



**AGRICULTURAL LANDS PRESERVATION PROGRAM
IMPLEMENTING ENTITY / CONSULTING SERVICES**

REQUEST FOR PROPOSALS

I. THE OPPORTUNITY

The City of Morgan Hill is seeking a qualified Consultant to assist the City with the implementation of its Agricultural Lands Preservation Program. The Consultant will also act in an interim capacity as the Implementing Entity for its Agricultural Lands Preservation Program.

As expressed in the City's Agricultural Lands Preservation Program, the primary responsibility of the Implementing Entity will be to negotiate the purchase of and act as a holding agent for permanent agricultural land conservation easements, consistent with the City's adopted Agricultural Lands Preservation Program (City Policy 14-01) and Agricultural Lands Mitigation Ordinance (Attached). The Implementing Entity will also be responsible for ongoing monitoring and reporting to the City on the status of lands placed within the conservation easement program.

The City of Morgan Hill will make available to the Implementing Entity funding for the purchase of conservation easements, as well as to compensate the Implementing Entity for its administrative costs.

The Consultant will generally take on the responsibilities of the Implementing Entity for an estimated period of 12 to 24 months, during which time the City will conduct a search to identify a long-term entity to take on this role. **The Consultant is not, however, expected to act as a holding agent for the agricultural land conservation easements.** The Consultant will also provide input to the City on potential modifications to the City's Agricultural Lands Preservation Program, including the administration of the Program and the role of the Implementing Entity, and potentially assist with the establishment of an Agricultural Lands Mitigation Bank.

II. BACKGROUND

Purpose

The City of Morgan Hill has determined that small-scale agriculture is viable in the Morgan Hill Sphere of Influence (SOI) if land use tools are used effectively to protect an adequate agricultural land use supply. Establishing land use policies and an implementation program to preserve agricultural lands will help to preserve open space, provide access to locally grown foods, promote sustainable food production, contribute to a unique cultural environment within Morgan Hill, and address regional land use planning policy objectives.

To be effective for Morgan Hill, the agricultural preservation program will need to focus upon the use of agricultural land use easements supported by agricultural

preservation land use policies. The Morgan Hill Agricultural Lands Preservation Program is intended to promote continued and viable agricultural activities in and around Morgan Hill through a comprehensive set of land use policies and implementation activities that together accomplish the following:

1. Preserve open space agricultural lands and agricultural activity within the Morgan Hill Sphere of Influence.
2. Promote the viability of small-scale agriculture through the preservation of agricultural land and the implementation of supporting General Plan policies.
3. Identify the combination of tools, techniques, mechanisms, and funding sources that form the best agricultural/open space land preservation program for the City of Morgan Hill.
4. Establish CEQA mitigation procedures to mitigate the loss of agricultural lands.
5. Focus land preservation in the City's Southeast Quadrant (SEQ) area, but also encourage preservation efforts throughout the City's SOI.

Agricultural Conservation Easements

To achieve the Agricultural Lands Preservation Program objectives, activities converting Agricultural Land, such as new private or public development projects, are required to offset the conversion by directly preserving Agricultural Mitigation Land in perpetuity. Agricultural lands will be preserved through the recordation of permanent Agricultural Conservation Easements, which may be directly established by the land developer, obtained by the City or the Implementing Entity, or established through a developer-initiated transfer of development rights recorded within a development agreement. This offsetting preservation will serve as mitigation to satisfy the requirements for agricultural mitigation under the California Environmental Quality Act (CEQA) as well as to support the continuation of agriculture in and around the City of Morgan Hill consistent with community preferences and City policies.

A conservation easement is a voluntary, legally binding agreement that limits certain types of uses or prevents development from taking place on a piece of property now and in the future, while protecting the property's resources such as habitat, open space or, as in the case of agricultural conservation easements, farmland. A conservation easement is recorded in the chain of title of the property and it "runs with the land" so that the restrictions also apply to future owners of that land. Conservation easements are authorized by California Civil Code 815 et seq.

