



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, MARCH 18, 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 | *Seleccione 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**
- 3. COUNCIL CORRESPONDENCE (Informational Only)**
 - 3.1. Letter from California Consulting Regarding the City's Competitiveness for a FEMA SAFER Grant**
- 4. PRESENTATIONS TO THE COUNCIL**

4.1. 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.

5. 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*)

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, 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

6. **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.

- 6.1. Approval of the Action Minutes of the February 26, 2024 and March 4, 2024 City Council Regular Meetings**
- 6.2. Acceptance of the City Fiscal Year 2022-23 Federal Single Audit**
- 6.3. Claim of Rachel Gonzalez-Orosco (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)**

7. **BIDS AND PROPOSALS**

- 7.1. Award a Three-Year Agreement for City-wide Microsoft Licenses and Services to Dell in the Amount of \$440,790, With a 10% Contingency, for a Total Not-to-Exceed Amount of \$484,869, Utilizing the County of Riverside Cooperative Agreement.**

- 1. Staff Report: Harjot Sangha, Finance Director
- 2. Public Comment
- 3. Possible Action:

Award the three-year agreement for Microsoft Licenses and Services to Dell Technologies for the amount of \$440,790, and a contingency of 10%, for a total not to exceed amount of \$484,869, utilizing the County of Riverside cooperative agreement, and authorize the City Administrator to execute the purchase contract documents.

- 7.2. Award a Contract to Trinchero Construction, Inc. for the Gourmet Alley Improvement Project No. 24-PW- 287 in the Amount of \$2,975,648, Approve a Project Contingency of \$502,767, and Approve a Total Project Expenditure of \$3,478,415 for Construction**

- 1. Staff Report: Heba El-Guindy, Public Works Director
- 2. Public Comment
- 3. Possible Action:

Award a Contract to Trinchero Construction, Inc. in the amount of \$2,975,648, approve a project contingency of \$502,767, approve a total expenditure of \$3,478,415 for construction of the Gourmet Alley Improvement Project No. 24-PW-287, and authorize the City Administrator to execute the Contract and associated documents.

8. **PUBLIC HEARINGS**

9. **UNFINISHED BUSINESS**

10. **INTRODUCTION OF NEW BUSINESS**

- 10.1. Approve a School Resource Officer Memorandum of Understanding for Fiscal Year 2024-2025**

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 2024-2025 (FY25).

10.2. 2023 General Plan and Housing Element Annual Progress Report

1. Staff Report: Sharon Goei, Community Development Director
2. Public Comment
3. Possible Action:

Accept the report and direct staff to submit the 2023 Annual Progress Report to the California Department of Housing and Community Development and the Governor's Office of Planning and Research, no later than April 1, 2024.

10.3. Approve the First Amendment to Funding Agreement between the City and VTA for the US 101/SR 152/10th Street Interchange Improvement Project and Adopt a Resolution to Amend the City Budget to Reallocate \$600,000 from FY 2025 to FY 2024 in Traffic Impact Fund (425) and Appropriate Proposed Expenditure Amendment to Meet the Current City Funding Obligation of the PA&ED Phase of the Project

1. Staff Report: Heba El-Guindy, Public Works Director
2. Public Comment
3. Possible Action:

- a) Approve the First Amendment to the Funding Agreement between the City of Gilroy and the Valley Transportation Authority (VTA) for the US 101/SR 152/10th Street Interchange Improvement Project (PW Project # 800770) and approve payment to VTA in the amount of \$600,000 as the City's lump sum financial share towards the Project Approval & Environmental Document (PA&ED) phase.
- b) Adopt a Resolution of the City Council of the City of Gilroy to increase the Fiscal Year 2024 Budget and decrease the Fiscal Year 2025 Budget by \$600,000 in the Traffic Impact Fund (425).

10.4. Consideration of the Arts and Culture Commission's Public Art Campaign "For the Love of Gilroy" Streetlight Banner Art

1. Staff Report: Bryce Atkins, Assistant to the City Administrator
2. Public Comment
3. Possible Action:

Council approve the Arts and Culture Commission's public art campaign, "For the Love of Gilroy".

10.5. Accept the Donation of Inclusive Play Equipment from Gilroy Rotary Clubs for the Donald "Elvis" Prieto Downtown Pop-up Park

1. Staff Report: Bryce Atkins, Assistant to the City Administrator
2. Public Comment
3. Possible Action:

Council accept the donation.

11. FUTURE COUNCIL INITIATED AGENDA ITEMS

11.1. Request for a Future Agenda Item to Adopt a Resolution Proclaiming April 2024 as Arts, Culture and Creativity Month

1. Staff Report: Bryce Atkins, Assistant to the City Administrator
2. Public Comment
3. Possible Action:

Council determination about adding the request to the April 8, 2024 City Council meeting.

12. CITY ADMINISTRATOR'S REPORTS

12.1. Fire Department Presentation on Automated External Defibrillators and Mechanical Chest Compression Device (15 minutes)

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**
Property: 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 Party to Negotiations: Gilroy Gardens Family Theme Park, LLC
Under Negotiations: Price and terms of payment for sale or lease.
- 14.2. 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: Chris Sutton, Select Contracts
Under Negotiations: Price and terms of payment for sale or lease.

- 14.3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to GC Sec. 54956.8 and GCC Sec. 17A.8**
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: John M. Filice Jr., Glen Loma Corporation
Under Negotiation: Price and terms of payment

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

April 2024

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

May 2024

- 6 Regular Meeting - 6:00 p.m
- 20 Regular Meeting - 6:00 p.m

June 2024

- 3 Regular Meeting - 6:00 p.m
- 17 Regular Meeting - 6:00 p.m

Meetings are live streamed on the City of Gilroy's website at gilroy.city/meetings and on YouTube

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