERVICES	\$ 701,746	\$ 1,570,112	85%	\$ 1,389,286	62%	\$ 180,826	\$ 209,967	\$ 672,605
740	BUILDING MAINTENANCE	223,214	2,477,522	71%	2,074,874	60%	402,648	353,132	272,730
741	BUILDING REPLACEMENT	3,050,163	568,033	78%	63,060	14%	504,973	601	3,554,535
745	CIP ENGINEERING	56,754	969,055	56%	1,302,652	79%	(333,598)	11,875	(288,718)
760	UNEMPLOYMENT	63,318	83,964	82%	17,495	23%	66,468	-	129,786
770	WORKERS COMPENSATION	2,035,759	594,283	68%	568,579	66%	25,704	30,000	2,031,463
790	EQUIPMENT REPLACEMENT	5,830,858	1,144,289	105%	1,109,454	60%	34,835	527,468	5,338,225
791	EMPLOYEE BENEFITS FUNDS	55,383	498,833	48%	595,348	95%	(96,515)	-	(41,132)
795	GEN. LIABILITY INSURANCE	1,243,527	719,921	82%	1,255,565	86%	(535,644)	-	707,883
TOTAL INTERNAL SERVICE FUNDS		\$ 13,260,722	\$ 8,626,011	73%	\$ 8,376,315	66%	\$ 249,697	\$ 1,133,043	\$ 12,377,376
SUMMARY BY FUND TYPE									
GENERAL FUND GROUP		\$ 19,175,235	\$ 29,290,723	74%	\$ 31,862,946	72%	\$ (2,572,222)	\$ 1,353,427	\$ 15,249,586
SPECIAL REVENUE GROUP		9,743,962	9,207,145	56%	12,326,843	67%	(3,119,698)	861,318	5,762,946
DEBT SERVICE GROUP		229,018	678,915	97%	683,803	98%	(4,888)	(1)	224,130
CAPITAL PROJECTS GROUP		40,125,318	13,941,322	47%	15,470,487	24%	(1,529,165)	22,030,742	16,565,411
ENTERPRISE GROUP		48,959,561	34,395,171	74%	26,581,796	44%	7,813,375	4,363,058	52,409,878
INTERNAL SERVICE GROUP		13,260,722	8,626,011	73%	8,376,315	66%	249,697	1,133,043	12,377,376
TOTAL ALL GROUPS		\$ 131,493,816	\$ 96,139,288	66%	\$ 95,302,189	47%	\$ 837,099	\$ 29,741,587	\$ 102,589,327

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 COUNCIL STAFF REPORT

MEETING DATE: June 16, 2021

PREPARED BY: Anthony Eulo, Program Administrator

APPROVED BY: City Manager

ADOPT RESOLUTION DECLARING LEVEL 2 WATER SUPPLY SHORTAGE

RECOMMENDATION(S)

Adopt resolution declaring a Level 2 Water Supply Shortage and amending adopted budget.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Protecting the Environment and Preserving
Open Space and Agricultural Land
Maintaining Infrastructure

REPORT NARRATIVE:

The purpose of this staff report is to provide the City Council with an opportunity to declare a Level 2 Water Supply Shortage based on water supply conditions.

As well-described by the media, precipitation (both rain and snow) was extremely light this past winter and most of the State of California is in a severe drought. Locally, wells in the Llagas Subbasin that supply most of the City with water are 13 feet lower than they were in 2020. With the drought continuing and groundwater reserves declining, the Valley Water Board adopted a resolution on June 9th asking for a 33% reduction in water consumption compared to 2013 use. (<https://www.valleywater.org/drought>) A 33% reduction equates to a Level 2 Water Shortage per Morgan Hill's Water Supply Contingency Plan.

Under a Level 2 Shortage, all of the City's permanent water use restrictions and those contained in Level 1 continue to be enforced. The Level 2 Shortage declaration adds the following additional restrictions:

- Watering or irrigating of lawn, landscape or other vegetated area is limited to two days per week during April - October and one day per week during November through March. Note that while landscapes watered with a weather-based controller and new landscapes are exempted from the City's baseline rules, they are not exempt during a declared shortage and must comply. This eliminates the planting of new lawns and landscapes.
- Water leaks must be repaired within 48 hours after the customer has been notified.

- The filling or refilling of ornamental lakes or ponds with potable water is prohibited.
- Vehicle washing is prohibited except at a commercial car washing facility that utilizes a recirculating water system to capture or reuse water.
- Recirculating water is required for water slides and water play features.
- Pools constructed after September 2, 2015 shall be covered at all times except when being actively used for recreational purposes or serviced.

Attachment 2 is the language adapted from the City's Municipal Code describing the full range of water use restrictions that are in effect during a Level 2 Water Supply Shortage. This list includes the City's baseline restrictions as well as the additional restrictions instituted during a Level 2 Shortage. Attachment 3 is the complete Water Waste Ordinance.

The City has historically addressed water supply shortages precisely in this way, i.e., through the adoption and enforcement of water use restrictions. Staff is not proposing water rationing or price increases at this time in order to achieve the needed reductions. The community achieved a 33% reduction in 2015 and 30% in 2016 using this approach. Staff recommends that the Council adopt the attached resolution (Attachment 1) declaring a Level 2 Water Supply Shortage.

COMMUNITY ENGAGEMENT: Collaborate

No engagement has been performed prior to bringing this item before Council. This is a recommendation based on the professional expertise of the City staff in follow-up to recent events and ongoing drought conditions. The recommended actions are consistent with the approach contained in the City's Municipal Code.

However, successfully responding to droughts requires a great deal of collaboration from the community once a water shortage has been declared. Water use restrictions only really occur when the community responds and follows the published rules. Staff envisions sending out many reminders and communications to the community during this time to engage the public.

ALTERNATIVE ACTIONS:

The Council could decline to adopt the resolution or provide substitute language in the resolution.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

The City Council last acted on declared water supply shortages when it lifted the Level 1 declaration in 2017 after the region experienced an extremely wet winter.

FISCAL AND RESOURCE IMPACT:

While conserving water will reduce water revenues, it will also reduce the City's energy expenses related to pumping water and the City's water production payments to Valley Water. Conservation does not reduce the City's day-to-day staffing costs, however, as wells still need to be checked, leaks repaired, water quality tests conducted, meters read, bills sent, and payments processed all with the same frequency regardless of

water use. Thus, there is no question that there is a net negative financial impact of the recommended action on the City's Water Fund (Fund 650).

This impact is tempered, however, by the City's decision to better balance the mix between fixed and variable revenues in the City's water rates. In the past, too much of the City's water charges were based on the volume of water consumed. While this provided an enhanced incentive to conserve at all times, it placed too much of the City's revenue at risk during water supply shortages. With the last rate study, the City chose to balance the fixed and variable revenues equally precisely to prepare for a drought like this.

The exact amount of the negative financial impact is impossible to determine as the City has no certainty as to how much water will be conserved. In general numbers, a 10% reduction in water use should result in an approximate 5% reduction in revenues - which would be approximately \$700,000 in FY 2021/2022. While there is an adequate fund balance reserve in Fund 650, staff will closely monitor the net impact of the drought and consider the timing of capital projects as needed.

Responding to droughts is an activity included in the work program of the Community Services Department. However, the additional work associated with properly engaging with the community, responding to water waste complaints, and appearing at public events will require the addition of a temporary part-time teammate. The attached resolution includes a budget scorecard adding a \$20,000 appropriation of Water Fund revenues for this purpose in the Water Conservation Budget (650.5760).

CEQA (California Environmental Quality Act): Categorical Exemption

The declaration of a Level 2 Water Supply Shortage and its related regulatory effects are categorically exempt from environmental review under the California Environmental Quality Act pursuant to California Code of Regulations, Title 21, Section 15307 (actions by regulatory agencies for protection of natural resources).

LINKS/ATTACHMENTS:

1. Attachment 1 Resolution Declaring Stage 2 Shortage 2021 and Amending Adopted Budget
2. Attachment 2 Water Use Restrictions During Level 2
3. Attachment 3 Complete City Water Waste Ordinance

RESOLUTION NO. 21-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL DECLARING A LEVEL 2 WATER SHORTAGE CONDITION REQUIRING THE IMPLEMENTATION OF LEVEL 2 CONSERVATION MEASURES AND APPROVING AN AMENDMENT TO THE CITY'S FISCAL YEAR 2021/2022 BUDGET IN THE WATER FUND (FUND NO. 650) TO APPROPRIATE \$20,000 THEREFOR.

WHEREAS, the reasons supporting the entrance of the City into that certain agreement described in, and that is the subject of, this Resolution are set forth in detail in that certain City Council Staff Report entitled "Adopt Resolution Declaring Level 2 Water Supply Shortage" submitted for City Council consideration at its meeting of June 16, 2021, 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, on June 9, 2021, the Valley Water Board of Directors called for a 33% reduction in water use compared to 2013; and

WHEREAS, the underground water aquifers that the City relies on for 100% of its water supply are recharged by the District using water supplies imported into the District; and

WHEREAS, the District's imported water supply allocations have been significantly reduced for 2021 by the State and Federal government water systems; and

WHEREAS, historical evidence indicates that the State of California has experienced prolonged periods of drought in the past; and

WHEREAS, the long-term health, safety, and prosperity of the community depends upon having a reliable supply of potable water; and

WHEREAS, recommended amendments are needed and proposed to the City's previously adopted Budget for Fiscal Year 2021/2022, as set forth on Exhibit A to this Resolution, to appropriate the requisite funds to implement the actions authorized by this Resolution.

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

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

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

- a. That the City Council of the City of Morgan Hill declares a Level 2 Water Shortage

- b. That the following limitations are now instituted in accordance with the City's Municipal Code's determined response to a Level 2 Water Shortage:
1. Watering Days. During the months of April through October, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two days per week (as necessary to achieve reductions as determined in the discretion of the city manager) on a schedule established and posted by the city. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the city. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
 2. Obligation to Fix Leaks, Breaks or Malfunctions. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within forty-eight hours of notification by the city unless other arrangements are made with the city.
 3. Limits on Filling Ornamental Lakes or Ponds. Filling or refilling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level under this section.
 4. Limits on Washing Vehicles. Using potable water to wash or clean a vehicle, including but not limited to, any automobile, truck, van, bus, boat or trailer, whether motorized or not, is prohibited except at a commercial car washing facility that utilizes a recirculating water system to capture or reuse water. This provision does not apply to bicycles and motorcycles. The use of potable water to clean the windshield, windows, or mirrors of a vehicle by use of a hand-held bucket or similar container is not prohibited.
 5. Recirculating Water Required for Water Slides and Water Play Features. Operating a water slide or other water play feature that does not use recirculated water is prohibited.
 6. Pool covering. Pools constructed after September 2, 2015 shall be covered at all times except when being actively used for recreational purposes or serviced.
- c. That the City Council hereby finds based upon the facts and information in the record for this Resolution that the declaration of a Level 2 Water Supply Shortage and its related regulatory effects are categorically exempt from environmental review under the California Environmental Quality Act pursuant to California Code of Regulations, Title 21, Section 15307 (actions by regulatory agencies for protection of natural resources)

City of Morgan Hill
Resolution No.
Page - 3 -

PASSED AND ADOPTED by the City Council of Morgan Hill at a Regular Meeting held on the 16th day of June 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 the 16th day of June 2021.

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

DATE: _____

MICHELLE BIGELOW, City Clerk

EXHIBIT A

AGENDA BUDGET SCORECARD

FISCAL YEAR 2020-21

ADJUSTMENT #

018

FUND:

650 Water Operations Fund

DEPARTMENT:

5760 Water Conservation

OBJECT:

41271 SALARIES - PART-TIME TEMP

AGENDA DATE:

06/23/21

AGENDA ITEM TITLE:

Adopt Resolution Declaring Level 2 Water Supply Shortage

	07/01/20 PROJECTED BEGINNING FUND BALANCE	ESTIMATED REVENUES	AMENDED APPROPRI- ATIONS	06/30/21 PROJECTED ENDING FUND BALANCE
ORIGINAL BUDGET	3,878,448	15,643,352	15,599,521	3,922,279
CUMULATIVE REVISIONS PRIOR TO RECOMMENDED ACTION	-	-	40,680	(40,680)
RECOMMENDED ACTION		-	20,000	(20,000)
RESULT OF RECOMMENDED ACTION	<u>3,878,448</u>	<u>15,643,352</u>	<u>15,660,201</u>	<u>3,861,599</u>

Water Use Restrictions During Level 2 Water Supply Shortage (Baseline + Level 1 + Level 2)

1. Limits on Watering Hours. Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of nine a.m. and seven p.m. Pacific Standard/Daylight Savings Time on any day, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system. Watering or irrigating within forty-eight hours after one quarter inch or more of precipitation is received is prohibited.
2. Limit on Watering Duration. Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen minutes watering per day per station/valve/zone. This subsection does not apply to landscape irrigation stations/valves/zones that exclusively use drip type irrigation systems, soaker hoses, bubblers, or high efficiency sprinkler nozzles that have a precipitation rate of less than one inch per hour. However, at no time can any irrigation system be operated long enough to cause runoff.
3. Limit on Watering Days. During the months of April through October, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two days per week on a schedule established and posted by the city. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the city. This provision does not apply to the following uses of water:
 - a. To landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two gallons of water per hour;
 - b. To watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system;
4. No Excessive Water Flow or Runoff. Watering or irrigating of any lawn, landscape or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.
5. No Washing Down Hard or Paved Surfaces. Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low-volume high-pressure water broom. Washing down structures, fences, and hard surfaces expressly for the purposes of preparing a surface for the application of a surface coating is not prohibited provided it does not occur more than one time in any twelve-month period.
6. Obligation to Fix Leaks, Breaks or Malfunctions. Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected and in no event more than 48 hours of receiving written notice from the city, is prohibited.
7. Recirculating Water Required for Water Fountains and Decorative Water Features. Operating a water fountain or other decorative water feature that does not use recirculated water is prohibited.
8. Limits on Washing Vehicles. Using potable water to wash or clean a vehicle, including but not limited to, any automobile, truck, van, bus, boat or trailer, whether motorized or not, is prohibited except at a commercial car washing facility that utilizes a recirculating water system to capture or reuse water.

- This provision does not apply to bicycles and motorcycles. The use of potable water to clean the windshield, windows, or mirrors of a vehicle by use of a hand-held bucket or similar container is not prohibited.
9. Drinking Water Served Upon Request Only. Eating or drinking establishments, including but not limited to a restaurant, hotel, cafe, cafeteria, bar, or other public place where food or drinks are sold, served, or offered for sale, are prohibited from providing drinking water to any person unless expressly requested.
 10. Commercial Lodging Establishments Must Provide Guests Option to Decline Daily Linen Services. Hotels, motels and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.
 11. No Installation of Single Pass Cooling Systems. Installation of single pass cooling systems is prohibited in buildings requesting new water service.
 12. No Installation of Nonrecirculating in Commercial Car Wash and Laundry Systems. Installation of nonrecirculating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.
 13. Restaurants Required to Use Water Conserving Dish Wash Spray Valves. Food preparation establishments, such as restaurants or cafes, are prohibited from using non-water conserving dish wash spray valves.
 14. Commercial Car Wash Systems. Within one year of passage of this ordinance, all commercial conveyor car wash systems must have installed operational re-circulating water systems, or must have secured a waiver of this requirement from the city.
 15. Construction Activities. Use of potable water for construction site dust control, compaction, and other site activities suitable for nonpotable water is prohibited if recycled water is available within five miles of the construction site.
 16. Plumbing System Testing. Use of potable water for plumbing system testing is prohibited unless required by law or alternative testing procedures are determined to be unsuitable by city inspection staff.
 17. Pool Covers. Constructing a pool without the inclusion of a pool cover is prohibited. All contracts for the construction of a new pool entered into after September 2, 2015 shall include the provision of a pool cover. Pools constructed after September 2, 2015 shall be covered at all times except when being actively used for recreational purposes or serviced.
 18. Limits on Filling Ornamental Lakes or Ponds. Filling or refilling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level under this section.
 19. Recirculating Water Required for Water Slides and Water Play Features. Operating a water slide or other water play feature that does not use recirculated water is prohibited.

13.04.330 Wasting of water and drought emergencies.

A. Applicability.

1. The provisions of this chapter apply to any person in the use of any potable water in the city.
2. The provisions of this chapter do not apply to uses of water necessary to protect public health and safety or for essential government services, such as police, fire and other similar emergency services.
3. The provisions of this chapter do not apply to the use of recycled water, with the exception of subsection (B)(1) of this section.
4. The provisions of this chapter do not apply to the use of water by commercial nurseries and commercial growers to sustain plants, trees, shrubs, crops or other vegetation intended for commercial sale, to the use of water in a community garden providing garden plots to the public, or to home fruit and vegetable gardens less than two hundred square feet.
5. This chapter is intended solely to further the conservation of water. It is not intended to implement nor supersede any provision of federal, State, or local statutes, ordinances, or regulations relating to protection of water quality or control of drainage or runoff.

B. Prohibition Against Waste. The following water conservation requirements are effective at all times and are permanent. Violations of this section will be considered waste and an unreasonable use of water.

1. **Limits on Watering Hours.** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of nine a.m. and seven p.m. Pacific Standard/Daylight Savings Time on any day, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system. Watering or irrigating within forty-eight hours after one quarter inch or more of precipitation is received is prohibited.
2. **Limit on Watering Duration.** Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen minutes watering per day per station/valve/zone. This subsection does not apply to landscape irrigation stations/valves/zones that exclusively use drip type irrigation systems, soaker hoses, bubblers, or high efficiency sprinkler nozzles that have a precipitation rate of less than one inch per hour. However, at no time can any irrigation system be operated long enough to cause runoff.
3. **Limit on Watering Days.** During the months of April through October, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to three days per week on a schedule established and posted by the city. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the city. This provision does not apply to the following uses of water:
 - a. To landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two gallons of water per hour;
 - b. To watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system;
 - c. To landscape irrigation zones that are controlled by an activated weather-based irrigation controller;

- d. To watering or irrigating a newly installed or significantly rehabilitated landscape for the first sixty days after the first plant is placed in the ground. For the purposes of this section, a significantly rehabilitated landscape is a landscape in which twenty-five percent or more of a property's landscape is replaced.
4. No Excessive Water Flow or Runoff. Watering or irrigating of any lawn, landscape or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.
5. No Washing Down Hard or Paved Surfaces. Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low-volume high-pressure water broom. Washing down structures, fences, and hard surfaces expressly for the purposes of preparing a surface for the application of a surface coating is not prohibited provided it does not occur more than one time in any twelve-month period.
6. Obligation to Fix Leaks, Breaks or Malfunctions. Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected and in no event more than ten days of receiving written notice from the city, is prohibited.
7. Recirculating Water Required for Water Fountains and Decorative Water Features. Operating a water fountain or other decorative water feature that does not use recirculated water is prohibited.
8. Limits on Washing Vehicles. Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device. This subsection does not apply to any commercial car washing facility that incorporates a recycled water system in its operation.
9. Drinking Water Served Upon Request Only. Eating or drinking establishments, including but not limited to a restaurant, hotel, cafe, cafeteria, bar, or other public place where food or drinks are sold, served, or offered for sale, are prohibited from providing drinking water to any person unless expressly requested.
10. Commercial Lodging Establishments Must Provide Guests Option to Decline Daily Linen Services. Hotels, motels and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.
11. No Installation of Single Pass Cooling Systems. Installation of single pass cooling systems is prohibited in buildings requesting new water service.
12. No Installation of Nonrecirculating in Commercial Car Wash and Laundry Systems. Installation of nonrecirculating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.
13. Restaurants Required to Use Water Conserving Dish Wash Spray Valves. Food preparation establishments, such as restaurants or cafes, are prohibited from using non-water conserving dish wash spray valves.
14. Commercial Car Wash Systems. Within one year of passage of this ordinance, all commercial conveyor car wash systems must have installed operational re-circulating water systems, or must have secured a waiver of this requirement from the city.

15. Construction Activities. Use of potable water for construction site dust control, compaction, and other site activities suitable for nonpotable water is prohibited if recycled water is available within five miles of the construction site.
 16. Plumbing System Testing. Use of potable water for plumbing system testing is prohibited unless required by law or alternative testing procedures are determined to be unsuitable by city inspection staff.
 17. Pool Covers. Constructing a pool without the inclusion of a pool cover is prohibited. All contracts for the construction of a new pool entered into after September 2, 2015 shall include the provision of a pool cover.
- C. Level 1 Water Supply Shortage (eleven-percent to twenty-percent reduction). A level 1 water supply shortage exists when the city council determines, in its sole discretion, that due to drought, other water supply conditions, or as mandated by the State of California, a water supply shortage or threatened shortage exists and a eleven-percent to twenty-percent consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the city of a level 1 water supply shortage condition, the following mandatory water conservation requirements, in addition to the prohibited uses of water set forth in subsection B of this section, shall apply during such time that the level 1 water supply shortage is in effect.
1. Limits on Watering Days. During the months of April through October, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to three days per week on a schedule established and posted by the city. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the city. This provision does not apply to the following uses of water:
 - a. To landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two gallons of water per hour;
 - b. To watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
 2. Obligation to Fix Leaks, Breaks or Malfunctions. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within seventy-two hours of notification by the city unless other arrangements are made with the city.
- D. Level 2 Water Supply Shortage (twenty-one-percent to forty-percent reduction). A level 2 water supply shortage exists when the city council declares, in its sole discretion, that due to drought, other water supply conditions, or as mandated by the State of California, a water supply shortage or threatened shortage exists and a twenty-one-percent to forty-percent consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration of a level 2 water supply shortage condition, the following mandatory water conservation requirements, in addition to the prohibited uses of water set forth in subsections B and C of this section, shall apply during such time that the level 1 water supply shortage is in effect.
1. Watering Days. During the months of April through October, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two days per week (as necessary to achieve reductions as determined in the discretion of the city manager) on a schedule established and posted by the city. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the city. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two

- gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
2. **Obligation to Fix Leaks, Breaks or Malfunctions.** All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within forty-eight hours of notification by the city unless other arrangements are made with the city.
 3. **Limits on Filling Ornamental Lakes or Ponds.** Filling or refilling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level under this section.
 4. **Limits on Washing Vehicles.** Using potable water to wash or clean a vehicle, including but not limited to, any automobile, truck, van, bus, , boat or trailer, whether motorized or not, is prohibited except at a commercial car washing facility that utilizes a recirculating water system to capture or reuse water. This provision does not apply to bicycles and motorcycles. The use of potable water to clean the windshield, windows, or mirrors of a vehicle by use of a hand-held bucket or similar container is not prohibited.
 5. **Recirculating Water Required for Water Slides and Water Play Features.** Operating a water slide or other water play feature that does not use recirculated water is prohibited.
 6. **Pool covering.** Pools constructed after September 2, 2015 shall be covered at all times except when being actively used for recreational purposes or serviced.
- E. **Level 3 Water Supply Shortage—Emergency Condition (Greater than forty-percent reduction).** A level 3 water supply shortage shall be referred to as a water shortage emergency. A level 3 condition exists when the city council declares, in its sole discretion or as mandated by the State of California, a water shortage emergency and notifies its residents and businesses that a greater than forty percent reduction in consumer demand is necessary to maintain sufficient water supplies for public health and safety, pursuant to Water Code Section 350 et seq. Upon the declaration of a level 3 water supply shortage condition, the following mandatory water conservation requirements, in addition to the prohibited uses of water set forth in subsections B, C and D of this section, shall apply during such time that the level 3 water supply shortage is in effect.
1. **No Watering or Irrigating.** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction does not apply to the following categories of use, unless the city has determined that recycled water is available and may be applied to the use:
 - a. Maintenance of vegetation, excluding lawns, that is watered using a hand-held bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device;
 - b. Maintenance of existing landscape necessary for fire protection;
 - c. Maintenance of existing landscape for soil erosion control;
 - d. Maintenance of plant materials identified to be rare or essential to the well-being of protected species;
 - e. Maintenance of landscape within active public parks and playing fields, day care centers, golf course greens, and school grounds, provided that such irrigation does not exceed two days per week for no more than fifteen minutes watering per day per station and is prohibited between the hours of nine a.m. and seven p.m. Pacific Standard/Daylight Savings Time, according to the schedule established in subsection D(1) or this section.
 - f. Actively irrigated environmental mitigation projects.

2. **Obligation to Fix Leaks, Breaks or Malfunctions.** All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within twenty-four hours of notification by the city unless other arrangements are made with the city.
3. **Limits on New Potable Water Service.** Upon declaration of a level 3 water shortage emergency condition, the city may limit the issuance of building permits, new potable water services, temporary meters and/or statements of immediate ability to serve or provide potable water service (such as, will-serve letters, certificates, or letters of availability). The city may consider exemptions to the limitation that include, but are not limited to the following circumstances:
 - a. A valid, unexpired building permit has been issued for the project; or
 - b. The project is necessary to protect the public health, safety, and welfare; or
 - c. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the city.
 - d. This provision does not preclude the resetting or turn-on of meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.
4. **Limits on Building Permits.** Upon declaration of a level 3 water supply shortage emergency condition, the city manager is authorized to implement a program in his or her discretion to limit or withhold the issuance of building permits which require new or expanded water service, except to protect the public health, safety and welfare, or in cases which meet the city's adopted conservation offset requirements.
5. **Discontinue Service.** The city, in its sole discretion, may discontinue service to consumers who willfully violate provisions of this section.
6. **No New Annexations.** Upon the declaration of a level 3 water supply shortage condition, the city may suspend consideration of annexations to its service area. This subsection does not apply to boundary corrections and annexations that will not result in any immediate increased use of water.
7. **Suspension of Swimming Pool Permit Issuance.** The issuance of all permits for the initial construction of all swimming pools shall be suspended. Valid unexpired swimming pool construction permits issued prior to the declaration of level 3 water supply shortage shall remain valid if pool construction has begun prior to the declaration of the level 3 water supply shortage.
8. **Construction Activities.** Use of potable water for construction site dust control, compaction, and other site activities suitable for nonpotable water is prohibited if recycled water is available within forty miles of the construction site.
- F. **Procedures for Determination/Notification of Water Supply Shortage.** The existence of level 1, level 2 or level 3 water supply shortage conditions may be declared by resolution of the city council adopted at a regular or special public meeting held in accordance with state law. The mandatory conservation requirements applicable to level 1, level 2 or level 3 conditions will take effect on the tenth day after the date the shortage level is declared. Within five days following the declaration of the shortage level, the city must publish a copy of the resolution in a newspaper used for publication of official notices.
- G. **Hardship Waiver.** If, due to unique circumstances, a specific requirement of this chapter would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water users, then the person may apply for a waiver to the requirement as provided in this section.
 1. **Application.** Application for a waiver must be on a form prescribed by the city manager and accompanied by a nonrefundable processing fee in an amount set by city council resolution.

