



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.

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Use a headset on your phone for audio or read the transcript.

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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.

City of Gilroy

Proclamation



WHEREAS,

a major earthquake poses a particular, significant, and ongoing threat to the City of Gilroy and the City Council recognizes the importance of enhancing the ability of the community to withstand an earthquake's impacts; and

WHEREAS,

the City has a responsibility to promote earthquake preparedness and plan appropriately for earthquake related disasters; and

WHEREAS,

community resiliency to earthquakes and other disasters depends on the preparedness efforts of individuals, families, neighborhoods, schools, community- and faith-based organizations, non-profits, businesses, and government; and

WHEREAS,

by participating in The Great Shake Out on October 19, 2023 at 10:19 am, California will join millions of Americans in an effort to strengthen community, national, and regional resiliency after an earthquake; and

WHEREAS,

citizens are encouraged to use information found on www.shakeout.org/california/ to educate themselves on how to protect life and property, including mitigating structural and non-structural hazards and participating in earthquake drills.

NOW, THEREFORE, I, Marie Blankley, Mayor of the City of Gilroy, on this 2nd day of October 2023, together with the City Council, do hereby proclaim October 2023 as

THE GREAT SHAKEOUT

Attested to by:

Marie Blankley
Marie Blankley
MAYOR

Thai Nam Pham
Thai Nam Pham
City Clerk

**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



City of Gilroy

STAFF REPORT

Agenda Item Title: Claim of Jose Aaron Munoz (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute denial of the claim)

Meeting Date: October 2, 2023

From: Jimmy Forbis, City Administrator

Department: Administrative Services

Submitted By: LeeAnn McPhillips, Administrative Services and Human Resources Director / Risk Manager

Prepared By: LeeAnn McPhillips, Administrative Services and Human Resources Director / Risk Manager

STRATEGIC PLAN GOALS

Not Applicable

RECOMMENDATION

Based on the recommendation from Municipal Pooling Authority (MPA) and/or legal counsel, this claim is recommended for rejection.

EXECUTIVE SUMMARY

Based on the recommendation from Municipal Pooling Authority (MPA) and/or legal counsel, the following claim is submitted to the City Council for rejection at the October 2, 2023 meeting:

- Claim of Jose Aaron Munoz

Attachments:

1. Claim of Jose Aaron Munoz

File With: City Clerk's Office 7351 Rosanna Street Gilroy, CA 95020-6141	CITY OF GILROY CLAIM FOR DAMAGES To Person Or Property	CLAIM No. _____ 
INSTRUCTIONS 1. Claims for death, injury to person or to personal property must be filed not later than six months after the occurrence. (Gov. Code Sec. 911.2) 2. Claims for damages to real property must be filed not later than 1 year after the occurrence. (Gov. Code Sec. 911.2) 3. Read entire claim before filing. 4. See page 2 for diagram upon which to locate place of accident. 5. This claim form must be signed on page 2 at bottom. 6. Attach separate sheets, if necessary, to give full details. SIGN EACH SHEET.		
TO: CITY OF GILROY		Date of Birth of Claimant
Name of Claimant <u>Jose Aaron Munoz</u>		Occupation of Claimant
Home Address of Claimant <u>6391 Tannat Lane</u>	City and State <u>Gilroy CA</u>	Home Telephone Number
Business Address of Claimant —	City and State	Business Telephone Number
Give address and telephone number to which you desire notices or communications to be sent regarding this claim: <u>6391 Tannat Lane Gilroy CA 95020 408-705-7840</u>		Claimant's e-mail address
When did DAMAGE or INJURY occur? Date <u>2-28-2023</u> Time <u>7:10 pm</u> If claim is for Equitable Indemnity, give date claimant served with the complaint: Date <u>—</u>		Names of any city employees involved in INJURY or DAMAGE:
Where did DAMAGE or INJURY occur? Describe fully, and locate on diagram on reverse side of this sheet. Where appropriate, give street names and address and measurements from landmarks: <u>no injury but damage was to the front suspension of car left and right lower control arms right side hub and baring knuckle</u>		
Describe in detail the DAMAGE or INJURY occurred: <u>Damage was to car only. The front suspension, left and right lower control arms right side hub and baring and knuckle.</u>		
Why do you claim the city is responsible? <u>Because of all of the construction work. They have not patched up the roads correctly. They also do not have a place that cars can pass through without going over the wholes, bumps and metal covers. The patch work is horrible</u>		
Describe in detail each INJURY or DAMAGE: <u>The wholes in the cement are so big. The roads are horrible where they are working.</u>		

The amount claimed, as of the date of presentation of this claim, is computed as follows:

Damages incurred to date (exact):

Damage to property..... \$ 3,007.80
 Expense for medical and hospital care..... \$ 0
 Loss of earnings..... \$ 0
 Special damages for..... \$ 0

 General damages..... \$ 11
 Total damages incurred to date \$ 3,007.80

Estimated prospective damages as far as known:

Future expenses for medical and hospital care..... \$ _____
 Future loss of earnings..... \$ _____
 Other prospective special damages..... \$ _____
 Prospective general damages..... \$ _____
 Total estimate prospective damages ... \$ _____

Total amount claimed as of date of presentation of this claim: \$ 3,007.80

Was damage and/or injury investigated by police? NO If so, what city? _____

Were paramedics or ambulance called? NO If so, name city of ambulance _____

If injured, state date, time, name and address of doctor of your first visit _____

WITNESSES to DAMAGE or INJURY: List all persons and address of persons known to have information:

Name _____	Address _____	Phone _____
Name _____	Address _____	Phone _____
Name _____	Address _____	Phone _____

DOCTORS and HOSPITALS:

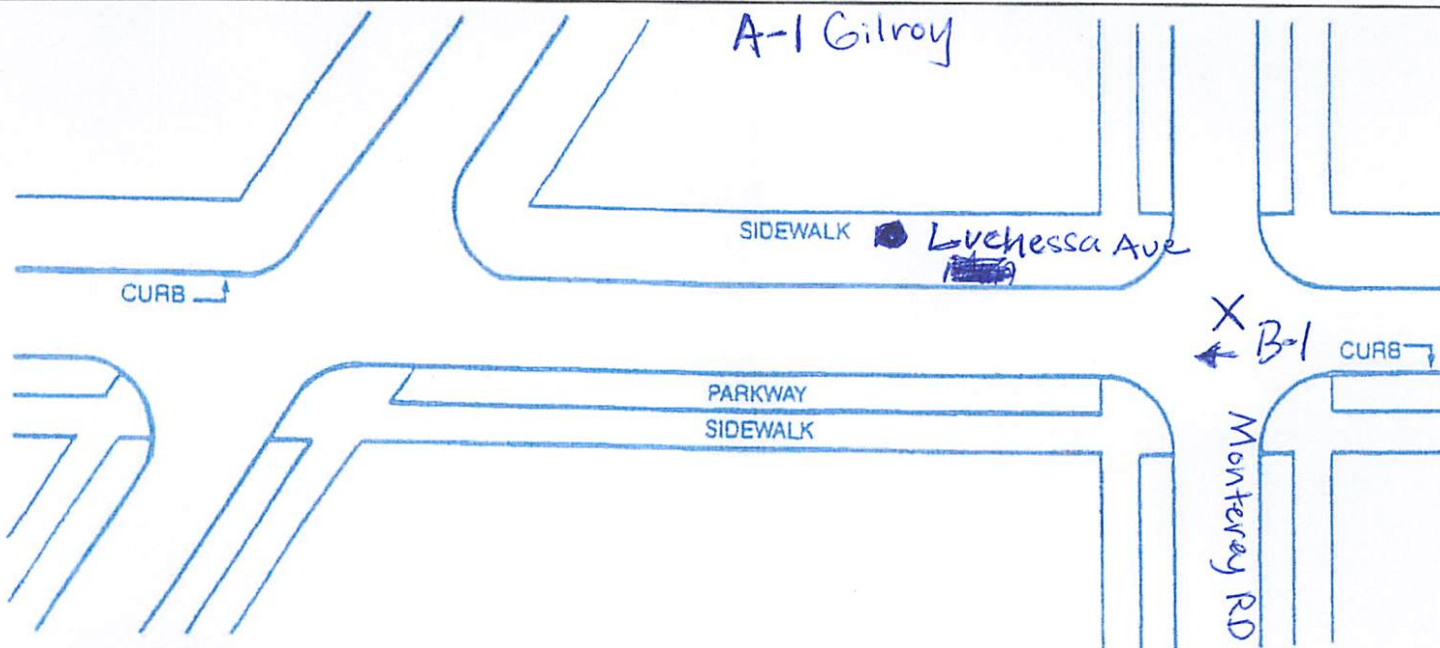
Hospital _____	Address _____	Date Hospitalized _____
Doctor _____	Address _____	Date of Treatment _____
Doctor _____	Address _____	Date of Treatment _____

READ CAREFULLY

For all accident claims, place on following diagram names of streets, including North, East, South and West: Indicate place of accident by "X" and by showing house numbers or distances to street corners. If City vehicle was involved, designate by letter "A" location to City vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw City vehicle:

Location of City at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X".

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.



Signature of Claimant or person filing on his behalf giving relationship to claimant:

[Handwritten signature]

Typed Name:

Jose Avaran Munoz

Date:

3/17/23

NOTE: CLAIMS MUST BE FILED WITH CITY CLERK (Gov. Code Sec. 915a). Presentation of a false claim is a felony (Pen. Code Sec. 72)



City of Gilroy

STAFF REPORT

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

Meeting Date: October 2, 2023

From: Jimmy Forbis, City Administrator

Department: Community Development

Submitted By: Sharon Goei, Community Development Director

Prepared By: Melissa Durkin, Planner II

STRATEGIC PLAN GOALS

Promote Economic Development Activities

RECOMMENDATION

Staff has analyzed the proposed project and recommends the following:

- a) 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
- b) 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.

PROJECT DESCRIPTION

The applicant, Elan Sippel-Feldman, representing Joule Gilroy Crossing Owner, LLC, is seeking approval of Tentative Map Application TM 23-01 to subdivide two developed commercial parcels, totaling 21.36+/- acres, into seven parcels, as follows:

- Parcel A1 would be 1.37 acres and contain two buildings
- Parcel A2 would be 5.32 acres and contain one building
- Parcel A3 would be 1.81 acres and contain one building
- Parcel A4 would be 1.09 acres and contain one building

- Parcel A5 would be 0.94 acres and contain one building
- Parcel B1 would be 4.59 acres and contain one building
- Parcel B2 would be 6.24 acres and contain two buildings

All parcels would contain multiple tenants and associated parking. No new construction is proposed, and the resulting lots will share parking and driveway access via reciprocal parking and access easements.

BACKGROUND

Site and Surrounding Land Uses: The subject site is within the Gilroy Crossing shopping center located on the west side of Camino Arroyo and south of Hwy 152. This project was approved as a commercial/industrial planned development (C3/M2/HC PUD) under City applications TM 02-06, Z 02-06, and PUD AS 02-22. The entire PUD area includes 75.5 acres with lots on both sides of Camino Arroyo. Gilroy Crossing shopping center is located west of Camino Arroyo and contains approximately 258,419 square feet of commercial development.

The lots on the east side of Camino Arroyo are currently undeveloped and will be developed as Phase II of the PUD. The Planning Commission recently reviewed and City Council approved a plan for the development of this site under applications AS 21-13, Z 22-02, and TM 21-02. The plan proposes two hotels, a restaurant, a gasoline station, and future industrial buildings.

The original tract map for the PUD was approved in April 2003 for 16 lots. In 2004, a revised parcel map was recorded for the area that includes the subject lots. In 2022, a subsequent parcel map was approved to separate a 0.90-acre parcel containing a drive-through restaurant from the remainder of the shopping center.

Environmental Determination: The proposed subdivision 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. Staff has made this determination because the proposed subdivision will not result in new development; is in conformance with the City’s General Plan and Zoning; does not seek exceptions or variances; and all services and access to the resulting parcels are in place.

ANALYSIS

General Plan: The site is designated for retail commercial land uses, and the proposed lot split would have no material effect on the use of the site. There are no General Plan policies directly relevant to a commercial lot split. The project could be considered consistent with Goal EP 3, “Maintain a supportive business climate that increases the City’s ability to support expansion of existing businesses and attraction of new

businesses,” in that the lot split would provide separate ownership and financing options for the resulting parcels.

Zoning Consistency: The Gilroy Crossing PUD does not prohibit further subdivision of the lots, and there is no minimum lot size. The resulting lots would not create any substandard setbacks or parking conditions.

Tentative Map Consistency: The lot split is subject to review pursuant to the State Subdivision Map Act and Gilroy City Code Chapter 21, which regulates the design of subdivisions and improvements to ensure orderly development. There are specific findings that must be made to deny a tentative map, pursuant to Government Code Section 66474.

As noted, the parcel size would not conflict with the PUD zoning. The property lines separating the lots will be located along drive aisles and parking areas, creating logical property boundaries. The resulting lots would maintain access to drive aisles and parking via reciprocal easements. Maintenance agreements already apply to property within the complex and would transfer to the new lots.

The minor lot split request does not trigger any findings required for denial under Government Code Section 66474, has been conditioned appropriately, and does not warrant any new conditions related to the use or construction of physical improvements.

Planning Commission Recommendation:

At its September 7, 2023 meeting, the Planning Commission recommended approval of TM 23-01 by a vote of 6-0-1 (Commissioner Ramirez was absent).

ALTERNATIVES

The Council may deny the lot split. The applicant would not be able to proceed with filing a final parcel map and could not pursue separate financing or sale of the parcels. Staff does not recommend this option.

FISCAL IMPACT/FUNDING SOURCE

The applicant paid all fees associated with processing this tentative map request. The applicant will pay the future costs of processing the final map.

