



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

REGULAR MEETING 6:00 P.M.
MONDAY, MAY 17, 2021

Carol Marques

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

THIS 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:

Zoom Log In <https://rb.gy/djyruc>
or Call : 1 (669) 900-6833
Meeting ID: 897 4943 9137
Passcode: 254315

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.

COMMENTS MAY ALSO BE EMAILED TO THE CITY CLERKS OFFICE AT cityclerk@cityofgilroy.org, OR MAILED TO THE GILROY CITY CLERKS OFFICE AT CITY HALL 7351 ROSANNA STREET, GILROY, CA. 95020, PRIOR TO THE MEETING START, TO BE DISTRIBUTED TO THE COUNCIL MEMBERS AND TO BE INCORPORATED INTO THE MEETING 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

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. Bicycle Awareness Month
2. National Public Works Week
3. Girl Scout Gold Award Recipient Madison Hammer
4. Girl Scout Gold Award Recipient Lauren DeRosa

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:** cityclerk@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.)

A. Art & Culture Commission Annual Presentation to Council

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 May 3, 2021 Regular Meeting**
- B. Endorsement Letter to Support Grant Request for Restoration of Gilroy Yamato Hot Springs**
- C. Approval of the Final Map, Property Improvement Agreement No. 2021-01, Right of Way Dedications by Separate Documents, and Easement Dedications by Separate Documents for Hoey Ranch Development, Tract 10495, APN's 783-04-023, 783-04-026, 783-04-027 (portion), and 783-04-028 (portion)**
- D. Approval of a Notice of Acceptance of Completion for the Curb Ramps and Minor Concrete Improvements on 2nd and 3rd Street Project No. 20-PW-265 and Approval of a Final Contract with McKim Corporation in the Amount of \$62,100**
- E. Claim of George Rosas (The City Administrator recommends a “yes” vote under the Consent Calendar shall constitute the denial of the claim)**
- F. Claim of Nicole Craig (The City Administrator recommends a “yes” vote under the Consent Calendar shall constitute the denial of the claim)**
- VII. BIDS AND PROPOSALS**
- A. First Amendment to the Agreement for Services with CSG Consultants, Inc. for Continued On-Call Building and Fire Prevention Plan Check and Inspection Services until July 15, 2021**
 - 1. Staff Report: Robert Carrera, Mgmt. Analyst Trainee
 - 2. Public Comment
 - 3. Possible Action:

Approve an amendment with CSG Consultants, Inc. to extend their agreement until July 15, 2021 and increasing their contract capacity to a total of \$922,766 for On-Call Building and Fire Prevention Plan Check and Inspection Services.
- VIII. PUBLIC HEARINGS**
- A. Conduct of a TEFRA Public Hearing and Approval of the Issuance of Multi-family Housing Revenue Bonds by the California Municipal Finance Authority for an Affordable Housing Project Located at 1520 Hecker Pass Highway**

1. Staff Report: Kraig Tambornini, Senior Planner
2. Disclosure of Ex-Parte Communications
3. Open Public Hearing
4. Close Public Hearing
5. Possible Action:

Adopt a Resolution of the City Council of the City of Gilroy approving the issuance of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$30,000,000 for the purpose of financing or refinancing the acquisition and construction of Hecker Pass Apartments project.

B. Public Hearing to Establish a List of Properties Subject to the Weed Abatement Program and Adoption of a Resolution Authorizing the Fire Chief to Abate the Nuisance Arising Out of Weeds Growing and Refuse Accumulating Upon Property in the City of Gilroy Pursuant to Section 12.51 of the Gilroy Code

1. Staff Report: Karen Garner, Community Development Director
2. Disclosure of Ex-Parte Communications
3. Open Public Hearing
4. Close Public Hearing
5. Possible Action:

Adopt a Resolution of the City Council of the City of Gilroy authorizing the Fire Chief to abate the nuisance arising out of weeds growing and refuse accumulating upon property in the City of Gilroy, pursuant to Section 12.51 of the Gilroy City Code.

IX. UNFINISHED BUSINESS

A. City Facilities Flag Flying Policy

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

Consider the approval of a City Facility Flag Flying Policy

B. Standing Report on Operational Impacts and Other City Efforts Related to the COVID-19 Pandemic

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

Receive report.

