



# City of Gilroy

## STAFF REPORT

**Agenda Item Title:** Introduction of an Ordinance of the City of Gilroy Amending Section 2.13 of the Gilroy City Code to Modify the Regular Meeting Schedule of the City Council

Meeting Date: August 21, 2023  
From: Jimmy Forbis, City Administrator  
Department: City Clerk  
Submitted By: Thai Nam Pham, City Clerk  
Prepared By: Thai Nam Pham, City Clerk

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### **STRATEGIC PLAN GOALS**

Not Applicable

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### **RECOMMENDATION**

1. Motion to read the ordinance by title only and waive further reading of the ordinance; and
2. Introduce an ordinance of the City Council of the City of Gilroy amending Chapter 2 relating to the Regular Meeting Schedule of the City Council.

### **EXECUTIVE SUMMARY**

This staff report presents a revised ordinance amendment for the City Council's consideration. The proposed amendment is based on the Council's direction provided at the August 7, 2023, City Council meeting. The revision addresses the timing of regular City Council meetings for the months of July and December. Specifically, the proposed amendment stipulates that the regular City Council meeting in July is moved to the last Monday of the month and that the City Council meeting in December be held on the second Monday of the month.

The rationale behind moving the July meeting is to offer a designated legislative recess during the summer months, allowing for a more substantial break for all stakeholders. This break recognizes the historically lower attendance during the summer season,

making it an opportune time for Council members and staff to take vacations and for the community to enjoy a break. The change aligns with practices observed in other cities and ensures that Council convenes in July when necessary. The proposed changes aim to accommodate the needs of the City while adhering to the City Charter's requirements.

## **BACKGROUND**

The City of Gilroy currently holds regular City Council meetings on the first and third Mondays of each month, as outlined in Section 2.13(a) of the Gilroy City Code. The Council has recognized the need to modify the meeting schedule, particularly in December, due to the timing of installing newly elected council members following the certification of election results by the Santa Clara County Registrar of Voters (ROV).

Initially, Staff recommended that Council introduce the ordinance with the following changes (the previous staff report is attached as a reference):

- No regular meetings for the month of July; and
- One regular meeting in December scheduled for the second Monday of the month.

However, the City Charter mandates at least one regular meeting each month, which necessitated further evaluation of the proposed ordinance's feasibility.

As a result, staff asked Council to refrain from proceeding with the introduction of the proposed ordinance. Instead, staff sought additional direction from the Council to address the Charter's requirements while still pursuing the goal of providing a more extended legislative recess during the summer months. The revised ordinance now aims to strike a balance between these considerations, aligning with the Council's direction while respecting the Charter's stipulations.

## **ANALYSIS**

The proposed ordinance amends Section 2.13(a) of the Gilroy City Code to establish the regular City Council meeting in December on the second Monday of the month and to move the regular City Council meeting in July to the last Monday of the month. The amended ordinance reads as follows (additions are **bolded** and *italicized*, and removals are ~~redlined~~ and ~~strikethrough~~):

### 2.13 Regular meetings.

(a) Time. Regular meetings of the City Council shall be held on the first and third Mondays of each month at 6:00 p.m. Whenever the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next Monday. If said Monday is also a legal or national holiday, the Council meeting shall be held on the next weekday not a holiday following

said Monday.

~~Notwithstanding the above, at least one regular council meeting shall be held in July. The date of the first regular meeting shall be held on the first day of July not a holiday and excluding Friday, Saturday or Sunday. In July, there shall be at least one regular meeting of the council, held on the last Monday of the month at 6:00 p.m. If the last Monday of July is a legal or national holiday, the meeting shall be held on the immediately preceding weekday that is not a holiday or a Friday.~~

***In December, there shall be at least one regular meeting of the council, held on the second Monday of the month at 6:00 p.m. If the second Monday of December is a legal or national holiday, the meeting shall be held on the next weekday not a holiday.***

This amendment aims to provide a more suitable timeframe for the installation of newly elected council members in December and accommodates the holiday season while adhering to the City Charter.

Additionally, the proposed changes resonate with the Council's objective of offering an extended summer recess, providing council members, staff, and the public an opportunity to benefit from a more substantial break during the summer months.

### **ALTERNATIVES**

The Council may choose to approve, modify, or reject the proposed ordinance. Any modifications to the ordinance will require a new introduction and first reading.

### **FISCAL IMPACT/FUNDING SOURCE**

The proposed ordinance does not entail direct financial or operational implications for the City of Gilroy. It primarily addresses procedural matters to enhance the scheduling of regular City Council meetings.

### **PUBLIC OUTREACH**

Public outreach efforts were conducted regarding the proposed amendment. The outreach activities included posting the proposed ordinance on the City's official website, accessible to the general public.

### **NEXT STEPS**

Should Council introduce the proposed ordinance, Council will need to adopt it at the next regular meeting. Once adopted, staff will update the Gilroy City Code and prepare the 2024 meeting schedule.

**Attachments:**

1. Proposed Ordinance
2. August 7, 2023 Staff Report