

**City of Gilroy
City Council Regular Meeting Minutes
Monday, October 16, 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 Tovar led the Pledge of Allegiance.

1.3. Invocation

Rabbi Faith Joy Dantowitz led the Invocation.

1.4. City Clerk's Report on Posting the Agenda

City Clerk Pham reported on the Posting of the Agenda.

1.5. Roll Call

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

1.6. Orders of the Day

There were none.

1.7. Employee Introductions

Human Resources Director McPhillips introduced Angelica Harris, Human Resources Analyst.

2. CEREMONIAL ITEMS - Proclamations and Awards

There were none.

3. PRESENTATIONS TO THE COUNCIL

3.1. Annual Presentation by the Arts and Culture Commission

Arts and Culture Commission Chair Melanie Reynisson provided the annual presentation.

3.2. PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL

Mayor Blankley opened Public Comment.

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

Ron Kirkish expressed concerns about the rise of inappropriate comments during Zoom meetings in various cities, including Morgan Hill, and noted that the city's officials have decided to discontinue public speaking on Zoom meetings due to incidents of racism, anti-Semitism, and homophobia during their last meeting.

Robert Zepeda expressed a desire for local unity, touched on global conflicts like the one in Israel, criticized the media's influence on perceptions, and briefly mentioned three upcoming initiatives.

Jeff Orth expressed deep gratitude to the city council for their support in improving downtown, including lighting up trees, addressing the sound system, cleaning sidewalks, and creating a positive atmosphere for the community and visitors, highlighted by the successful recent beer crawl event.

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

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco had nothing to report.

Council Member Armendariz expressed appreciation for the Rabbi's comments and urged recognition of the Palestinian lives lost in the ongoing conflict in addition to Israeli casualties. She also shared her participation in a Silicon Valley Clean Energy review of energy-efficient home renovations.

Council Member Marques praised the Gilroy Gardens' Great Big BOO! Event, and reported on the Downtown Committee

Council Member Tovar reported on the Downtown Committee and his recent involvement in South County Heals Kick-Off! Event.

Mayor Blankley reported on SCRWA, Santa Clara Valley Water Joint Water Resources Committee, and VTA Board of Directors.

5. COUNCIL CORRESPONDENCE

There were none.

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Armendariz proposed agendizing a discussion on establishing a code of conduct for public speakers at city meetings, believing it would help manage meetings and address potential issues in both in-person and hybrid meetings, referencing incidents like Zoom bombing in other cities. The discussion was open to the council's input, and there was an agreement to consider it as part of future discussions on meetings and presentations; however, it did not receive majority support.

7. 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: Dion Bracco, Mayor Pro Tempore

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

ABSENT: Council Member Cline, Council Member Hilton

7.1. Approval of the Action Minutes of the October 2, 2023 City Council Regular Meeting

A motion was made to approve the minutes.

7.2. Acceptance of an Office of Traffic Safety Selective Traffic Enforcement Program Grant in the Amount of \$111,000 and Adoption of a Resolution of the City Council of the City of Gilroy Approving a Fiscal Year 2024 Budget Amendment

A motion was made to accept the Office of Traffic Selective Traffic Enforcement Program Grant and adopt a resolution.

Enactment No.: Resolution No.: 2023-59

7.3. Acceptance of an Office of Traffic Safety Traffic Records Improvement Program Grant for \$24,800 and Adoption of a Resolution of the City Council of the City of Gilroy Approving a Fiscal Year 2024 Budget Amendment

A motion was made to accept the Office of Traffic Selective Traffic Improvement Program Grant and adopt a resolution.

Enactment No.: Resolution No.: 2023-60

7.4. Acceptance of an Edward Byrne Memorial Justice Assistance Grant for \$19,822 for the Police Department and Adoption of a Resolution of the City Council of the City of Gilroy Approving a Fiscal Year 2024 Budget Amendment

A motion was made to accept the Edward Byrne Memorial Justice Assistance Grant and adopt a resolution.