Appendix 1. Conservation easements, as defined by California Civil Code 815.1, are perpetual (California Civil Code 815.2b).

Any easement used for mitigation purposes is specifically required to be perpetual per CA Government Code 65966(a): "Any conservation easement created as a component of satisfying a local or state mitigation requirement shall be perpetual in duration, whether created pursuant to Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5 of this code or Chapter 4 (commencing with Section 815) of Title 2 of Part 2 of the Civil Code."

Agricultural conservation easements are a specific type of conservation easement and are typically used to fulfill farmland mitigation requirements in California. Agricultural conservation easements are designed to protect farmland so that it may remain in agricultural use by removing the development pressures from the land. Agricultural conservation easements prohibit activities and uses that would damage or interfere with the agricultural use of the land. The easement remains in effect even when the land changes ownership. The project proponent may either locate and facilitate the acquisition of the conservation easement or may provide funds (an in lieu fee) for the conservation easement acquisition, including associated costs, to a local government agency, or the a qualified 3rd-party agency, such as the Implementing Entity.

Agricultural conservation easements are held by land trusts, governmental agencies including Resource Conservation Districts, and California Native American tribes. The easement holders are responsible for ensuring that the terms of the easement are upheld. The terms of each agricultural conservation easement are negotiated between the landowner, the easement holder, and, in the case of mitigation easements, the land use authority or CEQA and/or NEPA lead agency. The easement holder will conduct monitoring visits, not less than annually, to the property to verify that the uses of the property are consistent with the terms of the individual easement. Easement holders are frequently required to provide reports to the CEQA lead agency summarizing their monitoring activities.

In Lieu Fees

In lieu fees are another approach to fulfilling farmland mitigation requirements. "In lieu" of the project proponent acquiring mitigation property, the project proponent pays a specified fee to the lead agency or other designated agency. The City of Morgan Hill as established an in lieu fee payable to the City of Morgan Hill as part of its Agricultural Lands Mitigation Ordinance. The in lieu fee is intended to be transferred along with other City funds and used by the Implementing Entity to acquire the required mitigation property.

The City of Morgan Hill prepared a nexus study to defensibly establish the in lieu fee amount. The City will update the nexus study and in lieu fee as necessary so that it is responsive to changes in real estate values and program administrative costs. The in lieu fee should include all costs associated with providing the required mitigation including:

- 1) Cost of the land or conservation easement
- 2) All transaction costs including:
 - Identifying and negotiating for the mitigation land or easement;
 - Surveys, appraisals, title research;
 - Legal review;
 - Preparation of transaction documents;
 - Other due diligence including environmental site assessment;
 - Preparation of baseline condition reports for the mitigation site;
 - Escrow costs and title insurance;
 - Staff time; and
 - Funding for long term stewardship and monitoring of the mitigation site.

The use of in lieu fees shifts the mitigation responsibility from the project proponent to the City of Morgan Hill and its Implementing Entity. Because of this transfer of responsibility, it is essential to correctly calculate the entire cost of fulfilling the mitigation requirement to ensure that the acreage required for mitigation is actually protected and the mitigation project is sufficiently funded for the long term. The City's in lieu program includes a mechanism for assessing costs and adjusting the fee as needed on a regular basis. In lieu fee programs must not exceed the reasonable costs of providing the required mitigation and must meet the requirements of the CA Gov. Code 65965 —65968.

Location of Mitigation / Morgan Hill Agricultural Priority Area

The location of the farmland protected as mitigation must have some tangible relationship to the location of farmland that was converted to a non-agricultural use. Jurisdictions may use the placement of farmland mitigation sites to reinforce or support plan boundaries or urban growth limit lines. Clustering farmland mitigation sites can also promote the long term agricultural viability of an area by minimizing the potential for conflicting land uses and development. However, identification of target areas may result in escalated real estate values in the targeted mitigation locations. Per the City's adopted Agricultural Lands Preservation Program, mitigation can occur through the creation of conservation easements at any location within Santa Clara County, but strong preference, particularly with the use of the City funding, is given to the establishment of easements within the City's Sphere of Influence (SOI) area.