2. Supporting Documentation. The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.
3. Required Findings for Waiver. The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property. An application for a waiver will be denied unless the city manager finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the city or its agent, all of the following:
 - a. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;
 - b. That because of special circumstances applicable to the property or its use, the strict application of this chapter would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;
 - c. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the city to effectuate the purpose of this chapter and will not be detrimental to the public interest; and
 - d. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.
4. Approval Authority. The city manager must act upon any completed application no later than ten days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property during the period of the mandatory water supply shortage condition. The decision of the city manager shall be final.

(Ord. 1895 N.S. § 1, 2008; Ord. 30 N.S. § 4.10, 1948)

(Ord. No. 1932 N.S., § 5, 5-27-2009; Ord. No. 2159 N.S., § 4, 9-2-2015; Ord. No. 2177 N.S., § 4, 11-18-2015; Ord. No. 2236 N.S., § 4, 6-7-2017)



City Council Meeting Item #12 Monthly Budget Update



June 16, 2021

Overview



- Monthly Budget Update
- Staff does not recommend any budget adjustments at this time

General Fund



- No changes to tax revenue since mid-cycle budget review last month
- Expecting better numbers in recreation revenues
 - Net loss of \$2.3 million versus \$2.8 million at mid-cycle review
- American Rescue Plan Act (ARPA) funding
 - \$11.0 million expected versus \$8.6 million forecasted previously
 - Additional ARPA appropriations recommendations in August

Development Services



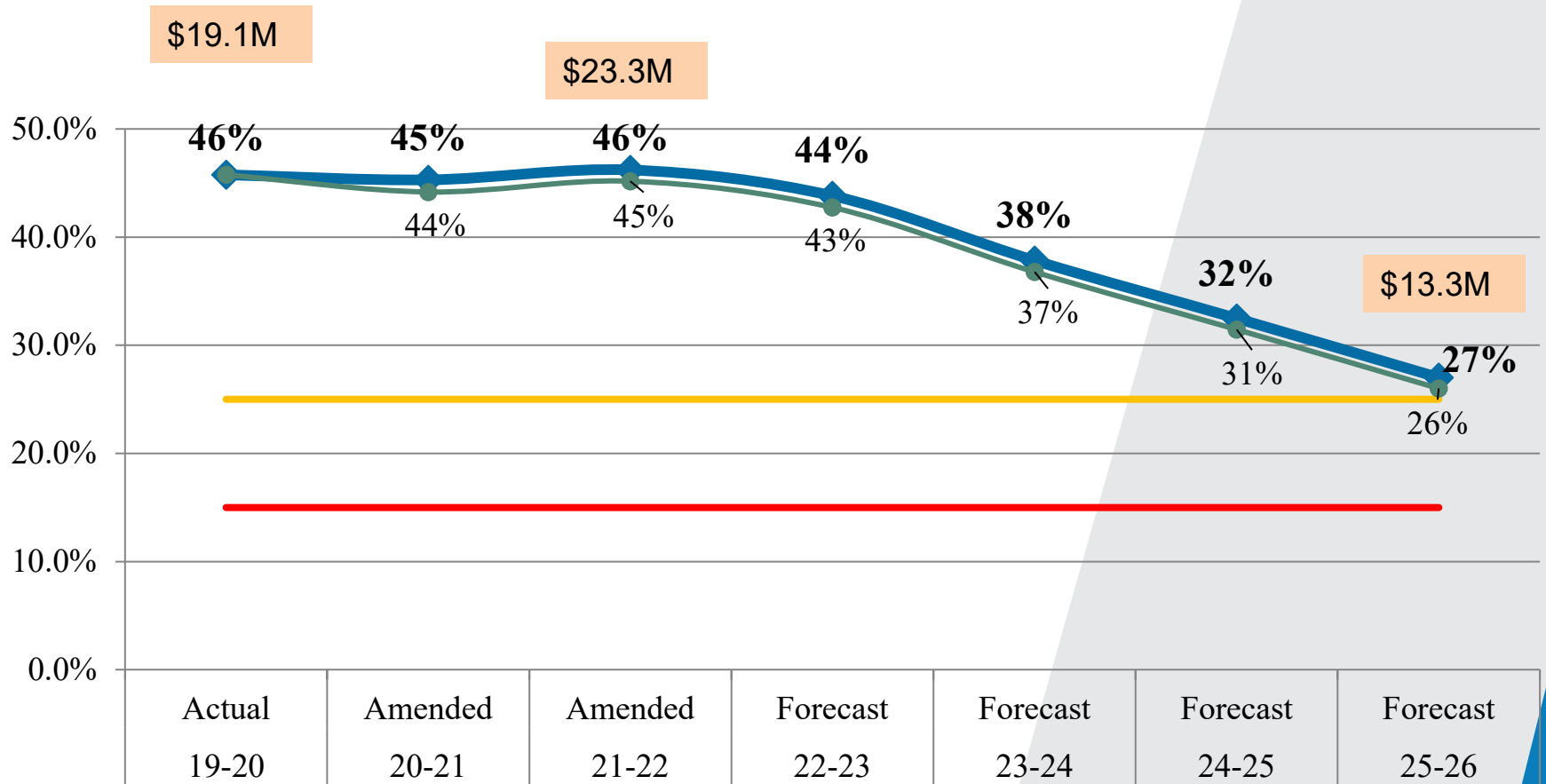
- Revenues are tracking higher than budget
- \$4.0 million received to date or 106% of budget (without \$1.0 million loan)

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
- Item on tonight's agenda to discuss drought and its projected impacts

Updated General Fund Forecast



— GF Six Year Forecast June 16, 2021

— Fund Balance Goal of 25% of Revenues

— Fund Balance Minimum Level of 15% of Revenues

— GF Six Year Forecast Mid-Cycle Review May 26, 2021

Unfunded General Fund Needs - \$5.2 million



- Police \$1.3 million
- Fire: \$2.3 million
- Infrastructure: \$0.6 million
- Operational loss due to RDCS suspension: \$1.0 million

Questions?



CITY OF MORGAN HILL

2021 DROUGHT RESPONSE & PLANNING

Action and Engagement





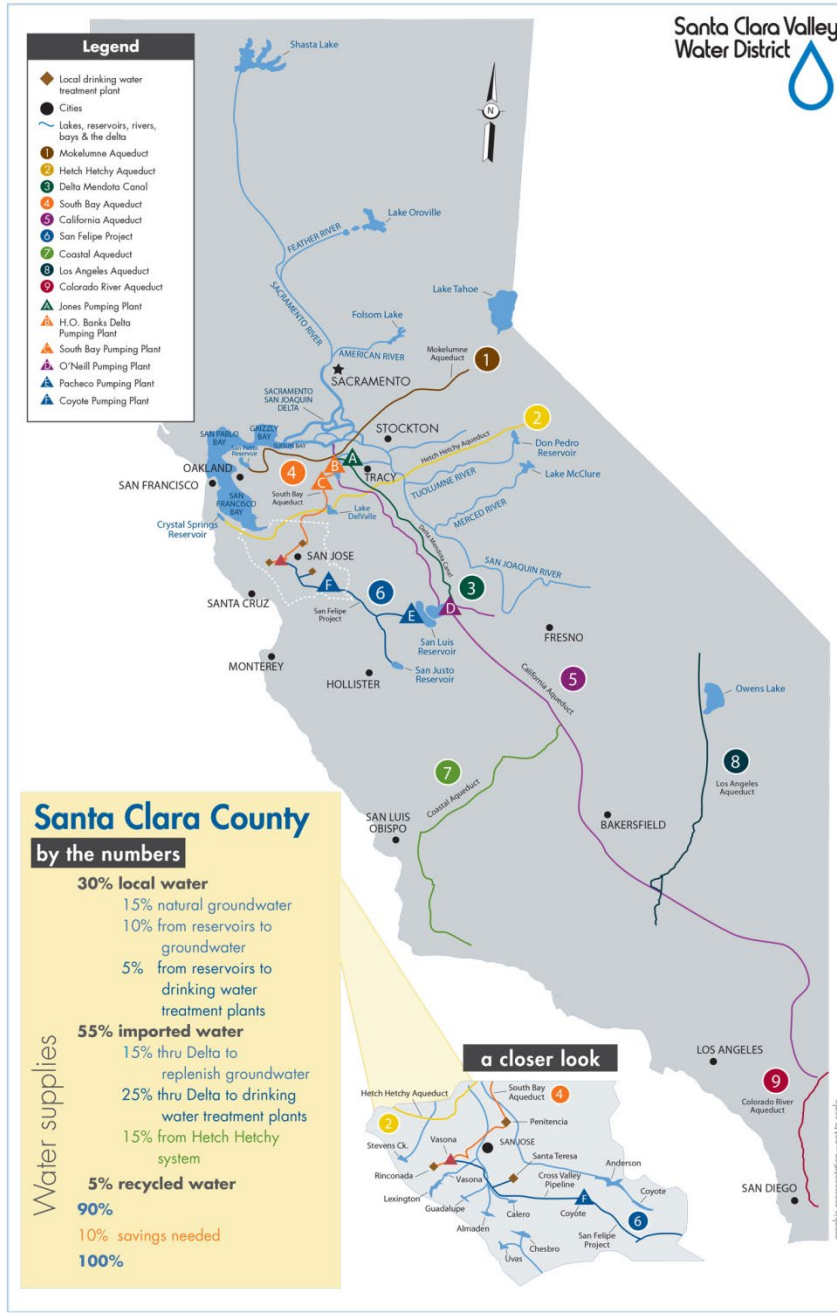
Outline

- City Water System and Sources
- Statewide Water Perspective
- Regional Water Perspective
- City Response Plan
- Communication and Customer Engagement

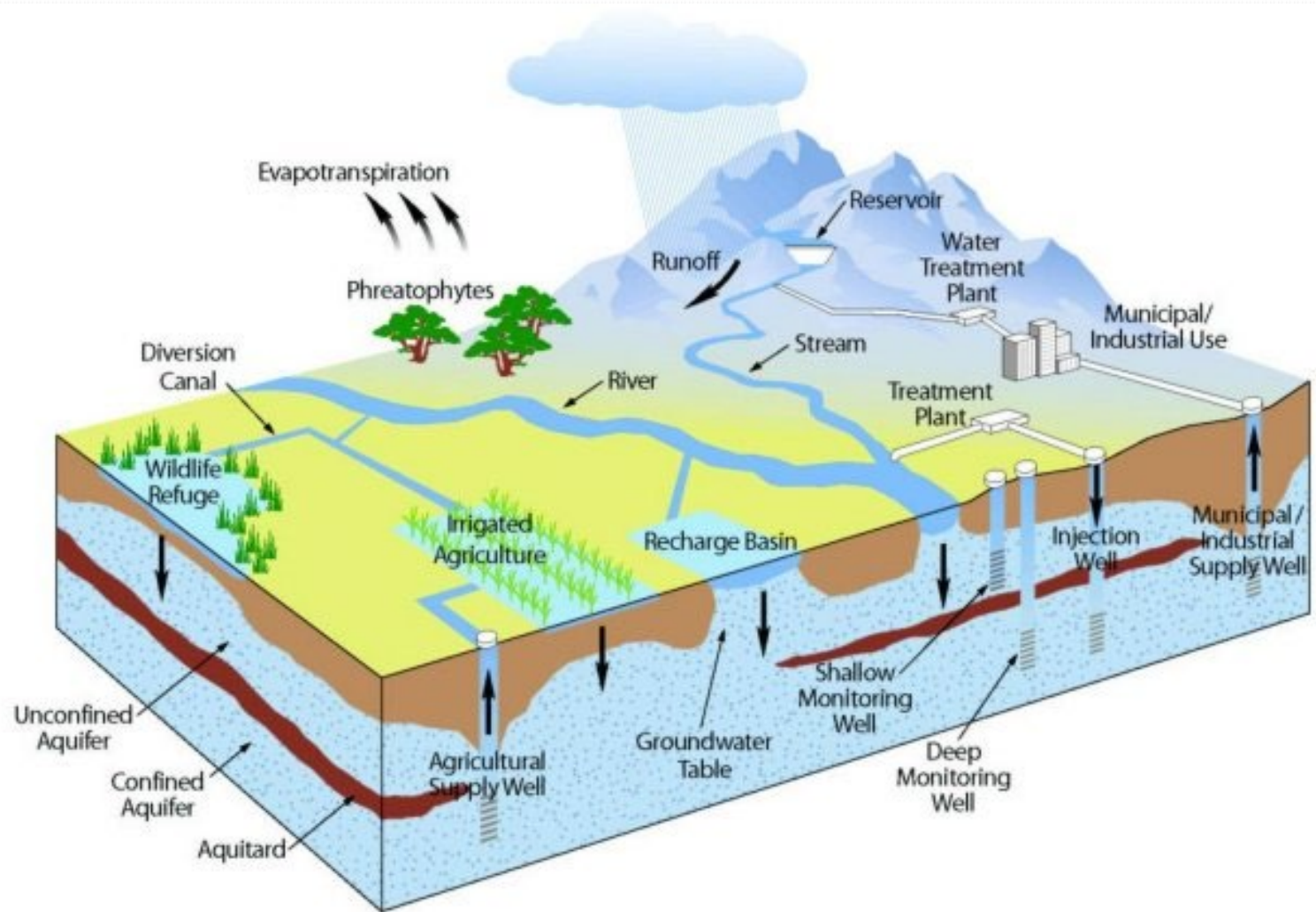
City Water System and Sources

- City Gets 100% of Water Delivered from Groundwater
- Groundwater (Natural Recharge + Imported Water)
- Imported Water Travels Through Delta

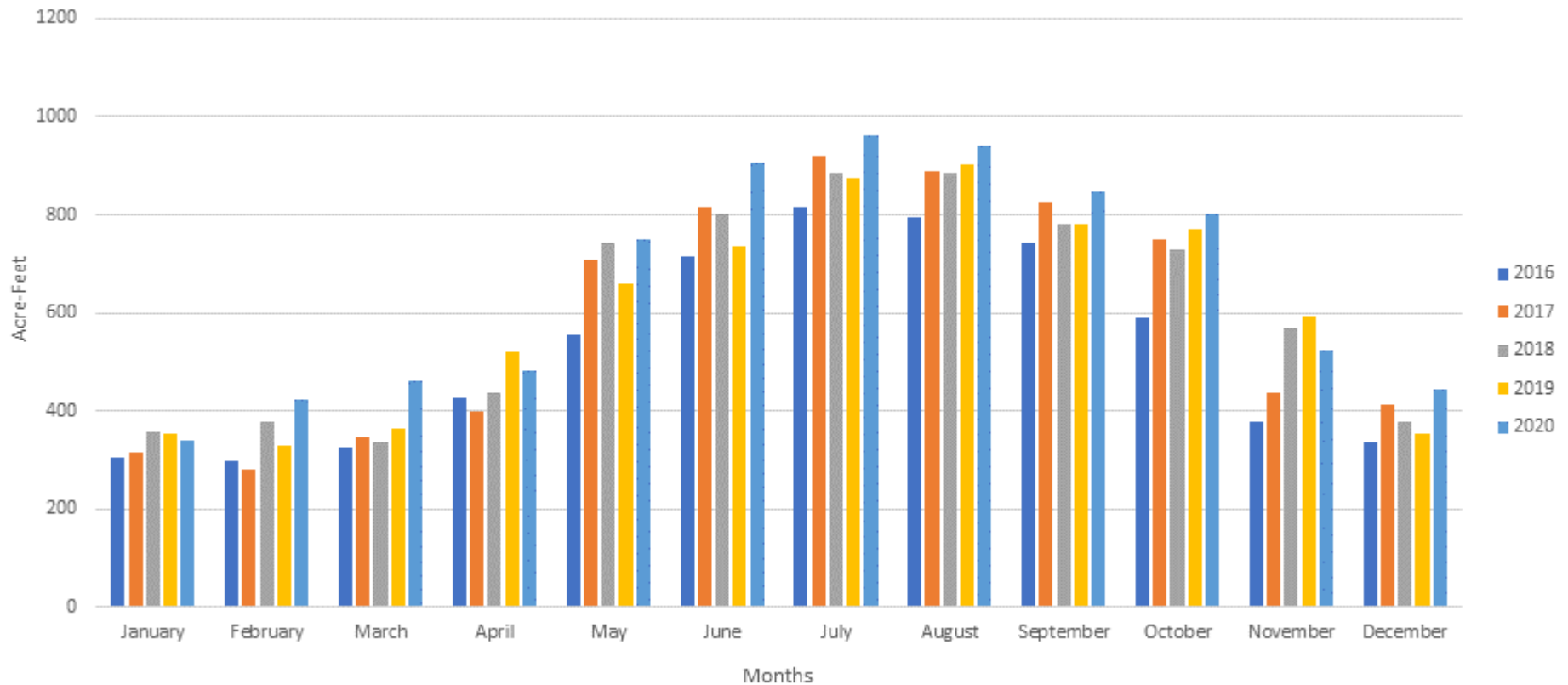
Where does our water come from?



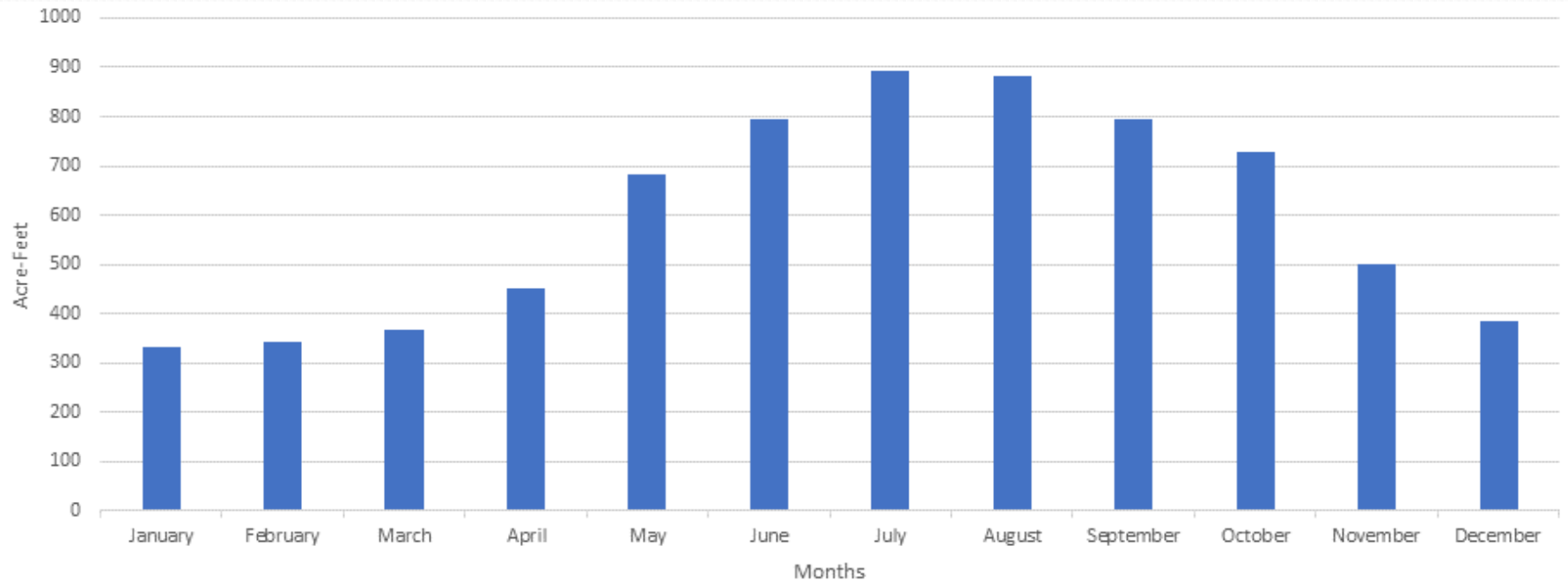




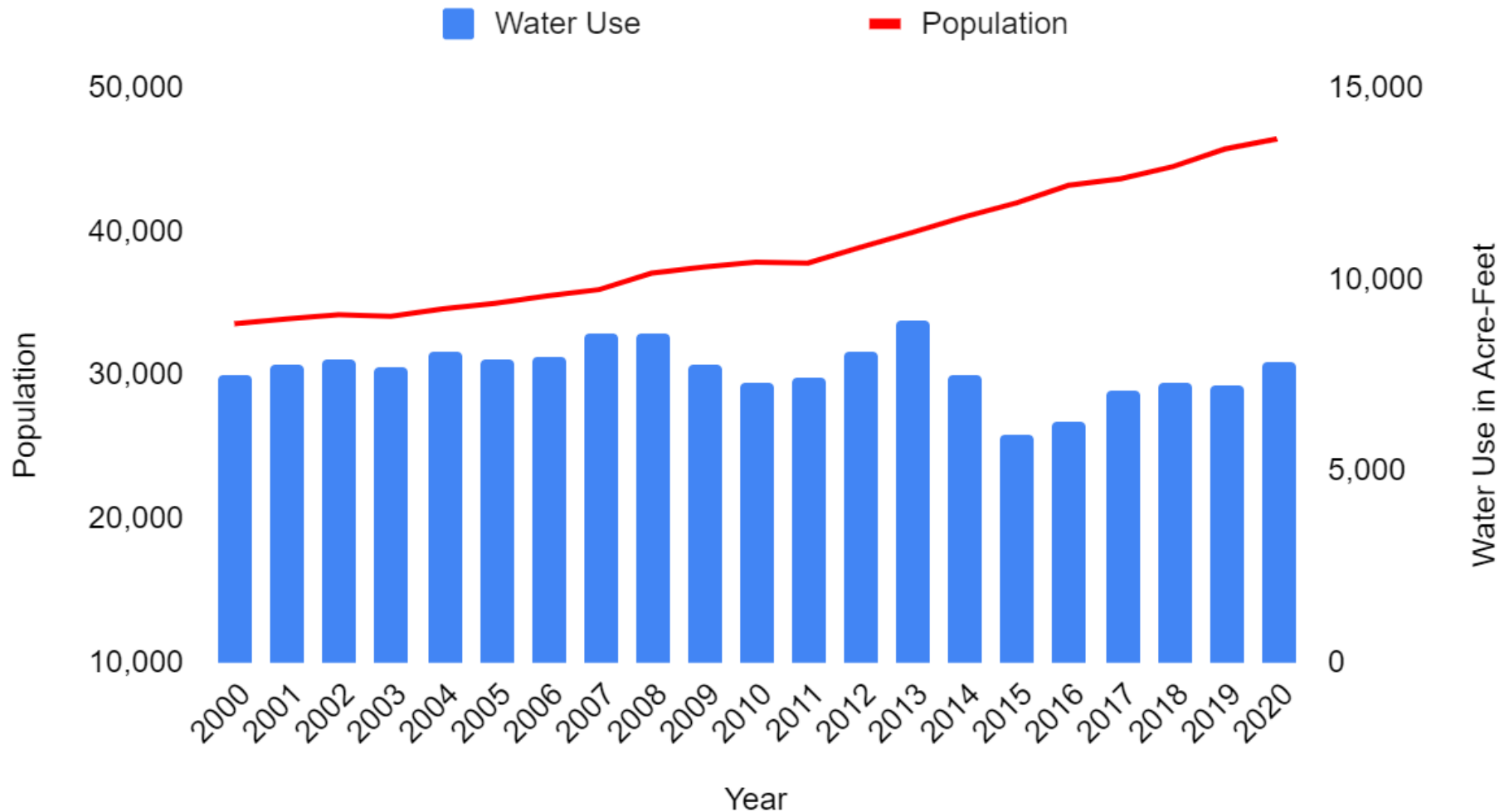
Monthly Water Use



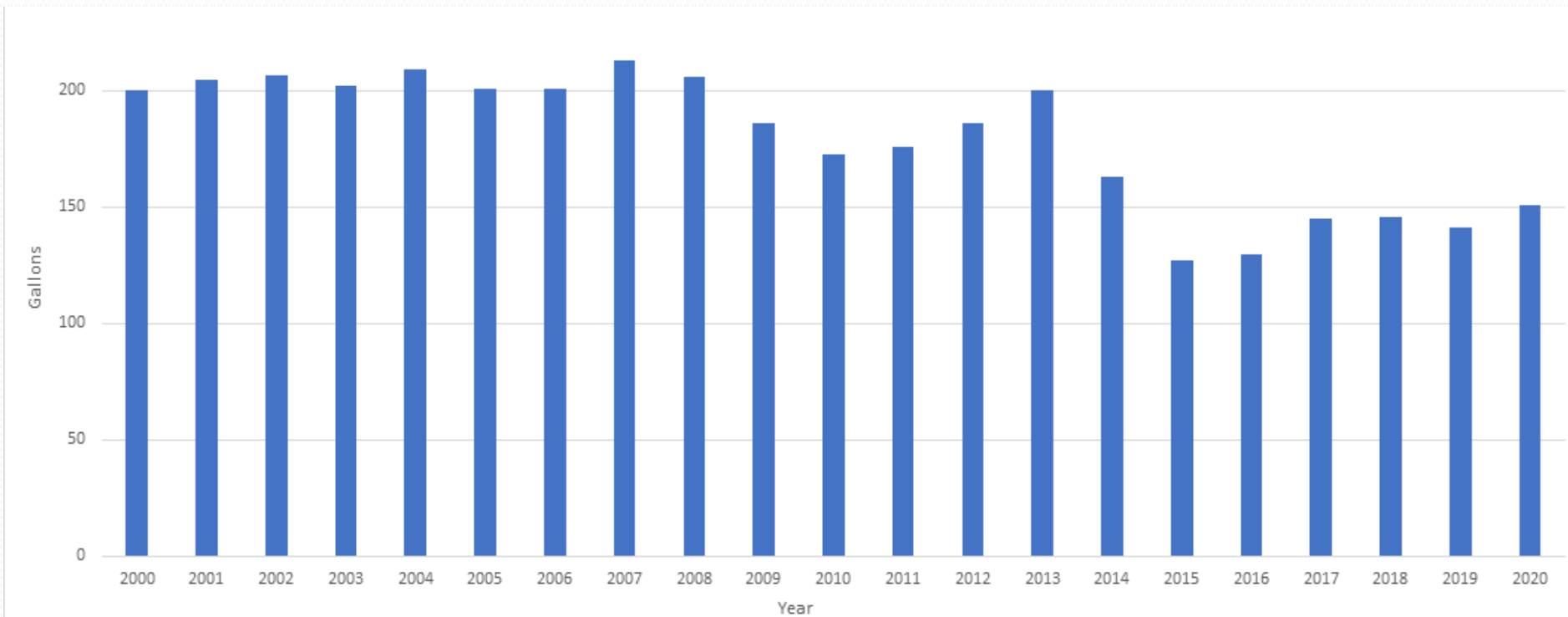
Average Monthly Water Use



Morgan Hill Population and Water Use 2000 - 2020



Water Use Daily Per Person



Statewide Water Perspective

- Second Consecutive Very Dry Year
- Governor's Emergency Drought Proclamation for Much of State
- Agriculture Getting 0% Allocations from Federal Projects
- Imported Water Allocations to Cities are Drastically Reduced
- Winter Rains = Drop in an Empty Bucket

