



CITY COUNCIL & GILROY PUBLIC FACILITIES FINANCING AUTHORITY

Mayor / Board Chair

Marie Blankley

Mayor Pro Tempore / Vice Chair

Peter Leroe-Muñoz

Council Members / Board Members

Rebeca Armendariz, Dion Bracco, Zach Hilton, Carol Marques, & Fred Tovar

AGENDA

CITY OF GILROY

CITY COUNCIL CHAMBERS, CITY HALL
7351 ROSANNA STREET
GILROY, CA 95020

MONDAY, DECEMBER 5, 2022

CITY COUNCIL REGULAR MEETING 6:00 P.M.

GILROY PUBLIC FACILITIES FINANCING AUTHORITY 6:01 P.M.

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

PLEASE NOTE: Council Member Armendariz will participate in the meeting via teleconference from the site listed below. The meeting agenda will be posted on the teleconference site, which is accessible to the public. Anyone wishing to address the Council from the teleconference site will be provided with an opportunity to do so.

Location:

**Mary & Joseph Retreat Center
5300 Crest Road
Rancho Palos Verdes, CA 90275
(310) 377-4867**

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.igm2.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

3. PRESENTATIONS TO THE COUNCIL

3.1. Annual Personnel Commission 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

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

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 - Nov 21, 2022
6:00 PM**
- 7.2. Adoption of An Ordinance of the City Council of the City of Gilroy Adopting a Franchise Agreement with Recology South Valley for Solid Waste Hauling Services and a Finding that Its Action in Adopting the Ordinance is Exempt From Review Under the California Environmental Quality Act ("CEQA") Pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) In that the Proposed Ordinance Will Continue an Existing State-Mandated Program for the Protection of Public Health and the Environment, and None of the Circumstances in CEQA Guidelines Section 15300.2 Apply.**
- 7.3. Adoption of an ordinance approving a Planned Unit Development Overlay Zoning Amendment for Property at Royal Way (file number Z 21-05)**

8. BIDS AND PROPOSALS

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

11. INTRODUCTION OF NEW BUSINESS

11.1. Council Adoption of a Resolution of the City Council of the City of Gilroy Approving Commemorative Flag Flying Applications for 2023

- 1. Staff Report: Jimmy Forbis, City Administrator
- 2. Public Comment
- 3. Possible Action:
Council adopt the resolution.

11.2. Council Adopt an Ordinance of the City Council of the City of Gilroy Repealing Ordinance Number 99-13, Removing the Use of Liens to Collect for Delinquent Garbage Fees

1. Staff Report: Bryce Atkins, Assistant to the City Administrator
2. Public Comment
3. Possible Action:
 - a) Motion to read the ordinance by title only and waive further reading.
 - b) Introduce an ordinance of the City Council of the City of Gilroy repealing Ordinance Number 99-13, removing the use of liens to collect for delinquent garbage fees.

11.3. Discussion of Santa Clara County Civil Grand Jury Report Regarding Ballot Measure Wording and Recommendations

1. Staff Report: LeeAnn McPhillips, Administrative Services/HR Director/Risk Manager
2. Public Comment
3. Possible Action:

Provide staff direction.

11.4. Approval of the Refinancing of Gilroy Public Facilities Financing Authority's 2013 Refunding Lease Revenue Bonds

1. Staff Report: Jimmy Forbis, City Administrator
2. Public Comment
3. Possible Action:

Adopt a resolution of the City Council of the City of Gilroy approving the issuance by the Gilroy Public Facilities Financing Authority of not to exceed \$15 million of Gilroy Public Facilities Financing Authority Lease Revenue Refunding Bonds, Series 2022A; approving the execution and delivery of various related documents in connection with the offering and sale of such bonds; and authorizing the taking of certain other matters related thereto.

- 12. ADJOURN TO THE MEETING OF GILROY PUBLIC FACILITIES FINANCING AUTHORITY**
- 13. GILROY PUBLIC FACILITIES FINANCING AUTHORITY BOARD OF DIRECTORS**
 - 13.1. Call to Order**
 - 1. Roll Call**
 - 13.2. INTRODUCTION OF NEW BUSINESS**
 - 13.2.1. Approval of the Refinancing of Gilroy Public Facilities Financing Authority's 2013 Refunding Lease Revenue Bonds**
 1. Staff Report: Jimmy Forbis, City Administrator
 2. Public Comment
 3. Possible Action:

Adopt a resolution of the Board of Directors of the Public Facilities Financing approving the issuance by the Gilroy Public Facilities Financing Authority of not to exceed \$15 million of Gilroy Public Facilities Financing Authority Lease Revenue Refunding Bonds, Series 2022A; approving the execution and delivery of various related documents in connection with the offering and sale of such bonds; and authorizing the taking of certain other matters related thereto.
- 14. ADJOURN TO THE MEETING OF GILROY CITY COUNCIL**
- 15. CITY ADMINISTRATOR'S REPORTS**
- 16. CITY ATTORNEY'S REPORTS**
- 17. CLOSED SESSION**
- 18. ADJOURNMENT**

FUTURE MEETING DATES

DECEMBER 2022

12* Special Meeting – 6:00 p.m.

~~19* Regular Meeting – 6:00 p.m.~~ **CANCELED**

JANUARY 2023

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

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

28* Strategic Planning Workshop - 9:00 a.m.

FEBRUARY 2023

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

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

MARCH 2023

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

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

****Meeting is webstreamed***