

City of Gilroy
City Council Regular Meeting Minutes
Monday, February 5, 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

Council Member Tovar 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 Zach Hilton, Council Member Carol Marques, Mayor Pro Tempore Fred Tovar, Council Member Marie Blankley, Mayor
Absent	None

1.6. Orders of the Day

There were none.

1.7. Employee Introductions

Finance Director Sangha introduced Jeanette Cid, Accounting Assistant I.

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.

Ann Marie McCauley criticized the inadequacy of short-term services for the unhoused, stressing the need for long-term housing solutions to address homelessness effectively.

Ron Kirkish criticized Plan Bay Area 2050 for its costly and progressive approach to societal issues, promising to detail its provisions in future council meetings.

Ana Mendoza requested the City Council review an ordinance related to mobile parks in Gilroy, indicating future discussions with tenants, and advocated for a resolution to support Palestinian community members, emphasizing the need to address hate and protect residents.

Robert Zepeda raised concerns about the COVID-19 vaccine, citing a specific obituary to argue that negative outcomes and deaths related to the vaccine are not being adequately communicated to the public.

The following members urged the City Council to adopt a ceasefire resolution for Israel and Palestine:

Noshaba Afzal
Reyna Deniz
Sal Akhter
Aisha Wahdani
Zain Yahya
Amina Kemici
Handy Abbass

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

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco reported on Santa Clara County Library Joint Powers Authority. He also expressed gratitude towards St. Mary's Catholic School children for sending letters and portraits.

Council Member Armendariz had no report.

Council Member Marques had no report.

Council Member Hilton on Silicon Valley Clean Energy Authority JPA Board

Council Member Cline had no report.

Council Member Tovar thanked Gilroy Foundation Executive Director Jaclyn Muro for discussing collaboration opportunities with the City, focusing on downtown input, working with Gavilan College, and developing scholarships for Gilroy students pursuing advanced degrees. He also expressed gratitude for a card received from Saint Mary's Catholic School

Mayor Blankley reported on VTA Board of Directors. She also shared her appreciation for personalized gestures from Saint Mary's Catholic School for Catholic Schools Week.

5. COUNCIL CORRESPONDENCE

5.1. City Administrator Response to Request from the Local Agency Formation Commission (LAFCO) Board to Provide Implementation Plans for the 2023 Countywide Fire Service Review Recommendations

Council acknowledged the item.

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Tovar requested the Council to introduce a resolution on ceasefire in

Palestine and Israel. The item received majority support.

7. **CONSENT CALENDAR**

Council Member Cline requested that Item 7.3 be pulled from the Consent Calendar.

Mayor Blankley opened Public Comment.

Jeff Orth reported on Item 7.4 feedback from Fifth Street business owners on parklets, noting all are fine with its presence but suggest making it less obtrusive by cleaning up trash, removing the roof, lowering walls, and angling corners to reduce its size and visual impact.

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

Motion: Approve the Consent Calendar with the exclusion of Item 7.3.

RESULT: Pass

MOVER: Rebeca Armendariz, Council Member

SECONDER: Fred Tovar, Council Member

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

NOES: None

ABSENT: None

ABSTAIN: None

7.1. **Approval of the Action Minutes of the January 22, 2024 City Council Regular Meeting**

A motion was made to approve the minutes.

7.2. **Approve the Third Amendment to the Agreement with Swimming Swan LLC to Extend the Agreement by One Year for \$250,348**

A motion was made to approve the third amendment to the agreement with Swimming Swan LLC.

7.3. **Tentative Map Time Extension Request No. 2, Without Any Changes to Project Approval, to Subdivide 8.36 Acres, Creating 14 Single-Family Residential Lots, Two Common Parcels, and One Public Park Parcel, Located at the Northerly End of Greenfield Drive, APN 808-20-008 (TM 16-02)**

The item was pulled out of the Consent Calendar for further discussion.

7.4. **Extension and Maintenance of Existing Parklet Permits Until Adoption and Implementation of a Formal Downtown Parklet Program**

A motion was made to approve the extension and maintenance of existing parklet permits until adoption and implementation of a formal downtown parklet program.

7.5. Adopt a Resolution of the City Council of the City of Gilroy Authorizing Execution of Administering Agency-State Master Agreements for State and Federal-Aid Funded Projects

A motion was made to adopt the Resolution.

Enactment No.: Resolution No. 2024-05

7.6. Resolution of the City Council of the City of Gilroy Declaring Weeds a Nuisance

A motion was made to adopt the resolution.

Enactment No.: Resolution No. 2024-06

7.3. Tentative Map Time Extension Request No. 2, Without Any Changes to Project Approval, to Subdivide 8.36 Acres, Creating 14 Single-Family Residential Lots, Two Common Parcels, and One Public Park Parcel, Located at the Northerly End of Greenfield Drive, APN 808-20-008 (TM 16-02)

Council Member Cline recused himself from the item due to a conflict of interest.

Motion: Adopt a resolution approving a 12-month time extension of Tentative Map TM 16-02, without any changes to project approval, to subdivide 8.36 acres, creating 14 single-family residential lots, two common parcels, and one public park parcel located at the northerly end of Greenfield Drive, APN 808-20-008 (TM 16-02).

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Dion Bracco, Council Member

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

NOES: None

ABSENT: None

RECUSED: Council Member Cline

Enactment No.: Resolution No. 2024-04

8. BIDS AND PROPOSALS

8.1. Award a Contract to ASG Builders for the FY24 Annual CDBG Sidewalk/Curb Ramp Project No. 24-PW-285 in the amount of \$97,290, Approve a Project Contingency of \$19,458, and Approve a Total Project Expenditure of \$116,748 for Construction

Interim Public Works Director Bjarke provided staff presentation and responded to Council Member questions.