Regional Water Perspective

- Valley Water Started 2021 in Good Condition Despite Dry Conditions (approximately 300,000 acre-feet in local groundwater storage)
- Increased Voluntary Conservation Request from 20% to 25% in Spring
- Due to Sudden Cutback on Imported Water, Increased Request to 33% (compared to 2013) on June 9th in Emergency Resolution

City Response Plan

- City Response to Water Shortages Codified in Ordinance 1932 Adopted in 2009 & Subsequently Amended (minorly)
- Establishes Permanent Water Waste Rules
- Establishes Operational Strategy for Water Shortages
- Operational Plan is Component of City's Urban Water Management Plan as Approved by the State

Permanent Water Waste Rules

- **Limits on Watering Hours, Days, and Duration**
- **No Excessive Water Flow or Runoff**
- **No Washing Down Hard or Paved Surfaces**
- **Obligation to Fix Leaks, Breaks or Malfunctions**
- **Recirculating Water Required for Water Fountains and Decorative Water Features**
- **Limits on Washing Vehicles**
- **Drinking Water Served Upon Request Only**

Permanent Water Waste Rules

- **Commercial Lodging Establishments Must Provide Guests Option to Decline Daily Linen Services**
- **No Installation of Single Pass Cooling Systems**
- **No Installation of Nonrecirculating in Commercial Car Wash and Laundry Systems**
- **Restaurants Required to Use Water Conserving Dish Wash Spray Valves.**
- **Commercial Car Wash Systems**

Recommendation for 2021:

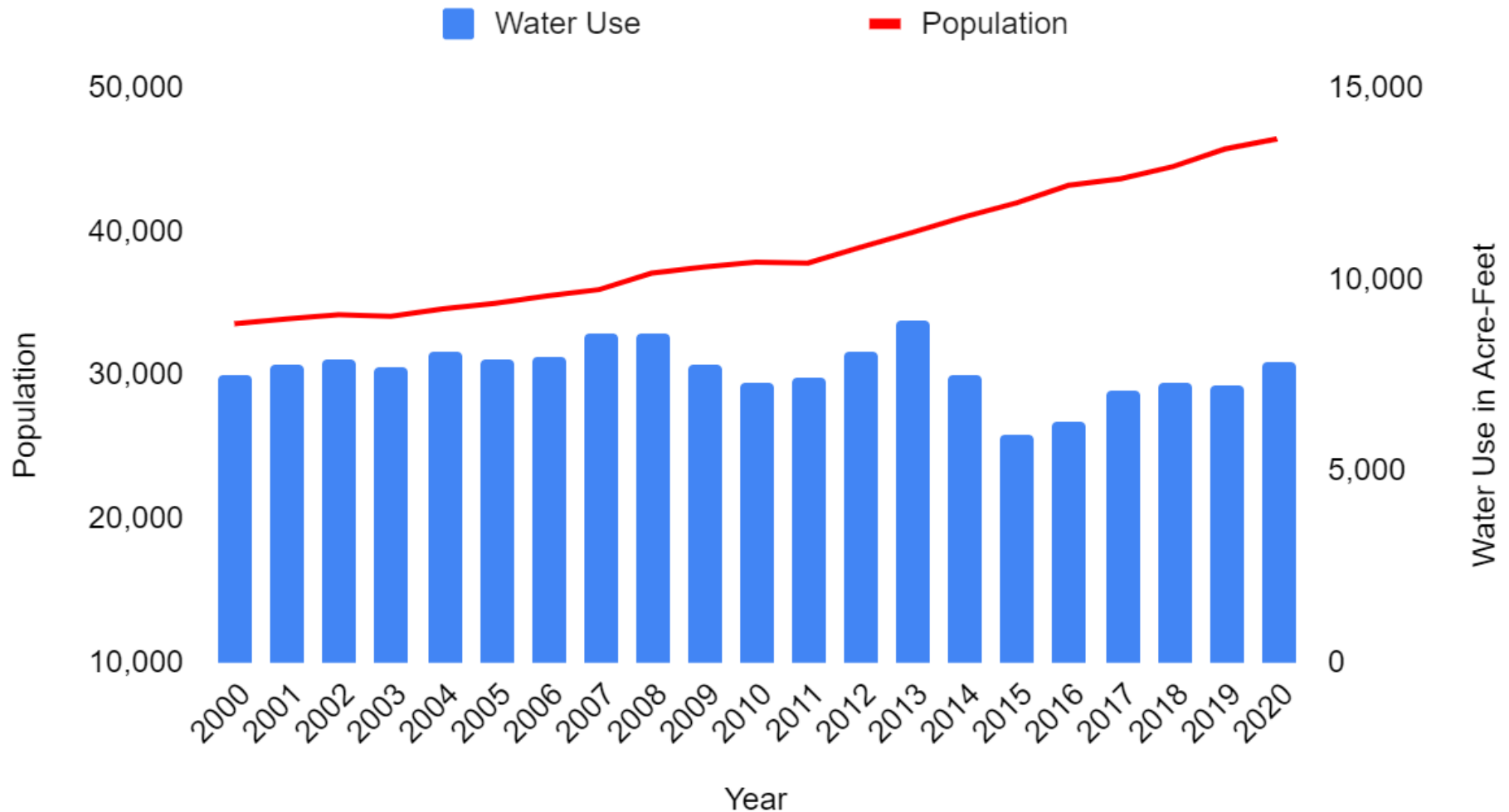
Level Two Supply Shortage

- **All Level 1 and Permanent Rules Remain in Place**
- **Limits on Watering Days.** Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to a maximum of two days per week during the months of April – October and one day per week from November – March.
- **Obligation to Fix Leaks, Breaks or Malfunctions.** All leaks, breaks, or other malfunctions must be repaired within 48 hours of notification by the city unless other arrangements are made with the city.
- **Vehicle Washing.** Washing of cars prohibited except at commercial facilities recycling water

What About Growth?

- City law indicates building permits may be withheld when reductions above 40% are called for
- California State Law now dictates that any residential moratoriums are subject to review by the Housing and Community Development (HCD) Department
- HCD approval is highly unlikely
- New development highly efficient

Morgan Hill Population and Water Use 2000 - 2020



What are the Big Takeaways

- We are asking residents and businesses to water less often. Landscapes will stay alive, but not look great.
- Hardship variances are available for unique circumstances
- We will seek compliance cooperatively
- Limits on growth are only called for when reductions in use exceed 40% and are then subject to HCD review – which will likely not be given

Communication/Engagement/ Enforcement

- Inform Customers Using Wide Variety of Methods (mailer, bill insert, electronic messaging, posters, etc.)
- Educate During Initial Enforcement Actions (Light Touch)
- Solicit Educational Partners
- Engagement Via WaterSmart

City Department Drought Responses

- Reducing the City's landscape irrigation dramatically
- Escalating the City's response to water leaks
- Reducing the use of water in fire drills and training
- Washing fire engines only as necessary
- Evaluating all plumbing fixtures to ensure they are low flow and replacing fixtures as needed at all fire stations

City Department Drought Responses

- Modifying fire hydrant testing and maintenance to reduce water consumption
- Adjusting water system flushing schedules
- Reprogramming pool filtration equipment to eliminate unnecessary backwashing operations
- Increasing frequency of irrigation checks to reduce irrigation overspray and minimize water waste in the landscape

Recommended Actions

- Adopt Resolution Declaring a Level 2 Water Supply Shortage and Amending Budget
- Direct Staff to Evaluate Program Options to Enhance the Resiliency and Sustainability of City Water Supplies and Include in Urban Water Management Plan



From: [Christina Turner](#)
To: [Michelle Bigelow](#); [Angie Gonzalez](#)
Cc: [Anthony Eulo](#)
Subject: supplement for item 13
Date: Wednesday, June 16, 2021 6:51:10 AM

Please supplement for item 13

Q: Will the two day a week irrigation schedule mean that new developments cannot install lawns and green landscaping?

A: It's essential to separate out the answer between the following three types of landscaping: 1) lawns with spray irrigation; 2) other landscaping with spray irrigation; and 3) other landscaping with drip irrigation.

For lawns, as many people probably know, new lawns are typically watered multiple times a day during their establishment period and they are almost always watered with spray irrigation. The only ways a new development could legally install a lawn would be if they either watered it by hand (as in, someone standing there with a hose) or if they brought in a truck with recycled water in it and temporarily attached this to their irrigation system.

For other landscaping with spray irrigation, they could try to plant, but it would be questionable as to if the new plants would survive with only getting watered twice a week. Of course if this was during the cooler, wetter months this might be fine. But certainly anything planted in the next several months would be at risk.

For landscaping served by drip irrigation, they should be able to proceed without a problem as the watering days prohibition does not apply to drip irrigation. This may lead someone to, understandably, ask why drip gets less regulation. The answer is simply that drip irrigation finds its way to the landscape with amazing efficiency and very little water is lost. Spray irrigation, on the other hand, loses water through runoff, misapplication, and evaporation.

Staff is now discussing security assurances we will use to ensure that landscaping delayed due to the drought is eventually planted.

Q: In reference to the City's past reductions during the last drought, will we be likely to see the same decrease in consumption given the housing increase?

A: The correlation between growth and water use is weaker than one might expect. Incredibly, our entire County uses about the same amount of water now as it did 30 years ago. This is mostly due to new development being highly efficient (both indoors and out) and the fact that people treat water more precious today than they did in the past. While we certainly can't guarantee that we will reach 33% again, we have every expectation that the result will be impactful. It's worth noting that our performance in the past drought was achieved with essentially no active enforcement of the rules. There is little question that increasing enforcement a bit would result in additional water use reductions.

Q: In reference to the part-time position requested, what will be the duties of this position?

A: We envision three major areas of activities for this part-time position. One would be in being available to go out and educate people in various forums about the drought and what they can do. The second would be in responding to water waste complaints received from the public and verifying that the waste reported has actually occurred. With this verification, we believe that our letters to the alleged water wasters will be more impactful. Third, as time allows, this person can evaluate our water use records and seek out information on potential violations and send out targeted information to these property owners.

Q: There is a prohibition on using potable water for dust control at construction sites– does this mean that potable water is prohibited if recycled water is available?

A: Potable water is simply water that is suitable to drink. All of the water the City delivers through its system is potable. This requirement in the Muni Code is placed there aspirationally in preparation for the day that recycled water is available nearby. It has no effect in our current situation since no recycled water is available.

Item # 13

AGENDA DATE: 06/16/2021
SUPPLEMENT # 2

From: [Michelle Bigelow](#)
To: [Steve Herschbach](#); [CC Public Comment](#)
Subject: RE: [EXTERNAL] Level 2 water supply shortage
Date: Wednesday, June 16, 2021 2:18:56 PM

Good afternoon Steve,

Thank you for taking the time to share your thoughts and concerns with us. We have heard from several people concerned about this issue.

The City's Municipal Code contains our approved water shortage contingency plan and lays out the different levels of water supply shortage and the water use restrictions that accompany them. If the City Council does declare a Level 2 shortage this evening, there are some moderate restrictions of water use that will be instituted. The City did this in the past drought and successfully reduced water use with a tremendous level of community support. However, in a Level 2 shortage, there is no impact on building permits as that is not a measure that comes into play until a Level 3 shortage is declared. In a Level 3 shortage called for when reductions in water use greater than 40% are required, all irrigation is essentially eliminated. Also, in that case, there may be an impact on building permits. We have been counseled that the State Housing and Community Development Department will almost certainly not approve any restrictions in issuing residential building permits, even during these circumstances, due to the housing crisis. The laws have changed in this area, despite the City's aggressive lobbying efforts, and our Municipal Code is superseded.

I think we are all thankful that the situation is not currently that dire. If you are interested in seeing the different stages in the City's drought plan, they are specified [here](#) in the Municipal Code.

While thinking about growth during a water shortage is common, the correlation between growth and water use is weaker than one might expect. Incredibly, our entire County uses about the same amount of water now as it did 30 years ago. This is mostly due to new development being highly efficient (both indoors and out) and that people treat water more preciously today than they did in the past. In our community, we used more water annually between 2000 and 2013 than we did between 2015 and 2019 - even with all of the development that has occurred during this time period and a warming climate.

With that said, there is much discussion in California about what changes climate change may bring to our water supply system. With this in mind, and in recognition that about 50% of the water consumed in Morgan Hill is imported from the Delta, staff will be focusing on this issue in the coming months and further analyzing approaches to ensure that the community has a resilient and sustainable water supply. We anticipate bringing back some program options for City Council consideration later this year.

Michelle Bigelow, MMC, CPMC
City Clerk/Interim Communications & Engagement Director
she | her | hers

City of Morgan Hill
City Clerk's Office

17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4678 **O:** 408.779.7259

michelle.bigelow@morganhill.ca.gov

morganhill.ca.gov | [facebook](https://www.facebook.com/morganhillca) | [twitter](https://twitter.com/morganhillca)

From: Steve Herschbach <[REDACTED]>

Sent: Wednesday, June 16, 2021 11:57 AM

To: CC Public Comment <CCPublicComment@morganhill.ca.gov>

Subject: [EXTERNAL] Level 2 water supply shortage

Regarding the possibility of a Level 2 water supply shortage:

In addition to asking current residents and businesses to decrease water usage,

Have you also considered stopping any new building developments (residential and commercial/industrial)?

It doesn't seem to make sense to ask current residents and businesses to decrease water usage if at the same time we are adding many new buildings which will just make our water shortage issues worse.

Thanks.

Steve H.

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Item # 13

AGENDA DATE: 06/16/2021

SUPPLEMENT # 3

From: Joanne Nance <[REDACTED]>
Sent: Tuesday, June 15, 2021 7:37 PM
To: Anthony Eulo <Anthony.Eulo@morganhill.ca.gov>
Subject: [EXTERNAL] Stop new building

As a matter of urgency, the city should stop all building that requires hook up to city water.
How in the world do you suddenly look over your shoulder and say, oh darn are we almost out? Who's the city planner?

Concerned citizen!

Joanne Nance

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Item # 13

AGENDA DATE: 06/16/2021
SUPPLEMENT # 4

From: Anthony Eulo <Anthony.Eulo@morganhill.ca.gov>
Sent: Wednesday, June 16, 2021 8:21 PM
To: [REDACTED]
Cc: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>
Subject: RE: [EXTERNAL] Water shortage and developments

Thank you for reaching out to us.

As for your second question, let me start by thanking you for already reducing your water use. We do not impose percentage reductions on any particular customers, but rather use the desired percentage reduction to guide our approach for the entire community. As indicated in our staff report, a 30% desired reduction equates to the declaration of a Level 2 Water Supply Shortage. The Level 2 actions include a list of water use reductions that apply to all customers uniformly. We don't monitor the water reductions at individual homes and as long as you abide by the use restrictions, you would not be in violation.

As for the growth question, we have heard from several people concerned about this issue.

The City's Municipal Code contains our approved water shortage contingency plan and lays out the different levels of water supply shortage and the water use restrictions that accompany them. If the City Council does declare a Level 2 shortage this evening, there are some moderate restrictions of water use that will be instituted. The City did this in the past drought and were very successful in reducing water use significantly with a tremendous level of community support. In a Level 2 shortage, however, there is no impact to building permits as that is not a measure that comes into play until a Level 3 shortage is declared. In a Level 3 shortage, which is called for when reductions in water use greater than 40% are required, all irrigation is essentially eliminated and there may be an impact to building permits. We have been counseled that the State Housing and Community Development Department will almost certainly not approve any restrictions in the issuance of residential building permits, even during these circumstance, due to the housing crisis. The laws have changed in this area, despite the City's aggressive lobbying efforts, and our Municipal Code is superseded.

I think we are all thankful that the situation is not currently that dire. If you are interested in seeing the different stages in the City's drought plan, they are specified here in the Municipal Code.

While thinking about growth during a water shortage is common, the correlation between growth and water use is weaker than one might expect. Incredibly, our entire County uses about the same amount of water now as it did 30 years ago. This is mostly due to new development being highly efficient (both indoors and out) and the fact that people treat water more precious today than they did in the past. In our own community, we used more water annually during the period of 2000 – 2013 than we did in 2015 – 2019 - even with all of the development that has occurred during this time period and a warming climate.

With that said, there is much discussion in California about what changes climate change may bring to our water supply system. With this in mind, and in recognition that about 50% of the water consumed in Morgan Hill is imported from the Delta, staff will be focusing on this issue in the coming months and further analyzing approaches to ensure that the community has a resilient and sustainable water supply. We anticipate bringing back some program options for City Council consideration later this year.

As for fires, the fact that Lake Anderson has been drained will remain true regardless of growth in the community. It is true that the lake will not be available for aircraft to scoop water out of, but the water that supplies fire hydrants is not directly linked to the lake in any way.

Anthony Eulo (pronouns he/him/his)
Program Administrator

City of Morgan Hill
Community Services Department
17575 Peak Avenue, Morgan Hill, CA 95037

P: 408.310.4179 C: 408.921.6473
anthony.eulo@morganhill.ca.gov
morganhill.ca.gov | [facebook](#) | [twitter](#)

-----Original Message-----

From: Dale Miles Noreen Miles <[REDACTED]>
Sent: Wednesday, June 16, 2021 5:28 PM
To: CC Public Comment <CCPublicComment@morganhill.ca.gov>
Subject: [EXTERNAL] Water shortage and developments

My question and comment is will there be a pause in new housing and business developments due to water shortages?

We need to think ahead as we will be without Lake Anderson for many years and currently all our local reservoirs are extremely low. If we have any fires, where will the water come from. Drinking water maybe harder to come by. Adding more population Will certainly put a drain on what we do have.

A second question in regards to saving water by cutbacks. We have already made cuts previously. We made both our yards with drought tolerant plants and Have water efficient appliances. Our question is —Will we be fined if our uses don't drop?

Thank you for reading our concerns.

Dale and Noreen Miles

Sent from my iPhone

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Item # 13

AGENDA DATE: 06/16/2021
SUPPLEMENT # 5

From: [Dan Russo](#)
To: [CC Public Comment](#)
Subject: [EXTERNAL] Dams needed
Date: Wednesday, June 16, 2021 3:59:31 PM

Build more dams for water storage.

Dan

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.

From: Anthony Eulo <Anthony.Eulo@morganhill.ca.gov>
Sent: Friday, June 18, 2021 12:04 PM
To: sherschbach [REDACTED]
Subject: RE: [EXTERNAL] Level 2 water supply shortage

Hello Steve. Michelle asked me to assist in responding to your questions.

Thank you for the excellent questions.

During the last drought, California passed laws preventing HOA's from enforcing rules or guidelines that are not supportive of water-efficient landscaping. While there is a whole body of provisions on this issue, the most relevant would be [Civic Code Section 4735\(a\)\(3\)\(B\)](#).

In addition, unless you have an unusual irrigation system, we strongly believe that watering twice weekly will not result in a dead lawn and dying plants. The exception might be plants considered "high water use" plants that are planted in a sunny location. Those probably aren't suitable for a warming climate in a State undergoing water transitions due to climate change. It is worth noting that if you have a manageable number of plants you believe are at risk, you can certainly water them by hand on off-days or install a drip irrigation system that can be used more often and still be compliant with City regulations. I realize that this suggestion is not easy to apply to lawns. Many people believe that the days of expansive California lawns are over.

The City partners with Valley Water to match their base rebate amounts for landscape and irrigation conversions. Their normal rebate is \$1 per square foot and, with the City's match, equates to \$2 per square foot for City residents. With the drought, they have added an additional dollar so the total is \$3 per square foot as of July 1. In my experience, this is enough to do a basic water-efficient project – particularly if you are doing the work yourself and don't require a lot of river rock. (rock is expensive!) Using arbor mulch (a freely available product from tree trimmers) instead of purchased mulch is a cost saving tip. You can even do a base 3" coat of arbor mulch and then top it with purchased mulch (which is definitely a better-looking product) to get the best of both worlds.

Valley Water rebate information is [here](#). (They administer all aspects of the program, including the City match, so there is no need to apply or communicate with the City regarding a rebate.)

If you are interested in looking at some design templates, check out the [Landscape Designs](#) page at South Bay Green Gardens.

Please let me know if you desire any additional information.

Anthony Eulo (pronouns he/him/his)
Program Administrator

City of Morgan Hill

Community Services Department
17575 Peak Avenue, Morgan Hill, CA 95037

P: 408.340.4179 **C:** 408.921.6473

anthony.eulo@morganhill.ca.gov
morganhill.ca.gov | [facebook](https://www.facebook.com/morganhillca) | [twitter](https://twitter.com/morganhillca)

From: Steve Herschbach <[REDACTED]>

Sent: Friday, June 18, 2021 10:43 AM

To: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>; CC Public Comment
<CCPublicComment@morganhill.ca.gov>

Subject: RE: [EXTERNAL] Level 2 water supply shortage

Hi Michelle,

Thanks for your response.

I could argue several points in your email, but I won't. 😊

Given the tighter restrictions on watering days (2 per week), this will most certainly kill many of my plants and grass especially in these hot conditions.

Our HOA (Coyote Estates) requires us to keep our plants healthy and green. If not, then they fine us.

So will you be instructing HOAs not to levy fines during this Level 2 water supply shortage?

Also, will the city provide any rebates for those who may want to change to a more drought-tolerant landscape?

Thanks.
Steve

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

Sent: Wednesday, June 16, 2021 2:19 PM

To: Steve Herschbach <[REDACTED]>; CC Public Comment
<CCPublicComment@morganhill.ca.gov>

Subject: RE: [EXTERNAL] Level 2 water supply shortage

Good afternoon Steve,

Thank you for taking the time to share your thoughts and concerns with us. We have heard from several people concerned about this issue.

The City's Municipal Code contains our approved water shortage contingency plan and lays out the different levels of water supply shortage and the water use restrictions that accompany them. If the City Council does declare a Level 2 shortage this evening, there are some moderate restrictions of water use that will be instituted. The City did this in the past drought and successfully reduced water use with a tremendous level of community support. However, in a Level 2 shortage, there is no impact on building permits as that is not a measure that comes into play until a Level 3 shortage is declared. In a Level 3

shortage called for when reductions in water use greater than 40% are required, all irrigation is essentially eliminated. Also, in that case, there may be an impact on building permits. We have been counseled that the State Housing and Community Development Department will almost certainly not approve any restrictions in issuing residential building permits, even during these circumstances, due to the housing crisis. The laws have changed in this area, despite the City's aggressive lobbying efforts, and our Municipal Code is superseded.

I think we are all thankful that the situation is not currently that dire. If you are interested in seeing the different stages in the City's drought plan, they are specified [here](#) in the Municipal Code.

While thinking about growth during a water shortage is common, the correlation between growth and water use is weaker than one might expect. Incredibly, our entire County uses about the same amount of water now as it did 30 years ago. This is mostly due to new development being highly efficient (both indoors and out) and that people treat water more precious today than they did in the past. In our community, we used more water annually between 2000 and 2013 than we did between 2015 and 2019 - even with all of the development that has occurred during this time period and a warming climate.

With that said, there is much discussion in California about what changes climate change may bring to our water supply system. With this in mind, and in recognition that about 50% of the water consumed in Morgan Hill is imported from the Delta, staff will be focusing on this issue in the coming months and further analyzing approaches to ensure that the community has a resilient and sustainable water supply. We anticipate bringing back some program options for City Council consideration later this year.

Michelle Bigelow, MMC, CPMC
City Clerk/Interim Communications & Engagement Director
she | her | hers

City of Morgan Hill
City Clerk's Office
17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4678 **O:** 408.779.7259
michelle.bigelow@morganhill.ca.gov
morganhill.ca.gov | [facebook](#) | [twitter](#)

From: Steve Herschbach <[REDACTED]>
Sent: Wednesday, June 16, 2021 11:57 AM
To: CC Public Comment <CCPublicComment@morganhill.ca.gov>
Subject: [EXTERNAL] Level 2 water supply shortage

Regarding the possibility of a Level 2 water supply shortage:

In addition to asking current residents and businesses to decrease water usage,

Have you also considered stopping any new building developments (residential and commercial/industrial)?

It doesn't seem to make sense to ask current residents and businesses to decrease water usage if at the same time we are adding many new buildings which will just make our water shortage issues worse.

Thanks.

Steve H.

