



CITY COUNCIL REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS, CITY HALL
7351 ROSANNA STREET, GILROY, CA
95020

MAYOR

Marie Blankley

COUNCIL MEMBERS

Rebeca Armendariz

Dion Bracco

Tom Cline

Zach Hilton

Carol Marques

Fred Tovar

MONDAY, JANUARY 22, 2024 | 6:00 PM

CITY COUNCIL PACKET MATERIALS ARE AVAILABLE ONLINE AT www.cityofgilroy.org
AGENDA CLOSING TIME IS 5:00 P.M. THE TUESDAY PRIOR TO THE MEETING

PUBLIC COMMENTS ON AGENDA ITEMS ARE TAKEN BEFORE THE CITY COUNCIL TAKES ACTION. [Please keep your comments to 3 minutes](#). Time restrictions may vary based on the Mayor's discretion.

Send written comments on any agenda item to publiccomments@cityofgilroy.org or City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by 1 p.m. on the meeting day will be distributed to the City Council before the meeting. Comments are also available at bit.ly/3NuS1IN.



In compliance with the Americans with Disabilities Act, the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk's Office at least 72 hours prior to the meeting at (408) 846-0204 or cityclerk@cityofgilroy.org to help ensure that reasonable arrangements can be made.



If you dispute any planning or land use decision from this meeting in court, you may only raise issues you or someone else presented at this meeting's public hearing or in written letters to the City Council before the hearing. Be aware that the time to seek a judicial review of any final decision made at this meeting is defined by Section 1094.6 of the California Code of Civil Procedure.

During this meeting, a Closed Session may be called under Government Code Section 54956.9 (d)(2). This will happen if, in the City's legislative body's opinion (based on current facts, circumstances, and legal advice), there's a significant risk of a lawsuit against the City.

Additional materials submitted after agenda distribution are available on www.cityofgilroy.org as soon as possible.

KNOW YOUR RIGHTS UNDER THE GILROY OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, task forces, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE, TO RECEIVE A FREE COPY OF THE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION STAFF AT (408) 846-0204.

If you need translation assistance, contact the City Clerk 72 hours before the meeting at 408-846-0204 or cityclerk@cityofgilroy.org.

Si necesita un intérprete durante la junta y gustaría dar un comentario público, comuníquese con el Secretario de la Ciudad un mínimo de 72 horas antes de la junta al 408-846-0204 o envíe un correo electrónico a la Oficina del Secretario de la Ciudad a cityclerk@cityofgilroy.org.



To access written translation during the meeting, please scan the QR Code or click this link:

Para acceder a la traducción durante la reunión, por favor escanee el código QR o haga clic en el enlace:

bit.ly/3FBiGA0

Choose Language and Click Attend | *Selecione su lenguaje y haga clic en asistir*

Use a headset on your phone for audio or read the transcript on your device.

Use sus auriculares para escuchar el audio o leer la transcripción en el dispositivo.

The agenda for this meeting is outlined as follows:

1. OPENING

- 1.1. Call to Order**
- 1.2. Pledge of Allegiance**
- 1.3. Invocation**
- 1.4. City Clerk's Report on Posting the Agenda**
- 1.5. Roll Call**
- 1.6. Orders of the Day**
- 1.7. Employee Introductions**

2. CEREMONIAL ITEMS - Proclamations and Awards

- 2.1. Proclamation Proclaiming January 29 – February 2, 2024 as Catholic Schools Week at St. Mary School in Gilroy**

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**

This part of the meeting allows public address on non-agenda topics within the Council's jurisdiction. To speak, complete a Speaker's Card from the entrances and give it to the City Clerk. Speaking time ranges from 1-3 minutes based on the Mayor's discretion. Extended

discussions or actions on non-agenda items are restricted by law. For Council action, the topic may be listed on a future agenda.

