

**Planning Commission  
Regular Meeting  
NOVEMBER 12, 2015**

**I. PLEDGE OF ALLEGIANCE**

**II. REPORT ON POSTING THE AGENDA AND ROLL CALL**

Georgina Sanchez reported the agenda was posted on Thursday, November 5, 2015 at 10:30 a.m.

**Roll Call:**

Present: Commissioner Steve Ashford; Commissioner Tom Fischer; Commissioner Paul Kloecker; Commissioner Kai Lai; Commissioner Susan Rodriguez; Commissioner Elizabeth Sanford. Chair Richard Gullen arrived at 6:38 p.m.

**Staff Present:**

Sue Martin, Planning Manager; Stan Ketchum, Senior Planner; Jolie Houston, Assistant City Attorney; Kristi Abrams, Community Development Director; Ed Tewes, City Administrator; Lee Butler, Development Center Manager; Christina Villarreal and Georgina Sanchez, Office Assistants Community Development Department.

**III. NEW BUSINESS:**

A. The General Plan Advisory Committee (GPAC) has completed review of the Draft Gilroy 2040 General Plan Policy Text for recommendation to the Planning Commission and City Council. At this meeting, city staff and consultants will present the Draft General Plan Policy Text to the Planning Commission for their review and recommendation to the City Council. Recommendation of the Draft Gilroy 2040 General Plan Policy Text is exempt from environmental review under Section 15262 of the California Environmental Quality Act

**11-12-15 Item A – General Plan Policy Text**

Senior Planner Ketchum presented the staff report for the Draft General Plan Policy Text and proposed refinements to the Preferred Land Use Alternative. He said staff is recommending the Commission conduct the meeting and then continue it to November 19, 2015 to allow additional time for the public and the General Plan Advisory Committee to review the meeting materials, due to a late notification for tonight's meeting.

General Plan Consultant Jim Harnish presented an overview of the proposed General Plan elements. He noted one proposed modification to the exterior residential noise

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requirements in the Potential Hazards element. He explained that the proposed action on the General Plan Policy Text is an interim action to complete the draft General Plan for use in preparation of the General Plan EIR.

Commissioner Fischer asked for more information on recommended changes to response time for police and fire. He expressed concern that there is no numeric standard in the General Plan and asked if the response times are dependent on city budget.

Planner Ketchum answered that service levels provided for police, fire and other city services are based on the two-year budget approved by the City Council. Community Development Director Abrams stated that the fire and police departments use a variety of measurements of service delivery that are contained in the two-year budget, which is reviewed annually for performance. The existing General Plan language is not representative of these more current service standards. The City Administration is recommending that the General Plan contain higher level policy guidance and that the service standards contained in the budget would be consistent with these.

Commission Sanford acknowledged that retaining the response times in the General Plan was considered important by the GPAC, but felt the specific language involving response times did not belong in the General Plan which is primarily a land use document. She also stated that response time standards should not be based on the budget.

Commissioner Kloecker expressed the need to retain the general numbers in the plan and is concerned if we adopted language based on industry standards which may be less than what we currently have.

Commissioner Rodriguez asked if wording could be changed from meet to exceed industry standards. Planner Ketchum said that previous language referring to industry standards had been removed because it could lead to different interpretations.

Commissioner Lai asked to hear from the police chief regarding the proposed General Plan language. In the absence of the Police Chief, Community Development Director Abrams responded that the police and fire chiefs are concerned with the current policy, as previously stated, and that they are in support of the new policy language proposed by staff.

Commissioner Fischer stated his concern that the proposed removal of the numeric standards is because the city is not meeting them. He supports retaining the standards as a benchmark for the city to strive towards in providing resources in the budget.

Planning Manager Martin stated that police has a strategic plan that they use in achieving their performance goals and that the plan is available on the Police Department website. Commissioner Sanford added that this website has much more information that the public should referring to instead of the General Plan.

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Chair Gullen opened public comment.

Sam Bozzo, member of the Public Art Committee, spoke about fund raising for public art, specifically referring to Parks and Recreation Element policy PR1.23, "Alternative Financing Methods. He stated that the policy is a good start but that it should be revised to include establishing an assessment on capital projects and new development as a means to generate funding for public art, similar to that in other cities. City Attorney Jolie Houston stated that there is a current lawsuit in progress in Oakland challenging the legality of development fees to fund public art, but that the outcome is not yet determined. She also said that in past similar cases the legality of such fees has been upheld by the courts.

Walt Glines, a member of GPAC, stated that the five minute response language should be included in the General Plan, regardless of the budget implications.

Rebecca Scheel, the Parks and Recreation Commissioner representative on the GPAC pointed out that the Parks and Recreation System Master Plan" is supposed to be updated every 10 years and it has not. She is concerned that typos, miss-labeled pages and other inconsistencies in the Parks and Recreation Element of the General Plan text may provide inaccurate information. General Plan Consultant Jim Harnish explained that the Parks and Recreation System Master Plan update item in the Implementation Programs is intended to recommend updating of the master plan every ten years.

Carolyn Tognetti, GPAC Committee Member, gave a handout to commissioners that summarized the LAFCO law enforcement services review in which Gilroy was listed as averaging 12 minutes for priority 1 response calls. She feels this is unacceptable and supports keeping the numeric response time standards in the General Plan so that development projects will have to comply.

Bruce Morasca, Chairman of the Public Art Committee, also spoke in support of funding for the arts. He explained the difficulties in raising funds for the statues installed in the downtown. He also said he was glad to see that public art has been addressed in the General Plan update.

**Disclosure of Ex-Parte Communications:**

Commissioner Fischer and Kloecker have discussed this topic with the community.

**Motion on Item III. A.**

Motion: Motion to continue the resolution to approve the General Plan Policy Text for inclusion in the Draft Gilroy 2040 General Plan to the next Planning Commission meeting of Thursday, November 19, 2015.

Moved by Commissioner Tom Fischer, seconded by Commissioner Elizabeth Sanford.

Vote: Motion carried 7-0.

Yes: Commissioner Tom Fischer; Commissioner Elizabeth Sanford; Commissioner Kai

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Lai; Commissioner Paul Kloecker; Commissioner Steve Ashford; Vice Chair Sue Rodriguez; Chair Richard Gullen.

No: None

Abstain: None

IV. ADJOURNMENT to the Special Meeting of November 19, 2015 at 6:30 p.m.

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GEORGINA SANCHEZ,  
OFFICE ASSISTANT