



CITY COUNCIL REGULAR MEETING AGENDA

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

MAYOR

Marie Blankley

COUNCIL MEMBERS

Rebeca Armendariz

Dion Bracco

Tom Cline

Zach Hilton

Carol Marques

Fred Tovar

MONDAY, NOVEMBER 6, 2023 | 6:00 PM

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 special assistance to participate in this meeting, please contact the City Clerk's Office at least 72 hours prior to the meeting at (408) 846-0204 or cityclerk@cityofgilroy.org to help ensure that reasonable arrangements can be made.



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.



To access written translation during the meeting, please scan the QR Code or click this link:

Para acceder a la traducción durante la reunión, por favor escanee el código QR o haga clic en el enlace:

bit.ly/3FBiGA0

Choose Language and Click Attend | *Selecione su lenguaje y haga clic en asistir*

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

Use sus auriculares para escuchar el audio o leer la transcripción en el dispositivo.

The agenda for this meeting is outlined as follows:

- 1. OPENING**
 - 1.1. Call to Order**
 - 1.2. Pledge of Allegiance**
 - 1.3. Invocation**
 - 1.4. City Clerk's Report on Posting the Agenda**
 - 1.5. Roll Call**
 - 1.6. Orders of the Day**
 - 1.7. Employee Introductions**
- 2. CEREMONIAL ITEMS - Proclamations and Awards**
 - 2.1. Proclamation Proclaiming November 12 – 18, 2023 as United Against Hate Week**
 - 2.2. Proclamation Proclaiming November 6, 2023 as Digital NEST Day**
- 3. PRESENTATIONS TO THE COUNCIL**
 - 3.1. Annual Presentation by the Open Government Commission**
 - 3.2. Open Government Commission Presentation on Hybrid Meetings**

3.3. 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

Consent Calendar items are routinely approved with one motion. For separate discussion, a Council member or public member must request its removal before the approval vote. If removed, it's discussed in its original order.

- 7.1. Approval of the Action Minutes of the October 16, 2023 City Council Regular Meeting**
- 7.2. Adoption of Revised City of Gilroy Records Management Policy and Compliance with the California Public Records Act (CPRA) Recodification Act (AB 473)**
- 7.3. Removal of Commissioner Kortney Hodge from Parks and Recreation Commission Pursuant to Gilroy City Charter Section 900**
- 7.4. Acceptance of an Assistance to Firefighters Grant in the Amount of \$66,583 for the Fire Department**
- 7.5. Approve the Second Amendment to the Agreement with InfoSend, Inc. for Utility Bill Printing, Mailing, and Online Payment Services**

8. BIDS AND PROPOSALS

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

11. INTRODUCTION OF NEW BUSINESS

11.1. Introduction of an Ordinance Amending Chapters 17A and 24 of the Gilroy City Code in Compliance with the California Public Records Act (CPRA) Recodification Act (AB 473)

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

- 1. Motion to read the ordinance by title only and waive further reading of the ordinance; and
- 2. Introduce an ordinance amending Chapters 17A and 24 of the Gilroy City Code.

11.2. Approval of Two (2) Mills Act Agreement Applications for Historic Properties Located at 286 Fifth Street and 7471 Hanna Street

- 1. Staff Report: Sharon Goei, Community Development Director
- 2. Public Comment
- 3. Possible Action:

Staff has analyzed the proposed project, and recommends that the City Council:

- a) Based on its independent analysis, find that approval of the Mills Act contracts are exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15331, pertaining to projects involving the maintenance, rehabilitation, restoration, preservation, or reconstruction of historical resources, and

where it can be seen with certainty that the Mills Act contracts would not result in a significant environmental effect; and

- b) Approve the Mills Act program request, and authorize the City Administrator to execute a Mills Act Agreement for the property located at 286 Fifth Street; and
- c) Approve the Mills Act program request and authorize the City Administrator to execute a Mills Act Agreement for the property located at 7471 Hanna Street.

11.3. Inclusionary Housing Introduction

- 1. Staff Report: Sharon Goei, Community Development Director
- 2. Public Comment
- 3. Possible Action:
Receive report.

12. CITY ADMINISTRATOR'S REPORTS

13. CITY ATTORNEY'S REPORTS

14. CLOSED SESSION

14.1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:

Government Code Section 54956.9(d)(1) and Gilroy City Code Section 17A.11(3)(b)

Name of cases: Law Foundation of Silicon Valley v. Superior Court, 6th District Court of Appeal Case No. H049554; and City of Gilroy v. Superior Court, 6th District Court of Appeal

Case No. H049552

14.2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to GC Sec. 54956.8 and GCC Sec.17A.8 (a) (2)

Properties: 10th Street Bridge: APNs 808- 19-007, 799-30-006, 799-30-007, 808-19-020, 808-50-999, Thomas Luchessa Bridge: APNs 808-21-025, 808-21-023, 808-21-021, 808-21-018, New Fire Station: APNs 808-18-003, 808-19-029

Negotiators: Jimmy Forbis, City Administrator; Other Party to

Negotiations: Glen Loma Corporation, John M. Filice, Jr.;

Negotiating Price and terms of payment regarding purchase, sale

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

November 2023

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-**

January 2024

8 Regular Meeting - 6:00 p.m

22 Regular Meeting - 6:00 p.m

Meetings are webstreamed at gilroy.city/meetings.

Access the 2024 City Council Meeting Calendar at <https://bit.ly/3LLzY1n>