



CITY COUNCIL AGENDA

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

**REGULAR MEETING | 6:00 PM
MONDAY, FEBRUARY 6, 2023**

MAYOR
Marie Blankley

COUNCIL MEMBERS
Rebeca Armendariz
Dion Bracco
Tom Cline
Zach Hilton
Carol Marques
Fred Tovar

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

Due to COVID-19, it is possible that the planned in-person meeting may have to change to a virtual meeting at any time and possibly on short notice. Please check the City of Gilroy website www.cityofgilroy.org for any updates to meeting information.

COMMENTS BY THE PUBLIC WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. Public testimony is subject to reasonable regulations, including but not limited to time restrictions for each individual speaker. Please limit your comments to 3 minutes. The amount of time allowed per speaker may vary at the Mayor's discretion depending on the number of speakers and length of the agenda.

Written comments on any agenda item may be emailed to the City Clerk's Office at cityclerk@cityofgilroy.org or mailed to the Gilroy City Clerk's Office at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the City Clerk's Office by 1 p.m. on the day of a Council meeting will be distributed to the City Council prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Administration at City Hall, 7351 Rosanna Street prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1 p.m. deadline will be provided to the City Council as soon as practicable. Written comments are also available on the City's Public Records Portal at <http://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 challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9 (d)(2) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available with the agenda packet on the City website at www.cityofgilroy.org subject to Staff's ability to post the documents before the meeting.

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 assistance with translation and would like to speak during public comment, please contact the City Clerk a minimum of 72 hours prior to the meeting at 408-846-0204 or e-mail the City Clerk's Office at 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 regular meeting is 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 – Gun Violence Survivors Week**
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 portion of the meeting is reserved for persons desiring to address the Council on matters within the Gilroy City Council's jurisdiction but not on the agenda. Persons wishing to address the Council are requested to complete a Speaker's Card located at the entrances and handed to the City Clerk. Speakers are limited to 1 to 3 minutes each, varying at the Mayor's discretion depending on the number of speakers and length of the agenda. The law does not permit Council action or extended discussion of any item not on the agenda except under special circumstances. If Council action is requested, the Council may place the matter on a future agenda.

Written comments to address the Council on matters not on this agenda may be e-mailed to the City Clerk's Office at cityclerk@cityofgilroy.org or mailed to the Gilroy City Clerk's Office at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the City Clerk's Office by 1:00pm on the day of a Council meeting will be distributed to the City Council prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Administration at City Hall, 7351 Rosanna Street, prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1:00pm deadline will be provided to the City Council as soon as practicable. Written material provided by public members under this section of the agenda will be limited to 10 pages in hard copy. An unlimited amount of material may be provided electronically.

4. **REPORTS OF COUNCIL MEMBERS**

Council Member Bracco – Cities Association Santa Clara County Board of Directors (*alternate*), Santa Clara County Library Joint Powers Authority, Santa Clara Valley Water Commission, Santa Clara Valley Water Joint Water Resources Commission, SCRWA

Council Member Armendariz – Santa Clara County Library Joint Powers Authority, 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, 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 Sister Cities Association, Gilroy Youth Task Force, Silicon Valley Regional Interoperability Authority Board, VTA Policy Advisory Committee (*alternate*), Visit Gilroy California Welcome Center Board

Council Member Tovar – 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, VTA Mobility Partnership

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

5. **COUNCIL CORRESPONDENCE**

5.1. **Current Grant Status Update**

6. **FUTURE COUNCIL INITIATED AGENDA ITEMS**

7. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of the City Council or a member of the public. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar prior to the time the Council votes to approve. If removed, the item will be discussed in the order in which it appears.

- 7.1. **Approval of the Action Minutes of the January 23, 2023 City Council Regular Meeting**
- 7.2. **Approval of the Action Minutes of the January 28, 2023 City Council Strategic Planning Workshop**
- 7.3. **Claim of Javier Roacho (The City Administrator recommends a “yes” vote under the Consent Calendar shall constitute the denial of the claim.)**
- 7.4. **Claim of Mark Ribeiro (The City Administrator recommends a “yes” vote under the Consent Calendar shall constitute the denial of the claim.)**

8. **BIDS AND PROPOSALS**

- 8.1. **Approve the Purchase of Two Public Works Vehicles (One 2023 Ford Super Duty F-550 Dump Truck and One 2023 Ford F-150 Crew Cab) Utilizing Sourcwell Bid 091521-NAF in an amount not to exceed \$154,829**
 - 1. Staff Report: LeeAnn McPhillips, Administrative Services and Human Resources Director / Risk Manager
 - 2. Public Comment
 - 3. Possible Action:
 - 1. Approve the purchase of the below listed vehicles in an amount not to exceed \$154,829 utilizing Sourcwell bid #091521-NAF:
 - One 2023 FORD Super Duty F-550 Dump Truck (up to \$97,436.31)
 - One 2023 FORD F-150 Crew Cab (up to \$57,392.62); and
 - 2. Authorize the City Administrator to execute all related purchase documents.

