Committee member Christina Ramos opened the CEQA hearing at 4:04 p.m. Staff made a brief introduction. There were no comments related to CEQA made. The CEQA hearing was closed at 4:06 p.m.

The regular public hearing was opened at 4:06 p.m. Suzanne Carrig, staff to the Committee, briefly reviewed the reorganization request.

Robert Stinson, Chief Petitioner:
Mr. Stinson made the following comments:
• Resides at 22552 Country View Drive. Probably one of the longer residents of the area – 14 years.
• At the time I moved in, had a school aged child who attended private school.
• History of the subdivision – isolation makes us feel a part of a different community from Morgan Hill. The nature of Bailey Road and the history of construction plus its connection to Highway 101 makes us feel more a part of Almaden Valley and not wanting to head toward Morgan Hill.
• We are a part of the community of Almaden Valley. ZIP code is 95120, have been a member in two churches in that ZIP code. Community activities and church are in Almaden Valley.
• Observed over 14 years that Bailey Avenue has a number of problems with repairs lasting 5 years and multiple closures. Accidents have closed the road for hours causing the commute out of Almaden Valley to be 30 minutes. It is a deterrent for us to be connected to Morgan Hill.

• Gavilan College satellite campus has caused more traffic on Bailey.

• Authorization of a funeral facility to be built on Bailey Avenue with no modifications to the road or additional expansion and no additional safety measures.

• Lots of reasons for why the subdivision has not grown at the rate we thought it might be, those will be represented by Stan Gamble.

*Member Jim Van Pernis asked Mr. Stinson where Bailey Road was on the map. Mr. Stinson explained to the Committee where Bailey Road was on the map.*

Mr. Stinson made some additional comments:

• Bailey Road is actually a freeway entrance and was completed about five or six years ago; completed after I moved into Country View Drive. It wasn’t, originally, a method to connect to Highway 101 but now it’s become a thoroughfare for people who want to avoid traffic

• Bailey Road is are only connection between McKean Road and Morgan Hill schools.

*Member Barry Schimmel asked Mr. Stinson, in his opinion, why would both school districts oppose the request.*

Mr. Stinson stated that he didn’t believe San Jose Unified would be opposed. He stated that they currently provide bussing on McKean Road and currently have a bus stop 100 yards from where Country View meets McKean Road and they use the county park lake lot to turn around. Mr. Stinson referenced a home in the area that was partially in San Jose Unified and stated that he had land in San Jose Unified but not where the house was located.

*Member. Schimmel stated that the letter from San Jose Unified Superintendent did not indicate that.*

*Member Schimmel asked if there are students attending San Jose Unified on interdistrict transfers. Mr. Stinson stated that the previous owners of his house received an interdistrict transfer into San Jose Unified. Discussion around interdistrict transfer and the need to renew each year.*

*Member Denise Ramón Herrera asked about Mr. Stinson’s parcel if it were two separate APNs. Mr. Stinson stated that it was one parcel split. He went on to state that the original transfer request from 2003 was denied because it was only one parcel. Member Ramón Herrera asked if there were any other split parcels in the area. Mr. Stinson stated no.*
Member Bob Benevento asked that when Mr. Stinson acquired the property he had a school-aged child, Mr. Stinson stated yes. Member Benevento also asked if Mr. Stinson knew the property was within the Morgan Hill Unified School District when he purchased the home. Mr. Stinson said he did know and that at the time of purchased there was still a venue in which the original territory transfer request could be heard.

Member Van Pernis asked Mr. Stinson about the parcel that was in the transfer area but didn’t have an address. Mr. Stinson stated that could be a parcel for a private street/driveway. Member Van Pernis asked if all parcel were in San Jose and Mr. Stinson stated they were all with ZIP code 95120.

Kirsten Perez, Assistant Superintendent, Business Services, Morgan Hill Unified School District
Ms. Perez read from a letter that was transmitted to the County Committee.

See attached letter

Member Christina Ramos asked about the current bus stops.

Ms. Perez stated there is a current bus route that runs along McKean with the closest bus stop at the intersection of McKean and Wild Oak Ranch which is approximately 4 miles from the area.

