

City Council Regular Meeting Action Minutes
MONDAY, MAY 20, 2024 | 6:00 PM

1. OPENING

- 1.1. Call to Order
- 1.2. Pledge of Allegiance
Council Member Tovar led the Pledge of Allegiance.
- 1.3. Invocation None.
- 1.4. City Clerk's Report on Posting the Agenda
Interim City Clerk, Beth Minor advised the agenda was posted on Thursday, May 16th at 3:25 PM.
- 1.5. Roll Call

Attendance	Attendee Name
	Dion Bracco, Council Member
	Rebeca Armendariz, Council Member
	Carol Marques, Council Member
	Zach Hilton, Council Member
	Tom Cline, Council Member
	Fred Tovar, Council Member
	Marie Blankley, Mayor
Absent	None

- 1.6. Orders of the Day None
- 1.7. Employee Introductions
Sharon Goei, Community Development Director introduced Rebecca Wysong, Planner II, and Vanessa Sanchez, Planner I; and newly promoted Hazardous Materials Inspector II Isaiah Lona.

2. CEREMONIAL ITEMS Mayor Blankley moved these items forward.

- 2.1. (4.1) Retirement Proclamation for Fire Chief Jim Wyatt
- 2.2. (4.2) Retirement Proclamation for Fire Division Chief Randall Wong

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.** (2.1) Retirement Proclamation for Fire Chief Jim Wyatt
- 4.2.** (2.2) 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**

Mayor Blankley opened Public Comment.

Ron Kirkish continued his presentation regarding Plan Bay Area 2050.

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

5. REPORTS OF COUNCIL MEMBERS

Council Member Bracco No report.

Council Member Armendariz No report.

Council Member Marques reported the Santa Clara Valley Habitat Agency Governing Board discussed their budget which mainly comes from grants; and they have already preserved 19,000 acres as part of their 50-year goal of preserving 45,000 acres.

Council Member Hilton reported the VTA Policy Advisory Committee developed a draft list of goals that include: Implementing faster, more frequent, safe and convenient transit, healthier, multimodal option; encourage land uses that create complete and convenient places; and address the climate emergency by reducing transportation emissions and support equity and transportation.

Council Member Cline No report.

Council Member Tovar No report.

Mayor Blankley reported the success of the “Bike to Anywhere“, event last week which included members of CalTrain participating. The South County Youth Task Force held a meeting last week where they had a good discussion on what data was needed.

6. CONSENT CALENDAR

- 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.**

Mayor Blankley opened Public Comment.

There being no speakers, Mayor Blankley closed Public Comment.

MOTION: To approve Consent Calendar Nos. 6.1-6.3.

RESULTS:	PASS: 7-0 ROLL CALL VOTE
MOVER:	Fred Tovar, Council Member
SECONDER:	Tom Cline, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	
ABSENT:	
ABSTAIN:	

Enactment No.: Resolution No. 2024-21

7. BIDS AND PROPOSALS None.

8. PUBLIC HEARINGS

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

Mayor Blankley opened Public Comment.

Laraine Spencer agreed with Staff’s recommendation to deny the application.

Rosie Sanborn agreed with Staff’s recommendation to deny the application.

Marika Somorjai agreed with Staff’s recommendation to deny the application.

Bette Thomas agreed with Staff’s recommendation to deny the application.

George Somorjai agreed with Staff’s recommendation to deny the application.

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

MOTION:
Staff recommends 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.

RESULTS:	PASS: 4-2-1
MOVER:	Dion Bracco, Council Member
SECONDER:	Carol Marques, Council Member
AYES:	BRACCO, MARQUES, CLINE, BLANKLEY
NOES:	ARMENDARIZ, TOVAR
ABSENT:	
ABSTAIN:	HILTON

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

Mayor Blankley opened Public Comment.

There being no speakers, Mayor Blankley closed Public Comment.

MOTION:

- 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.**

RESULTS:	PASS: 7-0
MOVER:	Fred Tovar, Council Member
SECONDER:	Rebeca Armendariz, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	
ABSENT:	
ABSTAIN:	

- b) **Motion to read the ordinance by title only and waive further reading.**

RESULTS:	PASS: 7-0
MOVER:	Tom Cline, Council Member
SECONDER:	Dion Bracco, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	
ABSENT:	
ABSTAIN:	

- 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.**

RESULTS:	PASS: 7-0
MOVER:	Rebecca Armendariz, Council Member
SECONDER:	Dion Bracco, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	
ABSENT:	
ABSTAIN:	

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.**

Mayor Blankley opened Public Comment.

Ron Kirkish spoke in support of the appointment Scot Smithee.

Chris Mangano respected the decision to appoint Scot Smithee.

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

MOTION:

- 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.**

RESULTS:	PASS: 4-3
MOVER:	Dion Bracco, Council Member
SECONDER:	Carol Marques, Council Member
AYES:	BRACCO, MARQUES, CLINE, BLANKLEY
NOES:	ARMENDARIZ, HILTON, TOVAR
ABSENT:	
ABSTAIN:	

- 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.

RESULTS:	PASS: 5-2
MOVER:	Dion Bracco, Council Member
SECONDER:	Tom Cline, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, CLINE, BLANKLEY
NOES:	HILTON, TOVAR
ABSENT:	
ABSTAIN:	

Enactment No.: Resolution No. 2024-22

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.

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 appropriations for FY24 and FY25 in the Police Grants Fund (225).

RESULTS:	PASS: 7-0
MOVER:	Rebecca Armendariz, Council Member
SECONDER:	Tom Cline, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	
ABSENT:	
ABSTAIN:	

Enactment No.: Resolution No. 2024-23

10.3. Fiscal Year 2024 Third Quarter Departmental Workplan Update

Staff presented the updated workplan.

Mayor Blankley opened Public Comment.

There being no speakers, Mayor Blankley closed Public Comment

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

Mayor Blankley opened Public Comment.

There being no speakers, Mayor Blankley closed Public Comment.

MOTION:
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.

RESULTS:	PASS: 7-0
MOVER:	Dion Bracco, Council Member
SECONDER:	Fred Tovar, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	
ABSENT:	
ABSTAIN:	

- 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.

Mayor Blankley opened Public Comment.

There being no speakers, Mayor Blankley closed Public Comment.

MOTION:
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.

RESULTS:	PASS: 7-0
MOVER:	Tom Cline, Council Member
SECONDER:	Dion Bracco, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	
ABSENT:	
ABSTAIN:	

- 11. FUTURE COUNCIL INITIATED AGENDA ITEMS None.
- 12. CITY ADMINISTRATOR'S REPORTS None.
- 13. CITY ATTORNEY'S REPORTS None.
- 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
Mayor Blankley advised no reportable action.

16. ADJOURNMENT
The meeting was adjourned at 9:10 P.M.

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.

DocuSigned by:

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/s/Beth Minor
Interim City Clerk