PUBLIC OUTREACH

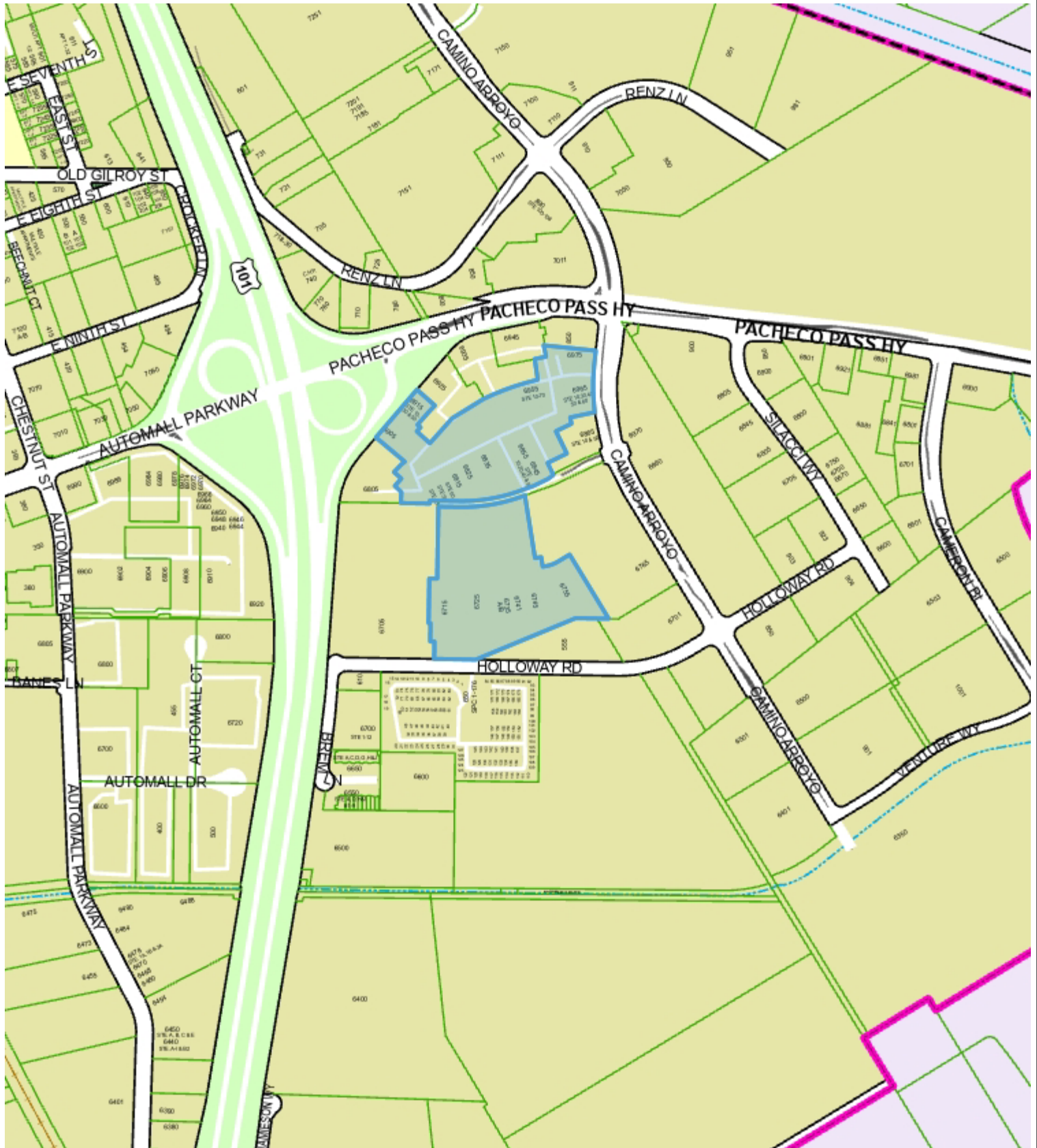
Notices were provided in compliance with code requirements. The plans were routed to all departments and agencies with jurisdiction or interest over development. At least 10 days prior to the hearing, notices were mailed to property owners within 500 feet of the site, published in the Gilroy Dispatch, and posted on-site. Planning Commission and City Council public hearing packets are available through the City's website.

NEXT STEPS

If approved, the applicant would process a final parcel map to subdivide the lots.

Attachments:

1. Vicinity Map
2. Proposed Tentative Parcel Map
3. Planning Commission Staff Report
4. Planning Commission Resolution
5. Draft City Council Resolution



0.3 0 0.13 0.3 Miles

NAD_1983_StatePlane_California_III_FIPS_0403_Feet
City of Gilroy, GIS Services

1: 8,000

Note: Map is for reference purposes only.

9.1

THIS DOCUMENT, BEARING REFERENCE TO THE SPECIFIC PROJECT AND CLIENT FOR WHICH IT WAS PREPARED, IS THE PROPERTY OF KIMLEY-HORN AND ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF KIMLEY-HORN AND ASSOCIATES, INC. THE USER OF THIS DOCUMENT SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMISSIONS FROM THE APPROPRIATE AGENCIES AND INDIVIDUALS FOR ANY REPRODUCTION OR TRANSMISSION OF THIS DOCUMENT. THE USER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMISSIONS FROM THE APPROPRIATE AGENCIES AND INDIVIDUALS FOR ANY REPRODUCTION OR TRANSMISSION OF THIS DOCUMENT. THE USER SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMISSIONS FROM THE APPROPRIATE AGENCIES AND INDIVIDUALS FOR ANY REPRODUCTION OR TRANSMISSION OF THIS DOCUMENT.

9.1



 PROPOSED PARCEL BOUNDARY LINE
 EXISTING PARCEL LINE
 EASEMENT LINE
 SETBACK LINE

OWNER/DEVELOPER:	SURVEYOR
JOSEPH TICHAR	BRETT CHAPPELL, PLS 7547
RAIDER HILL ADVISORS, INC.	CHAPPELL GEOMATICS
757 THIRD AVENUE, 15TH FLOOR	147 NORTH 1ST AVENUE
NEW YORK, NY 10017	OKADALE, CA 95361
JTICHAR@RAIDERHILL.COM	BRETT@CHAPPEGO.COM
(212) 223-9090	(209) 845-9694

JENNIFER KIRBY, P.E. 92530
KIMLEY-HORN AND ASSOCIATES, INC.
4637 CHABOT DRIVE, SUITE 350
PLEASANTON, CA 94588
JENNIFER.KIRBY@KIMLEY-HORN.COM
(669) 800-4168

1. SUBDIVISION NAME: GILROY CROSSING
TYPE OF SUBDIVISION: GENERAL SERVICES COMMERCIAL
ASSESSOR'S PARCEL NO.: 841-70-045 & 841-70-036
EXISTING LAND USE: RESTAURANT
PROPOSED LAND USE: RESTAURANT
2. COUNTY OF SANTA CLARA ASSESSOR MAPPING
BOOK: 770
PAGE: 1 & 2
PARCEL NUMBER: 841-70-045 & 841-70-036
3. PROPOSED NUMBER OF LOTS: 5 (OF PARCEL A)
2 (OF PARCEL B)
4. LAND AREA: 10.53 ACRES (OF PARCEL A)
10.83 ACRES (OF PARCEL B)

THE BEARING NORTH 40°37'09" EAST BEING THE BEARING OF THE NORTHWESTERLY LINE OF PARCEL 1 AS SHOWN ON THE PARCEL MAP FILED FOR RECORD IN BOOK 770 OF MAPS AT PAGE 1, SANTA CLARA COUNTY RECORDER.

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF SANTA CLARA, CITY OF GILROY, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL TWO:
ALL OF PARCEL 1 AS SAID PARCEL IS SHOWN UPON THAT MAP ENTITLED, "PARCEL 3 AS SHOWN AND DESCRIBED ON "CERTIFICATE OF COMPLIANCE NO. 2003-10" FILED IN DOCUMENT NO. 17520707," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON MAY 12, 2004 IN BOOK 770 OF MAPS AT PAGES 1 AND 2.

PARCEL THREE:
NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF SAID LAND AS CREATED IN THAT
CERTAIN "OPERATION AND EASEMENT AGREEMENT" EXECUTED BY AND AMONG
TARGET CORPORATION, A MINNESOTA CORPORATION, KOHL'S DEPARTMENT STORES,
INC., A DELAWARE CORPORATION, AND REGENCY REALTY GROUP, INC., A FLORIDA
CORPORATION, RECORDED MARCH 7, 2003, INSTRUMENT NO. 1687109, OFFICIAL
RECORDS, AND AS AMENDED BY THAT CERTAIN FIRST AMENDMENT TO OPERATION
AND EASEMENT AGREEMENT RECORDED SEPTEMBER 27, 2004 AS INSTRUMENT NO.
1687208, OFFICIAL RECORDS, AND AS FURTHER AMENDED BY THAT CERTAIN
"SECOND AMENDMENT TO OPERATION AND EASEMENT AGREEMENT" RECORDED
NOVEMBER 22, 2005, INSTRUMENT NO. 16888764, OFFICIAL RECORDS.

I, _____, CERTIFY THAT THIS TENTATIVE MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT COMPLIES WITH THE CITY OF GILROY SUBDIVISION ORDINANCE AND THE STATE MAP ACT.

I, _____, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA
HEREBY STATE THAT THIS TENTATIVE MAP IS BASED UPON SURVEY UNDER MY
DIRECT SUPERVISION AND THAT IT COMPLIES WITH CITY OF GILROW SUBDIVISION
ORDINANCE AND STATE MAP ACT.

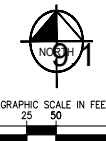
ZONE: X
DESCRIPTION: 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE

MAP NUMBER: 06085C0643H
COMMUNITY: CITY OF GILRO
PANEL: 060340
NUMBER: 0643
SUFFIX: H
EFFECTIVE DATE: 05/18/2009
REVISION DATE: NONE

OVERALL PARKING SUMMARY TABLE				
PARCEL	BUILDING FLOOR AREA (SF)	TOTAL PARKING STALLS REQUIRED*	TOTAL PARKING STALLS PROVIDED	PARKING RATIO
A1	12,887	52	59	1 STALL:219 SF
A2	41,358	166	328	1 STALL:127 SF
A3	17,616	71	123	1 STALL:144 SF
A4	10,092	41	45	1 STALL:225 SF
A5	10,387	42	44	1 STALL:237 SF

*ONE (1) STALL PER 250 SF GROSS FLOOR AREA (GFA) PER CITY OF GILROY MUNICIPAL CODE, CHAPTER 30.31, SECTION 30.31.25(A).

NOTE: THE PARCELS SHOWN HEREIN ARE HELD TO A SHARED PARKING AGREEMENT SPECIFIED IN THE OPERATION AND EASEMENT AGREEMENT (OEA; DATED MARCH 7, 2003).



Kimley»Horn
7 CHABOT DRIVE, SUITE 350, PLEASANTON, CA 94566
PHONE: 925-398-4840 FAX: 925-398-4849
WWW.KIMLEY-HORN.COM

FOR MORE INFO, VISIT US AT WWW.KINDERMORTON.COM OR CALL 1-800-368-5555

KinderMorton
SPECIALTY ADHESIVE

Engineer _____
P.E. No. _____
Date _____

KHA PROJECT 197-422005	DATE 07/31/2023	SCALE	AS SHOWN	DESIGNED BY	CKC	DRAWN BY	CKC
---------------------------	--------------------	-------	----------	-------------	-----	----------	-----

GILROY CROSSING
MINO ARROYO AND HWY 15
GILROY, CA 95020

PROPOSED
TENTATIVE
PARCEL MAP

SHEET NUMBER	TM-2
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K:\BAY\DEFA\07422007 - Gilroy Mapping 2 - Tentative Parcel Mapping
 This document, together with the contents and actions presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and/or incorporation and distribution by Professional and Associates, Inc. shall be without liability to Kinetic-Horn and Associates, Inc.

9.1





Community Development Department

Sharon Goei
DIRECTOR

7351 Rosanna Street, Gilroy, CA 95020-6197
Telephone: (408) 846-0451 | Fax: (408) 846-0429
cityofgilroy.org | planningdivision@cityofgilroy.org

DATE: September 7, 2023
TO: Planning Commission
FROM: Melissa Durkin, Planner II
SUBJECT: Proposed Tentative Parcel Map to subdivide two developed commercial lots located at 6955 Camino Arroyo into seven parcels, Application No. TM 23-01

RECOMMENDATION:

Staff has analyzed the proposed project, and recommends that the Planning Commission:

- a. Recommend 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
- b. Adopt a resolution recommending that the City Council approve the proposed tentative parcel map to subdivide the property known as APN 841-17-045 and 841-17-036 into seven separate parcels

PROJECT DESCRIPTION:

The applicant, Elan Sippel-Feldman representing Joule Gilroy Crossing Owner, LLC, is seeking approval of Tentative Map Application TM 23-01 to subdivide two developed commercial parcels, totaling 21.36+/- acres, into seven parcels, as follows:

- Parcel A1 would be 1.37 acres and contain two buildings
- Parcel A2 would be 5.32 acres and contain one building
- Parcel A3 would be 1.81 acres and contain one building
- Parcel A4 would be 1.09 acres and contain one building
- Parcel A5 would be 0.94 acres and contain one building
- Parcel B1 would be 4.59 acres and contain one building
- Parcel B2 would be 6.24 acres and contain two buildings

All parcels would contain multiple tenants and associated parking. No new construction is proposed, and the resulting lots will share parking and driveway access via reciprocal parking and access easements.

BACKGROUND:

Site and Surrounding Land Uses: The subject site is within the Gilroy Crossing shopping center located on the west side of Camino Arroyo and south of Hwy 152. This project was approved as a commercial/industrial planned development (C3/M2/HC PUD) under City applications TM 02-06, Z 02-06 and PUD AS 02-22. The entire PUD area includes 75.5 acres with lots on both sides of Camino Arroyo. Gilroy Crossing shopping center is located west of Camino Arroyo and contains approximately 258,419 square feet of commercial development.