Enactment No.: Resolution No.: 2023-61

7.5. Approval of a Notice of Acceptance of Completion for the Gilroy Sports Park Playground Surface Repair Project No. 23-PW-276 and Approval of a Final Contract Amount with Itech Solution of \$144,098.78

A motion was made to approve the Notice of Acceptance of Completion.

8. BIDS AND PROPOSALS

There were none.

9. PUBLIC HEARINGS

9.1. Public Hearing Regarding the Proposed Water and Wastewater Rate Increases

Finance Director Sangha provided staff presentation and responded to Council Member questions.

Mayor Blankley opened the Public Hearing at 6:48 PM.

The following members spoke in opposition to the item:

Aileene Edsinger
Andrew Didomenico
Matt Newton
Jon Vollertsen

There being no further speakers, Mayor Blankley closed the Public Hearing at 6:57 PM.

City Clerk Pham declared that there were 31 protest letters received after the closure of the Public Hearing.

Motion: Adopt as final the August 2023 Comprehensive Water and Wastewater Utility Rate Study Report prepared by NBS.

RESULT: Pass
MOVER: Dion Bracco, Mayor Pro Tempore
SECONDER: Marie Blankley, Mayor
AYES: Council Member Armendariz, Mayor Pro Tempore Bracco, Council Member Marques, Mayor Blankley
NAYS: Council Member Tovar
ABSENT: Council Member Cline, Council Member Hilton

Motion: Adopt a resolution approving water and wastewater rate adjustments.

RESULT: Fail
MOVER: Dion Bracco, Mayor Pro Tempore
SECONDER: Marie Blankley, Mayor
AYES: Mayor Pro Tempore Bracco, Council Member Marques, Mayor Blankley
NAYS: Council Member Armendariz, Council Member Tovar
ABSENT: Council Member Cline, Council Member Hilton

Motion: Adopt the resolution approving the water and wastewater rate adjustments at 6% annually over five years.

RESULT: Pass

MOVER: Dion Bracco, Mayor Pro Tempore

SECONDER: Carol Marques, Council Member

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

ABSENT: Council Member Cline, Council Member Hilton

Enactment No.: Resolution No. 2023-62

10. UNFINISHED BUSINESS

10.1. Recommendations for Updates/Improvements to the Gilroy Garlic Festival Memorial at Christmas Hill Park

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

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

The Council directed staff to proceed with the actions for updates and improvements to the Gilroy Garlic Festival Memorial at Christmas Hill Park as described in the staff report.

11. INTRODUCTION OF NEW BUSINESS

11.1. Authorize the City Administrator to Enter into a Three-Year Service Agreement with the County of Santa Clara for Animal Sheltering Services for the Period of July 1, 2023, through June 30, 2026

Police Captain Rocha provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment.

The following speakers spoke in favor of the item:

Karen Fortino
Kathy Hodgdon
Paula Myers
Sharon E. Girard
Michelle Rodriguez

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

Motion: Authorize the City Administrator to sign a three-year service agreement with the County of Santa Clara for Animal Sheltering Services from July 1, 2023, through June 30, 2026.

RESULT: Pass

MOVER: Marie Blankley, Mayor

SECONDER: Fred Tovar, Council Member

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

ABSENT: Council Member Cline, Council Member Hilton

11.2. Annual Review and Adoption of the City's Investment Policy

Finance Director Sangha provided staff presentation and responded to Council Member questions.

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

Motion: Adopt a resolution establishing the City's updated Investment Policy.

RESULT: Pass

MOVER: Carol Marques, Council Member

SECONDER: Fred Tovar, Council Member

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

ABSENT: Council Member Cline, Council Member Hilton

Enactment No.: Resolution No. 2023-63

12. CITY ADMINISTRATOR'S REPORTS

City Administrator Forbis provided the City Administrator's report.

13. CITY ATTORNEY'S REPORTS

There were none.

14. ADJOURNMENT

Mayor Blankley adjourned the meeting at 7:49 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