



CITY COUNCIL

MAYOR
Marie Blankley

AGENDA **CITY OF GILROY** CITY COUNCIL CHAMBERS, CITY HALL 7351 ROSANNA STREET GILROY, CA 95020

COUNCIL MEMBERS
Rebeca Armendariz
Dion Bracco
Zach Hilton
Peter Leroe-Muñoz
Carol Marques
Fred Tovar

REGULAR MEETING 6:00 P.M.
MONDAY, NOVEMBER 7, 2022

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

Due to COVID-19, it is possible that the planned in-person meeting may have to change to a virtual meeting at any time and possibly on short notice. Please check the City of Gilroy website at <http://gilroyca.igmp2.com/Citizens/default.aspx> for any updates to meeting information.

COMMENTS BY THE PUBLIC WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. Public testimony is subject to reasonable regulations, including but not limited to time restrictions for each individual speaker. [Please limit your comments to 3 minutes.](#) The amount of time allowed per speaker may vary at the Mayor's discretion depending on the number of speakers and length of the agenda.

Written comments on any agenda item may be emailed to the City Clerk's Office at cityclerk@cityofgilroy.org or mailed to the Gilroy City Clerk's Office at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the City Clerk's Office by 1 p.m. on the day of a Council meeting will be distributed to the City Council prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Administration at City Hall, 7351 Rosanna Street prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1 p.m. deadline will be provided to the City Council as soon as practicable. Written comments are also available on the City's Public Records Portal at <https://bit.ly/3G1vihU>.



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 challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9 (d)(2) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available with the agenda packet on the City website at www.cityofgilroy.org subject to Staff's ability to post the documents before the meeting.

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 assistance with translation and would like to speak during public comment, please contact the City Clerk a minimum of 72 hours prior to the meeting at 408-846-0204 or e-mail the City Clerk's Office at 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.

The agenda for this regular meeting is as follows:

1. OPENING

1.1. Call to Order

- 1. Pledge of Allegiance**
- 2. Invocation**
- 3. City Clerk's Report on Posting the Agenda**
- 4. Roll Call**

1.2. Orders of the Day

1.3. Employee Introductions

2. CEREMONIAL ITEMS

2.1. Proclamations, Awards, and Presentations

2.1.1. Proclamation - United Against Hate Week

2.1.2. Proclamation - Arbor Day

2.1.3. Proclamation Naming November Lung Cancer Awareness Month

2.1.4. Retirement Proclamation - Bill Headley

2.1.5. Annual Library Commission Presentation

2.1.6. Annual Open Government Commission Presentation

3. PRESENTATIONS TO THE COUNCIL

3.1. PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL

This portion of the meeting is reserved for persons desiring to address the Council on matters within the Gilroy City Council's jurisdiction but not on the agenda. Persons wishing to address the Council are requested to complete a Speaker's Card located at the entrances and handed to the City Clerk. Speakers are limited to 1 to 3 minutes each, varying at the Mayor's discretion depending on the number of speakers and length of the agenda. The law does not permit Council action or extended discussion of any item not on the agenda except under special circumstances. If Council action is requested, the Council may place the matter on a future agenda.

Written comments to address the Council on matters not on this agenda may be e-mailed to the City Clerk's Office at cityclerk@cityofgilroy.org or mailed to the Gilroy City Clerk's Office at City Hall, 7351 Rosanna Street, Gilroy, CA 95020. Comments received by the City Clerk's Office by 1:00pm on the day of a Council meeting will be distributed to the City Council prior to or at the meeting and available for public inspection with the agenda packet located in the lobby of Administration at City Hall, 7351 Rosanna Street, prior to the meeting. Any correspondence received will be incorporated into the meeting record. Items received after the 1:00pm deadline will be provided to the City Council as soon as practicable. Written material provided by public members under this section of the agenda will be limited to 10 pages in hard copy. An unlimited amount of material may be provided electronically.