2021 DROUGHT RESPONSE & PLANNING

Action and Engagement





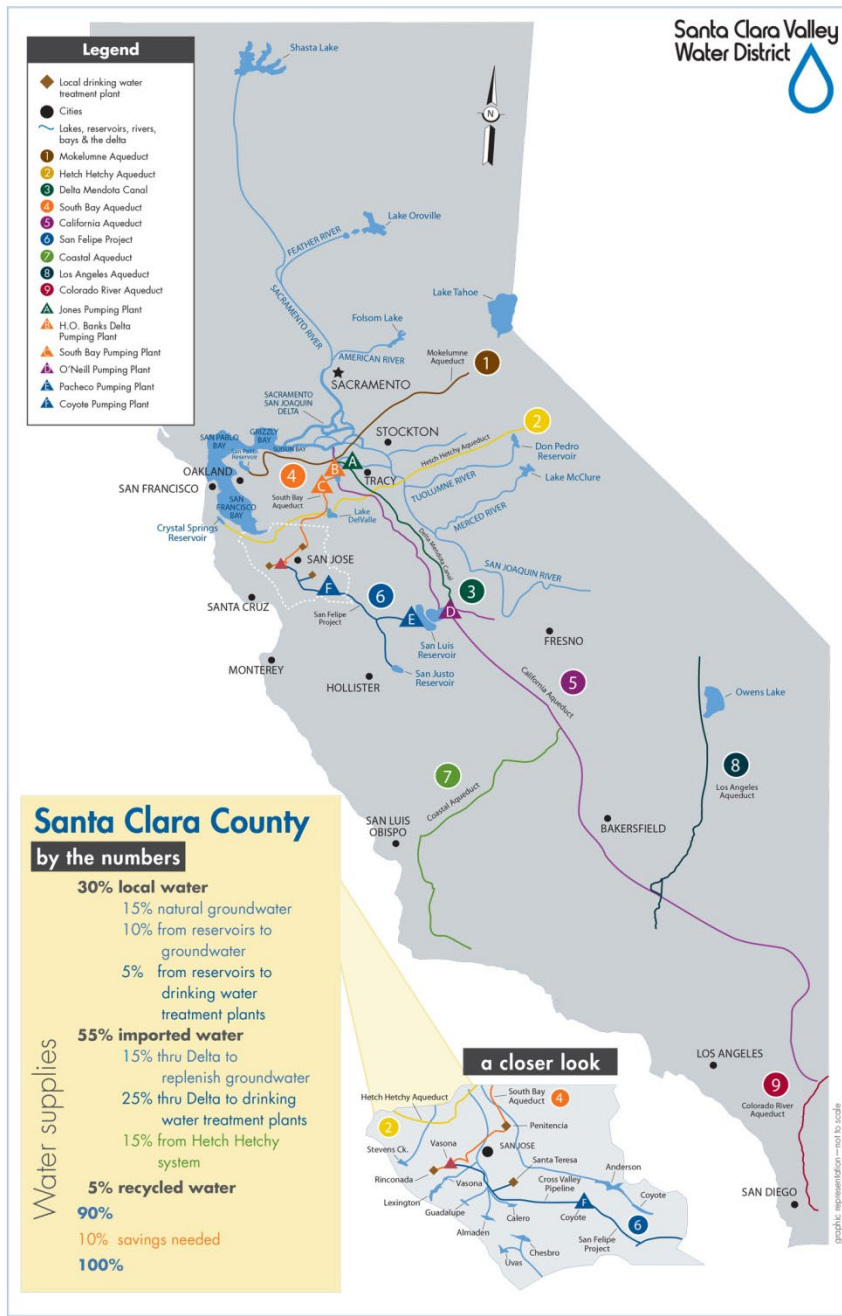
Outline

- City Water System and Sources
- Statewide Water Perspective
- Regional Water Perspective
- City Response Plan
- Communication and Customer Engagement

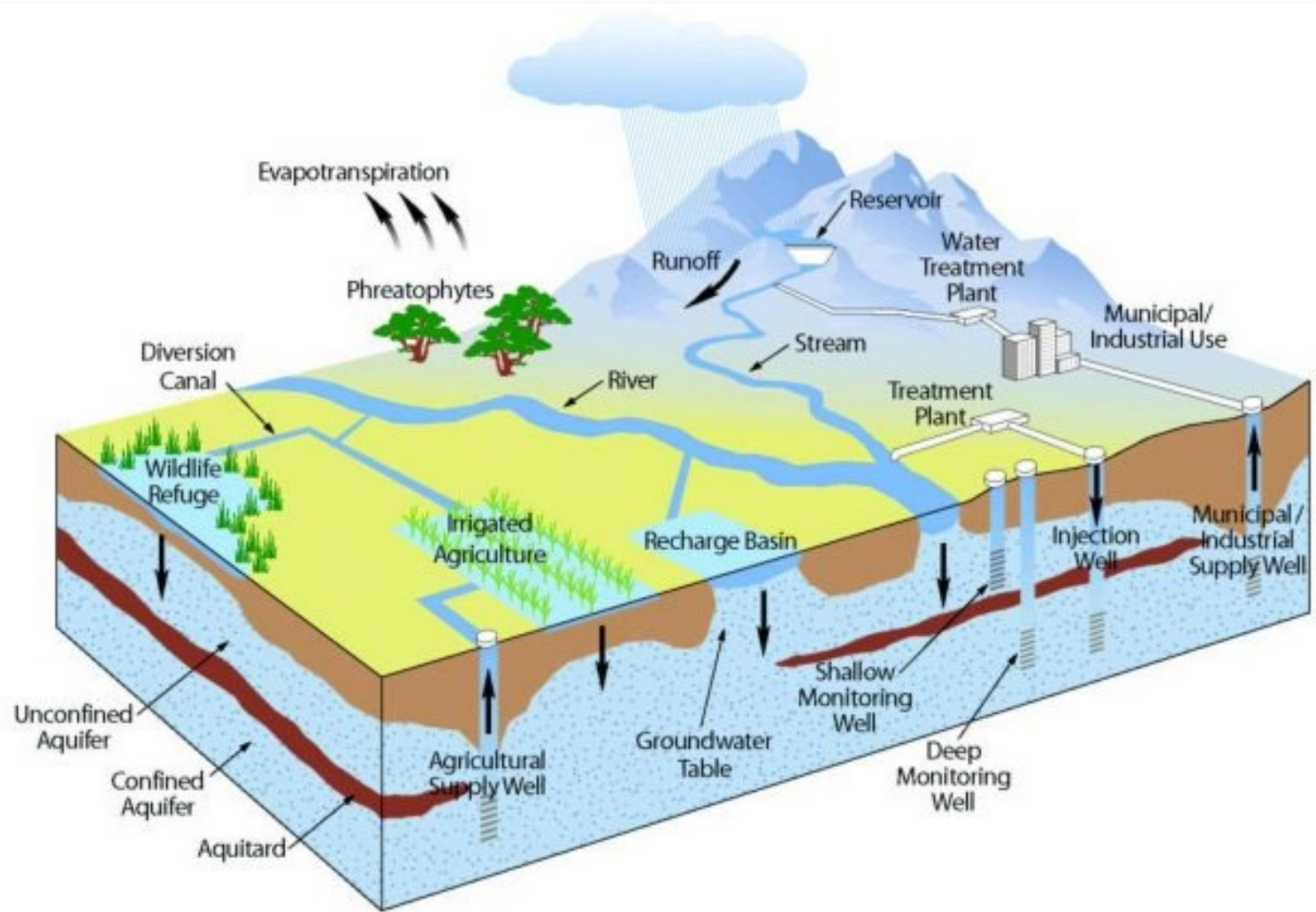
City Water System and Sources

- City Gets 100% of Water Delivered from Groundwater
- Groundwater (Natural Recharge + Imported Water)
- Imported Water Travels Through Delta

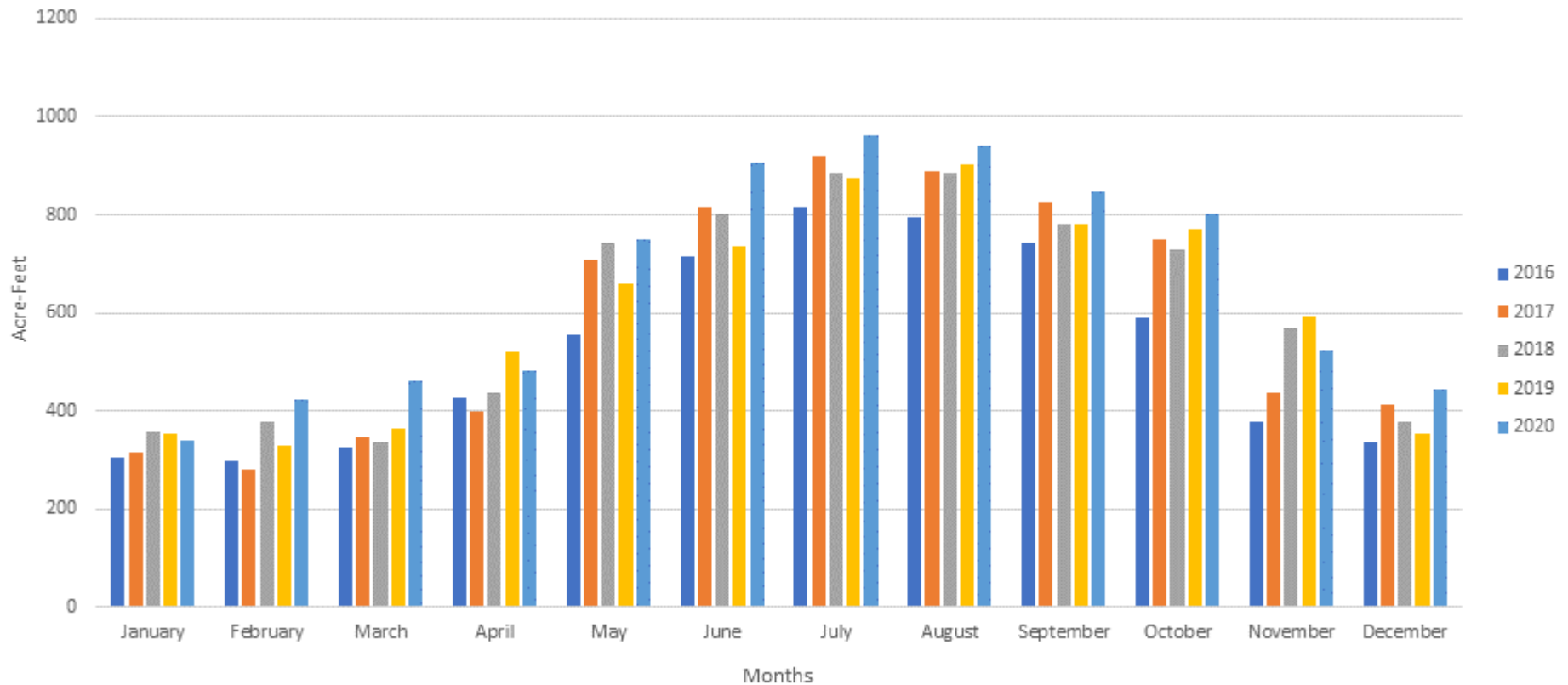
Where does our water come from?



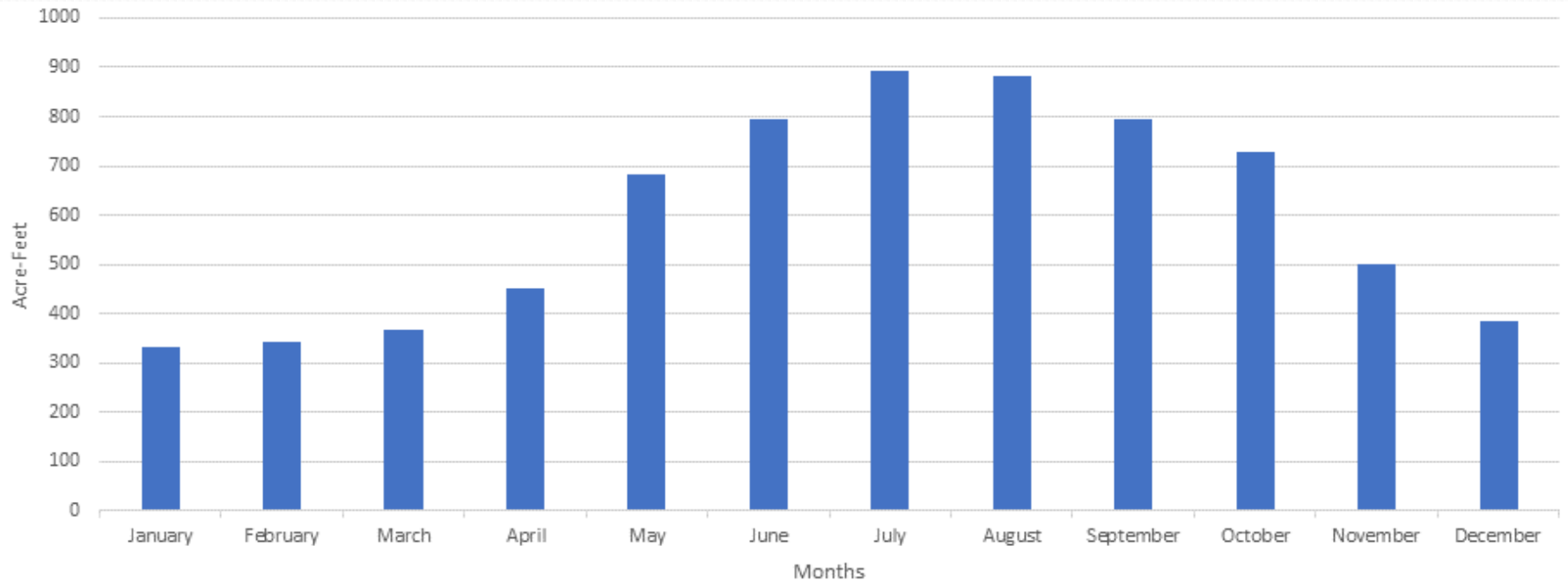




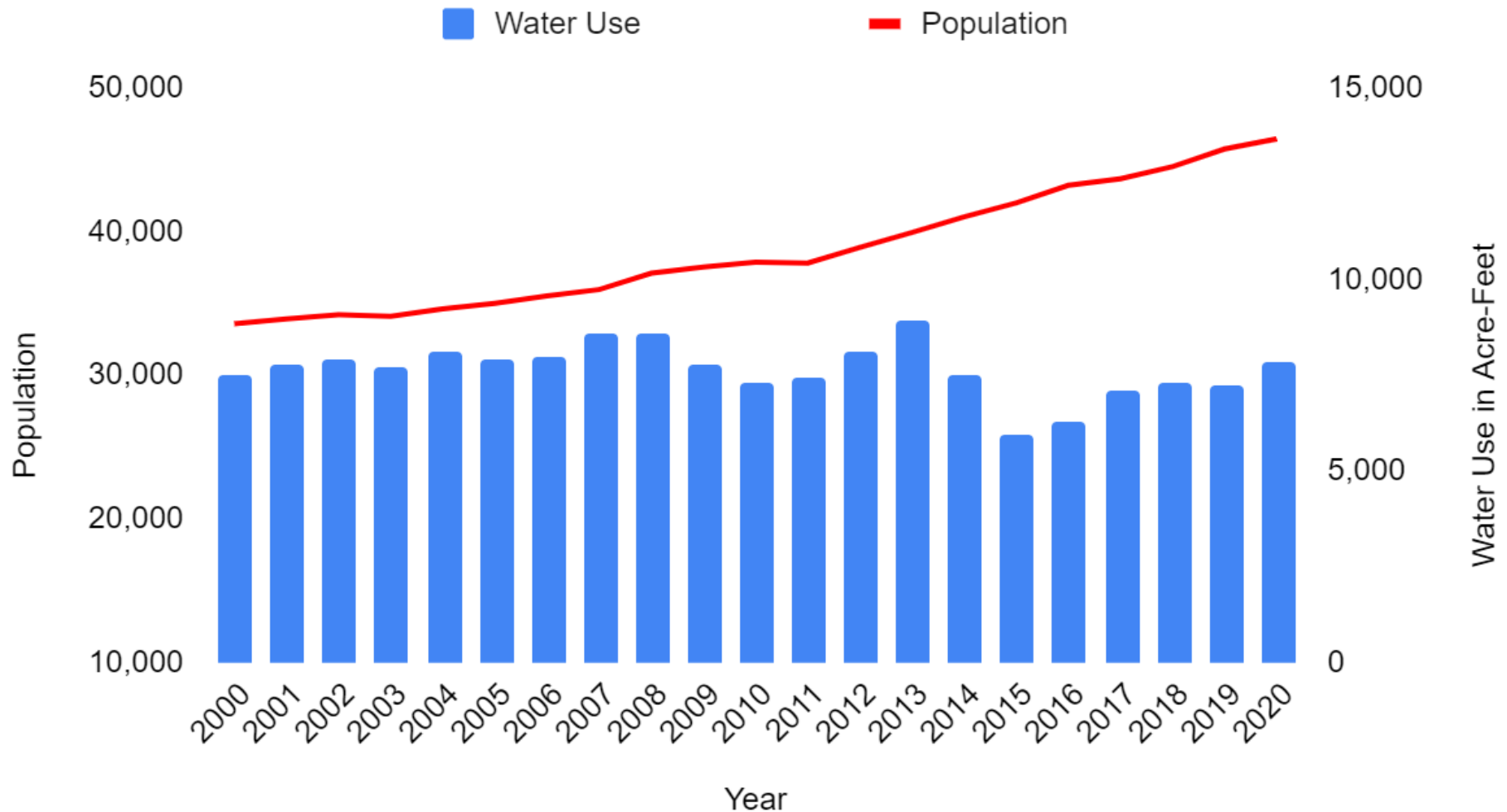
Monthly Water Use



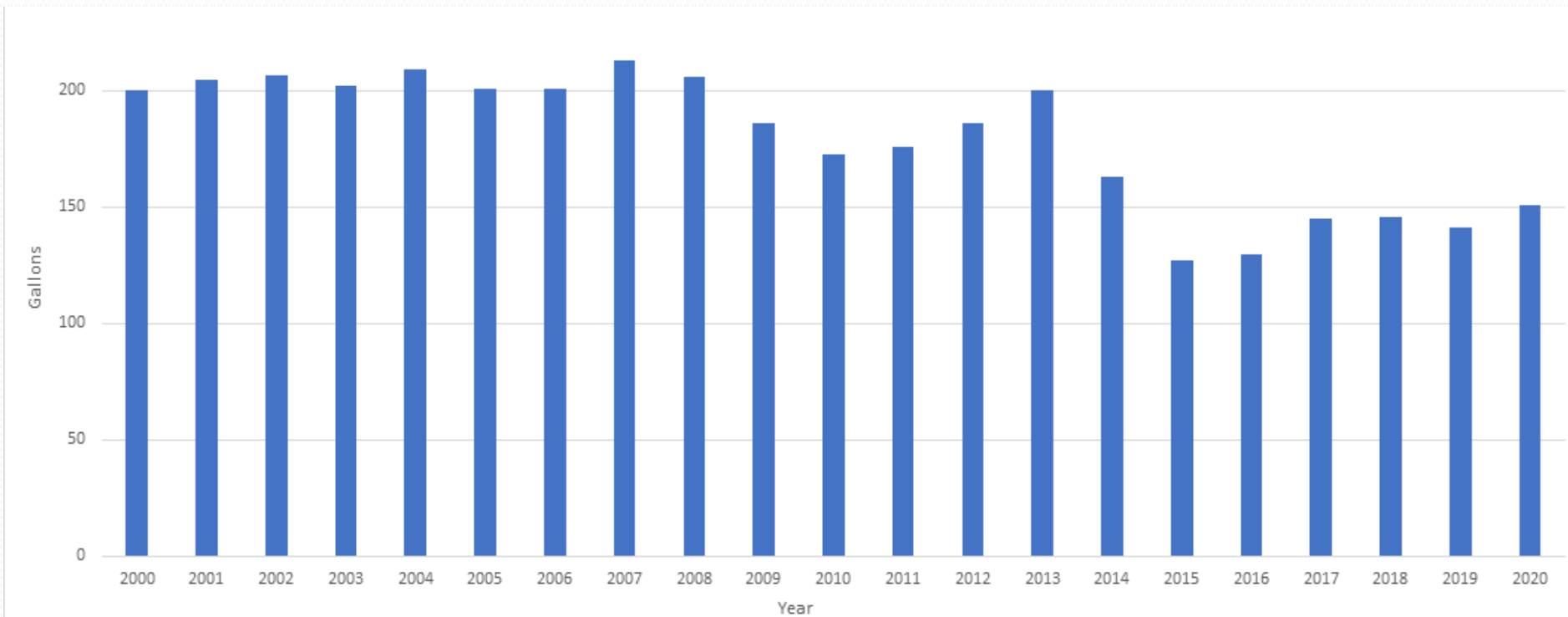
Average Monthly Water Use



Morgan Hill Population and Water Use 2000 - 2020



Water Use Daily Per Person



Statewide Water Perspective

- Second Consecutive Very Dry Year
- Governor's Emergency Drought Proclamation for Much of State
- Agriculture Getting 0% Allocations from Federal Projects
- Imported Water Allocations to Cities are Drastically Reduced
- Winter Rains = Drop in an Empty Bucket

Regional Water Perspective

- Valley Water Started 2021 in Good Condition Despite Dry Conditions (approximately 300,000 acre-feet in local groundwater storage)
- Increased Voluntary Conservation Request from 20% to 25% in Spring
- Due to Sudden Cutback on Imported Water, Increased Request to 33% (compared to 2013) on June 9th in Emergency Resolution

City Response Plan

- City Response to Water Shortages Codified in Ordinance 1932 Adopted in 2009 & Subsequently Amended (minorly)
- Establishes Permanent Water Waste Rules
- Establishes Operational Strategy for Water Shortages
- Operational Plan is Component of City's Urban Water Management Plan as Approved by the State

Permanent Water Waste Rules

- **Limits on Watering Hours, Days, and Duration**
- **No Excessive Water Flow or Runoff**
- **No Washing Down Hard or Paved Surfaces**
- **Obligation to Fix Leaks, Breaks or Malfunctions**
- **Recirculating Water Required for Water Fountains and Decorative Water Features**
- **Limits on Washing Vehicles**
- **Drinking Water Served Upon Request Only**

Permanent Water Waste Rules

- **Commercial Lodging Establishments Must Provide Guests Option to Decline Daily Linen Services**
- **No Installation of Single Pass Cooling Systems**
- **No Installation of Nonrecirculating in Commercial Car Wash and Laundry Systems**
- **Restaurants Required to Use Water Conserving Dish Wash Spray Valves.**
- **Commercial Car Wash Systems**

Recommendation for 2021:

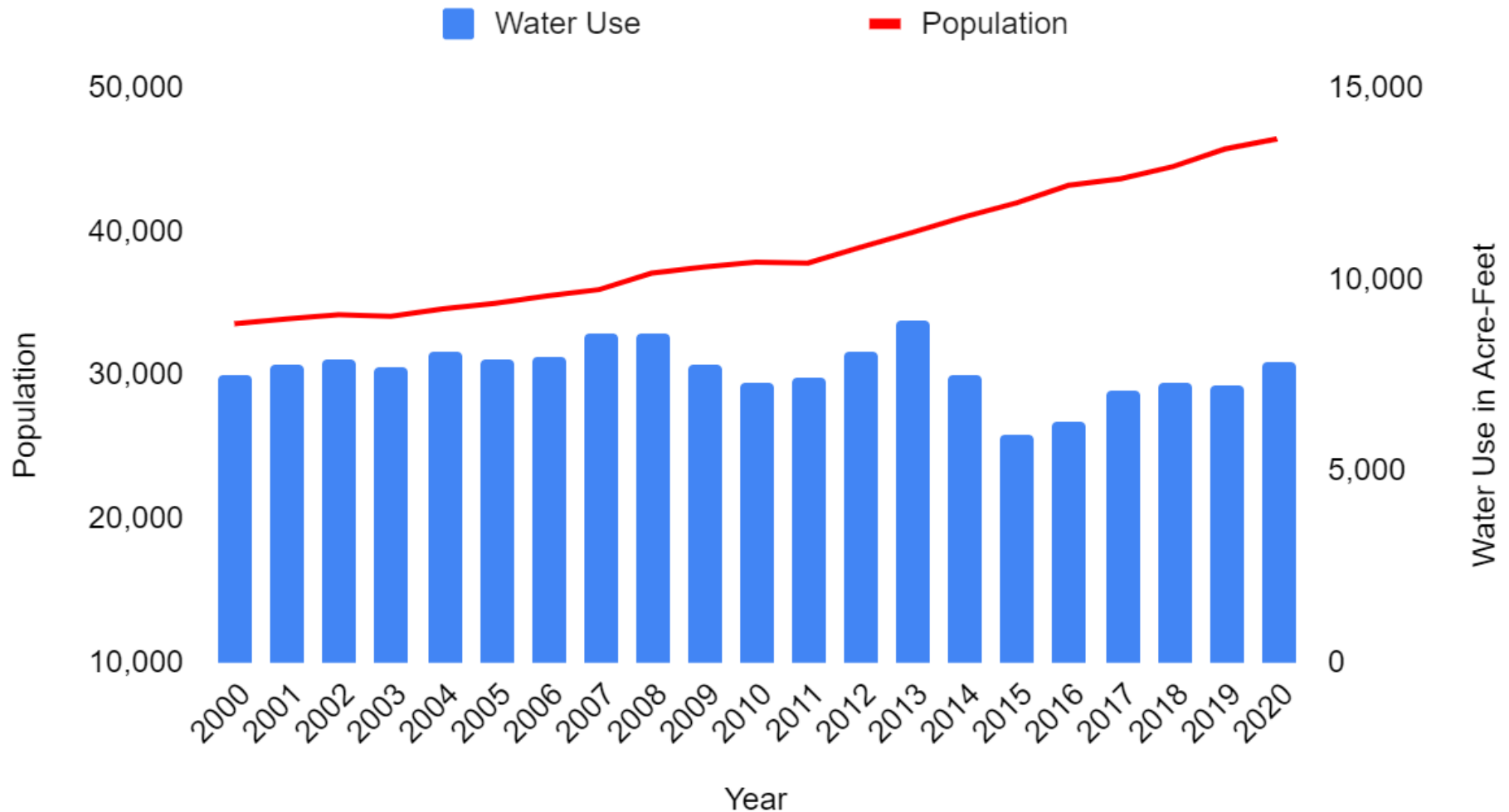
Level Two Supply Shortage

- **All Level 1 and Permanent Rules Remain in Place**
- **Limits on Watering Days.** Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to a maximum of two days per week during the months of April – October and one day per week from November – March.
- **Obligation to Fix Leaks, Breaks or Malfunctions.** All leaks, breaks, or other malfunctions must be repaired within 48 hours of notification by the city unless other arrangements are made with the city.
- **Vehicle Washing.** Washing of cars prohibited except at commercial facilities recycling water

What About Growth?

