



CITY COUNCIL

MAYOR

Marie Blankley

AGENDA

COUNCIL MEMBERS

CITY OF GILROY

Rebeca Armendariz

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

Dion Bracco

Zach Hilton

Peter Leroe-Muñoz

Carol Marques

REGULAR MEETING 6:00 P.M.
MONDAY, FEBRUARY 22, 2021

Fred Tovar

CITY COUNCIL MEETING MATERIAL IS AVAILABLE ON THE CITY WEBSITE www.cityofgilroy.org
VIEW THE MEETING LIVE ON THE CITY WEBSITE www.cityofgilroy.org

THE MARCH 1, 2021 MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS
OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20

In order to minimize the spread of the COVID 19 virus the City Council is conducting this meeting by web conference and will be offering alternative options for public participation. You are encouraged to watch the City Council meeting live on the City of Gilroy's website at www.cityofgilroy.org or on Cable Channel 17. To view from the website, select the [City Council Meetings](#) section on the home page.

PUBLIC COMMENTS WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. **DURING THE MEETING:** TO PROVIDE VERBAL PUBLIC COMMENTS ON AN AGENDA ITEM DURING THIS MEETING, LOG INTO THE ZOOM MEETING AND ENTER THE PASSCODE, OR CALL THE PHONE NUMBER LISTED HERE AND ENTER THE MEETING ID AND PASSWORD. When the Mayor announces the item which you wish to speak on, press *9 on your telephone keypad to raise your hand. When called to speak, please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for all other speakers for the particular agenda item.

Zoom Log In rb.gy/7qer22
Passcode: 749055
or call : 1 (669) 900-6833
ID: 868 6564 7832
Passcode: 749055

COMMENTS MAY ALSO BE EMAILED TO THE CITY CLERK'S OFFICE BY 6:00 P.M. PRIOR TO THE MEETING START AT suzanne.guzzetta@cityofgilroy.org, OR MAILED TO: GILROY CITY CLERK, 7351 ROSANNA STREET, GILROY, CA. 95020, TO BE DISTRIBUTED TO THE COUNCIL MEMBERS AND BE INCORPORATED INTO THE RECORD.

In compliance with the Americans with Disabilities Act, and Governors Order N-29-20, 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 a minimum of 2 hours prior to the meeting at (408) 846-0204.

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.

The City Council meets regularly on the first and third Monday of each month, at 6:00 p.m. If a holiday, the meeting will be rescheduled to the following Monday, with the exception of the single meeting in July which lands on the first day of the month not a holiday, Friday, Saturday or Sunday.

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 or

shawna.freels@cityofgilroy.org

I. OPENING

A. Call to Order

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

B. Orders of the Day

C. Employee Introductions

II. CEREMONIAL ITEMS

A. Proclamations, Awards, and Presentations

1. Proclamation Honoring Retiring Employee Robert Bozzo
2. Proclamation Honoring Retiring Employee Mitch Madruga

III. PRESENTATIONS TO THE COUNCIL

PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL PUBLIC COMMENTS MAY BE SUBMITTED BY EMAIL TO: shawna.freels@cityofgilroy.org. (This portion of the meeting is reserved for persons desiring to address the Council on matters not on this 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 material provided by public members for Council agenda item “public comment by Members of the Public on items not on the agenda” will be limited to 10 pages in hard copy. An unlimited amount of material may be provided electronically.)

IV. 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, South County Youth Task Force Policy Team, Street Naming Committee, URM Task Force Sub-committee

Council Member Armendariz – ABAG (Alternate), CalTrain Policy Group, Gilroy Downtown Business Association Board (alternate), Historic Heritage Committee, 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, Historic Heritage Committee (Alternate), Santa Clara Valley Habitat Agency Governing Board (alternate), Santa Clara Valley Habitat Agency Implementation Board (alternate), South County Regional Wastewater Authority (Alternate), URM Task Force Sub-Committee

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, Recycling and Waste Reduction Commission, Santa Clara Co. Expressway Plan 2040 Policy Advisory Board, Recycling and Waste Reduction Commission, Santa Clara Co. Library JPA (alternate), SCVWD Water Commission (alternate), South County Regional Wastewater Authority Board, Street Naming Committee, VTA Committee for Transit Accessibility

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

Mayor Blankley - Cities Association of Santa Clara Co. Board of Directors, 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 Regional Wastewater Authority Board, VTA Board of Directors Alternate, VTA Mobility Partnership, VTA Policy Advisory Committee, VTA South County City Group

