



# **CITY COUNCIL & GILROY PUBLIC FACILITIES FINANCING AUTHORITY REGULAR MEETING AGENDA**

**MONDAY, FEBRUARY 27, 2023 | 6:00 PM**

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

## **MAYOR / CHAIR**

Marie Blankley

## **COUNCIL MEMBERS / DIRECTORS**

Rebeca Armendariz

Dion Bracco

Tom Cline

Zach Hilton

Carol Marques

Fred Tovar

CITY COUNCIL PACKET MATERIALS ARE AVAILABLE ONLINE AT [www.cityofgilroy.org](http://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 [www.cityofgilroy.org](http://www.cityofgilroy.org) 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](mailto: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 [bit.ly/3NuS1IN](http://bit.ly/3NuS1IN).



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](mailto: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](http://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](mailto: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](mailto:cityclerk@cityofgilroy.org).



To access written translation during the meeting, please scan the QR Code or click this link:

*Para acceder a la traducción durante la reunión, por favor escanee el código QR o haga clic en el enlace:*

[bit.ly/3FBiGA0](https://bit.ly/3FBiGA0)

Choose Language and Click Attend | *Selecione su lenguaje y haga clic en asistir*

Use a headset on your phone for audio or read the transcript on your device.

*Use sus auriculares para escuchar el audio o leer la transcripción en el dispositivo.*

The agenda for this regular meeting is as follows:

1. **OPENING (CITY COUNCIL)**

- 1.1. **Call to Order**
- 1.2. **Pledge of Allegiance**
- 1.3. **Invocation**
- 1.4. **City Clerk's Report on Posting the Agenda**
- 1.5. **Roll Call**
- 1.6. **Orders of the Day**
- 1.7. **Employee Introductions**

2. **CEREMONIAL ITEMS - Proclamations and Awards**

- 2.1. **Proclamation – Proclaiming March 2023 as Youth Arts Month**

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](mailto: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** – Cities Association Santa Clara County Board of Directors (*alternate*), Santa Clara County Library Joint Powers Authority, Santa Clara Valley Water Commission, Santa Clara Valley Water Joint Water Resources Commission, SCRWA

**Council Member Armendariz** – Santa Clara County Library Joint Powers Authority, Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, Silicon Valley Clean Energy Authority JPA Board (*alternate*), South

County United for Health

**Council Member Marques** – ABAG, Gilroy Gardens Board of Directors, Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, SCRWA (*alternate*)

**Council Member Hilton** – CalTrain Policy Group (*alternate*), Silicon Valley Clean Energy Authority JPA Board, South County United for Health (*alternate*), VTA Policy Advisory Committee

**Council Member Cline** – Gilroy Economic Development Partnership (*alternate*), Gilroy Sister Cities Association, Gilroy Youth Task Force, Silicon Valley Regional Interoperability Authority Board, VTA Policy Advisory Committee (*alternate*), Visit Gilroy California Welcome Center Board

**Council Member Tovar** – Gilroy Youth Task Force (*alternate*), Santa Clara County Expressway Plan 2040 Advisory Board, Santa Clara Valley Water Commission, SCRWA, South County Youth Task Force Policy Team, VTA Mobility Partnership

**Mayor Blankley** – ABAG (*alternate*), CalTrain Policy Group, Cities Association Santa Clara County Board of Directors, Gilroy Economic Development Partnership, Gilroy Sister Cities Association (*alternate*), Gilroy Youth Task Force, Santa Clara Valley Water Joint Water Resources Commission, SCRWA, South County Youth Task Force Policy Team, VTA Board of Directors, VTA Mobility Partnership

5. **COUNCIL CORRESPONDENCE**

- 5.1. **Advisory and Request from the California League of Cities for a Resolution Opposing the Taxpayer Protection and Government Accountability Act Ballot Measure**

6. **FUTURE COUNCIL INITIATED AGENDA ITEMS**

7. **CONSENT CALENDAR**

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. **Approval of the Action Minutes of the February 6, 2023 City Council Regular Meeting**
- 7.2. **Adoption of a Resolution Approving Budget Amendments in Fiscal Year 2022-23 Adding \$43,529 from the Board of State and Community Corrections Officer Wellness and Mental Health Grant Program to the Police Department Grants Fund.**
- 7.3. **Resolution of the City Council of the City of Gilroy Declaring Weeds a Nuisance**
- 7.4. **Tentative Map Time Extension Request for Greenfield Subdivision approval**