- City law indicates building permits may be withheld when reductions above 40% are called for
- California State Law now dictates that any residential moratoriums are subject to review by the Housing and Community Development (HCD) Department
- HCD approval is highly unlikely
- New development highly efficient

Morgan Hill Population and Water Use 2000 - 2020



What are the Big Takeaways

- We are asking residents and businesses to water less often. Landscapes will stay alive, but not look great.
- Hardship variances are available for unique circumstances
- We will seek compliance cooperatively
- Limits on growth are only called for when reductions in use exceed 40% and are then subject to HCD review
 - which will likely not be given

Communication/Engagement/ Enforcement

- Inform Customers Using Wide Variety of Methods (mailer, bill insert, electronic messaging, posters, etc.)
- Educate During Initial Enforcement Actions (Light Touch)
- Solicit Educational Partners
- Engagement Via WaterSmart

City Department Drought Responses

- Reducing the City's landscape irrigation dramatically
- Escalating the City's response to water leaks
- Reducing the use of water in fire drills and training
- Washing fire engines only as necessary
- Evaluating all plumbing fixtures to ensure they are low flow and replacing fixtures as needed at all fire stations

City Department Drought Responses

- Modifying fire hydrant testing and maintenance to reduce water consumption
- Adjusting water system flushing schedules
- Reprogramming pool filtration equipment to eliminate unnecessary backwashing operations
- Increasing frequency of irrigation checks to reduce irrigation overspray and minimize water waste in the landscape



Recommended Actions

- Adopt Resolution Declaring a Level 2 Water Supply Shortage and Amending Budget
- Direct Staff to Evaluate Program Options to Enhance the Resiliency and Sustainability of City Water Supplies and Include in Urban Water Management Plan





City Council Meeting Housing Workshop #3 “Housing Affordability”



June 16, 2021

HOUSING CONVERSATION



- ✓ All Things Housing
 - ✓ State Mandates for Housing Production
 - ✓ Creating Inclusive Communities through Design Form
 - ✓ Affordable Housing 101 in Spanish
 - ✓ A Model for Agricultural Workforce Housing in South County
-
- **Affordability-** Today!
 - **Housing and Long-Term Sustainability** - June 23rd

<https://www.morgan-hill.ca.gov/2162/2021-Housing-Conversation>

Housing Mission

- Improve, preserve, and create safe, quality, rental and ownership housing in Morgan Hill for residents at all income levels
- Implementation of the Housing Element as part of its General Plan demonstrating how the community will meet the existing and projected housing needs
- Demonstrate the City's ability to provide for its "fair share" of affordable housing, comply with and support social justice and anti-discrimination housing practices, and support those that currently find themselves homeless

Who is Affordable Housing For?

Our Residents

Our Youth

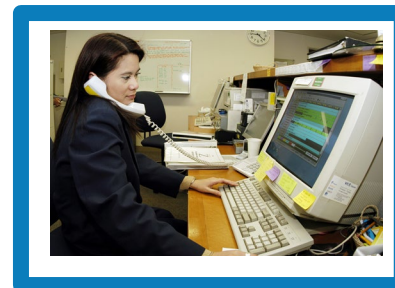
Our Aging population

Our Workforce

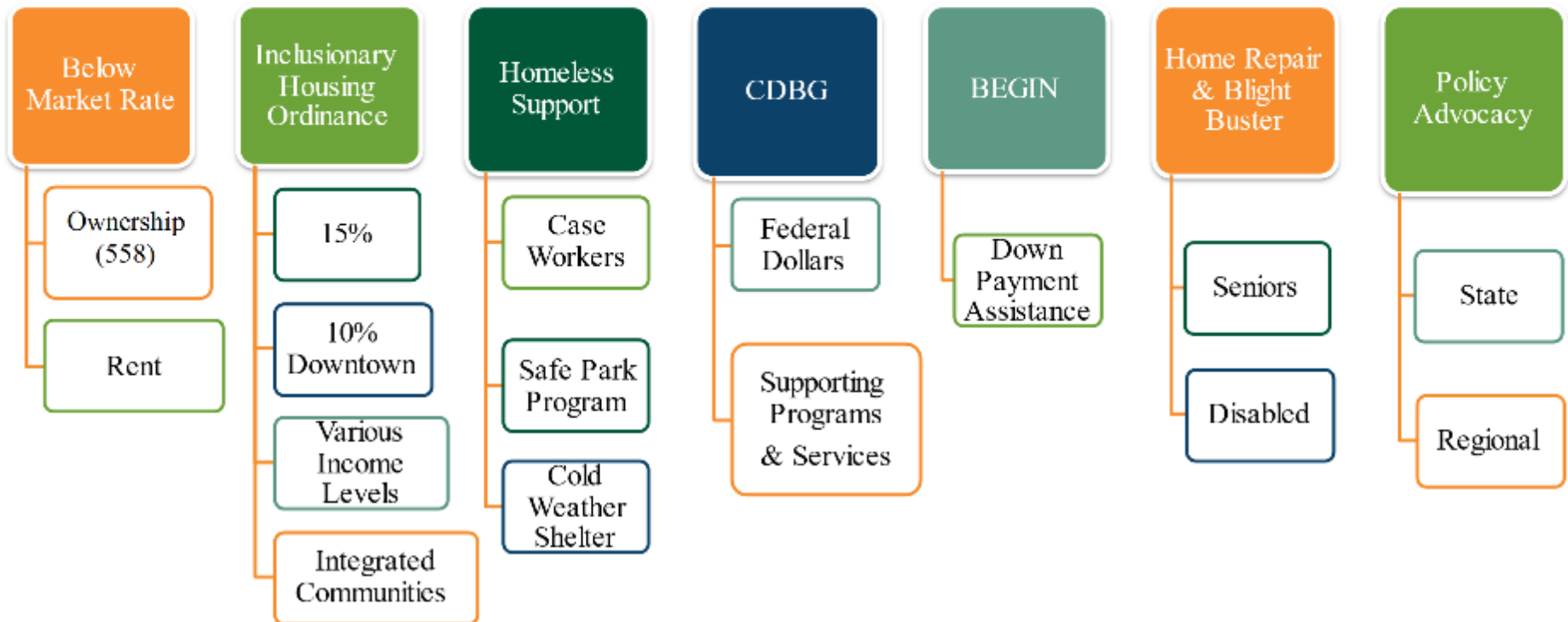
Our Service Providers

People with Special Needs

People getting priced out of the Bay Area....



HOUSING -Programs





Affordable Ownership & Rental Opportunities



What is Considered Affordable?

- Household pays a reduced price
- Consumes no more than approximately 30 percent of a household's gross monthly income
- Income qualification is required

Who and What Determines Eligibility?

- The U.S. Department of Housing and Urban Development (HUD) annually releases **income limits** that determines eligibility
- Area Median Income (AMI) – The median income of each county is based on all wage earners in the area, published by HUD and HCD to determine household eligibility, and updated annually
- The County of Santa Clara has one of the highest area median incomes (AMI's) in the country, at \$151,300 for a family of four

Income Limit Categories

- ELI - Extremely low income: 0-30% of AMI
- VLI - Very low income: 30% to 50% of AMI
- Low income: 50% to 80% of AMI
- Moderate income: 80% to 120% of AMI

California Housing and Community Development (HCD)

What is Considered Affordable Rental Housing?

Who is it for?

How do you Access it?



Rental Affordable Housing

- The household's rent, which includes utilities, is 30% or less than the household's income
- Eligibility is based on household size and income



How to Determine if you are Eligible for an Affordable Rental?

Affordable Rental Housing Income Limits Up to 80% Area Median Income



Household size	1	2	3	4	5	6	7	8
Extremely Low 0-30%	\$34,800	\$39,800	\$44,750	\$49,700	\$53,700	\$57,700	\$61,650	\$65,650
Very Low 30-50%	\$58,000	\$66,300	\$74,600	\$82,850	\$89,500	\$96,150	\$102,750	\$109,400
Lower 50-80%	\$82,450	\$94,200	\$106,000	\$117,750	\$127,200	\$136,600	\$146,050	\$155,450
Median	\$105,900	\$121,050	\$136,150	\$151,300	\$163,400	\$175,500	\$187,600	\$199,700
Moderate 80-120%	\$127,100	\$145,250	\$163,400	\$181,550	\$196,050	\$210,600	\$225,100	\$239,650

AFFORDABLE RENTAL RATES

# of Bedrooms	Extremely Low (30%)	Very Low (50%)	Lower (80%)	*Moderate (120%)
0 Bedroom	\$794	\$1,324	\$1,589	\$2,912
1 Bedroom	\$908	\$1,513	\$1,816	\$3,329
2 Bedrooms	\$1,021	\$1,702	\$2,042	\$3,744
3 Bedrooms	\$1,135	\$1,891	\$2,270	\$4,161
4 Bedrooms	\$1,226	\$2,043	\$2,451	\$4,494

Affordable Rentals (up to 80% AMI)



If you make up to \$117,750 for a 4-person family and up to \$82,450 for a 1-person family, you could qualify for Affordable Rental Housing

Rent Burdened

- 51% of rental households spend over 30% on rent
- The percentages are higher for households in the lower income tiers. For example, 69% of all households that earn under \$50,000 per year are rent burdened

[illegible]



What is Considered Affordable Ownership Housing?
Who is it for?
How do you Access it?

Affordable Ownership Income Limits (120% of AMI)

Household size	1	2	3	4	5	6	7	8
Extremely Low 0-30%	\$34,800	\$39,800	\$44,750	\$49,700	\$53,700	\$57,700	\$61,650	\$65,650
Very Low 30-50%	\$58,000	\$66,300	\$74,600	\$82,850	\$89,500	\$96,150	\$102,750	\$109,400
Lower 50-80%	\$82,450	\$94,200	\$106,000	\$117,750	\$127,200	\$136,600	\$146,050	\$155,450
Median	\$105,900	\$121,050	\$136,150	\$151,300	\$163,400	\$175,500	\$187,600	\$199,700
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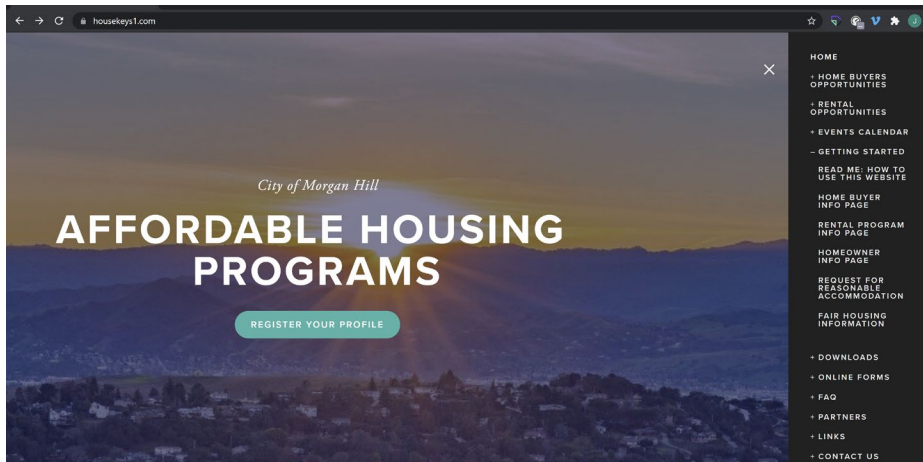
Maximum
Prices,
Below
Market Rate
Ownership

Unit Size	Moderate Income
Studio	\$437,079
1 Bedroom	\$512,102
2 Bedroom	\$581,842
3 Bedroom	\$651,001
4 Bedroom	\$704,718
5 Bedroom	\$758,643

How to Access Ownership Opportunities?



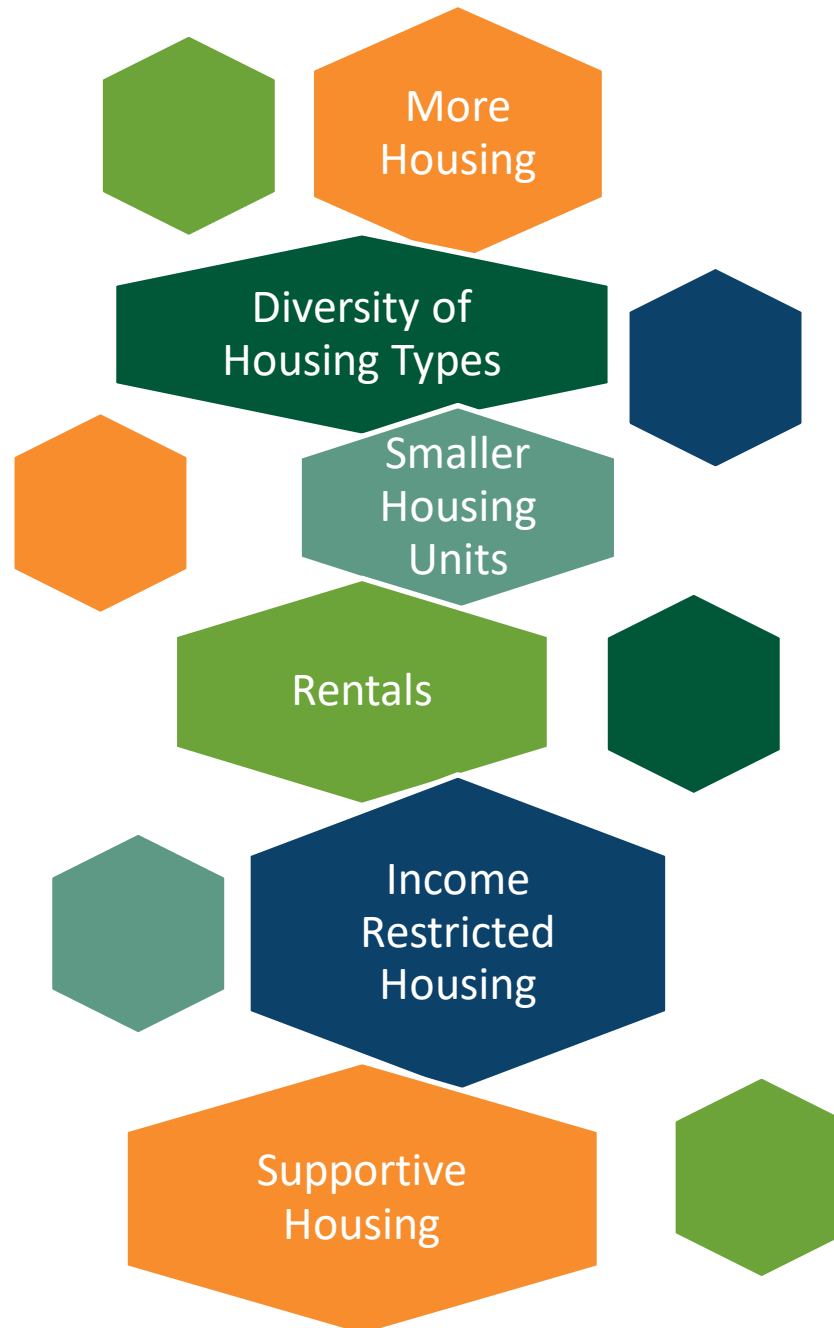
<https://www.housekeys1.com/>



1. Visit housekeys1.com
2. Events Calendar Page
3. Sign Up for the next available FAQ Friday or Saturday information session
4. Register Your Profile at myhousekeys.com

HouseKeys is an Affordable Housing Program Administrator who works alongside cities and builders to provide affordable housing opportunities to income-eligible households

How do we create affordable homes?



Supportive Housing



Measure A



- Generally, housing that is for people who earn 30% to 60% of the area median income
- Administered by the County and for people who were once homeless
- Apartments that have subsidies that cover a percentage of the monthly rent
- Tenants pay a total of one third of their income

Low Income Housing Apartments



- Open to the public to apply
- The price of the housing is less expensive than the cost in the private market and it is for people who earn 50% to 80% of the area median income
- There is usually no permanent source of financial assistance that will pay the tenant's portion of rent
- Typically, this type of project is built by nonprofit developers using the California Tax Credit & Bond Programs
- 2-bedroom apartment would rent from \$1,702 to \$2,042 (50%-80% AMI)

City's Inclusionary Housing Ordinance



Requires new residential projects to either:

- restrict 10% or 15% of total units at affordable prices;
- or pay a fee in-lieu of providing on-site units to facilitate the development of affordable housing by another entity

ORDINANCE NO. 2278 NEW SERIES

AN ORDINANCE OF THE CITY OF MORGAN HILL ADDING TITLE 14 "HOUSING" TO THE MORGAN HILL MUNICIPAL CODE INCLUDING CHAPTER 14.04 "INCLUSIONARY HOUSING" THAT MANDATES 15 PERCENT AFFORDABLE HOUSING UNITS FOR NEW RESIDENTIAL DEVELOPMENTS WITHIN THE CITY

WHEREAS, the Morgan Hill City Council desires to adopt a Citywide Inclusionary Housing Program to enhance the public welfare by establishing policies that require the development of housing affordable to households of very low-, low-, and moderate-incomes, enable the City to meet its share of regional housing needs, and implement the City's Housing Element goals and objectives; and

WHEREAS, a Citywide Inclusionary Housing Program will assist in alleviating the lack of available residential land for affordable housing because market-rate development will be required to contribute to the provision of housing affordable for all segments of the Morgan Hill community; and

WHEREAS, a Citywide Inclusionary Housing Program will also assist in meeting the demand for housing affordable to very low-, low-, and moderate-income households caused by the service demands of new residents in market-rate residential units; and

WHEREAS, since 1977, the City has amassed one of the largest below market-rate ("BMR") property portfolios in the State, and has established a BMR Program that provides affordable ownership and rental opportunities to low-income and moderate-income households; and

WHEREAS, the Legislature of the State of California has found that the availability of housing is of critical statewide importance, and that providing housing for all Californians requires the cooperative participation of state and local governments and the private sector; and

California Low Income Housing Tax Credit Program

The California Tax Credit Allocation Committee (TCAC) :

- Facilitates the investment of private capital into the development of affordable rental housing for low-income Californians
- TCAC allocates federal and state tax credits to the developers of these projects
- Corporations provide equity to build the projects in return for the tax credits

Who Helps us Build and Fund Affordable Housing?

Nonprofit Affordable
Housing Developers

Market Rate
Developers

County of Santa
Clara

State Low Income
Housing Tax
Credit Program

Housing Authority of
the County of Santa
Clara

Inventory

1 in 8 Homes is Affordable

- 1,780 Total
 - 560 BMR Ownership
 - 1220 Affordable Rentals
- 839 Mobile Homes



Housing and Community Development Department (HCD)

- Certification of the Housing Element, demonstrating how the community will meet the existing and projected housing needs
- Oversight of the implementation of the Housing Element
- Oversight of the Regional Housing Need Allocation (RHNA, the number of new homes that a city is "assigned" in each income category to produce)



Regional Housing Needs Allocation (RHNA)

- The City is in its fifth RHNA Housing Element Cycle
- The current housing element “cycle” is for the Planning Period:
January 31, 2015 – January 31, 2023

Housing Element Strategy 2015-2023



- Build new housing to meet the full range of future community housing needs, including affordability and accessibility
- Build housing for groups with special needs
- Ensure a range of housing types for all age groups, served by transit, recreational amenities, shopping and health and personal services, that allow residents to age in place
- Preserve and rehabilitate existing affordable housing in the community

City of Morgan Hill

Housing Element

Adopted February 18, 2015

**Next Housing Element
Due
for certification
by January 2023**

Current 8 Year RHNA Achievements and Deficit

- A deficit of 193 Very Low-Income Units (building permits must be issued by December of 2022)
- The City exceeded the Low, Moderate, and Above Moderate Unit Allocations
- Currently there are six 100% rental affordable projects in the development pipeline that will yield approximately 554 units of which 256 are Very Low-Income. Although Entitlements are underway, the financing is competitive, therefore the exact timing of when they will all come to fruition is unknown

Housing Projects Submitted

Updates on all significant projects can be found here:

<http://www.morgan-hill.ca.gov/1958/Development-Projects>

City staff provides a quarterly update on projects to City Council



The Regional Housing Need Allocation (RHNA)



- The RHNA process is the part of Housing Element Law used to determine how many new homes, and the affordability of those homes, each local government must plan for in its Housing Element
- The upcoming cycle the Bay Area is planning for is from 2023 to 2031
- ABAG, through the Housing Methodology Committee (HMC), creates a formula that distributes a share of the region's housing need to each city, town and county in the region

Morgan Hill's Next RHNA Assignment is Comparable to the Last Cycle 928 vs 1,037

Income Level	2023-2031	
	Units	Percent
Extremely Low	131	12.5%
Very Low	131	12.5%
Low	151	15%
Moderate	174	17%
Above Moderate	450	43%
Total	1,037	100%

Source: Association of Bay Area Governments, 2021

Affirmatively Furthering Fair Housing and the Housing Element



- Effective January 1, 2019, Assembly Bill 686 (AB 686) introduced a duty to affirmatively further fair housing into California state law
- Starting in January 2021, California law requires that Housing Elements include an Assessment of Fair Housing (AFH). This applies to all jurisdictions
- Housing Elements must factor the AFH into the housing sites inventory and include goals, policies and/or programs to combat discrimination, overcome patterns of segregation and foster inclusive communities

Current Efforts

- Partner with the County of Santa Clara and the Development Community to produce affordable homes
- Set aside units for our unhoused neighbors
- Programmatically strive for achieving the RHNA Housing goals in each income category
- The City of Morgan Hill endorsed the Community Plan to End Homelessness on December 2, 2020
- On June 2, 2021, the City received a Capacity Building Grant from Destination Home to develop a local implementation plan and to support a Full Time Homeless Specialist to work directly with our unhoused community members

Takeaways from This Workshop:



1. Affordable housing is for the benefit of our families and supports everyday heroes
2. The State requires cities to build Affordable Housing, meeting the City's goals is directly correlated to retaining local control
3. Building Affordable Housing is necessary to be inclusive and to meet the needs of all of our community members
4. Creating affordable housing by design includes building different housing types (smaller homes, rental product, etc.)
5. Obtaining State tax credits for affordable housing projects is an expensive, competitive, prolonged, and arduous process

Housing & Long-Term Sustainability Workshop

June 23, 2021

Follow the Housing Conversation at:

[https://www.morgan-hill.ca.gov/2162/2021-Housing-
Conversation](https://www.morgan-hill.ca.gov/2162/2021-Housing-Conversation)

QUESTIONS?



CITY OF MORGAN HILL

Ownership Housing Market Data



- Single family home listings 22 Days on Market, on average
- Average sale price: \$1,159,317
- Median sale price: \$1,099,000
- Average square footage: 2,468
- Sold price: High \$3,300,000
- Low \$419,200

Morgan Hill Market Rate Rents



Current Average: \$2,644/ month 11% increase compared to the previous year

1-2 bed/1-2 bath. Diamond Creek \$2,400-\$2,830/mo

1-2 bed/1-2 bath. Monte Vista \$2,355-\$3,030/mo

1-2 bed/1-2 bath. Morgan Ranch \$2,619-\$3,710/mo

1-2 bed/1-2 bath. Sunsweet \$2,790 - \$4,120/mo

3 bed/ 3 bath. \$3,950

2 bed/1 bath. \$2,450

1 bed/1bath. \$1,950

Source: Rental Café, May 2021 & Trulia 5/11/2021

2021 DROUGHT RESPONSE & PLANNING

Action and Engagement





Outline

- City Water System and Sources
- Statewide Water Perspective
- Regional Water Perspective
- City Response Plan
- Communication and Customer Engagement

City Water System and Sources

- City Gets 100% of Water Delivered from Groundwater
- Groundwater (Natural Recharge + Imported Water)
- Imported Water Travels Through Delta

Santa Clara Valley Water District

Legend

- Local drinking water treatment plant
- Cities
- Lakes, reservoirs, rivers, bays & the delta
- Mokelumne Aqueduct
- Hetch Hetchy Aqueduct
- Delta Mendota Canal
- South Bay Aqueduct
- California Aqueduct
- San Felipe Project
- Coastal Aqueduct
- Los Angeles Aqueduct
- Colorado River Aqueduct
- Jones Pumping Plant
- H.O. Banks Delta Pumping Plant
- South Bay Pumping Plant
- O'Neill Pumping Plant
- Pacheco Pumping Plant
- Coyote Pumping Plant

