

**CITY OF MORGAN HILL  
MEASURE B**

Shall the measure, amending the City's General Plan to require voter approval of any future Monterey Road lane reduction be adopted?

**YES  
NO**

**CITY ATTORNEY'S IMPARTIAL ANALYSIS OF  
MEASURE B**

If adopted, the measure would add a new Policy TR1.5 to the General Plan Transportation Element. The new policy would require voter approval to narrow Monterey Road to two lanes through Downtown Morgan Hill. Without voter approval, Monterey Road would be required to be maintained as a four-lane thoroughfare.

The state Complete Streets Act requires cities to create programs that "plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel" and defines "users" to include bicyclists, children, persons with disabilities, motorists, pedestrians, users of public transportation and seniors." To implement the Complete Streets Act, the City has adopted a number of policies and plans to create bicycle and pedestrian improvements, including buffered bicycle lanes, reduced travel lanes in areas with high concentrations of bicycles and pedestrians, and reduced speed limits. In addition to the General Plan, the City has adopted a Downtown Specific Plan, and Vision Zero strategies to eliminate traffic deaths and serious injuries. By requiring voter approval for a downtown lane reduction, Measure B conflicts with these plans and policies.

As currently designed, Monterey Road meets minimum safety standards when used with due care. Because the road meets current standards, the City is immune from liability from traffic accidents. However, if conditions change due to increased pedestrian activity, changed traffic activity, or new standards, the City could lose its immunity. This could create greater liability for traffic accidents if the road cannot be redesigned in a way that reduces the number of traffic lanes.

A "Yes" vote adopts the new Policy TR1.5.

A "No" vote would retain the existing General Plan and Vision Zero policies that could allow a future reduction in the number of travel lanes on Monterey Road through Downtown Morgan Hill.

This measure was placed on the ballot by a petition signed by the requisite number of voters. A majority vote is required for approval.

**The above statement is an impartial analysis of Measure B, adding Policy TR1.5 to the Morgan Hill General Plan. If you desire a copy of the measure, please visit <http://www.morgan-hill.ca.gov/> or call the City Clerk at (408)779-7271 and a copy will be mailed or e-mailed at no cost to you.**

Donald A. Larkin  
City Attorney

**ARGUMENT IN FAVOR OF MEASURE B**

Vote YES for Measure B.

A YES vote means that only the voters, through an election, will have the right to make the decision whether to reduce Monterey Road to two lanes and unless voters make that choice, Monterey Road remains four lanes, two lanes each way through the downtown.

In 2015, the City Council voted to temporarily reduce Monterey Road to two lanes. The result was extreme traffic congestion and delays. The closure caused increased traffic around the corridor and on residential roads and increased commute time for downtown residents and parents driving their children to public and private schools. The City Council shortened the experiment and returned the road to four lanes.

A YES vote will amend Morgan Hill's General Plan Transportation Element. The Measure, if approved by the voters, ensures that Monterey Road shall remain a four-lane thoroughfare unless the voters decide otherwise.

Monterey Road serves dual purposes through the downtown. It serves as a vital thoroughfare to efficiently move local and pass-through traffic north and south of the city. It also is in the heart of the important business sector.

This measure allows Morgan Hill voters to decide if lane reduction can occur.

1. Voters will decide what level of traffic overflow from the lane reduction is safe and acceptable to Monterey Road corridor neighborhoods.
2. Voters will decide if the current road improvements and infrastructure are sufficient to allow a lane reduction with minimal disruption to traffic overflows to corridor neighborhoods.
3. Voters will decide if the most current traffic impact study provides accurate data to weigh in before making a decision that will have community wide impacts.

