

City of Gilroy
City Council Regular Meeting Minutes
Monday, December 4, 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 Marques led the Pledge of Allegiance.

1.3. Invocation

Pastor Greg Quirke from South Valley 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 Carol Marques, Council Member Fred Tovar, Council Member Marie Blankley, Mayor
Absent	Zach Hilton, Council Member

1.6. Orders of the Day

There were none.

1.7. Employee Introductions

Community Development Director Goei introduced Mariah Maganda, Office Assistant.

Recreation Manager Henig introduced Jessica Gaeta, Office Assistant.

2. CEREMONIAL ITEMS - Proclamations and Awards

2.1. Proclamation Proclaiming December 6, 2023 as Arbor Day

Mayor Blankley read aloud the proclamation and presented it to Chair Ramirez from the Parks and Recreation Commission.

3. PRESENTATIONS TO THE COUNCIL

3.1. Annual Presentation by the Personnel Commission

Personnel Commission Vice Chair Haro 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 for items that were not on the agenda.

Donald Perino spoke about the passing of Loretta Papetti, criticized the city's fee charges for water services, and suggested using hybrid vehicles over electric ones due to reliability concerns.

Ron Kirkish highlighted that a specific council member has missed 19 out of 24 meetings in the last three years, equating to over 25% of the total meetings.

Stefanie Elle expressed concerns about a lack of transparency and collaboration in an email from Council Member Zach Hilton, discussed the need for a better hand-off and transition plan for Planning Commission duties, and advocated for more transparent communication and annual meetings with the City Council.

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

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco had no report.

Council Member Armendariz thanked the Gilroy Downtown Business Association for holding the Gilroy Downtown Holiday Festival and Parade on Saturday, December 2, 2023.

Council Member Marques reported on the Gilroy Gardens Board of Directors, discussing upcoming projects and improvements. She also praised the holiday parade.

Council Member Cline reported on the Silicon Valley Regional Interoperability Authority Board.

Council Member Tovar thanked the Gilroy Downtown Business Association for putting on the Gilroy Downtown Holiday Festival and Parade

Mayor Blankley reported that she attended the grand opening of South Valley Middle School, the Gilroy Downtown Holiday Festival and Parade, and the CalTrain Policy Group.

5. COUNCIL CORRESPONDENCE

5.1. Letter from James Williams, Santa Clara County Executive Concerning Ambulance Service in Gilroy and South Santa Clara County

Council acknowledged the item.

5.2. City Council Member Meeting Attendance

Council acknowledged the item.

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

There were none.

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: Dion Bracco, Mayor Pro Tempore

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

NOES: None

ABSENT: Council Member Hilton

7.1. Approval of the Action Minutes of the November 20, 2023 City Council Regular Meeting

A motion was made to approve the minutes.

7.2. Approval of a Notice of Acceptance of Completion for the Egleberry and Seventh Parking Lot Project No. 20-PW-444 and Approve a Final Contract Amount with Norcal Contractor in the Amount of \$2,026,595.38

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

7.3. Adoption 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)

A motion was made to adopt the ordinance.

Enactment No.: Ordinance No. 2023-11

8. BIDS AND PROPOSALS

8.1. Approve the Purchase of a Modular Replacement Restroom for Christmas Hill Park and Authorize the City Administrator to Execute Related Purchase Documents

Interim Public Works Director Bjarke 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 a modular replacement three-stall restroom for Christmas Hill Park in the amount of \$210,836.00 utilizing Sourcewell Bid #081721 with CXT, Inc. and authorize the City Administrator to execute all related purchase documents.

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 Marques, Council

	Member Tovar, Mayor Blankley
NOES	None
ABSENT:	Council Member Hilton

8.2. Award a Contract to Cal-West Lighting & Signal Maintenance, Inc. for the FY23 San Ysidro Lighting/Picnic Area Improvements Project No. 23-PW-281 and Approve a Project Expenditure of \$178,200

Interim Public Works Director Bjarke provided staff presentation and responded to Council Member questions.

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

Motion: Award a contract to Cal-West Lighting & Signal Maintenance, Inc. in the amount of \$162,000 and authorize an additional project contingency of \$16,200 (10%) for a total construction authorization of \$178,200 for the FY23 San Ysidro Lighting/Picnic Area Improvements, Project No. 23-PW-281, and authorize the City Administrator to execute the contract and associated documents.

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 Marques, Council Member Tovar, Mayor Blankley

NOES: None

ABSENT: Council Member Hilton

8.3. Award of Contract to Ruggeri-Jensen-Azar & Associates for the Preparation of Design Documents for the Gilroy Ice Center Street Improvements and Traffic Signal Project (24-RFP-PW-492), Approve a Contract Expenditure of \$316,000 and Authorize the City Administrator to Execute the Final Agreement

Interim Public Works Director Bjarke provided staff presentation and responded to Council Member questions.

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

Motion: Award a contract to Ruggeri-Jensen-Azar & Associates in the amount of \$301,000 and approve an additional project contingency of \$15,000 for a total amount of \$316,000 for the preparation of design documents for the Gilroy Ice Center Street Improvements and Traffic Signal project (24-RFP-PW-492), and authorize the City Administrator to execute the contract and associated documents.