Santa Clara County by the numbers

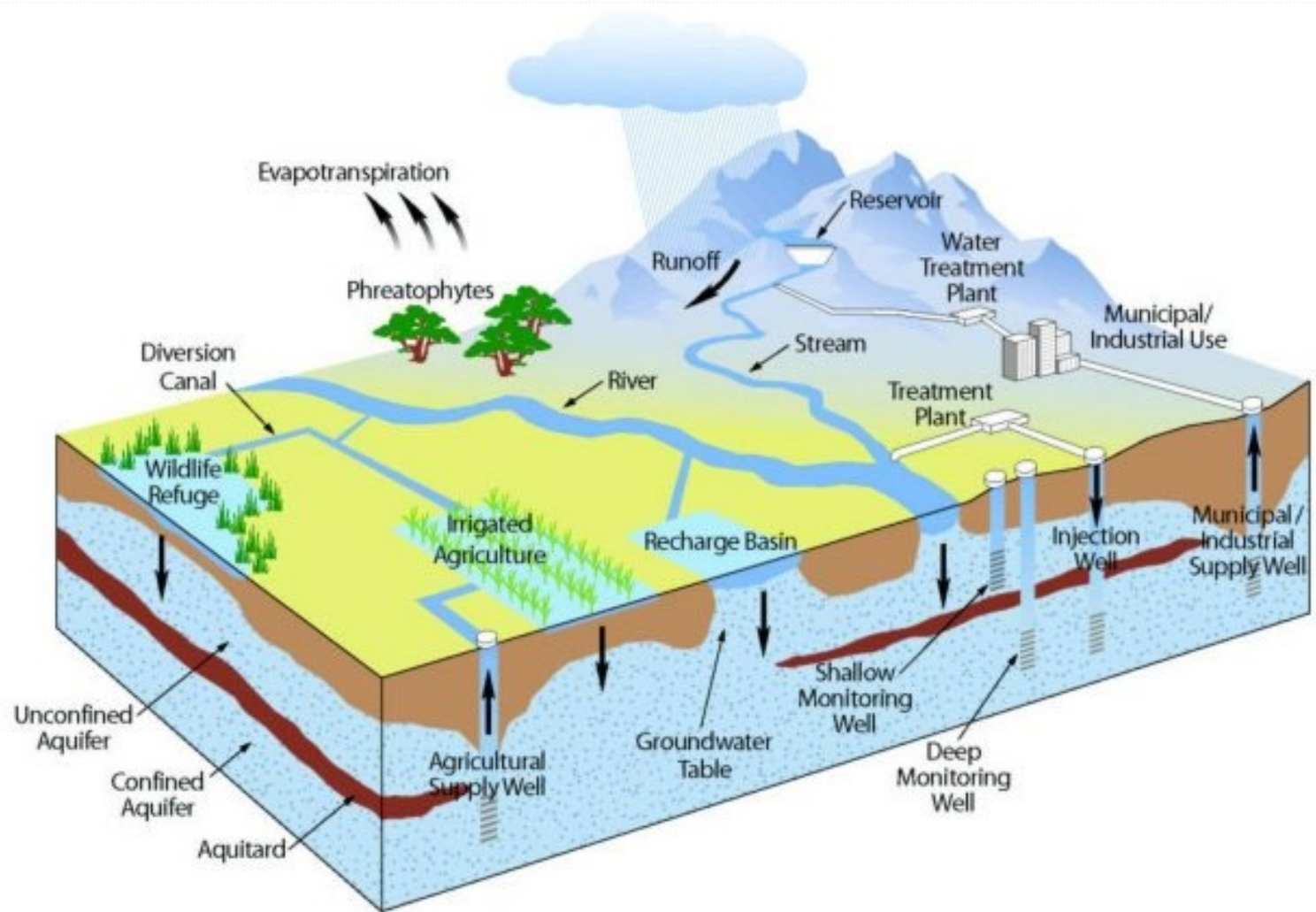
- 30% local water**
 - 15% natural groundwater
 - 10% from reservoirs to groundwater
 - 5% from reservoirs to drinking water treatment plants
- 55% imported water**
 - 15% thru Delta to replenish groundwater
 - 25% thru Delta to drinking water treatment plants
 - 15% from Hetch Hetchy system
- 5% recycled water**
- 90%**
- 10% savings needed**
- 100%**

a closer look

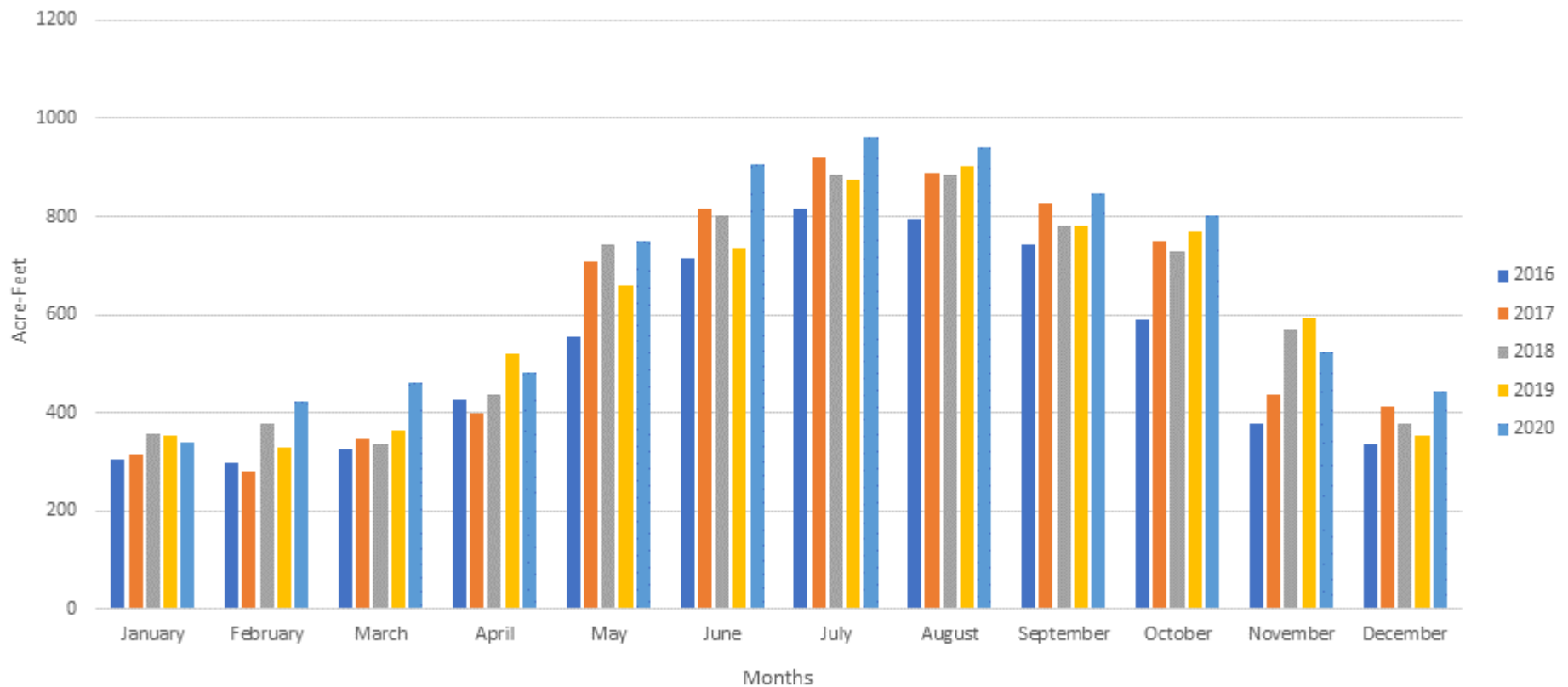
Water supplies

graphical representation—not to scale

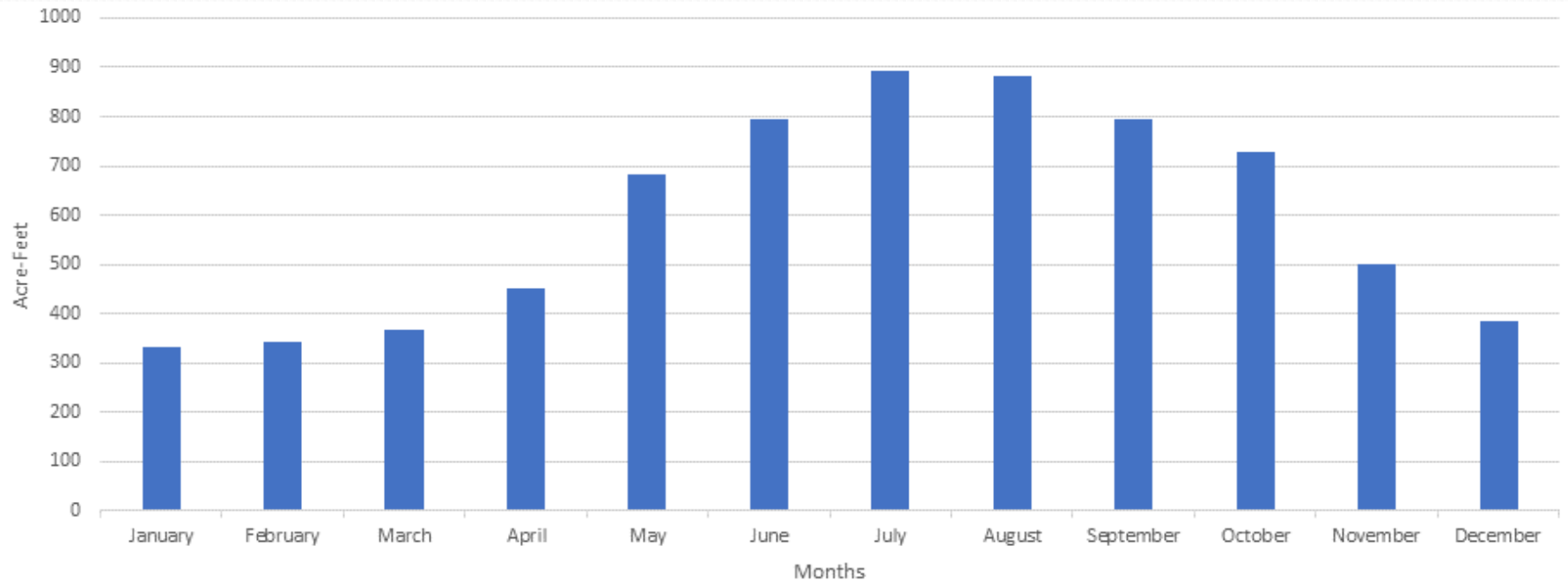




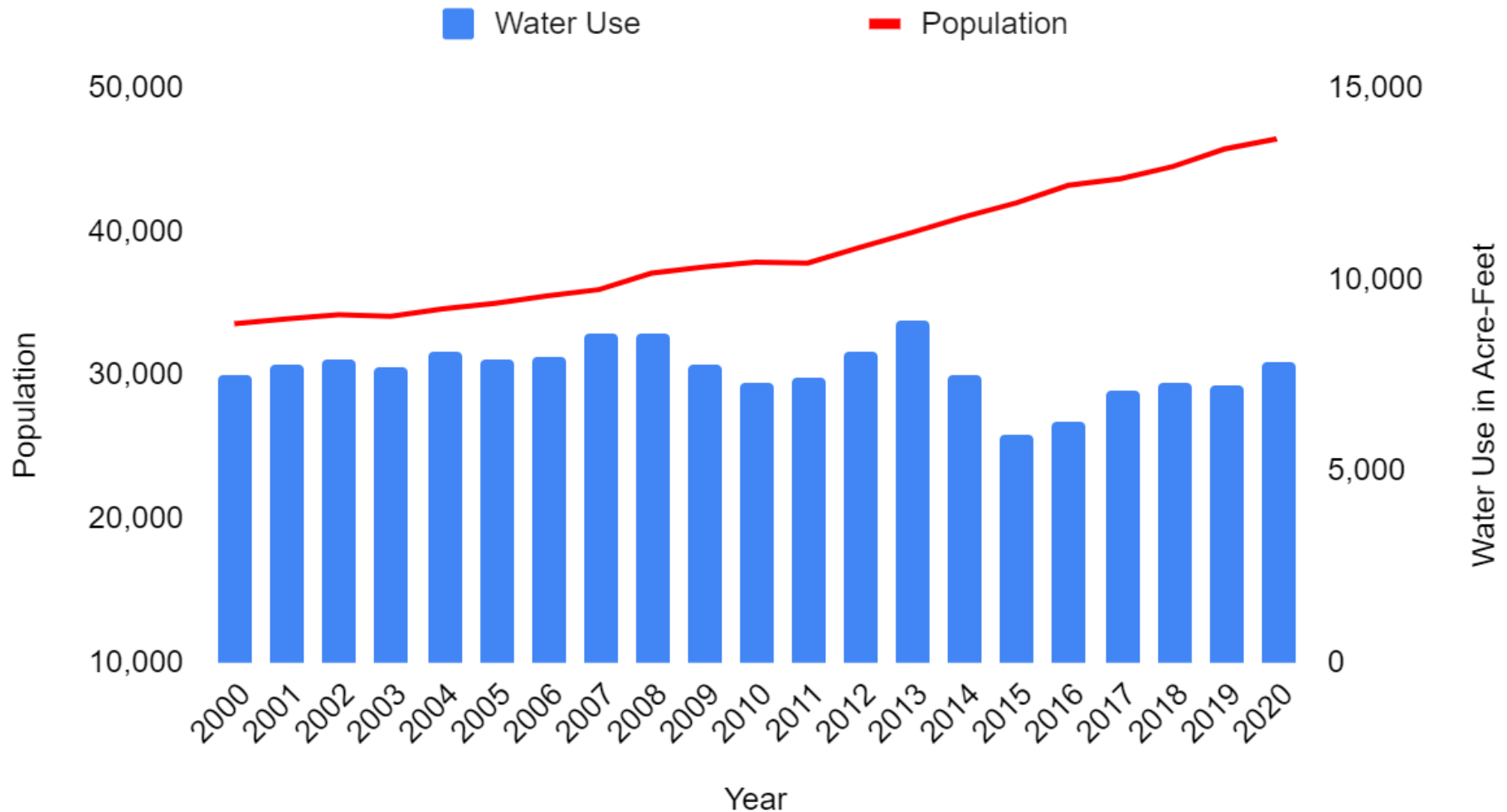
Monthly Water Use



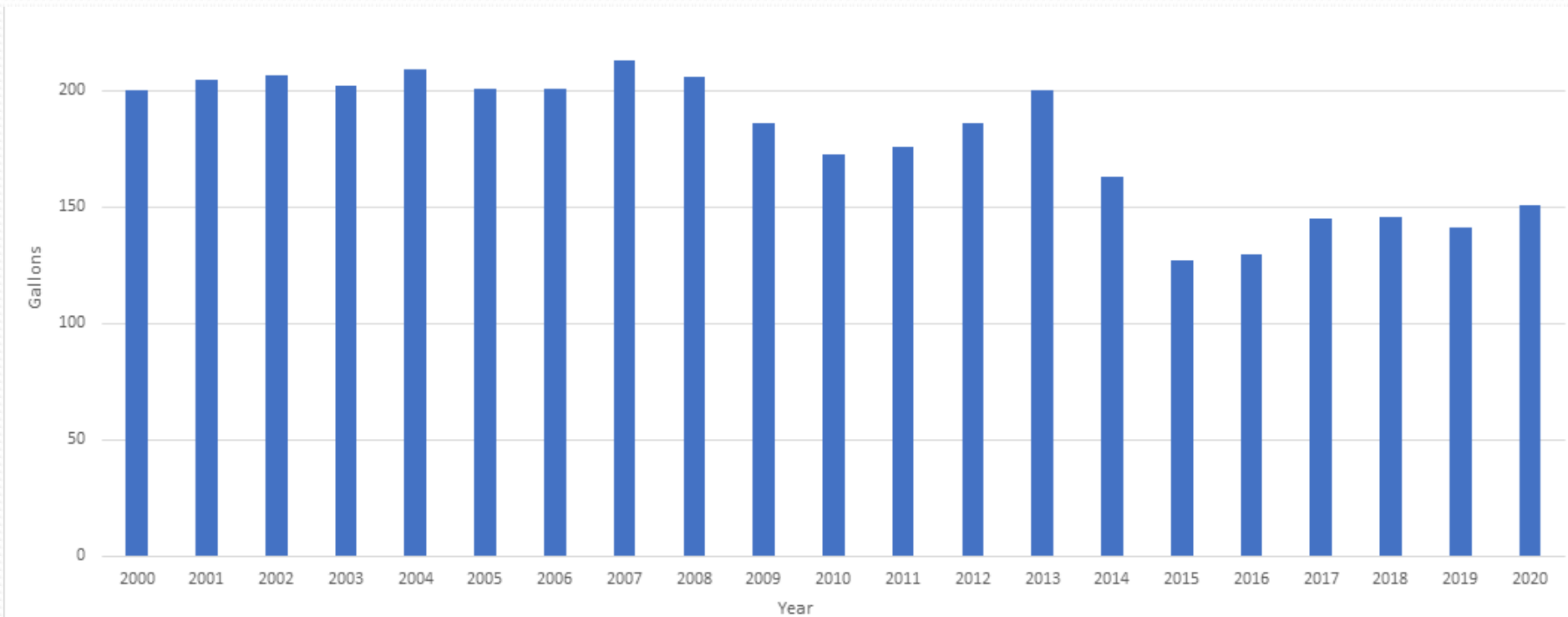
Average Monthly Water Use



Morgan Hill Population and Water Use 2000 - 2020



Water Use Daily Per Person



Statewide Water Perspective

- Second Consecutive Very Dry Year
- Governor's Emergency Drought Proclamation for Much of State
- Agriculture Getting 0% Allocations from Federal Projects
- Imported Water Allocations to Cities are Drastically Reduced
- Winter Rains = Drop in an Empty Bucket

Regional Water Perspective

- Valley Water Started 2021 in Good Condition Despite Dry Conditions (approximately 300,000 acre-feet in local groundwater storage)
- Increased Voluntary Conservation Request from 20% to 25% in Spring
- Due to Sudden Cutback on Imported Water, Increased Request to 33% (compared to 2013) on June 9th in Emergency Resolution

City Response Plan

- City Response to Water Shortages Codified in Ordinance 1932 Adopted in 2009 & Subsequently Amended (minorly)
- Establishes Permanent Water Waste Rules
- Establishes Operational Strategy for Water Shortages
- Operational Plan is Component of City's Urban Water Management Plan as Approved by the State

Permanent Water Waste Rules

- **Limits on Watering Hours, Days, and Duration**
- **No Excessive Water Flow or Runoff**
- **No Washing Down Hard or Paved Surfaces**
- **Obligation to Fix Leaks, Breaks or Malfunctions**
- **Recirculating Water Required for Water Fountains and Decorative Water Features**
- **Limits on Washing Vehicles**
- **Drinking Water Served Upon Request Only**

Permanent Water Waste Rules

- **Commercial Lodging Establishments Must Provide Guests Option to Decline Daily Linen Services**
- **No Installation of Single Pass Cooling Systems**
- **No Installation of Nonrecirculating in Commercial Car Wash and Laundry Systems**
- **Restaurants Required to Use Water Conserving Dish Wash Spray Valves.**
- **Commercial Car Wash Systems**

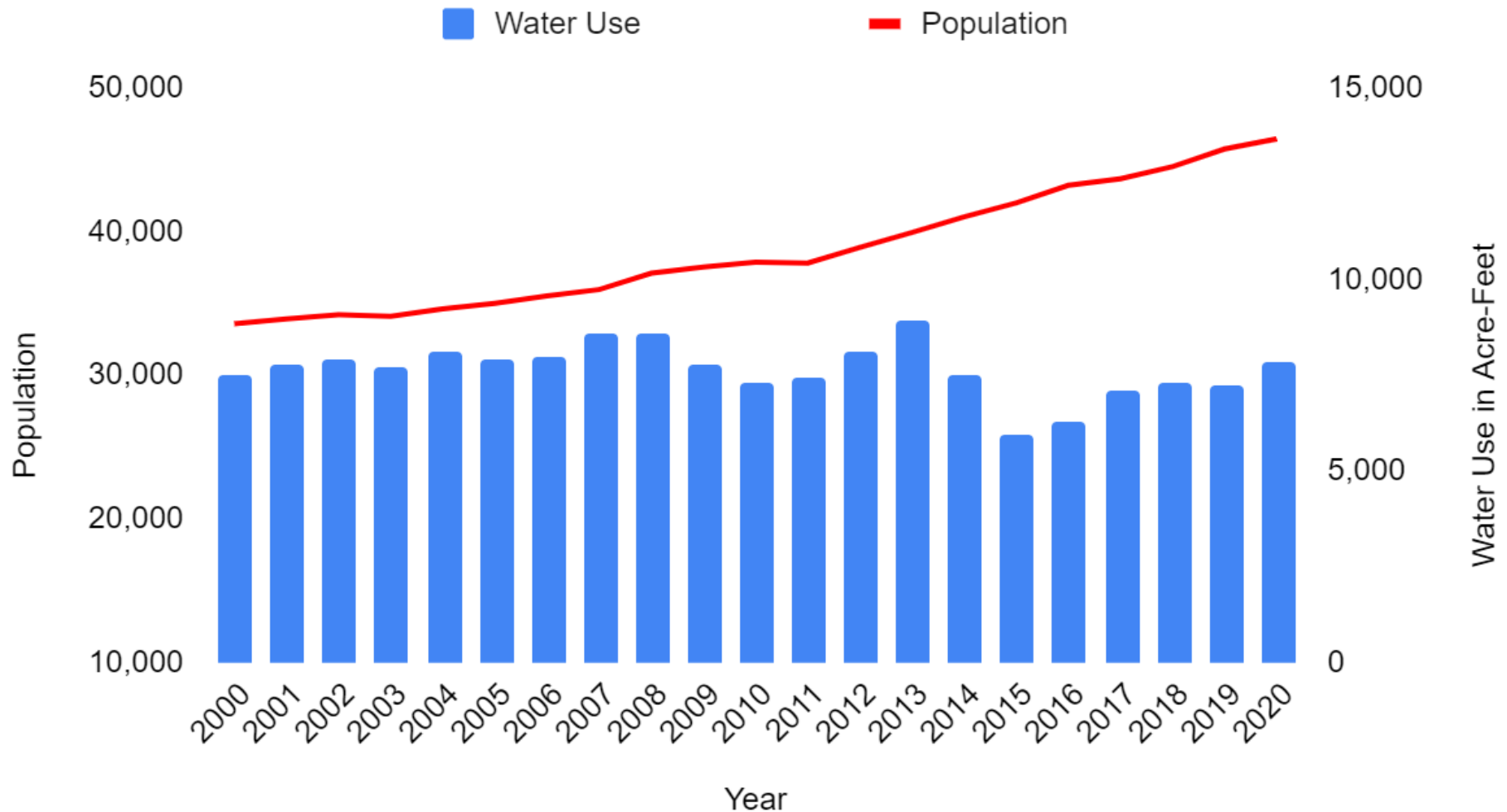
Recommendation for 2021: Level Two Supply Shortage

- **All Level 1 and Permanent Rules Remain in Place**
- **Limits on Watering Days.** Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to a maximum of two days per week during the months of April – October and one day per week from November – March.
- **Obligation to Fix Leaks, Breaks or Malfunctions.** All leaks, breaks, or other malfunctions must be repaired within 48 hours of notification by the city unless other arrangements are made with the city.
- **Vehicle Washing.** Washing of cars prohibited except at commercial facilities recycling water

What About Growth?

- City law indicates building permits may be withheld when reductions above 40% are called for
- California State Law now dictates that any residential moratoriums are subject to review by the Housing and Community Development (HCD) Department
- HCD approval is highly unlikely
- New development highly efficient

Morgan Hill Population and Water Use 2000 - 2020



What are the Big Takeaways

- We are asking residents and businesses to water less often. Landscapes will stay alive, but not look great.
- Hardship variances are available for unique circumstances
- We will seek compliance cooperatively
- Limits on growth are only called for when reductions in use exceed 40% and are then subject to HCD review
 - which will likely not be given

Communication/Engagement/ Enforcement

- Inform Customers Using Wide Variety of Methods (mailer, bill insert, electronic messaging, posters, etc.)
- Educate During Initial Enforcement Actions (Light Touch)
- Solicit Educational Partners
- Engagement Via WaterSmart

City Department Drought Responses

- Reducing the City's landscape irrigation dramatically
- Escalating the City's response to water leaks
- Reducing the use of water in fire drills and training
- Washing fire engines only as necessary
- Evaluating all plumbing fixtures to ensure they are low flow and replacing fixtures as needed at all fire stations

City Department Drought Responses

- Modifying fire hydrant testing and maintenance to reduce water consumption
- Adjusting water system flushing schedules
- Reprogramming pool filtration equipment to eliminate unnecessary backwashing operations
- Increasing frequency of irrigation checks to reduce irrigation overspray and minimize water waste in the landscape

Recommended Actions

- Adopt Resolution Declaring a Level 2 Water Supply Shortage and Amending Budget
- Direct Staff to Evaluate Program Options to Enhance the Resiliency and Sustainability of City Water Supplies and Include in Urban Water Management Plan





Special - 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, June 16, 2021 5:30 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 <<mailto:ccpubliccomment@morganhill.ca.gov>>

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

SPECIAL/REGULAR MEETING

A special meeting of the City Council is called at 5:30 p.m. for the purpose of conducting a Housing Affordability Workshop.

5:30 p.m. Housing Affordability Workshop

7:00 p.m. Regular Meeting

SPECIAL MEETING

5:30 p.m. Housing Affordability Workshop

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

WORKSHOP

This workshop is the third in a series of Housing Workshops that will look at the current and future state of housing in Morgan Hill. This workshop is called "Housing Affordability." Staff will present and discuss the following:

- What is considered affordable housing?
- What are the different ways these units are built and by who?
- Who is the housing for?
- What agencies work on affordable housing?
- City's history of affordable housing production.
- Current City efforts.

REGULAR MEETING

7:00 p.m.

The City Council has adopted a policy that regular meetings shall not continue beyond 11:00 p.m. unless extended by a majority of the City Council.

PRESENTATIONS

YAC Presentation- Asset #33- Interpersonal Competence

PROCLAMATIONS

Proclaiming June 19, 2021 as Juneteenth

RECOGNITIONS

Recognizing the many volunteers who staffed the Morgan Hill Safeway/Albertsons Companies COVID-19 vaccination clinics

CITY COUNCIL REPORTS

Council Member Yvonne Martinez Beltran

June 16, 2021

CITY MANAGER'S REPORT

City Manager Christina Turner

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin

OTHER REPORTS

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. RECEIVE REPORT REGARDING USE OF PROPOSITION 68 PARK GRANT FUNDING

Recommendation:

Receive report on potential use of Proposition 68 Per Capita Grant Funding and anticipated use for Community Park improvements.

2. ADOPT THE 2021 SANTA CLARA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI), A PROGRAM UNDER THE COMMUNITY RATING SYSTEM OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NATIONAL FLOOD INSURANCE PROGRAM

Recommendation:

1. Adopt the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information (PPI), a program under the Community Rating System of the Federal Emergency Management Agency's National Flood Insurance Program; and
2. Approve the implementation of the 5-Year PPI Plan for the Community Rating System Program.

3. ADOPT RESOLUTION AMENDING FY 2021-2022 BUDGET TO SUPPORT A PILOT PRIVATE SEWER LATERAL GRANT PROGRAM

Recommendation:

1. Direct staff to implement a Pilot Private Sewer Lateral Grant Program; and
2. Adopt resolution amending the FY 2021-2022 Adopted Budget by \$100,000 to support the Program.

4. APPROVE THIRD AMENDMENT TO SUBDIVISION IMPROVEMENTS AGREEMENT FOR DUNNE MURPHY - TRACT NO. 10387

Recommendation:

1. Approve Third Amendment to Subdivision Improvements Agreement;
2. Authorize the City Manager to execute the Third Amendment to the Subdivision Improvements Agreement with Nordstrom Cal Homes, LLC; and
3. Authorize the recordation of the Third Amendment to the Subdivision Improvements Agreement.

5. APPROVE PURCHASE OF THREE POLICE VEHICLES AND TWO POLICE MOTORCYCLES

Recommendation:

1. Approve the purchase and build out of three vehicles from Priority 1 Public Safety Equipment and two motorcycles from BMW of Long Beach for a total amount not to exceed \$395,502;
2. Authorize the City Manager to approve the purchases with Priority 1 Public Safety Equipment Installation, Inc. and Long Beach BMW; and
3. Authorize the auction of 2006 Ford Van F350-Transport Van #122 and 2003 Ford F250 Truck ASO truck #147 as necessary following their temporary use assignments.

6. APPROVE SEVENTH AMENDMENT TO CENTENNIAL RECREATION CENTER PARTNERSHIP AGREEMENT WITH THE YMCA OF SILICON VALLEY

Recommendation:

Authorize the City Manager to execute a seventh amendment to the Centennial Recreation Center Operating Agreement with the YMCA of Silicon Valley.

