

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, November 3, 2021 6:00 pm

Virtual Meeting

SPECIAL/REGULAR MEETING

A special meeting of the City Council was called at 6:00 p.m. for the purpose of conducting a closed session.

6:00 p.m. Closed Session

7:00 p.m. Regular Meeting

SPECIAL MEETING

6:00 p.m. Closed Session

CALL TO ORDER

Mayor Constantine called the meeting to order at 6:02 p.m.

ROLL CALL ATTENDANCE

Deputy City Clerk Angie Gonzalez 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

Deputy City Clerk Angie Gonzalez declared the posting of the agenda.

CLOSED SESSION

City Attorney Don Larkin announced the closed session items.

OPPORTUNITY FOR PUBLIC COMMENT

Public comment opened at 6:03 p.m. There being no requests to speak, public comment closed.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:04 p.m.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Authority: Government Code 54957(b)(1)
Title: City Manager

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Authority: Government Code 54957(b)(1)
Title: City Attorney

CONFERENCE WITH LABOR NEGOTIATOR

Authority: Pursuant to Government Code Section 54957.6
City Negotiators: Christina Turner, City Manager; Donald Larkin, City Attorney;
Michael Horta, Human Resources Director;
Dat Nguyen, Finance Director
Employee Organization: Morgan Hill Police Officers Association
Employees Covered under Management Resolution #21-025
AFSCME Local 101 Morgan Hill
Community Service Officers Association

REGULAR MEETING

7:00 p.m.

The regular meeting convened at 7:03 p.m.

The meeting recessed at 7:03 p.m. and reconvened at 7:08 p.m.

PRESENTATIONS

End of Session Legislative Update- Senator John Laird

PROCLAMATIONS

Proclaiming the Month of November as Philanthropy Month

CITY COUNCIL REPORTS

Mayor Constantine spoke regarding the Valley Water Commission meeting on October 27th. He brought up recycled water at this meeting. The Board stated that the 2021-2022 work plan, which would expand the use of non-potable water and production of use of recycled water, is of high priority. He stated that he is looking for a more concrete plan, Valley Water's Board stated that they will be implementing the Countywide Water Reuse Master Plan. If you would like to read the Plan you can find it on the County's website or you can email the Mayor for a copy. He shared that Valley Water requested from the Federal Energy Regulatory Commission (FERC), to store more rain water in Anderson Dam. FERC recently denied that request.

CITY MANAGER'S REPORT

City Manager Christina Turner spoke to the evening's supplements and presentations. She announced that the City has received permit applications from Frontier Communications. They are our incumbent local telephone company; they are planning to significantly advance infrastructure and the service that they offer Morgan Hill. Construction is slated for next year. Frontier's improvements along with the continued development of wireless service options from other independent companies indicate that our residents and businesses will continue to have more choices and better services in the not to distant future. She shared that the COVID-19 vaccines for ages 5-11 are now available. Parents and guardians can go to www.sccfreevax.org <<http://www.sccfreevax.org>> for appointments or locations. She concluded by inviting community members to join us for the Downtown Beautification Project Town Hall on Thursday, November 4th at 5:30 p.m.

CITY ATTORNEY'S REPORT

City Attorney Donald Larkin announced that there was no reportable action from the two employee performance evaluation closed session items. He shared that the City has reached an agreement with the American Federation of State, County, and Municipal Employees Local 101 Union (AFSCME), the contract will come to City Council at the November 17, 2021 meeting for final adoption.

OTHER REPORTS

Council Member Martinez Beltran shared that Nueva Esperanza and herself built a beautiful altar for Dia de los Muertos at the Community Center. She requested that we end the meeting in honor of Michael Daniel Zuniga Macias, the youth victim in the shooting in Gilroy.

Council Member Borgioli shared that he took his grandson to DePaul Medical Center for a vaccine, and was surprised at the efficiency, friendliness, and process. He encouraged the community to take advantage of that great organization.

Mayor Pro Tem McKay shared that he and the City are aware of wild and feral pigs that are tearing up private property. He expressed that the City cannot address the issue. He encouraged those with any questions to email him or the City Manager to get more information. He announced that the Morgan Hill Unified School District is once again hosting COVID Vaccination Clinics in partnership with Safeway.

PUBLIC COMMENT

Public comment opened at 7:45 p.m. The following people were called to speak:

Dave Mathews

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

CONSENT CALENDAR

Public comment opened at 7:54 p.m. The following people were called to speak; they spoke regarding item #1:

Joe Baranowski

Dave Mathews

Armando Benavides

There being no further requests to speak, public comment closed.