The lots on the east side of Camino Arroyo are currently undeveloped and would be developed as Phase II of the PUD. The Planning Commission recently reviewed, and City Council approved, a plan for development of this site under applications AS 21-13, Z 22-02 and TM 21-02. The plan proposes two hotels, fast food restaurant, gasoline station and future industrial buildings.

The original tract map for the PUD was approved in April 2003 for 16 lots. In 2004 a revised parcel map was recorded for the area that includes the subject lots. In 2022 a subsequent parcel map was approved to separate a 0.90-acre parcel containing a drive-through restaurant from the remainder of the shopping center.

Environmental Determination: The proposed subdivision 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. Staff has made this determination because the proposed subdivision will not result in new development; is in conformance with the City’s General Plan and Zoning; does not seek exceptions or variances; and all services and access to the resulting parcels are in place.

DISCUSSION AND ANALYSIS:

General Plan: The site is designated for retail commercial land uses and the proposed lot split would have no material effect on the use of the site. There are no General Plan policies directly relevant to a commercial lot split. The project could be considered consistent with Goal EP 3 “Maintain a supportive business climate that increases the City’s ability to support expansion of existing businesses and attraction of new businesses” in that the lot split would provide separate ownership and financing options for the resulting parcels.

Zoning Consistency: The Gilroy Crossing PUD does not prohibit further subdivision of the lots, and there is no minimum lot size. The resulting lot would not create any substandard setback or parking conditions.

Tentative Map Consistency: The lot split is subject to review pursuant to State Subdivision Map Act and Gilroy City Code Chapter 21, which regulates the design of subdivisions and improvements to ensure orderly development is proposed. There are

specific findings that must be made to deny a tentative map, pursuant to Government Code Section 66474.

As noted, the parcel size would not conflict with PUD zoning. The property lines separating the lots will be located along drive aisles and parking areas, creating logical property boundaries. The resulting lots would maintain access to drive aisles and parking via reciprocal easements. Maintenance agreements already apply to property within the complex and would transfer to the new lots.

The minor lot split request does not trigger findings required for denial under Government Code Section 66474, has been conditioned appropriately, and does not warrant any new conditions related to the uses or construction of physical improvements.

PUBLIC NOTICING:

Notices were provided in compliance with code requirements. The plans were routed to all departments and agencies with jurisdiction or interest over development. At least 10 days prior to the hearing notices were mailed to property owners within 500 feet of the site, published in the Gilroy Dispatch, and posted on-site.

ATTACHMENTS:

1. Gilroy Crossing Proposed Tentative Parcel Map
2. Planning Commission Resolution TM 23-01

RESOLUTION NO. 2023-13**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GILROY RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A TENTATIVE PARCEL MAP TO SUBDIVIDE PROPERTY INTO SEVEN PARCELS, LOCATED AT 6955 CAMINO ARROYO, APN: 841-70-036 and 841-70-045 (FILE NUMBER TM 23-01)**

WHEREAS, On May 15, 2023 an application was filed by Elan Sippel-Feldman representing Joule Crossing Owner, LLC proposing the subdivision of two parcels at 6955 Camino Arroyo within the C3/HC/M2-PUD, Commercial/Industrial Planned Unit Overlay zone district; and

WHEREAS, the application submittal was accepted as complete on August 8, 2023; and

WHEREAS, the proposed subdivision qualifies as exempt from further environmental review and qualifies for the 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 since the proposed subdivision will not result in new development; is in conformance with the City’s General Plan and Zoning; does not seek exceptions or variances; and all services and access to the resulting parcels are in place; and

WHEREAS, the Planning Commission held a duly noticed public meeting on September 7, 2023 at which time the Planning Commission received and considered the staff report as well as all evidence received including written and oral public testimony related to the project; and

WHEREAS, the City may deny a tentative map only if, based upon substantial evidence in the record, it makes one or more of seven listed findings for denial prescribed by Government Code Section 66474. Staff has reviewed the findings and concluded that project denial based on these findings would not be supported, and alternatively, that each of the seven findings may be made to support approval of the project; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon which the project approval is based is the Community Development Department, Planning Division.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Gilroy hereby finds as follows:

In order to deny the map, the Planning Commission would have to make one or more of the seven listed findings described in Government Code Section 66474 based upon substantial evidence in the record. The seven findings are listed below, along with an explanation for each one as to why the Planning Commission cannot make the finding:

Resolution No. 2023-1

Page 2

1. The proposed subdivision TM 23-01 is not consistent with applicable general and specific plans as specified in 65451.

This Finding cannot be made. The proposed subdivision TM 23-01 is generally consistent with the goals and policies of the City's General Plan;

2. That the design or improvement of the proposed subdivision TM 23-01 is not consistent with the applicable general and specific plans.

This Finding cannot be made. The proposed subdivision TM 23-01 is generally consistent with the goals and policies of the City's General Plan.

3. That the site is not physically suitable for the type of development.

This Finding cannot be made. The site is physically suitable for this type of development because it is generally consistent with the City's Zoning Ordinance, Subdivision and Land Development Code;

4. That the site is not physically suitable for the proposed density of development.

This Finding cannot be made. The site is physically suitable for this density of development because it is generally consistent with the City's Zoning Ordinance.

5. That the design of the proposed subdivision TM 23-01 or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This Finding cannot be made. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, or substantially injure fish or wildlife because the site is located within a developed urban context and is not in or adjacent to any sensitive habitat areas;

6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

This Finding cannot be made. The design of the proposed subdivision TM 23-01 will not cause serious public health problems because the site is located within an urban context and has access to urban services including sewer and water; and.

7. That the design of the proposed subdivision TM 23-01 or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property

Resolution No. 2023-1

Page 3

within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

This Finding cannot be made. The design of the proposed subdivision TM 23-01 will not conflict with existing access easements.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Gilroy hereby recommends to the Gilroy City Council approval of Tentative Map Application No. TM 23-01, subject to the conditions attached hereto as Exhibit A.

PASSED AND ADOPTED this 7th day of September 2023 the following roll call vote:

AYES: Commissioner Elle, Fugazzi, Leongardt, Lewis, Vice Chair Kushner, Chair Bhandal.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Ramirez.

ATTEST:

DocuSigned by:

Sharon Goei

493077E1C0A54C8...

Sharon Goei, Secretary

APPROVED:

DocuSigned by:

Manny Bhandal

12B09BE03D88456...

Manny Bhandal, Chairperson

Resolution No. 2023-1

Page 4

EXHIBIT A

TENTATIVE MAP CONDITIONS OF APPROVAL GILROY CROSSING TENTATIVE PARCEL MAP TM 23-01

PLANNING DIVISION CONDITIONS

The following GENERAL conditions authorize specific terms of the project

ENTITLEMENT(S).

1. **APPROVED PROJECT:** Tentative Parcel Map TM 23-01 approval is granted to subdivide two developed commercial parcels totaling 21.36+/- acres into seven commercial parcels as shown on the proposed map prepared by Kimley Horn, designated KHA project 197422005, with the title “Sheet Number TM-1, Gilroy Crossing, Camino Arroyo and HWY 152”, with preparation date 07//2023.

Any future adjustment or modification to the plans, including any changes made at time of building permit submittal, shall be considered by the Community Development Director or designee, may require separate discretionary approval, and shall conform to all City, State, and Federal requirements, including subsequent City Code requirements or policies adopted by City Council.

2. **COMPLIANCE WITH CONDITIONS:** If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to permit revocation or enforcement actions pursuant to the City Code. All costs associated with any such actions shall be the responsibility of Developer, owner or tenant.
3. **INDEMNIFICATION:** Developer agrees, as a condition of permit approval, at Developer’s own expense, to defend, indemnify, and hold harmless the City of Gilroy (“the City”) and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(s), action(s) or proceeding(s) brought against the City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void or annul the approval of this resolution or any condition attached thereto or any proceedings, acts or determinations taken, including actions taken under the California Environmental Quality Act of 1970, as amended, done or made prior to the approval of such resolution that were part of the approval process.

The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP, or other deadline as specified in the condition.

Resolution No. 2023-1

Page 5

4. **TENTATIVE MAP:** An approved tentative parcel map, which shall expire twenty-four (24) months from the approval date, may be extended pursuant to the provisions of the Map Act.
5. **COVENANTS, CONDITIONS, AND RESTRICTIONS:** Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail.

PUBLIC WORKS CONDITIONS OF APPROVAL

The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP, or if another deadline is specified in a condition, at that time.

6. **PARCEL MAP:** It shall be the applicant's responsibility to have a parcel map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with the Gilroy Municipal Code. The parcel map shall be approved by the Department of Public Works and recorded with the County Recorder's Office prior to the issuance of any City permits. A parcel map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the parcel map to the title company for recordation. Prior to the City's release of the parcel map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in the AutoCAD Version being used by the City at the time of recordation. It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval. (PUBLIC WORKS)
7. **EASEMENTS:** This parcel map shall establish all necessary Public Service Easement for all existing public facilities within the map boundaries. (PUBLIC WORKS)
8. **TRASH ENCLOSURES:** All existing shared trash enclosures shall have access rights established with this parcel map. (PUBLIC WORKS)

RESOLUTION NO. 2023-XX**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY TO APPROVE A TENTATIVE PARCEL MAP TO SUBDIVIDE PROPERTY INTO SEVEN PARCELS, LOCATED AT 6955 CAMINO ARROYO, APN: 841-70-036 and 841-70-045 (FILE NUMBER TM 23-01)**

WHEREAS, On May 15, 2023, an application was filed by Elan Sippel-Feldman representing Joule Crossing Owner, LLC proposing the subdivision of two parcels at 6955 Camino Arroyo within the C3/HC/M2-PUD, Commercial/Industrial Planned Unit Overlay zone district; and

WHEREAS, the application submittal was accepted as complete on August 8, 2023; and

WHEREAS, the proposed subdivision qualifies as exempt from further environmental review and qualifies for the 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 since the proposed subdivision will not result in new development; is in conformance with the City’s General Plan and Zoning; does not seek exceptions or variances; and all services and access to the resulting parcels are in place; and

WHEREAS, the Planning Commission held a duly noticed public meeting on September 7, 2023, at which time the Planning Commission received and considered the staff report as well as all evidence received, including written and oral public testimony related to the project; and

WHEREAS, the City may deny a tentative map only if, based upon substantial evidence in the record, it makes one or more of the seven listed findings for denial prescribed by Government Code Section 66474. Staff has reviewed the findings and concluded that project denial based on these findings would not be supported, and alternatively, that each of the seven findings may be made to support approval of the project; and

WHEREAS, the City Council held a duly noticed public meeting on October 2, 2023 at which time the Council received and considered the staff report as well as all evidence received including written and oral public testimony related to the project; and

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon which the project approval is based is the Community Development Department, Planning Division.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Gilroy hereby finds as follows:

In order to deny the map, the City Council would have to make one or more of seven listed findings prescribed by Government Code Section 66474 based upon

substantial evidence in the record. The seven findings are listed below, along with an explanation for each one as to why the City Council cannot make the finding:

1. The proposed subdivision TM 23-01 is not consistent with applicable general and specific plans as specified in 65451.

This Finding cannot be made. The proposed subdivision TM 23-01 is generally consistent with the goals and policies of the City's General Plan.

2. That the design or improvement of the proposed subdivision TM 23-01 is not consistent with the applicable general and specific plans.

This Finding cannot be made. The proposed subdivision TM 23-01 is generally consistent with the goals and policies of the City's General Plan.

3. That the site is not physically suitable for the type of development.

This Finding cannot be made. The site is physically suitable for this type of development because it is generally consistent with the City's Zoning Ordinance, Subdivision and Land Development Code.

4. That the site is not physically suitable for the proposed density of development.

This Finding cannot be made. The site is physically suitable for this density of development because it is generally consistent with the City's Zoning Ordinance.

5. That the design of the proposed subdivision TM 23-01 or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This Finding cannot be made. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, or substantially injure fish or wildlife because the site is located within a developed urban context and is not in or adjacent to any sensitive habitat areas.

6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

This Finding cannot be made. The design of the proposed subdivision TM 23-01 will not cause serious public health problems because the site is located within an urban context and has access to urban services including sewer and water.

7. That the design of the proposed subdivision TM 23-01 or the type of improvements will conflict with easements, acquired by the public at large, for

access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

This Finding cannot be made. The design of the proposed subdivision TM 23-01 will not conflict with existing access easements.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Gilroy hereby approves Tentative Map Application No. TM 23-01, subject to the conditions attached hereto as Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Gilroy at a regular meeting duly held on the 2nd day of October 2023 by the following roll call vote:

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

APPROVED:

Marie Blankley, Mayor

ATTEST:

Thai Nam Pham, City Clerk

EXHIBIT A

**TENTATIVE MAP CONDITIONS OF APPROVAL
GILROY CROSSING TENTATIVE PARCEL MAP
TM 23-01**

PLANNING DIVISION CONDITIONS

The following GENERAL conditions authorize specific terms of the project

ENTITLEMENT(S).

1. **APPROVED PROJECT:** Tentative Parcel Map TM 23-01 approval is granted to subdivide two developed commercial parcels totaling 21.36+/- acres into seven commercial parcels as shown on the proposed map prepared by Kimley Horn, designated KHA project 197422005, with the title "Sheet Number TM-1, Gilroy Grossing, Camino Arroyo and HWY 152", with preparation date 07//2023.

