



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, MAY 20, 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. Update on Grant Applications**
 - 3.2. LAFCO Countywide Fire Service Review Supplemental Response**
 - 3.3. Regional Medical Center Reduction Impact Assessment Report**
- 4. PRESENTATIONS TO THE COUNCIL**

- 4.1. Retirement Proclamation for Fire Chief Jim Wyatt
- 4.2. Retirement Proclamation for Fire Division Chief Randall Wong
- 4.3. Annual Presentation by the Gilroy Youth Commission
- 4.4. 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 May 6, 2024 City Council Regular Meeting and the May 13, 2024 Study Session Meeting**
- 6.2. Cash and Investment Report as of March 31, 2024**
- 6.3. A Resolution of the City Council of the City of Gilroy Calling a General Municipal Election for Municipal Officers and Requesting the Santa Clara County Board of Supervisors Consolidate With the Statewide General Election to be Held on November 5, 2024 Pursuant to California Elections Code Section 10403, and Requesting Services of the Registrar of Voters**

7. BIDS AND PROPOSALS

8. PUBLIC HEARINGS

- 8.1. Appeal of Determination of Incomplete Application for 315 Las Animas Avenue (M 24-07)**

- 1. Disclosure of Ex-Parte Communications
- 2. Staff Report: Sharon Goei, Community Development Director
- 3. Open Public Hearing
- 4. Close Public Hearing
- 5. Possible Action:

Staff recommends that the City Council deny the appeal and uphold staff's decision to determine the Architectural and Site Review application (AS 23-21) is incomplete pursuant to Government Code section 65943.

- 8.2. Zoning Text Amendments to Implement Various Programs of the Gilroy 2023-2031 Housing Element**

- 1. Disclosure of Ex-Parte Communications
- 2. Staff Report: Sharon Goei, Community Development Director
- 3. Open Public Hearing
- 4. Close Public Hearing
- 5. Possible Action:

- a) Based on the City Council's independent analysis, find that approval of Zoning Amendment Z 24-0001 is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) where it can be seen with certainty that the amendments to implement the Gilroy 2023-2031 Housing Element would not result in a significant environmental effect; and

- b) Motion to read the ordinance by title only and waive further reading; and
- c) Introduce an ordinance of the City Council of the City of Gilroy amending the Gilroy City Code, Chapter 30 (Zoning), Article XI (Residential Use Tables) in conformance with the City of Gilroy 2023-2031 Housing Element.

9. UNFINISHED BUSINESS

10. INTRODUCTION OF NEW BUSINESS

10.1. Consent the Appointment of Scot Smithee (Retired Annuitant) as the Interim Senior Executive Team Director Leading and Managing the Gilroy Fire Department Effective May 28, 2024 and Adoption of a Resolution of the City Council of the City of Gilroy Approving the Appointment and Employment Agreement

1. Staff Report: LeeAnn McPhillips, Administrative Services and Human Resources Director / Risk Manager

2. Public Comment

3. Possible Action:

- a) Consent the City Administrator's recommendation to appoint Scot Smithee (Retired Annuitant) as Interim Senior Executive Team Director leading and managing the Gilroy Fire Department effective May 28, 2024.
- b) Adopt a resolution of the City Council of the City of Gilroy approving the appointment of Scot Smithee (Retired Annuitant) as Interim Senior Executive Team Director leading and managing the Gilroy Fire Department pursuant to Government Code Section 21221(h) and authorizing the City Administrator to execute the employment agreement.

10.2. Receive Budget Report for the Third Quarter of Fiscal Year 2023-2024 (FY24) and Adopt a Resolution Amending the Appropriations for FY24 and FY25 in the Police Grants Fund

1. Staff Report: Harjot Sangha, Finance Director

2. Public Comment

3. Possible Action:

- a) Receive Budget Report as of the Third Quarter of FY24.
- b) Adopt a Resolution of the City Council of the City of Gilroy amending the appropriations for FY24 and FY25 in the Police Grants Fund (225).

10.3. Fiscal Year 2024 Third Quarter Departmental Workplan Update

1. Staff Report: Bryce Atkins, Assistant to the City Administrator

2. Public Comment
3. Possible Action:

Council receive the report.

10.4. Authorization for the City Administrator to Execute the Countywide AB 939 Implementation Fee Agreement and the Countywide Household Hazardous Waste (HHW) Collection Agreement

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

Receive report and provide authorization for the City Administrator to execute the Countywide AB 939 Fee Agreement and the Countywide Household Hazardous Waste (HHW) Collection Agreement.

10.5. Approve First Amendment to Agreement with Ruggeri-Jensen-Azar & Associates in the amount of \$45,314 for the Sharks Ice Gilroy Street Improvements and Traffic Signal Project (24-RFP-PW-492) to complete American Land Title Association Survey for the Sharks Ice Gilroy Facility

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

Approve the attached First Amendment to the Consulting Services Agreement between the City and Ruggeri-Jensen-Azar & Associates for the Sharks Ice Gilroy Street Improvements and Traffic Signal project (24-RFP-PW-492) in the amount of \$45,314 to complete the American Land Title Association (ALTA) survey for the Sharks Ice Gilroy facility and authorize the City Administrator to execute the necessary Amendment documents.

11. FUTURE COUNCIL INITIATED AGENDA ITEMS

12. CITY ADMINISTRATOR'S REPORTS

13. CITY ATTORNEY'S REPORTS

14. CLOSED SESSION

14.1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957 and Gilroy City Code Section 17A.11 (2);

Employee Name/Title: Jimmy Forbis, City Administrator

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

June 2024

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

July 2024

29 Regular Meeting - 6:00 p.m

August 2024

5 Regular Meeting - 6:00 p.m
19 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>.