The City of Morgan Hill has further identified an Agricultural Priority Area within the City's Southeast Quadrant (SEQ) as the City's first priority for the acquisition of agricultural land conservation easements. This area was selected because it is the area within the Morgan Hill Sphere of Influence (SOI) where agriculture is considered to be the most viable over the long term. Conservation within this area will also contribute toward the City's goals of creating an open space buffer along its southern edge. Designating the Agricultural Priority Area provides stability for ongoing agricultural operations and supports new uses necessary to support a viable local agriculture industry. The Agricultural Priority Area is also intended to retain the open space uses of any lands that are not currently being farmed until agricultural activities resume on those lands. (did we want the easement holder to pledge to keep the property in active agricultural use, subject to normal rotations when the property would not be used.?)

Role of the City

The City of Morgan Hill acts as the governing body which has established the City's Agricultural Lands Preservation Program and Agricultural Lands Mitigation Ordinance, which serve as the City's farmland mitigation policies for CEQA review. These policies were developed through an extensive community-based planning process, consultation with technical experts, and through a CEQA analysis process, resulting in the preparation of an Environmental Impact Report which relies upon the City's policies to mitigate potential impacts due to loss of farmland. The City of Morgan Hill maintains overall responsibility for the conduct of its Agricultural Lands Preservation Program, in fulfillment of CEQA requirements, as well as to adhere to its own policies and ordinances.

As the lead agency pursuant to CEQA, the City is responsible for reviewing and selecting a qualified entity to hold the mitigation land in accordance with CA Government Code 65967(c) which states: "A state or local agency shall exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources. The local agency may adopt guidelines to assist it in that review process, which may include, but are not limited to, the use of or reliance upon guidelines, standards, or accreditation established by a qualified entity that are in widespread state or national use." The City is conducting the current RFP process in order to select a Consultant that can act on an interim basis as the qualified entity in accordance with this provision.

Role of the Project Proponent

Under the City's and CEQA requirements, the project proponent is responsible for complying with the City's mitigation requirements. In accordance with the City's adopted Policy and Ordinance, methods for implementing the mitigation can include:

- 1) Funding the purchase of a farmland mitigation conservation easement that will be held by a qualified entity.
- 2) Purchase of farmland and transferring it to a qualified entity to hold and manage the land.
- 3) Payment of in lieu fees to cover the cost of acquiring land or a conservation easement for farmland mitigation and the all the costs associated with the acquisition and long term management of the land or easement.
- 4) Purchase of credits in an approved farmland mitigation bank.

Role of Implementing Entity

It is the intent of the City to partner with an established organization or transfer the operational responsibilities for managing and maintaining the City's Agricultural Lands Preservation Program to a third party Implementing Entity. The City will transfer funds collected by the City through the payment of Agricultural Mitigation In Lieu fees or through the administration of its Residential Development Control System (RDSCS) to the Implementing Entity, including funds voluntarily committed toward the preservation of Open Space or specifically for Agricultural Mitigation,. The Implementing Entity will be responsible for negotiating the purchase of agricultural land conservation easements, completing the associated transaction process, providing necessary documentation and performing ongoing monitoring and reporting of lands placed within the agricultural lands conservation program.

In accordance with the City of Morgan Hill's adopted Agricultural Lands Preservation Program, the Implementing Entity should be a government or non-profit entity operating in Morgan Hill and/or the surrounding portions of Santa Clara County for the purpose of conserving and protecting land in its natural, rural or agricultural condition. The City favors the use of a local government or non-profit agricultural conservation entity, a statewide government or non-profit agricultural conservation entity or entities, or the regional branch of a nationally recognized non-profit agricultural conservation entity as the easement holder. The Implementing Entity is required to have appropriate representation and/or participation from the local farming community.