Any future adjustment or modification to the plans, including any changes made at time of building permit submittal, shall be considered by the Community Development Director or designee, may require separate discretionary approval, and shall conform to all City, State, and Federal requirements, including subsequent City Code requirements or policies adopted by City Council.
2. **COMPLIANCE WITH CONDITIONS:** If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to permit revocation or enforcement actions pursuant to the City Code. All costs associated with any such actions shall be the responsibility of Developer, owner or tenant.
3. **INDEMNIFICATION:** Developer agrees, as a condition of permit approval, at Developer's own expense, to defend, indemnify, and hold harmless the City of Gilroy ("the City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(s), action(s) or proceeding(s) brought against the City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void or annul the approval of this resolution or any condition attached thereto or any proceedings, acts or determinations taken, including actions taken under the California Environmental Quality Act of 1970, as amended, done or made prior to the approval of such resolution that were part of the approval process.

The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP, or other deadline as specified in the condition.

4. **TENTATIVE MAP:** An approved tentative parcel map, which shall expire twenty-four (24) months from the approval date, may be extended pursuant to the provisions of the Map Act.
5. **COVENANTS, CONDITIONS, AND RESTRICTIONS:** Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail.

PUBLIC WORKS CONDITIONS OF APPROVAL

The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP, or if another deadline is specified in a condition, at that time.

6. **PARCEL MAP:** It shall be the applicant's responsibility to have a parcel map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with the Gilroy Municipal Code. The parcel map shall be approved by the Department of Public Works and recorded with the County Recorder's Office prior to the issuance of any City permits. A parcel map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the parcel map to the title company for recordation. Prior to the City's release of the parcel map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in the AutoCAD Version being used by the City at the time of recordation. It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval. (PUBLIC WORKS)
7. **EASEMENTS:** This parcel map shall establish all necessary Public Service Easement for all existing public facilities within the map boundaries. (PUBLIC WORKS)
8. **TRASH ENCLOSURES:** All existing shared trash enclosures shall have access rights established with this parcel map. (PUBLIC WORKS)



City of Gilroy

STAFF REPORT

Agenda Item Title: **Appointments to City Boards, Commissions, and Committees with Seats Vacant or Expired as of September 18, 2023**

Meeting Date: October 2, 2023
 From: Jimmy Forbis, City Administrator
 Department: City Clerk
 Submitted By: Thai Nam Pham, City Clerk
 Prepared By: Thai Nam Pham, City Clerk

STRATEGIC PLAN GOALS

Not Applicable

RECOMMENDATION

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

BACKGROUND

As of September 18, 2023, there are nine (9) vacant seats across various City Boards, Commissions, and Committees, which include the Arts and Culture Commission, Library Commission, Open Government Commission, Personnel Commission, Parks and Recreation Commission, and the Physically Challenged Board of Appeals. During the recruitment phase, staff received ten applications in total.

At the September 18, 2023 City Council Regular Meeting, only three applicants - Akur Varadarajan, Dale Davis, and Ann Marie McCauley - were interviewed due to the absence of other candidates. The Council now needs to deliberate on potential appointments to the Open Government Commission and the Personnel Commission. The terms for these positions will conclude on December 31, 2024, and December 31, 2026, respectively.

NEXT STEPS

Once the Council finalizes their decisions on appointments, the City Clerk's Office will promptly communicate with the appointed individuals to brief them on their new roles. Additionally, those not selected will receive a letter informing them of the outcome; however, their applications will be kept on file for one year to address potential unexpected vacancies.

Attachments:

- 1) Open Government Commission Application – Diego Martinez
- 2) Open Government Commission Application – Sandra Ramirez
- 3) Open Government Commission Application – Rebecca Garcia
- 4) Open Government Commission Application – Akur Varadarajan
- 5) Open Government Commission Application – Appolonia Salinas
- 6) Open Government Commission Application – Ann Marie McCauley
- 7) Parks and Recreation Commission Application – Roselynn Bowers
- 8) Parks and Recreation Commission Application – Appolonia Salinas
- 9) Parks and Recreation Commission Application – Dale Davis
- 10) Personnel Commission Application – Akur Varadarajan

From: noreply@civicplus.com
To: [City Clerk](#)
Subject: EXTERNAL - Online Form Submittal: City of Gilroy Application for Board, Commission and Committee Appointment
Date: Tuesday, May 3, 2022 1:56:45 PM

CAUTION: This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

City of Gilroy Application for Board, Commission and Committee Appointment

City of Gilroy Application for Board, Commission, and Committee Appointment

** All Commission, Board and Committee applications are a public record.*

First Name	Diego
Last Name	Martinez
Board/Commission/Committee of Interest	Open Government Commission
Are you a registered voter within the City limits?	Yes
Physical Address 1	[REDACTED]
City, State, Zip	[REDACTED]
Phone Number	[REDACTED]
E-mail Address	[REDACTED]
Alternate Phone Number	<i>Field not completed.</i>
List your qualifications for this appointment:	I am currently in my sophomore year at Gavilan College where I am majoring in political science. I have great computer literacy, leadership, dependability, research skills, communication and teamwork, and I am also fluent in Spanish as my second language.
List any service to the community including any prior appointments.	I have volunteered at goodwill and at St. Mary's food pantry back in 2016-2017. I have also helped create petitions for action at the apartments that I live at.
What are you goals while serving on this Board/Commission/Committee?	I hope to help the community grow as this is where I have lived all of my life. I aim to gain experience in my field of study, which is political science, and to use that experience to come back in the future to run for office

	in Gilroy. I wish to serve with complete eloquence.
Why are you the most qualified to serve on this Board/Commission/Committee?	I am the most qualified to serve, as I believe I will be the most passionate about serving my city and to help the people of this great community. I will be the most dependable out of everyone, and will strive to create a great experience for myself and my peers.
Declaration of Residency	I Understand

Email not displaying correctly? [View it in your browser.](#)



City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:			
Name:	Sandra Ramirez		
Phone number(s):	[REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?			
		Yes	
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	[REDACTED]	Date of Birth*:	
		Last 4 of SSN:	[REDACTED]
List your qualifications for this appointment:			
I am currently on three board at my work and have been involved in many of the decision.			
List any service to the community including any prior appointments:			
At the moment I have no service to the community unless you count me bring items from NASA to the library for kids to get in involved in Science and Math.			
What are your goals while serving on this Board/Commission/Committee?			
My goal is to understand and help my community in which I feel it affect me. By being able to see how things work in the city office I can address issues in a proper way.			
Why are you the most qualified to serve on this Board/Commission/Committee?			
I am qualified to serve on the boards is because I want to make sure our city is well plan and get the community involved to better Gilroy as a city.			

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	Appeals are also subject to filing the Fair Political Practice Commission's Statement of Economic Interest Form 700 relating to financial disclosures.
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City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:					
Name:	Rebecca Garcia				
Phone number(s):	[REDACTED]		email address*:	[REDACTED]	
Are you a registered voter within the City limits?				Yes	
Physical Address*:	[REDACTED]				
Driver's License or ID No.:	[REDACTED]		Date of Birth*:		Last 4 of SSN: [REDACTED]
List your qualifications for this appointment:					
I have 16 years of professional experience in the public sector. I have worked in the affordable housing and homeless realm supporting the City of San Jose, the County of Santa Clara, and currently for the City of Morgan Hill. I know firsthand the importance of communication, community engagement and open government. I value the opportunity to be on the commission. I was born and raised in Gilroy where I currently live with my family. My leadership skills, professional experience, and education make me the ideal candidate for this position; however, it is my passion for this work and what is best for everyone in our community that will facilitate my ability to stay grounded in the values that allow us to thrive as a democracy.					
List any service to the community including any prior appointments:					
I was previously on the City of Gilroy's Housing Commission and currently serve as the Board Chair of the South County Collaborative, composed of local non-profit community-based organizations, schools, hospitals and clinics, and public agencies that serve South Santa Clara County's most vulnerable populations. The Collaborative advocates to increase the quality and quantity of human services in southern Santa Clara County as well as making them more accessible, efficient, and effective.					
What are your goals while serving on this Board/Commission/Committee?					
My goal is to support the implementation of the City of Gilroy's Open Government Ordinance, building upon the great work that has already taken place, and continuing to give the citizens of Gilroy greater access to information in this new era we find ourselves in. I aim to increase and diversify public participation in the City's governmental decisions. Ensuring that we encourage and engage with all generations and residents of diverse backgrounds is at the heart of this work.					
Why are you the most qualified to serve on this Board/Commission/Committee?					

Since 2004, I have worked in local government fostering strong relationships throughout the County of Santa Clara and community. My work ethic, interpersonal skills, responsiveness, and leadership have allowed me to develop a credible reputation for being effective. These relationships and credibility along with my experience in working for cities will support the implementation of the City of Gilroy's Open Government Ordinance. While I am sure you have other fine candidates to consider, I offer my support for this commission. Thank you for your consideration. Rebecca Garcia

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City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Open Government Commission	
Name: Akur Varadarajan			
Phone number(s):	Mobile - [REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?		Yes	
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	[REDACTED]	Date of Birth*:	[REDACTED]
		Last 4 of SSN:	[REDACTED]
List your qualifications for this appointment:			
Professional Experience: Includes 24 years of experience in public school management with wide-ranging responsibilities : community engagement, culture and climate of the organization, human resource administration with emphasis on employee relations and contract negotiations, work related to professional development, oversight of budget, finance, facilities operations, school food services, school transportation, procurement and public bidding and contract functions. Facilities planning and Construction Management : Administered District's facilities planning from issuance of bonds to construction management : Planned, organized and directed the school facilities and maintenance department. Oversee facilities compliance issues with regards to State Allocation Board, Office of Public School Construction and Division of State Architect programs and regulations regarding eligibility and funding for school construction and modernization.			
List any service to the community including any prior appointments:			
As part of my career I have served in school multiple school insurance authority (JPA's) boards. For example, Alameda county schools insurance group and Monterey county schools insurance group.			
What are your goals while serving on this Board/Commission/Committee?			
I am interested in contributing to the community. I believe I can contribute effectively to the Open Government Commission and or any other Commission based on my background and experience.			
Why are you the most qualified to serve on this Board/Commission/Committee?			

My work experience has been in the public sector. I have served in different positions in school administration and as a Co-Superintendent and Chief Business Officer worked with different City administrations. I believe my qualifications makes me an ideal candidate to serve in the Open Government Commission.

School: / Grade: null

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City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Open Government Commission	
Name: Appolonia Salinas			
Phone number(s):	Mobile - [REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?		Yes	
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	[REDACTED]	Date of Birth*:	[REDACTED]
		Last 4 of SSN:	[REDACTED]
List your qualifications for this appointment: Active Honest Member of MY city Gilroy, people person			
List any service to the community including any prior appointments: MY HONEST KNOWLEDGE and SUPPORT TO MY COMMUNITY			
What are your goals while serving on this Board/Commission/Committee? TO MAKE THIS AN ENJOYABLE FUNCTIONING CITY, and a BEAUTIFUL WELCOMING PLACE TO VISIT			
Why are you the most qualified to serve on this Board/Commission/Committee? BECAUSE I AM MEE OPEN< HONEST< AND WILLING to DEDICATE MY TIME AND ENERGY			
School: / Grade: null			

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City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Open Government Commission	
Name:	Ann Marie McCauley		
Phone number(s):		email address*:	
Are you a registered voter within the City limits? Yes			
Physical Address*:			
Driver's License or ID No.:		Date of Birth*:	Last 4 of SSN:
List your qualifications for this appointment:			
I am able to attend the four meetings required each year. I have been in the construction industry for 25 year and am effective when working in a group to solve small and large concerns. I am used to reading and following rules and codes. I am open to the opinions of others and look forward to learning something new. I have been a resident since 2004 and will retire in Gilroy. Being on this commission is the first step in my commitment to the City of Gilroy as an active participant.			
List any service to the community including any prior appointments:			
Volunteer at Gilroy Compassion Center. Volunteer at Pit Stop Outreach. Rotary Member. Gilroy Chamber of Commerce. Volunteer at Gilroy Garlic Festival.			
What are your goals while serving on this Board/Commission/Committee?			
Quoting the City Code I believe that my primary goal is to "assure that the people of the city remain in control of the government they have created." I have watched a few of the recorded meetings and would like to make contributions based on the group conscience. I would also like to learn more about our city government and have the opportunity to work with the staff. I would like to better understand the City Codes so that I can represent them in an effective and honest way.			
Why are you the most qualified to serve on this Board/Commission/Committee?			
I am most qualified because I am a very transparent person which is a quality that should resonate into the Open Government Commission as stated in Gilroy City Code 17A Line 1 "Transparency in decision making is a cornerstone of democracy." I am very committed to Gilroy as a resident and would take seriously anything affecting our citizens.			

School: / Grade: null

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City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Parks and Recreation Commission	
Name: Roselynn Bowers			
Phone number(s):		email address*:	
Are you a registered voter within the City limits? Yes			
Physical Address*:			
Driver's License or ID No.:		Date of Birth*:	Last 4 of SSN:
List your qualifications for this appointment:			
I am a graduate of West Valley College with the field of study being Park Management. I was an environmental interpreter for Big Basin Redwoods State Park for 2 years, as well as completed an internship with Santa Clara County Parks at Stevens Creek and Sanborn Park. I was the Senior Lab Instructor for the Tech Interactive in San Jose where I developed curriculum for grades 2-9 on Earth Science and Engineering. After raising a family here in Gilroy, I shifted my focus to Landscaping and have worked as a landscaper and project manager for the last 3 years. My passion is the outdoors and seeing a community's natural beauty thrive. I have also been an advocate for improvements to dog parks specifically as there was little forethought in the planning process, so it seems. I am uniquely qualified for this position and look forward to the opportunity to serve my community.			
List any service to the community including any prior appointments:			
Pitstop Outreach- Meal Prep and Delivery to unsheltered population No prior city hall service			
What are your goals while serving on this Board/Commission/Committee?			
My goal on this commission is to advocate for best practices for the safety of our community and the health of our environment.			
Why are you the most qualified to serve on this Board/Commission/Committee?			
Like previously stated, I not only have a background in the management of Parks and Recreation itself, but the labor, budget, materials, policies and people it takes to make our parks the best in the county! I have a firm grasp on duties of the parks from daily operations to annual maintenance, including recreational classes and facilities. Please consider me for this appointment.			