Member Christina Ramos asked how many kids would it take to have a bus stop in the area proposed for transfer.

Ms. Perez stated that because the district already has an existing bus route on McKean they would just extend the bus route stating that if there were 2 or 3 more students who wanted to ride the bus then the district would look at adding a bus route further north. We currently do not have any students in that area so that’s why we don’t have a route up there. Usually takes 2 to 3 students to add a new route but we have done it with just one students upon a family’s request.

Member Van Pernis asked for confirmation on the distance of the closest bus route. Ms. Perez stated 4 miles south of Bailey Road adding that the reason they district hasn’t added a stop further north is because the district has not had any students in that area and would only add a route if they generated enrollment for the area.

Member Ramón Herrera asked if the district charges for transportation. Ms. Perez states that it depends. For those students that qualify for the National School Lunch Program for free or reduced lunch they maintain that status for transportation, depending upon their status free – no charge for transportation or reduced – the transportation costs would be reduced with different option and there is a multiple sibling savings.
Member Ramón Herrera asked how many students are in Morgan Hill Unified and how many receive transportation. Ms. Perez stated that there are approximately 8,600 students and about 1,000 use transportation services.

Christina Ramos asked what the nearest high school would be. Ms. Perez stated Sobrato High School which is located in San Jose and is approximately 7 miles from the area proposed for transfer.

Member Van Pernis asked the size of the parcels in the area proposed from transfer. The district responded that most are 8-10 acres with some being larger.

Member Benevento asked how many bus routes the district has and if they go to low-populated areas. Ms. Perez stated that the district has approximately 40-45 bus routes and many of them go into unincorporated areas. Superintendent Steve Betando stated that the bus routes change every year and are based on number of students and the requests made.

Member Albert Gonzalez asked about Morgan Hill’s bond rate. Superintendent Betando stated that the district has a AA+. Two bonds one about $59/$100,000 AV and the other about $80/$100,000 AV.

Ms. Perez stated that the District is currently in process of information campaign for a parcel tax; looking at $75/parcel and we have approximately 20,000 parcels.

Registered Speakers:

Manish Bhardwaj, Country View Drive Resident
Mr. Bhardwaj made the following comments:
• Has been a resident on Country View Drive for 3.5 years. Has two daughters who attend private school; could not get into Almaden Valley schools.
• Work location prevents attendance to Morgan Hill schools, it’s a 35 minute drive and a bus ride would probably take 1.5 hours.
• Couldn’t care less about property values.
• Kids play soccer in Almaden Valley
• Feels isolated
• Wants kids in the area to have a normal life
• The request isn’t about property values but about family.
• Bailey Road has flooded in the past and closed for about 1 week
• It’s inconvenient to drive 45 minutes to schools and then back north to work.
Stan Gamble, Agent for owner of 13 lots

Mr. Gamble made the following statements:

- Need to get the facts right – Country View Drive to Cochran Road is at least 15 miles – Coyote Creek Golf Course is almost 10 miles.
- After school activities should be considered and the time it takes to travel for those activities.
- San Jose Unified information was just received today and the superintendent contradicts herself in the letter: states that Los Paseos Elementary is 7.2 miles but it’s much further than that.
- San Jose schools are closer and more convenient.
- Agrees with Mr. Stinson and Mr. Bhardwaj that the kids feel more at home in Almaden Valley.
- San Jose Unified already offers bus service that goes down McKean Road and it’s more convenient.

*Member Barry Schimmel asked what the closest elementary school was in San Jose Unified. Graystone is the closest.*

*The public hearing ended at 4:42 p.m.*
Committee Chair Mandy Lowell opened the public hearing at 4:00 p.m. Suzanne Carrig, staff to the Committee, briefly reviewed the reorganization request.