4. REPORTS OF COUNCIL MEMBERS

Council Member Bracco – Gilroy Sister Cities Association (alternate), Santa Clara Co. Library JPA, SCVWD Joint Council-SCRWA-Board Water Resources Committee, South County Regional Wastewater Authority Board, Street Naming Committee

Council Member Armendariz – ABAG (Alternate), CalTrain Policy Group, Gilroy Downtown Business Association Board (alternate), Gourmet Alley Ad Hoc Committee, Historic Heritage Committee, Santa Clara Co. Library JPA (alternate), Santa Clara Valley Habitat Agency Implementation Board, Silicon Valley Clean Energy Authority JPA Board (Alternate), Street Naming Committee, VTA Committee for Transit Accessibility (Alternate)

Council Member Marques – Gilroy Downtown Business Association Board, Gilroy Gardens Board of Directors, Gourmet Alley Ad Hoc Committee, Historic Heritage Committee (Alternate), Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, South County Regional Wastewater Authority (Alternate)

Council Member Hilton – Gilroy Economic Development Partnership, Silicon Valley Clean Energy Authority JPA Board, South County United for Health, Visit Gilroy California Welcome Center Board

Council Member Tovar – Economic Development Corporation Board, Gourmet Alley Ad Hoc Committee, Recycling and Waste Reduction Commission, Santa Clara Co. Expressway Plan 2040 Policy Advisory Board, SCVWD Water Commission (alternate), South County Joint Recycled Water Advisory Committee, South County Regional Wastewater Authority Board, Street Naming Committee, South County Youth Task Force Policy Team (alternate), VTA Committee for Transit Accessibility

Council Member Leroe-Muñoz – ABAG, CalTrain Policy Group (alternate), Cities Association of Santa Clara County Board of Directors, Economic Development Corporation Board, Gilroy Youth Task Force, SCVWD Water Commission, Silicon Valley Regional Interoperability Authority Board, South County Youth Task Force Policy Team, VTA Mobility Partnership, VTA South County City Group (alternate), VTA Policy Advisory Committee (alternate)

Mayor Blankley – Cities Association of Santa Clara Co. Board of Directors (alternate), Gilroy Economic Development Partnership, Gilroy Sister Cities Association, Gilroy Youth Task Force (alternate), Santa Clara Valley Habitat Agency Governing Board, SCVWD Joint Council-SCRWA-Board Water Resources Committee, South County Joint Recycled Water Advisory Committee, South County Regional Wastewater Authority Board, VTA Board of Directors Alternate, VTA Mobility Partnership, VTA Policy Advisory Committee, VTA South County City Group

5. COUNCIL CORRESPONDENCE

5.1. Council-Initiated Request for an Inventory of Youth Program and Facilities

6. FUTURE COUNCIL INITIATED AGENDA ITEMS

7. CONSENT CALENDAR (ROLL CALL VOTE)

All matters listed under the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of the City Council or a member of the public. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar prior to the time the Council votes to approve. If removed, the item will be discussed in the order in which it appears.

- 7.1. Action Minutes of the City Council - Regular Meeting - Oct 17, 2022
6:00 PM**
- 7.2. Action Minutes of the City Council - Special Meeting - Study Session
- Oct 24, 2022 6:00 PM**
- 7.3. Approve Amendments to the 2023 City Council Meeting Schedule**
- 7.4. City of Gilroy Recognition of Cesar Chavez Day (March 31) as an
Observed Holiday**

- 7.5. **Authorize the City Administrator, or Designee, to Execute an Easement Deed to PG&E for a Relocated Joint Guy Stub Pole and Anchor within APN 799-08-051 for the Downtown Gourmet Parking Lot**
- 7.6. **First Amendment to the Agreement for Services with Luhdorff & Scalmanini Consulting Engineers (LSCE) to Extend Design and Construction Engineering Services through June 30, 2024 and Increase Existing Agreement by \$99,502 for a Total Contract Amount of \$719,502**

8. BIDS AND PROPOSALS

9. PUBLIC HEARINGS

9.1. Approve Proposed Tentative Map to Divide 778 First Street Into Two Parcels

1. Disclosure of Ex-Parte Communications
2. Staff Report: Sharon Goei, Community Development Director,
Jon Biggs, Special Assistant to City Administration
3. Open Public Hearing
4. Close Public Hearing
5. Possible Action:

Adopt a Resolution approving a Tentative Map to subdivide the property located at 778 First Street into two parcels (APN: 808-12-035 & 808-12-036) (File Number TM 22-04).

