

City of Gilroy
City Council Regular Meeting Minutes
Monday, September 18, 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 Armendariz led the Pledge of Allegiance.

1.3. Invocation

There was none.

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 Zach Hilton, Council Member Carol Marques, Council Member Fred Tovar, Council Member Marie Blankley, Mayor
Absent	None

1.6. Orders of the Day

There were none.

1.7. Employee Introductions

Administrative Services Director McPhillips introduced Eucario Mendoza, Custodian.

2. CEREMONIAL ITEMS - Proclamations and Awards

2.1. Proclamation Proclaiming September 17 - 23, 2023 as Constitution Week

Mayor Blankley read aloud the proclamation and presented it to Regent Kris Hernandez and Vice Regent Carol Driesen of Daughters of American Revolution, Gabilan Chapter.

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

Mayor Blankley opened Public Comment.

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

Terence Fugazzi expressed concerns over the Council's decision not to hear from the Open Government Commission and emphasized the need for transparency.

Jonathan Silva highlighted safety issues near El Roble Elementary and suggested measures, including a protected left turn, crossing guards, and speed bumps.

Malachi Diaz proposed the introduction of a disc golf course, noting its potential benefits and community support.

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

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco had no report.

Council Member Armendariz reported on the postponement of a Santa Clara Valley Habitat Agency Governing Board meeting and recognized September 15th through October 15th as Hispanic Heritage Month.

Council Member Marques had no report.

Council Member Hilton reported on the VTA Policy Advisory Committee, Silicon Valley Clean Energy Authority JPA Board, and the Santa Clara County Board of Supervisors.

Council Member Cline had no report.

Council Member Tovar had no report.

Mayor Blankley reported on the VTA Mobility Partnership.

5. COUNCIL CORRESPONDENCE

There were none.

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Tovar requested a closed session discussion on the concerns raised by the Local Firefighters Association, Local 2805, about the SOC report recommendations and minimum staffing requirements, specifically at the Glen Loma development, during the next council meeting on October 2nd. His request received majority support.

Council Member Armendariz requested the report from the Open Government Commission on their study of hybrid meetings to be presented to the Council, which received majority support.

7. BOARD AND COMMISSION INTERVIEWS

7.1. Interviews for Open Seats on Boards, Commissions, and Committees with Future Appointment October 2, 2023

The Council interviewed applicants Akur Varadarajan, Dale Davis, and Ann Marie McCauley.

8. CITY COUNCIL TRAINING

8.1. Housing Laws/Public Contracting/Design-Build

City Attorney Faber provided the training and responded to Council Member questions.

9. **CONSENT CALENDAR**

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

Motion: Adopt the Consent Calendar

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Carol Marques, Council Member

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

9.1. Approval of the Action Minutes of the September 11, 2023 City Council Regular Meeting

A motion was made to approve the minutes.

9.2. Claim of Cari McCormick (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.

10. **BIDS AND PROPOSALS**

10.1. Award the Purchase and Replacement of the Fire Departments Inventory of Self-Contained Breathing Apparatus (SCBA) for the Total Amount of \$850,003.60 Utilizing Sourcewell's Cooperative Purchasing Contract No. 032620

Fire Chief Wyatt provided staff presentation and responded to Council Member questions.

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

Motion: Award the purchase and replacement of the Fire Department's Self-Contained Breathing Apparatus Personal Protective Equipment to LN Curtis in the amount of \$850,003.60 utilizing Sourcewell's Cooperative Purchasing Contract No. 032620 and Authorize the City Administrator to execute the purchase contract documents.

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Rebeca Armendariz, Council Member

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

11. PUBLIC HEARINGS

There were none.

12. UNFINISHED BUSINESS

12.1. Approval of Consulting and Reimbursement Agreement between the City of Gilroy and Sharks Sports & Entertainment LLC

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.

Motion: Approve an agreement with Sharks Sports & Entertainment LLC (Sharks) in the amount of \$270,000 for consulting services for the design and construction of the Gilroy Ice Center and authorize the City Administrator to execute the agreement and make minor modifications (if necessary) to the agreement (not related to price and term) upon the legal review of the City Attorney.