7. APPROVE THE MAY 5, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

8. APPROVE THE MAY 19, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

9. APPROVE THE MAY 26, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

10. APPROVE THE JUNE 2, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

PUBLIC HEARING

11. ADOPT RESOLUTION ORDERING ANNUAL ASSESSMENTS AND RELATED ACTIONS FOR CITY OF MORGAN HILL LANDSCAPE ASSESSMENT DISTRICT NUMBER 1 (DISTRICT)

Recommendation:

1. Open and close the Public Hearing; and
2. Adopt resolution confirming Fiscal Year (FY) 2021-22 annual assessments and ordering the levy of assessments for the District.

Estimated Time: 5 Minutes

OTHER BUSINESS

12. RECEIVE MONTHLY BUDGET UPDATE AND APRIL 2021 FINANCIAL AND INVESTMENT REPORTS

Recommendation:

Accept and file report.

Estimated Time: 15 Minutes

13. ADOPT RESOLUTION DECLARING LEVEL 2 WATER SUPPLY SHORTAGE

Recommendation:

Adopt resolution declaring a Level 2 Water Supply Shortage and amending adopted budget.

Estimated Time: 60 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, equitable, 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 Equity, Diversity, and Inclusiveness
- Advancing Regional Initiatives
- Advocating for Local Control

2020-2021 Strategic Priorities

- **Fiscal Sustainability**
- Affordable Housing and Homelessness
- Community Outreach, 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.





"Diversity in Growth"

June Developmental Asset #33:

Interpersonal Competence

July Developmental Asset #25:

Reading for Pleasure

August Developmental Asset #7:

Community Values Youth



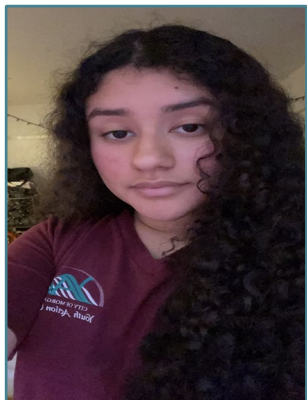
June

Developmental Asset #33

Interpersonal Competence

Young person has empathy, sensitivity, and friendship skills.

Giselle Naranjo, Secretary



Why is it important for a young person to have empathy, sensitivity and friendship skills?

- Empathy: allows to **reflect on behavior**
- Sensitivity: allows youth to have **compassion and connect with one another**
- Friendship skills: helps build **communication and social skills**





July

Developmental Asset #25

Reading for Pleasure

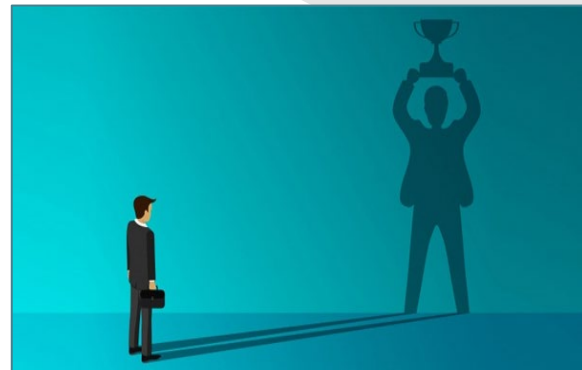
Young person reads for pleasure three or more hours per week.

Agnes William, Co DA Ambassador



In what ways does reading for pleasure benefit youth?

- Able to learn more things to be more **confident** in yourself and be engaged
- Vocabulary
- “Hidden Talent”
 - Part of your inner world and life experience





August

Developmental Asset #7

COMMUNITY VALUES YOUTH

Young person perceives that adults in the community value youth.

Alegria Serrano, Senior Member



Why is it so important for the youth to feel valued in a community?

- Helps teens realize that they are not alone
- Teens are the next generation of adults in our communities



Questions to Council:

- Can you tell us about a strong friendship you had that was beneficial to you?
- Is there a book that you have read that greatly impacted you, and if so, in what way?
- What is important to you as a city council member to help the youth feel more valued in the community?





City Council Meeting Item #12 Monthly Budget Update



June 16, 2021

Overview



- Monthly Budget Update
- Staff does not recommend any budget adjustments at this time

General Fund



- No changes to tax revenue since mid-cycle budget review last month
- Expecting better numbers in recreation revenues
 - Net loss of \$2.3 million versus \$2.8 million at mid-cycle review
- American Rescue Plan Act (ARPA) funding
 - \$11.0 million expected versus \$8.6 million forecasted previously
 - Additional ARPA appropriations recommendations in August

Development Services



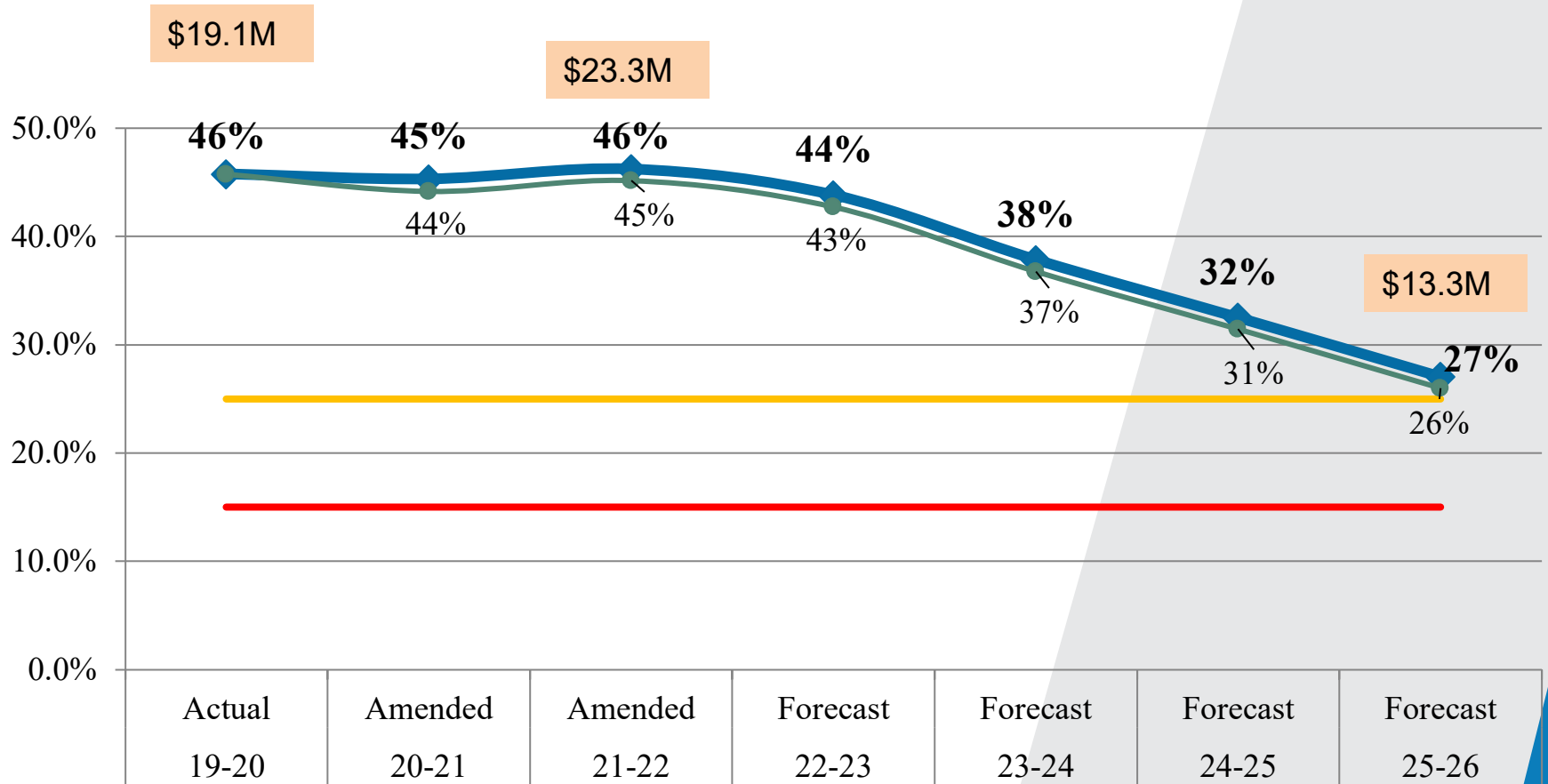
- Revenues are tracking higher than budget
- \$4.0 million received to date or 106% of budget (without \$1.0 million loan)

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
- Item on tonight's agenda to discuss drought and its projected impacts

Updated General Fund Forecast



— GF Six Year Forecast June 16, 2021

— Fund Balance Goal of 25% of Revenues

— Fund Balance Minimum Level of 15% of Revenues

— GF Six Year Forecast Mid-Cycle Review May 26, 2021

Unfunded General Fund Needs - \$5.2 million



- Police \$1.3 million
- Fire: \$2.3 million
- Infrastructure: \$0.6 million
- Operational loss due to RDCS suspension: \$1.0 million

Questions?



CITY OF MORGAN HILL

Juneteenth

Juneteenth is the oldest known celebration commemorating the abolition of slavery in the United States and the emancipation of African American slaves throughout the Confederate South;

President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring slaves in Confederate territory free, paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States of America;

word about the signing of the Emancipation Proclamation was delayed some two and half years, to June 19, 1865 in reaching authorities and African Americans in the South and Southwestern United States;

Juneteenth has been celebrated by the African American community for over 150 years

the City of Morgan Hill urges its residents to promote knowledge and appreciation of African American history and culture and become more aware of the significance of this celebration, while encouraging continuous self-development and respect for all people and cultures.

COVID-19 Vaccination Clinic Volunteers

The City of Morgan Hill would like to recognize the successful efforts of the volunteers who staffed the vaccination clinics at the Community and Cultural Center and Ann Sobrato High School during the months of April, May, and June

the vaccination clinics were run by the Safeway/Albertsons Companies with support from the Morgan Hill Rotary Club, Morgan Hill Unified School District, and Community Emergency Response Team (CERT) members

this collaborative team volunteered many hours to support the vaccination clinic operations with care and compassion to ensure our community members had a positive vaccination experience the "Morgan Hill way"

Public Comment
AGENDA DATE: 06/16/2021
SUPPLEMENT # 1

From: Chris Ghione <Chris.Ghione@morganhill.ca.gov>
Sent: Wednesday, June 16, 2021 6:26 AM
To: D. Muirhead <[REDACTED]>
Cc: Christina Turner <Christina.Turner@morganhill.ca.gov>; Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>
Subject: RE: [EXTERNAL] non-agenda comment on equity Morgan Hill City Council June 16 2021

Hi Doug,

Christina and Michelle forwarded your email to me for review and I wanted to reply with some basic information. I understand your point to the Council on addressing the impacts in staff reports and sharing your perspective with the Council, but I wanted to specifically address some of your concerns regarding Recreation functions.

With Covid-19 guidance for Fitness Centers, Amusement Parks, Youth Recreation Programs being provided by the multiple State agencies and the County over the past several months it has been extremely difficult to plan for the operations of our Recreation facilities. The City is also struggling to train and bring back enough part-time staff to manage and run the our facilities. While facilities at many other Cities remain closed our team in Recreation has worked tirelessly on reopening our facilities. We have been forced to make decisions with information and guidance available and ever changing requirements. Knowing this many of the items you have referred to are not permanent and will change as we come out of Covid.

The Recreation Activity Guide was developed and put out prior to many operational items being finalized. It is located as part of our website and was not mailed. The information on the Aquatics Center was not included because it was not ready at the time the Recreation Activity Guide was produced. Other programs are in the same scenario. The information on the Aquatics Center website is just as available as in the Rec Guide at this time. However, we will share your thoughts on the best place to communicate with our team.

The Summer Access pass is the same cost as the normal CRC/Aquatics Center Membership for which Financial Assistance is offered and used. The pass was used to help promote programs and cost recovery that ultimately allows us to better provide financial assistance. Financial assistance is still available for the membership and we are happy to help anyone achieve that. Residents can call or email anyone at our facilities for this information. We will update our website and other information to make this very clear. Our team is very much looking to getting back to promoting financial assistance throughout our community as we emerge from Covid-19.

We did make fee adjustments to provide for fees that would help to recover costs for operating our facilities with many more requirements and lower attendance. These will be regularly as they always are.

Many items you are referring to are temporary and will change as we emerge to more normalized operations following Covid-19. Cash payments will be allowed again in the future and the advance registration requirement will eventually go away (this was a specific requirement when we were planning for summer).

We are always open to your ideas and further discussion.

Thanks,

Chris

Chris Ghione
Public Services Director
Engage With Us!

City of Morgan Hill
Community Services, Engineering and Utilities
17575 Peak Avenue, Morgan Hill, California, USA 95037

P: 408.782.9154 | C: 408.427.6196
chris.ghione@morganhill.ca.gov
morganhill.ca.gov | [facebook](#) | [twitter](#)

Sign up to receive news updates from the City of Morgan Hill!

-----Original Message-----

From: D. Muirhead <[REDACTED]>

Sent: Wednesday, June 9, 2021 12:40 PM

To: CC Public Comment <CCPublicComment@morganhill.ca.gov>

Subject: [EXTERNAL] non-agenda comment on equity Morgan Hill City Council June 16 2021

Hello City Council and Administration and Morgan Hill Residents,

There has been a lot of talk about equity in recent months.

I would like the Council to direct the Administration to add to staff reports a section on Equity Impact. This would be similar to the sections in County staff reports for Child Impact and Senior Impact.

I raise this issue because of the changes made to Recreation charges for Day Use and the Summer Access Pass. While the changes may be justified, the Administration does not explain the potential impact of the changes on an unknown number of community members.

We used to have a Resident Day Use rate of \$11 and a non-Resident rate of \$13 at the Aquatics Center.

That was replaced with a single

\$13 rate for all mid-Covid. The new Summer rate will be \$15.

Access to non-members is by advance on-line registration and payment by credit card. Note that neither the advance registration requirement nor the \$15 adult ticket fee are listed in the Summer 2021 Recreation Guide. I can only find them on the Aquatics Center web page.

There is a three-month Summer Access Pass. It also can only be paid by credit card. Financial Assistance is not available for the Summer Pass.

I have a bank account, credit card, and internet access.

I do not need nor qualify for Financial Assistance.

But these restrictions may prevent others from fulfilling the claim that the

"Access Pass may result in health, wellness, and fun
for the entire family!"

Doug Muirhead, Morgan Hill Resident

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.

Public Comment
AGENDA DATE: 06/16/2021
SUPPLEMENT # 2

**The City has made significant efforts to disregard our General Plan,
our Zoning Code and Title 17 (Subdivisions) of our Municipal Code**

Joe Baranowski
June 16, 2021



“The City had to make a significant effort to disregard this statement... [1]”

Morgan Hill 2035 EIR

» No specific development projects are proposed as part of the proposed Project (the General Plan update). Therefore, this EIR is a program-level EIR that analyzes the potential significant environmental effects of the adoption of the proposed Project. As a program EIR, it is not project-specific, and does not evaluate the impacts of individual projects that may be proposed under the General Plan. Such subsequent projects will require separate environmental review, when applicable as required by CEQA, which could be in the form of a Negative Declaration, Mitigated Negative Declaration, or a Subsequent EIR, to secure the necessary development permits. Therefore, while subsequent environmental review may be tiered from this EIR, this EIR is not intended to address project-specific impacts of individual projects.

[Section 2.2, EIR Scope, page 2-2. There are SIX other places where the same or similar language is stated in the 2035 EIR]

[1] http://morganhillca.iqm2.com/Citizens/Detail_Meeting.aspx?ID=2033 (page 12)



MORGAN HILL's (not some other city) Zoning Code

SPECIFIC PERMIT REQUIREMENTS

18.108.040

5. The proposed use will not be detrimental to the public health, safety, and welfare.
6. The proposed use would not have a substantial adverse effect in traffic circulation and on the planned capacity of the street system.
7. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.

18.108.040 – Design Permit

- A. **Purpose.** A Design Permit is a discretionary action that enables the City to ensure that proposed development exhibits high quality design consistent with the General Plan and any other applicable specific plan or area plan adopted by the City Council. The Design Permit process is also intended to ensure that new development and uses are compatible with their surroundings and minimize negative impacts on neighboring properties.
- B. **Review Authority.**
 - 1 The Community Development Director shall review and act on all Design Permit



MORGAN HILL's (not some other city) Zoning Code

18.108.050

SPECIFIC PERMIT REQUIREMENTS

- J. **Findings for Approval.** To approve a Design Permit, the review authority shall make all of the following findings:
1. The proposed project is consistent with the General Plan and any applicable specific plan, area plan, or other design policies and regulations adopted by the City Council.
 2. The proposed project complies with all applicable provisions of the Zoning Code and Municipal Code.
 3. The proposed project substantially complies with all applicable design standards and guidelines contained in the Design Review Handbook.
 4. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).
 5. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.
 6. The proposed project complies with all applicable Design Review criteria in Subsection H above.
 7. For new residential development, the project complies with commitments made through the Residential Development Control System (RDCS).



How to subvert the textual and common sense meaning of MH laws?

May 11th, 202 'legal review' presentation to Planning Commission:

CEQA

- Although a design permit is discretionary, design rarely triggers CEQA. Fairly recent decisions by the courts that affect CEQA review.
- While discretionary action typically triggers CEQA, “this rule applies only when the discretionary component of the project gives the agency the authority to mitigate environmental impacts.”
- Aesthetic issues, while in the province of local design review, are not within the province of CEQA. (McCorkle Eastside Neighborhood Group. v. City of St. Helena (2018) 31 Cal. App. 5th 80)
- Even if a statute grants an agency some discretionary authority over an aspect of a project, the project is ministerial for CEQA purposes if the agency lacks authority to address environmental impacts. (Protecting Our Water & Environmental Resources v. County of Stanislaus (2020) 10 Cal. 5th 479)



Both the Michael Lozeau and Kendra Hartmann legal briefs submitted to the City and included as part of the MHRGC appeal filing clearly explain why McCorkle is not instructive to Redwood (and in fact to any MH Design Permit). Morgan Hill residents truly need councilmembers to read those analyses. Please!



What about 'Protect Our Water' ?

- **Is what the staff showed the Planning Commission really the main lesson of the stated case as it applies to Morgan Hill?**

» The Supreme Court helpfully explained the the ministerial/discretionary distinction essentially build down to how the legislative policy makers have chosen to structure the agency's project approval process:

“If the permitting agency is empowered to disapprove or condition approval of a project based on environmental concerns that might be uncovered by a CEQA review, the project is discretionary.” [1]

[1] <https://www.ceqadevelopments.com/2020/08/28/supreme-court-holds-stanislaus-county-well-permit-decisions-under-state-standards-are-neither-categorically-ministerial-nor-categorically-discretionary-in-nature-rather-whether-ceqa-triggering-discr/#>



From: [Joseph Petix](#)
To: [CC Public Comment](#)
Subject: [EXTERNAL] Public Comment re: Cybersecurity
Date: Wednesday, June 16, 2021 9:54:59 AM

Public Comment for City of Morgan Hill

Regular Council Meeting

June 16, 2021

My name is Joe Petix and I am a Technology Advisor at Alvarez Technology Group (ATG). ATG is a technology and cybersecurity firm based in Monterey County. We are currently a vendor of many special districts and cities in Monterey, Santa Cruz and San Benito counties.

My comments today are regarding the ongoing, persistent cybersecurity threat specifically targeted at local government organizations. The critical function of government and critical infrastructure is literally under attack. We are briefed regularly by the Northern California Regional Intelligence Center and there is evidence that these attacks are going to increase in pace and intensity to disrupt the core of the education system of the United States. This information is being provided by the FBI, the Cybersecurity and Infrastructure Security Agency and The White House. If you would like further information regarding these reports, please let me know.

The time to act is now.

There is a national set of standards for proper cybersecurity practices maintained by the National Institute for Standards and Technology called the NIST Cybersecurity Framework.

One of the core principles is that cybersecurity is now a top-down effort that requires the Board to be primarily responsible for driving cybersecurity efforts. As members of the Board, you must be actively involved in making sure that your systems are protected, as best as reasonably possible to ensure that you are able to safely deliver services to your community.

There is an Executive Order issued by The White House, which requires critical infrastructure to comply with the national cybersecurity standards. We fully expect to see a continuation and expansion of these Executive Orders.

I urge the Board to take emergency action to begin the process of securing your computer systems and network infrastructure. The published guidance is that you should be engaging with a 3rd party, certified Managed Security Services firm as soon as possible.

Please feel free to contact me at Alvarez Technology Group for further information or reach out to your provider of choice. Again, I urge you to recognize the immediate threat against your ability to safely deliver services to your constituents.

Joe Petix

Technology Advisor

jpetix@alvareztg.com

T: (831) 753-7677 Ext. 1279

209 Pajaro Street • Suite A • Salinas, CA 93901



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Supplement & Presentation List

June 16, 2021

City Council Meeting

Supplements

Public Comment- Supplement 1- Email from Doug Muirhead w/ response from Chris

Public Comment- Supplement 2- Presentation from Joe Baranowski

Public Comment- Supplement 3- Email from Joseph Petix

Item 13- Supplement 1 – Drought – Q&A

Item 13- Supplement 2 – Drought – Email from Steve Herschbach w/ response from MB

Item 13- Supplement 3 – Drought – Email from Joanne Nance

Item 13- Supplement 4 – Drought- Email from Dale & Noreen Miles

Item 13- Supplement 5 – Drought – Email from Dan Russo

Presentations

Housing Workshop- Staff Presentation

YAC Presentation

Item 12- Budget- Staff Presentation

Item 13 – Drought – Staff Presentation

From: Anthony Eulo <Anthony.Eulo@morganhill.ca.gov>

Sent: Friday, June 18, 2021 12:04 PM

To: sherschbach [REDACTED]

Subject: RE: [EXTERNAL] Level 2 water supply shortage

Hello Steve. Michelle asked me to assist in responding to your questions.

Thank you for the excellent questions.

During the last drought, California passed laws preventing HOA's from enforcing rules or guidelines that are not supportive of water-efficient landscaping. While there is a whole body of provisions on this issue, the most relevant would be [Civic Code Section 4735\(a\)\(3\)\(B\)](#).

In addition, unless you have an unusual irrigation system, we strongly believe that watering twice weekly will not result in a dead lawn and dying plants. The exception might be plants considered "high water use" plants that are planted in a sunny location. Those probably aren't suitable for a warming climate in a State undergoing water transitions due to climate change. It is worth noting that if you have a manageable number of plants you believe are at risk, you can certainly water them by hand on off-days or install a drip irrigation system that can be used more often and still be compliant with City regulations. I realize that this suggestion is not easy to apply to lawns. Many people believe that the days of expansive California lawns are over.

The City partners with Valley Water to match their base rebate amounts for landscape and irrigation conversions. Their normal rebate is \$1 per square foot and, with the City's match, equates to \$2 per square foot for City residents. With the drought, they have added an additional dollar so the total is \$3 per square foot as of July 1. In my experience, this is enough to do a basic water-efficient project – particularly if you are doing the work yourself and don't require a lot of river rock. (rock is expensive!) Using arbor mulch (a freely available product from tree trimmers) instead of purchased mulch is a cost saving tip. You can even do a base 3" coat of arbor mulch and then top it with purchased mulch (which is definitely a better-looking product) to get the best of both worlds.

Valley Water rebate information is [here](#). (They administer all aspects of the program, including the City match, so there is no need to apply or communicate with the City regarding a rebate.)

If you are interested in looking at some design templates, check out the [Landscape Designs](#) page at South Bay Green Gardens.

Please let me know if you desire any additional information.

Anthony Eulo (pronouns he/him/his)
Program Administrator

City of Morgan Hill

Community Services Department
17575 Peak Avenue, Morgan Hill, CA 95037

P: 408.340.4179 **C:** 408.921.6473

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

From: Steve Herschbach <[REDACTED]>

Sent: Friday, June 18, 2021 10:43 AM

To: Michelle Bigelow <Michelle.Bigelow@morganhill.ca.gov>; CC Public Comment
<CCPublicComment@morganhill.ca.gov>

Subject: RE: [EXTERNAL] Level 2 water supply shortage

Hi Michelle,

Thanks for your response.

I could argue several points in your email, but I won't. 😊

Given the tighter restrictions on watering days (2 per week), this will most certainly kill many of my plants and grass especially in these hot conditions.

Our HOA (Coyote Estates) requires us to keep our plants healthy and green. If not, then they fine us.

So will you be instructing HOAs not to levy fines during this Level 2 water supply shortage?

Also, will the city provide any rebates for those who may want to change to a more drought-tolerant landscape?

Thanks.

Steve

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

Sent: Wednesday, June 16, 2021 2:19 PM

To: Steve Herschbach <[REDACTED]>; CC Public Comment
<CCPublicComment@morganhill.ca.gov>

Subject: RE: [EXTERNAL] Level 2 water supply shortage

Good afternoon Steve,

Thank you for taking the time to share your thoughts and concerns with us. We have heard from several people concerned about this issue.

The City's Municipal Code contains our approved water shortage contingency plan and lays out the different levels of water supply shortage and the water use restrictions that accompany them. If the City Council does declare a Level 2 shortage this evening, there are some moderate restrictions of water use that will be instituted. The City did this in the past drought and successfully reduced water use with a tremendous level of community support. However, in a Level 2 shortage, there is no impact on building permits as that is not a measure that comes into play until a Level 3 shortage is declared. In a Level 3

shortage called for when reductions in water use greater than 40% are required, all irrigation is essentially eliminated. Also, in that case, there may be an impact on building permits. We have been counseled that the State Housing and Community Development Department will almost certainly not approve any restrictions in issuing residential building permits, even during these circumstances, due to the housing crisis. The laws have changed in this area, despite the City's aggressive lobbying efforts, and our Municipal Code is superseded.

I think we are all thankful that the situation is not currently that dire. If you are interested in seeing the different stages in the City's drought plan, they are specified [here](#) in the Municipal Code.

While thinking about growth during a water shortage is common, the correlation between growth and water use is weaker than one might expect. Incredibly, our entire County uses about the same amount of water now as it did 30 years ago. This is mostly due to new development being highly efficient (both indoors and out) and that people treat water more precious today than they did in the past. In our community, we used more water annually between 2000 and 2013 than we did between 2015 and 2019 - even with all of the development that has occurred during this time period and a warming climate.