C. Exclusive Negotiating Agreement with Select Contracts for the Potential Development of the City's 536 Acres at Hecker Pass

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

Authorize the City Administrator to negotiate and enter into an Exclusive Negotiating Agreement (ENA) with Select Contracts for the potential development of the of City's 536 acres at Hecker Pass.

D. Garlic City BMX Proposal Presentation

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

Receive presentation from representatives of Garlic City BMX for the potential development of a public BMX Pump Track at Christmas Hill Park.

E. Approval of Capital Improvement Plan Projects for Funding by the Road Repair and Accountability Act of 2017 (SB-1) Funds

1. Staff Report: Ogarita Carranza, Management Analyst
2. Public Comment
3. Possible Action:

Adopt a Resolution of the City Council of the City of Gilroy adopting a list of projects for Fiscal Year 2021-22 to be funded by SB 1: The Road Repair and Accountability Act of 2017.

X. INTRODUCTION OF NEW BUSINESS

A. Appointment to a Vacant Seat on the Parks and Recreation Commission with a Term Ending December 31, 2022

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

Interview applicants and appoint a member to the vacant seat on the Parks and Recreation Commission with a term ending December 31, 2022.

B. Approve expenditure plan for the American Rescue Plan Act Funding

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

Review and approve proposed expenditure plan of the American Rescue Plan (ARP) Act funding.

C. City Council Position on Senate Bill 612 (Portantino): A Ratepayer Equity Bill

1. Staff Report: Trevin Barber, Senior Management Analyst
2. Public Comment
3. Possible Action:

Approve a Letter of Support for Senate Bill 612 (Portantino): A Ratepayer Equity Bill

D. City Council Position on AB 1091 (Berman) - Santa Clara County Valley Transportation Authority Board of Directors

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

Consideration of Council's position on Assembly Bill 1091 (Berman)

Adjourn to the Meeting of the Gilroy Public Facilities Financing Authority

XI. GILROY PUBLIC FACILITIES FINANCING AUTHORITY BOARD OF DIRECTORS

Roll Call of the Board of Directors

1. A Resolution of the Board of Directors of the Gilroy Public Facilities Financing Authority Declaring Intent to Reimbursement Costs Incurred In Connection to Wastewater Capital Improvements from the Proceeds of Bonds to be Issued by the Authority

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

Adopt a Resolution of the Board of Directors of the Gilroy Public Facilities Financing Authority declaring intent to reimbursement costs incurred in connection with the wastewater system capital improvements, including the expansion of the regional wastewater treatment facility owned by South County Regional Wastewater Authority, from the proceeds of the Bonds to be issued by the Authority.

Adjourn to the Meeting of the Gilroy City Council

XII. CITY ADMINISTRATOR'S REPORTS

XIII. CITY ATTORNEY'S REPORTS

XIV. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation; Paragraph (1) of Subdivision (d) of 54956.9 and Gilroy City Code Section 17A.11(3)(a); Case Name: Joseph Foshee vs. City of Gilroy; Robert Zuniga; and Does 1 to 10 Inclusive; United States Northern District Court of California San Jose Division; Case No. 5:20-cv-000132-VKD, Filed January 7, 2020.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8 and Gilroy City Code Section 17A.8 (a) (2); Property: 6490 Auto Mall Parkway, Gilroy, APN 841-15-069 ; Negotiators: Jimmy Forbis, City Administrator; Other Party to Negotiations: Mike Conrotto; Under Negotiations: Price and Terms of Payment.

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to GC Sec. 54956.8 and GCC Sec.17A.8 (a) (2); Properties:10th Street Bridge: APNs 808-19-007, 799-30-006, 799-30-007, 808-19-020, 808-50-999, Thomas Luchessa Bridge: APNs 808-21-025, 808-21-023, 808-21-021, 808-21-018, New Fire Station: APNs 808-18-003, 808-19-029 Negotiators: Jimmy Forbis, City Administrator; Other Party to Negotiations: Glen Loma Corporation, John M. Filice, Jr.; Negotiating Price and terms of payment regarding purchase, sale

ADJOURNMENT

MEETING DATES

May 2021

24* Study Session - 6:00 p.m.

JUNE 2021

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

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

JULY 2021

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