**PROTECT OUR NEIGHBORHOODS!**

**VOTE YES**

Armando Barrios Benavides  
Attorney at Law

Rene Spring  
Morgan Hill City Council Member

Yvonne Martinez Beltran  
Morgan Hill City Council Member

Sally Casas  
Citizen of Morgan Hill

Robert Guynn  
Citizen of Morgan Hill

## REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE B

Mr. Benavides claims that in **2015** the road reduction in downtown caused extreme traffic congestion but he fails to disclose that a **whole city block** in downtown had **major construction** and **12 businesses were being relocated** causing much of the delays. He also doesn't disclose that this 7-year-old study was halted because of this major construction in downtown. In addition, he fails to mention that 7 years ago we did not have the parking structure we have today which adds **272 parking places** that we didn't have 7 years ago and parking was at a premium. He also fails to state that in addition to the parking structure, **2 outside parking facilities** have been added on Depot St plus **added parking at the VTA**, plus the **2<sup>nd</sup> street outdoor parking**, in all this added **well over 500 parking spaces** we simply did not have 7 years ago. Today is a very different scenario than 7 years ago.

Most importantly he fails to state that in the 5 blocks of downtown, there's been **59 traffic accidents** and **7 pedestrian accidents (5yrs)**, more than in **any other part of Morgan Hill**. These pedestrian accidents have caused more than 30MM in litigation cost to the city. **Safety is the most important issue** in the 5 blocks of downtown, Mr. Benavides completely ignores this safety concern. Throughout his campaign, he has tried to avoid the facts by giving outdated sometimes false data.

### Vote NO

Gino Borgioli  
City Council Member

## ARGUMENT AGAINST MEASURE B

**VOTE NO** on this initiative! Here's why:

- The initiative **leadership Team** made false claims like; 98% of voters are against the lane closure. A totally false statement and in the next sentence says we'll be at a certain park to collect signatures.
- The **leadership Team members** also made false claims like; Butterfield Blvd is bumper to bumper. Again, a false claim and in the next sentence says we'll be at the Farmers Market to collect signatures.
- One Leadership member went so far as to claim that certain City Council Members have been given financial incentives from business owners, a totally false statement.
- Election code states that the initiative **shall use only the language within the initiative** when **communicating to the public** by anyone who authored the initiative including signature gatherers.
- I personally have proof, in fact actual snapshots from those on the campaign of deceit and false narratives to get the public to sign the initiative.
- The entire **Leadership Team** failed to disclose that **this initiative will cost the taxpayers 80K now and every time a decision is made** about Monterey Rd.
- Fact, safety was the main concern within the five blocks in downtown Morgan Hill.
  - In a 5-year period within these 5 blocks, there's been 59 traffic accidents and 7 pedestrian accidents. One of those pedestrian accidents, which a child was badly injured, cost the city 30 MM in litigation.
- The initiative authors **never disclosed the safety factor** to the public.

Safety should be paramount over a 5-minute delay in the 5 blocks of downtown. We can and should work together by telling the **truth** and not by **deception** and **misleading** the public.

**Vote NO** and let's work on a **solution** that doesn't cost the city 80+K every time a decision is made about Monterey Rd.

Gino Borgioli  
City Council Member

## REBUTTAL TO ARGUMENT AGAINST MEASURE B

Vote YES!

The sole City Council member in opposition makes no serious arguments against Measure B. Those approximately 3,500 voters who signed the People's Choice Initiative knew the lane reduction issue is important and carries wide reaching implications for the community.

The Council Member says "let's work on a solution" but what he really is asking you to do is to let him make the decision for you. Make no mistake, lane reduction has been the council member's priority since he was elected in 2020. You can be sure that he will vote for lane reduction immediately after the election.

IT SHOULD BE YOUR CHOICE!

Voters that signed the initiative remember the dismal failure of lane reduction in 2015. Many experienced the traffic overflow that was diverted from Monterey Road to neighborhood streets. That was one of the many reasons why voters signed the initiative.

Voters can see all the new high-density housing construction and commercial development that is currently being built. The impact on the already congested roads when the new housing units are fully occupied, and commercial building are up and running is predictable. Common sense tells us it will not get better by reducing the lanes

A "no" vote on Measure B would take away your right to decide whether OR IF Monterey Road should be reduced from four lanes to two lanes.

By voting "YES" Monterey Road shall remain 4 lanes through the downtown until you the voters decide otherwise.

PROTECT OUR COMMUNITIES!

VOTE YES!

Armando B. Benavides  
Attorney at Law

Rene Spring  
Morgan Hill City Council Member

Yvonne Martinez Beltran  
Morgan Hill City Council Member

Sally Casas  
Citizen of Morgan Hill

Robert Guynn  
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