RESULT: Pass

MOVER: Dion Bracco, Mayor Pro Tempore

SECONDER:	Fred Tovar, Council Member
AYES:	Council Member Armendariz, Mayor Pro Tempore Bracco, Council Member Cline, Council Member Marques, Council Member Tovar, Mayor Blankley
NOES:	None
ABSENT:	Council Member Hilton

8.4. Award of Contract to Youth Alliance for the South County Restorative Justice Youth Diversion Program Coordinator Position and Approve a Contract Expenditure of \$300,744

Youth Task Force Coordinator Cruz provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Ron Kirkish emphasized the need for increased funding for youth programs, expressing a desire to see the budget exceed \$1 million. He acknowledged the community groups potentially receiving funds as reputable but voiced concern about ensuring the money was not used by groups that might teach disrespect towards police officers.

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

Motion: Award a contract to Youth Alliance in the amount of \$300,744 for the South County Restorative Justice Youth Diversion Program Coordinator Position and authorize the City Administrator to execute the contract and associated documents.	
RESULT:	Pass
MOVER:	Fred Tovar, Council Member
SECONDER:	Tom Cline, Council Member
AYES:	Council Member Armendariz, Mayor Pro Tempore Bracco, Council Member Cline, Council Member Marques, Council Member Tovar, Mayor Blankley
NOES:	None
ABSENT:	Council Member Hilton

9. PUBLIC HEARINGS

There were none.

10. UNFINISHED BUSINESS

There were none.

11. INTRODUCTION OF NEW BUSINESS

11.1. Introduction to Draft Downtown Parking Management Plan

Interim Public Works Director Bjarke provided staff presentation and responded to Council Member questions.

Mayor Blankley opened Public Comment.

Matthew Gallion highlighted that parking is not a major issue but stressed the need to improve safety and attractiveness, including better lighting and support for businesses, to enhance the area's appeal and address public concerns about safety and homelessness.

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

Council directed Staff to review Phase 1 strategies, except for Strategy 2 – VTA Parking Lot, and bring it back to Council for future approval.

11.2. Review of City of Gilroy Municipal Code, Chapter 16A, Article II - Mobile Vending Permits and Enforcement

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

Mayor Blankley opened Public Comment.

Miguel Flaquer advocated for fair and empathetic treatment of food trucks, emphasizing the need to avoid overly stringent regulations and to consider reevaluating permit licensing steps.

James Azar spoke about his positive experience operating a food truck in Gilroy and emphasized the importance of food trucks in the community.

Sheila Monger highlighted the joy and excitement brought by food trucks and other food vendors in enhancing the downtown experience.

Terri Hendrix-Hermann highlighted the negative impact of restrictive regulations on food trucks and street vendors in downtown, observing a decline in business and suggesting the lowering of fees and reconsideration of laws, such as the ten-minute limit, to revive and support the local food scene.

Joseph Elmhurst discussed the positive impact of food trucks on community engagement and suggested looking to other cities for innovative solutions.

Ryan Dickerson shared his insights on how food trucks contribute to the diversity and attraction of downtown Gilroy.

Alex Carlino expressed strong support for food trucks, emphasizing their importance for diverse dining options and suggesting simplification of the application process.

Raj Sharma urged for a careful and thoughtful approach to regulations affecting food trucks, emphasizing their positive impact on downtown vitality.

Matthew Gallion advocated for a methodical approach to regulation and permitting of food trucks, noting their importance in bringing life to downtown areas

Alicia R. Hernandez spoke about the need to update city codes for food trucks and suggested conducting workshops for public feedback on this issue

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

Council directed staff to undertake the following:

- Review ordinances from other cities such as Hollister and Modesto. The suggestion to include Morgan Hill was discouraged by the City Administrator.
- Move the mobile vendor application process from the Police Department.
- Streamline and Simplify Permit Process.
- Place a limiting timeframe on application review.
- Find flexible locations for mobile vending, potentially designating particular places for use on certain days, including potentiation city properties.
- Explore the use of encroachment permits as a regulatory tool for managing the operation of food trucks.
- Look into the feasibility of allowing food trucks to operate for longer hours in the evening, thereby enhancing their accessibility and presence in the community.
- Reduce Fees.
- Look at Modesto and how their food truck partnership is set up.
- Staff to meet with Downtown business owners and food truck operations.

11.3. **Reorganization of Facilities & Fleet Divisions in the Administrative Services Department**

Assistant City Manager 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 reorganization of the Facilities and Fleet Divisions of the Administrative Services Department and adopt a resolution approving the updated Position Control List for FY 24.

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 Marques, Council Member Tovar, Mayor Blankley

NOES: None

ABSENT: Council Member Hilton

Enactment No.: Resolution No. 2023-67

12. CITY ADMINISTRATOR'S REPORTS

City Administrator Forbis provided his report.

13. CITY ATTORNEY'S REPORTS

There were none.

14. ADJOURNMENT

Mayor Blankley adjourned the meeting at 9:14 PM.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a meeting of the City Council of the City of Gilroy.

/s/Thai Nam Pham, CMC, CPMC
City Clerk

DRAFT