

**City of Gilroy
City Council Regular Meeting Minutes
Monday, September 11, 2023 | 6:00 PM**

1. OPENING

1.1 Call to Order

The meeting was called to order by Mayor Blankley at 6:00 PM.

1.2. Pledge of Allegiance

Council Member Marques led the Pledge of Allegiance.

1.3. Invocation

Pastor Malcolm MacPhail from New Hope Community Church led the Invocation.

1.4. City Clerk's Report on Posting the Agenda

City Clerk Pham reported on the Posting of the Agenda.

1.5. Roll Call

Attendance	Attendee Name
Present	Rebeca Armendariz, Council Member Dion Bracco, Mayor Pro Tempore Tom Cline, Council Member Carol Marques, Council Member Fred Tovar, Council Member Marie Blankley, Mayor
Absent	Zach Hilton, Council Member

1.6. Orders of the Day

There were none.

1.7. Employee Introductions

Fire Chief Wyatt introduced Division Chiefs Gerry Laird and Arlen Summers.

Interim Public Works Director Bjarke introduced Michael Guerra, Maintenance Worker.

2. CEREMONIAL ITEMS - Proclamations and Awards

2.1. Proclamation Proclaiming September 2023 as Childhood Cancer Awareness Month

Mayor Blankley read aloud the proclamation and presented it to Jacobs Heart Outreach Coordinator Allyssa Gil-Ojeda.

2.2. Proclamation Proclaiming September 2023 National Preparedness Month

Mayor Blankley read aloud the proclamation and presented it to Emergency Services & Volunteer Coordinator Andrew Young.

3. PRESENTATIONS TO THE COUNCIL

3.1. Annual Presentation to Council – Library Commission

Library Commission Chair Coverson-Baxter provided the annual presentation to the Council.

3.2. 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.

The following members spoke on items that were not on the agenda:

Ron Kirkish raised concerns about potential delays at the Gourmet Alley project, citing weather issues.

Robert Zepeda voiced concerns over Assembly Bill 28's 11% tax on firearms.

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

4. CITY COUNCIL TRAINING

Council Roles and Responsibilities During an Emergency Operation Activation

City Administrator Forbis conducted the training for the Council and responded to Council Member questions.

5. REPORTS OF COUNCIL MEMBERS

Council Member Bracco had no report.

Council Member Armendariz had no report.

Council Member Marques had no report.

Council Member Cline had no report.

Council Member Tovar had no report.

Mayor Blankley reported on the recent VTA board policy requiring future VTA transit-oriented developments to mandate housing developers to purchase two-year smart passes for each household, the initiation of a fourth-weekday train service from CalTrain to Gilroy starting September 25th, a related promotional event at the Gilroy Transit Center, and the introduction of sexual assault forensic examination services at St. Louise Regional Hospital for South County survivors.

6. COUNCIL CORRESPONDENCE

6.1. City Council Member Meeting Attendance

Council received the correspondence.

6.2. Receive State-Certified 2023-2031 Housing Element for the City of Gilroy

Council received the correspondence.

6.3. Letter from City of Gilroy Open Government Commission

Council received the correspondence.

7. FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Armendariz requested the Council to agendize the Open Government Commission's presentation on *Enabling Hybrid Public Meetings* to the Council. Her request did not receive majority support.

Mayor Blankley requested the Council to agendize updating the Downtown Specific Plan. Her request received majority support.

8. CONSENT CALENDAR

Council Member Tovar requested Consent Calendar Items Nos. 8.2 and 8.4 be pulled from the Consent Calendar.

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

Motion: Adopt the Consent Calendar Item Nos. 8.1, 8.3, 8.5, 8.6, and 8.7.

RESULT: Pass

MOVER: Tom Cline, Council Member

SECONDER: Dion Bracco, Mayor Pro Tempore

AYES: Council Member Armendariz, Mayor Pro Tempore Bracco, Council Member Cline, Council Member Marques, Council Member Tovar, Mayor Blankley

NAYS: None

ABSENT: Council Member Hilton

8.1. Approval of the Action Minutes of the August 21, 2023 City Council Regular Meeting

A motion was made to approve the action minutes.

8.2. A Resolution of the City Council of the City of Gilroy to Release Unclaimed Checks to the City's General Fund in accordance with California Government Code Section 50053

The item was pulled out of the Consent Calendar.

8.3. A Resolution of the City Council of the City of Gilroy Updating the Appropriation Limit for Fiscal Year 2023-24

A motion was made to adopt the resolution.

Enactment No.: Resolution No. 2023-53

8.4. 2024 City Council Meeting Schedule

The item was pulled out of the Consent Calendar.

8.5. Adoption of an Ordinance of the City of Gilroy Amending Section 2.13 of the Gilroy City Code to Modify the Regular Meeting Schedule of the City Council

A motion was made to adopt the ordinance.

Enactment No.: Ordinance No. 2023-09

8.6. Approval of City Council Members' Travel for the League of California Cities Conference

A motion was made to approve the City Council Members Armendariz, Marques, Tovar, and Mayor Blankley's travel to the League of California Cities Conference.