Robert Stinson, Chief Petitioner:
Mr. Stinson made the following comments:
- Resides at 22552 Country View Drive. Have resided there for about 13 years.
- Had a school aged child when we moved in.
- Knew that the previous owners had a petition to change the boundaries after a long appeals process it was denied. Previous owners provided the guideline and information for what the board would consider for a transfer.
- Met with people who are part of the homeowners association. Have 100% support from the residents within the area proposed for transfer. Not everyone who lives in the subdivision is a registered voter.
- Reasons for the transfer: we are geographically isolated bound by ridge of mountains that has one connecting street – Bailey Avenue. Bailey Avenue, when I moved into the area did not connect to 101 and had a failed shoulder that remain unrepaired in excess of five years. People did not want to use Bailey Avenue due to safety issues.
- Son went to Valley Christian and we opted not to use Bailey Avenue. We went through Almaden Valley and picked up other kids. That’s where our community base is. We live in San Jose in 95120, we don’t live in Morgan Hill.
- Our schools, our sports fields, all of the things we’re connected to are in San Jose.
- Property values – could be a potential benefit but the reasons that might happen is because people value schools and where they want to go to school and if you’re in a better school then you’re in a better place that your property values might go up.
- Even though that might be the reason it’s not the reason why 33 lots want to change; they want to be a part of the community.
- I’ve looked at the nine criteria and we meet all of those conditions and all of the conditions of hardship.

Kirsten Perez, Assistant Superintendent, Business Services, Morgan Hill Unified
- Board passed resolution in opposition
- Referenced letter from first hearing (see attached)
- Lived in south county my entire life and have never seen Bailey Avenue to be shut down, our buses travel down it on a daily basis.
- There is a bus stop that is located approximately 5 miles from this development and would be available to homeowners should their kids attend Morgan Hill.
- Twenty-six of the properties in the area proposed for transfer are currently vacant and no students attend school within Morgan Hill Unified.
- If students from the area did attend Morgan Hill we would look at putting a bus stop that’s closer to those existing homes.
- If there were students there they would attend Los Paseos Elementary School, Martin Murphy Middle School, and Sobrato High School.
A problem of most of our south county districts is looking at... geographical boundaries sometimes don’t make sense what that path of travel with our morning commute is but we have to be respectful to the reason why boundaries were established and if it’s purely out of convenience I don’t think that’s why we should look at wholesale property transfers.

Interdistrict transfers, it’s something that we do, is something the petitioners should look into.

Steve Betando, Superintendent, Morgan Hill Unified

Travel McKean and Bailey every day. Took the opportunity to go up Country View on each street, looked at homes and parcels then drove to our schools to get a sense.

Petitioners talked about needing to go to 101 for all schools – don’t need to go to 101 for Sobrato. Same with Murphy Middle and it took 9 minutes, it’s a little over 6 miles. Sobrato is a little under 10 miles. It’s a reverse commute in the morning and a reverse commute in the morning so the traffic is lighter than if you’re going to Almaden.

Comments about the schools in San Jose; Sobrato is half in San Jose and half in Morgan Hill. Murphy Middle is in San Jose by Bernal Road by Santa Teresa Golf Course.

We’re 300 square miles so there’s lots of rural territories that are included. That’s one of the reasons we have so many bus routes; wherever there are students who need to be transported.

Los Paseos is right next to Murphy Middle so students take the same bus.

Concern that the petitioners don’t really know our schools; they haven’t been to our schools, would like you to take that into consideration and get to know our district a bit more.

Committee Chair Mandy Lowell asked for clarification about the number of students in the area proposed for transfer. Superintendent Betando stated that the district doesn’t have any students from those parcels.

Member Ellen Wheeler asked about interdistrict transfer agreements and how easy or difficult they are to obtain. Superintendent Betando stated the Morgan Hill Unified School District supports request to be released from the district.

Steve McMahon, Deputy Superintendent, San Jose Unified and Nancy Albarrán, Superintendent, San Jose Unified

Mr. McMahon made the following statements:

Agree with Morgan Hill that there is not a need to transfer the properties at this time.

San Jose is one of the most confusing areas when it comes to school district boundaries and city boundaries. We have 31 school districts in Santa Clara County and there are 19 school districts within the City of San Jose. People live in San Jose but go to Campbell Union, Morgan Hill. We have an interesting collection of districts. We as a school district feel it may behoove us to take a hard look at redrawing boundaries as part of a master plan.