V. FUTURE COUNCIL INITIATED AGENDA ITEMS

VI. 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.

- A. Minutes of the February 1, 2021 Regular Meeting**
- B. Approval of the Tenth Amendment to the Single Tenant Lease Agreement With Gilroy Gardens Family Theme Park Extending the Lease by One Year**
- C. Gilroy Arts Alliance (GAA) Lease Agreement Amendment**
- D. Sports Park Ad Hoc Committee Appointments**

VII. BIDS AND PROPOSALS

- A. Award a Contract to Balch Petroleum Contractors & Builders, Inc. for the Fuel Station Secondary Containment Components Repair Project (No. 21-PW-264), and approve a project expenditure of \$182,875.**

- 1. Staff Report: Karl Bjarke, Interim Public Works Director
- 2. Public Comment
- 3. Possible Action:

Award a contract to Balch Petroleum Contractors & Builders, Inc. in the amount of \$166,250 with an additional project contingency of \$16,625 (10%) for a total project cost of \$182,875 for the construction of the Fuel Station Secondary Containment Components Repair, Project No. 21-PW-264, and authorize the City Administrator to execute the contract and associated documents.

- B. Approval of an On-Call Consultant Selection List for Planning Services, Environmental Reviews and Historical Evaluations, 21-RFQ-CDD-330**

- 1. Staff Report: Karen Garner, Community Development Director
- 2. Public Comment
- 3. Possible Action:

Approve an on-call consultant selection list for planning services, environmental reviews and historical evaluations, 21-RFQ-CDD-330.

VIII. PUBLIC HEARINGS - NONE

IX. UNFINISHED BUSINESS

- A. Introduction of an Ordinance of the City Council of the City of Gilroy Amending Chapter 19 of the Gilroy City Code Entitled "Smoking Prohibited" Modifying Sections 19B.2 (9) Pertaining to Parks; finding that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).**

1. Staff Report: Adam Henig, Recreation Manager
2. Public Comment
3. Possible Action:
 - a) Motion to read the ordinance by title only and waive further reading
 - b) Find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen clearly that the ordinance would not have a significant impact on the environment.
 - c) Introduce an ordinance of the City Council of the City of Gilroy amending Chapter 19 of the Gilroy City Code entitled "Smoking Prohibited" Modifying Sections 19B.2 (9) Pertaining to Parks.

X. INTRODUCTION OF NEW BUSINESS

A. Gilroy Renters and Small Business Protections During Covid-19

1. Staff Report: Maria De Leon, Program Administrator
2. Public Comment
3. Possible Action:
Receive report.

B. Facility and Recreation Program Needs Assessment Conducted by PROS Consulting, Inc.

1. Staff Report: Adam Henig, Recreation Manager
2. Public Comment
3. Possible Action:
Receive report.

C. Rescinding of Gilroy City Council Resolution 2019-70 City Housing Loans for Executive and Appointed Positions (Adopting a Policy for the Provision of Housing Loans to Newly Appointed City Officers, Deputy City Administrator, Department Heads and/or Department Directors)

1. Staff Report: Jimmy Forbis, City Administrator
2. Public Comment
3. Possible Action:
Adopt a resolution to rescind resolution 2019-70 adopted on October 28, 2019 that adopted a policy for the provision of housing loans to newly appointed City Officers, Deputy City Administrator, Department Heads, and/or Department Directors.

D. Consideration of a Resolution of the Council of the City of Gilroy Expressing Support for Actions to Further Strengthen Local Democracy, Authority, and Control as Related to Local Zoning and Housing Issues

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

Adopt a resolution expressing the City's support of efforts to retain and strengthen local authority and control as related to local zoning and housing issues.

XI. CITY ADMINISTRATOR'S REPORTS

XII. CITY ATTORNEY'S REPORTS

XIII. CLOSED SESSION

**A. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT; Pursuant to Government Code Section 54957 and Gilroy City Code Section 17A.11(2)
Name/Title: Finance Director**

**B. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT; Pursuant to Government Code Section 54957 and Gilroy City Code Section 17A.11(2)
Name/Title: Public Works Director**

ADJOURNMENT

MEETING DATES

FEBRUARY 2021

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

MARCH 2021

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

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

APRIL 2021

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

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

* meeting is webstreamed and televised