9. **PUBLIC HEARINGS**

10. **UNFINISHED BUSINESS**

11. **INTRODUCTION OF NEW BUSINESS**

- 11.1. **Introduction of An Ordinance of the City Council of the City of Gilroy Amending Chapter 19C of the Gilroy City Code Relating to Social Host Accountability to Increase the Penalty Amounts and Increase the Period of Time for Issuing Citations**
 - 1. Staff Report: Bryce Atkins, Assistant to the City Administrator
 - 2. Public Comment
 - 3. Possible Action:
 - 1. Motion to read the ordinance by title only and waive further reading; and

2. Introduce an Ordinance of the City Council of the City of Gilroy Amending Chapter 19C of the Gilroy City Code Relating to Social Host Accountability to Increase the Penalty Amounts and Increase the Period of Time for Issuing Citations.

11.2. **Introduction of An Ordinance Of The City Council Of The City Of Gilroy Amending Chapter 19b Of The Gilroy City Code Relating To Smoking Pollution Control To Prohibit Smoking At Multi-Family Housing Properties And Public Events**

1. Staff Report: Bryce Atkins, Assistant to the City Administrator
2. Public Comment
3. Possible Action:
 1. Motion to read the ordinance by title only and waive further reading of the ordinance; and
 2. Introduce an Ordinance of the City Council of the City of Gilroy Amending Chapter 19B of the Gilroy City Code Relating to Smoking Pollution Control to Prohibit Smoking at Multi-family Housing Properties and Public Events.

11.3. **Discussion and Possible Direction Concerning Oversight/Administration of Council-Adopted Downtown Initiatives**

1. Staff Report: Jimmy Forbis, City Administrator
2. Public Comment
3. Possible Action:

Council deliberate the following options for administering Downtown initiatives:

1. Continuing current reporting structure for Council to receive information concerning Downtown-related projects/issues; or
2. Forming a City Council Downtown Committee (subject to the Ralph M. Brown Act); or
3. Tabling topic until the March 13, 2023 City Council Goal Setting/Priority workshop.

11.4. **Approve a School Resource Officer Memorandum of Understanding for Fiscal Year 2023-2024**

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

Adopt a resolution of the City Council of the City of Gilroy authorizing the City Administrator to enter into an agreement between the City of Gilroy and Gilroy Unified School District for two school resource officers, including cost sharing, for Fiscal Year 2023-2024 (FY24).

12. **CITY ADMINISTRATOR'S REPORTS**

12.1. **PG&E Scheduling Impacts on City Projects**

12.2. **Downtown Parking Lot Update**

13. **CITY ATTORNEY'S REPORTS**

14. **CLOSED SESSION**

14.1. **Conference with Negotiator – Collective Bargaining Unit Pursuant to**

Government Code Section 54957.6, Gilroy City Code Section 17A.11 (4)

Collective Bargaining Unit: Gilroy Police Officers Association, Inc.,
Representing Gilroy Police Officers;

City Negotiators: Jimmy Forbis, City Administrator; LeeAnn McPhillips,
Assistant City Administrator/Administrative Services & Human Resources
Director;

Anticipated Issue(s) Under Negotiation: Wages, Hours, Benefits, Working
Conditions; Memorandum of Understanding: MOU Between City of Gilroy &
Gilroy Police Officers

Possible Action: Receive Public Comment on Closed Session Item.

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 2022

27 Regular Meeting - 6:00 p.m.

MARCH 2022

6 Regular Meeting - 6:00 p.m

13 Council Goal / Priority Setting Workshop - 6:00 p.m ***tentative***

20 Regular Meeting - 6:00 p.m

APRIL 2023

3 Regular Meeting - 6:00 p.m

17 Regular Meeting - 6:00 p.m

Meetings are webstreamed on the City of Gilroy's website at gilroy.city/meetings.