Because the activities of holding and managing a farmland mitigation easement are intrinsic to land trust purposes and operations, land trusts frequently hold and manage farmland mitigation lands and conservation easements. In addition to meeting the requirements of Section 815.3 of the California Civil Code, a land trust or conservation organization interested in serving as the City's Implementing Entity

should, at a minimum, be either accredited by the Land Trust Accreditation Commission or be a member in good standing of the California Council of Land Trusts. Accreditation or membership in the California Council of Land Trusts signifies that the land trust's operation and practices meet professional standards for acquiring, holding, and managing conservation lands.

Management and Monitoring

The job is not over once the conservation lands have been acquired. The conservation lands, including agricultural conservation easements, require ongoing stewardship and monitoring to ensure that the resources remain protected. This is especially essential for mitigation lands that are intended to compensate for the loss of land or habitat as a result of development.

As with other agricultural mitigation/preservation programs, the Implementing Entity holding the Agricultural Conservation Easements will bear a number of responsibilities, including managing and monitoring the Easements. The developer will be required to pay a one-time per acre fee (Agricultural Lands Preservation Program Administrative Fee) to cover the average cost for the Implementing Entity to perform these activities along with administration of the program including any administrative costs. The City will establish the Administrative Fee and monitor it periodically.

Note: While the purpose of this RFP is to identify a Consultant which can act as the Implementing Entity for a period of 12-24 months, unlike the Implementing Entity, the Consultant is not expected to act as the holding agent of agricultural land conservation easements. The City will act in this role until a long-term Implementing Entity is identified.

Legal Requirements

Mitigation requirements for impacts to farmland are determined as part of a CEQA or NEPA review, by local ordinances or general plan policies. The City of Morgan Hill has prepared a citywide Agricultural Lands Mitigation Program, which it has adopted as a City Council Policy and adopted an Agricultural Lands Mitigation Ordinance. An Environmental Impact Report (EIR) was prepared for this program in accordance with CEQA. Under CEQA, farmland impact mitigation measures typically identify the amount of farmland that must be preserved or protected, the caliber of farmland to be protected, and its location. These requirements have been addressed within the City's adopted Policy and Ordinance. The mitigation is implemented by the acquisition of farmland, by conservation easement or by fee title. The acquisition is only from willing sellers per California Civil Code Section 815.2. The voluntary nature of farmland mitigation requirements and conservation easements was further clarified in court to specify that the project proponent has the latitude to place the mitigation on their own land or to acquire it from a willing

seller. Additionally, it is the project proponent's choice to proceed with a development project or not. It is a voluntary choice with attending responsibilities and costs.

The acquisition of the mitigation land by fee title is a basic real estate transaction: the land, buyer and seller, price, and escrow requirements are identified, title research and land survey prepared, and the transfer of the deed is recorded. The acquisition of a conservation easement includes these steps but also requires the negotiation and drafting of a conservation easement. The intent of both the fee title and conservation easement scenarios is to preserve and protect the farmland in perpetuity. A public agency, such as the City of Morgan Hill, can use eminent domain to acquire land in fee title to mitigate a public project (e.g., a highway or school).

Farmland mitigation, like other development exactions, is subject to constraints under the federal and California constitutions. The mitigation required of a development project must serve a legitimate governmental purpose, be roughly proportional to the impact, be consistent with local general and specific plans, and comply with other state and federal law. Farmland mitigation that is imposed by local ordinance must bear a reasonable relationship to the impacts of the projects to which it applies and meet requirements of "nexus" and "rough proportionality." For farmland mitigation, this typically involves ensuring that the mitigation land is comparable to the land which was converted. This includes acreage, soil type and capacity, water resources, location, and other characteristics which affect its agricultural productive capacity.

