



Meeting Minutes City Council

Rich Constantine - Mayor
Yvonne Martinez Beltran - Mayor Pro Tem
Larry Carr - Council Member
John McKay - Council Member
Rene Spring - Council Member

Wednesday, March 18, 2020 7:00 pm

Council Chamber
17555 Peak Avenue, Morgan Hill, CA 95037

AMENDED AGENDA

Please note that this agenda was amended to add the ratification of the proclamation of local emergency. Additionally, Other reports, the David J. Powers Agreement (previously item 9), and the closed session items were removed from the agenda.

OPEN AND PUBLIC MEETINGS DURING THE COVID-19 VIRUS EMERGENCY

Public Participation:

In accordance with Executive Orders N-25-20, N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. The Order was addressed in the following ways:

Members of the public were not allowed to physically attend the meeting.

The City Council meeting was live-streamed on Channel 17 and on the City's website. The meeting was also available to the public remotely via Zoom electronic meetings. Additionally, public comment for the City Council meeting was accepted via email tccpubliccomment@morganhill.ca.gov and through the chat feature of the Zoom electronic meeting during the meeting, prior to the close of public comment on an item, and read into the record during public comment.

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

Deputy City Clerk Michelle Bigelow called the roll.

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Present	
Yvonne Martinez Beltran	Mayor Pro Tem	Remote	
Larry Carr	Council Member	Remote	
John McKay	Council Member	Remote	
Rene Spring	Council Member	Remote	

DECLARATION OF POSTING AGENDA

Deputy City Clerk Michelle Bigelow declared the posting of the agenda.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Proclaiming the month of March as American Red Cross Month

Proclaiming the month of March as Women's History Month

Proclaiming March 31, 2020 as Cesar Chavez Day

PRESENTATIONS

YAC PRESENTATION DEVELOPMENTAL ASSET #3- OTHER ADULT RELATIONSHIPS

CITY COUNCIL REPORTS

Mayor Constantine had no report. He stated that none of the committees he sits on have had meetings due to the state of emergency we are in.

CITY MANAGER'S REPORT

City Manager Christina Turner had no report.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that Governor Newsom issued an executive order encouraging cities to hold their meetings electronically and to not have the public gather for meetings. He explained that is the reason we are using such an unusual meeting format. It is a work in progress, and we hope that everyone who is interested has the ability to participate. There is an email address on the agenda where people can email questions or public comment to us as well as through the Zoom program.

PUBLIC COMMENT

Mayor Constantine opened the public comment.

Hearing no requests to speak the public comment was closed.

ADOPTION OF AGENDA

MOTION:

Adopting the amended agenda as posted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry Carr, Council Member
SECONDER:	Rene Spring, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay, Spring

CONSENT CALENDAR

MOTION:

Approving consent items 1 through 4 and 6 through 8.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Yvonne Martinez Beltran, Mayor Pro Tem
SECONDER:	Larry Carr, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay, Spring

1. APPROVE MONTEREY - CITY VENTURES: AFFORDABLE HOUSING PARKING CONCESSION

Recommendation:

Adopt resolution approving the request for the affordable housing parking concession.

2. APPROVE AGREEMENT WITH ASSET PROTECTION PRIVATE SECURITY, INC. FOR SECURITY SERVICES

Recommendation:

Approve and authorize the City Manager to execute and administer a two-year agreement with Asset Protection Private Security, Inc in the amount of \$82,000 for security services.

3. APPROVE MEMORANDUM OF UNDERSTANDING FOR 2019 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) WITH THE COUNTY OF SANTA CLARA

Recommendation:

1. Approve and authorize the City Manager to execute and administer a Memorandum of Understanding with The County of Santa Clara for the 2019 Emergency Management Performance Grant; and
2. Adopt resolution amending the City's Fiscal Year 2019-20 adopted budget to recognize the grant revenue of \$14,400 and appropriate the same as expenditure within the General Fund (010).

4. APPROVE SECOND AMENDMENT TO AGREEMENT WITH SECURE SOLUTIONS INC.

Recommendation:

Approve and authorize the City Manager to execute and administer the Second Amendment to the Agreement with Secure Solutions Inc. for a not to exceed amount of \$85,000 to conduct hiring background investigations of police personnel.

5. ITEM PULLED FOR DISCUSSION

6. AWARD MORGAN HILL INCLUSIVE PLAYGROUND/MAGICAL BRIDGE PROJECT

Recommendation:

1. Adopt resolution to appropriate an additional \$701,079 in the Park Impact Fund (301) for the Morgan Hill Inclusive Playground/Magical Bridge Project;
2. Approve the Morgan Hill Inclusive Playground/Magical Bridge Project Plans and Specifications;
3. Award contract to CRW Industries, Inc. for the Morgan Hill Inclusive Playground/Magical Bridge Project in the amount of \$5,562,090;
4. Authorize expenditure of construction contingency funds not to exceed \$556,209; and
5. Authorize the City Manager to execute and administer the construction contract with CRW Industries, Inc.

7. ADOPT ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MORGAN HILL AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Recommendation:

Waive the reading, adopt Ordinance No. 2316, 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.

8. APPROVE THE MARCH 4, 2020 MEETING MINUTES

Recommendation:

Approve Minutes.

ITEM PULLED FROM CONSENT

5. FACILITY USE FEE WAIVERS

Recommendation:

1. Authorize the City Manager to waive facility rental fees of \$3,000 for Morgan Hill Community Foundation's November 2020 Philanthropy Night Celebration;
2. Authorize the City Manager to waive facility rental fees of \$615 for Indian Association of South Santa Clara County's August 2020 India Independence Day Festival and flag raising ceremony; and
3. Authorize the City Manager to waive facility rental fees of \$3,000 for American Association of University Women's April 2021 Future Women Leaders Conference.

MOTION:

Continuing item until such date that events will be able to be held again and until we understand the ramifications of what the City's budget will be as a result of the health crisis.

RESULT:	CONTINUED [4 TO 1]
MOVER:	Larry Carr, Council Member
SECONDER:	Rich Constantine, Mayor
AYES:	Constantine, Martinez Beltran, Carr, McKay
NAYS:	Spring

OTHER BUSINESS

9. ADOPT RESOLUTION RATIFYING PROCLAMATION OF LOCAL EMERGENCY DUE TO PANDEMIC RESPONSE

Recommendation:

Adopt Resolution ratifying the March 13, 2020 emergency proclamation due to pandemic response.

City Manager Christina Turner and City Attorney Donald Larkin provided reports.

Public comment opened.

Joe Baranowski was called to speak.

Doug Muirhead submitted public comment via email.

Public comment closed.

MOTION:

Approving the recommended action and directing staff to return to a future City Council meeting to further discuss within two weeks.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rich Constantine, Mayor
SECONDER:	John McKay, Council Member
AYES:	Constantine, Martinez Beltran, Carr, McKay, Spring

10. DISCUSS RESPONSE TO THE COUNTY OF SANTA CLARA'S ORDERS REGARDING COVID-19

Recommendation:

Provide direction to staff.

Item continued to future meeting.

FUTURE COUNCIL INITIATED AGENDA ITEMS

None.

ADJOURNMENT

Mayor Constantine adjourned the meeting at 8:05 p.m.

MINUTES PREPARED BY:

Angie Gonzalez, Minutes Clerk