

City of Gilroy
City Council Regular Meeting Minutes
Monday, November 20, 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 Hilton led the Pledge of Allegiance.

1.3. Invocation

Pastor Trevor Van Laar from Gilroy Presbyterian 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

There were none.

1.7. Employee Introductions

City Administrator Forbis introduced Economic Development Manager Victoria Valencia.

Finance Director Sangha introduced Financial Analyst Katty Alvarez.

Police Chief Espinoza introduced Police Officer Mauricio Rodriguez.

2. CEREMONIAL ITEMS - Proclamations and Awards

2.1. Proclamation Proclaiming November 25, 2023 as Small Business Saturday

Mayor Blankley read aloud the proclamation and presented it to Gilroy Chamber of Commerce CEO Jane Howard.

2.2. Receive Proclamation from Gilroy Sister City Takko Machi, Japan

Dave Peoples from the Gilroy Sister Cities Association presented the proclamation to the Council.

3. PRESENTATIONS TO THE COUNCIL

3.1. Annual Presentation by the Planning Commission

Planning Commission Chair Bhandal provided the annual presentation and responded to Council Member questions.

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:

Donald Perino raised questions about the practicality and cost of electric vehicles versus hydrogen or hybrid options and mentioned a surprising utility bill issue after decades of on-time payments.

Ron Kirkish approved a court decision absolving the City from the Garlic Festival damages, hopeful for lower future insurance costs, and voiced concerns about the risks of hybrid meetings.

Gregory Felios commended the council's anti-hate stance and spoke on fostering unity and education through recent community events involving various local organizations.

No further speakers were present, Mayor Blankley closed Public Comment.

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco had nothing to report.

Council Member Armendariz had nothing to report.

Council Member Marques reported on Santa Clara Valley Habitat Agency Implementation Board.

Council Member Hilton reported on Silicon Valley Clean Energy Authority JPA Board.

Council Member Cline had no report.

Council Member Tovar reported on community engagement activities, including the Veterans Parade and an upcoming Christmas Parade, Downtown Committee, efforts to foster educational partnerships, and proactive initiatives to attract new businesses to Gilroy.

Mayor Blankley on CalTrain Policy Group, South County Youth Task Force, Sister Cities Association, and VTA Board of Directors.

5. COUNCIL CORRESPONDENCE

There were none.

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

7. CONSENT CALENDAR

Council Member Cline requested Consent Calendar Item 7.3 from the Consent Calendar.

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

Motion: Approve the Consent Calendar Items 7.1, 7.2, and 7.4.

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

NAYS: None

ABSENT: None

7.1. Approval of the Action Minutes of the November 6, 2023 City Council Regular Meeting

A motion was made to approve the minutes.

7.2. Accept and File Quarterly Cash and Investment Report as of September 30, 2023

A motion was made to accept and file the Quarterly Cash and Investment Report.

7.3. Commemorative Flag Application Review and Approval for Calendar Year 2024

The item was pulled out of the Consent Calendar for further discussion.

7.4. Adoption 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)

A motion was made to adopt the Ordinance.

Enactment No.: Ordinance No. 2023-10

7.3. Commemorative Flag Application Review and Approval for Calendar Year 2024

Mayor Blankley opened Public Comment.

Ron Kirkish expressed opposition to the item, citing concerns about the LGBTQ community's alleged support for Hamas, which he characterized as a terrorist organization, and questioning the appropriateness of flying a flag that he perceives as supportive of terrorism.

Enactment No.: Resolution No. 2023-64

Motion: Approve the flag application for Calendar Year 2024.

RESULT: Pass

MOVER: Zach Hilton, Council Member

SECONDER: Rebeca Armendariz, Council Member

AYES: Council Member Armendariz, Council Member Hilton, Council Member Marques, Council Member Tovar, Mayor Blankley

NAYS: Mayor Pro Tempore Bracco, Council Member Cline

ABSENT: None

8. BIDS AND PROPOSALS

8.1. Purchase of Four Dodge Durango Police Pursuit Vehicles Via Alameda County Tag-On Bid Process (Master Contract No. 902035) in the Amount of \$229,002.04

Administrative Services and Human Resources Director McPhillips 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 the Purchase of Four (4) Dodge Durango Police Pursuit Vehicles in the Amount of \$229,002.04 from MY Jeep-Chrysler-Dodge-Ram Utilizing Alameda County Tag-On Bid Process and Authorize the City Administrator to Execute All Necessary Purchase Documents and adopt a budget amendment resolution to re-appropriate the budget for the planned police pursuit vehicle purchases from fiscal year 2024-2025 (FY25) to fiscal year 2023-2024 (FY24).

RESULT: Pass

MOVER: Dion Bracco, Mayor Pro Tempore

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

NAYS: None

ABSENT: None

Enactment No.: Resolution No. 2023-65

9. PUBLIC HEARINGS

9.1. Introduction and First Reading of an Ordinance of the City Council of the City of Gilroy Amending Chapter 30, Article LIV of the Gilroy City Code Relating to Accessory Dwelling Units (Z 23-05)

Planner II Freitas provided staff presentation and responded to Council Member questions.