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City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Parks and Recreation Commission	
Name: Appolonia Salinas			
Phone number(s):	Mobile - [REDACTED]	email address*:	[REDACTED]
Are you a registered voter within the City limits?		Yes	
Physical Address*:	[REDACTED]		
Driver's License or ID No.:	[REDACTED]	Date of Birth*:	[REDACTED]
		Last 4 of SSN:	[REDACTED]
List your qualifications for this appointment: Active Honest Member of MY city Gilroy, people person			
List any service to the community including any prior appointments: MY HONEST KNOWLEDGE and SUPPORT TO MY COMMUNITY			
What are your goals while serving on this Board/Commission/Committee? TO MAKE THIS AN ENJOYABLE FUNCTIONING CITY, and a BEAUTIFUL WELCOMING PLACE TO VISIT			
Why are you the most qualified to serve on this Board/Commission/Committee? BECAUSE I AM MEE OPEN< HONEST< AND WILLING to DEDICATE MY TIME AND ENERGY			
School: / Grade: null			

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City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Parks and Recreation Commission	
Name: Dale Davis			
Phone number(s):		email address*:	
Are you a registered voter within the City limits? Yes			
Physical Address*:			
Driver's License or ID No.:		Date of Birth*:	Last 4 of SSN:
List your qualifications for this appointment:			
As a primarily residential project manager and superintendent for 35 years, I have top organizational skills and experience in completing advanced tasks, including design and developing parks within the residential communities that I managed. These skills include grading, drainage as well as design and aesthetics.			
List any service to the community including any prior appointments:			
As a recent retiree, I relocated from my long time home in the West Valley area of San Jose last year, so this is my first attempt to serve the community, which I already love, and plan to stay. Having the extra time as a retiree permits me to devote whatever time I need to be an excellent commissioner.			
What are your goals while serving on this Board/Commission/Committee?			
My goals are simple: to improve the park system to the best of my ability, which includes fighting for each dollar budgeted toward the park system and seeing to it that the money is maximized and well spent.			
Why are you the most qualified to serve on this Board/Commission/Committee?			
In addition to the above-listed qualifications, I bring a fresh set of eyes and a passion for everything I commit myself to. In my experience so far in Gilroy, I've observed the abundance of children, dogs, bicyclists with the best weather in the world. I believe that the best way to serve the City's population and take advantage of the beautiful conditions we've been blessed with is to maintain and advance our park system.			

School: / Grade: null



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City of Gilroy Board, Committee, & Commission Application

**All Commission, Board, and Committee applications are a public record.*

Board/Committee/Commission of Interest:		Personnel Commission	
Name: Akur Varadarajan			
Phone number(s):		email address*:	
Are you a registered voter within the City limits? Yes			
Physical Address*:			
Driver's License or ID No.:		Date of Birth*:	Last 4 of SSN:
List your qualifications for this appointment:			
Professional Experience: Includes 24 years of experience in public school management with wide-ranging responsibilities : community engagement, culture and climate of the organization, human resource administration with emphasis on employee relations and contract negotiations, work related to professional development, oversight of budget, finance, facilities operations, school food services, school transportation, procurement and public bidding and contract functions. Facilities planning and Construction Management : Administered District's facilities planning from issuance of bonds to construction management : Planned, organized and directed the school facilities and maintenance department. Oversee facilities compliance issues with regards to State Allocation Board, Office of Public School Construction and Division of State Architect programs and regulations regarding eligibility and funding for school construction and modernization.			
List any service to the community including any prior appointments:			
As part of my career I have served in school multiple school insurance authority (JPA's) boards. For example, Alameda county schools insurance group and Monterey county schools insurance group.			
What are your goals while serving on this Board/Commission/Committee?			
I am interested in contributing to the community. I believe I can contribute effectively to the Open Government Commission and or any other Commission based on my background and experience.			
Why are you the most qualified to serve on this Board/Commission/Committee?			

My work experience has been in the public sector. I have served in different positions in school administration and as a Co-Superintendent and Chief Business Officer worked with different City administrations. I believe my qualifications makes me an ideal candidate to serve in the Open Government Commission.

School: / Grade: null

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City of Gilroy

STAFF REPORT

Agenda Item Title: Justice, Equity, Diversity, and Inclusion Initiative Update

Meeting Date: October 2, 2023

From: Jimmy Forbis, City Administrator

Department: Administration

Submitted By: Jimmy Forbis, City Administrator

Prepared By: Rachelle Bedell, Community Engagement Manager

STRATEGIC PLAN GOALS

Not Applicable

RECOMMENDATION

Receive Report.

EXECUTIVE SUMMARY

The City of Gilroy values diversity and recognizes the importance of the wide range of perspectives, ideas, and experiences that diversity brings to our community. The City also recognizes the importance of considering justice, equity, diversity, and inclusion (JEDI) in current practices and future planning.

As such, the City recently launched a JEDI Initiative to further advance JEDI values and best practices in the delivery of City policies, procedures, and services. The ultimate goal of this initiative is to instill the lens of justice, equity, diversity, and inclusion into internal and external processes of the City, including but not limited to policy recommendations, hiring practices, budget planning, communications, programming, and partnerships.

BACKGROUND

In March 2022, the Gilroy City Council directed staff to prepare a policy or plan to help guide City efforts in fostering the values of justice, equity, diversity, and inclusion (JEDI) in both internal and external matters. In November 2022, a contract was awarded to

Moore Iacofanco Goltsman, Inc. (MIG) for justice, equity, diversity, and inclusion consultation services. Since that time, staff has been engaged in a three-phase process, as outlined by MIG, which will ultimately lead to a plan which will guide the City in fostering JEDI values in all future City efforts.

ANALYSIS

Over the last ten months, MIG has been guiding City staff through a three-phase process, which is designed to provide internal and external feedback and data on current City policies and procedures, both of which are essential to recommending a plan for fostering JEDI values in future City efforts. Additionally, MIG has been meeting regularly with a committee comprised of City staff members from all departments and levels, to guide conversations surrounding JEDI values and practices. The purpose of these conversations is to foster an understanding of JEDI values and how they relate to City practices.

The City is currently in Phase I of the three-phase process, which is outlined below.

Phase I | Understand the Context

Gain an understanding of how well current practices and policies are producing equitable experiences and outcomes for community members and employees.

Phase II | Build Capacity

Identify areas for improvement and meaningful benefit to community members and employees, particularly for historically underserved groups.

Phase III | Develop the Plan

Create a new paradigm to foster a culture where programmatic and operating decisions are made using equity-informed practices and tools.

As part of Phase I, the consultant conducted Key Informant Interviews through a series of virtual meetings with various community organizations. The purpose of these meetings was to gain an understanding of how the City is meeting community needs in relation to the principles of justice, equity, diversity, and inclusion.

Additionally, the consultant conducted a Workplace Climate Survey through an anonymous online survey. All City employees were invited to participate in the survey to help the consultant gain an understanding of how the City is meeting employee needs in relation to the principles of justice, equity, diversity, and inclusion.

At the conclusion of these two efforts, the consultant provided the City with “emerging findings, which provide insights into areas that might be suitable for future recommendations for change”. However, MIG has cautioned that the emerging findings are not intended to be actionable. More outreach and research will need to be done to better understand the causes of the findings before providing any recommendations.

In addition to these outreach efforts, MIG is currently reviewing City policies to gain a better understanding current City practices and procedures.

MIG will continue to guide the City through this process over the next year with additional outreach efforts, staff training, and ultimately a plan for guiding the City's future efforts.

ALTERNATIVES

None – this is an informational item.

FISCAL IMPACT/FUNDING SOURCE

None – this is an informational item.

PUBLIC OUTREACH

This staff report was included with the publicly available agenda packet for this regular meeting of the City Council.



City of Gilroy

STAFF REPORT

Agenda Item Title: Receive Preliminary Fiscal Year 2022-23 (FY23) Year-End Financial Report and Approve a \$225,000 Contribution to Section 115 Pension Trust Pursuant to Pension Funding Policy

Meeting Date: October 2, 2023
 From: Jimmy Forbis, City Administrator
 Department: Finance
 Submitted By: Harjot Sangha, Finance Director
 Prepared By: Harjot Sangha, Finance Director

STRATEGIC PLAN GOALS

Develop a Financially Resilient Organization

RECOMMENDATION

1. Receive report.
2. Approve \$225,000 to be transferred to the Section 115 Pension Trust, pursuant to the Pension Funding Policy.

EXECUTIVE SUMMARY

This report serves to inform the City Council and the community about the City's Fiscal Year 2023 (FY23) preliminary year-end financial performance. The General Fund is the primary focus of this report, as it is the primary funding source for essential City services. All the non-general funds' information is presented in aggregate in the latter part of the report.

BACKGROUND

The City of Gilroy adopts two, one-year operational budgets through a biennial budget process. The FY22 and FY23 Budgets were adopted on June 7, 2021. On January 23, 2023, staff provided a FY22 mid-year budget update and subsequently initiated the budget development for FY24 and FY25 which was adopted on June 5, 2023, and

included FY23 year-end projections. This report serves to provide the preliminary FY23 year-end financial report and other financial updates.

ANALYSIS

General Fund

Revenues

For FY23, the General Fund revenues totaled \$65.5 million, approximately \$1.9 million better than the amended budget of \$63.6 million due to the higher than projected tax revenues. The table below compares the FY23 budgeted General Fund revenues by category to the unaudited actuals.

General Fund Revenues by Category	(In Millions)			
	FY23		FY23	
	Amended Budget		Actuals (Unaudited)	% of Budget
Sales Tax	\$ 22.6	\$	21.0	93%
Property Tax	19.2		19.6	102%
Utility User Tax	5.5		6.8	124%
Franchise Tax	1.8		2.2	122%
Transient Occupancy Tax	1.8		1.8	100%
Business License	0.7		0.9	129%
Other Revenues	12.0		13.2	110%
Total	\$ 63.6	\$	65.5	103%

- **Sales Tax** – Sales tax is the General Fund’s primary source of revenue. For FY23, the City received \$21.0 million in sales tax revenue, approximately 7%, or about \$1.6 million less than budgeted. Compared to the prior year, sales tax revenue was down 2.7%.
- **Property Tax** – For FY23, the City received \$19.6 million in property tax revenue, approximately 2%, or about \$0.4 million higher than budgeted. The increase is a result of additional supplemental property tax revenue received.
- **Utility Users Tax (UUT)** – For FY23, the City received \$6.8 million in UUT revenue, approximately 24%, or about \$1.3 million better than budget. The notable increases were in energy-related utilities (gas and electric).
- **Transient Occupancy Tax (TOT)** – For FY23, the City received \$1.8 million in TOT revenue, in line with the budgeted amount. TOT was one of the hardest hit revenue sources during the pandemic and has returned to pre-pandemic levels but has not grown.

- **Franchise Tax** – For FY23, the City received \$2.2 million in franchise tax revenue, approximately 22%, or about \$0.4 million higher than budgeted. The increase is notably in the gas and electric franchise and the refuse garbage franchise from the agreement approved in 2022.
- **Business License** – For FY23, the City received \$0.9 million in business license tax revenue, approximately \$0.2 million higher than budgeted.
- **Other Revenues** – This revenue category consists of departmental charges for services, general administration charges, fines and forfeitures, and intergovernmental revenues. For FY23, the City received \$13.2 million in other revenues, approximately 10%, or about \$1.2 million higher than budgeted. The increase was primarily in service charges and intergovernmental revenues.

Expenditures

For FY23, the General Fund expenditures, including outstanding encumbrances, were \$63.9 million, approximately 1%, or about \$0.9 million under budget. The table below compares the budgeted General Fund expenditures by Departments to the unaudited actuals. The Fire Department exceeded budget by \$0.3 million, primarily due to overtime costs associated with staffing of the Santa Teresa Fire station.

General Fund Expenditures by Department/Function	(In Millions)			% of Budget
	FY23 Amended Budget	FY23 Actuals (Unaudited)		
Administration	\$ 3.1	\$ 2.8		90%
Recreation Transfer	1.5	1.5		100%
Other Transfers	1.3	1.3		100%
Finance	1.0	1.0		100%
Human Resources	1.6	1.6		100%
Police	26.6	25.9		97%
Fire	13.2	13.5		102%
Public Works	8.7	8.4		97%
Community Development	4.6	4.6		100%
Central Services	1.7	2.0		118%
Other General Government	1.5	1.3		87%
Total	\$ 64.8	\$ 63.9		99%

Overall, the General Fund ended FY23 with a net operating margin of \$1.6 million, attributable to higher than projected tax revenues and year-end expenditure savings. The preliminary FY23 ending General Fund balance is \$36 million, or about 57%. The minimum required fund balance is 30%, or about \$19 million.

Non-General Funds

Revenues

The City has approximately 60 non-general funds. The information (revenues and expenditures) for these funds is presented in aggregate by fund type. For FY23, in aggregate, the City received \$70.2 million in Non-General Fund revenues, approximately \$11.7 million less than budgeted. The table below compares the budgeted Non-General Fund revenues by Fund Type to the unaudited actuals.