With that said, there is much discussion in California about what changes climate change may bring to our water supply system. With this in mind, and in recognition that about 50% of the water consumed in Morgan Hill is imported from the Delta, staff will be focusing on this issue in the coming months and further analyzing approaches to ensure that the community has a resilient and sustainable water supply. We anticipate bringing back some program options for City Council consideration later this year.

Michelle Bigelow, MMC, CPMC
City Clerk/Interim Communications & Engagement Director
she | her | hers

City of Morgan Hill
City Clerk's Office
17575 Peak Avenue, Morgan Hill, CA 95037

D: 408.310.4678 **O:** 408.779.7259
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morganhill.ca.gov | [facebook](#) | [twitter](#)

From: Steve Herschbach <[REDACTED]>
Sent: Wednesday, June 16, 2021 11:57 AM
To: CC Public Comment <CCPublicComment@morganhill.ca.gov>
Subject: [EXTERNAL] Level 2 water supply shortage

Regarding the possibility of a Level 2 water supply shortage:

In addition to asking current residents and businesses to decrease water usage,

Have you also considered stopping any new building developments (residential and commercial/industrial)?

It doesn't seem to make sense to ask current residents and businesses to decrease water usage if at the same time we are adding many new buildings which will just make our water shortage issues worse.

Thanks.

Steve H.



City Council Meeting Housing Workshop #3 “Housing Affordability”



June 16, 2021

HOUSING CONVERSATION



- ✓ All Things Housing
 - ✓ State Mandates for Housing Production
 - ✓ Creating Inclusive Communities through Design Form
 - ✓ Affordable Housing 101 in Spanish
 - ✓ A Model for Agricultural Workforce Housing in South County
-
- **Affordability-** Today!
 - **Housing and Long-Term Sustainability** - June 23rd

<https://www.morgan-hill.ca.gov/2162/2021-Housing-Conversation>

Housing Mission

- Improve, preserve, and create safe, quality, rental and ownership housing in Morgan Hill for residents at all income levels
- Implementation of the Housing Element as part of its General Plan demonstrating how the community will meet the existing and projected housing needs
- Demonstrate the City's ability to provide for its "fair share" of affordable housing, comply with and support social justice and anti-discrimination housing practices, and support those that currently find themselves homeless

Who is Affordable Housing For?

Our Residents

Our Youth

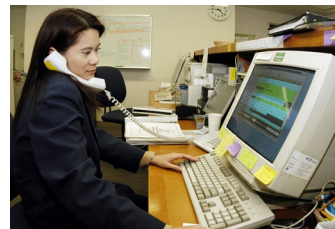
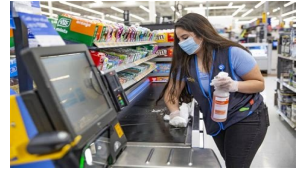
Our Aging population

Our Workforce

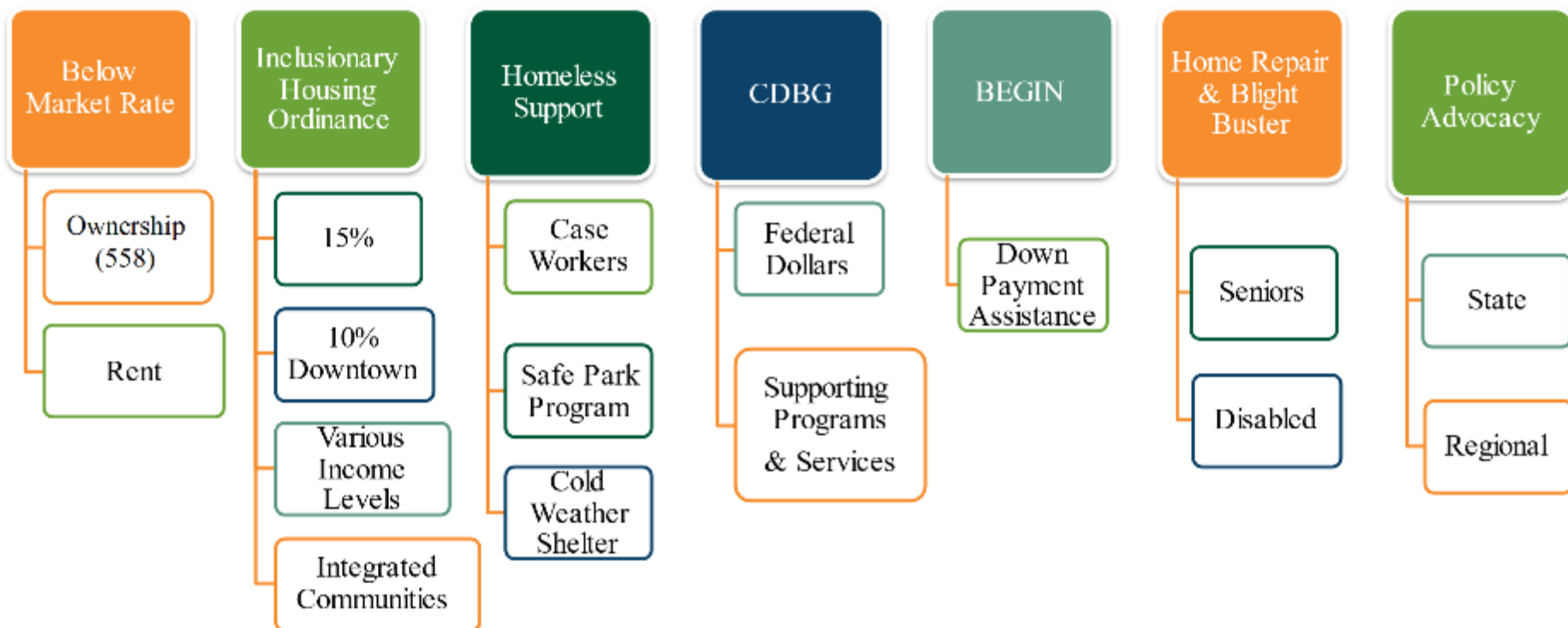
Our Service Providers

People with Special Needs

People getting priced out of the Bay Area....



HOUSING -Programs





Affordable Ownership & Rental Opportunities



What is Considered Affordable?

- Household pays a reduced price
- Consumes no more than approximately 30 percent of a household's gross monthly income
- Income qualification is required

Who and What Determines Eligibility?

- The U.S. Department of Housing and Urban Development (HUD) annually releases **income limits** that determines eligibility
- Area Median Income (AMI) – The median income of each county is based on all wage earners in the area, published by HUD and HCD to determine household eligibility, and updated annually
- The County of Santa Clara has one of the highest area median incomes (AMI's) in the country, at \$151,300 for a family of four

Income Limit Categories

- ELI - Extremely low income: 0-30% of AMI
- VLI - Very low income: 30% to 50% of AMI
- Low income: 50% to 80% of AMI
- Moderate income: 80% to 120% of AMI

California Housing and Community Development (HCD)

What is Considered Affordable Rental Housing?

Who is it for?

How do you Access it?



Rental Affordable Housing

- The household's rent, which includes utilities, is 30% or less than the household's income
- Eligibility is based on household size and income



How to Determine if you are Eligible for an Affordable Rental?

Affordable Rental Housing Income Limits Up to 80% Area Median Income



Household size	1	2	3	4	5	6	7	8
Extremely Low 0-30%	\$34,800	\$39,800	\$44,750	\$49,700	\$53,700	\$57,700	\$61,650	\$65,650
Very Low 30-50%	\$58,000	\$66,300	\$74,600	\$82,850	\$89,500	\$96,150	\$102,750	\$109,400
Lower 50-80%	\$82,450	\$94,200	\$106,000	\$117,750	\$127,200	\$136,600	\$146,050	\$155,450
Median	\$105,900	\$121,050	\$136,150	\$151,300	\$163,400	\$175,500	\$187,600	\$199,700
Moderate 80-120%	\$127,100	\$145,250	\$163,400	\$181,550	\$196,050	\$210,600	\$225,100	\$239,650

AFFORDABLE RENTAL RATES

# of Bedrooms	Extremely Low (30%)	Very Low (50%)	Lower (80%)	*Moderate (120%)
0 Bedroom	\$794	\$1,324	\$1,589	\$2,912
1 Bedroom	\$908	\$1,513	\$1,816	\$3,329
2 Bedrooms	\$1,021	\$1,702	\$2,042	\$3,744
3 Bedrooms	\$1,135	\$1,891	\$2,270	\$4,161
4 Bedrooms	\$1,226	\$2,043	\$2,451	\$4,494

Affordable Rentals (up to 80% AMI)

If you make up to \$117,750 for a 4-person family and up to \$82,450 for a 1-person family, you could qualify for Affordable Rental Housing

Rent Burdened

- 51% of rental households spend over 30% on rent
- The percentages are higher for households in the lower income tiers. For example, 69% of all households that earn under \$50,000 per year are rent burdened

How do you Access Affordable Rental Opportunities?

Affordable Housing Search

1. Visit city website for lists of affordable housing apartments (Housing Resource Guide)
2. Reach out to the community property managers and ask questions
3. If an apartment or the wait list is open, apply
4. If no apartment or wait list is open, try again later



<https://morgan-hill.ca.gov/DocumentCenter/View/19598/Housing-Resource-Guide-Updated-01-26-2021?bidId=>

Apartment Complex	Address	Phone	Property Manager	Population Served	Bedrooms
Alexander Station	2000 E. 1st St.	408-848-0777	Aperto	General	1-4 bedrooms
Aspen Grove	400 E. Esplanade	408-848-6400	Eden Housing	Agricultural worker	2-4 bedrooms
Cadbury Apartments	1111 Central St.	408-848-7115	Eden Housing	General	1-3 bedrooms
Cherry Blossom	1720 Monterey Rd.	408-848-6290	City of Gilroy	General	1-2 bedrooms
Comet Apartments	1675 Francisco St.	408-848-6400	Eden Housing	Families	1-3 bedrooms
Plaza Vantage	505 E. C. P. Ave.	408-847-4457	Carina Rescare	General	1-4 bedrooms
Gilroy Gardens	1220 Wilson Ave. #100	408-848-0052	Executive Manager	General	1-4 bedrooms
Gilroy Park	2800 Foothill Ave.	408-848-0009	Executive Manager	General	1-4 bedrooms
Harvest Park	171 Coleman	408-847-4456	Aperto	General	1-3 bedrooms
Uti Gardens	3800 City Ave.	408-848-8587	Jenna Lopez	General	1-3 bedrooms
Maple Gardens	544 Wilson Ct.	408-848-6400	Eden Housing	Agricultural worker	1-2 bedrooms
Monterey Gateway	6500 Monterey Rd.	669-285-7186	Danco	Seniors	Supportive services to 37 households, by referral only & 19 wait list households with no supportive services
Monterra Village	860-950 Monterey Dr.	408-848-6400	Eden Housing	Families	1-4 bedrooms
Monticello	1811 Monterey Dr.	408-848-0003	Eden Housing	Seniors 62+ & Families	1-3 bedrooms
Park View	1811 Pacific St.	408-842-4341	Maria Barton	Families	1-3 bedrooms
Plum Tree West	1000 West 1st St.	408-847-7009	Executive Manager	General	1-3 bedrooms
The Trees	2020 Esplanade St.	408-848-6400	Eden Housing	Agricultural worker	1-3 bedrooms
The Redwoods	9000 Main St.	408-848-0003	Eden Housing	Families	1-3 bedrooms
Sobrato Family Apartments	3200 Monterey Rd.	408-848-6400	Eden Housing	Families	1-3 bedrooms
Gilroy Studios	3200 Monterey Rd.	408-848-6400	Eden Housing	Homeless individual	1-3 bedrooms
Sunset Gardens	1750 Wilson Ave.	408-847-1333	Farmington	Seniors 62+	1-2 bedrooms
Village Green	750 E. 1st St.	408-848-0003	Eden Housing	Seniors 62+	1-2 bedrooms
Villa Esperanza	750 E. 1st St.	408-848-0003	Eden Housing	Seniors 62+	1-2 bedrooms
Whisper Manor	1511 W. 1st St.	408-847-4456	Eden Housing	Seniors 62+	1-2 bedrooms
Project Sentinel	1010 Church St. Suite 100	408-842-7400	Call them to request free list of affordable rentals	General	1-3 bedrooms
Agency that provides assistance in finding housing for persons with disabilities	1010 Church St. Suite 100	408-842-7400	Call them to request free list of affordable rentals	General	1-3 bedrooms
Gilroy Valley Independent Living Center	1010 Church St. Suite 100	408-842-7400	Call them to request free list of affordable rentals	General	1-3 bedrooms



What is Considered Affordable Ownership Housing?
Who is it for?
How do you Access it?

Affordable Ownership Income Limits (120% of AMI)

Household size	1	2	3	4	5	6	7	8
Extremely Low 0-30%	\$34,800	\$39,800	\$44,750	\$49,700	\$53,700	\$57,700	\$61,650	\$65,650
Very Low 30-50%	\$58,000	\$66,300	\$74,600	\$82,850	\$89,500	\$96,150	\$102,750	\$109,400
Lower 50-80%	\$82,450	\$94,200	\$106,000	\$117,750	\$127,200	\$136,600	\$146,050	\$155,450
Median	\$105,900	\$121,050	\$136,150	\$151,300	\$163,400	\$175,500	\$187,600	\$199,700
Moderate 80-120%	\$127,100	\$145,250	\$163,400	\$181,550	\$196,050	\$210,600	\$225,100	\$239,650

Maximum
Prices,
Below
Market Rate
Ownership

Unit Size

Moderate Income

Studio

\$437,079

1 Bedroom

\$512,102

2 Bedroom

\$581,842

3 Bedroom

\$651,001

4 Bedroom

\$704,718

5 Bedroom

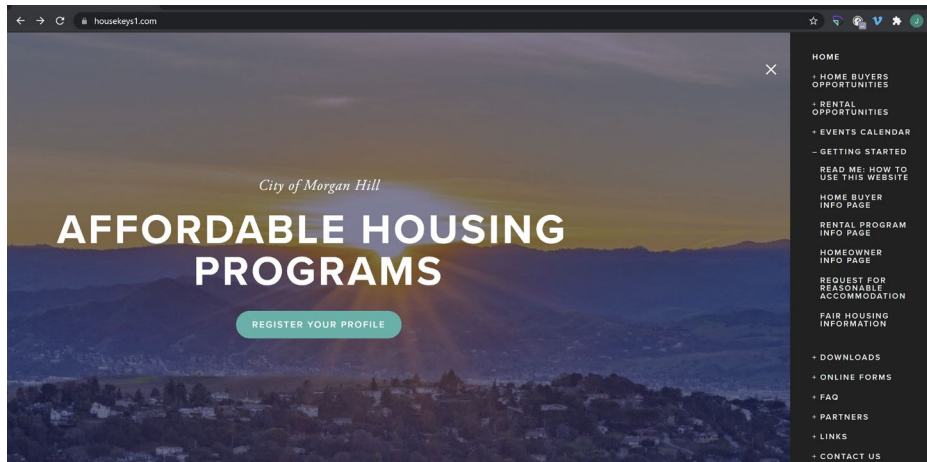
\$758,643

How to Access Ownership Opportunities?



<https://www.housekeys1.com/>

1. Visit housekeys1.com
2. Events Calendar Page
3. Sign Up for the next available FAQ Friday or Saturday information session
4. Register Your Profile at myhousekeys.com



HouseKeys is an Affordable Housing Program Administrator who works alongside cities and builders to provide affordable housing opportunities to income-eligible households

How do we create affordable homes?



Supportive Housing



Measure A



- Generally, housing that is for people who earn 30% to 60% of the area median income
- Administered by the County and for people who were once homeless
- Apartments that have subsidies that cover a percentage of the monthly rent
- Tenants pay a total of one third of their income

Low Income Housing Apartments



- Open to the public to apply
- The price of the housing is less expensive than the cost in the private market and it is for people who earn 50% to 80% of the area median income
- There is usually no permanent source of financial assistance that will pay the tenant's portion of rent
- Typically, this type of project is built by nonprofit developers using the California Tax Credit & Bond Programs
- 2-bedroom apartment would rent from \$1,702 to \$2,042 (50%-80% AMI)

City's Inclusionary Housing Ordinance



Requires new residential projects to either:

- restrict 10% or 15% of total units at affordable prices;
- or pay a fee in-lieu of providing on-site units to facilitate the development of affordable housing by another entity

ORDINANCE NO. 2278 NEW SERIES

**AN ORDINANCE OF THE CITY OF MORGAN HILL
ADDING TITLE 14 "HOUSING" TO THE MORGAN HILL
MUNICIPAL CODE INCLUDING CHAPTER 14.04
"INCLUSIONARY HOUSING" THAT MANDATES 15
PERCENT AFFORDABLE HOUSING UNITS FOR NEW
RESIDENTIAL DEVELOPMENTS WITHIN THE CITY**

WHEREAS, the Morgan Hill City Council desires to adopt a Citywide Inclusionary Housing Program to enhance the public welfare by establishing policies that require the development of housing affordable to households of very low-, low-, and moderate-incomes, enable the City to meet its share of regional housing needs, and implement the City's Housing Element goals and objectives; and

WHEREAS, a Citywide Inclusionary Housing Program will assist in alleviating the lack of available residential land for affordable housing because market-rate development will be required to contribute to the provision of housing affordable for all segments of the Morgan Hill community; and

WHEREAS, a Citywide Inclusionary Housing Program will also assist in meeting the demand for housing affordable to very low-, low-, and moderate-income households caused by the service demands of new residents in market-rate residential units; and

WHEREAS, since 1977, the City has amassed one of the largest below market-rate ("BMR") property portfolios in the State, and has established a BMR Program that provides affordable ownership and rental opportunities to low-income and moderate-income households; and

WHEREAS, the Legislature of the State of California has found that the availability of housing is of critical statewide importance, and that providing housing for all Californians requires the cooperative participation of state and local governments and the private sector; and

California Low Income Housing Tax Credit Program

The California Tax Credit Allocation Committee (TCAC) :

- Facilitates the investment of private capital into the development of affordable rental housing for low-income Californians
- TCAC allocates federal and state tax credits to the developers of these projects
- Corporations provide equity to build the projects in return for the tax credits

Who Helps us Build and Fund Affordable Housing?

Nonprofit Affordable
Housing Developers

Market Rate
Developers

County of Santa
Clara

State Low Income
Housing Tax
Credit Program

Housing Authority of
the County of Santa
Clara

Inventory

1 in 8 Homes is Affordable

- 1,780 Total
 - 560 BMR Ownership
 - 1220 Affordable Rentals
- 839 Mobile Homes



Housing and Community Development Department (HCD)

- Certification of the Housing Element, demonstrating how the community will meet the existing and projected housing needs
- Oversight of the implementation of the Housing Element
- Oversight of the Regional Housing Need Allocation (RHNA, the number of new homes that a city is "assigned" in each income category to produce)



Regional Housing Needs Allocation (RHNA)

- The City is in its fifth RHNA Housing Element Cycle
- The current housing element “cycle” is for the Planning Period:
January 31, 2015 – January 31, 2023

Housing Element Strategy 2015-2023



- Build new housing to meet the full range of future community housing needs, including affordability and accessibility
- Build housing for groups with special needs
- Ensure a range of housing types for all age groups, served by transit, recreational amenities, shopping and health and personal services, that allow residents to age in place
- Preserve and rehabilitate existing affordable housing in the community

City of Morgan Hill

Housing Element

Adopted February 18, 2015

**Next Housing Element
Due
for certification
by January 2023**

Current 8 Year RHNA Achievements and Deficit

- A deficit of 193 Very Low-Income Units (building permits must be issued by December of 2022)
- The City exceeded the Low, Moderate, and Above Moderate Unit Allocations
- Currently there are six 100% rental affordable projects in the development pipeline that will yield approximately 554 units of which 256 are Very Low-Income. Although Entitlements are underway, the financing is competitive, therefore the exact timing of when they will all come to fruition is unknown

Housing Projects Submitted

Updates on all significant projects can be found here:

<http://www.morgan-hill.ca.gov/1958/Development-Projects>

City staff provides a quarterly update on projects to City Council



The Regional Housing Need Allocation (RHNA)



- The RHNA process is the part of Housing Element Law used to determine how many new homes, and the affordability of those homes, each local government must plan for in its Housing Element
- The upcoming cycle the Bay Area is planning for is from 2023 to 2031
- ABAG, through the Housing Methodology Committee (HMC), creates a formula that distributes a share of the region's housing need to each city, town and county in the region

Morgan Hill's Next RHNA Assignment is Comparable to the Last Cycle 928 vs 1,037

Income Level	2023-2031	
	Units	Percent
Extremely Low	131	12.5%
Very Low	131	12.5%
Low	151	15%
Moderate	174	17%
Above Moderate	450	43%
Total	1,037	100%

Source: Association of Bay Area Governments, 2021

Affirmatively Furthering Fair Housing and the Housing Element



- Effective January 1, 2019, Assembly Bill 686 (AB 686) introduced a duty to affirmatively further fair housing into California state law
- Starting in January 2021, California law requires that Housing Elements include an Assessment of Fair Housing (AFH). This applies to all jurisdictions
- Housing Elements must factor the AFH into the housing sites inventory and include goals, policies and/or programs to combat discrimination, overcome patterns of segregation and foster inclusive communities

Current Efforts

- Partner with the County of Santa Clara and the Development Community to produce affordable homes
- Set aside units for our unhoused neighbors
- Programmatically strive for achieving the RHNA Housing goals in each income category
- The City of Morgan Hill endorsed the Community Plan to End Homelessness on December 2, 2020
- On June 2, 2021, the City received a Capacity Building Grant from Destination Home to develop a local implementation plan and to support a Full Time Homeless Specialist to work directly with our unhoused community members

Takeaways from This Workshop:



1. Affordable housing is for the benefit of our families and supports everyday heroes
2. The State requires cities to build Affordable Housing, meeting the City's goals is directly correlated to retaining local control
3. Building Affordable Housing is necessary to be inclusive and to meet the needs of all of our community members
4. Creating affordable housing by design includes building different housing types (smaller homes, rental product, etc.)
5. Obtaining State tax credits for affordable housing projects is an expensive, competitive, prolonged, and arduous process

Housing & Long-Term Sustainability Workshop

June 23, 2021

Follow the Housing Conversation at:

[https://www.morgan-hill.ca.gov/2162/2021-Housing-
Conversation](https://www.morgan-hill.ca.gov/2162/2021-Housing-Conversation)



QUESTIONS?



CITY OF MORGAN HILL

Ownership Housing Market Data



- Single family home listings 22 Days on Market, on average
- Average sale price: \$1,159,317
- Median sale price: \$1,099,000
- Average square footage: 2,468
- Sold price: High \$3,300,000
- Low \$419,200

Morgan Hill Market Rate Rents



Current Average: \$2,644/ month 11% increase compared to the previous year

1-2 bed/1-2 bath. Diamond Creek \$2,400-\$2,830/mo

1-2 bed/1-2 bath. Monte Vista \$2,355-\$3,030/mo

1-2 bed/1-2 bath. Morgan Ranch \$2,619-\$3,710/mo

1-2 bed/1-2 bath. Sunsweet \$2,790 - \$4,120/mo

3 bed/ 3 bath. \$3,950

2 bed/1 bath. \$2,450

1 bed/1bath. \$1,950

Source: Rental Café, May 2021 & Trulia 5/11/2021



"Diversity in Growth"

June Developmental Asset #33:

Interpersonal Competence

July Developmental Asset #25:

Reading for Pleasure

August Developmental Asset #7:

Community Values Youth



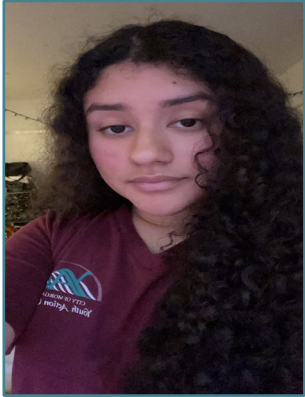
June

Developmental Asset #33

Interpersonal Competence

Young person has empathy, sensitivity, and friendship skills.

Giselle Naranjo, Secretary



Why is it important for a young person to have empathy, sensitivity and friendship skills?

- Empathy: allows to **reflect on behavior**
- Sensitivity: allows youth to have **compassion and connect with one another**
- Friendship skills: helps build **communication and social skills**





July

Developmental Asset #25

Reading for Pleasure

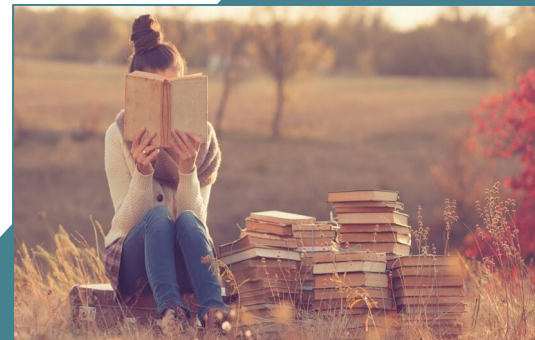
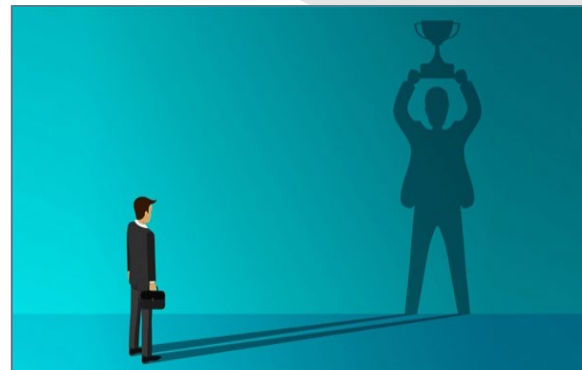
Young person reads for pleasure three or more hours per week.

Agnes William, Co DA Ambassador



In what ways does reading for pleasure benefit youth?

- Able to learn more things to be more **confident** in yourself and be engaged
- Vocabulary
- “Hidden Talent”
 - Part of your inner world and life experience





August

Developmental Asset #7

COMMUNITY VALUES YOUTH

Young person perceives that adults in the community value youth.

Alegria Serrano, Senior Member



Why is it so important for the youth to feel valued in a community?

- Helps teens realize that they are not alone
- Teens are the next generation of adults in our communities



Questions to Council:

- Can you tell us about a strong friendship you had that was beneficial to you?
- Is there a book that you have read that greatly impacted you, and if so, in what way?
- What is important to you as a city council member to help the youth feel more valued in the community?