Mayor Blankley opened the Public Hearing at 7:03 PM. There being no speakers, Mayor Blankley closed the Public Hearing at 7:03 PM.

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

RESULT: Pass

MOVER: Tom Cline, 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

NAYS: None

ABSENT: None

City Clerk Pham read aloud the title of the ordinance.

Motion: Introduce an ordinance of the City Council of the City of Gilroy amending Chapter 30, Article LIV of the Gilroy City Code relating to accessory dwelling units and find that it is statutorily exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15282(h) for the adoption of an ordinance regarding second units in a single-family or multifamily residential zone by a city or county to implement the provisions of Section 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code except for deed restrictions.

RESULT: Pass

MOVER: Marie Blankley, Mayor

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

NAYS: None

ABSENT: None

10. UNFINISHED BUSINESS

There were none.

11. INTRODUCTION OF NEW BUSINESS

11.1. Renaming the Downtown Pop-Up Park and Installing a Plaque in Honor of Donald “Elvis” Prieto

Assistant to the City Administrator Atkins 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 naming the Downtown Pop-Up Park the Donald “Elvis” Prieto Park and the installation of a privately funded memorial plaque.

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

NAYS: None

ABSENT: None

11.2. Santa Teresa Fire District Station Update

City Administrator Forbis provided staff presentation. He along with Human Resources Director McPhillips and Fire Chief Wyatt responded to Council Member questions.

Mayor Blankley opened Public Comment.

Frank Saiz highlighted the urgency of addressing fire safety issues in his neighborhood, affected by prolonged studies since 2005, and acknowledged the strain of overtime and sick leave on firefighters across California.

Steven Hayes discussed challenges like increased sick and overtime leave due to injuries and high work demands, over-staffing during emergencies, equipment issues, and the strain caused by increased call volume.

Chris Ingram urged collaboration with local firefighters to address staffing shortages and open the fourth fire station, emphasizing the importance of quick response times in emergencies.

Jeff MacPhail advocated for increasing firefighter staffing to ensure consistent, equitable city services and highlighted the commitment of Gilroy firefighters to the community.

Justin Santos highlighted the strain of mandatory overtime on Gilroy firefighters and urged the City Council to engage in dialogue with the firefighters' union to address staffing and budget challenges.

Joe Andrews emphasized the need to increase firefighter staffing, fully open a fire station for better community and firefighter safety, and enhance Gilroy's role in the statewide mutual aid plan.

Ron Kirkish discussed witnessing local fires, suggested additional revenue sources for public services, and emphasized the importance of funding beyond politics.

Marty Estrada advocated for a youth center in Gilroy, suggested an audit for firefighters' staffing issues, and recommended exploring federal grants for funding.

Former Gilroy Fire Chief Jeff Clet discussed the city's awareness of the need for additional fire stations and resources, highlighting past and current efforts to address these needs.

Saul Gonzalez expressed support for funding the new fire station and emphasized the importance of including youth services in public safety measures.

Jeff UnaDia shared a personal experience about delayed response times leading to a child's death, highlighting the importance of timely emergency services and questioning the value placed on human life.

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

A motion was made by Mayor Blankley, seconded by Council Member Marques, to direct staff to come back to Council with all suggestions provided in the staff report and for the Council to continue receiving regular reports from staff regarding firefighter staffing. Council Member Hilton provided a substitute motion to Mayor Blankley's original motion.

Substitute Motion: Include all elements of Mayor Blankley's original motion and direct Staff to explore and report back to the Council on the possibility of reopening negotiations on the Memorandum of Understanding.

RESULT: Pass

MOVER: Zachary Hilton, Council Member

SECONDER: Rebeca Armendariz, Council Member

AYES: Council Member Armendariz, Council Member Cline, Council Member Hilton, Council Member Tovar

NAYS: Mayor Pro Tempore Bracco, Council Member Marques, Mayor Blankley

ABSENT: None

12. CITY ADMINISTRATOR'S REPORTS

City Administrator Forbis provided the 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.

Mayor Blankley recessed the Regular Meeting at 9:05 PM.

The City Council reconvened into Closed Session at 9:10 PM.

The vote to stay in Closed Session was unanimous.

14.1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to GC

Sec. 54956.8 and GCC Sec.17A.8 (a) (2) Property: City-Owned 536 Acres at Hecker Pass (Including Gilroy Gardens Theme Park), 3050 Hecker Pass Highway, Gilroy, CA (APN's: 810-17-024, 810-17-026, 810-17-029, 810-17-030, 810-17-031, 810-18-002, 810-18-013, 810-19-005, 810-19-007, 810-19-010, 810-19-011, 810-19-014)

Negotiators: Jimmy Forbis, City Administrator; Victoria Valencia, Economic Development Manager

Other Party to Negotiations: Paul Nakamoto, Bay.Org (DBA Aquarium of the Bay/Bay Ecotarium)

Under Negotiations: Price and terms of payment for sale or lease.

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 9:23 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