(In Millions)				
Non-General Fund Revenues by Fund Type	FY23		FY23	% of Budget
	Amended Budget		Actuals (Unaudited)	
Special Revenues	\$ 9.7	\$	10.8	111%
Recreation	2.1		2.3	110%
Capital/Development	20.6		8.8	43%
Debt Service*	5.3		5.3	100%
Internal Service	12.6		12.6	100%
Sewer	15.8		15.7	99%
Water	14.9		13.8	93%
Agency	0.9		0.9	100%
Total	\$ 81.9	\$	70.2	86%

*Excludes the 2022A Lease Revenue Bond Proceeds = \$14.5 million

- **Special Revenues** – The primary source of this fund type is intergovernmental funds in the manner of tax sharing or grants from Federal, State, County, and other regional governments. For the City of Gilroy, these Special Revenues primarily provide funding for transportation (Gas Taxes, Vehicle Registration, and Measure B), public safety (Proposition 172 sales tax, Gang Prevention, and regional task forces), and community development (CDBG and Housing). For FY23, the City received \$10.8 million in special revenues, approximately 11% or about \$1.1 million more than budgeted, notably due to increased Measure B reimbursement funds received during the fiscal year.
- **Recreation** – For FY23, the Recreation Fund generated approximately \$0.8 million in user fees and facility rentals, and the General Fund contributed \$1.5 million as adopted, for a total revenue of \$2.3 million.
- **Capital/Development Impact Funds** – The revenues in these funds are primarily collected as a result of new development approval and the required contributions to various impact funds (public facilities, water, sewer, traffic, trees, and storm drain) to offset infrastructure impacts and also include infrastructure-related grants. For FY23, the City received \$8.8 million in capital/development impact funds, approximately \$11.8 million less than budgeted. Fewer impact fees were collected during the fiscal year than budgeted. This is primarily due to the timing

factor of when the fees are assessed and collected from the planned development projects. In addition, the City originally budgeted receiving the downtown beautification project grant reimbursement during the fiscal year. Those funds will now be expended and received during FY24.

- **Internal Service Funds (ISFs)** – The City’s internal services funds (IT, Fleet, Facilities, Fringe Benefits, Worker’s Compensation, and Liability Funds) primarily receive their revenue from charges to other departments and funds in the City. For FY23, the internal services received \$12.6 million in revenues, as budgeted.
- **Debt Service** – The revenues in these funds are from various sources, including special tax assessments as well as special revenue funds of the City. These funds are utilized to account for the annual debt service of the City’s outstanding general obligation debt. During FY23, this fund type received the full budgeted \$5.3 million amount necessary to make the annual debt service payments.
- **Sewer** – For FY23, the City generated \$15.7 million in the Sewer Fund revenues, approximately \$0.1 million, or 1%, less than budgeted.
- **Water** – For FY23, the City generated \$13.8 million in Water Fund revenues, approximately \$1.1 million, or 7%, less than budgeted. The notable decrease is in water rate revenue impacted by heavier rainfalls experienced earlier this year, thereby reducing consumption related to landscaping.

Expenditures

The table below compares the Non-General Fund Expenditures by Fund Type for FY23 amended budget and unaudited actuals. For FY23, in aggregate, the non-general fund expenditures were \$90.2 million, approximately \$35.1 million, or 28%, less than appropriated budget.

Non-General Fund Expenditures by Fund Type	(In Millions)			% of Budget
	FY23 Amended Budget	FY23 Actuals (Unaudited)		
Special Revenues	\$ 19.0	\$ 13.2		69%
Recreation	2.1	1.9		90%
Capital/Development	20.8	13.5		65%
Debt Service*	5.1	5.1		100%
Internal Service	21.2	15.1		71%
Sewer	36.6	28.5		78%
Water	19.6	12.0		61%
Agency	0.9	0.9		100%
Total	\$ 125.3	\$ 90.2		72%

*Excludes the 2013 Lease Revenue Bond Redemption = \$15.5 million

- **Special Revenues** – For FY23, the City expended \$13.2 million, or 69%, of the \$19.0 million in special revenue appropriations. The primary category of expenditures for special revenue funds is capital outlay (Gas Taxes, Measure B, Vehicle Registration, and SB1) and special revenue grants for the Police Department. The underspending was primarily in capital outlay expenditures, notably the Transportation/Mobility Grant fund was budgeted to expend \$1.8 million in FY23 for the utility undergrounding project utilizing the PG&E Rule 20A funds. The utility undergrounding project is now planned to commence in FY26 in the recently approved FY24-FY28 Capital Improvement Program.
- **Recreation** – For FY23, the Recreation Fund expended \$1.9 million, approximately \$0.2 million, or 10%, less than the appropriated budget.
- **Capital/Development Impact Funds** – For FY23, the City expended \$13.5 million, or 65%, of the \$20.8 million appropriations in the Capital/Development Impact Funds. The underspending was primarily in the capital outlay expenditures notably the Downtown Beautification Fund (\$3.9 million grant for Gourmet/Railroad alley), and Water Impact Fund from the McCarthy Site Well project. Both projects are expected to be awarded and completed in the current fiscal year, FY24.
- **Internal Service Funds (ISFs)** – For FY23, the City expended \$15.1 million, or 71%, of the \$21.2 million appropriations in the Internal Service Funds. The underspending was primarily in the capital outlay expenditures in the Equipment Outlay Fund from the Citywide Energy Conservation Measures project. The project is expected to complete in the current fiscal year, FY24.
- **Debt Service** – For FY23, this fund type expended the full budgeted amount to make the annual debt payments for the outstanding loan, and the general obligation and lease revenue bonds. During FY23, Council authorized the refinancing of the existing 2013 Lease Revenue Bonds. As a result, the existing debt of approximately \$15.5 million was refunded via 2022A Lease Revenue Refunding Bond proceeds and debt service reserve funds.
- **Sewer Enterprise** – For FY23, the Sewer Fund expended \$28.5 million, or 78%, of the \$36.6 million appropriations. The underspending was primarily in the capital outlay expenditures related to the Sewer Treatment Plant Expansion Project that's underway. The project is expected to be completed in FY25.
- **Water Enterprise** – For FY23, the Water Fund expended \$12.0 million, or 61%, of the \$19.6 million appropriations. The underspending was primarily in the areas of contractual payments to the Water District for water extraction fees, and capital outlay expenditures for various water utility capital improvement projects.

Other Financial Updates

Earlier this year, the City underwent its biennial budget development process and on June 5, 2023, adopted budgets for FY24 and FY25. Staff wishes to provide the Council with a few financial updates since the budget adoption.

- Sales Tax – Since the budget adoption, the City has received an updated quarterly sales tax report which yields a further reduction in sales tax revenue. Declines are projected in all business categories, including the countywide pool which allocates tax from online sales to cities in a county on a pro-rata share of taxable sales each quarter. The forecast projects an economic contraction over the next several quarters through early 2024. As a result, sales tax revenue for FY24 is expected have no growth over FY23 and is now forecasted to come in under budget by about \$0.9 million. Similarly, FY25 is also projected to come in under budget by about \$0.9 million. Sales tax is the largest single source of the General Fund revenue and one that is very volatile as it relies directly on consumers' discretionary spending. The latest update further affirms that overall economy is experiencing a slowdown. No adjustments are recommended at this time, as both fiscal years are projected to have positive operating margins, and the fund has healthy reserves, which can offset the forecasted reduction in sales tax revenue. Staff will continue to monitor and provide updates as warranted.
- Property Tax - Excess Educational Revenue Augmentation Fund (ERAF) – Based on the recent property tax update provided by the County of Santa Clara, the City of Gilroy is now projected to receive an additional \$0.2 million in Excess ERAF funds for the FY24, a total of \$2.0 million, compared to \$1.8 million budgeted. County staff further shared two important updates regarding Excess ERAF.
 - Staff previously shared that the ERAF calculation has been challenged by the California School Boards Association (CSBA) in recent years, with the initial Writ of the Mandate being denied. The CSBA had filed a Notice of Appeal to the Third District Court of Appeals. The said Court has affirmed the trial court's decision regarding changes to the formula.
 - County staff also shared that the State Controller's Office (SCO) is now reviewing the Excess ERAF calculation. Per County staff, in August 2023, SCO issued a negative audit finding to Marin County regarding inclusion of redevelopment dissolution property tax revenue in the Excess ERAF calculation, asserting it violates a state law. The property tax that was previously allocated to the RDAs is first used to pay off any outstanding RDA obligations/debts and remaining amounts distributed to taxing entities in the County, including schools. This additional tax allocation impacts the amount of funds the schools receive from ERAF – essentially lowering the amount required from ERAF for schools and thus creating more Excess ERAF going to remaining taxing entities in the County. SCO claims the RDA allocation should not be taken into account and asserted a three-year claw back provision and adjustment moving forward. The five

bay area counties that have Excess ERAF continue to maintain their position and do not agree with this finding. Marin County plans to defend and their process will likely define the outcome for the other counties. Santa Clara County estimates the impact to be about 22% of the annual ERAF allocation received, or about \$0.4 million for the City of Gilroy. The County will continue to remit the full amount of ERAF allocation to the entities (instead of withholding at the County level) and recommends agencies budget accordingly until the matter is resolved. For prior three fiscal years, under claw back provision, staff calculated that amount to be \$1.2 million. Staff believes there are three scenarios possible in the situation involving SCO's review of Marin County's ERAF calculation that could result:

- Marin County is successful in defending the review and no change is made to the calculation. Staff believe this to be the best-case scenario.
- Marin County and SCO resolve to make the change on going forward basis and the calculation change is also implemented by other counties on going forward basis. This will impact future year's allocations and counties and cities can plan accordingly. Staff believe this could be the likely scenario.
- SCO prevails, with the claw back provision, and other counties are issued similar findings. Counties and agencies receiving excess ERAF would temporarily need to offset future allocations or make other payback arrangements. Staff believe this scenario to be the worst-case scenario.

Staff will continue to monitor the SCO review of the Marin County and provide updates as warranted.

- Pension – on July 19, 2023, CalPERS reported a preliminary net investment return of 5.8% on its investments for FY23. The CalPERS current assumed discount rate is 6.8%. Although preliminary investment return yields a 1% loss, it is a significant improvement over FY22's negative 6.1% rate of return. It is estimated the 1% loss will increase the City's unfunded accrued liability by \$2.5 million.

Section 115 Pension Trust Contribution

This report has two recommended actions, to receive and file the FY23 preliminary year-end financial report and to approve \$225,000 to be transferred to the Section 115 Pension Trust. Pursuant to the Pension Funding Policy, an amount up to 25% of year-end savings in the General Fund expenditures shall be transferred to the Pension Trust subject to Council approval. The General Fund expenditures savings for FY23 are \$0.9 million. The recommended amount of \$225,000 is the full 25% of the FY23 General Fund year-end expenditure savings.

ALTERNATIVES

There are no recommended alternatives to receiving the preliminary FY23 year-end report.

For the Section 115 Pension Trust contribution, Council could elect to contribute an amount less than the 25%. This alternative is not recommended.

FISCAL IMPACT/FUNDING SOURCE

The fiscal impact of the preliminary FY23 year-end financial activities has been outlined in the report above.

Subject to Council approval, staff will contribute \$225,000 from the General Fund to the Section 115 Pension Trust.



City of Gilroy

STAFF REPORT

Agenda Item Title: Discussion and Direction Regarding Other Post Employment Benefit (OPEB) Section 115 Trust and Funding

Meeting Date: October 2, 2023

From: Jimmy Forbis, City Administrator

Department: Finance

Submitted By: Harjot Sangha, Finance Director

Prepared By: Harjot Sangha, Finance Director

STRATEGIC PLAN GOALS

Develop a Financially Resilient Organization

RECOMMENDATION

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.

EXECUTIVE SUMMARY

The purpose of this report is for the City Council to consider initial steps in the long-term planning to address the City's Other Post Employment Benefits (OPEB) liability which includes establishing a Section 115 Trust, making a one-time contribution and adopting a policy to make annual contributions to the established trust from the annual General Fund year-end savings.

BACKGROUND

OPEB refers to benefits, other than pensions, that state and local government employees receive as part of their retirement benefits, such as medical, dental, vision or life insurance. For the City of Gilroy, this primarily includes a retiree healthcare plan administered by the City and provided to eligible retirees through the CalPERS healthcare program. For most retirees under the plan, the City contributes the Public Employees' Medical & Hospital Care Act (PEMHCA) minimum contribution (\$151 per month for 2023) for eligible retirees and surviving spouses. The City also has a Health Reimbursement Agreement for qualifying retirees where the City provides a contribution of up to \$200 or \$300 per month from retirement to age 65 for those retirees who reach certain milestone years of service.

The recommended budget for fiscal year 2024 (FY24) and 2025 (FY25) included a one-time investment of \$0.5 million from the General Fund balance to establish an OPEB Section 115 Trust to set aside funds to be invested to offset OPEB liabilities and contributions in the future. At the budget adoption public hearing on June 5, 2023, the City Council requested the topic be brought back for further discussion and appropriation.

In recent years, the City Council has taken prudent steps to address the City's pension obligations, including the establishing of a Section 115 Trust, adopting a Pension Funding Policy, and making annual contributions according to the policy. To date, the City has contributed \$3.0 million to its Pension Section 115 Trust, which represents approximately 3.3% of the current unfunded pension liability of \$110.7 million. It is prudent for the City Council to also consider taking actions to address the long-term OPEB liability.

ANALYSIS

Like pensions, most cities in California offer similar, in some cases enhanced, post-employment benefits to their retirees, which have outstanding actuarially determined liabilities. The City of Gilroy has an outstanding OPEB liability of \$15 million based on the recent actuarial valuation of the plan as of June 30, 2023. The valuation, like pensions, considers factors such as mortality, the assumed rate of investment return, and other factors such as enrollment, dependent election, and healthcare trend rates. Gilroy, however, has wisely capped the benefit amount in both the dollar amount and length of time, which helps to manage the liability, unlike some other agencies who have offered lifetime benefits of escalating dollar amounts.

The benefit is currently funded on a pay-as-you-go (pay-go) basis, meaning the City pays only the actual cost of the benefit in the current fiscal year, approximately \$0.6 million and growing, and does not pay or set aside funds to pay for the portion of the unfunded liability. While the City has taken steps to limit the growth of the liability, the current unfunded liability will remain and continue to grow if the City relies only on the continuation of the practice of pay-go. That means the annual pay-go amount will continue to increase year after year.

