

City of Gilroy
City Council Regular Meeting Minutes
Monday, March 20, 2023 | 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 Armendariz led the Pledge of Allegiance.

1.3. Invocation

Trevor Van Laar from Gilroy Presbyterian Church provided the Invocation.

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

1.6. Orders of the Day

There were none.

1.7. Employee Introductions

Community Development Director Goei introduced Rens Boorsma, Building Inspector.

2. CEREMONIAL ITEMS - Proclamations and Awards

2.1. Proclamation – Proclaiming April 2023 as Fair Housing Month

Mayor Blankley read aloud the proclamation and presented it to Ana Andrade from Project Sentinel Fair Housing.

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.

Alan Espinoza thanked Council for assisting with his issue.

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

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco thanked the lineman who worked during the storms.

Council Member Armendariz reported on Santa Clara Valley Habitat Agency Governing Board.

Council Member Marques had nothing to report.

Council Member Hilton reported on Silicon Valley Clean Energy Authority JPA Board.

Council Member Cline had nothing to report.

Council Member Tovar reported on South County Youth Task Force Policy Team.

Mayor Blankley reported on South County Youth Task Force Policy Team. The mayor gave an update on the parking lot ribbon-cutting ceremony has been postponed to March 28, 2023, at 4 PM. She also announced that the State of the City event will be held Saturday, April 1, 2023, and encouraged members of the public to attend.

5. COUNCIL CORRESPONDENCE

5.1. Letter of Support for SB 48 (Behavioral Health) and SB 363 (Mental Health/Substance Abuse Facilities)

Mayor Blankley asked Council if they would be interested in signing off on the letter. Her request received majority support.

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

There were none.

7. BOARD AND COMMISSION INTERVIEWS

7.1. Interviews for Open Seats on Boards, Commissions, and Committees with Terms Expired or Vacant as of March 20, 2023, for Future Appointment Scheduled for April 3, 2023

Council accepted applicant Terrence Fugazzi's application which was received after the March 10, 2023 application deadline.

Council interviewed applicants Vincent Saso and Terrence Fugazzi for the Parks and Recreation Commission seat expiring December 31, 2023.

8. CONSENT CALENDAR

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

Motion: Approve the Consent Calendar

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Rebeca Armendariz, Council Member

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

8.1. Approval of the Action Minutes of the March 6, 2023 City Council Regular Meeting

A motion was made to approve the minutes.

8.2. Approval of the Action Minutes of the March 13, 2023 City Council Goal / Priority Setting Workshop

A motion was made to approve the minutes.

8.3. Acceptance of the City Fiscal Year 2021-22 Federal Single Audit

A motion was made to accept the Fiscal Year 2021-22 Federal Single Audit report.

8.4. Accept and File Quarterly Cash and Investment Report as of December 31, 2022

A motion was made to accept and file quarterly cash and investment report as of December 31, 2022.

8.5. Approval of Parcel Map and Property Improvement Agreement No. 2023-01 for Plaza Allium (Evergreen) 10th & Chestnut Commercial Development, APN's 841-66-036, 037, 038, 039

A motion was made to approve the Parcel Map and Property Improvement Agreement No. 2023-01 for Plaza Allium (Evergreen) 10th & Chestnut Commercial Development.

8.6. Award of Contract to Kimley-Horn for the Update of the Traffic Circulation Master Plan and Transportation Impact Fee Program in the Amount of \$360,590 with a 10% Contingency for a Total of \$396,649

A motion was made to award the contract and adopt the budget amendment resolution.

Enactment No.: Resolution No. 2023-13.

8.7. Award a Contract to J.J.R. Construction, Inc. for the FY23 Annual Citywide Curb Ramp Project No. 23-PW-280 for a Total Project Expenditure of \$174,565

A motion was made to award the contract.

8.8. Adopt a Resolution of the City Council of the City of Gilroy Approving the City of Gilroy (Applicant) to Apply for Grant Funds Under the Safe, Clean Water and Natural Flood Protection Program

A motion was made to adopt the resolution.

Enactment No.: Resolution No. 2023-14.

9. BIDS AND PROPOSALS

There were none.

10. PUBLIC HEARINGS

10.1. **Appeal of Planning Commission Decision to Deny an Application Proposing Changes to City Code to Allow Up to Two Electronic Billboards in the City of Gilroy [This is a De Novo Hearing at Which the Council Will Decide if the Environmental Review is Adequate, and if so, Whether or not to Introduce the Ordinance.]**

Mayor Blankley asked Council Members if they have any ex-parte communications to disclose.

Council Member Bracco disclosed that he met with Connie Rogers. No new information was provided.