Qualified Mitigation Holders

Mitigation lands require an entity other than the project proponent to hold, manage, and if necessary, defend the mitigation lands to fulfill mitigation requirements. This entity can be a government agency such as a branch of local government, a special district, a tribe, or a resource conservation district. The entity can also be a non-profit organization with conservation as part of their organizational purpose. Section 815.3 of the California Civil Code regulates which entities or organizations may acquire and hold conservation easements:

- a) A tax-exempt nonprofit organization qualified under Section 501(c)(3) of the Internal Revenue Code and qualified to do business in this state which has as its primary purpose the preservation, protection, or enhancement of land in its natural, scenic, historical, agricultural, forested, or open space condition or use.
- b) The state or any city, county, city and county, district, or other state or local governmental entity, if otherwise authorized to acquire and hold title to real property and if the conservation easement is voluntarily conveyed. No local governmental entity may condition the issuance of an

entitlement for use on the applicant's granting of a conservation easement pursuant to this chapter.

- c) A federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission to protect a California Native American prehistoric, archaeological, cultural, spiritual, or ceremonial place, if the conservation easement is voluntarily conveyed.

Cities, counties, and special districts do hold farmland mitigation lands, either in fee or by conservation easement. While this approach is allowed under California law, the long-term stewardship responsibilities can present special challenges for local government, which typically does not include the preservation, protection and management of farmlands as part of its core purpose and lacks the resources and specialized knowledge to undertake that role. These activities require ongoing staff work, management, and oversight. Many jurisdictions avoid this additional burden by partnering with qualified entities such as local or regional land trusts.

Stacking

"Stacking" refers to combining or layering multiple types of mitigation at one mitigation site. Stacked mitigation allows multiple resource mitigation requirements to be fulfilled on the same acreage. Stacked mitigation is frequently attractive to project proponents as a strategy to consolidate their mitigation acquisitions to control and minimize their mitigation costs. While it is possible to achieve multiple mitigation goals with a single site, care must be taken to ensure the conservation goals of the required mitigation are compatible in the long term and there is sufficient funding to achieve those goals and manage them over time. Agricultural practices are dynamic and evolve over time in response to changing economic conditions, climate, regulations, and technological advances. At the same time, farmland mitigation is perpetual. Any limitations on agricultural practices generated by fulfilling another mitigation requirement, such as crop limitations for the benefit of a sensitive species, may create an unintended conflict between mitigation goals. Additionally, the stewardship requirements discussed above will apply to all aspects of a stacked mitigation project.

Agricultural Land Mitigation Bank

An Agricultural Land Mitigation Bank consists of lands within an area targeted for agricultural preservation which have been placed under an agricultural land conservation easement per the requirements of the City's Agricultural Lands Preservation Program in advance of the need for such acreage to act as mitigation. The concept of farmland mitigation banks is a relatively new tool for farmland mitigation. Following the model for habitat mitigation, acreage for farmland mitigation is acquired by a land trust or for-profit entity for the purpose of providing mitigation for multiple development projects in a defined area or region. The acreage for the bank may be acquired by fee title or conservation easement and

a fixed number of “credits” for mitigation acreage are assigned to the bank. Development projects within that region or area may then purchase “credits” from the bank to meet their mitigation requirements.

The City of Morgan Hill is interested in establishing an Agricultural Land Mitigation Bank, using funding currently available to the City to provide mitigation for future projects. A mitigation bank is the acquisition and protection of land by fee title or conservation easement in excess of what is currently required so that the excess is available for future use as mitigation. The land or conservation easements within the Land Mitigation Bank area would remain in the ownership of the Implementing Entity. Projects that pay the City's Agricultural Lands Mitigation Fee may receive credit for lands that have been placed within the Agricultural Land Mitigation Bank. The credits so granted are deducted from the credits available at the bank until the bank has been fully utilized.

If a project proponent acquires land or establishes a conservation easement on acreage that exceeds their mitigation needs, they may transfer the excess credits to the mitigation bank. The excess acres are then available for the project proponent to utilize for their future projects or to make available to other project proponents for their mitigation needs. If other project proponents utilize the bank to meet their mitigation needs, the project proponent who contributed to the Agricultural Lands Mitigation Bank may be compensated at a rate as determined in the nexus study.