RESULT: Pass

MOVER: Fred Tovar, Council Member

SECONDER: Rebeca Armendariz, Council Member

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

13. INTRODUCTION OF NEW BUSINESS

13.1. Report on Measures Taken to Improve the Condition of Las Animas Park, Including Safety and Crime Presentation

Assistant to the City Administrator Atkins provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Terence Fugazzi expressed concerns about parking and crime in the park, emphasized the importance of engaging all park users, criticized delays in public outreach, and urged proper budgeting for law enforcement rather than eliminating parking spaces.

Dorina Creel expressed concern about the safety and image implications of closing the Southwest parking lot at Las Animas Park and urged the city to address the issues instead of limiting parking.

Carla Ruigh voiced her concerns that closing the parking lot has made the parking area more isolated and less safe, shifted the problem elsewhere, and emphasized the importance of addressing illegal activities directly rather than restricting facilities.

Terry Lancaster expressed that the park's safety has improved since the parking lot was closed, emphasizing the importance of being family-friendly and a community gathering spot, yet acknowledged lingering

safety concerns with people still living there.

Skip Bloom praised the closure of the Wayland Lane parking lot for reducing crime and improving quality of life in the past eight months and urged the city to keep it closed for ongoing safety benefits.

Charlie Morales emphasized that public safety should be the top priority, noted improvements in park safety since specific actions were taken, and stressed the importance of respecting and maintaining the honor of Las Animas Veterans Park while condemning criminal behaviors.

Rick Duyao attested to smooth park operations despite changes but emphasized concerns over disruptive behavior and past personal tragedies, urging increased safety measures.

Mack Sacco suggested that city departments collaborate with local groups to review the park's parking lot closure, aiming to develop an effective action plan that ensures safety, maintains public access, and is supported by objective data.

Ron Kirkish believes in more vigorous enforcement to address park safety issues rather than limiting tennis players' access.

Michael Vaquera relayed Art and Frances Gomez's experiences of multiple disturbances, vandalism, and thefts near Las Animas Park over 46 years, noting improvements since the park's gates were erected and urging for the gates to remain for community tranquility.

Jeff Andersen cited criminal activity and disturbances from a dark parking lot, noting improvements since its closure and advocating for its continued shutdown for safety.

Araceli Vaquera emphasized the safety and quality of life for children and community members at Las Animas Park, noting past problems from individuals in the parking lot and advocated for continued measures to maintain the park's improved conditions.

Brian Heatschke advocated for the parking lot at the tennis courts to be open from 7:30 a.m. until closing, emphasizing the importance of accessibility for tennis players and those with disabilities while also acknowledging concerns with the homeless.

Richard Andersen expressed concerns about safety issues, drug activities, and harassment near his home adjacent to the parking lot and children's playground in the park, emphasizing the challenges residents face after tennis players leave for the day.

Bruce Serpa recounted witnessing various disturbances in the park's parking lot, emphasizing safety concerns, particularly for women at night, and voiced his support for permanently closing the area for the benefit of the community.

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

Council Member Cline sought a six-month update on parking. Council Member Marques requested that the Council address the park misconduct and the need for more vigorous law enforcement. Neither request secured majority support.

The council received the report.

13.2. Sidewalk Vending Permit Fee and Supervising Code Enforcement Officer

Special Assistant to City Administration Biggs and Community Development Director Goei provided staff presentations and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Terence Fugazzi emphasized the need for increased code enforcement, suggested a streamlined reporting website, and sought clarity on the sidewalk ordinance and enforcement measures.

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

Motion: Adopt a resolution establishing a permit application fee and annual renewal fee for sidewalk vending.

RESULT: Pass

MOVER: Dion Bracco, Mayor Pro Tempore

SECONDER: Fred Tovar, Council Member

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

Enactment No.: Resolution No.: 2023-55

Motion: Approve the addition of a Supervising Code Enforcement Officer position in the Community Development Department.

RESULT: Pass

MOVER: Rebeca Armendariz, Council Member

SECONDER: Fred Tovar, Council Member

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

Motion: Adopt a resolution approving the updated Position Control List for FY 24.

RESULT: Pass

MOVER: Rebeca Armendariz, Council Member

SECONDER: Dion Bracco, Mayor Pro Tempore

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

Enactment No.: Resolution No.: 2023-56

14. CITY ADMINISTRATOR'S REPORTS

14.1. 2023 Aquatics Center Season Recap

City Administrator Forbis provided a brief report to the Council and responded to Council Member questions.

15. CITY ATTORNEY'S REPORTS

There were none.

16. ADJOURNMENT

Mayor Blankley adjourned the meeting at 8:58 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