The City currently has 235 inactive employees or beneficiaries receiving benefits and 220 active employees who would be eligible to receive benefits in the future. Figure 1 below breaks down the present value of future benefits, and current OPEB liability for active and retired employees using a single discount rate of 4.09%. Governmental Accounting Standards Board (GASB) Statement No. 75 (GASB 75) requires, absent a specific funding and investment policy, that OPEB plans operating on a pay-go basis value their OPEB plan using a 20-year municipal bond index rate as its discount rate, which have historically been around 3%.

Figure 1:

Present Value of Future Benefits (PVFB)	As of June 30, 2022
Active employees	\$ 14,481,350
Retired employees	7,320,820
Total PVFB	\$ 21,802,170

Total OPEB Liability (TOL)	As of June 30, 2022
Active employees	\$ 7,175,902
Retired employees	7,320,820
Total TOL	\$ 14,496,722

	As of June 30, 2022
Discount Rate	4.09%

Figure 2 below illustrates total OPEB liability change over the last four fiscal years. The year-over-year change in liability is primarily a function of the discount rate utilized for respective year, based on the municipal bond index, and to a smaller scale change in other valuation factors such as healthcare trend rates. Plans that have funding and investment policies with assets in trust can offset their OPEB liability. Under this model the monies invested are assumed to grow at the rate of return that reflects the trust's asset allocation. OPEB liabilities that are matched by such assets are discounted at that same rate, effectively reducing their OPEB liability. To the extent that an OPEB trust is funded with assets whose expected return exceeds that of highly-rated municipal bonds, it reduces the outstanding liability and ongoing contribution requirements.

Figure 2:

Fiscal Year End (FYE)	2020	2021	2022	2023
Total OPEB Liability (TOL)	\$14,594,602	\$18,751,804	\$18,024,828	\$14,496,722
115 Trust for OPEB	\$0	\$0	\$0	\$0
Net OPEB Liability (NOL)	\$14,594,602	\$18,751,804	\$18,024,828	\$14,496,722
Funded Status	0.00%	0.00%	0.00%	0.00%
Discount Rate	3.50%	2.21%	2.19%	4.09%

The Government Finance Officers' Association recommends that governments develop a plan to address these outstanding long-term liabilities and ensure the sustainability of the benefits currently offered to employees. This includes determining an appropriate funding approach including prefunding of the OPEB obligation. By prefunding, employers who make long-term investments to cover these obligations will experience a lower total cost for providing these benefits. To address and manage the long-term costs of this expense, many cities have begun prefunding these obligations by establishing an OPEB Trust, like the one City has established for the pension, and adopting funding policies tailored based on various factors including benefits, size of liabilities, and available resources.

As a first step in prefunding and managing the long-term costs of this expense, the City should consider establishing a trust, adopting an OPEB Funding Policy, and make additional contributions to the trust to begin prefunding the liabilities.

Attached to this report is a resolution for Council consideration which outlines the following:

- Establish Section 115 Trust – Similar to the Pension Trust, a separate Section 115 Trust would be established for OPEB with Public Agency Retirement Services (PARS) to prefund OPEB benefits. Such trusts that are remote from creditors, funded by irrevocable contributions, and invested under an asset allocation earning higher return on investment can be utilized to offset OPEB liabilities. Ratings agencies and lenders have favorable views on the establishment and funding of an OPEB trust as it demonstrates commitment to pay a future liability in a manner that may reduce and more evenly distribute the organization's OPEB costs over time.
- Initial one-time contribution – Staff recommends making an initial one-time contribution of \$0.5 million to the OPEB trust from the accumulated General Fund balance, which like the pension trust contributions to date, represents about 3.3% of the current OPEB liabilities of \$15.0 million.
- Adoption of an OPEB Funding Policy – As previously mentioned, plans that have funding and investment policies with assets in trust can offset their OPEB liability. Under this model the monies invested are assumed to grow at the rate of return that reflects the trust's asset allocation, generally 6% or higher. To the extent that an OPEB trust is funded with assets whose expected return exceeds that of highly rated municipal bonds, it reduces the outstanding liability and ongoing contribution requirements. The enclosed Exhibit A to the resolution includes a policy with the following key elements:
 - Upon meeting the City's General Fund Reserve Policy of 30% (20% for operations, and 10% for economic uncertainty), up to 25% of all future year-end savings in General Fund expenditures shall be transferred to the Section 115 OPEB Trust subject to approval of the City Council.
 - Continue to annually appropriate the pay-go costs for the current retirees.
 - In the event of an economic hardship, or other unanticipated fiscal emergency, the City Council may make a declaration to waive or reduce

the annual transfer to the Section 115 OPEB Trust if the existing 10% economic uncertainty reserve in the General Fund is projected to be depleted. The declaration would apply to the fiscal year in which it was made. Subsequent fiscal challenges will require a second or third declaration.

- Review the policy biennially to ensure it is meeting the objectives in conjunction with the biennial actuarial valuations for the OPEB.

ALTERNATIVES

City Council could elect to not establish a Section 115 OPEB Trust, change the one-time contribution amount, not adopt the funding policy, or any combination thereof. Staff does not recommend this option as it is prudent for the City to take actions to address the OPEB liability for reasons outlined in the analysis section of the report.

FISCAL IMPACT/FUNDING SOURCE

Subject to Council approval, a one-time contribution of \$0.5 million would be made from the City's General Fund upon the establishment of the Section 115 Trust.

Annually thereafter, staff will review and bring back to the City Council an amount of up to 25% of year-end savings in the General Fund expenditures, like what is currently done for the Pension Funding Policy. Both policies would be reviewed in conjunction.

NEXT STEPS

Pending Council approval, staff will initiate the establishment of the Section 115 OPEB and make the initial one-time contribution of \$0.5 million.

Attachments:

1. Draft Resolution

RESOLUTION NO. 2023-XX**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY ESTABLISHING ANOTHER POST EMPLOYMENT BENEFIT (OPEB) SECTION 115 TRUST ADOPTING AN OPEB FUNDING POLICY AND AUTHORIZING A ONE-TIME CONTRIBUTION OF \$500,000 FROM THE GENERAL FUND (100)**

WHEREAS, the City of Gilroy, a municipal corporation and charter city duly organized and existing under and pursuant to the Constitution and laws of the State of California ("City"), is authorized to enter into contracts and agreements for the benefit of the City; and

WHEREAS, the reasons supporting this Resolution are set forth in detail in that certain City Council Staff Report submitted for City Council consideration at its meeting of October 2, 2023 for presentation, discussion, and direction, submitted to the City Council by the City Administrator (the "Staff Report"), the contents of which Staff Report are incorporated herein by this reference; and

WHEREAS, an OPEB Funding Policy has been developed for the City of Gilroy to provide guidance in the funding a Section 115 Trust; and

WHEREAS, the consideration by the City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and has been placed upon the City Council Meeting Agenda on the date set forth in the Staff Report or to such date that the City Council may have continued or deferred consideration of this Resolution, and on such date the City Council conducted a duly noticed public meeting at which the City Council provided members of the public an opportunity to comment and be heard and considered any and all testimony and other evidence provided in connection with the adoption of this Resolution; and

WHEREAS, the City Council determines that adoption of this Resolution is in the public interest.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Gilroy does hereby:

1. Approve the establishment of a Section 115 Trust for OPEB and authorizes City Administrator or his/her designee to serve as the plan administrator and execute any documents necessary to establish the Section 115 Trust with Public Agency Retirement Services (PARS) for purposes of OPEB; and
2. Approve an initial one-time contribution of \$500,000 to the Section 115 OPEB trust from the City's General Fund balance and related budgetary appropriation.
3. Approve the attached Exhibit A – OPEB Funding Policy.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Gilroy at its meeting held on this 2nd day of October 2023 by the following vote:

AYES: **COUNCIL MEMBERS:**
NOES: **COUNCIL MEMBERS:**
ABSTAIN: **COUNCIL MEMBERS:**
ABSENT: **COUNCIL MEMBERS:**

APPROVED:

Marie Blankley, Mayor

ATTEST:

Thai Nam Pham, City Clerk

∞ **CERTIFICATION** ∞

I, Thai Pham, City Clerk of the City of Gilroy, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 22-XX adopted by the City Council at the meeting held on the 2nd day of October 2023.

WITNESS MY HAND AND THE SEAL OF THE CITY OF Gilroy.

DATE: _____

Thai Pham, City Clerk

EXHIBIT A

OPEB FUNDING POLICY

Purpose

To assure that the City's Other Post Employment Benefits (OPEB) plan is financially sustainable, the program should accumulate financial resources to begin prefunding the City's OPEB liabilities with an objective to reduce the liability and ongoing contribution requirements.

Background

The City's OPEB plan is a single-employer defined benefit plan administered by the City. The plan provides healthcare benefits to eligible retirees and their dependents through the California Public Employee's Retirement System healthcare program (PEMHCA) and a post-employment retention/recognition incentive benefit program (RRIB) which requires proof of medical coverage. Benefit provisions are established and may be amended through agreements and memorandums of understanding between the City, its management employees and unions representing City employees.

For all retirees under the plan, the City contributes the PEMHCA minimum contribution on the unequal method for eligible retirees and surviving spouses. No dental, vision or life insurance benefits are provided.

The RRIB incentive benefit is for certain bargaining units' retirees that retired prior to July 1, 2014 (police and fire employees), July 1, 2015 (management employees) or November 1, 2015 (AFSCME, miscellaneous employees). Prior employees that retired on or before these dates and were fifty (50) or more years of age (police and fire employees) or fifty-five (55) or more years of age (AFSCME and management employees) and previously retired from City service with a minimum of fifteen (15) years of service with the City are eligible to receive this postretirement benefit until reaching the age of sixty-five (65). Additional tiers of years of service were added to the plan to qualify for benefits. This supplemental plan has been discontinued for new participants after the dates noted above.

The employer contribution under RRIB provides a temporary monthly annuity (to age 65) up to \$300 per month based on service at retirement to eligible retirees. All classes of employees are covered, if eligible.

The City offers a Health Reimbursement Plan (PEMHCA) for new retirees after the dates noted above.

Policy

It is the policy of the City to fulfill its obligation to maintain fiscally responsible management practices and to ensure that promised retirement benefits are funded. To that end, the City will meet its OPEB funding obligations as follows:

1. **Section 115 OPEB Trust:** The City will establish and maintain a Section 115 OPEB Trust. Assets in the Section 115 OPEB Trust may be used only for OPEB related costs and at the direction of the City Council.
2. **Allocation from Annual Year-end Savings:** Upon meeting the City's General Fund Reserve Policy of 30% (20% for operations, and 10% for economic uncertainty), up to 25% of all future year-end savings in General Fund expenditures shall be transferred to the Section 115 OPEB Trust subject to approval of the City Council. The City has a separate Pension Funding Policy (Resolution 2022-16) which also provides for allocation from annual year-end savings of the General Fund. Both policies should be reviewed in conjunction when calculating the annual year-end savings allocation. Special considerations shall be made by the Finance Director each year when determining potential year-

end savings so as not to leave any General Fund supported funds (Worker's Compensation and Liability Insurance Fund) with a negative fund balance.

3. **Additional Discretionary Payments:** Nothing in this policy shall preclude the City Council from authorizing additional discretionary payments at any time and in any amount, to the Section 115 OPEB Trust which would further reduce the OPEB liability and future contributions.
4. **Biennial Actuarial Valuations and Actuarially Determined Contributions (ADC):** The City will engage an OPEB actuary to determine the City's ADC based on biennial actuarial valuations. The ADC will include the normal cost for current retirees and amortization of the unfunded liability. The City will review the valuations to validate completeness and accuracy of employee census data and the reasonableness of the actuarial assumptions. The City will continue to budget for contributions for the pay-go costs of OPEB for current retirees and the Section 115 Trust contributions will accumulate financial resources to offset the OPEB liabilities and reduce future contributions.
5. **Fiscal Emergency:** In the event of an economic hardship, or other unanticipated fiscal emergency, the City Council may make an emergency declaration to reduce the annual transfer to the Section 115 Trust, only if the existing 10% economic uncertainty reserve in the General Fund is projected to be depleted. This declaration will only apply to the fiscal year in which it was made. Ongoing fiscal challenges will require a second or third emergency declaration.
6. **Periodic Review of the Policy:** Funding OPEB requires a long-term plan, as such, the City will review this policy at a minimum biennially to determine if changes to the policy are warranted to ensure adequate resources are being accumulated to the OPEB benefits.

From: [Council Member Zachary Hilton](#)
To: [Public Comments](#)
Cc: [City Clerk](#)
Subject: Fw: Gilroy - Santa Teresa District - Fire and Emergency Services
Date: Tuesday, September 26, 2023 8:00:20 AM

City Clerk,

Please include this as public comment for Item #14.1 Closed Session.

Zach Hilton

Gilroy City Council Member

www.zachhilton.com

#HiltonForCouncil @zachhilton_ca

From: [REDACTED]
Sent: Monday, September 25, 2023 1:43 PM
To: Mayor Marie Blankley <Marie.Blankley@ci.gilroy.ca.us>; Council Member Dion Bracco <Dion.Bracco@ci.gilroy.ca.us>; Council Member Tom Cline <Tom.Cline@ci.gilroy.ca.us>; Council Member Zachary Hilton <Zachary.Hilton@ci.gilroy.ca.us>; Council Member Carol Marques <Carol.Marques@ci.gilroy.ca.us>; Council Member Fred Tovar <Fred.Tovar@ci.gilroy.ca.us>; Council Member Rebeca Armendariz <Rebeca.Armendariz@ci.gilroy.ca.us>
Cc: [REDACTED]
Subject: EXTERNAL - Gilroy - Santa Teresa District - Fire and Emergency Services

CAUTION: This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Gilroy City Counsel,

I want to voice my **concern about two issues:**

1.) The short staffing at the Santa Teresa Fire Station.