10. UNFINISHED BUSINESS

11. INTRODUCTION OF NEW BUSINESS

11.1. Annual Review and Adoption of the City's Investment Policy

1. Staff Report: Harjot Sangha, Finance Director
2. Public Comment
3. Possible Action:

Adopt a resolution establishing the City's updated Investment Policy.

11.2. Introduce an Ordinance Adopting by Reference the 2022 California Building Codes with Amendments, and Set a Public Hearing on November 21, 2022, for Adoption of the Ordinance

1. Staff Report: Sharon Goei, Community Development Director,
Hipolito Olmos, Building Official
2. Public Comment
3. Possible Action:
 1. Move to read the Ordinance by title only and waive the first reading beyond the title.
 2. Introduce an Ordinance amending Sections 6.1, 6.6, and 6.7 of Chapter 6 of the Gilroy Municipal Code adopting by reference the 2022 California Building Code, 2022 California Residential Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Energy Code, 2022 California Historical Building Code, 2022 California Existing Building Code, 2021 International Property Maintenance Code, and 2021 International Swimming Pool and Spa Code, with amendments.
 3. Set a public hearing on November 21, 2022, for the adoption of the Ordinance, pursuant to California Government Code Section 50022.3.

11.3. Introduce an Ordinance Adopting by Reference the 2022 California Green Building Standards Code with Amendments, and Set a Public Hearing on November 21, 2022, for Adoption of the Ordinance

1. Staff Report: Sharon Goei, Community Development Director,
Hipolito Olmos, Building Official
2. Public Comment
3. Possible Action:
 1. Move to read the Ordinance by title only and waive the first reading beyond the title.
 2. Introduce an Ordinance amending Sections 6.6 and 6.7 of Chapter 6 of the Gilroy Municipal Code adopting by reference the 2022 California Green Building Standards Code with amendments.
 3. Set a public hearing on November 21, 2022, for the adoption of the Ordinance, pursuant to California Government Code Section 50022.3.

11.4. Introduce an Ordinance Adopting by Reference the 2022 California Fire Code with Amendments, and Set a Public Hearing on November 21, 2022, for Adoption of the Ordinance

1. Staff Report: Sharon Goei, Community Development Director,
Jonathan Crick, Hazardous Materials Supervisor/Deputy Fire Marshal
2. Public Comment
3. Possible Action:
 1. Move to read the Ordinance by title only and waive the first reading beyond the title.
 2. Introduce an Ordinance amending Sections 10.9 and 10.10 of Chapter 10 of the Gilroy Municipal Code adopting by reference the 2022 California Fire Code with amendments.
 3. Set a public hearing on November 21, 2022, for the adoption of the Ordinance, pursuant to California Government Code Section 50022.3.

12. CITY ADMINISTRATOR'S REPORTS

13. CITY ATTORNEY'S REPORTS

14. CLOSED SESSION

15. ADJOURNMENT

FUTURE MEETING DATES

NOVEMBER 2022

21* Regular Meeting - 6:00 p.m.

DECEMBER 2022

5* Regular Meeting - 6:00 p.m.

19* Regular Meeting - 6:00 p.m.

JANUARY 2023

9* Regular Meeting - 6:00 p.m.

23* Regular Meeting - 6:00 p.m.

Strategic Planning Workshop - Date and Time To Be Determined

****Meeting is webstreamed***