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

Motion: Award a contract to ASG Builders in the amount of \$97,290 and approve a project contingency of \$19,458 for the FY24 Annual CDBG Sidewalk/Curb Ramp Project (No. 24-PW-285) and authorize the City Administrator to execute the contract and associated documents.

RESULT: Pass

MOVER: Dion Bracco, Council Member

SECONDER: Rebeca Armendariz, Council Member

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

NOES: None

ABSENT: None

ABSTAIN: None

8.2. Award a Contract to Hexagon Transportation Consultants, Inc. for the First Street (SR152)/Kern Avenue Traffic Signal Design Project No. 24-RFP-PW-494 in the amount of \$264,685, Approve a Project Contingency of \$39,703, and Approve a Total Project Expenditure of \$304,388 for Design Services

Interim Public Works Director Bjarke provided staff presentation and responded to Council Member questions.

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

Motion: Adopt a resolution of the City Council of the City of Gilroy amending the Fiscal Year 2023-2024 budget and appropriating an additional \$121,821 from the Traffic Impact Fund (425) and award a contract to Hexagon Transportation Consultants, Inc. in the amount of \$264,685 and approve a project contingency of \$39,703 for a total project expenditure of \$304,388 for the design and preparation of bid documents for the First Street (SR152)/Kern Avenue Traffic Signal Design Project No. 24-RFP-PW-494 and authorize the City Administrator to execute the contract and associated documents.

RESULT: Pass

MOVER: Tom Cline, Council Member

SECONDER: Rebeca Armendariz, Council Member

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

NOES: None

ABSENT: None

ABSTAIN: None

Enactment No.: Resolution No. 2024-07

8.3. Award a Contract to HydroScience Engineers, Inc. for the Design of Water Utility Improvements Project No. 24-RFP-PW-497 in the amount of \$842,790, Approve a Project Contingency of \$126,419, and Approve a Total Project Expenditure of \$969,209 for Design Services

Interim Public Works Director Bjarke provided staff presentation and responded to Council Member questions.

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

Motion: Adopt a resolution of the City Council of the City of Gilroy to increase the Fiscal Year 2023-2024 (FY24) and decrease the 2024-2025 (FY25) budget by \$605,038 in the Water Fund (Fund 705) and award a contract to HydroScience Engineers, Inc. in the amount of \$842,790 and approve a project contingency of \$126,419 for a total project expenditure of \$969,209 for the design and preparation of bid documents for Water Utility Improvements Project No. 24-RFP-PW-497 and authorize the City Administrator to execute the contract and associated documents.

RESULT: Pass

MOVER: Dion Bracco, Council Member

SECONDER: Fred Tovar, Council Member

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

NOES: None

ABSENT: None

ABSTAIN: None

Enactment No.: Resolution No. 2024-08

8.4. Award a Contract to Villalobos & Associates for the FY24 Annual Citywide Curb Ramp Project No. 24-PW-286 in the amount of \$104,130, Approve a Project Contingency of \$10,413, and Approve a Total Project Expenditure of \$114,543 for Construction

Interim Public Works Director Bjarke provided staff presentation and responded to Council Member questions.

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

Motion: Award a contract to Villalobos & Associates in the amount of \$104,130, approve a project contingency of \$10,413, approve a total project expenditure of \$114,543 for the construction of the Fiscal Year 2024 (FY24) Annual Citywide Curb Ramp Project (No. 24-PW-286), and authorize the City Administrator to execute the contract and associated documents.

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Rebeca Armendariz, Council Member

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

NOES: None

ABSENT: None

ABSTAIN: None

9. PUBLIC HEARINGS

There were none.

10. UNFINISHED BUSINESS

There were none.

11. INTRODUCTION OF NEW BUSINESS

11.1. Approval to Enter into an Exclusive Negotiating Agreement with BayEcotarium for Potential Uses of the (Hecker Pass) Recreation Gateway Area

Economic Development Manager Valencia provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Ron Kirkish shared local concerns about selling Gilroy Gardens, stressing its value for tourism, economy, and youth employment, and urged the council to scrutinize the intentions of any potential buyers.

Jane Howard offered the Gilroy Garden's board's support in negotiations with BayEcotarium and recommended Council Member Marques for the negotiating team due to her knowledge of the Gardens.

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

Motion: Approve an Exclusive Negotiating Rights Agreement between the City of Gilroy and Bay.org (BayEcotarium) and authorize the City Administrator to execute all related documents.

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Marie Blankley, Mayor

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion: Establish an ad hoc committee with Mayor Blankley and Council Members Bracco and Cline, along with the City Administrator, to form the City's negotiation team.

RESULT: Pass

MOVER: Marie Blankley, Mayor

SECONDER: Dion Bracco, Council Member

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

NAYS: Council Member Armendariz, Council Member Hilton, Council Member Tovar

ABSENT: None

ABSTAIN: None

12. CITY ADMINISTRATOR'S REPORTS

City Administrator Forbis provided his report.

13. CITY ATTORNEY'S REPORTS

There were none.

14. CLOSED SESSION

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

Mayor Blankley recessed the Regular Meeting at 7:22 PM.

The City Council convened into Closed Session at 7:29 PM.

A motion was made to stay in Closed Session. The vote was unanimous.

- 14.1. 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.

No reportable action.

- 14.2. 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.

No reportable action.

15. ADJOURN TO OPEN SESSION

Mayor Blankley reported out of Closed Session, as shown above.

16. ADJOURNMENT

Mayor Blankley adjourned the meeting at 7:56 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.

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