I live in the Mesa Ridge community near Miller Ave. and Thomas Rd., in west Gilroy.

Recently several of my neighbors have been denied homeowner's fire insurance renewals due to a perception of high fire risk in the area. With all the many new homes built in west Gilroy we urgently need a fully-staffed fire and emergency medical response capability on this rapidly expanding side of Gilroy.

I read in the Mayor's update that \$3M in funding has been allocated in the future budget to modernize the fire stations and add modular buildings to the Santa Teresa fire station to provide a 24-hour staffing capability. But **where in the budget are we allocating funds to hire the additional firefighters** that will be needed?

Home values and the desirability of living here may decline if the danger of fire and our ability to effectively mitigate the risk is not robustly defended.

Please vote to provide the necessary staffing and infrastructure to support adequate, full-

time fire and emergency medical in my home town section of west Gilroy.

2.) Please find a way to fund the Tenth Street Bridge and get it built!

This bridge was originally promised to be built by the developer as specified in the Glen Loma Ranch Development Agreement. But that was contingent on the City being able to fund the construction costs, either with Federal grant funds or with other municipal funds.

Now I'm learning that the recent \$27M Federal grant application to fund the bridge has been denied and the City doesn't have the money to fund the bridge construction otherwise.

Forgive my armchair semi-informed critical analysis, but this whole bridge project seems like a SNAFU. The original deal with the developer was a concession to influence and affect planning approvals. Those approvals allowed building too many densely packed homes with inadequate traffic and infrastructure provisions. Instead City planners made a contingent deal for a bridge with only faint dreams of someday funding it, and no consequences to the developers for the resulting delays.

Every year that the bridge is delayed puts our homes at increased risk by adding to the travel distance for emergency responders and increased traffic congestion. The promise of the bridge has been delayed for almost decade. The eroding bridge plans are now whittling down the width of the bridge from four lanes to two, and eliminating other useful bike friendly features. Now it honestly seems to me like the bridge may never be built at all.

Please understand the scope of these issues involve life saving priorities.

Respectfully,

-David Bartholomew

gilroyca.iqm2.com



David Bartholomew

[REDACTED]

[REDACTED]



From: [Frank Parker](#)
To: [Public Comments](#)
Subject: EXTERNAL - Fire safety
Date: Wednesday, September 27, 2023 4:12:35 PM

CAUTION: This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Very concerned about staffing the Santa Teresa fire station. As a long time resident of Gilroy, I would hope our fire depart will be fully staffed to protect all of us. Please make this a priority.

From: [Council Member Zachary Hilton](#)
To: [Public Comments](#)
Cc: [City Clerk](#)
Subject: Fw: EXTERNAL - Staffing at Santa Teresa Fire Station
Date: Wednesday, September 27, 2023 2:15:53 PM

City Clerk,

Please add this to public comment for Item #14.1.

Zach Hilton

Gilroy City Council Member

www.zachhilton.com

#HiltonForCouncil @zachhilton_ca

From: Kathleen Kammann <kmdk44@charter.net>

Sent: Wednesday, September 27, 2023 10:49 AM

To: Mayor Marie Blankley <Marie.Blankley@ci.gilroy.ca.us>; Council Member Rebeca Armendariz <Rebeca.Armendariz@ci.gilroy.ca.us>; Council Member Dion Bracco <Dion.Bracco@ci.gilroy.ca.us>; Council Member Tom Cline <Tom.Cline@ci.gilroy.ca.us>; Council Member Zachary Hilton <Zachary.Hilton@ci.gilroy.ca.us>; Council Member Carol Marques <Carol.Marques@ci.gilroy.ca.us>; Council Member Fred Tovar <Fred.Tovar@ci.gilroy.ca.us>

Subject: EXTERNAL - Staffing at Santa Teresa Fire Station

CAUTION: This email originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

I am very concerned about the issue of staffing at the Santa Teresa Fire Station. I believe we need to increase the daily minimum staffing at this station. It worries me when I see all the continued building in my area and no adequate staffing at our closest station.

I hope you will listen carefully to the Gilroy Firefighters Association when they present their case on October 2.

Thank you.

Sent from my iPhone

From: [Council Member Zachary Hilton](#)
To: [Public Comments](#)
Cc: [City Clerk](#)
Subject: Fw: EXTERNAL - Gilroy Firefighter Staffing Concern
Date: Wednesday, September 27, 2023 2:13:30 PM

City Clerk,

Please add this to public comment for Item #14.1.

Zach Hilton

Gilroy City Council Member

www.zachhilton.com

#HiltonForCouncil @zachhilton_ca

From: Nigel Johnson <nigelpcj@me.com>

Sent: Wednesday, September 27, 2023 11:19 AM

To: Local2805@comcast.net <Local2805@comcast.net>; Mayor Marie Blankley
 <Marie.Blankley@ci.gilroy.ca.us>

Cc: Council Member Rebeca Armendariz <Rebeca.Armendariz@ci.gilroy.ca.us>; Council Member
 Dion Bracco <Dion.Bracco@ci.gilroy.ca.us>; Council Member Tom Cline <Tom.Cline@ci.gilroy.ca.us>;
 Council Member Zachary Hilton <Zachary.Hilton@ci.gilroy.ca.us>; Council Member Carol Marques
 <Carol.Marques@ci.gilroy.ca.us>; Council Member Fred Tovar <Fred.Tovar@ci.gilroy.ca.us>

Subject: EXTERNAL - Gilroy Firefighter Staffing Concern

CAUTION: This email originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

To You All

Firefighter Staffing for our 'rapidly growing' Community - 'Mission Critical'

We are Gilroy Citizens and live in the LIONS CREEK community area by Luigi Aprea Elementary school writing to show our support for this effort to provide needed investment for our Firefighters and to help save this temporary location in such a prime response location!!

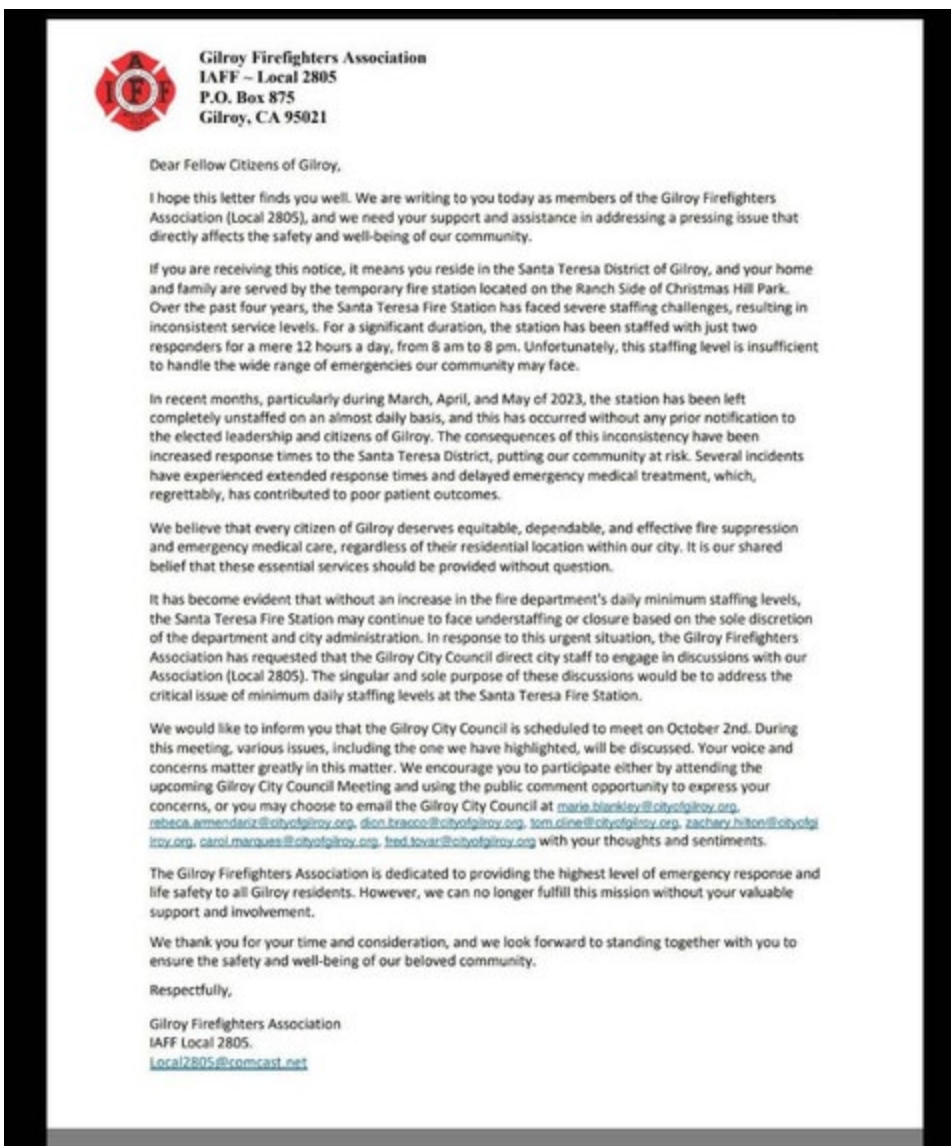
Many days/evenings I visit the Ascension Solarsano Middle School (close to the Fire Station) location; park my truck and take my dog for walks all around Debell Park and Uvas Creek areas close to the Temporary Fire Station.

It is a comfort and confidence feeling to wave to the Firefighters when they head out on a response or return or just to see the small engine (sometime large) parked by the station ready to respond to Community safety and security issues!!

SAVE THAT STATION AND MAKE FIREFIGHTER SUPPORT A VERY TOP PRIORITY for our Rapidly Growing Communities and our priority Tax Dollars investments please.

Thank You for your support!

Nigel and Violet Johnson
 nigelpcj@me.com
 408 398 9371



From: [Council Member Zachary Hilton](#)
To: [Public Comments](#)
Cc: [City Clerk](#)
Subject: Fw: EXTERNAL - Fire Fighter Staffing
Date: Wednesday, September 27, 2023 2:17:02 PM

City Clerk,

Please add this to public comment for Item #14.1.

Zach Hilton

Gilroy City Council Member

www.zachhilton.com

#HiltonForCouncil @zachhilton_ca

From: Christopher Cobillas <cmcobillas@yahoo.com>

Sent: Wednesday, September 27, 2023 10:43 AM

To: Mayor Marie Blankley <Marie.Blankley@ci.gilroy.ca.us>; Council Member Rebeca Armendariz <Rebeca.Armendariz@ci.gilroy.ca.us>; Council Member Dion Bracco <Dion.Bracco@ci.gilroy.ca.us>; Council Member Tom Cline <Tom.Cline@ci.gilroy.ca.us>; Council Member Zachary Hilton <Zachary.Hilton@ci.gilroy.ca.us>; Council Member Carol Marques <Carol.Marques@ci.gilroy.ca.us>; Council Member Fred Tovar <Fred.Tovar@ci.gilroy.ca.us>

Subject: EXTERNAL - Fire Fighter Staffing

CAUTION: This email originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

My City Council,

My name is Christopher Cobillas and I live at 713 Carignane Dr. I am distraught by the lack of fire protection and emergency medical services provided to my neighborhood. As the city has grown, basic city services has not. It is shameful to put my family and neighbors safety at risk by not staffing the fire department. Is a residents life justified by budget dollar savings? We all know that it is a matter of time until we will need to utilize public safety in some capacity.

I can include a laundry list of communities that have been decimated and taken off the map due to fires but, we all know them. Having our fire fighters staffed and ready to respond is the only way that our city does not end up in the news for lack of preparation. If it's predictable, I can be preventable.

I urge you all to consider my neighborhoods safety and remind you all that we voted to put you in these position of leadership to protect us all!

Thank you for your time and constant effort,

Christopher Cobillas

From: [Council Member Zachary Hilton](#)
To: [Public Comments](#)
Cc: [City Clerk](#)
Subject: Fw: - Firefighter staffing
Date: Wednesday, September 27, 2023 8:00:27 AM

City Clerk,

Please include this as public comment for Item #14.1.

Zach Hilton

Gilroy City Council Member

www.zachhilton.com

#HiltonForCouncil @zachhilton_ca

From: Raul Mayorga <truckermayorga@gmail.com>

Sent: Tuesday, September 26, 2023 5:52 PM

To: Mayor Marie Blankley <Marie.Blankley@ci.gilroy.ca.us>; Council Member Rebeca Armendariz <Rebeca.Armendariz@ci.gilroy.ca.us>; Council Member Dion Bracco <Dion.Bracco@ci.gilroy.ca.us>; Council Member Tom Cline <Tom.Cline@ci.gilroy.ca.us>; Council Member Zachary Hilton <Zachary.Hilton@ci.gilroy.ca.us>; Council Member Carol Marques <Carol.Marques@ci.gilroy.ca.us>; Council Member Fred Tovar <Fred.Tovar@ci.gilroy.ca.us>

Subject: EXTERNAL - Firefighter staffing

CAUTION: This email originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hello,

I reside off Mesa street and I've witnessed the delayed response from the fire department to a witnessed seizure call I saw on my way to work early morning of a 13 year old child on the front lawn. I sat with the patient and waited 18 minutes for response to said home on Mesa. That is unacceptable for the department to be so thin that it delayed treatment and transport of the patient. I pay taxes to the city and deserve the same response times as the folks on 3rd street or other areas like Mantelli or Club drive. This incident I witnessed and stopped for was around 730 am. And Statistics show most fires happen at night and when this happens victims have seconds not minutes. Please consider building more firehouses as was originally planned when Glen Loma was being developed. This is a fast growing city and you need to keep up.

Regards,

Tax payer Raul Mayorga