8.7. Claim of Rita Castro (The City Administrator Recommends a 'Yes' Vote Under the Consent Calendar Shall Constitute a Denial of the Claim)

A motion was made to deny the claim.

8. CONSENT CALENDAR *(Items Pulled from the Consent Calendar)*

8.2. A Resolution of the City Council of the City of Gilroy to Release Unclaimed Checks to the City's General Fund in accordance with California Government Code Section 50053

Finance Director Harjot responded to Council Member questions.

Council Member Tovar expressed concerns about the methods of contacting individuals with unclaimed checks.

Motion: Adopt the Resolution

RESULT: Pass

MOVER: Dion Bracco, Mayor Pro Tempore

SECONDER: Tom Cline, Council Member

AYES: Mayor Pro Tempore Bracco, Council Member Cline, Council Member Marques, Mayor Blankley

NAYS: Council Member Armendariz, Council Member Tovar

ABSENT: Council Member Hilton

Enactment No.: Resolution No. 2023-52

8.4. 2024 City Council Meeting Schedule

Council discussion ensued about listing the holidays within the 2024 City Council Meeting Schedule.

Motion: Approve the 2024 City Council Meeting Schedule.

RESULT: Pass

MOVER: Rebeca Armendariz, Council Member

SECONDER: Carol Marques, Council Member

AYES: Council Member Armendariz, Mayor Pro Tempore Bracco, Council Member Cline, Council Member Marques, Council Member Tovar, Mayor Blankley

NAYS: None

ABSENT: Council Member Hilton

9. BIDS AND PROPOSALS

There were none.

10. PUBLIC HEARINGS

10.1. Proposed Tentative Map for a three-lot subdivision at 7040 Church Street, Application No. TM 22-03

Mayor Blankley asked the Council if they had received an ex-parte communication. None were reported.

Planner II Erin Freitas provided staff presentation and responded to Council Member questions.

Mayor Blankley opened the Public Hearing at 7:02 PM.

Amanda Musy-Verdel, representing the owners of the property, stated that the driveway's location on the lot is conceptual and will be addressed during development, praising staff's work and offering to answer any further questions.

Jose Avila, an owner near the proposed lot development, expressed concerns over increased traffic, overpopulation, and diminishing neighborhood quality, emphasizing a preference for sold homes over rentals to ensure community care and involvement.

There being no further speakers, Mayor Blankley closed the Public Hearing at 7:05 PM.

Motion: Determine that the proposed Tentative Map is exempt from further environmental review and qualifies for the State CEQA Guidelines Class 15 Exemption, Minor Land Divisions, because the proposed subdivision results in less than four parcels, is in conformance with the City's General Plan and Zoning, seeks no exceptions or variances, and all necessary services and access to the resulting parcels are available and adopt a resolution to approve the proposed tentative map to divide the property, known as 7040 Church Street, APN 799-11-068, into three residential parcels.

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Tom Cline, Council Member

AYES: Council Member Armendariz, Mayor Pro Tempore Bracco, Council Member Cline, Council Member Marques, Council Member Tovar, Mayor Blankley

NAYS: None

ABSENT: Council Member Hilton

Enactment No.: Resolution No. 2023-54

11. UNFINISHED BUSINESS

There were none.

12. INTRODUCTION OF NEW BUSINESS

12.1. Gilroy Garlic Festival Memorial Repairs/Upgrades

City Administrator Forbis provided staff presentation and responded to Council Member questions.

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

The Council received the report and directed staff to return with design options for a garden-only memorial, including the consideration of replacing the current palm tree with three maintainable trees to memorialize the lives lost. The design should also feature a monument on a pedestal, measures to mitigate squirrel issues, and the potential addition of a permanent bench. It was suggested that the designer, Karen Aitken, be present during the next discussion to provide input and feedback.

13. CITY ADMINISTRATOR'S REPORTS

13.1. Love Gilroy/Fight Dirty Campaign Update

13.2. Gilroy Cares – Employee Wellness Program

13.3. Update on Sidewalk Vending Enforcement Program

City Administrator Forbis provided his reports and responded to Council Member questions. Community Development Director Goei also provided an update to Item No. 13.3.

14. CITY ATTORNEY'S REPORTS

There were none.

15. CLOSED SESSION

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

Mayor Blankley recessed the Regular Meeting at 7:32 PM.

The City Council reconvened into Closed Session at 7:38 PM.

The vote to stay in Closed Session was unanimous.

15.1. THREAT TO PUBLIC SERVICES OR FACILITIES

Pursuant to Government Code section 54957; Gilroy City Code Chapter 17A
Consultation with Gilroy Police Department and Chief Espinoza
Gilroy City Code Section 17A.11(1)

No reportable action.

16. ADJOURN TO OPEN SESSION

Mayor Blankley reported out of Closed Session as shown above.

17. ADJOURNMENT

Mayor Blankley adjourned the meeting at 8:43 PM.

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.

/s/Thai Nam Pham, MMC, CPMC
City Clerk

DRAFT