



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, JUNE 5, 2023 | 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

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 publiccomments@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 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 the 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 for Retiring GUSD Superintendent Dr. Deborah Flores**

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 publiccomments@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 1:00 pm 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 1:00 pm 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*), 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, 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, 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, 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, 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, Cities Association Santa Clara County Board of Directors, 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

5. COUNCIL CORRESPONDENCE

5.1. City Council Member Meeting Attendance

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 May 15, 2023 City Council Regular Meeting

7.2. Approval of the Action Minutes of the May 22, 2023 City Council Recommend Operating Budget Workshop

7.3. Adopt a Resolution of the City Council of the City of Gilroy Setting the Tax Rate for Fiscal Year 2023-24 (FY24) for the Gilroy Community Library Project Bonds

7.4. Approval of Final Map and Property Improvement Agreement for Glen Loma Ranch McCutchin Creek/Palomino Development, Tract 10426, Tract 10613, and McCutchin Creek Re-Alignment APN's 808-43-008 and 808-43-010

7.5. Approval of a Notice of Acceptance of Completion for the FY23 Annual CDBG Sidewalk/Curb Ramp Project No. 23-PW-279

7.6. A Resolution of the City Council of the City of Gilroy Approving the Application for Grant Funds from the Recreational Trails Program

7.7. A Resolution of the City Council of the City of Gilroy Approving the Application for Grant Funds from the Habitat Conservation Fund Program

7.8. Transfer of Interest Income from the Museum Vase Endowment Trust to the Gilroy Museum Fund

7.9. Claim of Jesse Perez (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)

8. BIDS AND PROPOSALS

8.1. Purchase of Three 2023 Chevrolet Colorado Work Truck Crew Cab Vehicles in the Total Amount of \$103,350 for Community Development and Public Works Engineering

1. Staff Report: LeeAnn McPhillips, Assistant City Administrator
2. Public Comment
3. Possible Action:
 - a) Award the purchase of three 2023 Chevrolet Colorado Work Truck Crew Cab Trucks for the total cost of \$103,350 to Gilroy Chevrolet; and
 - b) Authorize the City Administrator to execute purchase documents.

9. PUBLIC HEARINGS

9.1. Introduction and First Reading of an Ordinance of the City Council of the City of Gilroy Adding Chapter 5 to the Gilroy City Code Relating to Banning the Use of Certain Public Rights-of-Way as Sleeping or Living Accommodations

1. Staff Report: Bryce Atkins, Assistant to the City Administrator
2. Open Public Hearing
3. Close Public Hearing
4. Possible Action:
 - a) Motion to read the ordinance by title only and waive further reading of the ordinance; and
 - b) Introduce an ordinance of the City Council of the City of Gilroy adding Chapter 5 to the Gilroy City Code relating to banning the use of certain public rights-of-way as sleeping or living accommodations.

9.2. Adopt Fiscal Years 2024 (FY24) and 2025 (FY25) Operating and Capital Budgets, Position Control List, Departmental Work Plans, Boards & Commissions Work Plans, and the GANN Appropriation Limit for Fiscal Year 2024

1. Staff Report: Harjot Sangha, Finance Director
2. Open Public Hearing
3. Close Public Hearing
4. Possible Action:
 - a) Adopt a Resolution of the City Council of the City of Gilroy setting the Appropriation Limit for FY24;
 - b) Adopt a Resolution of the City Council of the City of Gilroy adopting the Operating and Capital Improvement Program budget for FY24 and FY25 and appropriating expenditures for the purposes set forth in the budget;
 - c) Adopt a Resolution of the City Council of the City of Gilroy establishing the Position Control List for FY24 and FY25;
 - d) Approve the City Goals, Priorities, Legislative Agenda, and Departmental Workplans for FY24 and FY25; and
 - e) Approve the Boards and Commissions Workplans for FY24 and FY25.

9.3. Gilroy Square Project – Gilroy Crossings Phase II Planned Unit Development Zoning Amendment, Tentative Map, and Architectural and Site Review for Property Located at 6970 Camino Arroyo (File No: Z 22-02, TM 21-02, AS 21-13)

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 has analyzed the proposed project and recommends that the City Council:

- a) By resolution, adopt a Mitigated Negative Declaration prepared for the Gilroy Square project, based on the independent analysis of the City Council and in accordance with the California Environmental Quality Act (CEQA);
- b) Motion to read an ordinance by title only and waive further reading;
- c) Introduce an ordinance of the City Council approving Planned Unit Development Zoning Amendment Z 22-02 for Gilroy Crossings Phase II;
- d) Adopt a resolution approving Tentative Map TM 21-02; and
- e) Adopt a resolution approving Architectural and Site Review AS 21-13 for the Planned Unit Development.

10. UNFINISHED BUSINESS

10.1. Approval of the Capital Improvement Program for Fiscal Year 2024 Through Fiscal Year 2028

1. Staff Report: Daryl Jordan, Public Works Director
2. Public Comment
3. Possible Action:

Approve the Capital Improvement Program for Fiscal Year 2024 through 2028.

11. INTRODUCTION OF NEW BUSINESS

11.1. Adopt a Resolution Declaring Four City-Owned Properties as Surplus Pursuant to Government Code Section 54221 and Find that the Council's Action in Doing So is Exempt from CEQA Pursuant to CEQA Guidelines Section 15061(b)(3)

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

Council adopt the resolution.

12. CITY ADMINISTRATOR'S REPORTS

12.1. Community Development Department and Public Works Engineering Division Temporary Closure (One Week)

12.2. Sharks Ice Update

13. CITY ATTORNEY'S REPORTS

14. ADJOURNMENT

FUTURE MEETING DATES

June 2023

19 Regular Meeting - 6:00 p.m

July 2023

3 ~~Regular Meeting - 6:00 p.m~~ -**CANCELED-**

10 Special Meeting - 6:00 p.m

August 2023

7 Regular Meeting - 6:00 p.m

21 Regular Meeting - 6:00 p.m

September 2023

11 Regular Meeting - 6:00 p.m

18 Regular Meeting - 6:00 p.m

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