



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, JULY 29, 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)**
- 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 June 17, 2024 City Council Regular Meeting**
- 6.2. **Approval of the FY 24 Annual Evaluation Report for the Santa Clara County Multi-Jurisdictional Program for Public Information Associated with the Community Rating System of the National Flood Insurance Program**
- 6.3. **Approval of a Notice of Acceptance of Completion for the FY24 Annual Citywide Curb Ramp Project No. 24-PW-286**
- 6.4. **Acceptance of a \$110,318.49 grant from the Department of California Highway Patrol Cannabis Tax Fund Grant Program for Driving Under the Influence Enforcement Activities and Adoption of a Resolution of the City Council of the City of Gilroy Approving a Fiscal Year 2025 Budget Amendment**
- 6.5. **Adoption of the 2023 Santa Clara County Multijurisdictional Hazard Mitigation Plan Volume 1 and 2: Base Plan and the City of Gilroy Annex**
- 6.6. **Claim of Maria Medina (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)**
- 6.7. **Claim of Christina Cornell (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)**
- 6.8. **Adopt a resolution Authorizing the City Administrator to Execute Agreements with the California Department of Transportation for Grant Funding Related to the City of Gilroy Vehicle Miles Traveled (VMT)/Greenhouse Gas (GHG) Reduction Program; and adoption of a resolution amending the Fiscal Year 2024-2025 (FY25) Budget**

7. BIDS AND PROPOSALS

- 7.1. **Approve the Purchase of Three Public Works Vehicles (One 2024 Ford F750 with 5.5 ton hydraulic telescoping crane, generator and compressor; One 2024 Ford F750 Utility truck with generator and compressor; and One 2024 Ford F750 Dump Truck) in the Combined Amount of \$776,679, plus a contingency in the amount of \$23,300, for a total of \$799,979; and adopt a resolution amending the Fiscal Year 2024-2025 budget**

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

2. Public Comment

3. Possible Action:

a) Award the Purchase of Three Public Works Vehicles:

- One 2024 Ford F-750 Utility Truck with 5.5 ton hydraulic telescoping crane, with air compressor and generator under Sourcwell contract No. 080521-PBL, from PB Loader Corporation in the amount of \$335,585.46
- One 2024 Ford F-750 Utility Truck with compressor and generator under Sourcwell contract No. 080521-PBL, from PB Loader Corporation in the amount of \$288,361.62

- One 2024 Ford F-750 Dump Truck under Sourcewell contract No. 080521-PBL, from PB Loader Corporation in the amount of \$152,731.46
- b) Approve up to 3%, or \$23,300, as a contingency should there be any year/model, commodity surcharges, or modifications placed on these vehicles.
- c) Authorize the City Administrator to execute the purchase contracts and associated documents.
- d) Adopt a resolution amending the Fiscal Year 2024-2025 budget.

8. PUBLIC HEARINGS

9. UNFINISHED BUSINESS

10. INTRODUCTION OF NEW BUSINESS

10.1. Adopt a Resolution of the City Council of the City of Gilroy Amending the Submission to the Qualified Electors of the City of a Certain Measure Relating to the Public Safety Transactions and Use Tax at the Special Municipal Election to be Held on Tuesday, November 5, 2024, as Called by Resolution No. 2024-26, Relating to a Minor Adjustment to the Ballot Question Identified by the Registrar of Voters

1. Staff Report: Jimmy Forbis, City Administrator
2. Public Comment
3. Possible Action:

Council adopt the resolution.

10.2. Discussion on the Open Government Commission's Recommendations (from the November 6, 2023 Presentation) Regarding Rules of Conduct for All Public Speakers and Virtual Public Comment/Participation

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

Council discussion and direction.

10.3. Adopt a Resolution Approving the Updated Mid-Cycle Position Control List

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

Adopt a resolution approving the updated Position Control List for the current biennial budget Fiscal Years 2023-24 and 2024-25.

11. FUTURE COUNCIL INITIATED AGENDA ITEMS

12. CITY ADMINISTRATOR'S REPORTS

13. CITY ATTORNEY'S REPORTS

14. CLOSED SESSION

- 14.1. CONFERENCE WITH LABOR NEGOTIATORS – COLLECTIVE BARGAINING UNIT**
Pursuant to GC Section 54957.6 and GCC Section 17A.11(4);
Collective Bargaining Units: Local 2805, IAFF Fire Unit Representing Gilroy Fire Fighters
City Negotiators: Jimmy Forbis, City Administrator; LeeAnn McPhillips, HR Director.
Anticipated Issue(s) Under Negotiation: Wages, Hours, Benefits, Working Conditions;
Memorandums of Understanding: City of Gilroy and Gilroy Fire Fighters Local 2805.
- 14.2. 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
- 14.3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.**
Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) and Paragraph (3) of Subdivision (e) of Government Code Section 54956.9 and Gilroy City Code Section 17A.11(3)(b), based upon receipt of a written communication from the General Counsel of Ten South. One Case as Defendant.

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

August 2024

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

September 2024

- 9 Regular Meeting - 6:00 p.m
- 23 Regular Meeting - 6:00 p.m

October 2024

- 7 Regular Meeting - 6:00 p.m
- 21 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>.