

**City of Gilroy
City Council Regular Meeting Minutes
Monday, November 6, 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 Cline led the Pledge of Allegiance.

1.3. Invocation

Pastor Malcolm MacPhail from New Hope Community Church provided 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 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

Mayor Blankley asked the Council to move item 3.2 after 4. Reports of Council Members. The request was acknowledged and received unanimous approval.

1.7. Employee Introductions

There were none.

2. CEREMONIAL ITEMS - Proclamations and Awards

2.1. Proclamation Proclaiming November 12 – 18, 2023 as United Against Hate Week

Mayor Blankley read aloud the proclamation and presented it to Susan Meyers and Marian Yoder from the Interfaith COMMUNITY.

2.2. Proclamation Proclaiming November 6, 2023 as Digital NEST Day

The proclamation was acknowledged.

3. PRESENTATIONS TO THE COUNCIL

3.1. Annual Presentation by the Open Government Commission

Open Government Commission Chair Bentz presented the Open Government

Commission annual presentation and responded to Council Member questions.

3.2. Open Government Commission Presentation on Hybrid Meetings

Open Government Commissioner Somavia provided the commission's presentation on hybrid meetings and responded to Council Member questions.

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

Mayor Blankley opened Public Comment.

Robert Zepeda emphasized the importance of the First Amendment, advocating for the right to free speech and expression, including the right to criticize and oppose, while acknowledging the negative connotations associated with hate, during the discussion on United Against Hate Week.

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

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco reported on Santa Clara County Library Joint Powers Authority.

Council Member Armendariz had no report.

Council Member Marques had no report.

Council Member Hilton reported on Silicon Valley Clean Energy Authority JPA Board and VTA Policy Advisory Committee.

Council Member Cline had no report.

Council Member Tovar had no report.

Mayor Blankley reported on CalTrain Policy Group, Gilroy Sister Cities Association, VTA Board of Directors, and VTA Mobility Partnership Committee

5. COUNCIL CORRESPONDENCE

There were none.

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Armendariz proposed for future consideration the adoption of rules of decorum for public speakers, which was unanimously supported, and the discussion on permitting virtual public participation in meetings, which received majority support.

7. CONSENT CALENDAR

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

Motion: Approve the Consent Calendar.

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

NOES: None

7.1. Approval of the Action Minutes of the October 16, 2023 City Council Regular Meeting

A motion was made to approve the minutes.

7.2. Adoption of Revised City of Gilroy Records Management Policy and Compliance with the California Public Records Act (CPRA) Recodification Act (AB 473)

A motion was made to adopt the revised City of Gilroy Records Management Policy.

7.3. Removal of Commissioner Kortney Hodge from Parks and Recreation Commission Pursuant to Gilroy City Charter Section 900

A motion was made to remove Commissioner Hodge from the Parks and Recreation Commission.

7.4. Acceptance of an Assistance to Firefighters Grant in the Amount of \$66,583 for the Fire Department

A motion was made to accept the grant.

7.5. Approve the Second Amendment to the Agreement with InfoSend, Inc. for Utility Bill Printing, Mailing, and Online Payment Services

A motion was made to approve the second amendment to the Agreement with InfoSend, Inc.

8. BIDS AND PROPOSALS

There were none.

9. PUBLIC HEARINGS

There were none.

10. UNFINISHED BUSINESS

There were none.

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)

City Clerk Pham provided staff presentation and responded to Council Member questions.

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

Motion: Read the ordinance by title only and waive further ready of the ordinance.

RESULT: Pass

MOVER: Tom Cline, 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

NOES: None

City Clerk Pham read aloud the title of the proposed ordinance.

Motion: Introduce an Ordinance amending Chapters 17A and 24 of the Gilroy City Code.

RESULT: Pass

MOVER: Tom Cline, 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

NOES: None

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

Customer Service Manager McCormick provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Carlos Ceballos addressed the council about his ownership of the historic "Gilroy White House," detailing the property's restoration, solar roof addition, and its significance in American history, having housed two mayors and hosted two U.S. presidents.

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

Motion: 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.

RESULT: Pass

MOVER: Dion Bracco, Mayor Pro Tempore

SECONDER: Tom Cline, Council Member

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

NOES: None

Motion: 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.

RESULT: Pass

MOVER: Dion Bracco, Mayor Pro Tempore

SECONDER: Tom Cline, Council Member

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

NOES: None

Motion: 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.

RESULT: Pass

MOVER: Rebeca Armendariz, 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

NOES: None

11.3. Inclusionary Housing Introduction

Community Development Director Goei introduced ECONorthwest's Project Director Chris Blakney and Project Manager James Kim, who presented to the Council and addressed questions from the Council.

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

The Council received the report.

12. CITY ADMINISTRATOR'S REPORTS

City Administrator Forbis provided the City Administrator's report.

13. CITY ATTORNEY'S REPORTS

There were none.

14. CLOSED SESSION

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

The vote to go into Closed Session was unanimous.

Mayor Blankley recessed the Regular Meeting at 8:00 PM.

The City Council reconvened into Closed Session at 8:05 PM.

The vote to stay in Closed Session was unanimous.

**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

No reportable action.

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

No reportable action.

15. ADJOURN TO OPEN SESSION

Mayor Blankley reported out of Closed Session as shown above.

16. ADJOURNMENT

Mayor Blankley adjourned the meeting at 8:25 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