Email written comments on non-agenda topics to publiccomments@cityofgilroy.org or mail them to City Hall, 7351 Rosanna Street, Gilroy, CA 95020, by 1:00 p.m. on the meeting day. These comments, available at City Hall, will be shared with the Council and included in the meeting record. Late submissions will be shared as soon as possible. A 10-page limit applies to hard-copy materials, but electronic submissions are unlimited.

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco – Downtown Committee, Santa Clara County Library Joint Powers Authority, Santa Clara Valley Water Joint Water Resources Committee, SCRWA

Council Member Armendariz – Downtown Committee, Santa Clara County Library Joint Powers Authority (*alternate*), Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, Silicon Valley Clean Energy Authority JPA Board (*alternate*), South County United for Health

Council Member Marques – ABAG, Downtown Committee, Gilroy Gardens Board of Directors, Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, SCRWA (*alternate*)

Council Member Hilton – CalTrain Policy Group (*alternate*), Silicon Valley Clean Energy Authority JPA Board, South County United for Health (*alternate*), VTA Policy Advisory Committee

Council Member Cline – Gilroy Economic Development Partnership (*alternate*), Gilroy Gardens Board of Directors (*alternate*), Gilroy Sister Cities Association, Gilroy Youth Task Force, Silicon Valley Regional Interoperability Authority Board, VTA Policy Advisory Committee (*alternate*), Visit Gilroy California Welcome Center Board, VTA Mobility Partnership Committee

Council Member Tovar – Downtown Committee, Gilroy Youth Task Force (*alternate*), Santa Clara County Expressway Plan 2040 Advisory Board, Santa Clara Valley Water Commission, SCRWA, South County Youth Task Force Policy Team

Mayor Blankley – ABAG (*alternate*), CalTrain Policy Group, Downtown Committee, Gilroy Economic Development Partnership, Gilroy Sister Cities Association (*alternate*), Gilroy Youth Task Force, Santa Clara Valley Water Joint Water Resources Committee, SCRWA, South County Youth Task Force Policy Team, VTA Board of Directors, VTA Mobility Partnership Committee

5. COUNCIL CORRESPONDENCE

5.1. Council Information Request – Animal Services Cost Comparison

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

7. CONSENT CALENDAR

Items under the Consent Calendar are deemed routine and approved with one motion. If a Council member or a member of the public wishes for a separate discussion on an item, it must be requested for removal before the Council's approval vote. If removed, the item will be discussed in its original order.

- 7.1. **Approval of the Action Minutes of the January 8, 2024 City Council Regular Meeting**
- 7.2. **Adoption of the City of Gilroy Donation and Fundraising Policy**
- 7.3. **Claim of Gilroy Arroyo One, LLC and Gilroy Arroyo Two, LLC (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute a denial of the claim)**

8. BIDS AND PROPOSALS (NONE)

9. PUBLIC HEARINGS (NONE)

10. UNFINISHED BUSINESS

10.1. Downtown Parklet Program

- 1. Staff Report: Victoria Valencia, Economic Development Manager
- 2. Public Comment
- 3. Possible Action:
 - 1. Council to receive the report of the recent downtown business parklet interest survey; and
 - 2. Provide policy direction to:
 - a. Pursue a downtown parklet program; or
 - b. End the development of a downtown parklet program and direct staff regarding any existing parklet permits.

11. INTRODUCTION OF NEW BUSINESS

11.1. Resolution Establishing Gilroy Police Department Towing Rates

- 1. Staff Report: Pedro Espinoza, Police Chief
- 2. Public Comment
- 3. Possible Action:

Adopt a resolution establishing tow rates pursuant to Section 24A.8 - Regulations, of the Gilroy City Code Chapter 24A - Towing Services.

11.2. Quality-of-Life Police Officer Program

- 1. Staff Report: Pedro Espinoza, Police Chief
- 2. Public Comment
- 3. Possible Action:
 - 1. Council approve the City's permanent Quality-of Life-Officer Program; and
 - 2. Approve the reclassification of a Police Officer to a Police Corporal in the Quality-of-Life Officer Program; and
 - 3. Adopt a resolution updating the City's Position Control List for Fiscal Year 2024-25 (FY25).