MOTION:

Approving consent calendar items 1 through 6.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John McKay, Mayor Pro Tem
SECONDER:	Gino Borgioli, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

1. ADOPT RESOLUTION DETERMINING THAT CONDUCTION OF IN-PERSON MEETINGS WOULD PRESENT A PUBLIC HEALTH RISK AND CONTINUING TELECONFERENCE MEETINGS

Recommendation:

Adopt resolution to continue holding City Council and commission meetings by teleconference.

2. APPROVE AGREEMENT WITH TYLER TECHNOLOGIES FOR A NEW ENTERPRISE RESOURCE PLANNING SYSTEM

Recommendation:

Approve and authorize the City Manager to execute an agreement with Tyler Technologies for a New Enterprise Resource Planning System for a total of \$796,864, including a \$140,690 contingency.

3. APPROVE AGREEMENT WITH TESCO CONTROLS, INC. FOR SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEMS INTEGRATION CONSULTING SERVICES

Recommendation:

Approve and authorize the City Manager to execute a consulting agreement with Tesco Controls, Inc. in the not to exceed amount of \$87,090 for SCADA systems integration services.

4. APPROVE THE OCTOBER 6, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

5. APPROVE THE OCTOBER 20, 2021 MEETING MINUTES

Recommendation:

Approve Minutes.

6. AWARD COMMUNITY AND CULTURAL CENTER AND CENTENNIAL RECREATION CENTER SENIOR CENTER FLOORING PROJECT TO BT MANCINI COMPANY, INC.

Recommendation:

1. Award contract to BT Mancini Company, Inc. in the amount of \$63,497 for the Community and Cultural Center and Centennial Recreation Center Senior Center Flooring Replacement Project;
2. Authorize the expenditure of 10% contingency funds not to exceed \$6,349; and
3. Authorize the City Manager to execute and administer that certain contract with BT Mancini Company, Inc.

OTHER BUSINESS

7. RECEIVE MONTHLY BUDGET UPDATE; SEPTEMBER 2021 FINANCIAL AND INVESTMENT REPORTS; AND CITY MANAGER AUTHORITY REPORT

Recommendation:

Accept and file report.

Finance Director Dat Nguyen provided a presentation and answered questions.

Public comment opened at 8:20 p.m.

Joe Baranowski was called to speak.

There being no further requests to speak, public comment closed.

RESULT:	ACCEPT REPORT
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8. REFINANCE AND RE-SUBORDINATION OF MURPHY RANCH I & II APARTMENTS, FIRST COMMUNITY HOUSING

Recommendation:

1. Authorize City Manager to negotiate and approve re-subordination of the \$3,453,426 former City of Morgan Hill Redevelopment Agency (RDA) note on Murphy Ranch I and the \$3,406,574 note on Murphy Ranch II with First Community Housing (FCH) to a new first mortgage to support re-capitalization and rehabilitation of these properties. The agreement will be negotiated and subject to the review and approval by the City Attorney; and
2. Approve FCH's proposal to refinance two existing first mortgages from senior lender totaling \$5,605,813 on Murphy Ranch I and II with two new mortgage loans.

Housing Director Rebecca Garcia provided a report and answered questions.

Public comment opened at 8:28 p.m.
Peter Villareal was called to speak.
There being no further requests to speak, public comment closed.

MOTION:

Approving the recommended actions.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rene Spring, Council Member
SECONDER:	Yvonne Martinez Beltran, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

9. APPROVE COMMUNITY FUNDING REQUEST POLICY

Recommendation:

Approve recommended Community Funding Request Policy.

Public Services Director Chris Ghione provided a presentation and answered questions.

Public comment opened at 8:55 p.m.
Delia Gomez was called to speak.
There being no further requests to speak, public comment closed.

MOTION:

Approving the recommended action with language clarification for section 6 of the Policy.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John McKay, Mayor Pro Tem
SECONDER:	Gino Borgioli, Council Member
AYES:	Constantine, McKay, Borgioli, Martinez Beltran, Spring

FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Martinez Beltran asked for an update or discussion on when we anticipate returning to in-person Council meetings.

ADJOURNMENT

There being no further business, the meeting adjourned in memory of the shooting victims in Gilroy at 9:01 p.m.

MINUTES PREPARED BY:

Angie Gonzalez, Deputy City Clerk