**to subdivide 8.36 acres into 14 residential lots, and dedication of 3.7 acres to Uvas Creek Preserve, located at the northerly end of Greenfield Drive, APN 808-20-008, Applicant James Suner (TM 16-02)**

- 7.5. **Adopt an Ordinance of the City Council of the City of Gilroy Amending Chapter 19B of the Gilroy City Code Relating to Smoking Pollution Control to Prohibit Smoking at Multi-Family Housing Properties and Public Events Except in Designated Areas**
- 7.6. **Adopt an Ordinance of the City Council of the City of Gilroy Amending Chapter 19C of the Gilroy City Code Relating to Social Host Accountability to Increase the Penalty Amounts and Increase the Period of Time for Issuing Citations**
- 7.7. **Claim of Loreen Clark (The City Administrator recommends a "yes" vote under the Consent Calendar shall constitute a denial of the claim).**

## **8. BIDS AND PROPOSALS**

- 8.1. **Award a Contract to Itech Solution in the Amount of \$134,140 with a project contingency of \$13,414 (10%) and Approve a Project Expenditure of \$147,554 for Gilroy Sports Park Playground Surface Repair, Project No. 23-PW-276**
  1. Staff Report: Daryl Jordan, Public Works Director
  2. Public Comment
  3. Possible Action:  
Award a contract to Itech Solution in the amount of \$134,140 with an additional project contingency of \$13,414 (10%), for a total construction cost of \$147,554 for the Gilroy Sports Park Playground Surface Repair, Project No. 23-PW-276, and authorize the City Administrator to execute the contract and associated documents.
- 8.2. **Approve an Amendment to the Agreement for Services with Alpine Landscapes for Community Facilities District (CFD) Landscape Maintenance Services to Include Trash and Debris Removal, the Annual Cost for the Expanded Service, Extend the Agreement for 18 Months, with a Total Cost of \$500,450 for the 18 Month Extension**
  1. Staff Report: Daryl Jordan, Public Works Director
  2. Public Comment
  3. Possible Action:  
Approve an amendment with Alpine Landscapes to increase the annual contract amount by \$26,916 per year to a total amount of \$333,633 and extend the term of the existing agreement by 18 months for landscape and maintenance services and authorize the City Administrator to execute the amendment and related documents.
- 8.3. **Approve an Amendment to the Agreement for Services with Jensen Landscape Services, LLC for Parks and Landscape Maintenance Services to Include Trash and Debris Removal, the Annual Cost for the Expanded Service, Extend the Agreement for 18 Months, with a Total Cost of \$1,541,637 for the 18 Month Extension**
  1. Staff Report: Daryl Jordan, Public Works Director

2. Public Comment

3. Possible Action:

Approve an amendment with Jensen Landscape Services, LLC to increase the annual contract amount by \$92,750 to a total annual amount of \$1,027,758 and extend the term of the existing agreement by 18 months for landscape and maintenance services and authorize the City Administrator to execute the amendment and related documents.

9. **PUBLIC HEARINGS**

9.1. **Proposed Tentative Map to divide 6955 Camino Arroyo into two parcels (within Gilroy Crossing commercial development), Application No. TM 22-05**

1. Disclosure of Ex-Parte Communications

2. Staff Report: Sharon Goei, Community Development Director

3. Open Public Hearing

4. Close Public Hearing

5. Possible Action:

Staff has analyzed the proposed project and recommends that the City Council take the following actions:

Determine that the proposed Tentative Map is exempt from further environmental review and qualifies for the State CEQA Guidelines Class 15 Exemption, Minor Land Divisions because the proposed subdivision results in less than four parcels, is in conformance with the City's General Plan and Zoning, seeks no exceptions or variances, and all services and access to the resulting parcels is available, based on its independent analysis; and

Adopt a resolution to approve the proposed tentative map to divide the property known as APN 841-70-045 into two separate parcels.

10. **UNFINISHED BUSINESS**

11. **INTRODUCTION OF NEW BUSINESS**

11.1. **Renaming of the Gilroy Senior Center's Classroom One after Theodore "Ted" Carpenetti**

1. Staff Report: Adam Henig, Recreation Manager

2. Public Comment

3. Possible Action:

Staff recommends renaming the Gilroy Senior Center's Classroom One after Theodore "Ted" Carpenetti.