Council Member Armendariz disclosed that she spoke with Mike Conrotto, Connie Rogers, and Pete Carrillo from Outdoor Communications. She learned more information about the lighting distance of the electronic billboards.

Council Member Marques disclosed that she spoke with Mike Conrotto and Connie Rogers. No new information was provided.

Council Member Hilton disclosed that he engaged with various members of the community. No new information was gained.

Council Member Cline disclosed that he spoke with Mike Conrotto, Connie Rogers, and several managers from the car dealerships. No new information was gained.

Council Member Tovar disclosed that he spoke with Mike Conrotto, Connie Rogers and Pete Carrillo. No new information was gained.

Mayor Blankley disclosed that she spoke with Mike Conrotto, Connie Rogers, and Brian Verdin from Nissan of Gilroy. No new information was gained.

Customer Services Manager McCormick provided staff presentation and responded to Council Member questions.

Mayor Blankley opened the Public Hearing at 6:48 PM.

Appellant Sean Marciniak provided the appellant's presentation to Council and responded to Council Member questions.

The following speakers spoke in favor of adopting the ordinance:

Danny Mitchell
Ron Kirkish
Gregory Bumb
Brian Verdin
Gary Gordon
Marucio Leon
Eduardo Martinez
Javier Leon
Fiesta Depot
Jose Martinez
Clair P. Braga
Tom Chavez

The following speakers spoke against the approval of the ordinance:

Terence Fugazzi
Les Levitt
Dr. Paul Lynam
Jason Hemp
Connie Rogers
Mar Yates
Michelle Nelson
Juan Estrada
Rani Fischer

There being no further public speakers, Appellants Sean Marciniak and Ron Conrotto provided the appellant's rebuttal to Council.

Mayor Blankley closed the Public Hearing at 7:19 PM.

Motion: Adopt the resolution finding that the Final IS/MND was completed in compliance with the California Environmental Quality Act (CEQA); there is no substantial evidence that the project will have a significant effect on the environment due to mitigations agreed to by the applicant; and the Final IS/MND reflects the City's independent judgment and analysis.

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Carol Marques, Council Member

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

NAYS: Council Member Armendariz, Council Member Hilton

Enactment No.: Resolution No. 2023-15.

Motion: Uphold the appeal and motion to read the ordinance by title only and waive further reading of the ordinance.

RESULT: Fail

MOVER: Dion Bracco, Mayor Pro Tempore

SECONDER: Fred Tovar, Council Member

AYES: Mayor Pro Tempore Bracco, Council Member Marques, Council Member Tovar

NAYS: Council Member Armendariz, Council Member Cline, Council Member Hilton, Mayor Blankley

Motion: Deny the appeal and uphold the Planning Commission's decision.

RESULT: Pass

MOVER: Rebeca Armendariz, Council Member

SECONDER: Zach Hilton, Council Member

AYES: Council Member Armendariz, Council Member Cline, Council Member Hilton, Mayor Blankley

NAYS: Mayor Pro Tempore Bracco, Council Member Marques, Council Member Tovar

11. UNFINISHED BUSINESS

There were none.

12. INTRODUCTION OF NEW BUSINESS

12.1. 2022 General Plan and Housing Element Annual Progress Report

Community Development Director Goei provided staff presentation and responded to Council Member questions.

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

Council accepted the report and directed staff to submit the 2022 Annual Progress Report to the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

12.2. Unhoused Camping Ban Near Schools and Critical Infrastructure

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

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

Council directed staff to continue further analysis on draft key policy points 1 through 7 as laid out in the staff report along with adding creeks in its analysis. Council further directed staff to return with a map of areas affected by the potential ordinance and to further analyze the concerns brought forth by Council.

13. CITY ADMINISTRATOR'S REPORTS

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

14. CITY ATTORNEY'S REPORTS

There were none.

15. CLOSED SESSION

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

The Mayor recessed the City Council at 8:41 PM.

The Mayor reconvened the Council to Closed Session at 8:46 PM. The motion to stay in Closed Session was unanimous.

15.1. Conference with Negotiator – Pursuant to Government Code Section 54957.6, Gilroy City Code Section 17A.11 (4)

City Employee: Jimmy Forbis, City Administrator;

City Negotiator: Marie Blankley, Mayor;

**Anticipated Issue(s) Under Negotiation: Employment Contract:
Employment Contract Between City of Gilroy & Jimmy Forbis**

No reportable action.

16. ADJOURN TO OPEN SESSION

Mayor Blankley reported out of Closed Session as shown above.

17. ADJOURNMENT

The meeting was adjourned by Mayor Blankley at 8:47 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.

Thai Nam Pham, CMC, CPMC
City Clerk

DRAFT