

1. 7:00 P.M. Agenda

Documents:

[OPEN GOVERNMENT COMMISSION AGENDA 8-22-19.PDF](#)

2. Agenda Packet

Documents:

[OPEN GOVERNMENT COMMISSION PACKET 8-22-19.PDF](#)



GILROY OPEN GOVERNMENT COMMISSION AGENDA

MEMBERS:

Chairperson Robert Esposito
Commissioner Alison Beach
Vice Chair Diana Bentz
Commissioner Rebecca Scheel
Commissioner James Weaver

COUNCIL CHAMBERS, CITY HALL
7351 ROSANNA STREET
GILROY, CALIFORNIA 95020
THURSDAY, AUGUST 22, 2019
7:00 P.M. REGULAR MEETING

All Open Government Commission meeting materials are available online at www.cityofgilroy.org
COMMENTS BY THE PUBLIC WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE OPEN GOVERNMENT COMMISSION. Public testimony is subject to reasonable regulations, including but not limited to time restrictions for each individual speaker.

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 72 hours prior to the meeting at (408) 846-0204. A sound enhancement system is also available for check out in the City Council Chambers.

Materials related to an item on this agenda submitted to the Open Government Commission after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of Administration at City Hall, 7351 Rosanna Street during normal business hours. These materials are also available with the agenda packet on the City website at www.cityofgilroy.org subject to Staff's ability to publish 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 or by email at shawna.freels@cityofgilroy.org

I. OPENING

A. Call to Order and Roll Call

II. PRESENTATIONS TO THE OPEN GOVERNMENT COMMISSION

A. PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE AGENDA BUT WITHIN THE COMMISSION'S SUBJECT MATTER JURISDICTION

III. CONSENT CALENDAR (reports attached)

A. Approval of the Minutes of the May 9, 2019 Regular Meeting

IV. UNFINISHED BUSINESS

A. Discussion of Potential Training Options for Commissioners

1. Staff Report
2. Public Comment

Possible Action:

3. Motion to select training

V. NEW BUSINESS (reports attached)

A. Quarterly Review of Public Records Requests Per Gilroy Code Section 17A.35 (c) (Second Quarter, 2019)

1. Staff Report
2. Public Comment

Possible Action:

3. Motion to receive the report

VI. CITY ADMINISTRATOR'S REPORT

VII. CITY CLERK'S REPORT

VIII. CITY ATTORNEY'S REPORT

IX. REPORTS OF COMMISSION MEMBERS

X. FUTURE COMMISSION INITIATED AGENDA ITEMS

XI. ADJOURNMENT

FUTURE MEETING DATES:

Thursday, November 14, 2019



GILROY OPEN GOVERNMENT COMMISSION AGENDA

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Vice Chair Diana Bentz
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FUTURE MEETING DATES:

Thursday, November 14, 2019



**GILROY OPEN GOVERNMENT COMMISSION
Special Meeting Minutes
May 9, 2019**

I. OPENING

A. Call to Order and Roll Call

Chairperson Esposito called the meeting to order at 7:01 p.m.

ROLL CALL:

**Present: Commissioner Alison Beach, Chairperson Robert Esposito,
Commissioner Diana Bentz, Commissioner Rebecca Scheel**

Absent: Commissioners James Weaver

II. PRESENTATIONS TO THE OPEN GOVERNMENT COMMISSION

**A. PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE
AGENDA BUT WITHIN THE COMMISSION'S SUBJECT MATTER JURISDICTION**

There were none.

III. CONSENT CALENDAR

A. Approval of the Minutes of March 28, 2019 Special Meeting.

There were no public comments.

Motion on Item III. A.

Motion was made by Commissioner Scheel, seconded by Commissioner Bentz and carried 4-0-1 (Commissioner Weaver absent) to approve the March 28, 2019 minutes.

IV. UNFINISHED BUSINESS

There was none.

V. NEW BUSINESS

A. Quarterly Review of Public Records Requests Per Gilroy Code Section 17A.35 (c)

Open Government Commission Meeting Minutes

5/9/19

(First Quarter, 2019)

City Clerk Freels presented the item.

There were no public comments.

Motion on Item V.A.

Motion was made by Chairperson Esposito, seconded by Commissioner Bentz and carried 4-0-1 (Commissioner Weaver absent) to receive the report

B. Selection of Presentation Date for Annual Presentation to Council

The staff report was presented by City Clerk Freels.

The Commissioners discussed the presentation content and review of the PowerPoint at the November meeting, and Commissioner Bentz agreed to be the presenter.

There were no public comments.

Motion on Item V.A.