11.2. **Adopt a Resolution Declaring Additional Gilroy Gardens Property as Surplus Pursuant to Government Code Section 54221; find that the Council's action in doing so is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3)**

1. Staff Report: Bryce Atkins, Assistant to the City Administrator

2. Public Comment

3. Possible Action:

Council adopt the resolution.

11.3. **Accept the Annual Comprehensive Financial Report for Fiscal Year-Ended June 30, 2022**

1. Staff Report: Harjot Sangha, Finance Director
2. Public Comment
3. Possible Action:  
Accept and file the report.

11.4. **Report on Illegal Fireworks Administrative Citations**

1. Staff Report: Sharon Goei, Community Development Director
2. Public Comment
3. Possible Action:  
Receive report on illegal fireworks administrative citations and provide direction for the Fireworks Citation program.

12. **ADJOURN TO THE MEETING OF GILROY PUBLIC FACILITIES FINANCING AUTHORITY**

13. **OPENING (GILROY PUBLIC FACILITIES FINANCING AUTHORITY)**

13.1. **Call to Order**

13.2. **Roll Call**

14. **CONSENT CALENDAR (GILROY PUBLIC FACILITIES FINANCING AUTHORITY)**

All matters listed under the Consent Calendar are considered by the Gilroy Public Facilities Financing Authority 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 Authority 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.

14.1. **Approval of the Action Minutes of the December 5, 2022 Gilroy Public Facilities Financing Authority Regular Meeting**

15. **INTRODUCTION OF NEW BUSINESS (GILROY PUBLIC FACILITIES FINANCING AUTHORITY)**

15.1. **Approval of Resolutions Specifying Circumstances Under Which Regular Meetings Will Not Be Held; Designating Certain Officers and Employees as Ex Officio Positions; and Adopting a Budget for Fiscal Year 2023-24**

1. Staff Report: Andy Faber, General Counsel/Legal Advisor
2. Public Comment
3. Possible Action:  
Staff recommends the Board to adopt resolutions of the Gilroy Public Facilities Financing Authority ("Authority") specifying circumstances under which regular meetings will not be held; designating certain officers and employees as ex officio positions; and adopting a budget for fiscal year 2023-24.

16. **ADJOURN TO THE MEETING OF GILROY CITY COUNCIL**

17. **CITY ADMINISTRATOR'S REPORTS**

17.1. **Gilroy Clean Up Program Announcement**

18. **CITY ATTORNEY'S REPORTS**

19. **CLOSED SESSION**

19.1. **Conference with Negotiator – Collective Bargaining Unit Pursuant to Government Code Section 54957.6, Gilroy City Code Section 17A.11 (4)**

**Collective Bargaining Unit:** Gilroy Police Officers Association, Inc.,  
Representing Gilroy Police Officers;

**City Negotiators:** Jimmy Forbis, City Administrator; LeeAnn McPhillips,  
Assistant City Administrator/Administrative Services & Human Resources  
Director;

**Anticipated Issue(s) Under Negotiation:** Wages, Hours, Benefits, Working  
Conditions; Memorandum of Understanding: MOU Between City of Gilroy &  
Gilroy Police Officers

20. **ADJOURN TO OPEN SESSION**

Report of any action taken in Closed Session and vote or abstention of each Council  
Member if required by Government Code Section 54957.1 and GCC Section 17A.13 (a);  
Public Report of the vote to continue in closed session if required under GCC Section  
17A.11 (e).

21. **ADJOURNMENT**

**FUTURE MEETING DATES**

March 2023

- 6 Regular Meeting - 6:00 p.m
- 13 Council Goal / Priority Setting Workshop - 6:00 p.m
- 20 Regular Meeting - 6:00 p.m

April 2023

- 3 Regular Meeting - 6:00 p.m
- 17 Regular Meeting - 6:00 p.m

May 2023

- 1 Regular Meeting - 6:00 p.m
- 15 Regular Meeting - 6:00 p.m

**Meetings are webstreamed on the City of Gilroy's website at [gilroy.city/meetings](https://gilroy.city/meetings).**