III. SCOPE OF WORK

Acquisition of Easements

The Consultant, acting as the interim Implementing Entity, may play several roles in the acquisition of conservation easements. The Consultant will work closely with landowners who are willing to sell either farmland or a farmland conservation easements for mitigation purposes and may also work with the project proponent who may also play a role in identifying a property and negotiating the obtainment of the easement on that property. The Consultant may contribute technical expertise for the establishment of the farmland mitigation in a form that supports viable, long-term agricultural activity. The Consultant may also manage an Agricultural Land Mitigation Bank to support the City's Agricultural Lands Preservation Program. While the City's intent is that the long-term Implementing Entity will hold and manage the farmland mitigation land or conservation easements, the City will take on this role during the time period in which the Consultant is acting as the Implementing Entity. The Consultant's responsibilities will thus include:

- 1) Identifying and negotiating the acquisition of the mitigation land or easement.
- 2) Timing the acquisition transaction to meet the project timelines and landowner's financial planning needs.

- 3) Coordination and preparation of all documents and reports including:
- conservation easement deeds
 - legal descriptions
 - baseline reports
 - management plans
 - memorandums of understanding between the parties.

The Consultant should take the lead in working with the landowner and drafting the conservation easement to assure that the landowner is informed and has a full understanding of the terms and realities of a conservation easement. The Consultant shall develop a working relationship with local landowners for the ongoing acquisition and management of conservation easements consistent with the City's goal of establishing an agricultural lands preservation area in the City's Southeast Quadrant.

The acquisition of a farmland conservation easement requires finding a willing seller of the easement. Once a willing seller and a potential farmland mitigation site are identified and general terms for the conservation easement have been defined, then due diligence must be conducted to determine the viability of the proposed mitigation site. Due diligence responsibilities overseen by the Consultant can include the following:

1. Title research to identify any issues that would undermine the site's use as farmland mitigation, such as severed mineral rights or for easements (e.g. roads, utility facilities) for future development.
2. Environmental site assessment for potential hazardous waste or environmental contamination.
3. Identification of soil and agricultural characteristics, including confirmation of the amount of acreage of different farmland land types as determined through the State's Farmland Mapping and Monitoring Program. Mineral resource remoteness evaluation.
4. Identification of water rights and sources.
5. Land survey to delineate mitigation boundaries and confirm availability of the required acreage.
6. Other ownership or title issues that could threaten the viability of the property for long-term conservation.

Once the suitability of the proposed mitigation site has been confirmed by the due diligence process, then the terms of the conservation easement can be refined and finalized. The terms will address permitted and prohibited uses, including any future development, water rights, accessory agricultural uses such as agritourism. Any future development must be supportive of, and ancillary to, the agricultural uses permitted under the terms of the easement. The terms of the easement will

provide a framework for monitoring, decision making, and enforcement of the easement.

The landowner, the City of Morgan Hill, and the Consultant will need to work closely together to clearly define appropriate, sustainable, legally supportable terms for the conservation easement. Once the terms of the easement have been established for an individual easement, or at a time either in advance or subsequent as deemed appropriate by the Consultant, the Consultant and the City may work together to create a standard set of terms to be used for the City's Program. The Consultant, landowner and the City, as the interim holder of the conservation easement, also work closely together in the preparation of the baseline report, with content dictated by the easement terms.

The easement terms must be approved by the City of Morgan Hill as the governing body of the entity that will hold the easement, and also address the input of the landowner. Once the easement terms have been fully agreed upon by all parties and the baseline report, survey, legal description have been prepared, the easement is transferred and the conservation easement deed is recorded. The transfer is handled as a real estate transaction and typically an escrow process is followed, culminating in the recordation of the conservation easement deed. In some cases the Consultant may work cooperatively with a project developer to implement the conservation easement as part of the developer's project entitlement process.