Motion was made by Commissioner Bentz, seconded by Chairperson Esposito and carried 4-0-1 (Commissioner Weaver absent) to select November 18 as the first choice and December 2 as the second choice.

C. Review Potential Training for Commissioners and Request for Funding

Material was presented by City Clerk Freels on the Institute of Local Government, League of California Cities and the Markkula Center for Applied Ethics at Santa Clara University.

The Commission reviewed the material and discussed regional training collaboration with surrounding cities that have Sunshine or Open Government Commissions. The Commissioners agreed to request funding, and discuss the item at the next meeting and see if other trainings developed.

There were no public comments.

Motion on Item V. C.

Motion was made by Chairperson Esposito, seconded by Commissioner Bentz and carried 4-0-1 (Commissioner Weaver absent) to request \$1000 in Fiscal Year 2020 funding for education and further research training options.

VI. CITY ADMINISTRATOR'S REPORT

There was none.

VII. CITY CLERK'S REPORT

A. Presentation of Transparent Gilroy Project Concept

City Clerk Freels presented the item and described the concept of creating a one-stop public portal for the series of records most commonly requested.

The Commissioners supported the idea and offered additional options of items to make available.

There were no public comments.

IX. REPORTS OF COMMISSION MEMBERS

There were none.

X. FUTURE COMMISSION INITIATED AGENDA ITEMS

The Commission agendaized a continued discussion of potential training options on the next meeting agenda.

XI. ADJOURNMENT

The meeting adjourned at 7:52 p.m.

/s/ Shawna Freels, MMC

City Clerk

City of Gilroy – Public Records Request Quarterly Summary

Date Received	Request	Date Complete	Notes
4/1/2019	Audio from 3/27/19 General Plan Committee Meeting	4/9/2019	4/1/19 Initial response sent via email 4/9/19 Final response sent via email
4/1/2019	Gilroy Gardens financial information including facility improvement funding from Account 440	4/8/2019	4/1/19 Initial response sent via email 4/8/19 Final response sent via email
4/3/2019	any records pertaining to the properties located at 7100, 7110A and 7120 Camino Arroyo, Gilroy (APN 841-18-077) from the following departments: Fire department, building/planning department and hazardous materials department; Updated to include 7110 Camino Arroyo	4/15/2019	4/4/19 Initial response sent via email 4/4/19 Partial response provided via email 4/9/19 Partial response provided via email 4/9/19 Requester scheduled to review records on 4/15/19 4/15/19 Requester reviewed records
4/9/2019	Complete Police Officer Roster, current and former	4/29/2019	4/9/19 Initial response sent via email 4/23/19 Extension request sent 4/29/19 Final response sent via email
4/11/2019	Invoices for DOG WASTE BAGS for the past 2 years	4/18/2019	4/11/19 Initial response sent via email 4/18/19 Final response sent via email
4/11/2019	Subpoena for Records - Valdomero Luna	4/19/2019	4/11/19 Received over the counter - Due date 4/26/19 4/19/19 Final response sent via Fax
4/16/2019	Building permits, inspection history and occupancy permits for 391 Windsong Way, 371 Windsong Way, 1802 Rosemary Dr, 7921 Cinnamon Way, 7708 Sumac Pl, 7832 Cobblestone Ct	4/17/2019	4/16/19 Initial response sent via email 4/17/19 Final response sent via email

City of Gilroy – Public Records Request Quarterly Summary

Date Received	Request	Date Complete	Notes
4/16/2019	Current accounting of all fees, fines, and penalties paid by URM building owners since adoption of seismic retrofit ordinance and a current accounting of all fines, fees and penalties that remain unpaid by parcel and building owner, and contract for sale of parking lot on the corner of Lewis and Monterey located at 7600 Monterey Rd.	4/24/2019	4/17/19 Initial response sent via email 4/24/19 Final responses sent via email
4/25/2019	Multifunction Device (copiers) contracts and last RFP released 2. Managed Print Service (MPS) contract 3. Wide format Printer contracts / service agreements.	5/6/2019	4/25/19 Initial response sent via email and partial response 5/6/19 Final response sent via email
4/26/2019	List of facilities associated with various Certified Unified Program Agency (CUPA) programs (active/inactive/all statuses)	5/6/2019	4/26/19 Initial response sent via email 5/6/19 Final response sent via email
4/29/2019	Bid Results - Downtown Monterey Road Rehabilitation	5/8/2019	4/29/19 Initial response sent via email 5/8/19 Final response sent via email
5/1/2019	All email received by Council Member Tovar between April 24-May 1, 2019	5/10/2019	5/1/19 Initial response sent via email 5/10/19 Final response sent via email

