

**City of Gilroy
City Council Regular Meeting Minutes
Monday, January 8, 2024 | 6:00 PM**

1. OPENING

1.1. Call to Order

The meeting was called to order by Mayor Blankley at 6:00 PM.

1.2. Pledge of Allegiance

Mayor Blankley led the Pledge of Allegiance.

1.3. Invocation

There was none.

1.4 City Clerk's Report on Posting the Agenda

City Clerk Pham reported on the Posting of the Agenda.

1.5. Roll Call

Attendance	Attendee Name
Present	Rebeca Armendariz, Council Member Dion Bracco, Council Member Tom Cline, Council Member Carol Marques, Mayor Pro Tempore Fred Tovar, Council Member Marie Blankley, Mayor
Absent	Zach Hilton, Council Member

1.6. Orders of the Day

There were none.

1.7. Employee Introductions

Police Chief Espinoza introduced Police Officer Virginia Valencia.

2. CEREMONIAL ITEMS - Proclamations and Awards

There were none.

3. PRESENTATIONS TO THE COUNCIL

**3.1. PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE
AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY
COUNCIL**

Mayor Blankley opened Public Comment. The following speakers spoke on items that were not on the agenda:

Donald Perino expressed concerns about various community issues, including the treatment of his 15-year-old cat, problems with neighbors and wildlife, local airport operations, and the impact of a pipeline project on regional water resources.

Ron Kirkish addressed the council, highlighting the repeated absence of

Council Member Hilton, noting this was his 20th absence in three years, including the first meeting of 2024

Tom Miller discussed his personal history in Gilroy and his efforts to revitalize the downtown area, focusing on his initiative to introduce parklets, highlighting their community-building potential and the extensive process he underwent to establish a fully permitted parklet.

Ruth Garcia advocated for equitable treatment of parklets in Gilroy, emphasizing the need for consistent rules and fair consideration for all, and offered assistance in communicating the concerns of another local business owner.

Teo Castillo emphasized the vital role of the parklet for her business's survival amid pandemic and recession challenges, and expressed gratitude for the opportunity to present her case to the council.

Evelyn Hudson advocated for the parklet program, questioning the fairness of requiring a business owner to dismantle an already established parklet while the city deliberates on parklet policies, especially considering the financial and social importance of such spaces during the pandemic.

Sammy Trujillo expressed disappointment in the recent council vote on parklets and urged the council to adopt a parklet program that supports business growth and creates a vibrant, diverse downtown area conducive to outdoor dining and community engagement.

Albert Moran spoke in support of Station 55, emphasizing the importance of al fresco dining in creating a sense of community and family togetherness, advocating for more such spaces in Gilroy to enhance the dining experience and retain local tax dollars.

Parke M. Fox expressed confusion and concern over the council's consideration to remove parklets, emphasizing the challenges they pose to people with injuries, the elderly, and the handicapped, particularly at establishments like Station 55 which are not at ground level and require steps or ramps for access.

Mike Montuy emphasized the importance of parklets like Station 55's for providing a safer outdoor dining option amidst the ongoing Covid-19 pandemic, highlighting the choice it offers to avoid crowded indoor spaces and reduce the risk of contamination.

Robert Zepeda raised concerns about the state's approval of using treated sewer water in tap water, its implications for Santa Clara County, and criticized the broader approach to climate change, questioning the effectiveness of electric cars, solar panels, and wind turbines due to their reliance on fossil fuels, and warned of potential health risks, including E. coli, from tap water consumption.

Andrea Hightower advocated for the support of small businesses and the preservation of parklets like Station 55's, emphasizing their importance for families with disabled members by providing accessible outdoor spaces, aligning with Gilroy's 2030 vision for increased ADA compliance and community inclusion.

Ana Mendoza urged the council to retain Station 55's parklet, emphasizing equality and the challenges faced by the business owner, while calling for community-focused decision-making.

There being no further speakers, Mayor Blankley closed Public Comment.

4. **REPORTS OF COUNCIL MEMBERS**

Council Members Bracco, Armendariz, Marques, Cline, Tovar had no report.

Mayor Blankley reported on SCWRA, the Santa Clara Valley Water Joint Water Resources Committee, and the Gilroy Sister Cities Association.

5. **COUNCIL CORRESPONDENCE**

There were none.

6. **FUTURE COUNCIL INITIATED AGENDA ITEMS**

Council Member Armendariz requested the council to re-agendize the issue of parklets, specifically focusing on the parklet at Station 55, in response to the public interest and community requests on the matter. Mayor Blankley informed Council Member Armendariz that the issue concerning parklets and discussions with businesses, as directed in their last meeting, is already scheduled to be addressed in the upcoming meeting.

7. **CONSENT CALENDAR**

Mayor Blankley opened Public Comment. There being no speakers, Mayor Blankley closed Public Comment.

Motion: Approve the Consent Calendar.