Management and Monitoring

Stewardship and monitoring of protected land covered by conservation easements is a two-step process. The initial step is the documentation of the existing or "baseline" conditions of the property and the protected resources. The baseline conditions are documented by written descriptions and photos/ videos of the character and condition of the resources and conservation values protected. Key features and photo monitoring locations are mapped for future reference. The baseline records are reviewed and agreed upon by the parties to the mitigation site, typically the conservation holder, landowner, and lead agency.

The second step of the stewardship process is the ongoing monitoring of the property, ultimately the responsibility of the Implementing Entity, but a service provided by the Consultant on an interim basis. A management plan provides the protocols for the monitoring of the conservation lands. The management plan should be prepared based on the purpose and goals for the conservation lands. The management plan must be consistent with the terms and conditions of the conservation easement. Formal monitoring of the mitigation site is mandatory and is conducted on a regular schedule, not less than annually, to document the character and condition of the conservation values protected. Informal monitoring of the property may occur on an ongoing basis and may entail a visual inspection of

the mitigation site by vehicle from public roadways. Any departures from the terms of the management plan or conservation easement for the property are documented and direction should be given to the property owner to restore the site to the required conservation condition. Direction can be given in either an informal or formal method involving the City if necessary. Ongoing communication between the easement holder and the landowner can minimize or avoid violations of the easement's terms, but in rare instances more aggressive actions, including legal actions, may be needed to ensure the conservation values are kept intact.

IV. CONSULTANT QUALIFICATIONS

The Consultant should have professional qualifications and experience that demonstrate an ability to perform the duties described in this RFP. Candidate Consultants will be evaluated based upon the following:

1. Demonstrated ability (expertise and experience) to establish permanent conservation easements and in particular for the purposes of conserving and maintaining lands in agricultural production;
2. Familiarity with agricultural land uses and the needs of agricultural industry;
3. Ability to develop and maintain collaborative working relationships with land owners for the purpose of negotiating the purchase of conservation easements; and
4. Ability to provide reports as necessary for the City to verify implementation of the Program consistent with City goals and objectives.
5. Whether the entity has an established relationship, formal or informal, with the local farming community;
6. Overhead/administration costs for the entity; and
7. Any other information that the City of Morgan Hill finds relevant under the circumstances.

V. SUBMITTAL REQUIREMENTS

Each Consultant candidate who responds to this RFQ is required to submit the information listed below. Please submit three (3) bound, collated copies of materials in keeping with the following format, identifying each item by number.

1. Letter of transmittal;
2. Describe your organization's qualifications as they relate to the City's Agricultural Lands Preservation Program requirements for an Implementing Entity listed above;
3. Describe your organization's experience with the acquisition of property for conservation purposes, the establishment of permanent conservation easements, and the preservation of agricultural land for active agricultural

- use; who would prepare easements and perform the real estate related activities associated with transactions.
4. If the Consultant candidate is a joint venture, explain in detail the responsibilities of the each participating entity;
 5. Provide resumes with applicable experience of professionals who would be performing the outlined activities;
 6. Include a statement that the firm(s) has sufficient staff resources and capability to perform the work required by the scope of work in the RFQ in a timely fashion on an on-call basis;
 7. Provide five (5) references of current or recent projects with names and telephone numbers of contact persons; and
 8. A description of your anticipated costs for administration of the Agricultural Lands Preservation Program that would be charged to the Program.

VI. TIMELINE

Issue RFP	Tuesday, May 31, 2016
Qualifications Due	Friday, June 24, 2016
Interviews (Tentative)	June 30/July 1, 2016
City Council Review (Tentative)	July 27, 2016

VII. SUBMITTAL OF QUALIFICATIONS

Deliver all submittal Requirements by **June 24, 2016** to:

Andrew Crabtree
Community Development Director
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 9 5037

If you have any questions regarding this RFP, please contact Andrew Crabtree at 408-310-4657 or at andrew.crabtree@morganhill.ca.gov.