City of Gilroy – Public Records Request Quarterly Summary

Date Received	Request	Date Complete	Notes
5/6/2019	6901 Cameron Blvd (841-84-001) - UST/AST, Lead Based Paint or Asbestos abatement, Oil water separators - grease traps - grease interceptors - sand traps - clarifiers, Hazardous releases/response/ permits, code violations, septic system or sewer system, water supply concerns, discharge permits, wells, and Certificate of Occupancy	5/16/2019	5/7/19 Initial response sent via email 5/15/19 Partial response sent via email 5/16/19 Final response sent via email
5/8/2019	Building records including plot plan and property lines for 7285 Fowler Street	5/8/2019	5/8/19 Initial and final responses sent via email
5/10/2019	Transcripts and/or video of all depositions from the Patricia Harrell lawsuit against the GPD	5/30/2019	5/10/19 Initial response sent via email 5/20/19 Extension requested 5/30/19 Final response sent via email
5/10/2019	Electric Utility Franchise Agreements, contracts allowing for Right-of-Way for powerlines and infrastructure, franchise fees, fees to operate in the right-of-way, information on energy objectives	5/20/2019	5/10/19 Initial response sent via email 5/20/19 Final response sent via email
5/10/2019	Franchise Agreement with Charter Communications	5/13/2019	5/10/19 Initial response sent via email 5/13/19 Final response sent via email
5/13/2019	All files related to the PG&E gas plant in Gilroy, located on the block bounded by Monterey Street, Sixth Street, Old Gilroy Road, and the Southern Pacific Railroad	5/23/2019	5/13/19 Initial response sent via email 5/23/19 Final response sent via email

City of Gilroy – Public Records Request Quarterly Summary

Date Received	Request	Date Complete	Notes
5/13/2019	Application submitted in May and materials regarding Arrow or billboard sign at 101, Arrow Sign Co. and Auto Mall development south of the Auto Mall	5/16/2019	5/13/19 Initial response sent via email 5/16/19 Final response sent via email
5/14/2019	Any environmental reports for historical Dry Cleaner (1971 to 1984) located at 7897 EIGLEBERRY ST	5/24/2019	5/15/19 Initial response sent via email 5/24/19 Final response sent via email
5/15/2019	All purchasing records from 2/5/19 to 5/15/19, purchase order number, purchase date, line item details, quantity, price, vendor ID number, name address, contact person and email address	5/28/2019	5/15/19 Initial response sent via email 5/28/19 Final response sent via email
5/15/2019	Building permit with inspection history report or certificate of occupancy for 9530 Hummingbird Lane, 13 Lusitano Way, and 1788 Rosemary Drive	5/16/2019	5/15/19 Initial response sent via email 5/16/19 Final response sent via email
5/17/2019	Site plan and information re: signage permit for 7150 Camino Arroyo; site plan and square footage of approved signage	5/28/2019	5/17/19 Initial response sent via email
5/17/2019	Any follow up material for Resolution 2003-34, Condition #14 - Eagle Ridge Open Space - City's use on the site, feasibility study for public trail, copy of exhibit of the Open Space and any public documents showing site visit and feasibility of trail.	5/30/2019	5/17/19 Initial response sent via email 5/28/19 Extension issued 5/30/19 Final response sent via email

City of Gilroy – Public Records Request Quarterly Summary

Date Received	Request	Date Complete	Notes
5/23/2019	Building file for 655 Johnson Way	5/28/2019	5/23/19 Initial response sent via email 5/28/19 Final response sent via email
5/29/2019	Environmental Records for 8500-8530 Wren Avenue (AST, UST, Hazmat, et al)	5/29/2019	5/29/19 Initial and final response sent via email
5/30/2019	Open Building and Fire Code Violations for 8195 Westwood Drive	6/10/2019	5/30/19 Initial response sent via email 6/10/19 Final response sent via email
5/30/2019	300 Leavesley 2017 re-piping project permit no. 17020041 and any associated plans	5/31/2019	5/31/19 Initial and final response sent via email
6/5/2019	320 & 340 Obata Court UST, Building Permits, Hazmat records	6/13/2019	6/5/19 Initial response sent via email 6/13/19 Final response sent via email
6/7/2019	Fire Department inspection records for the Montebello Apartments located at 985 Montebello	6/10/2019	6/7/19 Request received via phone 6/10/19 Completed via phone
6/7/2019	StreetSaver PCI ratings for all street segments going back to 2003 (request made for all cities and counties in the Bay Area)	6/10/2019	6/10/19 Final response