RESULT: Pass

MOVER: Dion Bracco, Council Member

SECONDER: Tom Cline, Council Member

AYES: Council Member Armendariz, Council Member Bracco, Council Member Cline, Mayor Pro Tempore Marques, Council Member Tovar, Mayor Blankley

NOES: None

ABSTAIN: None

ABSENT: Council Member Hilton

7.1. **Approval of the Action Minutes of the December 11, 2023 City Council Special Meeting**

A motion was made to approve the minutes.

7.2. **Acceptance of the Annual Development Impact Fee Report for Fiscal Year 2022-2023 as Required under Government Code 66000**

A motion was made to accept the Annual Development Impact Fee Report.

7.3. **Approval of a First Amendment to the Agreement with Circlepoint, Inc. in the amount of \$32,252 for the Preparation of an Environmental Impact**

Report (EIR) for the Gilroy Data Center Project

A motion was made to approve a first amendment agreement with Circlepoint, Inc.

7.4. Adoption of the Council Modified Resolution in Support of “Build the Future” (Childcare)

A motion was made to adopt the resolution.

Enactment No.: Resolution No. 2024-01

8. BIDS AND PROPOSALS

There were none.

9. PUBLIC HEARINGS

There were none.

10. UNFINISHED BUSINESS

10.1. Annual Appointments to City Boards, Commissions, and Committees with Seats Vacant or Expired as of December 31, 2023

Mayor Blankley opened Public Comment. There being no speakers, Mayor Blankley closed Public Comment.

Council made the following appointments:

Amy Hufford to the Arts and Culture Commission with a term expiring 12/31/2025.

No appointments were made to the Library Commission.

Salvatore Bozzo and Theresa Graham to the Parks and Recreation Commission with terms expiring on 12/31/2027.

Stefanie Elle and Monica Valdez to Planning Commission the Planning Commission with terms expiring 12/31/2027.

No appointments were made to the Open Government Commission.

Emily Lai, Biruh Abaneh, and Gianna Garcia to the Youth Commission with terms expiring 9/30/2025.

11. INTRODUCTION OF NEW BUSINESS

11.1. City of Gilroy Donation and Fundraising Policy

Assistant to the City Administrator Atkins provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment. There being no speakers, Mayor Blankley closed Public Comment.

Council directed staff to revise and return with the City of Gilroy Donation and Fundraising Policy for further review and potential adoption, focusing on key aspects such as donation acceptance requirements, reporting frequencies (especially for donations over \$5,000), alignment with city goals and legal compliance, and specific amendments for clarity and effectiveness.

11.2. **City Council Downtown Committee (Part 1) - Subcommittee Reports and Recommendations – Plywood Removal and Vacancy Ordinances**

Downtown Subcommittee on Plywood Removal provided their presentation to Council and responded to Council Member questions.

Downtown Subcommittee on Vacancy Ordinances provided the presentation to Council and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Jeanie Rizzuto inquired about the potential citywide application of the plywood removal and vacancy ordinance, the rationale behind the \$1,500 annual monitoring fee, concerns about publicizing property owner details, and the possibility of city assistance for business owners in maintaining or renting their properties.

There being no further speakers, Mayor Blankley closed Public Comment.

Council directed staff to draft an ordinances incorporating the Downtown Standing Committee's recommendations for managing plywood-covered storefronts and prolonged vacancies in downtown, including enforcing aesthetic standards for vacant properties and implementing fines and a vacancy tax for non-compliance.

11.3. **Police Department Axon Program and Community Survey Update**

Police Captain Rocha provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Ron Kirkish expressed concern about the outdated calculation of police staffing levels in Gilroy, which haven't been reevaluated since 1986 despite significant population growth and advocated for a reassessment to ensure adequate law enforcement resources in response to current crime rates.

There being no further speakers, Mayor Blankley closed Public Comment.

Council received the report.

11.4. **Consent to the Appointment of Heath McMahon as Utilities Director**

Administrative Services and Human Resources Director / Risk Manager McPhillips provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment. There being no further speakers, Mayor Blankley closed Public Comment.

Motion: Consent to the City Administrator's recommendation to appoint Heath McMahon to the department head position of Utilities Director.

RESULT: Pass

MOVER: Rebeca Armendariz, Council Member

SECONDER: Dion Bracco, Council Member

AYES: Council Member Armendariz, Council Member Bracco, Council Member Cline, Mayor Pro Tempore Marques, Council Member Tovar, Mayor Blankley

NOES: None

ABSTAIN: None

ABSENT: Council Member Hilton

12. **CITY ADMINISTRATOR'S REPORTS**

12.1. Gilroy Garlic Festival Memorial Update

City Administrator Forbis provided his report and responded to Council Member questions.

13. **CITY ATTORNEY'S REPORTS**

There were none.

14. **ADJOURNMENT**

The meeting was adjourned by Mayor Blankley at 8:01 PM.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the City Council of the City of Gilroy on January 22, 2024.

/s/Thai Nam Pham, MMC, CPMC
City Clerk