

City Council Meeting Action Minutes

MONDAY, JULY 29, 2024 | 6:00 PM

1. OPENING

1.1. Call to Order

1.2. Pledge of Allegiance

Council Member Hilton led the Pledge of Allegiance.

1.3. Invocation

Pastor McPhail led the Invocation.

1.4. City Clerk's Report on Posting the Agenda

Interim City Clerk, Beth Minor advised the Agenda was posted on July 25, 2024 at 2:04 P.M.

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

1.7. Employee Introductions

Heba El-Guindy, Public Works Director, introduced John Penn, Maintenance Worker Assistant; Alex Morales Maintenance Worker 1; and Anthony (Tony) Ornelas Maintenance Worker 1.

Hipolito Olmos, Chief Building Official, introduced Khalil Al-Khalil, Hazmat Inspector; and Tony Gonzalez, Supervising Code Enforcement Officer.

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

Mayor Blankley opened Public Comment.

James Suner discussed his frustrations with regards to building planning projects.

Ana Mendoza invited the council to visit the homes on Rogers Lanes that are not being maintained.

Genevieve Corbin asked the council to work to get the crosswalks installed by the Monterey Gateway Apartments due to the number of accidents occurring there.

Alan Espinoza spoke regarding the loudspeaker from Jack in the Box by the Garlic Farm RV Park and his request to have the volume lowered.

Alex Larson asked the Council to consider an ordinance for district voting within the City.

Mary Estrada noted the immediate need for affordable housing, a youth center, assistance for the homeless

and the need for sidewalks around Monterey Gate Apartments.

Zechariah Delarosa discussed homeless within the City.

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

5. REPORTS OF COUNCIL MEMBERS

Council Member Bracco No report.

Council Member Armendariz noted several items were discussed in June at the Santa Clara Valley Habitat Agency Governing Board meeting.

Council Member Marques discussed upcoming events at Gilroy Gardens, and her recent attendance at the ABAG General Assembly.

Council Member Hilton stated Silicon Valley Clean Energy Authority JPA Board is the official clean energy provider and the board allocated \$12 million for multifamily direct install program for very low to low-income families.

Council Member Cline noted that Visit Gilroy California Welcome Center Board is changing their logo and branding to coincide with Gilroy's growth and vitality. They also have an Uber rideshare program for use within 20 miles of downtown Gilroy.

Council Member Tovar thanked the fire department and all first responders for their response to the fire at the Uvas Creek Levee.

Mayor Blankley stated that Caltrain will have a presentation at the August 5, 2024 Council meeting on the launch of their electric trains.

6. CONSENT CALENDAR

Mayor Blankley opened Public Comment.

There being no speakers, Mayor Blankley closed Public Comment.

- 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. **Enactment No.: Resolution No. 2024-30**
- 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. **Enactment No.: Resolution No. 2024-31**
- 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. **Enactment No.: Resolution No. 2024-32 Enactment No.: Resolution No. 2024-39**

MOTION: TO APPROVE ITEMS 6.1 – 6.7

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:	

MOTION: TO APPROVE ITEM 6.8

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

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.**

Mayor Blankley opened Public Comment.

There being no speakers, Mayor Blankley closed Public Comment.

MOTION: TO:

- a) Award the Purchase of Three Public Works Vehicles.**
- 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.**

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

Enactment No.: Resolution No. 2024- 33

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

Mayor Blankley opened Public Comment.

Jim Wyatt noted his support and the need for the Public Safety Sales Tax Measure.

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

MOTION: TO ADOPT THE RESOLUTION

RESULTS:	PASS: 6 - 1 ROLL CALL VOTE
MOVER:	Fred Tovar, Council Member
SECONDER:	Rebeca Armendariz, Council Member
AYES:	ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	BRACCO
ABSENT:	
ABSTAIN:	

Enactment No.: Resolution No. 2024- 34

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

Mayor Blankley opened Public Comment.

Ron Kirkish noted that several cities have stopped having Zoom meetings or have decided to not do them at all.

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

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

Mayor Blankley opened Public Comment.

There being no speakers, Mayor Blankley closed Public Comment.

MOTION: TO ADOPT A RESOLUTION APPROVING THE UPDATED POSITION CONTROL LIST FOR THE CURRENT BIENNIAL BUDGET FISCAL YEARS 2023-24 AND 2024-25.

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

Enactment No.: Resolution No. 2024- 35

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.**

Mayor Blankley opened Public Comment.

Reymundo Armedariz spoke against the City spending \$20 million on legal counsel to oppose the proposed housing project.

Ana Mendoza spoke in support of the 315 Las Animas housing project.

Adrian Ortiz spoke in support of the 315 Las Animas housing project.

Bryan Garcia spoke against the City spending \$20 million on legal counsel to oppose the Las Animas housing project.

Rey Deniz advised that she had 320 signed by Gilroy residents supporting the 315 Las Animas project.

Maria Rodriguez supported the 315 Las Animas project and the need for affordable housing.

Augustine Armendariz spoke of the need for low-income housing and in support of the 315 Las Animas project.

Maria Aguilar felt the City Council does not represent the residents of the city.

Eli Hizenman noted that Gandolfi has filed a lawsuit against the City regarding the 315 Las Animas project.

Yazmin Ceron advocated for the 315 Las Animas Project.

Marty Estrada advised the council to not go to litigation and support the project.

Ron Kirkish stated council should follow the advise of the City Attorney.

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

On Agenda Item 14.3 the City Attorney advised the Council that in his opinion the interests of the City would be unavoidably prejudiced by discussing the matter in open session and therefore the Council should assert the attorney-client privilege and go into closed session.

The Council voted unanimously to go into the closed session on Agenda Item 14.3.

MOTION: TO STAY IN CLOSED SESSION

RESULTS:	PASS: 7-0
MOVER:	Marie Blankley, Mayor
SECONDER:	Carol Marques, Council Member
AYES:	BRACCO, ARMENDARIZ, MARQUES, HILTON, CLINE, TOVAR, BLANKLEY
NOES:	
ABSENT:	
ABSTAIN:	

15. ADJOURN TO OPEN SESSION

The Council reconvened to open session and the City Attorney announced that the Council had voted unanimously to remain in closed session and had voted to instruct legal counsel to defend the litigation in Agenda Item Number 14.3. That vote was 4-3 (Armendariz, Hilton, Tovar No).

16. ADJOURNMENT

The meeting was adjourned at 9:51 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:
Beth Minor
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/s/Beth Minor
Interim City Clerk