What we are concerned with is when there are small slivers of property changed and it can be in an unsustainable way.
• We looked at the impact on students and at this time found there are no students there so there doesn’t seem to be any need to look at a boundary change. Would rather do a boundary change on a more comprehensive level.

Member Ellen Wheeler asked about the interdistrict process for San Jose Unified.

• Steve McMahon stated that the process itself is pretty easy and it does need to be done on an annual basis. In Almaden Valley there is a high demand within the neighborhood communities so an out-of-district student would be lower on the list than a neighborhood student within San Jose Unified. Getting into Leland High School is not easy because Leland has a saturation of neighborhood families wanting to go. It wouldn’t be easy for these parcels. In other schools in the district it’s an easier process; our downtown schools do not have the same level of neighborhood demand so getting into one of those schools is easier.
• We are a district of choice so we try to honor families within our boundaries first.
• Process itself is easy but the likelihood of getting into an Almaden Valley school is not as high as many of our downtown schools would be.
• There are other ways to address family need; can use your work address or child care address for purposes of enrollment.
• If there were student needs we would have a different approach but at this time it seems just like a property change.

Member Bob Benevento asked what the nearest high school to Leland was in San Jose Unified. The district responded that Pioneer and Gunderson are the next closest. Gunderson is probably fastest drive time.

• Steve McMahon added that in the southern part of the district, San Jose Unified actually owns parcels further south than Leland – 70 acres – where we are not allowed to build anything due to San Jose no growth area.

Member Nejleh Abed asked for a map that shows the schools; staff will prepare a map.

Member Barry Schimmel asked that the district share that although it’s no longer under court order desegregation it must always be aware of the fact that taking new area could have a detrimental impact to the balance of the school district. Mr. McMahon stated that the district does have an internal process for maintaining to the greatest extent possible diverse schools – part of the voluntary integration plan.

Stan Gamble, Agent for owner of 13 lots
Mr. Gamble made the following comments:
• Almaden Valley schools are much closer, geographically and time.
• Leland High School is more than half the distance than Sobrato High School.
• San Jose provides buses for kids on McKean Road. They turn around at Calero Lake.
• San Jose Unified actually goes further south than the property.
• Morgan Hill does not provide bus service; not anywhere close.
• Schools in Morgan Hill are in the north of San Jose and you have to take Bailey Avenue to get there.
• So much more convenient for the kids to go to Almaden Schools.
• We all went to school, we all had friends at school and went to visit our friends. It’s so much more convenient to children who live here to visit their friends in Almaden.
• Also the issue of after school activities. As kids get older they get involved in activities, especially in high school.

Chair Mandy Lowell asked Mr. Gamble how long he has lived at the address. Mr. Gamble stated that he does not live in the area proposed for transfer, he represents the owner of 13 lots. Chair Mandy Lowell then asked how long the owner of the 13 lots has owned those properties. Mr. Gamble stated for 15 years and there are plans in for two homes.

Robert Stinson, Chief Petitioner:
Mr. Stinson made the following comments:
• There are six families with school aged children, some of the kids are in private school and others are using a San Jose address such as a caregiver’s address or something else.
• We have all considered interdistrict transfers but Leland is not available. This is one of the issues that is driving this request.
• Lots are empty because there are no schools close by the property.
• Bailey Avenue had interruption of traffic over 30 days last year. There were 2.5 weeks where it was shut down completely. There were 15 additional accidents that forced the street to be closed.
• Reverse commute – these people are at work. They have to deal with double the time and traffic.
• We are geographically isolated from Morgan Hill but not San Jose Unified.

Chair Mandy Lowell asked Mr. Stinson if he knew the property was not within San Jose Unified when he purchased the home. Mr. Stinson stated that he did know that and the previous owners provided all the territory transfer information to him. Chair also asked how many homes were in the area. There are 8 homes, 2 currently being completed, and 6 of those are occupied. Average home size is 5,500 to 6,000 square feet and some are 10,000 square feet.

Member Abed asked for the number of school aged kids. Mr. Stinson stated that four families have one child each and one family has 2 children.

The public hearing ended at 4:45 p.m.