

**City of Gilroy  
City Council Special Meeting Minutes  
Wednesday, July 19, 2023 | 6:00 PM**

**1. OPENING**

**1.1. Call to Order**

Mayor Blankley called the Special Study Session to order at 6:00 PM.

**1.2. Roll Call**

| <b>Attendance</b> | <b>Attendee Name</b>                                                                                               |
|-------------------|--------------------------------------------------------------------------------------------------------------------|
| Present           | Dion Bracco, Mayor Pro Tempore<br>Tom Cline, Council Member<br>Fred Tovar, Council Member<br>Marie Blankley, Mayor |
| Absent            | Rebeca Armendariz, Council Member<br>Zach Hilton, Council Member<br>Carol Marques, Council Member                  |

**2. STUDY SESSION**

**2.1. Proposed Ordinance Adding Chapter 16B, Sidewalk Vending, to the Gilroy City Code**

Special Assistant to City Administration Biggs provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Jeff Orth suggested alternatives for vendor relocation and stricter ordinance enforcement.

Dan Nelson from Tempo Kitchen and Bar highlighted safety and health concerns about vendors' presence downtown.

Gary Walton suggested distance regulations between vendors, restrictions on cooking methods, and a cap on vendor numbers.

Annie Palmer proposed adopting vendor regulations similar to Los Angeles and San Diego.

Mercedes Little emphasized that vendors should adhere to conventional business rules.

Jeanie Rizzuto supported the idea of relocating vendors to a single location.

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

Council directed that staff evaluate and include, where possible, the following modifications to the draft sidewalk vending ordinance:

- Incorporate Councilmember Cline's written modifications, save the addition of the "Temporary special permit" definition.
- Include Mr. Cline's written edits.

- Include a prohibition on the use of publicly owned electrical outlets (utilities)
- Evaluate whether a distance between a vendor and an open window could be added to the code
- Review the City of Sacramento's standards for clear space on its sidewalks (50% of sidewalk width or 5', whichever is greater)
- Evaluate the City of Sacramento's standards for customer queuing
- Explore a separation distance between a curb and sidewalk vending space to account for vehicle overhang
- Identify an appropriate distance a vendor will need to be from an ATM machine
- Explore a separation distance between vendors (100' stated as an example)
- Include separation distance to schools (400'), entertainment establishments (600'), permitted and/or certified special events, and farmers' markets (300') CHECK TERM IN STATE CODE.
- Evaluate whether time limits can be imposed on vendors that reflect the elected operating hours of adjacent businesses.
- Determine whether an accessible path of travel needs to be maintained from the sidewalk to standard, non-ADA, on-street parking spaces.
- Evaluate whether generators, wood-fired cooking devices, or deep-fat frying devices can be prohibited

Council requested that staff conduct the following research:

- Number of Cities that prohibit stand-alone alcoholic beverage consumption establishments.
- Whether there is/are historic districts in the City of Gilroy

Council further requested a detailed enforcement plan and permit fees presentation in September.

### **3. ADJOURNMENT**

Mayor Blankley adjourned the Special Study Session at 7:32 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, CMC, CPMC  
City Clerk