City of Gilroy – Public Records Request Quarterly Summary

Date Received	Request	Date Complete	Notes
6/12/2019	BMX "pump track" proposed at the Sports Park - all the public records about the project that was approved including studies, public comments, and council actions that led up to approval of the project, and what happened with it	6/28/2019	6/13/19 Initial response sent via email 6/28/19 Final response sent via email
6/13/2019	2018 employee compensation report	6/13/2019	6/13/19 Initial and final response sent via email
6/20/2019	7000 Monterey St - all building & safety and planning records form earliest (1940s-Present) Fire Department/Fire Prevention records of inspections, any fire safety violations, records related to underground storage tanks, hazardous materials inventories, and environmental health, underground storage tanks records, any cleanup records and communications	7/3/2019	6/20/19 Initial response sent via email 6/25/19 Partial records available for review 7/1/19 Records provided by email and awaiting response on cost of scanning records 7/3/19 Final response sent via email
6/24/2019	Documents associated with action taken December 21, 1987 Council Meeting request of Rose Hernandez for a 400gpd sewer allocation for a Bed and Breakfast Inn at 455 Fitzgerald Avenue E.,	7/3/2019	6/24/2019 Initial response sent via email 7/3/19 Final response sent via email
6/26/2019	Single family dwelling building permit with inspection history report or certificate of occupancy for 254 Windsong Way and 125 Lusitano Way	6/26/2019	6/26/19 Initial and final response sent via email

City of Gilroy – Public Records Request Quarterly Summary

Date	Request	Date Completed	Notes
4/5/19	7110 Camino Arroyo	4/5/19	Inc. # 0702883
4/5/19	7110 Camino Arroyo	4/5/19	Inc. # 1802432
4/5/19	7110 Camino Arroyo	4/5/19	Inc.# 1702422
4/5/19	7110 Camino Arroyo	4/5/19	Inc.# 1802307
4/5/19	7110 Camino Arroyo	4/5/19	Inc. # 0802234
4/5/19	7110 Camino Arroyo	4/5/19	Inc.# 1503323
4/5/19	7110 Camino Arroyo	4/5/19	Inc. # 1801830
4/5/19	7110 Camino Arroyo	4/5/19	Inc.# 0602102
4/5/19	7110 Camino Arroyo	4/5/19	Inc.# 1803291
4/5/19	7110 Camino Arroyo	4/5/19	Inc.# 1203032
4/11/19	1425 Blackwing Way	4/11/19	Inc. # 1901440 x2
4/16/19	1425 Blackwing Way	4/16/19	Inc. #1901440
4/18/19	311 Lewis St	11/26/2018	Inc. # 1804669
4/29/19	On Church Ave & Llagas Ave	4/29/19	Inc. # 1803050
4/28/19	7151 Hanna St- Gateway School	4/29/19	Inc. # 1901587
4/28/19	7151 Hanna St- Gateway School	4/29/19	Inc. # 1901632
4/15/19	8755 Kern Ave- Rod Kelley School	4/30/19	Inc. # 1901541
5/6/2019	375 Leavesley Rd	5/6/2019	Inc # 1803664
5/7/2019	311 Lewis St	5/7/2019	Inc.# 1804669
5/14/2019	9335 Monterey St	5/15/19	Inc # 1901869
5/14/2019	9335 Monterey St	5/20/2019	Inc. # 1901869 x2
5/23/19	101N off Monterey RD RP1	5/24/2019	Inc. # 1902053
5/24/19	7251 Camino Arroyo	5/26/19	Inc. # 1902146

Department: Fire

City of Gilroy – Public Records Request Quarterly Summary

5/31/19	6351 Cameron Blvd	5/31/2019	Inc. # 1902215, 1902219,19022 94,1902300,190 2320
6/21/19	7922 Westwood Dr	6/25/2019	Inc. # 1902661x2

Department: Fire

Public Records Requests Filled 2019
Gilroy Police Department

Report Request	April	May	June
Agency Requests (Not CPRA)	138	99	81
Citizen Requests	57	101	76
Insurance Requests	30	38	32
Background Checks	64	82	69
Clearance Letters	2	5	3
Victim Witness Requests (Not CPRA)	34	23	27
Arrest Log	4	4	4
Press Log	22	22	20
Subpoena Duces Tecum	2		1
Other CPRA Requests	2	2	2
Total Requests	355	376	315
Total CPRA Requests	181	252	205

Agency Requests - These are requests made by a criminal justice agency for a police report that is precluded from public release under one of many statutes, but authorized by statute to be released to assist the agency in the administration of justice.

Victim Witness Requests - These are requests made by a Victim Witness organization for a police report that is precluded from public release under one of many statutes, but allowed by statute to be released for the assistance to a victim for various services.