



CITY COUNCIL REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS, CITY HALL
7351 ROSANNA STREET, GILROY, CA
95020

MONDAY, OCTOBER 2, 2023 | 6:00 PM

MAYOR

Marie Blankley

**COUNCIL
MEMBERS**

Rebeca Armendariz

Dion Bracco

Tom Cline

Zach Hilton

Carol Marques

Fred Tovar

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 assistance, contact the City Clerk's Office 72 hours before the meeting at (408) 846-0204 or cityclerk@cityofgilroy.org.



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.

Accessing Meeting Translations | *Accediendo a las Traducciones de la Reunión*



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.

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**
 - 2.1. **Proclamation Proclaiming October 2023 as The Great Shakeout**
3. **PRESENTATIONS TO THE COUNCIL**
 - 3.1. **Presentation from Silicon Valley Clean Energy**
 - 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**

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 to City Hall, 7351 Rosanna Street, Gilroy, CA 95020, by 1:00 pm 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.

4. 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*), 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, 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

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

7. 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.

7.1. Approval of the Action Minutes of the September 18, 2023 City Council Regular Meeting

7.2. Claim of Jose Aaron Munoz (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)

8. BIDS AND PROPOSALS

9. PUBLIC HEARINGS

9.1. Proposed Tentative Parcel Map to subdivide two developed commercial lots located at 6955 Camino Arroyo into seven parcels, Application No. TM 23-01

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 the following:

That the City Council, based on its independent analysis, determine that the proposed project is exempt from further environmental review by State CEQA Guidelines section 15061 (b), the "common sense" exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

Adopt a resolution approving the proposed tentative parcel map to subdivide the property known as APN 841-17-045 and 841-17-036 into seven separate parcels.

10. UNFINISHED BUSINESS

10.1. Appointments to City Boards, Commissions, and Committees with Seats Vacant or Expired as of September 18, 2023

1. Staff Report: Thai Nam Pham, City Clerk
2. Public Comment
3. Possible Action:

Appoint members to City Commissions with seats vacant or expired as of September 18, 2023.

10.2. Justice, Equity, Diversity, and Inclusion Initiative Update

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

Receive Report.

11. INTRODUCTION OF NEW BUSINESS

11.1. Receive Preliminary Fiscal Year 2022-23 (FY23) Year-End Financial Report

1. Staff Report: Harjot Sangha, Finance Director
2. Public Comment
3. Possible Action:
 1. Receive report.
 2. Approve \$225,000 to be transferred to the Section 115 Pension Trust, pursuant to the Pension Funding Policy.

11.2. Discussion and Direction Regarding Other Post Employment Benefit (OPEB) Section 115 Trust and Funding

1. Staff Report: Harjot Sangha, Finance Director
2. Public Comment
3. Possible Action:
 1. Receive report.
 2. Adopt a resolution:
 - a. Establishing a Section 115 Trust for Other Post Employment Benefits (OPEB);
 - b. Approving one-time contribution of to the Section 115 OPEB Trust of \$0.5 million from the General Fund balance (reserves); and
 - c. Approving an OPEB Funding Policy.

12. CITY ADMINISTRATOR'S REPORTS

12.1. Know Your Code

12.2. E-newsletter Mailbag

12.3. Love Gilroy/Fight Dirty

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 Issues(s) Under Negotiation: Wages, Hours, Benefits, Working Conditions; Memorandums of Understanding: City of Gilroy and Gilroy Fire Fighters Local 2805.**

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

October 2023

16 Regular Meeting - 6:00 p.m

November 2023

6 Regular Meeting - 6:00 p.m

20 Regular Meeting - 6:00 p.m

December 2023

4 Regular Meeting - 6:00 p.m

11 Special Meeting - 6:00 p.m

~~18 Regular Meeting - 6:00 p.m~~ -**CANCELED**-

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