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A STATEMENT TO THE GILROY COMMUNITY FROM MAYOR MARIE BLANKLEY

In the early morning hours of October 30, 2021, 18-year-old Michael Zuniga Macias was shot and killed at a privately planned and hosted Halloween Party at the long-time residence of Rebeca Armendariz. In addition, three other youth were shot, one of whom is now a quadriplegic.

These shootings occurred following a large gathering of teens and young adults for a Halloween Party that was pre-planned for the evening of October 29 at the Armendariz' residence. It has been determined by a third party and independent investigator, Hanson Bridgett LLP, that Rebeca Armendariz assisted her son and nephew in organizing and planning this event. The event included consumption of alcohol by teenagers and underage adults and public drunkenness, and unfortunately led to shootings that caused one death and serious injury to others.

As Ms. Rebeca Armendariz is also a Gilroy City Councilmember, a title she received from the voters in the 2020 election, questions have been raised by family members of the victims as well as the general public regarding the authority of the Gilroy City Council to remove a councilmember from office. To clarify, Rebeca Armendariz' involvement in this incident has no connection to the scope of her position as a City Councilmember. Under such circumstances, absent a felony conviction, only the voters have the power to remove a councilmember from office, or to otherwise "do something" about the acts of a councilmember which fall outside of the course and scope of their elected position. Indeed, it has been heart-wrenching for the City Council to hear pleas at council meetings from the public and from the family of the decedent for action towards another councilmember on a matter with which we have no involvement, connection or authority to act. The City of Gilroy shares no responsibility or association with the personal and private acts of a councilmember that are not in any way connected to their councilmember capacity.

To protect the separation and independence of the City in this matter, an independent investigation was conducted to determine whether or not Rebeca Armendariz violated the City's Social Host Ordinance, whether she violated the City's Special Event Permit requirements and permitted the unauthorized use of city property. The length of time it has taken to complete this investigation and make the findings available to the public has been dependent upon the cooperation and availability of the party(s) being investigated and the necessary witnesses. In accordance with the findings of the independent investigation, which may be found here (<https://www.cityofgilroy.org/CivicAlerts.aspx?AID=782>), the City has issued several administrative citations to Rebeca Armendariz, her mother and property owner

Augustina (Sally) Armendariz, her nephew Benjamin Calderon, and her son Domingo Armendariz, and cited each of them for violating Gilroy's Social Host Ordinance and failing to obtain a Special Event Permit for the party at the Armendariz residence. The City also issued additional administrative citations to Rebeca Armendariz for violating the terms of, and misusing City property under, the Special Event Permit that she herself signed and obtained for a different event at a different location that was to occur the following day. The Gilroy Police Department and the District Attorney's Office continue to seek witnesses who are willing to testify as to events at the time of the shootings. We seek full prosecution of the perpetrators, and justice and closure for the victims.

We, the Gilroy community, mourn the death of young Michael Zuniga Macias together with his family and friends, and the life-altering injuries sustained by others on the Armendariz family property where underage drinking and public drunkenness were permitted. Making adults accountable for their acts that put teens and underage adults in harm's way by providing venues and hosting such gatherings is precisely the aim of Gilroy's Social Host Ordinance (*Gilroy City Code, Chapter 19C, Social Host Accountability*). Unfortunately, the City can do nothing about the elected title given to Rebeca Armendariz by the voters, which has caused the City of Gilroy to be named in two tort claims (one on behalf of the decedent and the other from the individual who is now quadriplegic), which also name Rebeca Armendariz and against which the city must now defend itself and incur an unknown amount of related costs. The cost of the independent administrative investigation was \$47,000, and to date, hundreds of staff hours have been used to investigate the criminal case, to investigate and address the municipal code violations, and to respond to public inquiry. The City has no duty to defend Rebeca Armendariz herself. Instead, our duty in this matter is to protect the people of Gilroy from claims without merit or connection to the City, to enforce our municipal ordinances, and to seek evidence and testimony that will lead to full prosecution of the perpetrators of the shootings.

Sincerely,


Mayor Marie Blankley