11.3. City Council Downtown Committee (Part 2) - Subcommittee Reports and Recommendations – Beautification of Downtown and Noise Ordinance

1. Staff Report: Gilroy Downtown Committee
2. Public Comment
3. Possible Action:

Council discussion and direction regarding the report and recommendations provided by the Downtown Committee's Beautification of Downtown and Noise Ordinance Subcommittees.

11.4. Consent to the Appointment of Heba El-Guindy as Public Works Director

1. Staff Report: LeeAnn McPhillips, Administrative Services and Human Resources Director / Risk Manager
2. Public Comment
3. Possible Action:

Consent to the City Administrator's recommendation to appoint Heba El-Guindy to the department head position of Public Works Director.

12. CITY ADMINISTRATOR'S REPORTS

13. CITY ATTORNEY'S REPORTS

14. CLOSED SESSION

14.1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to GC Sec. 54956.8 and GCC Sec.17A.8 (a) (2)

Property: City-Owned 536 Acres at Hecker Pass (Including Gilroy Gardens Theme Park), 3050 Hecker Pass Highway, Gilroy, CA (APN's: 810-17-024, 810-17-026, 810-17-029, 810-17-030, 810-17-031, 810-18-002, 810-18-013, 810-19-005, 810-19-007, 810-19-010, 810-19-011, 810-19-014)

Negotiators: Jimmy Forbis, City Administrator; Victoria Valencia, Economic Development Manager

Other Parties to Negotiations: Paul Nakamoto, Bay.Org (DBA Aquarium of the Bay/Bay Ecotarium); Chris Sutton, Select Contracts; Nicholas Singer, Purchase Capital;

Under Negotiations: Price and terms of payment for sale or lease.

14.2. CONFERENCE WITH LABOR NEGOTIATORS – COLLECTIVE BARGAINING UNIT Pursuant to GC Section 54957.6 and GCC Section 17A.11 (4);

Collective Bargaining Units: Local 2805, IAFF Fire Unit Representing Gilroy Fire Fighters

City Negotiators: Jimmy Forbis, City Administrator, LeeAnn McPhillips, HR Director

Anticipated Issues(s) Under Negotiation: Wages, Hours, Benefits, Working Conditions; **Memorandums of Understanding:** City of Gilroy and Gilroy Fire Fighters Local 2805.

- 14.3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to GC Sec. 54956.8 and GCC Sec. 17A.8(a)(2);**
Properties: 10th Street Bridge: APNs 808-19-007, 799-30-006, 799-30-007, 808-19-020, 808-50-999, Thomas Luchessa Bridge: APNs 808-21-025, 808-21-023, 808-21-021, 808-21-018, New Fire Station: APNs 808-18-003, 808-19-029
Negotiators: Jimmy Forbis, City Administrator; Other Party to
Negotiations: Glen Loma Corporation, John M. Filice, Jr.;
Negotiating Price and terms of payment regarding purchase, sale.

15. ADJOURN TO OPEN SESSION

Report of any action taken in Closed Session and vote or abstention of each Council Member if required by Government Code Section 54957.1 and GCC Section 17A.13 (a); Public Report of the vote to continue in closed session if required under GCC Section 17A.11 (e).

16. ADJOURNMENT

FUTURE MEETING DATES

February 2024

5 Regular Meeting - 6:00 p.m
26 Regular Meeting - 6:00 p.m

March 2024

4 Regular Meeting - 6:00 p.m
18 Regular Meeting - 6:00 p.m

April 2024

8 Regular Meeting - 6:00 p.m
15 Regular Meeting - 6:00 p.m

Meetings are live streamed on the City of Gilroy's website at gilroy.city/meetings and on YouTube at <https://bit.ly/45jor03>.

Access the 2024 City Council Meeting Calendar at <https://bit.ly/3LLzY1n>.